



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 30 November 2011

**Council Chambers
1st Floor Administration Building
35 Bloomfield Street, Cleveland Qld 4163**

Table of Contents

Item	Subject	Page No
1	DECLARATION OF OPENING	1
2	DEVOTIONAL SEGMENT.....	1
3	RECOGNITION OF ACHIEVEMENT.....	1
	3.1 NATIONAL ROAD SAFETY AWARD.....	1
	3.2 AWARD FOR PLANNING EXCELLENCE.....	1
	3.3 ESTABLISHMENT OF TWO NEW GROUPS WITHIN REDLANDS SES.....	1
4	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE.....	2
5	RECEIPT AND CONFIRMATION OF MINUTES.....	2
	5.1 GENERAL MEETING MINUTES 26 OCTOBER 2011.....	2
	5.2 SPECIAL MEETING MINUTES 9 NOVEMBER 2011	3
	5.3 SPECIAL MEETING MINUTES 10 NOVEMBER 2011	3
	5.4 SPECIAL MEETING MINUTES 23 NOVEMBER 2011	3
6	MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES.....	3
	6.1.1 PETITION (DIVISION 10) REQUEST FOR A NEW FOOTPATH ON COLLINGWOOD ROAD.....	3
7	PUBLIC PARTICIPATION.....	4
8	PETITIONS AND PRESENTATIONS.....	5
	8.1 PETITIONS.....	5
	8.1.1 PETITION (DIVISION 4) – INTRODUCTION OF A 40KM SPEED LIMIT ON COOCHIEMUDLO ISLAND TO FACILITATE ELECTRIC VEHICLES	5
9	MOTION TO ALTER THE ORDER OF BUSINESS	5

10	DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS	6
10.1	MATERIAL PERSONAL INTEREST	6
10.2	CONFLICT OF INTEREST.....	6
11	CORPORATE SERVICES & GOVERNANCE COMMITTEE ITEM 23 NOVEMBER 2011	8
11.1	CORPORATE SERVICES.....	8
11.1.1	2011/2012 FIRST QUARTER BUDGET REVIEW	8
12	DIRECT TO COUNCIL REPORT	13
12.1	ENVIRONMENT PLANNING & DEVELOPMENT.....	13
12.1.1	REVIEW OF THE 2001 VOLUNTARY PURCHASE SCHEME FOR DRAINAGE CONSTRAINED LAND ON THE SOUTHERN MORETON BAY ISLANDS	13
13	CORPORATE SERVICES & GOVERNANCE COMMITTEE ITEM – 23 NOVEMBER 2011	20
13.1	GOVERNANCE	20
13.1.1	WHOLE OF STATE GOVERNMENT RESPONSE TO THE DRAFT SMBI 2030 COMMUNITY PLAN.....	20
14	CUSTOMER SERVICES COMMITTEE ITEM – 23 NOVEMBER 2011.....	28
14.1	CITY SERVICES	28
14.1.1	SMBI ILTP FINAL REPORT.....	28
15	DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE 1 NOVEMBER 2011	37
15.1	ENVIRONMENT PLANNING & DEVELOPMENT.....	37
	ITEMS RESOLVED UNDER DELEGATED AUTHORITY	37
15.1.1	CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND HOUSEKEEPING.....	37
15.1.2	CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT ASSESSMENTS.....	37
15.1.3	APPEALS LIST - CURRENT AS AT 24 OCTOBER, 2011	37
	ITEMS FOR CONSIDERATION.....	37
15.1.4	SCHOOL BASED IMMUNISATION PROGRAM.....	37

15.1.5	DEVELOPMENT AND COMMUNITY STANDARDS FEE DISCOUNTS AND WAIVERS FOR THE PERIOD OF JULY TO SEPTEMBER, 2011	43
16	DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE 22 NOVEMBER 2011	45
16.1	ENVIRONMENT PLANNING & DEVELOPMENT.....	45
	ITEMS RESOLVED UNDER DELEGATED AUTHORITY	45
16.1.1	CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND HOUSEKEEPING.....	45
16.1.2	CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT ASSESSMENTS.....	45
16.1.3	CATEGORY 3 – MODERATELY COMPLEX CODE AND IMPACT ASSESSMENTS.....	45
16.1.4	APPEALS LIST - CURRENT AS AT 14 NOVEMBER, 2011	45
12.1.9	RECONFIGURATION AT 13 MIDJIMBERRY ROAD, POINT LOOKOUT	45
	ITEMS FOR CONSIDERATION	45
16.1.5	APPLICATION OF PENSION CONCESSIONS FOR ANIMAL REGISTRATION	45
16.1.6	PROPOSED NEW DANGEROUS DOG OFFENCE.....	48
16.1.7	FLAMMABLE AND COMBUSTIBLE LIQUIDS LICENSING	51
16.1.8	NOTICE OF MOTION: PREPARATION OF REPORT ON TPA31 AND LOCAL LAW 6.....	54
17	PLANNING AND POLICY COMMITTEE 2 NOVEMBER 2011	56
17.1	CITY SERVICES	56
17.1.1	PETITION [DIVISION 1] NO TRAFFIC LIGHTS AT CNR BIRKDALE AND MAIN ROADS, WELLINGTON POINT	56
17.1.2	PETITION [DIVISION 4] INSTALLATION OF PEDESTRIAN CROSSING AT ST RITA'S PRIMARY SCHOOL BENFER ROAD, VICTORIA POINT.....	61
17.1.3	PETITION [DIVISION 10] SAFETY UPGRADE OF TINGALPA CREEK.....	66
17.2	CLOSED SESSION AT COMMITTEE	69
17.2.1	LAND ACQUISITION FOR OPEN SPACE - THORNESIDE	69

17.3	ITEM DELEGATED TO COMMITTEE FROM COUNCIL.....	70
17.3.1	PUBLIC RELEASE OF THE REDLANDS PRIORITY INFRASTRUCTURE PLAN.....	70
17.4	CITY SERVICES	74
17.4.1	AMENDMENTS TO SPRP [ADOPTED CHARGES].....	74
17.5	CLOSED SESSION AT COMMITTEE	87
17.5.1	CONFIDENTIAL VERBAL UPDATE ON THE KINROSS ROAD STRUCTURE PLAN	87
18	CUSTOMER SERVICES COMMITTEE 23 NOVEMBER 2011	88
18.1	CITY SERVICES	88
18.1.1	DELEGATION TO THE CHIEF EXECUTIVE OFFICER (CEO) - PROVISION OF CONSERVATION MAINTENANCE SERVICES FOR THE MAINLAND.....	88
18.1.2	PUBLIC PLACE RECYCLING BIN STRATEGY	91
18.1.3	STATE GOVERNMENT WASTE LEVY UPDATE AND AMENDMENT TO REDWASTE FEES AND CHARGES.....	95
18.1.4	DELEGATED AUTHORITY FOR REDLAND BAY TRANSFER STATION WEIGHBRIDGE INFRASTRUCTURE GRANT	102
18.2	CLOSED SESSION AT COMMITTEE	106
18.2.1	WASTE GATE FEE WAIVER FOR CLEAN FILL/SOIL AT BIRKDALE LANDFILL	106
18.2.2	PROPOSED ROAD OPENINGS AT COLLINS STREET, REDLAND BAY.....	107
18.2.3	COMMUNITY GRANTS PROGRAM ROUND 1 APPROVAL OF FUNDS.....	109
18.2.4	COMMUNITY GRANTS PROGRAM APPROVAL OF CAPITAL INFRASTRUCTURE FUNDS.....	117
19	CORPORATE SERVICES & GOVERNANCE COMMITTEE 23 NOVEMBER 2011	122
19.1	GOVERNANCE	122
19.1.1	QUARTERLY CORPORATE PERFORMANCE REPORT	122
19.1.2	AMENDMENTS TO SUBORDINATE LOCAL LAWS 19 (REGULATED PARKING), 21 (ROADS) AND 2 (ANIMAL MANAGEMENT)	129

19.1.3	PROPOSED REDLAND CITY COUNCIL LOCAL LAW 14 AND SUBORDINATE LOCAL LAW NO. 14 (JETTIES, RAMPS & FERRIES) 2011	133
19.1.4	COMMUNITY SAFETY POLICY AND STRATEGY REVIEW.....	138
19.1.5	ADOPTION OF 2010-2011 ANNUAL REPORT.....	142
19.2	CORPORATE SERVICES.....	144
19.2.1	OCTOBER 2011 MONTHLY FINANCIAL REPORTS.....	144
19.2.2	COMMUNITY FINANCIAL REPORT 2010/11	147
19.2.3	2010/11 RCC FINANCIAL STATEMENTS	149
19.2.4	WATER REINTEGRATION CEO DELEGATIONS	151
19.2.5	WATER REFORM LEGISLATION DELAY	154
19.2.6	NATIONAL HARMONISATION OF THE WORKPLACE HEALTH & SAFETY LEGISLATION	159
19.3	CITY SERVICES	164
19.3.1	FUNDING OPTIONS FOR PHASE 3 JUDY HOLT PARK EASTERN LANDFILL BATTER REMEDIATION AND ASSOCIATED WORKS PROJECT (2011-2012 & 2012/2013).....	164
20	MAYORAL MINUTES.....	184
20.1	2018 COMMONWEALTH GAMES	184
21	REPORTS DIRECT TO COUNCIL	185
21.1	OFFICE OF CEO.....	185
21.1.1	APPOINTMENT OF ALLCONNEX WATER BOARD CHAIRPERSON.....	185
21.2	GOVERNANCE	187
21.2.1	LGAQ SPECIAL GENERAL MEETING - POSTAL VOTE FOR AMENDMENT TO THE LGAQ CONSTITUTION.....	187
22	CLOSED SESSION	190
22.1	OFFICE OF CEO.....	191
22.1.1	IMPLEMENTATION OF THE CLEVELAND CBD MASTERPLAN.....	191
22.1.2	APPOINTMENT OF GENERAL MANAGER REDLAND WATER	192

22.2 CITY SERVICES 193

 22.2.1 NORTH STRADBROKE ISLAND RECREATIONAL AREA
 MANAGEMENT 193

 22.2.2 STATE GOVERNMENT WASTE LEVY AND AMENDMENT TO
 FEE EXEMPTION POLICY POL-0057 AND ISLAND WASTE
 DISPOSAL FEE WAIVER CSO 194

PROCEDURAL MOTION AT 8.16PM..... 195

23 MEETING CLOSURE 195

1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.02pm 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 NATIONAL ROAD SAFETY AWARD

Council's Fleet and WPH&S Teams were awarded the National Award in the Corporate Fleet Safety Category for their Fleet Safety Program. Congratulations to Jon, Peter and their teams for winning both the State and National award.

3.2 AWARD FOR PLANNING EXCELLENCE

Council was presented with an Award for Planning Excellence, in the Best Planning Ideas – Small or Local Project category for 'Child and Youth Friendly City' in conjunction with Griffith University, Laurel Johnson, Play Environment Consulting Pty Ltd.

This collaborative strategy for a child and youth friendly city presents a model of excellent planning process resulting in proposals with potential long lasting benefits for the whole community.

3.3 ESTABLISHMENT OF TWO NEW GROUPS WITHIN REDLANDS SES

Emergency Management Queensland has obtained approval for the establishment of two new groups within the Redlands SES, one for Redland Bay and the other for Russell Island. The Redland Bay Group will meet initially at Cleveland while the Russell Island Group will benefit from the Community Education and Resilience Centre which received funding from the National Disaster Resilience Fund which should be completed in 2012.

The Mayor also congratulated Tom Short for his 20 years of service to the Redlands SES.

4 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

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

EXECUTIVE LEADERSHIP GROUP:

Mr G Stevenson PSM	Chief Executive Officer
Mr N Clarke	General Manager Governance
Mr M Drydale	General Manager Corporate Services
Mrs L Rusan	General Manager City Services
Mrs T Averay	General Manager Environment Planning & Development

MINUTES:

Mrs J Parfitt	Corporate Meetings & Registers Team Leader
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LEAVE OF ABSENCE

Moved by:	Cr M Elliott
Seconded by:	Cr H Murray

That leave of absence be granted for Cr J Burns, Councillor Division 4, who is attending the Local Government and Public Sector Building Maintenance and Management Conference in Melbourne.

CARRIED

5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 26 OCTOBER 2011

Moved by:	Cr C Ogilvie
Seconded by:	Cr W Boglary

That the minutes of the General Meeting of Council held on 26 October 2011 be confirmed.

[General Meeting Minutes 26 October 2011](#)

CARRIED

5.2 SPECIAL MEETING MINUTES 9 NOVEMBER 2011

Moved by: Cr C Ogilvie
Seconded by: Cr K Reimers

That the minutes of the Special Meeting of Council held on 9 November 2011 be confirmed.

[Special Meeting Minutes 9 November 2011](#)

CARRIED

5.3 SPECIAL MEETING MINUTES 10 NOVEMBER 2011

Moved by: Cr W Boglary
Seconded by: Cr C Ogilvie

That the minutes of the Special Meeting of Council held on 10 November 2011 be confirmed.

[Special Meeting Minutes 10 November 2011](#)

CARRIED

5.4 SPECIAL MEETING MINUTES 23 NOVEMBER 2011

Moved by: Cr W Boglary
Seconded by: Cr C Ogilvie

That the minutes of the Special Meeting of Council held on 23 November 2011 be confirmed.

[Special Meeting Minutes 23 November 2011](#)

CARRIED

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

The Chief Executive Officer presented the following item for noting:

6.1.1 PETITION (DIVISION 10) REQUEST FOR A NEW FOOTPATH ON COLLINGWOOD ROAD

At the General Meeting on 26 October 2011 Council resolved as follows:

That the petition, which reads as follows, be received and referred to a committee or officer for a report back to Council:

"We the undersigned residents of Redland City, hereby petition Redland City Council to provide a new pathway along the southern side of Collingwood Road between Spoonbill Street and Hardy Road, to where a 'school-safe' crossing can be installed across Collingwood Road."

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

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

Moved by: Cr D Henry
Seconded by: Cr H Murray

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

CARRIED

The following speakers addressed Council in relation to the ILTP and parking at Weinam Creek:

1. Mr L Hackett, of the Bay Islands and representing Our Parking Spot;
2. Ms G Nemeth of Macleay Island;
3. Ms G James of Macleay Island;

MOTION TO EXTEND PUBLIC PARTICIPATION

Moved by: Cr C Ogilvie
Seconded by: Cr D Henry

That public participation segment be extended for a further 15 minutes to allow members of the gallery to address Council.

CARRIED

4. Mr S Sommerlad of Macleay Island;
 5. Ms J Hackett of Macleay Island; and
 6. Ms E Ulrik of Lamb Island.
7. Mr G Moore, NSI Museum, addressed Council in relation to Item 11.1.1 – *2011/2012 First Quarter Budget Review*
 8. Ms N Olssen of Russell Island, addressed Council in relation to 13.1.1 *Whole of State Government Response to the Draft SMBI 2030 Community Plan*

MOTION TO RESUME MEETING

Moved by: Cr D Henry
Seconded by: Cr H Murray

That the meeting proceedings resume.

CARRIED

8 PETITIONS AND PRESENTATIONS

8.1 PETITIONS

8.1.1 PETITION (DIVISION 4) – INTRODUCTION OF A 40KM SPEED LIMIT ON COOCHIEMUDLO ISLAND TO FACILITATE ELECTRIC VEHICLES

Moved by: Cr K Reimers

Seconded by: Cr D Henry

That the petition, which reads as follows, be acknowledged and that Council investigate options to allow alternative vehicles to be used on the island – public roads under a Local Area Traffic Management Plan(LATMP) and that the principal petitioner be advised accordingly in writing.

“We the undersigned, request that Council support and take all necessary actions to introduce a 40km speed limit on Coochiemudlo Island to facilitate the introduction of electric vehicles, similar to golf carts, as an alternative means of transport on the Island.”

CARRIED

9 MOTION TO ALTER THE ORDER OF BUSINESS

MOTION 1

Moved by: Cr W Boglary

Seconded by: Cr D Henry

That Item 15.2.1 *2011-2012 First Quarter Budget Review* (as listed on the Agenda) be discussed as the first item of business – 11.1.1.

CARRIED

MOTION 2

Moved by: Cr B Townsend

Seconded by: Cr W Boglary

That Item 17.3.1 *Review of the 2001 Voluntary Purchase Scheme for Drainage Constrained Land on the Southern Moreton Bay Islands* (as listed on the Agenda) be discussed as the second item of business – 12.1.1.

CARRIED

MOTION 3

Moved by: Cr M Elliott

Seconded by: Cr H Murray

That Item 15.1.1 *Whole of State Government Response to the Draft SMBI 2030 Community Plan* (as listed on the Agenda) be discussed as the third item of business – 13.1.1.

CARRIED

MOTION 4

Moved by: Cr K Williams
Seconded by: Cr W Boglary

That Item 14.1.3 *SMBI ILTP Final Report* (as listed on the Agenda) be discussed as the fourth item of business – 14.1.1.

CARRIED

MOTION TO ACCEPT LATE ITEMS

Moved by: Cr W Boglary
Seconded by: Cr K Reimers

That the following late items be received:

1. Appointment of General Manager Redland Water; and
2. State Government Waste Levy and Amendment to Fee Exemption Policy POL-0057 and Island Waste Disposal Fee Waiver CSO.

CARRIED

10 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS**10.1 MATERIAL PERSONAL INTEREST**

- Cr Ogilvie declared a Material Personal Interest in Item 11.1.1 *2011/2012 First Quarter Budget Review* – see item for details.

10.2 CONFLICT OF INTEREST

- Crs Reimers, Murray, Elliott, Bowler, Williams, Henry, Ogilvie, Boglary and Hobson declared a conflict of interest, or a perceived conflict of interest, in item 18.2.3 *Community Grants Program Round 1 Approval of Funds* – see item for details.
- Crs Elliott and Hobson declared a conflict of interest, or a perceived conflict of interest, in item 18.2.4 *Community Grants Program Approval of Capital Infrastructure Funds* – see item for details.
- Crs Reimers and Hobson declared a conflict of interest, or a perceived conflict of interest, in item 19.3.1 *Funding Options for Phase 3 Judy Holt Park Eastern Landfill Batter Remediation and Associated Works Project (2011/2012 & 2012/2013)* – see item for details.

COUNCILLOR ABSENCES DURING MEETING

Cr Elliott left the meeting at 4.57pm and returned at 4.59pm during Item 8.1.
Cr Williams left the meeting at 4.58pm and returned at 5.00pm during Item 8.1.
Cr Henry left the meeting at 5.17pm and returned at 5.23pm during Item 12.1.1.
Cr Ogilvie left the meeting at 6.12pm during Item 15.1 and returned at 6.18pm during Item 16.1.
Cr Elliott left the meeting at 6.13pm during Item 15.1 and returned at 6.16pm during Item 16.1.
Cr Townsend left the meeting at 6.17pm and returned at 6.18pm during Item 17.
Cr Williams left the meeting at 6.22pm and returned at 6.24 during Item 17.1.3.
Cr Ogilvie left the meeting at 6.23pm and returned at 6.26pm during Item 18.2.3.
Cr Bowler left the meeting at 7.01pm during Item 21.1.1 and returned at 7.04pm during Item 21.2.1.
Cr Ogilvie left the meeting at 7.02pm during Item 21.1.1 and returned at 7.04pm during Item 21.2.1.
Cr Reimers left the meeting at 7.12pm and returned at 7.15pm during closed session.
Cr Boglary left the meeting at 7.43pm and returned at 7.46pm during closed session.
Cr Williams left the meeting at 7.59pm and returned at 8.03pm during closed session.

11 CORPORATE SERVICES & GOVERNANCE COMMITTEE ITEM 23 NOVEMBER 2011

11.1 CORPORATE SERVICES

Cr Ogilvie declared a Material Personal Interest in the following item stating that his sister-in-law is a part-time employee at the NSI Museum. Cr Ogilvie left the meeting at 5.07pm.

11.1.1 2011/2012 FIRST QUARTER BUDGET REVIEW

Datworks Filename: FM Budget Review Committee Reports

Attachment: [2011/2012 First Quarter Budget Review](#)

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Deborah Corbett-Hall
Service Manager Commercial Finance

EXECUTIVE SUMMARY

This report outlines the budgeted financial position as at 30 September 2011 following quarter one of 2011/12 service delivery. The report also provides an overview of required and/or requested budget submission to Council's 2011/12 revised budget.

Attached to this report are the following details:

- Revised Key Performance Indicators (KPIs) for 2011/2012,
- Revised 2011/2012 Budgeted Statement of Cash Flows,
- Revised 2011/2012 Budgeted Statement of Financial Position (Balance Sheet),
- Summary and Detailed listing of Budget Review Submissions, and
- Revised 2011/2012 Operating Statements, Capital Funding and Other Items.

It is proposed that Council resolve to adopt the revised budget for 2011/12 at Redland City Council (RCC) consolidated level. In addition to this and in accordance with the Local Government Act 2009 (Qld), it is proposed that Council resolve to adopt the Redland Waste financial statements that are presented in the attached documentation. The relevant pages are outlined within the Officer's Recommendation in this report.

PURPOSE

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

BACKGROUND

This report presents a review of the 2011/2012 revised budget as at 30 September 2011. As part of Council's financial management framework, comprehensive quarterly budget reviews are undertaken across all groups within each department.

The first quarter budget review usually builds on the previous review of the budget and amends previous forecasts. It also includes new submissions based on previously unknown circumstances or information pertaining to the original budget submissions.

Council previously revised the 2011/12 budget in August 2011 to include any carryover funding from 2010/11 to 2011/12 (General Committee Meeting held 31st August 2011).

ISSUES

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

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

A total of 198 submissions have been included within this first quarter budget review. Full details of the submissions and their financial impacts are provided in the attachments to this report.

RELATIONSHIP TO CORPORATE PLAN

9. An efficient and effective organisation

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

9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council

9.7 Develop our procurement practices to increase value for money within an effective governance framework

FINANCIAL IMPLICATIONS

Overall the proposed budget review increases the forecast cash ending balance for the 2011/12 financial year by \$10.281m from \$49.923m to \$60.204m. This favourable movement in forecast is primarily made up of the following:

Operational Revenue – Increase of \$5.5m (favourable)

- Forecasted revenues from recouping the expenditure associated with the return of Redland Water \$3.2m;
- \$1.4m increase to anticipated fees and charges, due in the main to the caravan parks on North Stradbroke Island – budgeted now for the full financial year; and
- \$351k increased revenue from the change in service needs by Allconnex Water.

Operational Expenditure – Increase of \$6.7m (unfavourable)

- \$3.2m increase in employee expenditure - \$1.3m for the NSI caravan park staff now the budget is for the full financial year. \$400k increase for mowing operations and \$500k required for the Water Reintegration and Disestablishment (WRAD) project will be recouped as a consequential cost; and
- Goods and Services is forecasted to increase by \$3.4m due in the main to \$2.7m anticipated costs of returning Redland Water to council by 1 July. These costs will be classified as consequential costs.

Capital Expenditure – Increase of \$1.1m (unfavourable)

- \$585k is attributable to Weinam Creek Pontoon and Walkway and funding was received in the previous financial year; and
- \$180k increase is scheduled to fund a Mount Cotton Village pathway and \$150k due to the construction of a public amenities block at Mount Cotton that is partially funded by reductions in other capital jobs.

Capital Revenue – Increase of \$4.0m (favourable)

- \$3.5m is forecasted as the proceeds from the sale of investment property at Dollery Road, Capalaba.

Additionally, \$3.2m is budgeted for new loans to fund the return of Redland Water and as mentioned above, the costs will be categorised as consequential.

The above are only the major items contributing to the cash movement. A more detailed listing can be found in the budget review submissions listing (pages 8 – 21) contained within the attachment.

This budget review still results in nine adopted Financial Stability and Sustainability Ratios being favourable against their respective targets. For those ratios that are outside of their desired targets, the adoption of this proposed revised budget will not impact council's ability to make payments as they fall due.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

All group managers in consultation with the Executive Leadership Group (ELG) undertook the development of this budget review. Councillors reviewed the budget submissions with ELG in a workshop held on Tuesday 15th November 2011.

OPTIONS

PREFERRED

That Council resolve to:

1. Adopt the Revised Budget for 2011/12 at Redland City Council consolidated level which refers to the following:
 - a. RCC Budgeted Statement of Cash flows – page 5 of attachment;
 - b. RCC Statement of Financial Position (Balance Sheet) – page 6 of attachment; and
 - c. RCC Operating and Capital Funding Statement – page 22 of attachment.
2. To meet the requirements of the Local Government Act 2009 (Qld), adopt the Redland Waste Operating and Capital Funding Statements – page 28 of the attachment.

ALTERNATIVE

That Council resolve not to adopt the revised budget for 2010/11 as presented in the Officer's Recommendation below.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Adopt the Revised Budget for 2011/12 at Redland City Council consolidated level which refers to the following:
 - a. RCC Budgeted Statement of Cash flows – page 5 of attachment;
 - b. RCC Statement of Financial Position (Balance Sheet) – page 6 of attachment; and
 - c. RCC Operating and Capital Funding Statement – page 22 of attachment.
2. To meet the requirements of the Local Government Act 2009 (Qld), adopt the Redland Waste Operating and Capital Funding Statements – page 28 of the attachment.

COMMITTEE RECOMMENDATION 1

That Council resolve to remove the \$40,000 request from NSI Museum (submission #2306) from the 2011/12 revised budget.

COUNCIL RESOLUTION 1

Moved by: Cr W Boglary

Seconded by: Cr D Henry

That Council resolve as follows:

- 1. That the Committee Recommendation not be accepted; and**
- 2. That the \$40,000 request from NSI Museum be approved in the 2011/12 First Quarter Budget Review.**

CARRIED

DIVISION:

FOR: Crs Reimers, Williams, Henry, Boglary and Hobson

AGAINST: Cr Murray, Elliott, Bowler and Townsend.

Cr Burns was absent from the meeting.

Cr Ogilvie returned to the meeting at 5.17pm.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION 2**

Moved by: Cr K Reimers

Seconded by: Cr W Boglary

That Council resolve to:

- 1. Adopt the Revised Budget for 2011/12 at Redland City Council consolidated level which refers to the following:**
 - a. RCC Budgeted Statement of Cash flows – page 5 of attachment;**
 - b. RCC Statement of Financial Position (Balance Sheet) – page 6 of attachment; and**
 - c. RCC Operating and Capital Funding Statement – page 22 of attachment.**
- 2. To meet the requirements of the Local Government Act 2009 (Qld), adopt the Redland Waste Operating and Capital Funding Statements – page 28 of the attachment.**

CARRIED

DIVISION:

FOR: Crs Reimers, Murray, Ogilvie, Boglary and Hobson.

AGAINST: Cr Elliott, Bowler, Williams and Townsend.

Cr Henry was not present when this motion was put.

Cr Burns was absent from the meeting.

12 DIRECT TO COUNCIL REPORT

12.1 ENVIRONMENT PLANNING & DEVELOPMENT

12.1.1 REVIEW OF THE 2001 VOLUNTARY PURCHASE SCHEME FOR DRAINAGE CONSTRAINED LAND ON THE SOUTHERN MORETON BAY ISLANDS

Datworks Filename: LUP Revised Conservation Acquisition Strategy
Land Exchange Scheme

Responsible Officer: Toni Averay
General Manager Environment Planning &
Development

Author: Michael Beekhuyzen
Senior Strategic Planner

EXECUTIVE SUMMARY

At the General Meeting of 19 October 2011 the following motion moved by the Councillor for Division 5 was carried by Council:

'That the Chief Executive Officer prepare a report for the November General Meeting to address the possibility of reviving the Voluntary Purchase Scheme, previously adopted in 2001, to purchase selected Drainage Constrained Properties already identified in 2001. These properties are only those that were Residential A prior to the 2006 Planning Scheme and previously identified through the 'Drainage Constrained Areas mapping' for the SMBI; and

This report should provide information on how many properties in this category still remain in private ownership (along with any other relevant information) and consideration as part of any VPS should only be given to those properties still owned by the property owners who had owned them at the time that the previous offer was made.'

The 2001 Voluntary Purchase Scheme was effectively implemented for land zoned Residential A at the time with major identified drainage constraints between 1 July 2001 and 30 June 2003. A range of other measures since 2001 in support of the 2001 Voluntary Purchase Scheme have been implemented since this time. Recognising these measures have dealt with the issues the original Scheme was developed to address there is no rationale to support re-introduction of the Voluntary Purchase Scheme.

As an alternative, it is recommended that Council investigate potential financial incentives to encourage the owners of drainage constrained land on the SMBIs to transfer their land into public ownership subject to savings being made to the budgeted land exchange program through State Government assistance. Such an incentive if taken up could provide for increased public ownership of land with major identified drainage constraints contributing to the initiatives of the SMBI 2030.

PURPOSE

The purpose of this report is to review the 2001 Voluntary Purchase Scheme for land zoned Residential A at the time with major identified drainage constraints on the SMBI.

BACKGROUND

- 1998: Council adopted the Southern Moreton Bay Islands Planning and Land Use Strategy (SMBIPLUS) as its preferred framework for the future development and conservation of the Southern Moreton Bay Islands (SMBIs). A key recommendation to implement the SMBIPLUS was the acquisition of all private lots identified with major drainage problems that make it highly unlikely that Council would issue the necessary approvals for a dwelling house irrespective of whether the lot was included in the Drainage Problem or Residential A zone. At the time, this included the acquisition of approximately two thousand two hundred (2,200) private lots. The SMBIPLUS however recognised that the funding required for land acquisition and infrastructure provision was beyond the financial capacity of Council alone and that an integrated funding approach from all levels of government was required.
- 2000: the State Government adopted a modified implementation strategy for SMBIPLUS that included:
 - preparation of a statutory land use and infrastructure plan (Local Area Plan);
 - protection of existing development entitlements;
 - land amalgamation, restructure and exchange options;
 - increased infrastructure subsidies; and
 - appropriate rating and changing.

Importantly, the State Government implementation strategy did not include any funding assistance to acquire land on the SMBI.

- 2001: in response to the State Government position, Council formed the Mayor's Task Force for the SMBIs to commence implementation of modified implementation strategy and initiate a series of additional measures within the financial capacity of Council. Measures introduced included:
 - refining and finalising detailed revised drainage constrained areas mapping;
 - amending the Planning Scheme to update the mapping and zoning of land based on the revised drainage constrained areas mapping;
 - introducing a voluntary purchase scheme for 511 Residential A zoned properties confirmed as having major drainage problems; and
 - applying a minimum general rate and removal of residential levies (i.e. water access levy) from land with major identified drainage problems.

The revised Drainage Constrained Area Mapping for the SMBIs was subsequently adopted by Council in 2001 and a Voluntary Purchase Scheme introduced between 1 July 2001 and 30 June 2003. Almost two hundred and twenty (220) landowners took up the Voluntary Purchase Scheme.

- 2006: on 30 March 2006, with the commencement of the Redlands Planning Scheme all land identified with major drainage constraints on the SMBIs was included within the Conservation Sub-Area CN1 zone to recognise the limited development potential of this land due to major identified drainage constraints.
- 2011: the draft Southern Moreton Bay Islands 2030 [SMBI 2030] released for public and State Government comment in July 2011 supported the acquisition of vacant private lots with major identified drainage constraints as part of the Island conservation initiatives such as the establishment of the Southern Russell Island Conservation Park.

ISSUES

2001 Voluntary Purchase Scheme

In 2001, Council individually notified the owners of the five hundred and eleven (511) Residential A zoned lots on the SMBIs that detailed drainage investigations had identified major drainage problems with their property that made it highly unlikely that Council would issue the necessary approvals for a dwelling house. This was based on the long-standing planning position to not support development on drainage constrained land and highly restrict the alteration of drainage paths through engineering works such as the filling of land.

To assist landowners in this situation, Council initiated a Voluntary Purchase Scheme at the same time. The amount offered in 2001 was as follows:

○ Macleay Island	\$3000
○ Russell Island (North)	\$3000
○ Russell Island (South)	\$2000
○ Lamb Island	\$3000
○ Karragarra Island	\$3000

At the time, this amount offered represented fair market value for land on the SMBIs that was not affected by major drainage constraints. This provided affected landowners with a genuine interest in remaining on the SMBIs the opportunity to purchase an unconstrained lot in a similar part of the SMBIs. **There was no legal obligation** to introduce a Voluntary Purchase Scheme.

It is important to note that the Voluntary Purchase Scheme did not extend to the owners of land on the SMBIs that was zoned Drainage Problem in 2001 and confirmed to have major identified drainage constraints. This was on the basis that owners of these properties should have been aware of the major drainage constraints affecting their land in light of the Drainage Problem zone applied to their land.

Almost two hundred and twenty (220) landowners took up the Voluntary Purchase Scheme. Since that time, one forty five (145) additional lots have come into public ownership generally through either the voluntary transfer program or in lieu of outstanding rates under the *Local Government Act*. In total, approximately three hundred and sixty five (365) lots are now in Council ownership.

An analysis has been undertaken of the remaining lots in private ownership to determine those that are vacant and included in the Conservation Sub-Area CN1 zone. This analysis indicates that one hundred and forty four (144) lots remain in private ownership with twenty five (25) of these lots having changed ownership since 2001. In total, one hundred and nineteen lots (119) remain in private ownership, are vacant and are owned by the same owner since at least 2001.

Since the commencement of the Voluntary Purchase Scheme in 2001, Council has implemented a range of measures to clearly recognise the major drainage constraints identified on all land on the SMBIs. These measures include:

- following further community consultation and refinement of drainage constrained areas mapping on the SMBIs, all lots with major identified drainage problems were included in the Conservation Sub-Area CN1 with the commencement of the Redlands Planning Scheme in 2006. The CN1 sub-area clearly identifies the land is not suited for residential development by making a dwelling house an impact assessable and inconsistent use; and
- a minimum general rate and a reduced range of levies has been applied to all lots with major identified drainage constraints since 2001 through the differential rating system. The description of the rating category applied to drainage constrained land clearly identifies the land is affected by major drainage constraints that make it highly unlikely that Council would issue the necessary approvals for a dwelling house. Over the ten years since its introduction, the minimum general rate and reduced levies applied to lots with major drainage problems has resulted in a saving of \$7,500-\$10,000 compared to a comparable residential lot over the same period.

The 2001 Voluntary Purchase Scheme was effectively implemented over a 2 year period and concluded 30 June 2003 as part of a broader range of measures to address the major drainage constraints identified on land zoned residential in 2001 on the SMBIs. As a result of implementation of the above measures, the 2001 circumstances and rationale for the Voluntary Purchase Scheme are no longer relevant in 2011.

SMBI 2030: A Guide to Future Planning by Redland City Council for the SMBIs

Once formally adopted, the SMBI 2030 will guide future planning for the SMBIs for the next twenty years. Securing public ownership of areas included in the Conservation Sub-Area CN1 of the Redlands Planning Scheme is an important first step to deliver on a number of the initiatives of the SMBI 2030. For example, achieving a more sustainable settlement pattern and establishing a series of conservation parks across the SMBIs with significant conservation parks on southern Russell Island.

As part of its 2011/2012 Operational Plan, Council is committed to recommencing a land exchange program for the SMBI. The land exchange program will contribute to the delivery of the SMBI 2030 by bringing into public ownership developable private land (including land with protected development entitlements under the *SMBIs Development Entitlements Protection Act 2004*) for conservation management and protection, residential consolidation, bushfire management, provision of public open space and recreation land, stormwater management purposes and infrastructure serving issues and provide infrastructure savings.

A report on the land exchange will be presented to Council in February 2012. This report will seek Council endorsement of a schedule of private developable properties based on the above principles to be made a land exchange offer. It will also further consider the recent state government response to the SMBI 2030. In particular, the positive response received in relation to the State Government providing assistance to Council to undertake the land exchange program. This may result in the State Government providing similar financial assistance to that provided in 2002 to implement the Conservation Acquisition Strategy for the SMBIs. This involved the state government waiving fees associated with land exchanges such as transfer duty (stamp duty) up to \$500,000.

Should such assistance be provided by the State Government there will be some savings provided to the budgeted land exchange program. Any savings to the land exchange program could potentially be used to provide a financial incentive to bring the remaining private land with major identified drainage constraints into public ownership. This will further support the initiatives of the SMBI 2030.

Such a scheme could significantly assist in facilitating the establishment of conservation parks on southern Russell Island. Once public ownership is secured, other actions would then be able to be undertaken in partnership with the State, such as formal road reserve closures within these areas, the amalgamation of the numerous allotments within these areas into several large allotments and the formal establishment and long-term management of conservation parks.

As such, it is recommended that the scope of the land exchange report be expanded to provide Council with details on the operation of a potential voluntary transfer financial incentive program for drainage constrained land included within the Conservation Sub-Area CN1 zone of the Redlands Planning Scheme.

RELATIONSHIP TO CORPORATE PLAN

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.

- 3.3 Ensure the ongoing health of the bay by managing creeks, wetlands and stormwater and by protecting natural areas surrounding the bay

FINANCIAL IMPLICATIONS

A further report will be presented to Council in February 2012 that will provide detailed costing of the financial implications of the land exchange program and a potential financial incentive for the transfer of private land with major drainage constraints on the SMBIs.

PLANNING SCHEME IMPLICATIONS

The City Planning and Environment Group has prepared this report. There are no amendments needed to the Redlands Planning Scheme required from the recommendation.

CONSULTATION

The SMBI 2030 has involved significant community engagement with the community and the state government.

Consultation on this report has occurred with the Property Services Unit and the Councillor for Division 5.

OPTIONS

PREFERRED

That Council resolve to:

1. Acknowledge that the 2001 Voluntary Purchase Scheme was effectively implemented over a 2 year period and concluded 30 June 2003 as part of a broader range of measures to address the major drainage constraints identified on land zoned residential in 2001 on the SMBIs;
2. Note that a further report addressing land exchange opportunities on the SMBI will be presented to Council in February 2012. The report will seek Council endorsement of a schedule of private developable properties (including land with protected development entitlements under the SMBIs Development Entitlements Protection Act 2004) to be offered a land exchange with surplus Council land zoned SMBI Residential for the purposes of conservation management and protection, residential consolidation, bushfire management, provision of public open space and recreation land, stormwater management and infrastructure servicing issues; and
3. Investigate as part of the proposed land exchange report opportunities to introduce a potential voluntary transfer financial incentive program for drainage constrained land included within the Conservation Sub-Area CN1 zone of the Redlands Planning Scheme.

ALTERNATIVE

1. Acknowledge that the 2001 Voluntary Purchase Scheme was effectively implemented over a 2 year period and concluded 30 June 2003 as part of a broader range of measures to address the major drainage constraints identified on land zoned residential in 2001 on the SMBIs.

2. Note that a further report addressing land exchange opportunities on the SMBI will be presented to Council in February 2012. The report will seek Council endorsement of a schedule of private developable properties (including land with protected development entitlements under the SMBIs Development Entitlements Protection Act 2004) to be offered a land exchange with surplus Council land zoned SMBI Residential for the purposes of conservation management and protection, residential consolidation, bushfire management, provision of public open space and recreation land, stormwater management and infrastructure servicing issues.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr B Townsend
Seconded by: Cr D Henry

That Council resolve to:

1. Acknowledge that the 2001 Voluntary Purchase Scheme was effectively implemented over a 2 year period and concluded 30 June 2003 as part of a broader range of measures to address the major drainage constraints identified on land zoned residential in 2001 on the SMBIs;
2. Note that a further report addressing land exchange opportunities on the SMBI will be presented to Council in February 2012. The report will seek Council endorsement of a schedule of private developable properties (including land with protected development entitlements under the SMBIs *Development Entitlements Protection Act 2004*) to be offered a land exchange with surplus Council land zoned SMBI Residential for the purposes of conservation management and protection, residential consolidation, bushfire management, provision of public open space and recreation land, stormwater management and infrastructure servicing issues; and
3. Investigate as part of the proposed land exchange report opportunities to introduce a potential voluntary transfer financial incentive program for drainage constrained land included within the Conservation Sub-Area CN1 zone of the Redlands Planning Scheme.

CARRIED (unanimously)

13 CORPORATE SERVICES & GOVERNANCE COMMITTEE ITEM – 23 NOVEMBER 2011

13.1 GOVERNANCE

13.1.1 WHOLE OF STATE GOVERNMENT RESPONSE TO THE DRAFT SMBI 2030 COMMUNITY PLAN

Datworks Filename: GOV RCC State SMBI Senior Officers Working Group

Attachment: [RCC Review of Whole of State Government Response to Draft SMBI 2030](#)

Responsible Officer: Nick Clarke
General Manager Governance

Author: Mark Conlan
Principal Advisor SMBI Strategy

EXECUTIVE SUMMARY

This report outlines the whole of State Government response from nine agencies to the draft SMBI 2030 Community Plan (see attachment 1).

Departments have responded positively to many of the initiatives in SMBI 2030 however they have made no additional funding commitments outside existing programs.

Council needs to refine its lobbying campaign for the upcoming State election in light of the State government's response.

PURPOSE

To note the whole of State Government response to the draft SMBI 2030 Community Plan and to resolve to continue to engage with the State at officer and political levels.

BACKGROUND

The Department of Local Government and Planning (DLGP) coordinated a whole of State Government response to the draft SMBI 2030 Community Plan. The response was received in draft form by Council's CEO Gary Stevenson from the Director General of the Department of Local Government and Planning (DLGP) Jack Noye on the 27th of October 2011.

Council is awaiting the formal response from the State which is expected in the near future.

The response from the State included feedback from the following agencies:

- **Department of Education and Training (DET)**
 - **Department of Employment, Economic Development and Innovation (DEEDI)**
-

- **Department of Transport and Main Roads (TMR)**
- Office of State Revenue / Queensland Treasury (OSR)
- **Department of Environmental Resources and Mines (DERM)**
- **Department of Local Government and Planning (DLGP)**
- **Queensland Health (QH)**
- **Department of Communities (DoC)**
- **Department of Community Safety (DCS)**

The agencies bolded above were part of the RCC State SMBI Senior Officers Working Group. Some have made individual submissions as part of the SMBI 2030 community consultation process, prior to the whole of State response being drafted. The responses from the agencies and the impacts on the draft SMBI 2030 Community Plan are discussed below.

ISSUES

Attachment 1 is the draft copy of the whole of State government response to the draft SMBI 2030 Community Plan. The whole of government response identifies:

- Key issues of interest for Council
- Services already being delivered and those that are planned for delivery by the State
- The opportunities that the State will investigate further
- Initiatives that are unlikely to be funded in the near term and those that are not within the jurisdiction of the State.

The responses from the State Departments have been broken down into positive and negative effects on Council and are outlined below.

In short, unless specific initiatives are aligned to existing programs there is no additional funding available from the State for the draft SMBI 2030 Community Plan initiatives. The State is in a position to advocate and support initiatives where specific funding is not required, such as the use of education assets.

Positives

Department of Education and Training (DET)

- Sharing resources with the community
- Potential co-investment in community infrastructure (e.g. sport and recreation)
- Support for outside of school hours delivery of community services through the schools

Department of Transport and Main Roads (TMR)

- Co-funding with Bay islands Transit Systems (BITS) to reduce the marine impacts of water ferry transport through the creation of four new vessels by 2015

- Directed to web based guidelines and toolboxes for assistance with community based transport
- \$1 million fare top up paid to BITS in 2009-10 (subsidising passenger ferry costs)
- Supports a review of local passenger ferry service timetabling in conjunction with Translink network timetabling
- TMR invites RCC to discuss a funding partnership arrangement to increase passenger transport services in the SMBI
- Translink has commenced a study in investigate the integration of Moreton Bay Islands (Coochie and NSI) and the SMBI ferry services into the Translink network
- Translink is willing to provide assistance where necessary and review the results of any research undertaken on SMBI transport
- Supports the outcomes of the SMBI Integrated Local transport Plan (ILTP), in particular
 - Providing bicycle lockers and racks at the Redland Bay Marina
 - Providing on-road cycle lanes both on the islands and mainland
- Translink upgrade of the Redland Bay Marina Bus Station
- TMR's Taxi subsidy scheme open to elderly residents of the SMBI

Department of Environmental Resources and Mines (DERM)

- Agreed to assist RCC with tenure transfer to facilitate the creation of the Southern Russell Island Conservation Park and to appoint RCC trustee
- Will work with RCC to identify the most appropriate tenure for the proposed conservation area
- Will discuss tenure arrangements that may reduce the requirement to pay stamp duty.

Department of Local Government and Planning (DLGP)

- DLGP will work closely with RCC to facilitate the SMBI land exchange process and ease the administrative burden where possible
- DLGP will work with RCC to introduce higher minimum standards for on-site wastewater systems and support the introduction of a monitoring program
- DLGP will work with RCC to implement proposed amendments to the Redlands Planning Scheme

Queensland Health (QH)

- Supportive of the proposed Redland Bay Health and Wellbeing Hub with a willingness to enter into a 20 year lease over 3,000 square metres (subject to endorsement by the Director General)

Department of Communities (DoC)

- Working closely with RCC to assess and improve SMBI health and wellbeing (key regional priority)
- Focussed on strengthening relationships and working with community service providers
- Support for centralised community hub facilities on both Macleay and Russell Islands
- Support for on-islands' facilities that provide a base for government and NGO service delivery
- Support for the Redland Bay Health and Wellbeing Hub (DoC would like an active role in supporting the planning and development of this facility as a multi-service hub)
- Continues to work with Council to deliver on the above
- Introduced a new grants program, particularly Active inclusion, that has prioritised funding to the SMBI
- Jointly funds the SMBI local Sport and Recreation Jobs Plan officer for the SMBI
- Runs forums and workshops on the SMBI with the intent to increase the capacity of volunteers to manage and run sport and recreation in clubs on the SMBI
- Committed to safeguarding the rights of people with an intellectual or cognitive disability who are at risk of restrictive practices
- Reviewing the Local Area Coordination model of service delivery in the SMBI
- Delivery of the Aboriginal and Torres Strait Islanders Services (ATSIS) Learning Earning Active Places (LEAP) strategy to work towards closing the gap on indigenous disadvantage
- Support for planning and partnerships between the State and RCC for targeted service delivery to address social disadvantage on the SMBI

Department of Community Safety (DCS)

- Queensland Fire and Rescue Service (QFRS) will continue to work with RCC to refine Bushfire Management Plans (BMPs) for key Council reserves on the SMBI
- QFRS supports sound evidence based programs that: recognise the role of fire in maintaining biodiversity, reduce hazards and does not compromise community safety
- QFRS provides councils with bushfire management mapping through the State Planning Policy 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide
- QFRS will continue to advise and assist RCC in identifying and managing areas of bushfire hazard
- Emergency Management Queensland (EMQ) is working with RCC and the Redland City SES to establish a new SES group on Russell Island (SES will also manage the new Community Education and Resilience Centre on Russell Island)

- Shared Rural Fire Brigade and Ambulance Services are co-located on Macleay Island
- Permanent Ambulance Officers are now stationed on both Russell and Macleay Islands

Negatives

Department of Employment, Economic Development and Innovation (DEEDI)

- Council to undertake economic development study of the SMBI (no State assistance)

Department of Transport and Main Roads (TMR)

- SMBI population does not meet TMR's criteria for subsidised scheduled bus servicing
- Recommended Council seek third party funding opportunities
- TMR has no plans to extend regulation to vehicular barge services and recommends Council collaborates with the barge operator on service pricing
- Translink has no immediate plans to extend the Translink network over the Moreton Bay Island ferry services
- TMR and Translink support RCC or a third party undertaking research into key mainland destinations for SMBI residents that seeks to improve the scheduling of Translink services

Office of State Revenue / Queensland Treasury (OSR)

- Ex gratia relief from transfer duty for the land exchange program would generally not be considered appropriate in this case

Queensland Health (QH)

- Unable to contribute capital to the proposed Redland Bay Health and Wellbeing Hub

Department of Communities (DoC)

- Historically the SMBI received limited funding due to its population and the capacity of organisations funded
- Not desirable to deliver some services on the islands (e.g. domestic violence) in the interests of individual and community safety and/or confidentiality
- No funding for social housing on the SMBI at present (limited interest due to limited transport options, high cost of transfers between the islands and the mainland, and limited on-islands support services)
- No additional funding for new initiatives
- Worker safety and access to technology are inhibitors to on-islands service delivery

Whole of State response

Further to the information above, general feedback has been received that *no additional funding is available for most SMBI 2030 actions required from the State that are not already aligned to existing programs.*

RELATIONSHIP TO CORPORATE PLAN

The State government's response to the draft SMBI 2030 Community Plan impact on a number of strategies under two Corporate Plan vision outcomes, namely: 8. Inclusive and ethical governance; and 9. An efficient and effective organisation.

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.

- 8.1 Embed the visions and goals of the Redlands 2030 Community Plan into our planning, operations and culture and develop effective reporting and monitoring arrangements to show how we are progressing on implementation of the Community Plan and this Corporate Plan.
- 8.3 Establish and maintain effective partnerships with local, regional and national organisations and governments to deliver the visions and goals of the community.
- 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.
- 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

9 An efficient and effective organisation

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

- 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.
- 9.8 Work 'smarter' across departments, in multi-disciplinary teams to achieve continuous improvement and effective co-ordination.
- 9.11 Develop and improve systems to support modern and flexible delivery of services.

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget.

Cost to Council at present

Year	Revenue	Expense	Cross Subsidy
2009-10	\$12,578,196.36	\$22,896,692.20	\$10,318,495.84
2010-11	\$13,355,476.32	\$22,190,448.19	\$8,834,971.87
2011-12 *	\$18,004,000.00	\$27,792,000.00	\$9,788,000.00

* Forecast costs

As the above figures highlight, Council is subsidising the funding shortfall to deliver SMBI operational and capital projects. This is to the tune of approximately \$10 million per annum. This is not a sustainable practice.

Further to this Council has identified the infrastructure backlog of the SMBI that is beyond Council to address. The estimated cost attached to this backlog is over \$500 million. With limited ongoing community capacity to pay, alternate sources of funding are required. Council will continue to lobby the State for assistance in securing these alternate forms of funding.

PLANNING SCHEME IMPLICATIONS

The City Planning and Environment Group were consulted and it is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme at this point. Amendments to the Redlands Planning Scheme will be put to Council during the implementation phase of the SMBI 2030.

CONSULTATION

The whole of State government response includes responses from members of the RCC State SMBI Senior Officers Working Group. Eight of the nine respondents to the State response were part of the Senior Officers Working Group. The Working Group was in operation for 12 months as an election commitment of the Labour Party. The Working Group is currently being review by the CEO and the Director General of the Department of Local Government and Planning (DLGP).

Council has received the attached whole of government response to the draft SMBI 2030Community Plan from the DLGP. This report is in response to the whole of government response. Since receiving the response, Council has also met with Minister Lucas (Minister of DLGP) to review the State's response and to actively lobby for assistance in addressing specific SMBI issues.

OPTIONS**PREFERRED**

That Council resolve to:

1. Note the State whole of government response to the draft SMBI 2030 Community Plan;
2. Continue to work at officer level with the State for funding and resources to achieve the outcomes of the draft SMBI 2030 Community Plan; and
3. Engage with the State at a political level prior to and during the State election campaign in light of the State's whole of government response to the draft SMBI 2030 Community Plan.

ALTERNATIVE

That Council revise the above recommendations and advise what specific course of action would be preferred.

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

Moved by: Cr B Townsend

Seconded by: Cr M Elliott

That Council resolve to:

1. **Note the State whole of government response to the draft SMBI 2030 Community Plan;**
2. **Continue to work at officer level with the State for funding and resources to achieve the outcomes of the draft SMBI 2030 Community Plan; and**
3. **Engage with the State at a political level prior to and during the State election campaign in light of the State's whole of government response to the draft SMBI 2030 Community Plan.**

CARRIED (unanimously)

14 CUSTOMER SERVICES COMMITTEE ITEM – 23 NOVEMBER 2011

14.1 CITY SERVICES

14.1.1 SMBI ILTP FINAL REPORT

Datworks Filename: RTT Planning - SMBI Integrated Local Transport Plan

Attachment: [SMBI ILTP Review Report](#)

Responsible Officer: Murray Erbs
Manager City Infrastructure

Author: Janet Smith
Advisor Transport & Planning

EXECUTIVE SUMMARY

Since the adoption of *Southern Moreton Bay Islands Integrated Local Transport Plan 2002 (SMBI ILTP)* there have been numerous changes to SMBI population, demographics, transport patterns and the transport network. As a result, an update of this plan commenced in early 2010

This update included extensive community and stakeholder consultation, and required a number of supporting studies to be completed. The consultants, Aurecon, were engaged to write the plan and used outcomes from community engagement and supporting studies to prepare the revised document. This revised plan contained 10 transport strategies which address environment, sustainable transport and economic outcomes.

This report recommends:

That Council resolve as follows;

1. To adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;
2. To continue to deliver the current Council programs that support key strategies identified in Table 1, and
3. To pursue the initiatives to be undertaken listed in Table 1.

PURPOSE

To report to the Customer Services Committee on the review of the *Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 report* for adoption. Also provided in Table 1 is a list of transport related actions that Council is currently undertaking and the proposed short and medium term future works for adoption.

BACKGROUND

Since the adoption of *Southern Moreton Bay Islands Integrated Local Transport Plan 2002 (SMBI ILTP)* there have been numerous changes to SMBI population, demographics, transport patterns and the transport network. As a result, an update of this plan commenced in early 2010.

The *Redland Bay Centre and Foreshore Master Plan* had recently been released, which discussed key changes to the Redland Bay Foreshore - the transport portal through which the SMBI residents access the mainland. Future impacts of this plan on the SMBI also meant it was an appropriate time to review transport planning for the Southern Moreton Bay Islands.

ISSUES

Many of the transport journeys for the SMBI community comprise three components: on-island, crossing the bay and mainland.

The complex nature of the SMBI community transport journey when compared to their mainland counterparts means that transport is a key issue. The communication plan for the SMBI ILTP needed to capture this interest and draw on the community's knowledge of transport issues and possible solutions. There was also a need to engage and work with government bodies, private enterprise and 'not for profit' organisations.

In order to achieve this, community engagements undertaken included:

- 1) Macleay Island Speak Out – March 2010
- 2) SMBI transport discussion paper and submission period – November 2010
- 3) Russell Island Open House – March 2011
- 4) Key stakeholder working group meeting – May 2011

In addition to listening, the purpose of the 'on –island' events were to educate and inform the community of the outcomes of supporting studies and report back on the transport issues Council had 'heard'. The Russell Island Open House included a display of numerous 'bright ideas' from the community. These ideas were transport solutions the community had proposed. The community voted for the best ideas which were recorded and the data used by Aurecon in their preparation of the plan. Newsletters and advertisements were also circulated.

Three supporting studies have been completed to provide data for the revised SMBI ILTP, report, namely:

- **SMBI Travel Mobility survey (consultants: Social Data)**, provided more in depth and robust data on travel patterns of the SMBI community;
- **SMBI Water Transport Alternative Route Study (consultants: GHD)**, looked specifically at additional barge routes to and from the SMBI;
- **Weinam Creek Social and Economic Impact Assessment and Management Plan (consultants: SMEC)**, investigated the impact of paid parking at the mainland terminal on the SMBI community.

The consultants Aurecon were engaged to write the SMBI ILTP Review 2011 Plan. Aurecon considered the outcomes of all the community engagement and supporting studies undertaken to draft the revised plan. In this plan, they recommended 10 key strategies, namely:

- 1. The environment** - Encourage transport solutions and technologies that preserve the unique environmental values of the SMBI, the Redland foreshore and surrounding marine park;
- 2. Travel demand** - Increase the self-containment of utility trips on the islands and decrease the reliance on parking on the Redland foreshore;
- 3. Equitable access** - Ensure that transport services are competitively regulated, contracted and priced for the SMBI community and the continued development of a safe, low maintenance road network which supports cycling;
- 4. Travel responsiveness** - Develop an efficient TransLink integrated public transport system that responds more specifically to the travel needs of the SMBI community;
- 5. Sustainable transport** - Continue to develop integrated, connected walking and cycling networks on the islands and on the mainland to make walking and cycling genuine options for all trip types;
- 6. Land use** - Ensure that land use supports and balances all transport modes;
- 7. Economy** - Foster business and service growth on the SMBI to boost employment and tourism;
- 8. Government collaboration** - Ensure continued collaboration and knowledge sharing through all levels and departments of Government and private sector responsible for the management of the SMBI and their environs;
- 9. Population growth** - Recognise the growth of the SMBI population, and plan transport solutions which account for the current rate of growth;
- 10. Aged demographic** - Foster a transport system which recognises the aged or mobility impaired demographic of the SMBI population and allows for safe, convenient and comfortable access for this group.

Aurecon developed a table of prioritised actions and ownerships, and a list of breakthrough projects. To develop the table, they grouped actions under the 10 strategies and rated these actions against five strategic criteria (strategic importance, sustainability, liveability, efficiency and timeliness and community benefit).

The table of actions and ownerships were based on the 'bright ideas' from the community and the 'breakthrough projects' were incorporated into the table of actions and ownerships.

The draft report was released for public comment throughout August 2011. A number of submissions were received and key points summarised. These key points included:

- Queensland Health: Concern over the statement that walking and cycling does not meet the requirements of an aging population;
- Our Parking Spot: Believed the review had been damaged by Council's influence;
- SMBI Forum: Discussed how the proposal of a 'park and ride' as a solution for the parking problems at Weinam Creek was inadequate and inappropriate.

On the 26 September a workshop was held with the Councillors, the purpose of which was to:

- Provide feedback on submissions to the final draft SMBI ILTP; and
- Develop a Council view on key initiatives for priority and delivery

Although the consultants had produced a table of 'key actions and priority', these were at a strategic level and were not specific enough to implement. As a result, there were limited items for short term priority and delivery. The consultants 'condensed' a number of the community's 'bright ideas' to produce this table and as a result, much of the detail of the bright ideas were lost.

At the Council workshop, Council officers revisited the 'bright ideas' with the Councillors. The original list of over 90 ideas was discussed and the "bright ideas" were classified as either:

- already being undertaken by council
- having future potential
- no future potential

From this exercise, Council officers developed the following table identifying:

- Current Council actions and programs supporting key strategies
- Short to medium term initiatives to be undertaken
- Medium to long term initiatives

Table 1

Current Council actions and programs supporting key strategies	Strategy Alignment
Sealing program for island roads	1
Improvements to parking facilities and security at Weinam Creek	4, 6
Provision of an amount of free parking at Weinam Creek in on-street and overflow areas	3
Working with government agencies to enable Redland Bay Community Wellbeing Hub	2, 8
Extending pedestrian and cycle network on islands and mainland	1,2,3,5
Providing 'end of trip' facilities at ferry terminals	2,3,5
Ensuring that appropriate cycling facilities are included in new developments	2,3,5
Lobbying State Government to make improvements to public transport to establish Go-card facilities for the SMBI community	4
Lobbying State Government and ferry operator to improve the integration of	4

Current Council actions and programs supporting key strategies	Strategy Alignment
timetabling and routes from Weinam Creek terminal, and prioritise bus destinations.	
Working with service providers to investigate the extension of the STAR transport service	10
Seeking development approval to upgrade Macleay Island ramp car park	2, 6, 9
Upgrading Russell Island trailer parking	6,9
Assisting TransLink to upgrade the bus terminal at Weinam Creek including improvements to signage	4,8,9
Short to medium term initiatives to be undertaken	
Establish a car hire/share collection /drop off facilities at, or nearby Weinam Creek ferry terminal	2
Investigate innovative models and programs that encourage cycling	2,5
Assess pedestrian and cycle links through local area plans	2,5
Investigate the opportunities for joint venture development of Weinam Creek	6
Advocate for integration of passenger ferries into TransLink network including zoning that reduces the overall cost of passenger ferry access to the SMBI	3,4
Research options of on-island, on demand, mini bus service in conjunction with current and interested transport operators	2,4, 10
Advocate for better use of current vacant vehicle barge capacity by introduction of flexible fare arrangements	2,3,9
Lobby the State Government for pricing and service standard regulation of the vehicle barge service	8
Continue to investigate options for alternative barge services (including routes, subsidies and other initiatives)	2,6,9
Advocate that potential island and mainland landing points are designated 'Maritime Development Areas' within the Queensland Coastal Plan	2,6,9
Actively encourage the development of businesses and employment on the SMBI to reduce the demand on the transport network	6,7
Lobby the State Government for significant planned financial assistance toward strategic road networking upgrading	8
Investigate the viability of a 'shoppers' bus from Weinam Creek to Victoria Point	2,3,4
Lobby the State Government and its agencies to recognise Weinam Creek as a commuter hub, similar to those at other transport interchanges for rail and /or bus	4
Provide taxi rank at Weinam Creek terminal	4,10
Seek funding to upgrade Russell Island Berthing Piles	1,2
Seek funding to extend Macleay Island ramp car park	1,2
Medium to long term initiatives	
Implement identified actions that support viable options for alternative barge services (including routes, subsidies and other initiatives).	2,6,9
Upgrade island ferry terminals.	2,9
Develop SMBI strategic marine transport plan	6
Investigate pedestrian paths/cycle ways that that allow marginally faster and	10

Current Council actions and programs supporting key strategies	Strategy Alignment
longer range powered 2/3/4 wheel vehicles (alternative and innovative transport modes) to operate safely and independent from the roadway.	

RELATIONSHIP TO CORPORATE PLAN

5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a 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 bush land areas and responsive infrastructure and transport systems will support strong, healthy communities.

- 5.1 Prepare and put in place a new planning scheme for the Redlands that reflects the aspirations and expectations outlined in the Community Plan, state interests, recognised in the SEQ Regional Plan and the legal obligations of the Sustainable Planning Act

FINANCIAL IMPLICATIONS

There are no immediate financial implications for the adoption of this report. The projects that are currently being delivered already have budget allocated in the current financial year. Identified future initiatives that require funding would need to be considered at the time of future budget preparation.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment Group was consulted and it is considered that the outcome of recommendations in this report will result in no Planning Scheme implications.

CONSULTATION

The broad community consultation which formed the Community Engagement Plan was completed via various consultation methods, which included internal and external stakeholder Speak Out, Open House and working group sessions.

Consultation has also been carried out with Council's elected members during the councillor workshops.

OPTIONS

PREFERRED

That Council resolve to:

1. Adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;
2. Continue to deliver the current Council programs that support key strategies identified in Table 1; and
3. Pursue the initiatives to be undertaken listed in Table 1.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;
2. Continue to deliver the current Council programs that support key strategies identified in Table 1; and
3. Pursue the initiatives to be undertaken listed in Table 1.

PROPOSED MOTION 1 AT COMMITTEE

That Council resolve to:

1. Adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;
2. Continue to deliver the current Council programs that support key strategies identified in Table 1; and
3. Pursue the initiatives to be undertaken listed in Table 1 and the breakthrough projects listed in the Aurecon report; and
4. Amend Table 1 to include the investigation of opportunities to provide parking options e.g. multi-deck proposal at Weinam Creek as part of current PPP studies.

PROPOSED MOTION 2 AT COMMITTEE

That Council resolve as follows:

1. To adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;
2. To continue to deliver the current Council programs that support key strategies identified in Table 1; and
3. To pursue the initiatives to be undertaken listed in Table 1 and the breakthrough projects listed in the Aurecon report;
4. To seek opportunities for improvements to current barge services from Weinam Creek through negotiation with operators and potential operators as well as State Government; and
5. That prior to moving forward with any further actions with regard to alternate barge services, that consideration of social, economic and environmental impacts be fully explored as part of the process.

COMMITTEE DISCUSSION

After discussion it was agreed to amend Table 1, as contained in this report, by amending two actions and programs under '*Short to medium term initiatives to be undertaken*' as follows:

Table 1

Short to medium term initiatives to be undertaken	
Investigate the opportunities for joint venture development of Weinam Creek that includes all parking options	6
Investigate options for alternative barge services (including routes, subsidies, social, economic, environmental and other initiatives)	2,6,9

COMMITTEE RECOMMENDATION

That Council resolve to:

1. Adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;
2. Continue to deliver the current Council programs that support key strategies identified in Table 1 as amended; and
3. Pursue the initiatives to be undertaken listed in Table 1 and the breakthrough projects listed in the Aurecon report.

PROPOSED MOTION

Moved by: Cr K Williams

Seconded by: Cr M Hobson

That Council resolve to:

1. Adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;
2. Continue to deliver the current Council programs that support key strategies identified in Table 1 as amended;
3. Pursue the initiatives to be undertaken listed in Table 1 and the breakthrough projects listed in the Aurecon report; and
4. Include in Table 1:-Investigation of the feasibility of a public commercial low level parking station at Weinam Creek.

On being put to the vote the motion was LOST.

DIVISION

FOR: Cr Williams

AGAINST: Crs Reimers, Murray, Elliott, Bowler, Townsend, Henry, Ogilvie, Boglary and Hobson

Cr Burns was absent from the meeting.

COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr D Henry

That Council resolve to:

- 1. Adopt the Southern Moreton Bay Islands Integrated Local Transport Plan Review 2011 Report dated 28 June 2011 as prepared by Aurecon;**
- 2. Continue to deliver the current Council programs that support key strategies identified in Table 1 as amended; and**
- 3. Pursue the initiatives to be undertaken listed in Table 1 and the breakthrough projects listed in the Aurecon report.**

CARRIED**DIVISION**

FOR: Crs Reimers, Murray, Bowler, Williams, Townsend, Henry, Ogilvie, Boglary and Hobson

AGAINST: Cr Elliott

Cr Burns was absent from the meeting.

15 DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE 1 NOVEMBER 2011

15.1 ENVIRONMENT PLANNING & DEVELOPMENT

Moved by: Cr B Townsend
Seconded by: Cr K Reimers

That the Development & Community Standards Committee Minutes of 1 November 2011 be received and resolutions noted on items resolved under delegated authority.

CARRIED

[Development & Community Standards Committee Minutes 1 November 2011](#)

ITEMS RESOLVED UNDER DELEGATED AUTHORITY

15.1.1 CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND HOUSEKEEPING

15.1.2 CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT ASSESSMENTS

15.1.3 APPEALS LIST - CURRENT AS AT 24 OCTOBER, 2011

ITEMS FOR CONSIDERATION

15.1.4 SCHOOL BASED IMMUNISATION PROGRAM

Datworks Filename: PH Immunisation Clinics - Schools

Attachment: [Service Provider Agreement School Based Vaccination Program](#)

Responsible Officer: Toni Averay
General Manager Environment Planning & Development

Author: Jennifer Haines
Service Manager Health & Environment

EXECUTIVE SUMMARY

The current Service Provider Agreement between Redland City Council and Queensland Health for the School Based Vaccination Program for 2011 expires after the 31 December 2011.

In October 2011, a variation to the existing Service Agreement is required to be signed by the CEO for Council's agreement to continue the delivery of School Based Vaccination Program into 2012.

The purpose of this report is to determine whether Council wishes to continue to provide this service in the view of the funding shortfall.

BACKGROUND

The current Service Provider Agreement between Redland City Council and Queensland Health for the School Based Vaccination Program for 2011 expires after the 31 December 2011. In October 2011, a variation to the existing Service Agreement is required to be signed by the CEO for Council's agreement to continue the delivery of School Based Vaccination Program into 2012.

There is a funding shortfall from Queensland Health to Redland City Council for the delivery of this Program for 2011 as a result increased contractor costs and service delivery arrangements. A minimum shortfall of \$10,000 in funding for the 2012 provision of the program can be expected, however, this shortfall does not include the costs to Council of delivering the program such as administrative, coordination and technical support.

PURPOSE

The purpose of this report is to determine whether Council wishes to continue to provide this service in the view of the funding shortfall.

DISCUSSION

Coordinated by Queensland Health, the School Based Vaccination Program provides parents and guardians with the opportunity to have their children vaccinated against certain diseases through their school at no cost. The Program is offered to children of secondary school age in state and non-state schools.

The Vaccine Schedule is:

- Grade 8 Female - Hepatitis B (2 doses) Chicken pox (1 dose), Human Papillomavirus (3 doses)
- Grade 8 Males - Hepatitis B (2 doses) Chicken pox (1 dose)
- Grade 10 All students – Diphtheria, Tetanus, Whooping Cough (1 dose)

Queensland Health is responsible for the administration and implementation of the School Based Vaccination Programs and has previously engaged Redland City Council to provide this service within Redland City, which has delivered successful programs, improving community health outcomes.

Nine (9) other South East Queensland councils are currently delivering this program in their jurisdictions. The Sunshine Coast Regional Council is not currently delivering this program. Ozcare, a not for profit organisation is delivering the program in that area.

Queensland Health has provided funding to council for the provision of the School Based Vaccination Program, this funding is linked to the national immunisation schedule; and the payment is estimated on student enrolment for each calendar year calculated at 102% of student enrolments from February of the previous calendar year. Based on Queensland Health's 2011 funding of \$97,038.00 and the associated

contractor costs to deliver the program for 2011, we can expect an estimated shortfall of \$10,000.

Redland City Council appointed Ausvax Pty Ltd to deliver the services for the 2011 calendar year at a cost of \$103,576 for the 2011 School Based Program. This appointment followed a thorough tender process during which Ausvax was the only company to be accepted onto the panel of providers for these services. Ausvax can seek a cost increase as part of their contract with Redland City Council of no more than Health Consumer Price Index (CPI) for 2012. The Australian Bureau of Statistics Health CPI increases for 2011 financial year is 4%.

Ausvax is highly experienced, continually improving their service delivery since their initial appointment in 2009. Council has a good relationship with Ausvax who add increasing value, often above and beyond the contract provisions and it is not recommended to change contractors for this service delivery.

Over the years, different implementation models have been tested by the Health and Environment Unit, such as the employment of community immunisation nurses, and immunisation coordinators, however, this was even more costly than the contractor approach.

Council's Environmental Health Officers, Business Support Officers and Management, all supply valuable and necessary administration, liaison and implementation functions to ensure the School Based Vaccination Program is delivered efficiently and effectively. This is an additional resource burden and cost on Council for the delivery of the program.

BENEFITS

Providing this service to the schools reduces the incidence of vaccine-preventable diseases in the Redlands area and improves the health outcomes for the community in general which is in line with Redland City Councils 2030 Community Plan and Corporate Plan 2010-2015.

RISKS

Council must consider the administrative risk of taking on the responsibility of managing the delivery of this program, including the sensitive nature of the activity and the costs of investigations into any formal complaints that may be received.

Queensland Health has indicated that they are not able to increase the level of funding provided to support the implementation of this program on their behalf. A meeting was held between officers from Redland City Council, Dr Brad Mc Call (Public Health Medical Officer) and Lynn Waters (Co-coordinator for the School Based Vaccination Program) to discuss the continuation of the School Based Vaccination Program prior to Council making a decision.

Queensland Health requested that Council continue the program for at least another year, to enable them to review the Service Level Agreement and the framework for the program, including possible changes to the timing and delivery of the program.

QLD Health advised that there was a possibility that the program may not be run for Redland Schools in 2012 if Council did not manage the program.

IMMUNISATION DATABASE

The database currently used to record immunisation information, and feed that information into the state and national immunisation databases, is an ageing system that was never designed to hold the amount of information it currently holds, nor is it suited to the data portability that is required of this system. It is important that Council is able to rely on the accuracy and efficiency of this database as these records are first and foremost medical records of patients, and they are also used to calculate funding payable to Council by national schemes such as Medicare.

In order to continue to run the School program, Council would need to upgrade the current immunisation system software due to its limited ability to manage the large volumes of data generated by the school program. In order for this upgrade to occur a cost of around \$32,000 would be required to upgrade to a suitable program and also add a Citrix platform for improved access into the immunisation system by contractors.

Should Council decide to continue to deliver the School Based Vaccination Program for another 12 months, as requested by QLD Health, and not upgrade the immunisation database, the Health and Environment Unit will require additional temporary resources to double check and re-enter any data lost as a result of the systems inability to cope with the large volumes of data inputted during the school program.

It is important to note that the immunisation database is still required to be used by Council's Community Immunisation Clinics, which will continue to be provided, and as such the immunisation database will require replacement at some stage, although the data load on the system will be greatly reduced if the School Based Immunisation Program is no longer run by Council.

Discussions were also held with QLD Health in relation to support provided to Local Governments in relation to this program, particularly in relation to information capturing systems which are currently provided by each Local Government, with different systems being used in different Local Governments. It is considered important that QLD Health progress towards ensuring that the same system is used by all Local Governments delivering this program, including financially supporting this goal.

CONCLUSION

Officers seek direction from Council regarding the continued delivery of the school based immunisation service on behalf of QLD Health.

RELATIONSHIP TO CORPORATE PLAN

This matter relates to the outcomes of the corporate plan; specifically item 7.3 increase community health, safety and wellbeing by planning and delivering programs, services, partnerships, regulations and education.

FINANCIAL IMPLICATIONS

The continuation of this service may result in a funding shortfall of around \$10,000. This is based on actual contractor and equipment costs and does not include additional costs to Council of delivering the program such as administrative, coordination and technical support.

Additional resourcing will also be required to either upgrade Council's immunisation database (approx. \$32,000 + costs for Citrix platform), or for additional temporary resources to verify data and maintain manual records (+ Citrix platform) as a temporary measure only.

The Health and Environment Unit intend to manage these costs through savings under the current budget, but may request additional budget for the immunisation database replacement in the 2012-13 financial year, depending on Council's decision about the future of the program.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Officers have consulted with QLD Health and a meeting has been held with senior officers from QLD Health and Council in relation to this matter.

OPTIONS

Preferred

That Council resolve to:

1. Continue the provision of the School Based Immunisation Program for one year (extend the current Service Level Agreement until 31 December 2012), and review this decision in 12 months; and
2. Note that there will be a funding shortfall of approximately \$10,000 and that additional temporary resources will also be required to maintain the failing immunisation database, or replace the system (subject to funding availability).

Alternative 1

Council discontinue the provision of the School Based Immunisation Program given the shortfall in funding from QLD Health.

Alternative 2

Council continue the provision of the School Based Immunisation Program indefinitely, by committing to QLD Health to continue this service delivery. This will be subject to additional funding from Council to both cover the shortfall in funding from QLD Health and upgrading the Immunisation Database.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Continue the provision of the School Based Immunisation Program for one year (extend the current Service Level Agreement until 31 December 2012), and review this decision in 12 months ; and
2. Note that there will be a funding shortfall of approximately \$10,000 and that additional temporary resources will also be required to maintain the failing immunisation database, or replace the system (subject to funding availability).

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr B Townsend

Seconded by: Cr H Murray

That Council resolve as follows:

1. The State Government be informed that it is the policy of this Council that the School Based Immunisation Program is not considered to be a core business of Council;
2. That Council continue the provision of the School Based Immunisation Program for one year (extend the current Service Level Agreement until 31 December 2012), to ensure continuity of service to the community;
3. That Council note that there will be a funding shortfall of approximately \$10,000 and that additional temporary resources will also be required to maintain the failing immunisation database, or replace the system (subject to funding availability); and
4. That the Mayor will write to the Minister requesting that the shortfall for 2012 be funded by State Government.

CARRIED (en-bloc)

15.1.5 DEVELOPMENT AND COMMUNITY STANDARDS FEE DISCOUNTS AND WAIVERS FOR THE PERIOD OF JULY TO SEPTEMBER, 2011

Dataworks Filename: GOV - Development and Community Standards - Reports for Noting

Attachment: [Fee Schedule Supporting Information](#)

Responsible Officer: Toni Averay
General Manager Environment Planning & Development

Author: Kerri Lee
Business Support Officer, Sustainable Assessment

EXECUTIVE SUMMARY

On 25 November 2009, Council approved a number of fee discounts and criteria. This was in response to Internal Audit recommendations to provide improved accountability and transparency in consideration of any discounts.

On 4 October 2010, Policy Document 'Corporate POL-3094' and Guideline Document 'GL-3094-001' were approved. The General Manager, Development and Community Standards (now Environmental Planning & Development) and, as of 20 October 2010, the Group Managers of Sustainable Assessment, Building and Plumbing Services, and Community Standards, have delegated authority to approve requests to reduce the application fee when a strict application of the scheduled fee is unreasonable or inappropriate considering the work required to carry out the assessment of the application, or where an appropriate fee has not been set.

Other discounts include discounts for charities and not for profit organisations, as well as for Smart eDA and accelerated development applications.

All fee waivers and discounts are recorded in the Development and Community Standards Fee Discount Register. It is the responsibility of the relevant Group Manager and the General Manager to ensure registers are maintained.

The full list of approved provisions for fee discounts and waivers is attached.

On 17 November, 2010, Council resolved to waive fees for permits for Temporary Entertainment Venues entirely when conducted by eligible bona fide charities and not for profit organisations covering the costs of these permits as a community service obligation.

PURPOSE

This report details fee discounts and waivers for Development and Community Standards (now Environment Planning and Development) for the period 1 July, 2011 to 30 September, 2011.

Summary of Discounts and Waivers – 1 July, 2011 to 30 September, 2011

Discounts/Waivers	Discounts Approved	Total Amount of Discount
Discretionary Discounts	13	\$51,543.51
Charities and Not-for-Profit Organisations	4	\$1,618.62
Accelerated DA Applications	8	\$2,841.48
Smart eDA Applications	80	\$14,759.75
Combined Applications	2	\$4,261.25
Multiple Discounts	3	\$2,130.37
Resubmission of lapsed applications	6	\$1,017.95
Withdrawn Applications	10	\$4,130.50
Temporary Entertainment Venues	4	\$3,256.80
Total	132	\$85,560.23

Refusals

Two (2) requests for a reduction in the development application fee were refused as they did not comply with the criteria in the 'Fee Schedule Supporting Information' for Discretionary Discounts.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr H Murray

That the report be noted.

CARRIED (en-bloc)

**16 DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE
22 NOVEMBER 2011****16.1 ENVIRONMENT PLANNING & DEVELOPMENT**

Moved by: Cr B Townsend
Seconded by: Cr K Williams

That the Development & Community Standards Committee Minutes of 22 November 2011 be received and resolutions noted on items resolved under delegated authority.

CARRIED

[Development & Community Standards Committee Minutes 22 November 2011](#)

ITEMS RESOLVED UNDER DELEGATED AUTHORITY**16.1.1 CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND HOUSEKEEPING****16.1.2 CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT ASSESSMENTS****16.1.3 CATEGORY 3 – MODERATELY COMPLEX CODE AND IMPACT ASSESSMENTS****16.1.4 APPEALS LIST - CURRENT AS AT 14 NOVEMBER, 2011****12.1.9 RECONFIGURATION AT 13 MIDJIMBERRY ROAD, POINT LOOKOUT****ITEMS FOR CONSIDERATION****16.1.5 APPLICATION OF PENSION CONCESSIONS FOR ANIMAL REGISTRATION**

Datworks Filename: L&E Dog Registration

**Responsible Officer: Toni Averay
General Manager Environment Planning &
Development**

**Author: Donna Wilson
Service Manager Compliance**

EXECUTIVE SUMMARY

The *Animal Management (Cats and Dogs) Act 2008* requires all cats and dogs to be registered with the relevant local government at 12 weeks of age. Cat and Dog registration fees are determined annually by the local government.

Council adopted the 2011/2012 Fees and Charges Schedule at its Special meeting on 27 April 2011. The 2011/2012 Fees and Charges Schedule allows a 50% concession for an animal registration if an owner is in receipt of a full pensioner benefit.

PURPOSE

The purpose of this report is to seek Council approval for the application of pensioner benefit concessions relating to animal registrations.

BACKGROUND

Concessions for dog registrations were introduced by Council in the early 90's, and more recently included concessions for cats due to the requirement of registration. Council provides concessions to animal owners if they are in receipt of a full pensioner benefit, the owner is a current member of Dogs Queensland, formerly Canine Control Council, or the owner is a current member of the Greyhound Racing Board.

To date, 4,686 cats and 23,283 dogs are registered with Council.

For the period 01/07/2010 – 30/06/11 inclusive, Council obtained animal registrations from 2,646 pensioners eligible for a registration discount. This discount equates to \$65,936.62.

Pension concessions apply to animal owners in receipt of a full pension benefit from Centrelink. Pension concessions apply to the following:

- Aged pension
- Disability pension
- Carers pension
- Sole parents pension
- Newstart Allowance
- Department of Veteran Affairs (DVA)

ISSUES

Council provides a concession to animal owners who are in receipt of a full pension benefit from Centrelink. Historically, to assess eligibility and in the absence of written confirmation, Officers relied solely on the information available to Rating Services. It was determined that the information contained within Council's database primarily applied to property owners. To accommodate confirmation of non rate payers, animal owners were requested to provide written proof of pension status.

More recently, an avenue for Officers to confirm 'up to date' information became available. Direct access to Centrelink's database was provided, allowing Officers direct access to Centrelink to confirm an animal owner's pension status.

The Centrelink website will only confirm the status of a pension, namely if the holder is in receipt of a full or partial pension. It provides no other personal information. In

accordance with Centrelink's privacy policy, a signed authorisation is required by the pensioner which authorises Centrelink to disclose the information to Council.

As with many processes where concessions are applied, the proof of eligibility provides for a fair, consistent and appropriate approval for discounts. Following Council's adoption of the 2011/2012 Fees and Charges Schedule, a number of enquiries have been received regarding the annual verification of pensioner concessions.

To streamline the process and reduce the need for annual verification checks, Council may consider classifying all animal owners in receipt of a full aged pension or Department of Veteran Affairs pension as a 'permanent pensioner' in Council's database. This would enable an automatic concession to be applied to their animal renewals and eliminate the need for pension status to be verified each year. It is unlikely that the circumstances of individuals in receipt of either of these pensions would change.

Cross referencing with the Rating Services database is possible, however further scrutiny of the data prior to converting them to 'permanent pensioners' would be required. With animal owners whose pension details are not readily available, their status can be converted to a 'permanent pensioner' on renewal.

Those in receipt of the Disability, Carers, Sole parents, Newstart allowance are more susceptible to change, and it would be recommended to retain annual verifications.

FINANCIAL IMPLICATIONS

Should Council determine to convert all animal owners in receipt of an aged pension or Department of Veteran Affairs pension to 'permanent pensioners', this would have no financial implication.

CONSULTATION

Consultation has been undertaken with relevant Council Officers, in particular

- Team Coordinator Rating Services
- Service Manger Revenue and Cash Management

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr K Reimers

That Council resolve to:

- 1. Convert all animal owners in receipt of an aged or Department of Veteran Affairs pension as 'permanent pensioners'; and**
- 2. Retain annual verifications with Centrelink of pensioners in receipt of a full disability, carers, Newstart, and sole parent pension.**

CARRIED (en-bloc)

16.1.6 PROPOSED NEW DANGEROUS DOG OFFENCE

Dataworks Filename: GOV - Development and Community Standards
Committee Reports for Noting

Attachment: [Proposed New Dangerous Dog Offence Submission](#)

Responsible Officer: Toni Averay
General Manager Environment Planning &
Development

Author: Donna Wilson
Service Manager Compliance

EXECUTIVE SUMMARY

The Attorney-General, Minister for Local Government and Special Minister of State has recently released a proposed new dangerous dog offence under the *Criminal Code Act 1899*.

Council's Compliance Services Unit has reviewed the proposed amendments and provided comment to the Attorney-General on the proposed legislative changes.

PURPOSE

It is proposed that the new dangerous dog offence will supplant the current offence provisions under the *Animal Management (Cats and Dogs) Act 2008* and be transferred to the *Criminal Code Act 1899*.

BACKGROUND

On 13 September 2011, the Queensland Government announced its intention to review the sufficiency of the existing Queensland laws in relation to dog owners who fail to prevent their dog from causing serious injury or death to other persons. This announcement followed a serious dog attack in Victoria, which resulted in the death of a child.

The Attorney-General, Minister for Local Government and Special Minister of State has recently released proposed amendments to the *Animal Management (Cats and Dogs) Act 2008* and the *Criminal Code Act 1899*.

On 7 November 2011, Council received the proposed amendments to consider and provide a submission by 11 November 2011.

ISSUES

Under the proposed new offence provision, a person responsible for a dog who manages the dog dangerously causing the death of or grievous bodily harm to another person commits a crime punishable by a maximum of 10 years imprisonment. This proposed offence will supplant the current offence provisions under the *Animal Management (Cats and Dogs) Act 2008*, and has been drafted to

appropriately interface with section 289 (Duty of persons in charge of dangerous things) of the *Criminal Code*.

The creation of the proposed new offence will transfer responsibility for investigation and commencement of proceedings for serious dog attacks from Local Government to the Queensland Police Service.

Currently Council has the responsibility to manage dog attacks under the *Animal Management (Cats and Dogs) Act 2008*. On conclusion of an investigation of this nature, providing there is sufficient evidence that would indicate the dog did in fact attack; Council has a number of options in determining the appropriate action to take. The options may include, the dog owner receiving an infringement notice, a warning letter, declaring the dog a menacing or dangerous dog, or seeking a destruction order for the dog. Prosecuting an owner may also be considered. However, considering all of the circumstances, Council may also choose to take no action.

To better manage the risks of an escalation of aggressive behaviour by a dog, the Act provides for Council to identify and declare two categories of aggressive behaviour in dogs – menacing and dangerous (regulated dogs).

The *Animal Management (Cats and Dogs) Act 2008* provides for prescribed conditions for the keeping of regulated dogs.

In the event a destruction order is sought, the *Animal Management (Cats and Dogs) Act* requires dogs to be regulated dogs prior to a destruction order being made. In the event the dog is not a regulated dog, Council must proceed with the regulated making process. The *Animal Management (Cats and Dogs) Act 2008* provides for internal and external review provisions, when making a regulated dog declaration as well as the making of destruction orders. In serious dog attack cases, this may require Council to hold non regulated dogs for a considerable period of time if review provisions are being applied. This matter has been raised with the Attorney-General as part of the submission.

Officers have reviewed the proposed new dangerous dog offence and agree with the amendments.

It should also be noted that Council will continue to play an important and active role in responding to serious dog attacks, as the *Animal Management (Cats and Dogs) Act 2008* places a number of obligations on Council, including

- Make regulated dog declarations
- Seizure of offending dog/s
- Make destruction orders

RELATIONSHIP TO CORPORATE PLAN

7. 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

7.3 Increase community safety, health and wellbeing by planning and delivering programs, services, partnerships, regulations and education

FINANCIAL IMPLICATIONS

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

CONSULTATION

Consultation has been undertaken with the South East Queensland Regional Animal Management Group (SEQRAMG).

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr K Reimers

That the report be noted.

CARRIED (en-bloc)

16.1.7 FLAMMABLE AND COMBUSTIBLE LIQUIDS LICENSING

Datworks Filename:	GOV - Development and Community Standards Reports for Noting
Attachment:	<u>Factsheet Repeal of the Dangerous Goods Safety Management Act 2001 What Does it Mean for Local Government?</u>
Responsible Officer:	Toni Averay General Manager Environment Planning & Development
Author:	Jennifer Haines Service Manager Health & Environment

EXECUTIVE SUMMARY

The purpose of this briefing note is to outline the potential impacts upon Redland City Council (Council) as a result of changes to the licensing of the Flammable and Combustible Liquids due to the repeal of the *Dangerous Goods Safety Management Act 2001*.

Although the changes to licensing provisions for Flammable and Combustible Liquid Storages (F&Cs) will have some impact upon Council's Environmental Compliance Team, it will have minimal impact upon other areas within Council.

It is expected that as a result of the changes there will be a reduction in revenue for licensing F&Cs by around \$33,245.00 from May 2012 and a reduction in time for officers.

However, the time reduction will be negligible due to majority of flammable and combustible storages still requiring inspection as an Environmentally Relevant Activity under the *Environmental Protection Act 1994*.

BACKGROUND

In accordance with the *Memorandum of Understanding (MoU)* between the Department of Emergency Services and the Local Government Association of Queensland regarding Arrangements for the Shared Administration of the Dangerous Goods Safety Management Act, which commenced on 7 May 2004, it is agreed that Local Government is the agency responsible for the licensing of flammable and combustible liquids storage sites and the enforcement of licence conditions.

Flammable liquid is defined under the *Australian Standard for the Storage and Handling of Flammable and Combustible Liquids (AS1940)* as liquids which give off a flammable vapour at temperatures of not more than 60.5°C, for example, unleaded petrol, ethanol and kerosene.

Combustible liquid is defined under the *Australian Standard for the Storage and Handling of Flammable and Combustible Liquids (AS1940)* as any liquid, other than a

flammable liquid, that has a flash point, and has a fire point that is less than its boiling point, for example, diesel and engine oil.

Council's Environmental Compliance Team currently issues licences to 51 flammable and combustible liquid storage premises including service stations and packaging stores throughout the Redlands. In the 2011-2012 financial year, F&C licensing was predicted to generate a revenue of \$33,245.00.

The Work Health and Safety Act 2011 (the Act) was passed by the Queensland Parliament on 26 May 2011 and is due to commence on 1 January 2012. The Act repeals the *Dangerous Goods Safety Management (DGSM) Act 2001*. This repeal will result in the abolition of the flammable and combustible liquids (FCL) licences currently administered by local governments, which means that all FCL licences will cease to have effect after 31 December 2011. There is no power to issue FCL licences after this date.

Where a fine has been imposed by local government in the DGSM Act for an offence that occurred before the WHS Act commences on 1 January 2012, the fine must still be paid to the local government. Any directives issued under DGSM Act prior to 1 January 2012 will continue to apply and will be actioned by a Workplace Health and Safety inspector after this date.

There is a new requirement under the new WHS legislation for local government to be informed about the operations of major hazard facilities in their locality. Major hazard facilities are oil refineries, chemical processing plants, large chemical and gas storage depots and large chemical warehouses that have hazardous chemicals in amounts that exceed specified threshold quantities. Currently, there are no major hazard facilities within Redland City area.

Council's Environmental Compliance Team are completing the Flammable and Combustible Liquids Storage inspections this year. New licences have been released which were due to expire on 30 June 2012, but due to the repealed legislation, these licences will have no effect after 1 January 2012.

As a result of the change it is predicted that there will be a negligible reduction in time for officers due to majority of flammable and combustible storages still requiring inspection as an Environmentally Relevant Activity under the *Environmental Protection Act 1994*.

ISSUES

It is expected that there will be a reduction in revenue by around \$33,245.00 in the 2011/12 budget (invoices are raised in the month of May for these activities) as a result of changes to Flammable and Combustible Liquids Licensing.

RELATIONSHIP TO CORPORATE PLAN

The regulation of flammable and combustible liquids relates to Strategy 1.3 and 7.3 of the Redland City Council Corporate Plan 2010-2015. The plan states that we will "Protect our natural environment by restoring degraded landscapes, contaminated land and managing fire, pests and other hazards" and "Increase community safety,

health and wellbeing by planning and delivering programs, services, partnerships, regulations and education.”

PLANNING SCHEME IMPLICATIONS

It is not expected that there would be any amendments to the Planning Scheme at the present time as a result of this repealed legislation.

FINANCIAL IMPLICATIONS

There will be a reduction in Health and Environment’s revenue by approximately \$33,245.00 in the 2011/12 budget (invoices are raised in the month of May for these activities) as a result of changes to Flammable and Combustible Liquids Licensing. This will be subject of a submission in the March quarterly budget review.

OFFICER’S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr K Reimers

That the report be noted.

CARRIED (en-bloc)

16.1.8 NOTICE OF MOTION: PREPARATION OF REPORT ON TPA31 AND LOCAL LAW 6

Dataworks Filename: GOV - Development and Community Standards – Reports for Noting
GOV – Notice of Business/Urgent Business to General Meetings

Responsible Officer: Bruce Macnee
Manager Sustainable Assessment

Author: Daniel Zilli
Service Manager, Design and Co-ordination

EXECUTIVE SUMMARY

At the General Meeting on 26 October 2011, the Council resolved that the Chief Executive Officer prepare a report on TPA 31 (Tree Protection Area) and the relevant sections of Local Law 6 and that this report be presented to the Development & Community Standards Committee on 22 November 2011.

A workshop item was presented to the Development and Community Standards Committee on 1 November 2011 seeking to inform Council of options with regard to vegetation clearing within TPA's. The Councillors agreed that a report should be presented to a future committee meeting, seeking a formal resolution in relation to this matter.

The two issues are closely aligned and it is considered appropriate to report them to Council together. To facilitate this outcome, it is proposed that both issues be included in one report to be presented to the Development and Community Standards Committee on 6 December 2011.

PURPOSE

The purpose of this report is to seek Council's approval to defer the presentation of the report, required by the resolution of 26 October 2011, until the Development and Community Standards Committee on 6 December 2011.

BACKGROUND

On 18 October 2011, Councillor Williams gave a notice that she intended to move that Council officers prepare a report allowing Council to revoke TPA31 (Tree Protection Area). The report was to go to the General Meeting, scheduled for the 26 October 2011

At the General Meeting on the 18 October 2011, Councillor Williams gave a notice intending to move as follows:

That council officers prepare a report allowing council to revoke TPA 31 (tree protection area) under section 16 of local law 6.

In accordance with notice given on 18 October 2011, Cr Williams moved as follows:

1. *That the Chief Executive Officer prepare a report on TPA 31 (Tree Protection Area) and the relevant sections of Local Law 6; and*
2. *That this report be presented to the Development & Community Standards Committee of 22 November 2011.*

The motion was carried at the General Meeting on 26 October 2011.

On 1 November 2011, a workshop item was presented at the Development and Community Standards Committee, detailing the protection measures imposed by Local Law 6 and the interpretations of when certain exemptions apply. The workshop item explored differing interpretations officers have applied when administering the Local Law, with regard to damaging protected vegetation.

DISCUSSION

In order to develop a consistent approach to Local Law 6 exemptions, Council officers are in the process of preparing a report to be presented at the Development and Community Standards Committee on 6 December 2011. This report will detail the matters discussed in the workshop presentation on 1 November 2011 and will seek a formal resolution of Committee.

The report required by Councillor Williams' Notice of Motion will be informed by the report which deals with the interpretation issues associated Local Law 6.

To that end it is the officer's intention to present a single report to the Development and Community Standards Committee on 6 December 2011, dealing with the interpretations of Local Law 6 in terms of permitting damage to protected vegetation and TPA31 in accordance with the notice of motion.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr K Reimers

That Council resolve to:

1. **Note the details of this report; and**
2. **Defer the presentation of a report dealing with the matters raised by Councillor Williams' Notice of Motion until the Development and Community Standards Committee Meeting on 6 December 2011.**

CARRIED (en-bloc)

17 PLANNING AND POLICY COMMITTEE 2 NOVEMBER 2011

Moved by: Cr T Bowler
Seconded by: Cr M Elliott

That the Planning & Policy Committee Minutes of 2 November 2011 be received and resolution noted on item resolved under delegated authority.

CARRIED

[Planning & Policy Committee Minutes 2 November 2011](#)

17.1 CITY SERVICES

17.1.1 PETITION [DIVISION 1] NO TRAFFIC LIGHTS AT CNR BIRKDALE AND MAIN ROADS, WELLINGTON POINT

Datworks Filename: RTT Street Management - Traffic Lights

Responsible Officer: Murray Erbs
Manager City Infrastructure

Author: Wal Lloyd
Advisor Traffic Investigations

EXECUTIVE SUMMARY

At the General Meeting of 29 June 2011 it was resolved that the petition which reads as follows be received and referred to a committee or officer for consideration and a report back to Council :

“Petition requesting no traffic lights be installed at corner of Birkdale and Main Roads, Wellington Point. Traffic calming needed – not lights.”

Birkdale Road is a State-controlled road, Main Road is a Council-controlled road, and the intersection of Birkdale Road and Main Road which is currently a single lane roundabout, falls under the control of the Department of Transport and Main Roads (DTMR).

In July 2010, Officers from Council’s then Infrastructure Planning Group requested DTMR to list the intersection for possible future installation of traffic signals to replace the roundabout. The proposal was considered a possible future option to improve safety of pedestrians and traffic movements at the intersection.

The possibility of the intersection being signalised had been floated in the public arena in Council’s Wellington Point Village Centre Landscape Master Plan during the extensive community engagements undertaken in October 2009 and November 2010 by Council’s Open Space Planning Unit for the development of the Master Plan.

This report recommends that Council resolve:

1. To note that at this stage there is no current works programmed for the installation of traffic signals at the intersection of Birkdale Road and Main Road at Wellington Point by DTMR and that they are options and suggestions for future consideration for DTMR;
2. That DTMR be advised in writing of Council's resolution in this matter; and
3. 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.

PURPOSE

The purpose of this report is to address the petition from the general community requesting that traffic signals not be installed at the intersection of Birkdale and Main Roads at Wellington Point, and responds to Council Resolution from 29 June 2011.

BACKGROUND

Birkdale Road is a State-controlled Sub-Arterial road. Main Road is a Council-controlled road which is classified as Sub-Arterial from Birkdale Road to the south, and as a Local Street from Birkdale Road to the north. The intersection of Birkdale Road and Main Road is currently a single lane roundabout, under the control of the Department of Transport and Main Roads (DTMR).

In early 2009 Council's Open Space Planning Unit engaged John Mongard, Landscape Architect to produce strategies and landscape concepts plans for the Wellington Point Village Green project. This project included three possible improvement options for the Birkdale and Main Roads intersection, of which two are traffic signalised options.

On 20 July 2010 a meeting was held between Council Officers and Officers from the Metropolitan Regional office of DTMR to discuss proposed projects on State-controlled roads within Redland City. One of the issues discussed at that meeting was a proposal for the possible future signalisation of the Birkdale Road and Main Road intersection. Council Officers were aware of a number of issues and concerns raised by the local community regarding perceived safety problems with pedestrian and traffic movements in the area. The idea that the intersection could be signalised to resolve perceived pedestrian safety problems and better manage traffic movements through the intersection was floated as a possible option for DTMR to consider.

At the July 2010 meeting, DTMR agreed in principle to listing the proposal for future consideration and Council agreed to provide DTMR with concept layout plans for proposed works which would initially provide a basis for DTMR to investigate a possible business case.

The possibility of the intersection being signalised had been floated in the public arena in Council's Wellington Point Village Centre Landscape Master Plan during the extensive community engagements undertaken in October 2009 and November 2010 by Council's Open Space Planning Unit, after which the final document was available for public reading.

The Master Plan document suggests that in regard to the roundabout, "A traffic planning review is required to determine a better long term option, likely to be a T-intersection with three pedestrian crossings and traffic/pedestrian lights". It further proposes that "Detailed urban design and traffic planning studies are required to establish the best traffic calming system for The Village and these options provide ideas for a way forward".

At the General Meeting of 29 June 2011, Council was presented with a petition requesting that traffic signals not be installed at the intersection of Birkdale Road and Main Road at Wellington Point and that traffic calming be implemented rather than the traffic signals.

ISSUES

After Council's suggestion to DTMR at the July 2010 meeting that signalisation be considered as a possible future option, DTMR agreed in principle to list the proposed intersection treatment, but the DTMR Officers noted that there was no funding available in any current works program (including therefore any current ten-year program) and that the proposal would have a low priority anyway.

No Council layout plans have as yet been provided to DTMR, and no detailed analyses of intersection problems, requirements or detailed planning of possible intersection treatments have been undertaken.

The proposals that were included in the Master Plan documents were merely suggested as possible options as "ideas for a way forward" by the consultant.

The proposal put to DTMR for installation of traffic signals at the intersection was in response to concerns about safety of pedestrians wanting to cross Main Road at or near the intersection and also safety of pedestrians using the marked pedestrian (zebra) crossing in Birkdale Road near the intersection where there is a perceived problem due to the speed of vehicles approaching and exiting the current roundabout.

In a letter to Council from DTMR Regional Director (Metropolitan) dated 5 November 2010, it is stated that, in referring to the Birkdale Road/Main Road intersection:

"Officers from the Department of Transport and Main Roads have investigated your concerns and I am advised as follows. An analysis of crash data did not indicate any major safety deficiency at this intersection. There have been only three crashes reported in the past five years and none of those involved pedestrians." The letter then referred to a planned DTMR operational study including all intersections along the Birkdale Road corridor from Capalaba to Wellington Point, but there was no further mention of this specific intersection.

In view of the above advice from DTMR and the other information stated above, it is proposed that Council resolve to note that at this stage there is no current proposal for the installation of traffic signals at the intersection of Birkdale Road and Main Road at Wellington Point and that they are options and suggestions for future consideration.

RELATIONSHIP TO CORPORATE PLAN

5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a 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.

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

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

DTMR was consulted and provided minutes of relevant meeting. The Councillor for Division One, Cr Wendy Boglary, supported the preferred recommendations.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To note that at this stage there are no current works programmed for the installation of traffic signals at the intersection of Birkdale Road and Main Road at Wellington Point by Department of Transport and Main Roads and that they are options and suggestions for future consideration for Department of Transport and Main Roads;
2. That Department of Transport and Main Roads be advised in writing of Council's resolution in this matter;
3. 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

There are no alternative options.

COMMITTEE DISCUSSION

Manager City Infrastructure, in presenting the report, requested that the following changes be noted to the report:

1. That the fourth paragraph under 'Background' be amended by adding the word 'Officers' after the word 'Council', paragraph now reads as follows:
"At the July 2010 meeting, DTMR agreed in principle to listing the proposal for future consideration and Council Officers agreed to provide DTMR with concept layout plans for proposed works which would initially provide a basis for DTMR to investigate a possible business case."
2. That the first paragraph under 'Issues' be amended by adding the word 'Officers' after the word 'Council', paragraph now reads as follows:
"After Council Officers' suggestion to DTMR at the July 2010 meeting that signalisation be considered as a possible future option, DTMR agreed in principle to list the proposed intersection treatment, but the DTMR Officers noted that there was no funding available in any current works program (including therefore any current ten-year program) and that the proposal would have a low priority anyway."
3. That the third paragraph under 'Issues' be amended by adding the word 'Draft' before the words 'Master Plan', paragraph now reads as follows:
"The proposals that were included in the Draft Master Plan documents were merely suggested as possible options as "ideas for a way forward" by the consultant."
4. That the second sentence under 'Consultation' be amended by deleting the words 'the content of this report and', sentence now reads as follows:
"DTMR was consulted and provided minutes of relevant meeting. The Councillor for Division One, Cr Wendy Boglary, supported the preferred recommendations."

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler
Seconded by: Cr M Elliott

That Council resolve as follows:

1. **To note that at this stage there are no current works programmed for the installation of traffic signals at the intersection of Birkdale Road and Main Road at Wellington Point by Department of Transport and Main Roads and that they are options and suggestions for future consideration for Department of Transport and Main Roads;**
2. **That Department of Transport and Main Roads be advised in writing of Council's resolution in this matter; and**
3. **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)

17.1.2 PETITION [DIVISION 4] INSTALLATION OF PEDESTRIAN CROSSING AT ST RITA'S PRIMARY SCHOOL BENFER ROAD, VICTORIA POINT

Dataworks Filename: RTT Design & Construction - LATM'S

Responsible Officer: Murray Erbs
Manager City Infrastructure

Author: Abdish Athwal
Senior Engineer Traffic & Transport

EXECUTIVE SUMMARY

At the General Meeting of 29 June 2011, it was 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:

“Petition from residents requesting that Council support the installation of a pedestrian crossing at St Rita’s Primary School, Benfer Road, Victoria Point. This would bring St Rita’s school into line with all other primary schools in the area, i.e., crossing safety guard and zebra crossing.”

This report recommends, that Council reject the request to upgrade the existing crossing on Benfer Road to a zebra crossing since it does not meet the minimum criteria required by Part 10, for the installation of pedestrian crossings in the Manual of Uniform Traffic Control Devices (MUTCD) which is adopted by *Transport Operations (Road Use Management) Act 1995*, State Government legislation, and does not have the support of the School administration and the Transport and Main Roads (TMR) Road Safety Officer.

PURPOSE

The purpose of this report is to address the petition from local residents requesting that Council support the installation of a pedestrian crossing at St Rita’s Primary School, Benfer Road, Victoria Point and responds to a Council Resolution of 29 June 2011.

BACKGROUND

Benfer Road is classified as a Trunk Collector Road in accordance with Council’s road hierarchy, has a signed speed limit of 60 kph and can carry up to 10,000 vehicles per day. It provides a function for the movement of people and goods within and through suburbs, whilst allowing access to local streets and is an ideal route for buses, pedestrian and bike facilities.

St Rita’s School is located at 23-39 Benfer Road, Victoria Point, its start time is 8:30am and school finishes at 2:55pm. The school also has a second access to the school from Red Gum Drive via Sycamore Parade, Victoria Point, and as part of a recent Federally Funded building scheme, has started operating a second drop-off/pick-up zone from within the school grounds from Red Gum Drive. The existing

supervised crossing was opened on Benfer Road on 29 April, 1996 with a count recorded of 362 vehicles with 99 children over a one hour period.

On 19 April 2011, Council received an email request from Mr Douglas Robinson for a pedestrian (zebra) crossing outside St Rita's School on Benfer Road, Victoria Point.

Council officer Abdish Athwal consulted with the Road Safety Officer from TMR and was advised that the location did not meet the requirements for a pedestrian crossing. This was also observed during a site visit carried out by Abdish Athwal showing a low number of pedestrian crossing movements.

An email response was sent on 9 May 2011 informing Mr Robinson that 'A pedestrian crossing in this location did not meet the minimum criteria for consideration as set out in the Queensland Transport guidelines for the installation of pedestrian crossings in, the Manual of Uniform Traffic Control Devices (MUTCD) and the request to install a 'zebra' crossing at this location was not supported. This fact is further supported by Transport & Main Roads Road Safety Officers, who have provided a supervisor to assist with safety for pedestrian crossing at this location at the major pedestrian crossing time which is the school start and finish time. Parents/guardians should supervise children crossing at this location outside the supervised times.'

On 16 June 2011, Council received the petition. A response was sent on 14 July 2011, informing that Council has arranged for further investigation regarding this matter. Traffic counts have been programmed to be carried out to accurately gauge vehicle movements in this area and that as this matter has now been presented to council as a petition, it will be dealt with as such and the investigation will proceed followed by a report to council outlining the findings of the investigation. Once the Council Resolution has been issued you, as the principal petitioner, will be notified of the decision.

ISSUES

Information received from TMR Road Safety officer:

The supervised crossing was opened on 29 April 1996, with a count recorded of 362 vehicles with 99 children over a one hour period.

The TMR Road Safety officer, completed a survey count on Friday 10 June between 7.50am and 8.50am which showed a total of 649 vehicles in that hour and a total of 41 pedestrians using the supervised crossing comprising 24 unaccompanied children, 6 accompanied children, 11 adults (5 adults crossed twice, in and out of the school with one lady crossing from the school side to board the bus in the bus zone).

Council officer's completed:

- i. A survey count on Friday 10 June between 2:45 and 3:45pm revealed a total of 634 vehicles in that hour and a total of 51 pedestrians comprising 31 unaccompanied children, 10 accompanied children, 10 adults (10 adults crossed twice, in and out of the school).

Note: it was noted that parents waited on the southern side of Benfer Road for their children to cross the road at the supervised crossing before collecting them.

- ii. Lunch time (12pm and 1:30pm) survey counts were carried during school term on two occasions, 22 June and 19 July 2011, since the school was closed for mid-year break from 27 June to 12 July. On both of these occasions there was no pedestrian movement across the Benfer Road in the vicinity of the school.
- iii. On 27 July 2011, Council completed a seven day (20 to 26 July) traffic survey to ascertain current vehicle speeds and volumes outside St Rita's school on Benfer Road, Victoria Point, which revealed the average vehicular speed of 53.3 km/h which is below the 60 km/h speed zone. The average daily traffic volume was recorded at 5,335 vehicles, which is well below the 10,000 vehicles per day expected for this class of roadway. The morning peak traffic was between 8-9am with vehicle counts between 757 to 792 vehicles in both ways. The afternoon peak was between 3-4pm with a count of 599 to 684 vehicles in both ways.

From the above data, this crossing does not appear to have a substantial pedestrian movement outside of the hours that TMR provides with a School Crossing Supervisor, and does not meet the minimum criteria required by Part 10, for the installation of pedestrian crossings in the Manual of Uniform Traffic Control Devices (MUTCD) which is adopted by *Transport Operations (Road Use Management) Act 1995*, State Government legislation.

- i. 6.2.2 Standard principal petitioner for installation - zebra crossing, require 60 pedestrians and 500 vehicles in two separate one hour periods to cross the roadway. - ***In this instance this requirement is not met.***
- ii. **6.3.2 Pedestrian crossing (zebra) at schools,**
 - 6.3.2.1 States "Pedestrian crossing (zebra) at schools may be installed where there is substantial pedestrian use other than school children during and outside school hours. Where such pedestrian use is not substantial, a children's crossing is installed". ***In this instance this requirement is not met.***

Substantial pedestrian movement is usually generated around parks, shopping centres, railway stations etc.

The advantage of a children's supervised crossing from a safety point of view is that there is a wider passage for pedestrians using the crossing as vehicles are required to stop behind the vehicle stop line some 3 – 6 metres from the crossing point, before the pedestrians are allowed to cross.

With a zebra crossing, vehicles can stop right up to the zebra lines and therefore, closer to the pedestrians crossing. Also where a zebra crossing is used, there have been instances where, vulnerable pedestrians (children) automatically cross without waiting for vehicles to pull up safely.

The current children's crossing point is being used for the purpose intended ie getting children to and from school safely.

TMR's Road Safety Officer and Council Officer have consulted with the Principal from St Rita's Catholic Primary School to ascertain if the Principal was aware of any request to upgrade the crossing on Benfer Road to a zebra. The Principal advised she was not aware of any request and did not support the upgrade to a zebra crossing on safety grounds.

RELATIONSHIP TO CORPORATE PLAN

5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a 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.

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

No financial implications.

PLANNING SCHEME IMPLICATIONS

There are no implications to the Redlands Planning Scheme.

CONSULTATION

TMR Road Safety Officer has been consulted and does not support to upgrade since the current children's crossing point is being used for the purpose intended ie getting children to and from school safely

The Principal from St Rita's Catholic Primary School has been consulted and has advised that she supports TMR Road Safety Officer and Council recommendation not to upgrade the existing crossing on Benfer Road to a zebra, as it meets the needs for her school.

The Divisional Councillor for Division 4 has been consulted and advised of the preferred option.

OPTIONS

PREFERRED

That Council resolve:

1. To decline the request to upgrade the existing crossing on Benfer Road to a zebra crossing since it does not meet the minimum criteria required by Part 10, for the installation of pedestrian crossings in the Manual of Uniform Traffic Control Devices (MUTCD) which is adopted by *Transport Operations (Road Use*

Management) Act 1995, State Government legislation, and does not have the support of the School administration and the Transport and Main Road's Road Safety Officer; and

2. 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 T Bowler

Seconded by: Cr M Elliott

That Council resolve to:

1. Decline the request to upgrade the existing crossing on Benfer Road to a zebra crossing since it does not meet the minimum criteria required by Part 10, for the installation of pedestrian crossings in the Manual of Uniform Traffic Control Devices (MUTCD) which is adopted by *Transport Operations (Road Use Management) Act 1995*, State Government legislation, and does not have the support of the school administration and the Transport and Main Road's Road Safety Officer; 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.

CARRIED (en-bloc)

17.1.3 PETITION [DIVISION 10] SAFETY UPGRADE OF TINGALPA CREEK

Datworks Filename: RTT Planning - Marine General

Attachments: [Attachment 1 – Ferry Road Boat Ramp Concept Plan](#)
[Attachment 2 – Active Intercept Survey Results](#)
[Attachment 3 – Ferry Road Limited Concept](#)

Responsible Officer: Murray Erbs
Manager City Infrastructure

Author: Rodney Powell
Senior Adviser Infrastructure Project

EXECUTIVE SUMMARY

Council has received a petition requesting that the Ferry Road Canoe Boat Ramp (Job Number 41920) be re-prioritised because of safety concerns. This project was programmed for delivery in 2014/15 financial year at an estimated cost of \$900,000.

The issues raised in the petition have been investigated and construction of the boat ramp could be staged to occur before delivery of the balance of the project.

Stage one would include design, applications for the whole project and delivery of a gravel landing area for canoes and other vessels at an estimated cost of \$60,000 in 2011/12 financial year.

Stage 2 would be the delivery of the remainder of the project in 2014/15 financial year at an estimated cost of \$900,000.

PURPOSE

This report is in response to a Petition received at the general meeting of 29 June 2011, Item 8.3.1

‘Petition requesting that Council prioritise a safety upgrade of the denuded and eroded foreshore area on the banks of Tingalpa Creek at the corner of the Esplanade at the end of Railway parade Thorneside’

BACKGROUND

The Wynnum Redlands Canoe Club occupied this site circa 2001-2005, the site is also used by local fisherman both as an accessible site for shoreline fishing and an informal launch point. The area is mostly road reserve and there are some issues in and around the area with illegal mooring activities and antisocial behaviour (hooning). This project is on the Capital Works program with a budget of \$60,000 in 2012/13 for design and \$900,000 in 2014/15 for construction.

The project is likely to be eligible for State Government funding through the Department of Communities Sport and Recreation Services, and the Department of Transport and Main Roads through the Boating Infrastructure program.

The canoe club has been consulted about the design of the project and have agreed to a preferred concept plan (Attachment 1). There has been a user survey carried out for the site to help determine the most appropriate layout (Attachment 2).

The Division 10 Councillor has also requested that the project be either brought forward or some minor works carried out to alleviate the short term safety issues. City Service has been requested to consider a smaller project which may be an exempt activity under the *Integrated Planning Act* (Attachment 3).

ISSUES

A review of the *Integrated Planning Act 1997* [IPA] and the *Coastal Protection and Management Regulation 2003*, followed by a site meeting with a policy Officer from DERM has determined that even the proposed smaller project will not be exempt under IPA. A Development Application will be required and this will require concurrence from the relevant State Government Departments as a prescribed Tidal Works application.

Redland City Council [RCC] Risk and Liability section have been consulted and they agree that there is a medium to high risk at this site (H24). This supports the petitioners' assessment concerning safety issues at this site.

RELATIONSHIP TO CORPORATE PLAN

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.

3.2 Better manage our foreshores through coordinated planning with a special focus on resilience to the impacts of flooding and storm tides

FINANCIAL IMPLICATIONS

This project is in Councils forward works program for design in 2012/13 with a budget of \$60,000 and construction in 2014/15 with a budget of \$900,000. There have been no funds allocated in the current 2011/12 financial year. Should Council wish to commence with Stage 1 in the 2011/12 financial year it will be necessary to bring forward an amount of funds at a quarterly review.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment Group was consulted and it is considered that the outcome of recommendations in this report will not result in some future amendments to the Redlands Planning Scheme.

CONSULTATION

Wynnum Redlands Canoe Club was consulted at a number of site meetings for this project. Councillor Division 10 has been consulted. Department of Environment and Resource Management [DERM] has been consulted and agree that the proposed works would meet the necessary performance outcomes required by the Queensland

Coastal Plan. Users of this site were consulted through a survey conducted by council officers.

City Planning & Environment Group has been consulted re any amendments required to the RCC Planning Scheme.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To consider at Q1 the commencement of Stage 1 – Design, permits and approvals for the whole project and construction only of a gravel landing area for launching and retrieval of canoes with this stage to be commenced in 2011/12 with the allocation of \$60,000 of funds at Q1; 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.

ALTERNATIVE

1. That the project, remain for delivery in the program for design in 2012/13 with a budget of \$60,000 and construction in 2014/15 with a budget of \$900,000; 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 H Murray

Seconded by: Cr M Elliott

That Council resolve as follows:

1. To consider at Q1 the commencement of Stage 1 – Design, permits and approvals for the whole project and construction only of a gravel landing area for launching and retrieval of canoes with this stage to be commenced in 2011/12 with the allocation of \$60,000 of funds at Q1; 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.

CARRIED

17.2 CLOSED SESSION AT COMMITTEE

The Committee meeting 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.

17.2.1 LAND ACQUISITION FOR OPEN SPACE - THORNESIDE

Datworks Filename: P&R Acquisition – Mainland

Responsible Officer: Toni Averay
General Manager Environment Planning &
Development

Author: Angela Wright
Principal Advisor Open Space Planning

EXECUTIVE SUMMARY

A confidential report from the General Manager Environment Planning & Development was discussed in closed session at Committee and is presented to today's General Meeting for consideration.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler
Seconded by: Cr M Elliott

That Council resolve as follows:

1. To enter into formal negotiations to purchase the property at 4 Ferry Road, Thorneside (Lot 117 RP14138) for the purpose of consolidating the open space for future recreation purposes and continued conservation of the coastal and marine environment;
2. That the Chief Executive Officer be delegated the authority, under s.257(1)(b) of the *Local Government Act 2009*, to negotiate the purchase and to make, vary or discharge any related contract and to sign the relevant documentation;
3. That the funding for this acquisition be referred to Q2 budget deliberations;
4. That a report be brought back to Council on the possible acquisition of lots in the Thorneside area; and
5. That this report remains confidential.

CARRIED (en-bloc)

17.3 ITEM DELEGATED TO COMMITTEE FROM COUNCIL

The following item was resolved at the Planning & Policy Committee meeting of 2 November 2011, with the Committee's resolution presented to Council for noting only.

17.3.1 PUBLIC RELEASE OF THE REDLANDS PRIORITY INFRASTRUCTURE PLAN

Datworks Filename: RTT: PIPS General

Attachments: [Attachment 1A – Amendment Instrument](#)
[Attachment 1B – Amendment Instrument Maps](#)
[Attachment 2 – Ministerial Conditions](#)

Responsible Officer: Murray Erbs
Manager City Infrastructure

Author: Tim Mitchell
Planner Infrastructure Projects

EXECUTIVE SUMMARY

This report recommends that the Planning and Policy Committee endorse the draft Priority Infrastructure Plan and proceed to public notification in accordance with the Statutory Guideline 02/09 and Council's community engagement obligations.

It is recommended that Council resolve to endorse the draft Priority Infrastructure Plan and proceed to public notification for the required 30 business days as per the requirements of the Statutory Guideline 02/09.

PURPOSE

The purpose of this report is to ensure the continuing progression of the draft Priority Infrastructure Plan (PIP) by proceeding to the public notification phase of its development. This needs to be undertaken as soon as practical to meet the current Sustainable Planning Act (SPA) deadline for the adoption of local government PIPs, being 31 December 2011.

If a resolution is delayed to the next General Meeting scheduled for 26 November 2011 there will not be adequate time to undertake the mandatory public consultation period of 30 business days, or submission review and draft PIP resubmission for the second and final state interest review prior to formal adoption.

BACKGROUND

At its Planning and Policy meeting of 2 June 2010 the committee, under delegation, resolved amongst other things to:

- Adopt the draft PIP and forward it for First State Interest review;
 - Delegate authority to the Chief Executive Officer to exercise Council's powers to prepare and submit minor consequential amendments to the Redlands Planning
-

Scheme 2006 resulting from the introduction of Part 10 – Priority Infrastructure Plan; and

- Delegate authority to the Chief Executive Officer to exercise council's powers to amend the draft Priority Infrastructure Plan prior to public notification pursuant to the Schedule 1 process under the *Integrated Planning Act 1997*.

The State Minister for Local Government has advised Council that the First State Interest Check of the draft Priority Infrastructure Plan has been completed and pursuant to Statutory Guideline 02/09, Council may proceed to public notification subject to the following State conditions:

1. Remove all references to infrastructure charging in the PIP to reflect the recent amendments to the *Sustainable Planning Act (SPA)* introducing the State Planning Regulatory Provision (adopted charges) (SPRP).
2. Include draft amendments that remove all conflicts with the compliant draft PIP and SPRP such as planning scheme policies relating to infrastructure contributions and any planning scheme provisions including (but not limited to) a requirement for the dedication of land for open space and cash in lieu contributions for open space.

The draft Priority Infrastructure Plan has been redrafted to meet these conditions and other administrative and technical matters that have been raised, or have emerged, during the First State Interest Check period. This is consistent with the previous delegations of the Planning and Policy Committee. However, it is considered that the introduction of the SPRP is such a fundamental shift in the framework for PIPs across Queensland that the draft PIP should return for Council endorsement before public exhibition.

Due to the introduction of the SPRP, all references to infrastructure charging have been removed from the draft PIP. Subsequently, Division 7 – Infrastructure Charges Schedule has been completely removed from the draft Priority Infrastructure Plan as well as other sections which previously referred to infrastructure charging or the Infrastructure Charges Schedule. The key components of the draft Priority Infrastructure Plan are now:

- Division 1 – Introduction;
- Division 2 – Application of the priority infrastructure plan;
- Division 3 – Planning assumptions;
- Division 4 – Priority Infrastructure Area;
- Division 5 – Desired Standards of Service;
- Division 6 – Plans for Trunk Infrastructure;
- Division 7 lists key acronyms and definitions; and
- Division 8 – Extrinsic material.

The purpose of a Priority Infrastructure Plan is for a local government to plan where trunk infrastructure will service urban growth over a 10-15 year period. Rather than identifying charges for trunk infrastructure (which was part of a Priority Infrastructure

Plan prior to the implementation of SPRP), a Priority Infrastructure Plan outlines the timing and location of trunk infrastructure. This will provide Council with conditioning powers for development that is out-of-sync or that increases the expected capacity/demand on a trunk network.

ISSUES

The Queensland Government has issued a timeline of 31 December 2011 for all local governments to adopt a Priority Infrastructure Plan into their Planning Schemes. Taking into consideration this timeframe, it is important that Council continues to progress the development of the Priority Infrastructure Plan and proceed with public notification as soon as possible.

A request to the Minister for an extension to the current deadline is being prepared in response to the technical difficulties and uncertainty associated with the water business model, and is expected to be submitted whilst the draft PIP is on public notification.

RELATIONSHIP TO CORPORATE PLAN

5. Wise planning and design

- 5.1 Prepare and put in place a new planning scheme for the Redlands that reflects the aspirations and expectations outlined in the Community Plan, state interests, recognised in the SEQ Regional Plan and the legal obligations of the *Sustainable Planning Act*
- 5.2 Manage population growth in a compact settlement pattern, having defined the sustainable carrying capacity of the city and limits to population growth
- 5.8 Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport
- 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

8. Inclusive and ethical governance

- 8.4 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 financial impact of the future capital works schedule proposed in the draft PIP are shown in a confidential attachment – Financial Implications Summary.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment Group was consulted and it is considered that the outcome of recommendations in this report will result in some future amendments to the Redlands Planning Scheme:

The RPIP is an amendment to the Redlands Planning Scheme. It will result in the inclusion of Part 10 – Priority Infrastructure Plan. An Amendment Instrument has been prepared.

CONSULTATION

City Planning & Environment Group has been consulted regarding the draft Priority Infrastructure Plan and the amendment to the Redlands Planning Scheme.

OPTIONS

PREFERRED

That Council resolve to endorse the draft Priority Infrastructure Plan and proceed to public notification for the required 30 business days as per the requirements of the Statutory Guideline 02/09.

ALTERNATIVE

Nil.

OFFICER'S RECOMMENDATION

That Council resolve to endorse the draft Priority Infrastructure Plan and proceed to public notification for the required 30 business days as per the requirements of the Statutory Guideline 02/09.

COMMITTEE RESOLUTION

Moved by: Cr M Elliott

Seconded by: Cr B Townsend

That Committee, under delegated authority, resolve as follows:

1. Endorse the draft Priority Infrastructure Plan and proceed to public notification for the required 30 business days as per the requirements of the Statutory Guideline 02/09; and
2. That the *Financial Implications Summary* remains confidential.

CARRIED

COUNCIL RESOLUTION

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That the Committee Resolution be noted.

CARRIED (en-bloc)

17.4 CITY SERVICES

17.4.1 AMENDMENTS TO SPRP [ADOPTED CHARGES]

Datworks Filename: RTT Planning - PIPS General

Attachments [Attachment 1 – AICR Use Amendments](#)
[Attachment 2 – Amended AICR Oct 2011](#)
[Attachment 3 – AICR A1 Explanatory Statement](#)

Responsible Officers: Murray Erbs
Group Manager City Infrastructure
Bruce Macnee
Group Manager Sustainable Assessment

Authors: Giles Tyler
Senior Advisor Infrastructure Projects
David Jeanes
Service Manager Planning Assessment

EXECUTIVE SUMMARY

At its General Meeting of 29 June 2011 Council resolved that:

Subject to an unfavourable response by the Planning Minister to Council's submission for exemption from the application of the State Planning Regulatory Provision (Adopted Charges) or if no response is received prior to this General Meeting, whichever is the earlier, Council hereby makes the adopted infrastructure charges resolution in the attachment to this report.

However, implementing the current resolution has raised a number of questions regarding its interpretation by officers and concerns by local developers about the reasonableness of the charges.

This report recommends Council:

1. adopts amendments to the Redland City Council Adopted Infrastructure Charges Resolution made under the State Planning Regulatory Provision (Adopted Charges) to vary the discount applying to existing uses, vary the non-residential reconfiguration charge rate, address anomalies and errors, provide clarification, and introduce definitions;
 2. delegates to the Chief Executive Officer the ability to make any further amendments to the existing resolution arising out of Council's deliberations on the draft Priority Infrastructure Plan (PIP) schedule of works and plans for trunk infrastructure arising out of Item 1.1 of this or any subsequent agenda prior to public notification of the instrument; and
 3. establishes a policy position in relation to requests to extend the relevant period of a development approval, by requiring an infrastructure contribution equivalent to those applicable to the development under Council's superseded Planning
-

Scheme Policy (PSP) on infrastructure charges as at 30 June 2011, and subject to indexation.

GLOSSARY

SPA – *Sustainable Planning Act 2009* – Planning Scheme Policies and State Planning Regulatory Provisions are made pursuant to the SPA.

Infrastructure – Includes land, facilities, services and works used for supporting economic activity and meeting environmental needs.

Development Infrastructure – Means:

Land or works, or both land and works, for

- i. urban and rural residential water cycle management infrastructure, including infrastructure for water supply, sewerage, collecting water, treating water, stream managing, disposing of waters and flood mitigation, but not urban and rural residential water cycle management infrastructure that is State infrastructure; or
- ii. transport infrastructure, including roads, vehicle lay-bys, traffic control devices, dedicated public transport corridors, public parking facilities predominantly serving a local area, cycle ways, pathways, ferry terminals and the local function, but not any other function, of State-controlled roads; or
- iii. public parks infrastructure supplied by a local government, including playground equipment, playing fields, courts and picnic facilities; or

land, and works that ensure the land is suitable for development, for local community facilities, including, for example—

- i. community halls or centres; or
- ii. public recreation centres; or
- iii. public libraries.

Trunk Infrastructure – Higher order development infrastructure identified in the Adopted Infrastructure Charges Resolution

Non-trunk infrastructure – Lower order development infrastructure that is not trunk infrastructure.

PSP – Planning Scheme Policy 3 – Council policy that provided the infrastructure planning and charging regime prior to commencement of the SPRP (1 July 2011).

SPRP – Draft State Planning Regulatory Provision (Adopted Charges) – This state imposed instrument provides the new (capped) infrastructure charging regime on 1 July 2011.

PIP – Priority Infrastructure Plan – Establishes trunk infrastructure required for: water, sewer, transport, stormwater, open space and community facilities.

AICR - Adopted Infrastructure Charges Resolution – Council’s resolution of 29 June that adopted an infrastructure planning and charging regime pursuant to the SPRP.

AICN – Adopted Infrastructure Charges Notice – Notice given to a developer requiring payment of infrastructure contributions for trunk infrastructure.

EVOLUTION OF INFRASTRUCTURE CHARGES

The following table provides a broad summary of applicable developer charges by infrastructure network, as they have evolved over time in the Redlands.

Table: Developer monetary contributions

Network Monetary Contributions	Headworks	Policy (pre Sept 2007)	Policy (post Sept 2007)	SPRP	draft PIP
Water supply	Yes	Yes	Yes	Yes	Yes
Sewer	Yes	Yes	Yes	Yes	Yes
Roads	Only DCP*	Only DCP*	Only applies to residential development	Yes (applies to all uses)	Yes (applies to all uses)
Cycleways	No	No	Yes	Yes	Yes
Community facilities	No	Yes	Yes	Yes	Yes
Parks	No (land dedication only)	Yes#) (includes habitat corridors)	Yes# (includes habitat corridors)	Yes (excludes conservation land)	Yes (excludes conservation land)
Stormwater	No	Yes	Yes	Yes	Yes

* DCP refers to Redland Bay, East Thornlands and Wellington Point development control areas

(\$3,500 per lot no indexation)

PURPOSE

The purpose of this report is to address a number of issues that have arisen during the implementation of the State Planning Regulatory Provision (Adopted Charges). These include proposed amendments to the Redland City Council Adopted Infrastructure Charges Resolution, made on 29 June 2011, relating to anomalies,

errors, omissions, clarification, updated schedules of work and plans for trunk infrastructure.

The report also addresses how to process requests to extend the currency period of development approvals, noting that there is a lack of guidance from the State Government on this matter. It is recommended that Council should require that infrastructure contributions be no less than if calculated using the superseded Planning Scheme Policy 3 (Contributions and Security Bonding), rather than applying the adopted charges.

Further, the question of the appropriate mechanism for securing the dedication of open space land is explored. The introduction of the State Planning Regulatory Provision has changed the way in which Council can achieve the dedication of Open Space zoned land for parks and conservation purposes. Whereas Planning Scheme Policy 3 supported the transfer (with offsets against monetary contributions) of any Open Space zoned land to Council as a condition of approval, only land identified as trunk recreational parkland can now be considered in this manner. The report will explore possible approaches to this issue.

BACKGROUND

The *Sustainable Planning (Housing Affordability and Infrastructure Charges Reform) Amendment Act 2011* introduced legislation to amend SPA to allow for the introduction of maximum standard charges.

The actual quantum of the maximum charges (or “Adopted Charge”) was introduced through the associated State Planning Regulatory Provision (Adopted Charges) (SPRP), while the SPA amendments permitted councils to adopt charges less than the maximum for particular types of development and/or for different parts of local government areas. Without a resolution, the charge would have defaulted to the lesser of the SPRP maximum charges and current charges applied by councils through their adopted Planning Scheme Policies (PSP) or Priority Infrastructure Plans. Redland, in consultation with Allconnex, resolved to adopt the SPRP maximum charges with the exception the sub-uses of ‘Semi-dependent’ (hostel) and ‘Dependent’ (nursing home) of the use category ‘Aged Persons and Special Needs Housing’ to which the superseded PSP charges apply. Similarly, the Kinross declared master plan area was excluded from the SPRP maximum charges, thereby designating it an “Infrastructure Agreement Area”.

The resolution, adopting the maximum SPRP charges, enabled Council to offset some of the losses it will incur as a result of the capping of the charges. It is noted that capped charges applicable to Greenfield subdivision and some commercial development are significantly lower than those applicable under the PSP. The resolution also retains the PSP charge rates for certain residential uses (aged care and hostels) because Council considered it more appropriate to maintain PSP charge rates. It is noted that, without a resolution, Council would have forgone its conditioning powers to require financial contributions for development outside designated urban areas, and to undertake works or dedicate land.

Council has also been advised it may publicly notify its draft Priority Infrastructure Plan following an abbreviated First State Interest Check process required by State guidance. In the intervening period to this advice, a number of programmed trunk infrastructure projects have been completed and need to be removed from the future works schedule; and mapping updated to reflect this. These provide for the programmed sequencing of development for the next 15 years as well as the framework for works or land in lieu of charges.

ISSUES

Resolution use types

It is not surprising that several anomalies, errors and omissions have been identified in associating all 68 planning scheme uses to the 17 classes of development prescribed by the SPRP, given the short timeframe which councils were given to prepare and have adopted a template based resolution. Furthermore, the planning scheme uses were required to be aligned to Queensland Planning Provisions definitions prior to being classified. This was not easily achieved as the task was not a simple case of comparing apples with apples with a wide variation in definitions and applicable categories.

Proposed changes are identified in ATTACHMENT 1. The most notable modifications are:

- transfer of temporary uses to the Minor Uses class which attracts no charge, including 'Display dwelling' and Estate sales office',
- transfer of low impact use 'Bed and breakfast' to the Minor Uses class which attracts no charge;
- transfer of high impact use 'Landscape supply depot' to the Commercial (bulk goods) class which attracts an additional \$90/m² (plus standard \$10/impervious m² for stormwater);
- transfer of high impact use 'Produce store' to the Commercial (bulk goods) class which attracts an additional \$140/m² (plus standard \$10/impervious m² for stormwater);
- transfer of high impact use 'Rural enterprise' to the Industry class which attracts an additional \$50/m² (plus standard \$10/impervious m² for stormwater); and
- transfer of low impact use 'Forestry' to the Low Impact Rural class which attracts no charge.

Following the D&CS workshop on proposed amendments to the Adopted Infrastructure Charges Resolution, no recommendation is being put forward to change the current Industry classification of the 'Service industry' use to a Commercial (retail) classification as identified in the SPRP template.

Resolution discounts

The current resolution provides for a 50% discount for an existing lawful residential use, which can be credited towards infrastructure charges under the SPRP framework. An analysis of various development types has shown that this methodology goes some way toward achieving Council's overall objective of achieving the maximum cost recovery of future development in the City. It is noted that the SPRP effectively picks winners and losers, by grouping uses together. The average charge applicable means that some uses pay more than the more differentiated planning scheme policy charges and some pay less.

The discount also recognises that existing development is likely to have only contributed a fraction of current day charges. Most would not have paid charges for shared stormwater, cycleway or even road external charges which were only introduced in late 2007 and some will not have paid any charges.. However, the unintended consequence of this is that smaller residential developments, particularly infill developments, subsidise the larger estate type developments.

Modest (mum and dad, 1 into 2 lots) reconfigurations represent a significant proportion of annual applications received by Council. It is recommended that Council review its current policy to ensure this predominant form of development is not adversely impacted by the new charging regime. A typical 1 into 2 lot subdivision would have triggered a charge of approximately \$35,000 for the additional lot under the former policy. Under the SPRP framework, incorporating a 50% discount for the existing lawful use, a charge of \$42,000.00 would apply, At 75% discount the SPRP charge would equate to a matching \$35,000. At 100% discount, Council would be around \$8,000 worse off for each 1 into 2 lot subdivision. Using the average of the last three years, Council receives approximately 37 such applications per annum. Applying the 100% discount would result in a potential deficit to Council of approximately \$290,000 per annum.

However, this must be set against other uses such as apartment buildings which generally don't gain any benefit from the SPRP charge rates or discounts. On balance, it is considered that it would be more equitable and consistent to apply the conventional 100% credit for all existing lawful uses, including changes of use for non-residential development.

Non-residential reconfiguration

The current resolution applies a standard rate of \$100/m² of site area to all non-residential reconfiguration proposals as it is unknown what the final use of a site will actually be. It has been found that this rate can substantially exceed what would be charged for the equivalent material changes of use and potentially creates situations where refunds may be necessary, adding a further level of complexity to development assessment. This conflicts with the intent which was to charge a minimum likely rate at reconfiguration, and then capture the rest at material change of use.

Using Commercial Industry zoned land as a reconfiguration benchmark, with a typical plot ratio of 50% for industrial uses such as a 'Warehouse' the reconfiguration charge

would be equivalent to \$34/m² of site area. That is, the SPRP use charge (\$50/m²) multiplied by 0.5 plot ratio to get \$25/m² of site area, to which is added \$9/m² for stormwater because industry has an impervious fraction of 0.9. It is therefore considered appropriate to adopt this lower rate per m² in place of the current \$100/m².

Alternatively, a few other councils have applied the residential reconfiguration charge of \$28,000 per lot to non-residential for simplicity. This generally produces a significantly lower reconfiguration charge, requiring a much larger balance to be paid at material change of use/building stages. For example, an 8000m² 1 into 2 General Industry reconfiguration at \$34/m² would equate to a charge of \$272,000.00, whereas \$56,000 would be payable using the residential reconfiguration charge of \$28,000 per lot.

Boundary realignments

An additional section is proposed to clarify that the charges do not apply to reconfigurations involving access easements or boundary realignments.

Interpretation

A number of definitions are proposed to assist in the interpretation of the resolution. Most notably these include a meaning for 'bedroom' given the residential charge unit is based on the number of bedrooms.

Development Assessment Matters

The recent changes to the SPA and the commencement of the SPRP has given rise to issues in development assessment. The Department of Local Government and Planning has recently confirmed matters in relation to changes to existing approvals (permissible changes). Previously imposed conditions requiring payment of contributions will continue to apply. Items for Council to consider are requests to extend approvals and open space dedication.

Extensions to Relevant Periods

An applicant can make a request to Council to extend the time for implementation of a development permit (extension to relevant period). Council must decide whether to agree such request.

S.388 of the SPA establishes that in deciding such requests Council must have regard to (amongst other matters) the consistency of the approval, including its conditions, with the current laws and policies applying to the development, including, for example, the amount and type of infrastructure contributions, or charges payable.

The more dated an approval becomes, the less likely it is to be consistent with current laws and policies. The above noted provisions within the SPA ensure that Council can refuse requests to extend an approval in order that current laws and policies are not compromised. Often the only area of inconsistency is infrastructure contributions.

In these circumstances Redland City Council previously adopted a position that, if an approval was amended by way of a permissible change to make the conditions consistent with current policy, Council would agree to an extension. A similar approach was adopted by some other local governments.

Regrettably, that option is no longer available to Council/applicants due to s.880 of SPA, which states that a condition cannot be imposed under the previous charging regime. In these circumstances the approval is inconsistent with current infrastructure charges, being the charges applicable under the SPRP and Council's resolution.

There are four options for Council in such situation:

1. Request to extend is refused due to inconsistency of the approval.
2. Council agrees to extend despite inconsistency.
3. Council seeks a contribution equivalent to those applicable under Council's now superseded Planning Scheme Policy (PSP).
4. Council seeks that current SPRP/resolution charges are paid.

All options are viable as the assessment rules for extensions require that Council must only have regard to current law and policies. As noted previously there are significant variations between charges under the PSP and the SPRP/resolution. A consistent approach is advocated for these requests.

Options 3 and 4 would require an infrastructure agreement as new charges cannot be imposed by way of conditions and a charges notice cannot be imposed pursuant to the SPRP/resolution.

Option 3 is recommended on the basis that these are the charges that would have applied had the SPRP not come into effect. Consequently, this would give effect to the policy position of Council rather than the State government. If an applicant does not agree such an approach it is likely that a request to extend will be refused.

This approach will need to be subject to periodic review when changes to infrastructure charging regimes occur, for example the draft Priority Infrastructure Plan (PIP) being finalised.

Open Space Dedication

The overall outcomes for Open Space Zone Code seek that reconfiguration facilitates the transfer of open space land into the ownership of the local government authority. It has been a long held policy position and practice of Council, that where land is zoned open space, it is transferred to Council as a condition of approval. This policy position and practice was previously supported by Planning Scheme Policy 3 which allowed for some offsets open space zoned land transferred to Council.

Council's draft PIP for the purposes of infrastructure planning (not funding), became effective with the commencement of the SPRP and Council's resolution pursuant to this. The draft PIP establishes trunk open space required for the city. Trunk infrastructure for open space is local, district and regional parks.

There are extensive areas of open space zoned land not required for trunk open space purposes as determined by the draft PIP. Consequently, there is an anomaly between the draft PIP and the planning scheme. Council can impose conditions for the dedication of land that is identified for trunk infrastructure and provide a credit for this. The key consideration for Council is how to deal with open space zoned land that is not trunk infrastructure. There are no credit provisions available.

There are three options available to Council.

1. Acquire the land and reimburse the landowner. This could be via the Environmental Levy or general revenue.
2. The land remains in private ownership. Future use of the land is determined by the provisions of the Open Space Zone Code and is therefore limited.
3. Council imposes a condition that requires dedication of the land as non-trunk infrastructure.

The most appropriate option will have to be considered on a case by case basis. The most appropriate option will be dependent upon, for example, the location and attributes of the land and whether any overlays apply. However, it is noted that dedication of the land as non-trunk infrastructure will likely be preferred to ensure that such areas are appropriately maintained. It is also of note that in many cases the applicant will likely have little desire to retain such land in their ownership as typically this has little or no development potential.

The inclusion of conditions requiring the dedication of land as non-trunk infrastructure is considered by officers to be possible due to the matters and interpretation outlined below.

The open space zoned land is infrastructure as defined by the SPA as follows: *'infrastructure includes land, facilities, services and works used for supporting economic activity and meeting environmental needs'*. Further to this, the open space zoned land is development infrastructure as defined by the SPA, which includes: *'...land or works, or both land and works, for...public parks infrastructure supplied by a local government, including playground equipment, playing fields, courts and picnic facilities.'*

As noted above, this land is not trunk infrastructure and therefore by default is non-trunk infrastructure. Whilst such land may not be required for a local, district or regional park it would still be a public park supplied by a local government, for environmental protection or drainage purposes for example.

S.626 of the SPA establishes conditioning powers for non-trunk infrastructure such that the condition may only be for supplying infrastructure for one or more of the following:

- networks internal to the premises.
- connecting the premises to external infrastructure networks.
- protecting or maintaining the safety or efficiency of the infrastructure network of which the non-trunk infrastructure is a component.

It is likely that open space zoned land within the bounds of a development application site would meet all three tests above. Furthermore, such a condition would be reasonable and relevant, as required by s.345 of the SPA, pursuant to the overall outcomes of the Open Space Zone Code and other planning scheme provisions.

RELATIONSHIP TO CORPORATE PLAN

5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a 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.

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

There are financial implications impacting Council as a result of this report. In particular, increasing the credit for existing lawful uses to the level under the superseded policy on infrastructure charges, will result in a reduction of revenue available for the provision of infrastructure, estimated to be approximately \$290,000.00 per year for small scale residential reconfigurations.

PLANNING SCHEME IMPLICATIONS

The recommendations in this report will not directly result in amendments to the Redlands Planning Scheme.

CONSULTATION

This report and the proposed amendments were forwarded to Allconnex for comment.

CONCLUSION

A number of issues have arisen with the implementation of the Redland City Council Adopted Infrastructure Charges Resolution, made on 29 June 2011, further to the commencement of the SPRP related to infrastructure charging. This report has addressed anomalies, errors and omissions, and recommends amendments to provide clarification and to update schedules of work and plans for trunk infrastructure.

Matters relating to requests to extend the relevant period of development approvals have been considered as have issues relating to dedication of land zoned as open space.

Options to address these matters are noted below with preferred options recommended.

OPTIONS

PREFERRED

That Council resolve to:

1. Adopt the attached amendments to the Redland City Council Adopted Infrastructure Charges Resolution made under the State Planning Regulatory Provision (Adopted Charges) pursuant to Division 5A of the *Sustainable Planning Act 2009*, to have effect on the day the making of this resolution is first published in a newspaper circulating generally in the local government area;
2. Delegate to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, Council's powers to make further amendments to the Redland City Council Adopted Infrastructure Charges Resolution following Council's deliberations on the draft Priority Infrastructure Plan (PIP) schedule of works and plans for trunk infrastructure arising out of Item 1.1 of this or any subsequent agenda prior to public notification of the instrument;
3. Undertake all necessary public notification as prescribed in Division 5A of the *Sustainable Planning Act 2009*; and
4. Pursuant to s.388 of the *Sustainable Planning Act 2009*, in relation to requests to extend the relevant period of a development approval, Council requires an infrastructure contribution equivalent to those that would have been applicable to the development under Council's superseded Planning Scheme Policy (PSP) as at 30 June 2011, subject to indexation, payable by way of an infrastructure agreement.

ALTERNATIVES

1. Adopt the attached amendments to the Redland City Council Adopted Infrastructure Charges Resolution made under the State Planning Regulatory Provision (Adopted Charges) pursuant to Division 5A of the *Sustainable Planning Act 2009*, to have effect on the day the making of this resolution is first published in a newspaper circulating generally in the local government area with the exception of the discount to residential reconfiguration and material change of use proposals, and non-residential material change of use proposals which shall receive the existing 50% discount for the existing lawful use of the premises;
2. Adopt the attached amendments to the Redland City Council Adopted Infrastructure Charges Resolution made under the State Planning Regulatory Provision (Adopted Charges) pursuant to Division 5A of the *Sustainable Planning Act 2009*, to have effect on the day the making of this resolution is first published in a newspaper circulating generally in the local government area with the exception of the discount to residential reconfiguration and material change of use proposals, and non-residential material change of use proposals which shall receive a 75% discount for the existing lawful use of the premises.

No change to other recommendations.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To adopt the attached amendments to the Redland City Council Adopted Infrastructure Charges Resolution made under the State Planning Regulatory Provision (Adopted Charges) pursuant to Division 5A of the *Sustainable Planning*

- Act 2009*, to have effect on the day the making of this resolution is first published in a newspaper circulating generally in the local government area;
2. To delegate to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, Council's powers to make further amendments to the Redland City Council Adopted Infrastructure Charges Resolution following Council's deliberations on the draft Priority Infrastructure Plan (PIP) schedule of works and plans for trunk infrastructure arising out of Item 1.1 of this or any subsequent agenda prior to public notification of the instrument;
 3. To undertake all necessary public notification as prescribed in Division 5A of the *Sustainable Planning Act 2009*; and
 4. Pursuant to s.388 of the *Sustainable Planning Act 2009*, in relation to requests to extend the relevant period of a development approval, Council requires an infrastructure contribution equivalent to those that would have been applicable to the development under Council's superseded Planning Scheme Policy (PSP) as at 30 June 2011, subject to indexation, payable by way of an infrastructure agreement.

PROCEDURAL MOTION AT COMMITTEE

Moved by: Cr K Reimers
Seconded by: Cr D Henry

That this item lie on the table at 11.19am to enable the late item *Verbal Update on Kinross Road Structure Plan* to be discussed in closed session.

CARRIED

A verbal update on the *Kinross Road Structure Plan* was given by officers in closed session.

PROCEDURAL MOTION AT COMMITTEE

Moved by: Cr K Reimers
Seconded by: Cr B Townsend

That this item be removed from the table at 12.06pm.

CARRIED

COMMITTEE DISCUSSION

Attachment 2 was amended by amending the definition of '**bedroom**' as follows:

bedroom means an area of a building or structure which:

- (a) is used, designed or intended for use for sleeping but excludes a lounge room, dining room, living or family room, kitchen, water closet, bathroom, laundry, garage or plant room; or
- (b) can be used for sleeping such as a den, home entertainment room or media room, library, loft, music room, playroom, sewing room, study, sunroom or other similar space with dimensions exceeding 2.5m x 2.5m or area of 6.25m².

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION****Moved by: Cr K Williams****Seconded by: Cr K Reimers****That Council resolve as follows:**

- 1. To adopt the attached amendments, as amended, to the Redland City Council Adopted Infrastructure Charges Resolution made under the State Planning Regulatory Provision (Adopted Charges) pursuant to Division 5A of the *Sustainable Planning Act 2009*, to have effect on the day the making of this resolution is first published in a newspaper circulating generally in the local government area;**
- 2. To delegate to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, Council's powers to make further amendments to the Redland City Council Adopted Infrastructure Charges Resolution following Council's deliberations on the draft Priority Infrastructure Plan (PIP) schedule of works and plans for trunk infrastructure arising out of Item 1.1 of this or any subsequent agenda prior to public notification of the instrument;**
- 3. To undertake all necessary public notification as prescribed in Division 5A of the *Sustainable Planning Act 2009*; and**
- 4. Pursuant to s.388 of the *Sustainable Planning Act 2009*, in relation to requests to extend the relevant period of a development approval, Council requires an infrastructure contribution equivalent to those that would have been applicable to the development under Council's superseded Planning Scheme Policy (PSP) as at 30 June 2011, subject to indexation, payable by way of an infrastructure agreement.**

CARRIED

17.5 CLOSED SESSION AT COMMITTEE

The Committee meeting 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.

17.5.1 CONFIDENTIAL VERBAL UPDATE ON THE KINROSS ROAD STRUCTURE PLAN

The verbal update was noted by Committee.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That the verbal update be noted.

CARRIED

18 CUSTOMER SERVICES COMMITTEE 23 NOVEMBER 2011

Moved by: Cr W Boglary
Seconded by: Cr D Henry

That the Customer Services Committee Minutes of 23 November 2011 be received.

CARRIED

[Customer Services Committee Minutes 23 November 2011](#)

18.1 CITY SERVICES

18.1.1 DELEGATION TO THE CHIEF EXECUTIVE OFFICER (CEO) - PROVISION OF CONSERVATION MAINTENANCE SERVICES FOR THE MAINLAND

Datworks Filename: GOV Reports to Committee – City Spaces

Responsible Officer: Lex Smith
Manager City Spaces

Author: Rory House
Senior Conservation Officer

EXECUTIVE SUMMARY

The current contract 1196-2008-PCO for the provision of Conservation Maintenance services on the mainland has been in place for a period of 3 years and is due to expire on 31 January 2012.

In accordance with section 106 of the *Local Government Act 2009* and section 182 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, a new tender documentation was developed in consultation with the Parks & Conservation Unit with the objective of obtaining submissions from suitable individuals or entities who could demonstrate the ability to provide value for money and adequate capacity and capability to provide Conservation Maintenance Services at various sites on the mainland within Redland City Councils boundaries.

Public Tenders are to be advertised in the market place during the month of November with a new contract to be in place to commence on 01 February 2012. The tender process is currently in progress in consultation with Procurement Services Unit.

This contract consists of services to be delivered across sites in the North, Central & Southern Zones of Redland City - as per scheduled lists.

The estimated value to provide Conservation Maintenance services across the mainland T-1513-11/12-PCO is well in excess of One million dollars (approx \$1,600,000.00) excluding GST for the term of the contract based on a contract term of two (2) years with the additional option to extend for a further two (2) one (1) year periods not exceeding a maximum term of four (4) years.

The services on the scheduled lists form part of this arrangement T-1513-11/12-PCO and are provided on a scheduled basis. Approximately \$400,000.00 excluding GST has been budgeted for these services in 2011/2012 across Redland City.

To ensure a smooth exit and entry transition from the existing arrangement 1196-2008-PCO to the new arrangement T-1513-11/12-PCO and to comply with the delegation requirements for the new arrangement it is recommended that Council:

- Delegate the authority to the CEO to make, vary and discharge the contract T-1513-11/12-PCO; and
- Allow the CEO to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve the variations for this new arrangement on an as needs basis.

PURPOSE

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

- Delegate the authority to the CEO to award the contract to the successful contractor
- Delegate the authority to the CEO to make, vary and discharge the contract T-1513-11/12-PCO; and
- Allow the CEO to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve the variations for this new arrangement on an as needs.

BACKGROUND

In consultation with the Parks & Conservation Unit, a decision was made not to utilise the fourth year option to extend the provision of Conservation Maintenance Services and a new tender process (T-1513-11/12-PCO) is currently in progress. This was due to a large amount of areas coming over to Council to maintain which were subsequently placed onto the Conservation Maintenance program. Parks and Conservation Unit did not believe that Council was receiving best value for money for the provision of Conservation Maintenance Services under the existing arrangement.

In order to comply with delegation requirements for the new arrangement it is recommended that Council:

- Delegate the authority to the CEO to award the contract to the successful contractor.
- Delegate the authority to the CEO to make, vary and discharge the contract T-1513-11/12-PCO; and
- Allow the CEO to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve the variations for this new arrangement when required.

ISSUES

No issues to report.

RELATIONSHIP TO CORPORATE PLAN

This recommendation primarily supports Council's strategic priority to ensure robust long term financial planning is in place to protect the financial sustainability of Council.

FINANCIAL IMPLICATIONS

The Parks & Conservation Unit have sufficient funds budgeted in 2011/12 for the provision of Conservation Maintenance Services on the mainland.

The schedules have been reviewed prior to the tender process being undertaken to ensure efficiency in delivery and a number of locations have been extended and sites have been reviewed. The new arrangement will be linked to Queensland CPI for its annual review and the figures will be adjusted accordingly.

CONSULTATION

The following personnel were consulted during the preparation of this report:

- Senior Procurement Officers
- Procurement Officer

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That Council resolve as follows:

1. To delegate authority to the Chief Executive Officer, under *section 257 (1)(b)* of the *Local Government Act 2009* to:
 - a) Award the contract under delegation to the successful contractor;
 - b) Make, vary and discharge the contract T-1513-11/12-PCO;
 - c) Allow the CEO to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve any variations to the new arrangement T-1513-11/12-PCO on an as needs basis; and
 - d) Sign all relevant documentation.

CARRIED

18.1.2 PUBLIC PLACE RECYCLING BIN STRATEGY

Datworks Filename:	WM Waste Management Strategy
Attachment:	<u>Public Place Recycling Implementation Program</u>
Responsible Officer:	Elisa Underhill Manager City Enterprises
Authors:	Paula Kemplay Senior Advisor Waste Planning Christine Whitfield Project Officer

EXECUTIVE SUMMARY

As part of the implementation of Councils adopted Sustainable Resources from Waste Plan 2010-2020, Council committed to investing in new public area recycling points to promote “away from home” recycling. Away from home recycling involves having recycling bins in streetscapes, parks and other public places and is strongly supported by the community.

Council has successfully obtained a grant of \$93,300 excluding GST from the National Packaging Covenant Industry Association and the Queensland Government as part of the recent Australian Packaging Covenant grants round. This will assist with the accelerated rollout of the program over the next two years. This report requires Council to note the rollout implementation plan attached to this report and associated budget implications.

PURPOSE

To note the 10 yr public place recycling infrastructure implementation plan and budget implications.

BACKGROUND

As part of the community engagement undertaken during the development of Councils adopted Sustainable Resources from Waste Plan 2010-2020, there was significant feedback requesting more infrastructure to enable “away from home” recycling in the Redlands.

Council committed to investing in new public area recycling points to promote “away from home recycling” as a priority in the five year implementation plan adopted at a Special Meeting dated 23 June 2010.

This commitment was further reinforced as an Operational Plan 2010-11 project to Develop a 10 yr public place recycling infrastructure implementation plan which was carried forward into the 2011-12 Operational Plan pending the outcome of the grant application.

ISSUES

The successful grant outcome is a major achievement for Council as there was a strong level of interest in this round with 44 applications received. The high level of competition for grant funding meant that the assessors could only choose projects that were most closely aligned with the selection criteria, and only 50% of applicants were successful in attracting funding in this round. RCC was awarded the full application costs. This has meant the program has been accelerated from 10 years to 6 years.

The program was developed to roll-out a 'cluster' of recycling and waste bin enclosures per financial year across various Council suburbs on the mainland and islands (approximately 14 to 16 bin enclosures per year). The APC funding has accelerated this program from being able to achieve 1 cluster per year to achieving 2 clusters per year for 2011/2012 and 2012/2013. The program was developed to target areas with 1 or more of the following characteristics:

- Streetscapes and districts which have high foot traffic and have a significant commercial and/or retail elements;
- Redlands Popular Parks and Beach Areas that have been identified and promoted to the community which provide a range of recreational facilities;
- High use local parks, parks with disabled facilities and speciality parks with youth facilities;
- Areas currently being planned for upgrades or that are part of a Masterplanning process;
- Areas or Council owned facilities which are used for community events;
- Areas identified through community feedback, park surveys and/or identified as having operational issues.

This is a living program which will continue to be reassessed to ensure that priorities are properly measured and actioned. As a living program, 'clusters' may be amended and changed in response to new projects, facilities, community feedback and operational issues. A communications and marketing plan will also be developed and delivered to the APC within 6 weeks of commencing the agreement.

Some target areas will be subject to community consultation and a piloting process for dual bin enclosures prior to the installation of permanent enclosures. This will be an important element for high use areas (for example: streetscapes, commuter facilities, carparks, other Council owned facilities) and community feedback will inform potential amendments to the design and the location of the bin enclosures installed. The consultation process means that during the roll-out the location and distribution of some proposed enclosures may be amended or removed from the program and replaced with other locations or priority areas.

The rollout of dual facilities will not only result in some new recycle and waste services in target areas, but in many cases rationalise existing waste services already being provided. For instance, a site may have a number of existing waste services that may not be efficiently distributed for public use, the program will remove two of these waste services and replace them with a suitably located dual enclosure

for waste and recycling. Essentially the level of service for the site has not changed, but the existing services have been rationalised to provide a better located dual service for waste and recycling in enclosures which provide advantages over standalone wheelie bins in terms of safety/fire ratings, security, and aesthetic values.

RELATIONSHIP TO CORPORATE PLAN

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.

- 2.8 Implement Council's waste management strategy by applying best practice principles in pricing, public awareness, resource management, recycling and recovery

FINANCIAL IMPLICATIONS

This recommendation requires a Q1 budget amendment to receipt the grant funding and expenses for this year. This grant award also requires a contractually binding commitment from Council to fund \$36,215 worth of infrastructure in the 2012/13 financial year. Future commitments are also required for expansion post 2013 and grants will continue to be explored if available.

New services/enclosures installed as a result of the rollout program will have implications on the cost of collection services for the respective asset assignees. However, in many locations proposed by the program, a rationalisation of existing waste services is planned. The rationalisation of services has the potential to offset any new collection costs as well as potentially result in an overall saving on the costs of collection services for the areas targeted. The estimated maximum servicing cost this year of these new services before any rationalisation occurs is \$5,000 for 12 new waste bins and \$4,000 for the 19 new recycling bins.

The funding to be provided by the APC and the budget required for 2012/2013 as detailed above, also includes allowances for other components of the bin enclosures and installations including:

- A wheelie bin;
- Approximate labour costs for bin installation;
- Costs associated with the materials and labour required to install a concrete pad for the enclosure; and
- An allowance for alloy panels to be printed with approved signage from the Department of Environment and Resource Management.

Consultation with relevant units in the Operations and Maintenance Group have also been underway to ensure that existing maintenance budgets can absorb an increase in costs for the maintenance of new enclosures.

Council has been acknowledged as supplying \$75,000 worth of in-kind contributions in terms of staff time and marketing of this program through the grant contract.

PLANNING SCHEME IMPLICATIONS

There are no Planning Scheme implications

CONSULTATION

- Operations and Maintenance Group – Roads, Drainage and Quarries Unit
- Operations and Maintenance Group – Parks and Conservation Services Unit
- Environmental Management Group – Open Space Planning Unit
- Community and Social Planning Group – Community and Social Planning Unit

OPTIONS

PREFERRED

That Council resolve to:

1. Note the 10 year public place recycling infrastructure implementation plan as attached; and
2. In principle, support the allocation of \$36,215 budget for 2012/13 being referred to the next Budget Meeting of Council.

ALTERNATIVE

That Council request changes to the 10 year public place recycling infrastructure implementation plan as attached.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr W Boglary
Seconded by: Cr B Townsend

That Council resolve to:

1. Note the 10 year public place recycling infrastructure implementation plan as attached; and
2. In principle, support the allocation of \$36,215 budget for 2012/13 being referred to the next Budget Meeting of Council.

CARRIED (en-bloc)

18.1.3 STATE GOVERNMENT WASTE LEVY UPDATE AND AMENDMENT TO REDWASTE FEES AND CHARGES

Datworks Filename:	WM Fees
Attachment:	<u>RedWaste Business Unit – Amended 2011-2012 Fees & Charges from 1 December 2011</u>
Responsible Officer:	Elisa Underhill Manager City Enterprises
Author:	Paula Kemplay Portfolio Advisor, City Enterprises

EXECUTIVE SUMMARY

The new State Government *Waste Reduction and Recycling Act 2011* (the Act) received Royal assent on 28 October 2011. It provides legislation to underpin the Queensland Waste Reduction and Recycling strategy and introduces a waste levy for commercial and industrial waste and construction and demolition waste from 1 December 2011. The levy will become an added business cost for Council that it needs to recover from its customers. *The Waste Reduction and Recycling Regulation 2011* (the Regulation), in draft at the time of writing this report, will provide additional details to support the Act.

This report provides an update on the levy implementation requirements and recommends an amendment to the RedWaste fees and charges to recover the additional State Government levy costs.

PURPOSE

To amend RedWaste's fees and charges to account for the State Government's waste levy.

BACKGROUND

Council adopted the RedWaste fees and charges at its General Meeting dated 27 April 2011. At that time the proposed levy timing was understood but not formally legislated and so was not considered in the fees and charges. As Council has only one opportunity to set its utility charges annually (via the rates notice), differential collection charges were established in April 2011 to allow Council to recover its levy liability from those businesses receiving a Council collection that are subject to the levy.

ISSUES

There have only been a couple of weeks to prepare the fees and charges amendments since the Act received Royal assent. The new fees and charges must take effect from 1 December 2011 otherwise Council will absorb the levy liability, resulting in financial disadvantage.

As the Regulation is still in draft this report contains advice that whilst all steps have been taken to prepare the fees and charges on the best information available, there may be further amendments required once the Regulation is passed by Parliament.

The timeframes between the adoption of the legislation and the commencement date are incredibly tight and it is expected that there will be ongoing clarifications and interpretations required with Department of Environment and Resource Management (DERM) as the rollout of the legislation occurs. An issues register will be compiled to assist this process as required.

Specific issues are itemised as follows.

1. Kerbside collection

Council adopted higher utility charges in April 2011 for commercial customers using its kerbside collection service, to allow recovery of the levy liability. The levy liability for 240 litre waste bins equates to an additional \$15.98 from 1 December 2011 to 30 June 2012 based on guidance from DERM about the average weight component of a commercial bin. The levy liability varies with the size and frequency of bulk bin collections.

Officers are compiling a list of properties with a commercial use and will be switching them over to the new rates in January. Residential customers will stay on the existing lower rate as there is nil levy liability for municipal solid waste. The Act defines municipal solid waste and the draft Regulation defines commercial and industrial waste and construction and demolition waste and some prescribed exempt waste. There are expected to be some implementation issues with this process as some properties have mixed commercial and residential use and potentially shared bins and legal advice is being sought as to the best way to proceed since the property use codes are not mapped to the definitions in the legislation. DERM has not provided any guidance on the implementation of the levy in this regard and is requiring Councils to establish their own procedures for determining levy liability.

2. Specific impacts on Council budget

Council will pay higher disposal charges to Brisbane City Council (BCC) as they have to pay the levy to DERM at the point of disposal ie the landfill. The contract that Council has with BCC allows an adjustment in disposal rates to meet legislative obligations. Consultation with BCC has revealed that whilst their adjusted fees and charges are not confirmed it is expected that the pass through costs will be covered by the new RedWaste fees and charges. The levy collected by Council will be remitted to BCC and ultimately DERM.

There will need to be ongoing assessments to determine if Council is adequately covering its levy liability in the first 3 months of operation so that the fees and charges can be accurately set for next financial year.

RedWaste has absorbed the extra administration costs of actioning the new legislation mainly as staff time. It is estimated that an additional \$10,000 will be spent as goods and services on becoming levy ready. It should be noted that a full assessment of all recycling contracts is underway to determine any impact of the levy on the recycling residue and other financial impacts may present themselves in the

future. Officers will continue to monitor the implementation of the levy on its operations and refer any concerns back to Council.

3. Approach to the amendment of fees and charges

The amended fees and charges are included in the attachment to this report. The amendments have taken into consideration the following points:

- a. Using the existing full cost prices and passing the levy through at the published amount for commercial and industrial waste and construction and demolition waste ie \$35/tonne excluding GST.
- b. Changing the listing of general waste to the dedicated waste definitions in the legislation ie municipal solid waste, commercial and industrial waste and construction and demolition waste.
- c. Adopting the weight measurement criteria in the draft Regulation which advises how many tonnes to levy on a vehicle type irrespective of how much load that vehicle is carrying.
- d. Removing the minimum charge and requiring that all levyable waste loads be weighed at the weighbridge or in the absence of a weighbridge that the prescribed weight measurement criteria used (called deeming of loads). Vehicles less than or equal to 4.5 tonnes Gross Vehicle Mass (GVM) or Gross Combined Mass (GCM) can be deemed without being weighed. These are contained in the Appendices to the fees and charges. These have been rounded to the nearest 50 cents for ease of payment on site.
- e. Converting fees and charges for Giles Road as a levyable waste disposal site based on the prescribed weight measurement criteria as per the Appendices to the fees and charges. This means most customers will no longer be charged per cubic metre (except skip bin vehicles) but by the type of vehicle and a default weight.
- f. Removing the fees associated with special burials and not setting any fees for regulated waste as the Birkdale landfill is now closed. New options to continue receiving limited quantities of asbestos are being trialled. Once the costs are known a separate report will be submitted on the proposed fees and charges for this waste type. The levy does not apply to asbestos. In the interim the existing fees for asbestos will remain.
- g. Removing the fee associated with a surcharge for low density difficult to compact materials such as expanded polystyrene as the landfill is now closed.
- h. The levy liability has been blended into the existing gate fee excluding GST and then GST is applied.
- i. Listing fees for adding a levy surcharge only (and excluding the RCC gate fee) to be applied eg where Council continues to offer free disposal but must recover the levy.

4. Practical considerations

There are a number of practical considerations that are identified below for Councils information:

- a. The legislation is written around the concept of levyable waste disposal sites which are defined with a key component being that a landfill exists on that site. The only Redland City Council levyable waste disposal site is the Giles Road construction and demolition site and that has a short remaining life.
- b. There has been minimal information provided by DERM on the requirements for Transfer Station operators but it is understood that the requirements will be much less onerous ie no need to declare resource recovery areas and undertake volumetric surveys and perform levy returns to DERM. Where possible officers will adopt the same standards for transfer station operations as for landfill sites to ensure consistency across the industry and to maximise resource recovery and reduce levy liability. This includes utilising the weight measurement criteria for charging for loads.
- c. The draft Regulation has defined a variety of activities as commercial waste and subject to the levy eg educational services and activities conducted by charities and churches. The Act has provision for certain entities to make an application for approval of waste as exempt waste for levy purposes. Council will need to charge the levy on all entities deemed as commercial unless they can prove they have an exemption approval from DERM. Further assessment of Councils exemption policy for not-for-profit groups and charities is under review and will be presented separately to Council for consideration in line with the new legislation. As a guide, the levy liability is estimated at \$7,000 + GST annually for all existing transactions.
- d. Council pays the RedWaste business unit a Community Service Obligation for the waiver of fees for waste brought from the Islands to the mainland for disposal. The levy will need to be applied to these Island customers unless they are in receipt of an exemption from DERM. As a guide this is estimated at \$14,000 + GST per annum.
- e. An alternative option has been provided for Council to absorb the levy liability for existing fee waivers such as island transporters, charities and not for profit organisations if Council considers that appropriate. It is not recommended that Council approve this until they consider the report on the exemption policy at the next Committee.
- f. The change management process for customers will occur at one of the busiest times of the year. Most customers (except skip bin operators) will no longer be charged per cubic metre but by the type of vehicle and if the vehicle is not fully laden there may be cost increases and an expected increase in the level of complaints. As a guide the average additional amount payable on each commercial transaction due to the levy is \$54 if weighed. This will vary if the weight measurement criteria are used.
- g. Officers will conduct random audits on loads once the levy is introduced to ensure that the load as presented is accurately described. This is to minimise the possible scenario that loads visible eg as clean segregated greenwaste are not actually comingled with levyable waste underneath. If commercial loads are for example mixed greenwaste and waste then the levy will apply to the whole load as required by the legislation. Depending on what the audits determine it may be necessary for Council to fund additional site attendant resources to manage its

levy liability. If this becomes an additional business cost then Council will need to provide a separate report to Council for consideration.

- h. Customers have an obligation to declare information regarding how much of their loads are levyable and how much is exempt at levyable waste disposal sites and there are penalties for non-compliance. Council is therefore obligated to provide accurate information to BCC and will be scrutinising waste customers carefully to ensure it can comply with its legal requirements. There will be some expected teething problems in the classification of waste and the understanding of this from the customers' perspective. For example, it is clear from the Act that municipal solid waste (ie levy exempt waste) does not include waste derived from a household under a commercial arrangement eg waste collected in a skip supplied by a commercial operator, or waste generated by a builder paid to perform renovations. Also the draft definition of construction and demolition waste is waste generated as a result of carrying out building work within the meaning of the Building Act 1975, Section 5. So householders that trigger that definition may also be required to pay the levy once the Regulation is in force. Officers will be creating procedures to identify these types of loads more carefully.

5. Assistance to Businesses

Whilst DERM is responsible for communicating the new legislation, officers have commenced contacting local businesses about the new waste reform measures and requesting feedback on whether an information session would assist. To date there has been limited interest from the commercial sector but RedWaste will stand-by to offer assistance to business to become levy ready and promote recycling services to help local business save money. RedWaste are contemplating a package of options that could be beneficial to local business and will provide a separate report to Council should business feedback gain momentum.

A Council communication plan has been drafted which includes a number of actions including

- General awareness raising to the whole community via the website and snapshot and writing to all affected businesses and charitable/not for profit groups to communicate the State Government decision and how Council has to respond to implement the Act.
- Preparing information kits for site attendants and customer service officers to assist them manage the transition and ensure that customers are given the contact details of DERM to register their complaints direct with the State Government.
- Assisting with key messages such as the levy is avoidable if recycling and resource recovery is undertaken and maximising the consolidation of loads wherever possible.

Council also has a detailed implementation plan which outlines a number of actions required to become levy ready which officers are working through.

RELATIONSHIP TO CORPORATE PLAN

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.

2.8 Implement Council's waste management strategy by applying best practice principles in pricing, public awareness, resource management, recycling and recovery

FINANCIAL IMPLICATIONS

Whilst the levy collected will be passed directly onto DERM via BCC, this recommendation requires a change to the current year's budget. A quarterly Q2 budget adjustment will be undertaken to adjust the revenue and expenditure. Further assessment is required on how the levy movement will be accounted ie separate Finance 1 account or other reporting system.

PLANNING SCHEME IMPLICATIONS

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

OPTIONS

PREFERRED

That Council resolve to adopt the amended fees and charges and descriptions as per the attachment entitled RedWaste Business Unit Amended 2011/12 Fees and Charges from 1 December 2011.

ALTERNATIVE

That Council resolve to adopt the amended fees and charges and descriptions as per the attachment entitled RedWaste Business Unit Amended 2011/12 Fees and Charges from 1 December 2011, excluding Appendix 2, and provide reimbursement of the levy liability that accrues to RedWaste as a Community Service Obligation estimated to be an additional \$21,000 per annum excluding GST.

OFFICER'S/COMMITTEE RECOMMENDATION

That Council resolve to adopt the amended fees and charges and descriptions as per the attachment entitled RedWaste Business Unit Amended 2011/12 Fees and Charges from 1 December 2011.

COUNCIL RESOLUTION

Moved by: Cr K Williams
Seconded by: Cr B Townsend

1. That the Committee Recommendation not be accepted; and
2. That Council resolve to adopt the amended fees and charges and descriptions as per the attachment entitled RedWaste Business Unit Amended 2011/12 Fees and Charges from 1 December 2011, excluding Appendix 2, and provide reimbursement of the levy liability that accrues to RedWaste as a Community Service Obligation estimated to be an additional \$21,000 per annum excluding GST.

PROCEDURAL MOTION AT 6.40PM

Moved by: Cr K Williams
Seconded by: Cr B Townsend

That this item lie on the table to enable prior consideration of item 22.2.2.

CARRIED

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

This item was taken from the table at 8.16pm – see page 195 for resolution.

MOTION TO ADJOURN COMMITTEE MEETING

Moved by: Cr T Bowler
Seconded by: Cr B Townsend

That the meeting be adjourned to allow the Special Meeting scheduled for 12.00pm to commence.

CARRIED

MOTION TO RESUME COMMITTEE MEETING

Moved by: Cr B Townsend
Seconded by: Cr T Bowler

That the proceedings of the meeting resume.

CARRIED

The Committee meeting resumed with Crs Reimers, Murray (12.45pm), Elliott, Williams, Bowler, Townsend, Ogilvie, Hobson and Boglary present.

**18.1.4 DELEGATED AUTHORITY FOR REDLAND BAY TRANSFER STATION
WEIGHBRIDGE INFRASTRUCTURE GRANT**

Datworks Filename: WM Service Provision - Redland Bay

**Responsible Officer: Elisa Underhill
Manager City Enterprises**

**Author: Paula Kemplay
Portfolio Advisor, City Enterprises**

EXECUTIVE SUMMARY

Council has the opportunity to apply for funding under the Department of Environment and Resource Management (DERM) Local Government Weighbridge and Ancillary Equipment Grants Program for a weighbridge at Redland Bay transfer station. This has stemmed from the new waste reform legislation and in particular the assistance DERM is offering Local Government to become levy ready.

The installation of a weighbridge at the site was not a planned activity in the capital works program but due to the levy implementation an opportunity has arisen that will benefit Council. However locating a weighbridge on site has a range of constraints and issues and budget needs to be resolved before moving forward with a funding application to DERM.

At the time of writing this report the business case for submitting an application was unresolved.

PURPOSE

To present the opportunities and constraints associated with accommodating a weighbridge at Redland Bay Transfer Station and obtain approval from Council to delegate authority to the Chief Executive Officer to approve the submission of an application, subject to the preparation of a business case.

BACKGROUND

Redland Bay Transfer Station is eligible for funding under the Local Government Weighbridge and Ancillary Equipment Grants Program for 2011/2012. Applications for Category 1 of this Program close 15th December 2011 and works need to be completed within a 20 week timeframe post funding approval by DERM expected end of January 2012.

ISSUES

The advantages of applying for a weighbridge are as follows:

1. It allows Council to accurately weigh incoming and outgoing wastes for levy pricing and contractor payment purposes and minimise the discrepancy of volume conversions.
2. There may be some operational savings in contract rates which are based on travel times to alternative weighbridges.
3. It would allow a new business opportunity of recovering revenue as a public weighbridge.
4. It minimises the risk of complaints from volume conversions in the absence of a weighbridge. Whilst the amount of commercial and industrial waste is minimal at Redland Bay in the future there may be expansion of this capability with the closure of Giles Road hardfill site.
5. Council may be eligible to receive funding to cover the cost of the weighbridge of \$98,000 and capped funding for earthworks and ancillary works.

Some of the limitations of locating a weighbridge on site are:

1. The site is incredibly constrained being located on top of a closed landfill site and having an incline and a bend for traffic to navigate in order to access the gatehouse. This has presented difficulty in siting an ideal location for a weighbridge to meet the specifications for vehicle approaches and stability of the ground for legal weighbridge operations.
2. The future operation beyond five years is undermined following the Council resolution to investigate regional transfer station options. Interim layouts to expand resource recovery are not yet known. Also with increasing population growth there is a requirement to plan for future traffic management on site. The cheapest option to locate a weighbridge past the gatehouse may compromise future site upgrade works.
3. The Waste Reduction and Recycling Act 2011 only requires levyable waste disposal sites (of which Redland Bay transfer station is not) to have a weighbridge on site.

4. The cap for preliminary ground works for weighbridge installation is \$20,000 and as the site for the weighbridge is on unstable former landfill the earthworks estimate is significantly higher. This means that Council will have to contribute significant unbudgeted funding for earthworks.
5. There will need to be a reconfiguration of the existing site to form a holding lane for selected vehicles queuing up to weigh off on the weighbridge before leaving site. This will necessitate changed traffic patterns on site and may lead to a potential increase in complaints as part of the change management process.
6. There is concern given the nature of the preliminary works such as design, survey, geotechnical, and rehabilitation whether the works would be compliant with DERM's 20 week timeframe for completion. Council would need to work through these timeframe issues with DERM to resolve and potentially extend the funding agreement if an application was submitted and successful in securing funds.
7. A landfill capping project will be commencing about the same time as the construction of weighbridge and these two contract interfaces will need to be carefully managed.
8. The project delivery methodology of the earthworks for the weighbridge will need to be determined.

Whilst there appears to be more limitations than opportunities, the full business case on which to proceed has not been finalised at the date of this report. For this reason it has been recommended that the decision to submit an application be linked to a solid business case for the RedWaste business unit. This business case would ensure any investment of funds has a short payback period from revenue or savings and meets Council's general Financial Strategy requirements. It is important that this business case be determined now as there is no confirmation that this funding will be available for future years.

The total potential contribution by DERM for all the above elements is \$197,000 including GST not all of which will be required (ie it is proposed to retain the existing gatehouse). The capped amount can only contribute towards the cost of infrastructure, parts and materials, and excludes expenses for labour and construction works. Preliminary design and earthworks estimates indicate Council's contribution could be in the order of \$350,000 excluding GST.

RELATIONSHIP TO CORPORATE PLAN

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.

- 2.1 Achieve sustainability through strong leadership and innovation, and by effective planning and managing our services, assets and resources

FINANCIAL IMPLICATIONS

This recommendation will require a change to the current year's budget if an application is submitted and Council is successful in the application. Funding

sources will be investigated as part of the business case analysis and referred back to Council for specific approval.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has been undertaken on the preliminary design and estimate process with the following groups/units:

- Project Delivery Group – Design Services Unit
- City Infrastructure– Roads and Drainage Unit

Consultation will continue to be undertaken pending how Council proceeds with the funding application.

OPTIONS

PREFERRED

That Council resolve to delegate authority to the Chief Executive Officer under Section 257 (1)(b) of the *Local Government Act 2009*, to determine the business case for submitting an application under the Department of Environment and Resource Management (DERM) Local Government Weighbridge and Ancillary Equipment Grants Program for a weighbridge at Redland bay transfer station.

ALTERNATIVE

That Council resolve not to lodge a weighbridge application at this time.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr W Boglary
Seconded by: Cr B Townsend

That Council resolve to delegate authority to the Chief Executive Officer under Section 257 (1)(b) of the *Local Government Act 2009*, to determine the business case for submitting an application under the Department of Environment and Resource Management (DERM) Local Government Weighbridge and Ancillary Equipment Grants Program for a weighbridge at Redland bay transfer station.

CARRIED (en-bloc)

18.2 CLOSED SESSION AT COMMITTEE

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 was again opened to the public.

18.2.1 WASTE GATE FEE WAIVER FOR CLEAN FILL/SOIL AT BIRKDALE LANDFILL

Dataworks Filename: WM Commercial Charges and Regulatory Fees

Responsible Officer: Elisa Underhill
Manager City Enterprises

Author: Robert Walford
Service Manager - RedWaste

EXECUTIVE SUMMARY

A confidential report from the Manager City Enterprises was discussed in closed session at Committee and is presented to today's General Meeting for consideration.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr W Boglary
Seconded by: Cr B Townsend

That Council resolve to delegate authority to the Chief Executive Officer under section 257(b) of the Local Government Act 2009, to allow discretionary waiving of fees and charges for the disposal of clean fill, cover soil and clay material in line with set procedures and guidelines for the acceptance of clean fill.

CARRIED (en-bloc)

18.2.2 PROPOSED ROAD OPENINGS AT COLLINS STREET, REDLAND BAY

Dataworks Filename: 45607 – Survey Phase
Responsible Officer: Jason Masters
Survey Services Manager
Author: Michelle Gill
Project Coordinator Survey

EXECUTIVE SUMMARY

A confidential report from the Survey Services Manager was discussed in closed session at Committee and is presented to today's General Meeting for consideration.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr W Boglary
Seconded by: Cr B Townsend

That Council resolves follows:

- 1. To acquire the land located at Lot 1 SP208432, as shown on drawing number AC157-1-1 Rev.B for road purposes;**
- 2. To acquire the land located at Lot 1 on RP98600, as shown on drawing number AC157-1-2 Rev.B for road purposes;**
- 3. To acquire the land located at Lot 1 RP134876, as shown on drawing number AC157-5-1 Rev.B for road purposes;**
- 4. To acquire the land located at Lot 2 RP166353, as shown on drawing number AC157-4-3 Rev.B for road purposes;**
- 5. That the Chief Executive Officer be delegated authority to negotiate the purchase price, pursuant to Section 61 of the *Local Government Act 2009*;**
- 6. If negotiations with the owner are unsuccessful, that Council, in accordance with Section 61 of the *Local Government Act 2009* proceed with resumption action under Section 5(1)(b) of the *Acquisitions of Land Act 1967* and the acquired land is then dedicated as road pursuant to Section 51 of the *Land Title Act 1994*; and**
- 7. That the Chief Executive Officer be authorised to sign any documentation in relation thereto.**

CARRIED (en-bloc)

DECLARATION OF CONFLICT OF INTEREST

Cr Reimers declared a conflict of interest or perceived conflict of interest in the following item stating that she is a member of the Rotary Redlands Sunrise. Cr Reimers elected to remain in the room and vote in the best interests of the community. Cr Reimers voted in the affirmative.

Cr Murray declared a conflict of interest or perceived conflict of interest in the following item, stating that she is a patron of the Koala Action Group. Cr Murray elected to remain in the room and vote in the best interests of the community. Cr Murray voted in the affirmative.

Cr Elliott declared a perceived conflict of interest in the following item stating that he is associated with but has no interests with the Meteors Netball Club. Cr Elliott elected to remain in the room and vote in the best interests of the community. Cr Elliott voted in the affirmative.

Cr Bowler declared a conflict of interest or perceived conflict of interest in the following item stating that she is a member of the Wildlife Preservation Society. Cr Bowler elected to remain in the room and vote in the best interests of the community. Cr Bowler voted in the affirmative.

Cr Williams declared a conflict of interest or perceived conflict of interest in the following item stating that she is a member of Rotary Club. Cr Williams elected to remain in the room and vote in the best interests of the community. Cr Williams voted in the affirmative.

Cr Henry declared a conflict of interest or perceived conflict of interest in the following item stating that she is a member of the Wildlife Preservation Society and the Koala Action Group. Cr Henry elected to remain in the room and vote in the best interests of the community. Cr Henry voted in the affirmative.

Cr Ogilvie declared a conflict of interest or perceived conflict of interest in the following item, stating that he is a patron of Cleveland Senior Citizens Club; a member of Point Lookout Surf Lifesaving Club; a patron of North Stradbroke Island Rugby League All Sports and that a family member is a member of Point Lookout Bushcare Group. Cr Ogilvie elected to remain in the room and vote in the best interests of the community. Cr Ogilvie voted in the affirmative.

Cr Boglary declared a conflict of interest, or perceived conflict of interest in the following item stating that she is a Pink Pamper Packs financial member and a member of the Wellington Point Rotary. Cr Boglary elected to remain in the room and vote in the best interests of the community. Cr Boglary voted in the affirmative.

Cr Hobson declared a perceived conflict of interest in the following item stating that she is a member of Cleveland Uniting Church; patron of Point Lookout Lifesaving Club, Redlands Sinfonia and Bayside Community Radio Association; and an honorary member of Rotary Club Cleveland. Cr Hobson elected to remain in the room and vote in the best interests of the community. Cr Hobson voted in the affirmative.

18.2.3 COMMUNITY GRANTS PROGRAM ROUND 1 APPROVAL OF FUNDS

Datworks Filename: G&S Community Grants Program - 2011/12
Round 1

Responsible Officer: Leanne Tu'ipulotu
A/Manager, Community and Cultural Services

Author: Kim Sims
A/Community Grants Coordinator

EXECUTIVE SUMMARY

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

The financial assistance to the Redlands community through the grants program was reduced in the 2011/12 budget development process and the following outlines the budget available under each category:

- Mayor's Small Grants up to \$500 with a total pool of \$45,000 (reduced from \$50,000);
- Organisation Support Grants up to \$3,000 with a total pool of \$66,000 (reduced from \$90,000);
- Project Support Grants up to \$10,000 with a total pool of \$170,000 (reduced from \$200,000);
- Conservation Grants up to \$10,000 with a total pool of \$100,000;
- Capital Infrastructure Grants up to \$50,000 with a total pool of \$250,000; and
- Regional Arts Development Fund (RADF) with a total pool of \$100,000.

The Environmental Education Unit, Indigiscapes, committed \$100,000 this financial year towards the Conservation Grants.

The funding for RADF is in partnership with Arts Queensland with an annual budget allocation from Council of \$50,000 which is matched by the State Government. Council is required to administer the RADF Grants under State Government Guidelines.

Applications under the Mayor's Small Grants can be submitted throughout the financial year. There are two funding rounds each financial year for Organisation Support, Project Support, Conservation Grants and RADF. The rounds closing in September and April. There is one funding round each financial year for Capital Infrastructure with the round closing in September.

Round 1 for Organisation Support, Project Support, Conservation Grants, RADF and Capital Infrastructure opened on 25 July 2011 and closed on 2 September 2011.

A total of 53 applications requesting \$483,945.35 were received including:

- 16 applications for Organisation Support requesting \$43,004.50. Funding available in Round 1 is \$33,000;
- 15 applications for Project Support requesting \$142,017.20. Funding available in Round 1 is \$85,000;
- 7 applications for Conservation Grants requesting \$57,318.15. Funding available in Round 1 is \$50,000;
- 7 applications for Small and Major Capital Infrastructure requesting \$190,563. Funding available in 2011/12 is \$250,000; and
- 8 applications for RADF requesting \$51,042.50. Funding available in Round 1 is \$50,000.

Applications for Organisation Support were assessed by the Assessment Team, consisting of staff from the Community Grants Team, the Community Development Team, Leisure and Recreation and the Environmental Education Unit on 14 September 2011. The recommendations of the Assessment Team were then approved by the Group Manager, Community and Cultural Services, on 19 September 2011 as is the process stated in the Corporate Guidelines for the approval of Organisation Support applications. Written notification was provided to applicants on 6 October 2011.

Applications for Project Support and Conservation Grants were also assessed by the Assessment Team on 14 September 2011. The recommendations by the Assessment Team on applications under these categories were endorsed by the Community Grants Panel on 21 September 2011. The applications and recommendations were then discussed and reviewed at the Councillor Workshop on 26 October 2011.

The applications for RADF were assessed by the RADF Committee members with the recommendations being approved at the RADF Committee meeting on 27 September 2011 in accordance with State Government and Council Policies and Guidelines.

This report seeks approval from Council to fund the recommended successful applications under Round 1 in 2011/12 for the Project Support, Conservation Grants and RADF categories. Total funding of \$184,160.65 is sought to fund 31 applications under these categories. This report also requests Council to note the successful applications under Organisation Support.

All applicants under Project Support, Conservation Grants and RADF will be informed of the outcome of their application after the General Meeting on 30 November 2011. Feedback will be provided to unsuccessful applicants to assist in increasing their chance of success in future grant rounds.

To recognise the applicants that have been successful under Organisation Support, Project Support, Conservation Grants and RADF, an event is scheduled at the Redland Performing Arts Centre from 5.30pm with a 6.00pm start to conclude at

7.00pm on 8 December 2011 where the Mayor and Councillors will be invited to present certificates to these applicants.

Strategic Priorities

As part of Council's annual reporting, the Community Grants Program now has a key performance indicator to report on the strategic priorities that applications received are aligning with. Under Round 1 of the Community Grants Program for the categories Organisation Support, Project Support, Conservation Grants and Capital Infrastructure, the following outlines the priorities the applications aligned with.

- Healthy Natural Environment – *10 applications aligned with this priority;*
- Green Living – *2 applications aligned with this priority;*
- Embracing the Bay – *8 applications aligned with this priority;*
- Quandamooka Country – *4 applications aligned with this priority;*
- Wise Planning and Design – *4 applications aligned with this priority;*
- Supportive and Vibrant Economy – *20 applications aligned with this priority; and*
- Strong and Connected Communities – *38 Applications aligned with this priority.*

PURPOSE

In accordance with Corporate Policy POL-3082 *Financial Assistance to the Community Sector* and Corporate Guideline GL-3082-001 *Financial Assistance to the Community Sector*, this report seeks approval from Council to fund the recommended successful applications under Round 1 of the Community Grants Program in 2011/12.

BACKGROUND

There are a range of grants available to the community which are:

- Mayor's Small Grants – up to \$500 for individuals demonstrating excellence at a high level and to organisations for unexpected costs and grant writing assistance;
- Organisation Support Grants – up to \$3,000 to provide assistance to organisations to support management and planning costs associated with becoming more sustainable and improving capacity to deliver services.
- Project Support Grants – up to \$10,000 to provide assistance to organisations to provide specific projects that deliver long term positive outcomes to the community. The projects can create improvements for people in a particular community or locality in the Redlands;
 - Community Garden Projects – up to \$10,000 to support organisations in growing or supporting access to locally grown food.
- Conservation Grants with the following categories:
 - Conservation Support Grants – up to \$10,000 to assist organisations with direct conservation projects as well as education and awareness related to Redlands wildlife, especially koalas and their habitat;

- Environmental Arts Support Grants – up to \$10,000 to assist professional artists, emerging professional artists or organisations to develop art projects with an environmental theme. Projects should enrich public appreciation and understanding of the value of our local environment; and
- Wildlife Carer Support Grants – up to \$10,000 to assist with projects related to the care of injured wildlife in the Redlands;
- Capital Infrastructure Grants – up to \$50,000 to assist organisations to build, renovate or refurbish facilities, including hard-wired technology upgrades; and
- Regional Arts Development Fund (RADF) – this grant supports professional artists and arts workers to practice their art, for and with communities.

Applications for Mayor's Small Grants are accepted continuously throughout the year. The Organisation Support, Project Support, Conservation Grants and RADF have 2 rounds each year and the Capital Infrastructure grant has 1 round each year.

Round 1 in 2011/12 for Organisation Support, Project Support, Conservation Grants, Capital Infrastructure and RADF opened on 25 July 2011 and closed on 2 September 2011.

Applications under the Organisation Support category were assessed by the Assessment Team, consisting of Council staff from the Community Grants Team, the Community Development Team, Leisure and Recreation and the Environmental Education Unit on 14 September 2011. The recommendations were then approved by the Group Manager, Customer and Community Services on 19 September 2011 as is the process stated in the Corporate Guidelines – GL-3082-001 *Financial Assistance to the Community Sector*. Written notification was provided to applicants on 6 October 2011.

Applications under the Project Support and Conservation Grants categories were also assessed by the Assessment Team on 14 September 2011 with the recommendations being endorsed by the Community Grants Panel on 21 September 2011.

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

A listing of the applications received under Project Support and Conservation Grants, including scores, comments and recommendations from the Assessment Team and the Community Grants Panel, were provided to the Councillors on 30 September 2011 and were discussed and reviewed at a Workshop on 26 October 2011 with endorsements to be considered by the Customer Services Committee on 23 November 2011.

Applications for RADF were assessed by the RADF Committee members and approved by the RADF Committee on 27 September 2011.

- The applications are assessed by the elected RADF Committee, chaired by Councillor Helen Murray, who has the casting vote. Councillor Craig Ogilvie is also on the Committee. RADF Committee members are elected for two terms and represent a cross section of art forms and interests. The applications are assessed against criteria set by the State Government and the objectives of Council's Cultural Policy. The RADF Committee assesses and endorses applications.

The request for funding for endorsed and approved applications under Project Support, Conservation Grants and RADF is submitted to Council for approval. It is also requested approved applications under Organisation Support is submitted to Council for noting. This process ensures a consistent, fair, open process without bias.

The Capital Infrastructure grant has a separate process as there are two categories available – Small Capital and Major Capital. Funding under Small Capital is up to \$10,000 and funding for Major Capital is between \$10,000 and \$50,000. To apply for Major Capital Infrastructure, applicants are to submit an Expression of Interest (EOI) form that is assessed with successful applicants being invited to submit a formal application. The EOI applications were assessed by officers from the Community and Cultural Services and Community Futures Groups on 8 September 2011 with successful applicants invited to submit a formal application by 7 October 2011. Applications for both Small Capital Infrastructure and Major Capital Infrastructure were assessed by officers from the Community and Cultural Services and Community Futures Groups with final recommendations being endorsed by the Community Grants Panel on 27 October 2011.

A listing of the applications received under Capital Infrastructure, including scores, comments and recommendations from the Assessment Team and the Community Grants Panel, will be provided to the Councillors to be reviewed and discussed at a Workshop on 16 November 2011 before being considered by the Customer Services Committee on 6 December 2011.

The next round will open on 30 January 2012 and close on 2 March 2012 for the categories Organisation Support, Project Support, Conservation Grants and RADF.

ISSUES

The applications to which this report is seeking funding for have been assessed in line with the Corporate Guideline GL-3082-001 – *Financial Assistance to the Community Sector* and the Grants and Sponsorship Program Guidelines.

Round 1 – Project Support Grants – 15 applications were assessed requesting total funding of \$142,017.20. Of these applications, 8 have been recommended for funding totalling \$76,000.

Round 1 – Conservation Grants – 7 applications were assessed requesting total funding of \$57,318.15. Of these applications, 6 have been recommended for funding totalling \$47,318.15.

Round 1 – Regional Arts Development Fund – 8 applications were assessed requesting total funding of \$51,042.50. Of these applications, 7 have been recommended for funding totalling \$34,242.50.

The applications that were unsuccessful either did not meet the eligibility criteria or were not sufficiently detailed. These applicants will receive feedback and will be encouraged to apply in future rounds.

RELATIONSHIP TO CORPORATE PLAN

7. 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

7.6 Provide practical programs, support and guidance to the community sector in its delivery of highly valued support services and community projects

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated to the Community Grants Program.

10 applications under Organisation Support have been approved for funding for the amount of \$26,600. Funding available in Round 1 is \$33,000. **Note \$26,600 has been allocated to the 10 successful applications.**

8 applications under Project Support are recommended for approval by Council for the amount of \$76,000. Funding available in Round 1 is \$85,000. **Approval is sought for \$76,000 to be allocated to the 8 successful applications.**

6 applications under the Conservation Grants are recommended for approval by Council for the amount of \$47,318.15. Funding available in Round 1 is \$50,000. **Approval is sought for \$47,318.15 to be allocated to the 6 successful applicants.**

7 applications under the Regional Arts Development Fund (RADF) have been approved for funding for the amount of \$34,242.50. Funding available in Round 1 is \$50,000. **Approval is sought for \$34,242.50 to be allocated to the 7 successful applicants.**

Total funding of \$184,160.65 is requested for approval under Round 1.

The funding available for Round 2 under the Community Grants Program in 2011/12 under the categories are;

- Organisation Support Grants – Total pool of \$66,000 – \$39,400 available
- Project Support Grants – Total pool of \$170,000 – \$94,000 available;
- Conservation Grants – Total pool of \$100,000 – \$52,681.85 available.

- Regional Arts Development Fund – Total pool of \$100,000 – \$65,757.50 available.

Total funding available for Round 2 under the Community Grants Program in 2011/12 is \$251,839.35.

After the closing of Round 2 in March 2012, an assessment will be undertaken of the applications received in which funds may be moved from one category to another to ensure that maximum expenditure occurs (eg. if all eligible projects have been funded in one category and funds remain, these funds may be transferred to a category that has more eligible applications than available funding).

Uncommitted funds within the grants program cannot be rolled over from one financial year to another so any unspent funds will be returned to Council's general revenue.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment 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

As part of marketing of the Grants and Sponsorship Program in Round 1, the Grants Team conducted six Grant Application Writing Workshops throughout the Redlands. This included four workshops for the Community Grants Program and two workshops for the Regional Arts Development Fund (RADF). The workshops were held in Cleveland, Russell Island, Capalaba and Victoria Point. These workshops began on 20 July and concluded on 4 August 2011. Approximately 60 participants attended these workshops.

An intensive marketing strategy was also undertaken to raise awareness of the program. This included:

- advertisements in snapshots;
- an individual advertisement in the Bayside Bulletin;
- new look posters and brochures displayed in libraries, Customer Services, community halls and shopping centres;
- Community Development Officers provided information and also distributed brochures to their networks;
- advertising in Customer Service's slide show and on Council's facebook;
- advertised as part of Council's 'on hold' message and the website; and
- an article in the Council's Budget Community Pack as well as the Residents Report that is distributed to over 50,000 Redland's residents.

One-on-One meetings by Community Development Officers were also held with organisations for the Community Grants Program and Regional Arts Development

Fund to provide advice on the funding categories, eligibility, the development of projects and to provide feedback on draft applications.

In the assessment of the applications, consultation occurred with Council staff, the Community Grants Panel at a meeting on 21 September 2011 and the RADF Committee at a meeting on 27 September 2011. Briefing and a copy of the applications received and recommended under Project Support and Conservation Grants were provided to the Mayor and Councillors on 30 September 2011 and were reviewed and discussed at a workshop on 26 October 2011.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr K Reimers
Seconded by: Cr K Williams

That Council resolve as follows:

- 1. To note the funding allocated to 10 applications totalling \$26,600 under Round 1 of the Organisation Support Grants – Community Grants Program;**
- 2. To approve funding for 8 applications totalling \$76,000 under Round 1 of the Project Support Grants – Community Grants Program;**
- 3. To approve funding for 6 applications totalling \$47,318.15 under Round 1 of the Conservation Grants – Community Grants Program;**
- 4. To approve funding for 7 applications totalling \$34,242.50 under Round 1 of the Regional Arts Development Fund; and**
- 5. That the listing containing only successful Organisation Support, Project Support, Conservation Grants and Regional Arts Development Fund applicants remains confidential until adoption at the General Meeting.**

CARRIED

DIVISION

FOR: Crs Reimers, Murray, Elliott, Bowler, Williams, Henry, Ogilvie, Boglary and Hobson

Cr Townsend was not present when this motion was put.

Cr Burns was absent from the meeting.

DECLARATION OF CONFLICT OF INTEREST

Cr Elliott declared a perceived conflict of interest in the following item stating that he is associated with but has no interests with the Redland Baseball Club. Cr Elliott elected to remain in the room and vote in the best interests of the community. Cr Elliott voted in the affirmative.

Cr Hobson declared a perceived conflict of interest in the following item stating that she is a member of Cleveland Uniting Church. Cr Hobson elected to remain in the room and vote in the best interests of the community. Cr Hobson voted in the affirmative.

18.2.4 COMMUNITY GRANTS PROGRAM APPROVAL OF CAPITAL INFRASTRUCTURE FUNDS

Datworks Filename:	G&S Community Grants Program - 2011/12 Round 1
Responsible Officer:	Kym Banks A/Group Manager Community & Cultural Services
Author:	Kim Sims A/Community Grants Coordinator

EXECUTIVE SUMMARY

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

The financial assistance to the Redlands community through the grants program was reduced in the 2011/12 budget development process and the following outlines the budget available under each category:

- Mayor's Small Grants up to \$500 with a total pool of \$45,000 (reduced from \$50,000);
- Organisation Support Grants up to \$3,000 with a total pool of \$66,000 (reduced from \$90,000);
- Project Support Grants up to \$10,000 with a total pool of \$170,000 (reduced from \$200,000);
- Conservation Grants up to \$10,000 with a total pool of \$100,000;
- Capital Infrastructure Grants up to \$50,000 with a total pool of \$250,000; and
- Regional Arts Development Fund (RADF) with a total pool of \$100,000.

Capital Infrastructure grants are to assist organisations build, renovate or refurbish community facilities. There are two categories available:

- Small Capital Infrastructure – up to \$10,000 – Applicants to make a 20% financial contribution and to submit a full application.

- Major Capital Infrastructure – between \$10,000 and \$50,000 – Applicants to make a 50% financial contribution and to submit an Expression of Interest (EOI) which is assessed and, if successful, a full application is then to be submitted.

There is one funding round each financial year for Capital Infrastructure with the round for Small and Major Capital Infrastructure opening on 25 July 2011 and closing on 2 September 2011. A total of 7 applications were received requesting \$190,563. The total funding available for Capital Infrastructure is \$250,000.

- Small Capital Infrastructure – 3 applications – requesting \$16,247.
- Major Capital Infrastructure – 4 applications – requesting \$174,136.

The assessment process for Capital Infrastructure applications began with the assessment of EOIs for Major Capital Infrastructure on 8 September 2011 by Council officers from Community and Cultural Services and Community Futures with all EOIs being successful and invited to submit a formal application. After the formal applications were submitted, the total funding requested increased to \$190,759.58

The assessment on all Capital Infrastructure applications was held on 19 October by the Assessment Team. The recommendations by the Assessment Team on applications were endorsed by the Community Grants Panel on 27 October 2011. The applications and recommendations were then discussed and reviewed at the Councillor Workshop on 16 November 2011.

This report seeks approval from Council to fund the recommended successful applications in 2011/12 for Capital Infrastructure. Total funding of \$103,941.40 is sought to fund 5 applications. All applicants will be informed of the outcome of their application after the General Meeting on 30th November 2011. Feedback will be provided to unsuccessful applicants to assist in increasing their chance of success in future grant rounds.

PURPOSE

In accordance with Corporate Policy POL-3082 *Financial Assistance to the Community Sector* and Corporate Guideline GL-3082-001 *Financial Assistance to the Community Sector*, this report seeks approval from Council to fund the recommended successful applications under Capital Infrastructure of the Community Grants Program in 2011/12.

BACKGROUND

There are a range of grants available to the community which are:

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

- community. The projects can create improvements for people in a particular community or locality in the Redlands;
- Community Garden Projects – up to \$10,000 to support organisations in growing or supporting access to locally grown food.
 - Conservation Grants with the following categories:
 - Conservation Support Grants – up to \$10,000 to assist organisations with direct conservation projects as well as education and awareness related to Redlands wildlife, especially koalas and their habitat;
 - Environmental Arts Support Grants – up to \$10,000 to assist professional artists, emerging professional artists or organisations to develop art projects with an environmental theme. Projects should enrich public appreciation and understanding of the value of our local environment; and
 - Wildlife Carer Support Grants – up to \$10,000 to assist with projects related to the care of injured wildlife in the Redlands;
 - Capital Infrastructure Grants – up to \$50,000 to assist organisations to build, renovate or refurbish facilities, including hard-wired technology upgrades; and
 - Small Capital Infrastructure – up to \$10,000 with applicants making a 20% financial contribution towards the project. Applicants are required to submit a formal application.
 - Major Capital Infrastructure – between \$10,000 and \$50,000 with applicants making a 50% financial contribution towards the project. Applicants are required to submit an Expression of Interest (EOI) form and if successful invited to submit a formal application.
 - Regional Arts Development Fund (RADF) – this grant supports professional artists and arts workers to practice their art, for and with communities.

There is only one round each year for Capital Infrastructure with applications for Small and Major Capital Infrastructure opening on 25 July 2011 and closing on 2 September 2011. The EOIs were assessed on 8 September 2011 by Council officers from Community and Cultural Services and Community Futures with all applicants invited to submit a formal application by 7 October 2011.

The Small and Major Capital Infrastructure applications were then assessed by the Assessment Team on 19 October 2011 with the recommendations being endorsed by the Community Grants Panel on 27 October 2011.

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

A listing of the applications received under Capital Infrastructure, including scores, comments and recommendations from the Assessment Team and the Community

Grants Panel, were provided to the Councillors on 9 November 2011 and were discussed and reviewed at the Councillor Workshop on 16 November 2011 before being considered by the Customer Services Committee on 23 November 2011.

This process ensures a consistent, fair, open process without bias.

ISSUES

The applications to which this report is seeking funding for have been assessed in line with the Corporate Guideline GL-3082-001 – *Financial Assistance to the Community Sector* and the Grants and Sponsorship Program Guidelines.

Under Capital Infrastructure, 7 applications were assessed requesting total funding of \$190,759.58. Of these applications, 5 have been recommended for funding totalling \$103,941.40.

Feedback will be provided to unsuccessful applicants to assist in increasing their chance of success in applying in future grant rounds.

Based on the recommendation to approve 5 applications for funding of \$103,941.40 of the \$250,000 available, \$146,058.60 will be unspent for Capital Infrastructure.

The Capital Infrastructure category has one round each financial year so any uncommitted funds are returned back to Council's general revenue at the end of the financial year, as unspent funds cannot be rolled over from one financial year to another. The unspent funds, in accordance with the Corporate Guidelines, can be moved from one category to another to ensure that maximum expenditure occurs e.g., if all eligible projects have been funded in one category and funds remain, these funds may be transferred to a category that has more eligible applications than available funding.

RELATIONSHIP TO CORPORATE PLAN

7. 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

7.6 Provide practical programs, support and guidance to the community sector in its delivery of highly valued support services and community projects

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated to the Community Grants Program.

5 applications under Capital Infrastructure have been approved for funding for the amount of \$103,941.40. Funding available is \$250,000. **Approval is sought for \$103,941.40 to be allocated to the 5 successful applications.**

The funding underspent in Capital Infrastructure in 2011/12 from a total pool of \$250,000 is \$146,058.60.

The Capital Infrastructure category has one round each financial year so any unspent funds are returned back to Council's general revenue at the end of the financial year, as unspent funds cannot be rolled over from one financial year to another. The unspent funds may be used in Round 2 in 2011/12, as in accordance with the Corporate Guidelines, funds can be moved from one category to another to ensure that maximum expenditure occurs eg. if all eligible projects have been funded in one category and funds remain, these funds may be transferred to a category that has more eligible applications than available funding.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment 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

As part of marketing of the Grants and Sponsorship Program in Round 1, the Grants Team conducted four workshops for the Community Grants Program. The workshops were held in Cleveland, Russell Island, Capalaba and Victoria Point. The workshops began on 20 July and concluded on 4 August 2011. Approximately 60 participants attended the workshops. An intensive marketing strategy was also undertaken to raise awareness of the program. One-on-One meetings by Community Development Officers were also held with organisations to provide advice on the development of projects and to provide feedback on draft applications.

In the assessment of the applications, consultation occurred with Council staff and the Community Grants Panel at a meeting on 27 October 2011. Briefing and a copy of the applications received and recommended under Capital Infrastructure were provided to the Mayor and Councillors on 9 November 2011 and were reviewed and discussed at the Councillor Workshop on 16 November 2011.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr D Henry

Seconded by: Cr B Townsend

That Council resolve to:

- 1. Approve funding for 5 applications totalling \$103,941.40 under the Capital Infrastructure Grants – Community Grants Program; and**
- 2. That the listing containing only successful Capital Infrastructure applicants remains confidential until adoption at the General Meeting.**

CARRIED

DIVISION:

FOR: Crs Reimers, Murray, Elliott, Bowler, Williams, Townsend, Henry, Ogilvie, Boglary and Hobson

Cr Burns was absent from the meeting.

19 CORPORATE SERVICES & GOVERNANCE COMMITTEE 23 NOVEMBER 2011

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That the Corporate Services & Governance Committee Minutes of 23 November 2011 be received.

CARRIED

[Corporate Services & Governance Minutes 23 November 2011](#)

19.1 GOVERNANCE

19.1.1 QUARTERLY CORPORATE PERFORMANCE REPORT

Datworks Filename: GOV Corporate Performance Reporting

Attachment: [September 2011 Quarterly Performance Report](#)

Responsible Officer: Nick Clarke
General Manager Governance

Author: Luke Wallace
Manager Corporate Governance

EXECUTIVE SUMMARY

The *Local Government Act 2009* requires the CEO to present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of council held at regular intervals of not more than 3 months.

Further, in June 2011, Council resolved to adopt a revised Corporate Performance Management Policy and Guideline to take effect from the beginning of the 2011/12 financial year.

This is the first quarterly report to Council under the revised Performance Management Policy and Guideline and provides a comprehensive summary of performance across the organisation for the year to date.

PURPOSE

The purpose of this report is to present Council and the community with an update of performance across a range of organisational functions for the year to date.

BACKGROUND

The performance data attached to this report and the commentary in the report itself has been provided by all Council Departments. The aim of the report is to ensure that Council's performance is transparently conveyed to the community in accordance with the principles of the *Local Government Act 2009* and Council's Corporate Plan

and to ensure that areas of impaired performance are able to be explained and considered. This quarterly report contains 537 measures, in total, of Council's performance for the financial year to date as follows:

- Report against Council's 2011/12 Operational Plan – 178 performance indicators in total
- Report against 2010/11 Operational Plan projects that remained outstanding as at 30th June 2011 – 22 performance indicators in total
- Report on Key Corporate Indicators (formerly referred to as Balanced Scorecard indicators) – 10 performance indicators in total
- City Services 1st Quarter Report – 327 performance indicators in total

Where particular indicators of performance are not able to be found in this report, councillors or the community (via enquiries through the Chief Executive Officer) can raise the matter and every endeavour will be made to incorporate the indicator in future quarterly reporting.

ISSUES

Each area of the quarterly performance report is broken down and analysed for Council's consideration.

1. 2011/12 Operational Plan Performance

There are 178 measures in the 2011/12 Operational Plan. A summary of the overall status of projects in the Operational Plan to this point of the year is as follows;

Project Status	Total Number	Percentage
Projects On Track	123	69.1%
Projects Completed	5	2.8%
Projects Not Commenced	23	12.9%
Projects Delayed	18	10.1%
Projects Cancelled	9	5.1%

It is pleasing to note that a total of 71.9% of projects are either "on track" or completed. A further 23 projects (12.9%) are due to commence later in the year so overall 84.8% of projects have progressed as expected to this point of the year. A further 18 projects are delayed and explanations for the delays are contained in the attached report.

Regrettably, Managers have recommended that nine projects should be cancelled and removed from the 2011/12 Operational Plan. In all cases these cancellations are a result of the removal of budget funds and/or a shortage of staff resources to complete the work.

Council will recall that the 2011/12 Operational Plan was adopted, as is customary, towards the end of the financial and prior to the adoption of Council's 2011/12 budget. There was significant uncertainty around Council's financial position at the

time due to State Government decisions on water reform and infrastructure charges. On this basis some projects were left in the 2011/12 Operational Plan in the genuine expectation that they would be funded and resourced but developments subsequent to the adoption of the Plan mean they will have to be rescheduled to future years.

The projects recommended for removal from the 2011/12 Operational Plan are as follows:

Project	Lead Group
1.4.1 Implementation of the Environmental Education Policy and Strategy	City Spaces
1.5.2 Development of a Habitat Management and Protection Strategy	City Planning and Environment
2.2.1 Implement the Climate Change and Energy Action Plan	City Planning and Environment
2.3.1 Progress a corporate approach to "Go Local"	Community Futures
3.3.1 Undertake an educational program with property owners for onsite care and maintenance of waste water systems and their	Community Standards
3.4.3 Construct beach access stairs at Wilson Esplanade	City Infrastructure
5.5.1 Implement the Redland City Centres and Employment Strategy and principal regional activity centre master plans	City Planning and Environment
5.6.1 Finalise residential design guidelines, including sub-tropical design principles, for incorporation in the new planning scheme	City Planning and Environment
7.5.2 Support community organisations to undertake indoor facilities studies	City Spaces

2. 2010/11 Operational Plan Projects that were Incomplete at 30 June 2011

Projects from the 2010/11 Operational Plan that were incomplete as at 30 June 2011 are updated in the attachment to this report in the interests of transparency. In all there were 22 such projects. Three of these projects have since been completed, ten are on track for completion in the near future and nine remain delayed and/or no further work has commenced on the projects this financial year.

Reasons for the ongoing delays with these nine projects are outlined in the attachment but the most common reason is a lack of available funding. In all cases it is still intended that these projects will be progressed when funding becomes available.

3. Key Corporate Indicators (Formerly Known as Balanced Scorecard Indicators)

Ten "key corporate" indicators are listed in the attachment to this report. These were formerly referred to as Balanced Scorecard indicators in reporting to Council. Of the ten indicators, five have achieved a result of satisfactory or better and five are behind

target. Explanations for the indicators that are behind target are provided in the attachment and a brief summary is provided in the table below;

Indicator Type	Reasons Behind Target
Asset Management Plans	Whilst Council still has a full suite of asset management plans and Managers are generally operating in accordance with those plans, the oversight and management functions relating to capturing and reporting asset management plan actions has not been maintained in recent months. This issue will be resolved when the Corporate Services restructure is completed in the next few months. At that point, precise milestones and timelines for the asset management plans will be agreed and reporting against achievement of the milestones will re-commence.
Internal Audit Plan	Internal Audit is still operating on reduced resources but advertising to fill the vacant auditor role is about to take place and this will assist greatly with getting the Internal Audit Plan back on track. All higher risk audit actions continue to be prioritised.
Workplace Health & Safety Indicators <ul style="list-style-type: none"> • Management Plan • Lost-Time Injuries • Total Hours Lost 	Workplace Health and Safety traditionally set very high benchmarks as Council strives to ensure the highest possible standards. Workplace Health and Safety Management Plan actions were significantly improved in September with some key actions being closed off and we are now very close to achieving the target in this area. Only two relatively minor lost time injuries occurred during September and this also resulted in the overall target for lost time injuries only being marginally missed. Significant hours were lost in September due to some long-term rehabilitation injuries. It is noted that this figure reduced significantly in October and this will be reflected in the next quarterly report.

4. City Services Quarterly Report

The attached reports provide a range of information on City Services activities for the three months to September 2011. Any abnormal or noteworthy results are explained in the management commentary of the attachments. The following activities are further highlighted for Council to note:

Group	Highlighted Activities
Community and Cultural Services	<ul style="list-style-type: none"> • Overall strong growth in the Home Assist Secure Service compared with the same period last year (bulky waste collection increased by 174%, new registrations up over 25% and home modifications increased by 92%) • Record breaking number of library items (7996) ordered in

Group	Highlighted Activities
	<p>July – more than 2000 items more than the previous record</p> <ul style="list-style-type: none"> • Significant spike in Art Gallery attendees in September • Occupancy levels at NSI Holiday Parks were noticeably higher for the September quarter (23% above forecast)
City Spaces	<ul style="list-style-type: none"> • Incidence of graffiti for the quarter; <ul style="list-style-type: none"> ➤ Roads and Drainage 171 (51 street signs) at cost of \$5,600 ➤ Parks and Conservation 250 at cost of \$43,300 • Incidence of vandalism for the quarter; <ul style="list-style-type: none"> ➤ Roads and Drainage 206 at cost of \$17,100 ➤ Parks and Conservation 24 • Illegally dumped refuse for the quarter; <ul style="list-style-type: none"> ➤ Roads and Drainage 32.8 tonnes at \$4,000 to dispose ➤ Parks and Conservation 19.1 tonnes at \$1,000 to dispose • Streetscape and catch pit maintenance behind target due to staffing constraints. This will be rectified in Q2 • Indigiscapes win eco-tourism category award at Moreton Bay and Island Tourism Awards for fourth successive year • Waterways Extension Program named best local government initiative at the QLD Healthy Waterways Awards
Project Delivery Group	<ul style="list-style-type: none"> • Construction of part of the Moreton Bay Cycleway linking Station Street, Wellington Point to Hilliard Street, Ormiston was on hold awaiting client direction • All other projects progressing largely as anticipated

RELATIONSHIP TO CORPORATE PLAN

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

8.1 Embed the visions and goals of the Redlands 2030 Community Plan into our planning, operations and culture and develop effective reporting and monitoring arrangements to show how we are progressing on implementation of the Community Plan and Corporate Plan

FINANCIAL IMPLICATIONS

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

OPTIONS**PREFERRED**

1. That Council note the quarterly Corporate Performance Report; and
2. That the projects listed below be removed from the 2011/12 Operational Plan:
 - a. Implementation of the Environmental Education Policy and Strategy;
 - b. Development of a Habitat Management and Protection Strategy;
 - c. Implement the Climate Change and Energy Action Plan;
 - d. Progress a corporate approach to “Go Local”;
 - e. Undertake an educational program with property owners for onsite care and maintenance of waste water systems and their disposal areas;
 - f. Construct beach access stairs at Wilson Esplanade;
 - g. Implement the Redland City Centres and Employment Strategy and Principal Regional Activity Centre master plans;
 - h. Finalise residential design guidelines, including sub-tropical design principles, for incorporation in the new planning scheme; and
 - i. Support community organisations to undertake indoor facilities studies.

ALTERNATIVE

That Council does not endorse the quarterly corporate performance report and seeks the provision of further information

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Note the quarterly Corporate Performance Report; and
2. Remove the projects listed below from the 2011/12 Operational Plan:
 - a. Implementation of the Environmental Education Policy and Strategy;
 - b. Development of a Habitat Management and Protection Strategy;
 - c. Implement the Climate Change and Energy Action Plan;
 - d. Progress a corporate approach to “Go Local”;
 - e. Undertake an educational program with property owners for onsite care and maintenance of waste water systems and their disposal areas;
 - f. Construct beach access stairs at Wilson Esplanade;
 - g. Implement the Redland City Centres and Employment Strategy and Principal Regional Activity Centre master plans;
 - h. Finalise residential design guidelines, including sub-tropical design principles, for incorporation in the new planning scheme; and
 - i. Support community organisations to undertake indoor facilities studies.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve to:

1. Note the quarterly Corporate Performance Report; and
2. Remove the projects listed below from the 2011/12 Operational Plan:
 - a. Implementation of the Environmental Education Policy and Strategy;
 - b. Development of a Habitat Management and Protection Strategy;
 - c. Implement the Climate Change and Energy Action Plan;
 - d. Progress a corporate approach to “Go Local”;
 - e. Undertake an educational program with property owners for onsite care and maintenance of waste water systems and their disposal areas;
 - f. Construct beach access stairs at Wilson Esplanade;
 - g. Finalise residential design guidelines, including sub-tropical design principles, for incorporation in the new planning scheme; and
 - h. Support community organisations to undertake indoor facilities studies.

CARRIED (en-bloc)

19.1.2 AMENDMENTS TO SUBORDINATE LOCAL LAWS 19 (REGULATED PARKING), 21 (ROADS) AND 2 (ANIMAL MANAGEMENT)

Datworks Filename: L&E Local Law No. 21 – Roads
L&E Local Law No. 19 - Regulated Parking
L&E Local Law No. 02 – Keeping and Control of Animals

Attachments: [Proposed Amending Subordinate Local Law No. 21 – Roads](#)
[Proposed Amending Subordinate Local Law No. 19 – Regulated Parking](#)
[Proposed Amending Subordinate Local Law No. 02 – Animal Management](#)

Responsible Officer: Luke Wallace
Manager Corporate Governance

Author: Trevor Green
Senior Advisor Environmental Health

EXECUTIVE SUMMARY

Council recently amended *Local Law No. 21 (Roads)*. To implement the provisions relating to off-street regulated parking areas, these areas are to be listed in a schedule in the roads subordinate local law.

Schedule 1 of *Subordinate Local Law No. 19 (Regulated Parking)* currently lists off-street regulated parking areas. The review of the off-street regulated parking areas for inclusion in the roads subordinate local law identified a number of new off-street areas where Council has established a need for regulation of parking, which are not listed in the regulated parking subordinate local law. Therefore, it is considered timely to update the regulated parking subordinate local law to provide a matching schedule with the schedule to be listed in the roads subordinate local law.

There are currently 14 dog off-leash areas operating which are not listed in the schedule of off-leash areas in *Subordinate Local Law No. 2 (Animal Management) 2007*. It is also considered timely and prudent to update the off-leash area listings at this time, as part of the suite of subordinate local law schedule updates.

PURPOSE

The purpose of this report is to amend subordinate local laws to:

1. Add a schedule of off-street parking areas to *Subordinate Local Law No. 21 (Roads)*;
2. Update the schedule of off-street parking areas in *Subordinate Local Law No. 19 (Regulated Parking)*; and
3. Update the schedule of dog off-leash areas in *Subordinate Local Law No. 2 (Animal Management) 2007*.

BACKGROUND

Subordinate Local Law No. 21 (Roads)

Council recently amended *Local Law No. 21 (Roads)*. Section 33C of the local law was included to control the parking of unregistered vehicles on a road or an off-street regulated parking area. To implement the provisions relating to off-street regulated parking areas, these areas are to be listed in a schedule in the roads subordinate local law.

Subordinate Local Law No. 19 (Regulated Parking)

Off-street regulated parking areas are currently listed in Schedule 1 of *Subordinate Local Law No. 19 (Regulated Parking)*. The review of the off-street regulated parking areas for inclusion in the roads subordinate local law identified a number of new areas where Council has established a need for regulation of parking, that are not listed in the regulated parking subordinate local law. As such, it is proposed to amend the *Subordinate Local Law No. 19 (Regulated Parking)* off-street regulated parking area schedule to include these areas. This will result in both roads and regulated parking local laws having matching schedules.

Subordinate Local Law No. 2 (Animal Management) 2007

Dog off leash areas are listed in Schedule 3 of *Subordinate Local Law No. 2 (Animal Management) 2007*. The listing is usually updated to include new off leash areas when the local law is amended. There are currently 14 off leash areas operating which are not listed in the schedule. It is considered prudent to update the schedule of off-leash area listings at this time, as part of the suite of subordinate local law schedule updates.

ISSUES

The amendment of a subordinate local law is less complex and quicker than the amendment of a local law, as the process does not require a State interest check of the proposed amendments. The amendment of a subordinate local law schedule can be regarded as less sensitive than an amendment of, or introduction of other law provisions, as it is essentially just the updating of the schedule listing. As such, the three subordinate local law schedules are put forward as part of the one report. As the proposed schedule amendments contain no anticompetitive provisions, public interest tests are not required.

The inclusion of the off-street regulated parking area schedule in the roads subordinate local law will facilitate the implementation of the recent amendments to the local law regarding the parking of unregistered vehicles in these areas.

The amendments to the off-street regulated parking area schedule in the regulated parking subordinate local law and the dog off leash areas in the animal management local law are considered to be timely in the circumstances.

At Council's General Meeting 30th March 2011, Council adopted its local law making process under the *Local Government Act 2009*.

This report was previously presented to the Corporate Services and Governance Committee 26 October 2011, where it was decided to defer the item for further discussion at the Corporate Services and Governance Committee 23 November 2011. The need to defer the matter related to issues regarding the schedule of parks and reserves that was included in the amending roads subordinate local law. On further review, matters regarding unregistered cars in parks are appropriately covered in the parks and reserves local law and do not need to be addressed via the roads laws. As such, all sections relating to the listing of parks and reserves in the amending roads subordinate local law presented to the Corporate Services and Governance Committee 26 October 2011, are now removed from the amending roads subordinate local law.

The next phase of the local law making process is to conduct appropriate community engagement for the three proposed amending subordinate local laws.

RELATIONSHIP TO CORPORATE PLAN

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

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

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications associated with this report.

CONSULTATION

Consultation has occurred with the Infrastructure Planning, Environmental Management, Community Standards and Legal Services groups and King and Company Solicitors.

OPTIONS

PREFERRED

That Council resolve to:

1. Propose to make *Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011*;
2. Propose to make *Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011*;
3. Propose to make *Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011*; and

4. Conduct the consultation phase of the local law making process for the amendment subordinate local laws.

ALTERNATIVE

Not to proceed with the local law making processes to amend the subordinate local laws.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve to:

1. Propose to make Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011;
2. Propose to make Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011;
3. Propose to make Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011; and
4. Conduct the consultation phase of the local law making process for the amendment subordinate local laws.

CARRIED (en-bloc)

19.1.3 PROPOSED REDLAND CITY COUNCIL LOCAL LAW 14 AND SUBORDINATE LOCAL LAW NO. 14 (JETTIES, RAMPS & FERRIES) 2011

Datworks Filename:	L&E Local Law No. 14 - Jetties, Ramps and Ferries
Attachments:	<u>Proposed Redland City Council Local Law 14</u> <u>Proposed Redland City Council Subordinate Local Law 14</u>
Responsible Officer:	Luke Wallace Manager Corporate Governance
Author:	Trevor Green Senior Advisor Environmental Health

EXECUTIVE SUMMARY

As part of the local law making process for the new local law and subordinate local law 14 jetties, ramps and ferries, Council was required to conduct a second State interest check for the proposed local law. The Minister has now advised that he is satisfied that the local law sufficiently deals with the State interests and accordingly, Council may proceed further in making the proposed local law.

The next step in the process is for Council to make the laws.

PURPOSE

For Council:

1. To make *Local Law No. 14 (Jetties, Ramps and Ferries) 2011 (formerly Local Law No. 14 (Jetties, Ramps and Ferries) 2010* as advertised, which repeals *Local Law No. 14 (Jetties and Loading Ramps)*; and
2. To make *Subordinate Local Law No. 14 (Jetties, Ramps and Ferries) 2011 (formerly Subordinate Local Law No. 14 (Jetties, Ramps and Ferries) 2010* with amendments.

BACKGROUND

Council is conducting the process to make a new local law and subordinate local law regulating jetties, ramps and ferries.

At Council's General Meeting of 31 August 2011, (Item 15.2.6) Council resolved to:

1. Note the results of the community engagement process;
 2. Implement the recommendations of the Public Interest Test Report about *Local Law No. 14 (Jetties, Ramps and Ferries) 2011 (formerly Local Law No. 14 (Jetties, Ramps and Ferries) 2010)* and *Subordinate Local Law No. 14 (Jetties, Ramps and Ferries) 2011 (formerly Subordinate Local law No. 14 (Jetties, Ramps and Ferries) 2010)*;
 3. Proceed with the making of *Local Law No. 14 (Jetties, Ramps and Ferries) 2011 (formerly local law No. 14 (Jetties, Ramps and Ferries) 2010)*, as advertised; and
-

4. Pursuant to section 872 of the *Local Government Act 1993*, to refer Local Law No. 14 (Jetties, Ramps and Ferries) 2011 to the Minister for Local Government and Aboriginal and Special Minister of State for a second State interest check.

The proposed local law was referred to the Minister for Local Government for the second State interest check.

ISSUES

On the 17 October 2011, the Director General Department of Local Government and Planning advised in writing that pursuant to section 872 of the former *Local Government Act 1993*, following a review of Council's proposed local law, the Minister for Local Government is satisfied that the local law sufficiently deals with the State interests and accordingly, Council may proceed further in making the proposed local law.

Council can now make the local law and subordinate local law.

RELATIONSHIP TO CORPORATE PLAN

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.

- 3.4 Promote enjoyment of the bay by improving access for environmentally sensitive recreation activities, education, economic opportunities and ecotourism

5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a 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.

- 5.8 Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport

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.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. Matters dealing with the implementation of the new laws will be dealt with separately.

PLANNING SCHEME IMPLICATIONS

There are no City Planning & Environment implications associated with this report.

CONSULTATION

Consultation has occurred with King and Company Solicitors, Queensland Government and Council's City Infrastructure and Legal Services groups, for the second State interest check of the local law and preparation of this report. The local law making process for the local law and subordinate local law involves community engagement which was conducted earlier in the process.

OPTIONS

PREFERRED

1. To make *Local Law No. 14 (Jetties, Ramps and Ferries) 2011* (formerly *Local Law No. 14 (Jetties, Ramps and Ferries) 2010* as advertised, which repeals *Local Law No. 14 (Jetties and Loading Ramps)*; and
2. To make *Subordinate Local Law No. 14 (Jetties, Ramps and Ferries) 2011* (formerly *Subordinate Local Law No. 14 (Jetties, Ramps and Ferries) 2010* with amendments as follows:-
 - (a) section 6(2), paragraphs (b), (p) and (q)—
omit;
 - (b) section 6(2), paragraphs (c) to (u)—
renumber as paragraphs (b) to (r);
 - (c) after section 6(2)—
insert—
 - '(3) If the jetty or ramp, or a part of the jetty or ramp is not a public transport waiting point, the activities declared to be a prohibited activity include each of the following activities—
 - (a) fishing in a manner that obstructs or interferes with the use of the jetty or ramp by a vessel, vehicle or another person;
 - (b) using a cast net or other bait collecting device in a manner that obstructs or interferes with the use of the jetty or ramp by a vessel, vehicle or another person;
 - (c) using a crab pot or other device for catching a crustacean in a manner that obstructs or interferes with the use of the jetty or ramp by a vessel, vehicle or another person.
 - (4) If the jetty or ramp, or a part of the jetty or ramp is a public transport waiting point, the activities declared to be a prohibited activity include each of the following activities—
 - (a) fishing;
 - (b) using a cast net or other bait collecting device;
 - (c) using a crab pot or other device for catching a crustacean.'

ALTERNATIVE

That Council not progress with the making of the laws.

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

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve as follows:

1. To make *Local Law No. 14 (Jetties, Ramps and Ferries) 2011* (formerly *Local Law No. 14 (Jetties, Ramps and Ferries) 2010* as advertised, which repeals *Local Law No. 14 (Jetties and Loading Ramps)*; and
2. To make *Subordinate Local Law No. 14 (Jetties, Ramps and Ferries) 2011* (formerly *Subordinate Local Law No. 14 (Jetties, Ramps and Ferries) 2010* with amendments as follows:-
 - (a) section 6(2), paragraphs (b), (p) and (q)—
omit;
 - (b) section 6(2), paragraphs (c) to (u)—
renumber as paragraphs (b) to (r);
 - (c) after section 6(2)—
insert—
 - '(3) If the jetty or ramp, or a part of the jetty or ramp is not a public transport waiting point, the activities declared to be a prohibited activity include each of the following activities—
 - (a) fishing in a manner that obstructs or interferes with the use of the jetty or ramp by a vessel, vehicle or another person;
 - (b) using a cast net or other bait collecting device in a manner that obstructs or interferes with the use of the jetty or ramp by a vessel, vehicle or another person;
 - (c) using a crab pot or other device for catching a crustacean in a manner that obstructs or interferes with the use of the jetty or ramp by a vessel, vehicle or another person.

- (a) fishing;
- (b) using a cast net or other bait collecting device;
- (c) using a crab pot or other device for catching a crustacean.'

CARRIED (en-bloc)

19.1.4 COMMUNITY SAFETY POLICY AND STRATEGY REVIEW

Datworks Filename: Redlands Community Safety Strategy

Attachments: [Community Safety Policy POL-3034](#)
[Community Safety Strategy 2011 Review](#)
[Community Safety Strategy 2011](#)

Responsible Officer: Roberta Bonnin
Manager Community Futures

Author: Frank Pearce
Senior Adviser Community Development

EXECUTIVE SUMMARY

The current Community Safety Strategy was endorsed by Council in 2003 and the Community Safety Policy POL-3034 in 2006. Together they provide an integrated framework of Council objectives, policy and actions that aims to enhance safety and perceptions of safety.

Based on an audit of the existing strategy, a literature review and input from community and stakeholders, the Community Safety Strategy 2003 has been redrafted and revised to respond to relevant contemporary safety issues and trends. Council endorsed the release of the Draft Community Safety Strategy for public consultation in June 2011.

The feedback generated from the community safety consultation process indicated general support for the revised strategy. Recommendations to further improve the strategy included:

- Identifying opportunities to educate the community on their role in reducing violence and crime
- Enhancing partnerships and communication particularly with community residents, schools, organisations
- Specifying actions, timeline and budget for implementation of the strategy.

The Community Safety Policy has also been reviewed as part of this process. The commitments and principles contained in the policy still reflect sound practice and no change is recommended to the policy.

PURPOSE

The purpose of this report is to:

- Provide an update on the results of the public consultation on the revised Community Safety Strategy
- Seek endorsement of the Community Safety Strategy 2011

BACKGROUND

The Draft Community Safety Strategy was endorsed for public consultation by Council in June 2011. Following the endorsement feedback was sort through a variety of channels:

- Direct mail to stakeholders
- Media release
- Newspaper advertising
- Council website
- Facebook
- Targeted workshop (22 August 2011).

ISSUES

Feedback on the strategy focused on:

- The need to provide more details of actions flowing from the strategy including timelines and budget
- Establishing partnerships with community residents, organisations and schools
- Identifying opportunities for Council to influence community well being through development assessment approvals and building and public space design
- Improving communication about Council community safety initiatives and education for the community in their role in reducing violence and crime
- Strengthening the emphasis on monitoring and evaluation.

As a result of the comments a number of changes have been incorporated into the strategy including:

- An increased level of detail has been incorporated into the strategy implementation plan, which details actions and timelines for a number of Council's community safety initiatives. While budget is not identified in the strategy there is commitment to deliver this strategy within Council's existing budget
- The need for Council to effectively communicate key safety messages and initiatives to the community has been highlighted in the strategy. Council's Community Safety Officer will work with community groups to develop and implement a Community Safety Communication Strategy
- A new goal, 'Effective Communication and Accountability' was incorporated into the strategy to ensure evaluation and monitoring was accorded appropriate priority.

The Child and Youth Friendly Redlands Policy was developed and adopted during the course of the Community Safety Policy and Strategy review. This policy states "Children and young people are able to live well, feel safe and are protected from abuse, neglect and violence." References to this new policy work have been incorporated into the latest version of the Community Safety Strategy.

As discussed at the 29 June 2011 General meeting, the principles articulated in the existing Community Safety Policy have been assessed to reflect sound contemporary practice and no change is recommended to the policy.

RELATIONSHIP TO CORPORATE PLAN

7. 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

7.3 Increase community safety, health and wellbeing by planning and delivering programs, services, partnerships, regulations and education

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated. The majority of future actions identified in the strategy will also be covered within Council's existing budget. Projects requiring additional budget such as the Young People's Policy and Strategy will be subject to Council's normal budgetary approval processes. Officers will also continue to seek additional revenue for Community Safety activities through available grants programs.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment 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

During the course of the Strategy review and the development of a revised strategy consultations have been undertaken with:

Internal

- Strengthening Communities (formerly Human Services) Unit
- Facilities Services Unit
- Roads Drainage and Quarries Unit
- Compliance Services Unit
- Councillors and ELG (workshop on 10 March 2011)

External

- Queensland Police Service
- Not for profit Community Safety organisations
- Community (via survey and workshop on 22 August 2011)

OPTIONS

PREFERRED

That Council resolve to endorse the Community Safety Strategy 2011.

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

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve to endorse the Community Safety Strategy 2011.

CARRIED (en-bloc)

19.1.5 ADOPTION OF 2010-2011 ANNUAL REPORT

Datworks Filename: GOV Reporting - Annual Report

Attachment: [Annual Report](#)

Responsible Officer: Nick Clarke
General Manager Governance

Author: Sarah Koch
Senior Adviser, Communications

EXECUTIVE SUMMARY

Redland City Council is required to adopt its annual report for 2010-11 by 30 November 2011.

An annual report must contain information on the local government's financial position, an assessment of its performance in implementing its corporate and operational plans, as well as other issues of public interest as specified in legislation. A copy of the annual report is presented to Council before being printed for distribution.

It is recommended that Council resolve to adopt the 2010-11 Redland City Council Annual Report.

Due to the size of the document, it has not been included as an attachment to the agenda for this meeting in the normal way. A copy will be provided to each councillor at the same time as the agenda is distributed.

PURPOSE

This report is presented to Council for approval to meet our legislative requirements under *Section 108 Local Government (Finance, Plans and Reporting) Regulation 2010*, which requires Council's annual report to be adopted by 30 November. This timing requirement is essentially unchanged from that which applied previously under section 531 *Local Government Act 1993* (now repealed).

BACKGROUND

Redland City Council has prepared a draft 2010-11 annual report for Council adoption. This annual report reviews in detail Council's financial and operational performance for the year against the goals of the Redland City Council Corporate Plan 2010-2015.

The report includes Council's audited financial statements and the status of projects budgeted for the 2010-11 financial year, directly reflecting Council's Operational Plan. The 2010-11 annual report includes additional reporting following the introduction of the *Local Government Act 2009* and associated regulations on July 1, 2010.

Once adopted, printed copies of the annual report will be made available to the public and contents will be uploaded to Council's website. In addition, a summary document will be produced that includes a CD containing the annual report text and images.

ISSUES

The preparation of this annual report involved meeting the reporting requirements of the *Local Government Act 1999*, which was introduced at the start of the financial year upon which this annual report is based (July 1, 2010).

This annual report is the first to contain information about progressing the actions in the Corporate Plan 2010-15 and the 2030 Community Plan, both of which were adopted toward the end of the 2009-10 financial year.

RELATIONSHIP TO CORPORATE PLAN

9. An efficient and effective organisation

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

9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council

FINANCIAL IMPLICATIONS

Funds for printing the annual report and summary brochure have been allocated in the current budget.

CONSULTATION

Consultation has been undertaken across the organisation to ensure the accuracy and content of the annual report.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve to adopt the 2010-11 Redland City Council Annual Report.

CARRIED (en-bloc)

19.2 CORPORATE SERVICES

19.2.1 OCTOBER 2011 MONTHLY FINANCIAL REPORTS

Dataworks Filename:	FM Monthly Financial Reports to Committee
Attachment:	<u>October 2011-Monthly Financial Performance Report</u>
Responsible Officer:	Martin Drydale General Manager Corporate Services
Author:	Gavin Holdway Manager Financial Control

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 financial statements for October 2011 demonstrate that Council exceeded targets set in the 2011-2012 budget for six of the seven Financial Stability Key Financial Performance Indicators. These are:

- ability to pay our bills – current ratio;
- ability to repay our debt – debt servicing ratio;
- cash balance;
- cash balances – cash capacity in months;
- long term financial stability – debt to assets ratio; and
- operating performance

The following Financial Stability Ratio Key Financial Performance Indicator is outside of Council's target range:

- level of dependence on general rate revenue

With respect to the five measures of sustainability adopted as part of the 2011-2012 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.

PURPOSE

The purpose is to present the October 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

Please refer to the attached Monthly Financial Performance Report.

RELATIONSHIP TO CORPORATE PLAN

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

8.7 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

Please refer to the attached Monthly Financial Performance Report.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment 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 amongst the Executive Leadership Group.

OPTIONS

PREFERRED

That Council resolve to note the End of Month Financial Reports for October 2011 and explanations as presented in the Monthly Financial Performance Report.

ALTERNATIVE

That Council requests additional information.

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

**Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary**

That Council resolve to note the End of Month Financial Reports for October 2011 and explanations as presented in the attached Monthly Financial Performance Report.

CARRIED (en-bloc)

19.2.2 COMMUNITY FINANCIAL REPORT 2010/11

Datworks Filename:	GOV Annual Report
Attachment:	<u>Community Financial Report 2010/11</u>
Responsible Officer:	Gary Stevenson Chief Executive Officer
Author:	Gavin Holdway Manager Financial Control

EXECUTIVE SUMMARY

Section 108 of the *Local Government (Finance Plans & Reporting) Regulation 2010* requires the local government to prepare an Annual Report and Section 111 of the *Local Government (Finance Plans & Reporting) Regulation 2010* requires that report to contain the Community Financial Report for the financial year.

PURPOSE

The purpose is to present the 2010/11 Community Financial Report to Council and explain the content and analysis of the report.

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

Please refer to the attached Community Financial Report.

RELATIONSHIP TO CORPORATE PLAN

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

8.7 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

Please refer to the attached Community Financial Report.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment 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 amongst the Executive Leadership Group.

OPTIONS**PREFERRED**

That Council resolve to note the Community Financial Report for 2010/2011 and explanations as presented in the Community Financial Report.

ALTERNATIVE

That Council requests additional information.

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

Moved by: Cr C Ogilvie

Seconded by: Cr W Boglary

That Council resolve to note the Community Financial Report for 2010/2011 and explanations as presented in the Community Financial Report.

CARRIED (en-bloc)

19.2.3 2010/11 RCC FINANCIAL STATEMENTS

Dataworks Filename: 2010/11 RCC Financial Statement

Attachment: [QAO Certified Statements – Financial Statements for the Year Ended 30 June 2011](#)

Responsible Officer: Martin Drydale
General Manager, Corporate Services

Author: Gavin Holdway
Manager Financial Services

EXECUTIVE SUMMARY

Section 108 of the *Local Government (Finance Plans & Reporting) Regulation 2010* requires the local government to prepare an Annual Report for each financial year and that report must be adopted by 30 November in the year after the end of the financial year or a later day decided by the Minister. Council's 2010/11 Annual Financial Statements are an inclusion within the Annual Report and are now presented to Council.

The attached 2010/11 Annual Financial Statements are final and have been certified by the Queensland Audit Office (QAO) as at 17 November 2011 to represent a true and fair view (unqualified opinion). With the post 30 June 2011 announcement by Gold Coast City Council (GCCC) to withdraw from Allconnex Water and with the consequential decisions to withdraw made by Logan City Council (LCC) and Redland City Council (RCC), an Emphasis of Matter has been placed on the accounts in relation to the significant uncertainty of RCC's investment in Allconnex Water.

It should be noted that RCC officers are of the understanding that both GCCC and LCC also have an Emphasis of Matter placed on their accounts in relation to their investment in Allconnex Water due to the matters arising subsequent to 30 June 2011.

PURPOSE

The purpose of this report is to present the final 2010/11 Annual Financial Statements and accompanying notes to Council.

BACKGROUND

Council were previously presented a draft/unaudited copy of the 2010/11 Financial Statements at the Corporate Services and Governance Meeting held 19th October 2010 under Agenda Item 2.1. The version presented at that time had not been finalised nor signed off by Council's external auditors. Following this version, Council received subsequent advice from its external auditors to finalise the 2010/11 Financial Statements for submission to the QAO and the Chief Executive Officer and Mayor signed the final set of accounts on 8th November 2011.

ISSUES

Please refer to the attached set of 2010/11 Financial Statements.

RELATIONSHIP TO CORPORATE PLAN

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

8.7 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

Please refer to the attached set of 2010/11 Financial Statements.

CONSULTATION

During the preparation of the 2010/11 Financial Statements consultation had taken place with Council's Audit Committee on 26th September 2011 and subsequently between the Service Manager Financial Reporting and Asset Accounting; Group Manager Financial Services; General Manager Corporate Services; Chief Executive Officer & Mayor.

OPTIONS

PREFERRED

That Council resolve to note the audited Financial Statements for inclusion into the 2010/11 Annual Report.

ALTERNATIVE

That Council requests additional information.

COMMITTEE DISCUSSION

Cr Hobson thanked Gavin Holdway, Manager Financial Control, and his team for the excellent job they had done in preparing these financial statements.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie

Seconded by: Cr W Boglary

That Council resolve to note the audited Financial Statements for inclusion into the 2010/11 Annual Report.

CARRIED (en-bloc)

19.2.4 WATER REINTEGRATION CEO DELEGATIONS

Dataworks Filename: GOV WRAD – RCC Steering Group
FM Delegations – Redland Water

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Kate Giese
Water Programme Manager

EXECUTIVE SUMMARY

As part of the reintegration of Redland Water into Council and the disestablishment of Allconnex Water, a number of policy and operational decisions will be required to be made on an expeditious basis to ensure compliance with State imposed timetables.

Additionally, Council will enter caretaker mode early in 2012 as a result of the upcoming elections and it is likely that a number of such decisions will need to be made during this period.

This report therefore recommends that decision making authority for urgent water reintegration issues are delegated to the CEO until reintegration is finalised on 1 July 2012.

PURPOSE

To seek approval for the CEO to be delegated authority for urgent water reintegration decision making until reintegration is finalised on 1 July 2012.

BACKGROUND

The South-East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill 2011 (the Bill) requires that Council resolves to undertake a number of activities and decisions as part of the transition period, prior to the re-establishment of Redland Water on 1 July 2012.

An example of this is the approval of the Retransfer Schedules to transfer the assets, employees, instruments and liabilities from Allconnex Water to Council which are required to be authorised by Council in March / April. As a result of the local government elections, Council will be in caretaker mode when some of these important decisions are required.

This issue of caretaker periods was raised with the State government during the consultation of the Bill, and discussion took place as to whether it would be preferable to legislate for a delegation to council CEO's in the bill. The State government concluded that this was not necessary given the long lead time in which council could prepare the necessary delegations.

ISSUES

Council decisions regarding water reintegration are likely to be required during caretaker period and are subject to limited State imposed timeframes.

To enable Council to effectively reintegrate Redland Water it is recommended that Council delegates the following authority to the CEO:

- (a) to approve the Retransfer Scheme;
- (b) to submit a Retransfer Scheme certification statement to the Minister;
- (c) to enter joint usage / access agreements;
- (d) to authorise public advertisement of the proposed Retransfer Scheme;
- (e) to appoint an arbiter for withdrawal cost disputes;
- (f) to make claims against and submit invoices to Gold Coast City Council for withdrawal costs;
- (g) where not expressly covered above:
 - (i) make or otherwise give effect to any agreement that may be necessary for or incidental to the implementation of the retransfer scheme, relating to the dissolution of the Southern SEQ Distributor- Retailer Authority (Allconnex Water), including any agreement under which the transfer to the Council of all or part of the assets, employees, instruments and liabilities of Allconnex Water is given effect; and
 - (ii) any statement (for example statements to a Minister) certifying the assets and liabilities that are to be received by the Council under a retransfer scheme, relating to the dissolution of Allconnex Water (but excluding statements to the communications media);

RELATIONSHIP TO CORPORATE PLAN

9. An efficient and effective organisation

This report relates directly and indirectly to a number of objectives in the “Efficient and Effective Organisation” section of the Corporate Plan.

FINANCIAL IMPLICATIONS

There are no financial implications within this report.

PLANNING SCHEME IMPLICATIONS

There are no implications to the planning scheme within this report.

CONSULTATION

Consultation occurred with the General Manager Corporate Services, the Chief Executive Officer and the Queensland Water Commission.

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

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve that from the commencement of caretaker period, Council delegate to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* all of the functions of the Council to be performed in order to:

- (a) approve the Retransfer Scheme;
- (b) submit a Retransfer Scheme certification statement to the Minister;
- (c) enter joint usage / access agreements;
- (d) authorise public advertisement of the proposed Retransfer Scheme;
- (e) appoint an arbiter for withdrawal cost disputes;
- (f) make claims against and submit invoices to Gold Coast City Council for withdrawal costs; and
- (g) where not expressly covered above:
 - i. make or otherwise give effect to any agreement that may be necessary for or incidental to the implementation of the retransfer scheme, relating to the dissolution of the Southern SEQ Distributor-Retailer Authority (Allconnex Water), including any agreement under which the transfer to the Council of all or part of the assets, employees, instruments and liabilities of Allconnex Water is given effect; and
 - ii. any statement (for example statements to a Minister) certifying the assets and liabilities that are to be received by the Council under a retransfer scheme, relating to the dissolution of Allconnex Water (but excluding statements to the communications media).

CARRIED (en-bloc)

19.2.5 WATER REFORM LEGISLATION DELAY

Dataworks Filename: GOV – WRAD - RCC Business Readiness

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Martin Drydale
General Manager Corporate Services

EXECUTIVE SUMMARY

The Draft Bill before the Queensland Parliament to amend legislation to enable Council's opt out decision is designed to provide certainty to Councils in undertaking the necessary actions and incurring expenditure to reintegrate Redland Water back into Council.

In accordance with the timing specified by the State government, and now proposed in the draft legislation, RCC will resume operation of water and wastewater services by 1 July 2012. However, the legislation is not scheduled to be reviewed by a Parliamentary Committee until April 2012 and represents a significant risk to the enactment of the legislation prior to a State government election.

Continued action and incurring of expenses by Council without the certainty of legislation is considered a considerable risk which is required to be addressed through the proposed course of action outlined in this report.

PURPOSE

To advise Council on a number of developments impacting upon the implementation of Council's decision to 'opt out' of Allconnex Water and re-establish Redland Water, in particular a potential delay and consequential risk to the passage of legislation enabling Council's decision.

BACKGROUND

Passage of the Bill at the earliest possible time is considered paramount to provide certainty to Councils in undertaking disestablishment and re-establishment activities. Council is requested to authorise and lend its full support to the making of a submission to the Parliamentary Committee as part of the public submissions process calling for the urgent consideration of the Bill and the referral back to the Parliament at its earliest convenience.

The grounds for this representation are:

- The significant financial risk to the Councils associated with the uncertainty created by the proposed timelines for the Portfolio Committee process.
- The potential risk to the orderly provision of an essential service created by the passage of the legislation at a date so close to the proposed implementation date.
- The need to provide certainty for employees of Allconnex Water.

ISSUES

1. Passage of Legislation

A Bill has been introduced to the Queensland Parliament to give effect to the decision of Redland City (and consequently Gold Coast and Logan Councils) to opt out of Allconnex Water and re-establish its water distribution and retail businesses. The Bill enables the following:

- Transfers responsibility for the provision of water and wastewater distribution and retail services from Allconnex Water to the Councils from 1 July 2012.
- Establishes the mechanism for the re-transfer of Allconnex Water's assets and liabilities to the Councils.
- Provides for the making of a Workforce Framework to protect employee entitlements.
- Defines withdrawal costs and the requirement for Gold Coast City Council to pay the withdrawal costs of Redland and Logan Councils and Allconnex Water.
- A range of ancillary amendments.

In accordance with new processes implemented by the Queensland Parliament, once a Bill has been introduced and passed its First Reading, it is referred to a bi-partisan Parliamentary Committee. The role of the Committee is to consult publicly on the content of the Bill and to report back any findings to the Parliament before the Bill receives its second reading. This process has recently been introduced with a view to improving the accountability of the legislative process and has bi-partisan support.

On 11 October 2011, the Bill was introduced by the Minister for Energy and Water Utilities, the Hon Stephen Robertson MP, and referred to the Environment, Agriculture, Resources and Energy Committee. The Committee will now examine the policies to be enacted by the Bill and the application of fundamental legislative principles, as set out in s.4 of the Legislative Standards Act 1992. Public submissions close on 2 December 2011 with the Committee required to report to the Parliament by 5 April 2012 (it can report earlier).

The three Council CEO's have discussed this situation and have raised their considerable concern with the timing of this process, which may not see the Bill considered again by the Parliament until as late as April 2012, just three months prior to the proposed disestablishment date. A significant risk associated with this is the potential timing of a State election which is required to be held before June 2012. The calling of an election could coincide with the return of the Bill to Parliament and thus may even impact the ability of the current government to pass it (if the State government were in caretaker mode).

The potential delay (and possible risk to the passage to the legislation) poses a serious and unacceptable risk to the Councils and Allconnex Water. Achievement of the proposed disestablishment of Allconnex Water/re-establishment of Council water businesses on 1 July 2012 requires considerable expenditure and has a significant impact on employees. It will require the Councils and Allconnex Water to make

decisions and commit public funds to disestablishment and re-establishment activities without the certainty of legislation having been passed.

The Queensland Parliament has a provision that allows the Minister to declare an 'Urgent Bill'. If so declared a Bill can by-pass the Committee process and be immediately set down for its Second Reading. It is understood that the state Government considered this provision in relation to this Bill and determined not to invoke it on the grounds that it has supported the introduction of the new procedure and does not want to be seen to circumvent it.

As part of the public submissions process conducted by the Committee, it is proposed, as a minimum, that each of the three Councils resolves to make a submission calling for the urgent consideration of the Bill and the referral back to the Parliament at its earliest convenience.

The grounds for this representation are:

- The significant risk to the Councils associated with the uncertainty created by the proposed timelines for the Portfolio Committee process.
- The potential risk to the orderly provision of an essential service created by the passage of the legislation at a date so close to the proposed implementation date.
- The need to provide certainty for employees of Allconnex Water.

A resolution has been drafted which will be presented to each of the three Councils for consideration. If adopted, it is considered that the representation made to the Minister by all three Councils will lend considerable weight to the request.

It is not proposed that representations other than related to the need for the timely passage of the Bill be made to the Committee. Council officers were involved in consultation on the contents of the Bill which represents the state Government's declared policy intent. Representations on matters such as the requirement for Gold Coast to meet the costs of the 'opt out' decision have already been made (and rejected) and further representation is not considered of practicable benefit.

2. Withdrawal Costs

A key aspect of the legislation are the provisions related to costs, and the responsibility for costs. The Bill provides further definition of the concept of what is now described as Withdrawal Costs, which are described as costs incurred by Allconnex Water or a withdrawing Council because of:

- it becoming, or ceasing to become a water and wastewater service provider
- the creation of a commercial business unit
- the re-transfer scheme which gives effect to the re-transfer of the assets and liabilities of Allconnex Water to the three Councils
- Allconnex's dissolution
- any matter consequential or incidental to the above

However, withdrawal costs do not include costs:

- for anticipated or actual revenue or profits
- failure to realise savings
- that a withdrawn Council would ordinarily incur as a service provider or local government

The legislation specifies that Gold Coast City Council must pay its own withdrawal costs and those of Allconnex Water, Redland and Logan Councils. There are provisions that provide for dispute resolution and arbitration in the event that withdrawal costs cannot be agreed between the parties.

The Queensland Water Commission has indicated that further definition of withdrawal costs are likely to be included in a regulation. A workshop for the Councils and Allconnex Water has been scheduled to discuss the contents of such a regulation.

3. Stamp Duty Exemption

The Bill provides certainty that the transaction will be exempt from charges under the Duties Act, as well as charges and fees under the Land Act, Land Titles Act, Transport Operations Act and the Water Act. This will mean that Stamp Duty will not apply to any transfers of land and vehicles occurring as a result of the 'opt out' decision.

4. Pricing

Previous provisions relating to the 'price cap' applied by the state Government (limiting price increases for water and wastewater services to CPI for 2011-12 and 2012-13) are maintained and applicable to the new Council water businesses. Further, Redland City Council will be subject to ongoing price monitoring by the Queensland Competition Authority. This price monitoring involves the obligation to collect and provide significant information and justification for expenditure (including capital expenditure) to the QCA.

Of interest, if not of direct application to RCC in the post Allconnex Water environment, the Bill gives effect to the stated policy intent to enable individual Council's the ability to give a direction to a distributor-retailer (including a direction on pricing). The previous reserve powers (as enacted through the Participation Agreement) required the unanimous agreement of the three participating Councils in order to give a direction to the Board. If a direction (e.g. on pricing) results in a loss of revenue for the distributor-retailer, the Council responsible for that direction is required to compensate the distributor-retailer and its participating Councils for that loss.

5. Re-transfer Scheme

There are extensive provisions in the Bill to enable the re-transfer of assets and liabilities from Allconnex Water to the participating Councils. As a general rule, assets are re-transferred to the Council that asset was originally transferred from, and geographically based assets transfer to the local government in which geographic area the asset is based. There will be a need to identify, value and agree on the

transfer of so-called 'comingled' or corporate assets (e.g. furniture and fittings in the corporate HQ at the Rocket, IT infrastructure), and liabilities.

6. Workforce Framework

The Bill identifies that a workforce framework will be made (under regulation) which will provide protections to employees of Allconnex Water (and potentially Councils) affected by the water reform. A key claim by the Unions that these protections extend until 2015 has been accepted by the State Government.

RELATIONSHIP TO CORPORATE PLAN

9. An efficient and effective organisation

This report relates directly and indirectly to a number of objectives in the "Efficient and Effective Organisation" section of the Corporate Plan.

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

There are no implications to the planning scheme within this report.

CONSULTATION

Consultation occurred between the three Chief Executive Officers of the participating Councils.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve as follows:

- 1. That Council notes with concern the potential delay of passage of the *South East Queensland Water (Distribution and Retail Restructuring) and other Legislation Amendment Bill 2011* and for the potential delay to impact upon necessary disestablishment/re-establishment activities required to comply with the proposed legislation; and**
- 2. That Council authorises the Chief Executive Officer to write to the Minister and the Chair of the Environment, Agriculture, Resources and Energy Committee to advocate that the Bill to be considered urgently by the Committee and for its report to be referred back to the Queensland Parliament at its earliest possible convenience.**

CARRIED (en-bloc)

19.2.6 NATIONAL HARMONISATION OF THE WORKPLACE HEALTH & SAFETY LEGISLATION

Dataworks Filename: HRM - WHS Operations

Responsible Officer: Amanda Daly
Manager People & Change

Author: Peter Gould
Service Manager Workplace Health & Safety and Wellbeing

EXECUTIVE SUMMARY

The new Workplace Health and Safety legislation effective 1 January 2012 (Harmonisation) has impacts to RCC and requires a revision of the safety management system.

It is vital Councillors are aware of the Executive Leadership Group's (ELG) "officer" status under the new legislation and the impacts on decision making.

PURPOSE

To provide an overview of the new Workplace Health and Safety legislation effective 1 January 2012 (Harmonisation).

BACKGROUND

Currently all states, territories and the Commonwealth are responsible for making and enforcing their own health and safety laws. Although these laws draw on a similar approach for regulating workplaces, there are differences in the application and detail of the laws.

Inconsistent laws:

- cause confusion for businesses and inequitable safety standards across jurisdictions and industry sectors
- lead to duplication and inefficiencies for governments when providing policy, regulatory and support services.

In response to industry calls for greater national consistency, the Commonwealth, states and territories have agreed to implement nationally harmonised WHS legislation to commence on 1 January 2012. The harmonisation model will be one where the Commonwealth and all states and territories will be responsible for making and enforcing the model laws.

Harmonisation aims to:

- develop uniform, equitable and effective safety standards and protections for all Australian workers
 - address the compliance and regulatory burdens for employers with operations in more than one jurisdiction
-

- create efficiencies for governments in the provision of OHS regulatory and support services
- achieve significant and continual reductions in the incidence of death, injury and disease in the workplace.

A national model Act has been developed and includes the following key elements:

- a primary duty of care requiring persons conducting a business or undertaking to ensure, so far as is reasonably practicable, the health and safety of workers and others who may be affected by the carrying out of work
- duties of care for upstream parties such as designers, manufacturers, importers, suppliers and installers
- a requirement that officers of corporations and unincorporated bodies exercise due diligence to ensure compliance
- reporting requirements for notifiable incidents such as the serious illness, injury or death of persons and dangerous incidents arising out of the business or undertaking authorisations such as licences, permits and registrations (e.g. for persons engaged in high risk work or users of certain plant or substances)
- provision for worker consultation, participation and representation at the workplace
- provision for the resolution of health and safety issues
- protection against discrimination for those who exercise or perform, or seek to exercise or perform, powers, functions or rights under the Act
- an entry permit scheme that allows union officials to inquire into suspected contraventions affecting workers who are members, or eligible to be members, of the relevant union and to consult and advise such workers about health and safety matters
- compliance and enforcement measures and sanctions, including enforceable undertakings
- regulation-making powers and administrative processes, such as the review of decisions.

While the Act is largely similar to the current Queensland *Workplace Health and Safety Act 1995*, there are a number of important differences:

- Business operators must do what is reasonably practicable to eliminate or minimise risk to health and safety.
- Company directors will have a positive and proactive duty to exercise due diligence. This represents a shift away from attributed liability (i.e. being held liable for contraventions by the company) and requires directors to:
 - acquire and keep up-to-date knowledge of health and safety matters
 - gain an understanding of hazards and risks associated with the company's operations
 - ensure appropriate resources are available for use to eliminate or minimise risks from work carried out

- ensure appropriate processes for obtaining information about incidents, hazards and risks, and responding to them
- ensure processes for complying with duties are implemented, e.g. reporting, consultation arrangements, training and instruction
- verify the provision and use of resources for the matters listed above.
- Workers must exercise reasonable care that their acts or omissions do not adversely affect the health and safety of all persons at a workplace.
- There will be no requirement for business operators to appoint workplace health and safety officers (WHSOs). However, as it is a requirement for business operators, including company directors, to be familiar with the risks and hazards associated with their operations, and to provide appropriate control measures to ensure a safe working environment, businesses are encouraged to have access to trained safety personnel.
- Health and safety representatives (HSRs) will represent defined work groups at a workplace. These will need to be negotiated with the business operator.
- Health and safety issues are to be resolved in accordance with an agreed procedure. Where there is no agreed procedure at a workplace, the national model laws set out a default procedure.
- HSRs will be able to issue provisional improvement notices and can direct workers to cease work after consultation and an attempt to resolve an issue, or without consultation, if there is an immediate and imminent threat to health and safety.

National model regulations and priority codes of practice are currently being developed. While these are largely consistent with Queensland provisions, there are some additional areas of regulation, such as fatigue, emergency procedures, work at heights, surfaces and floors, movement around workplaces, and remote and isolated work. While most of the remaining regulations are essentially similar to current Queensland regulations, there will be some altered provisions for construction work.

ISSUES

The changes to Workplace Health & Safety Legislation brought about by Harmonisation required Redland City Council to review and update all of the Procedures in the Councils Safety Management System which falls out under RCC POL-3040.

The Executive Leadership Group needs to prepare to take on their Officer roles under the new legislation.

The Organisational Leadership Group needs to prepare to take on their Persons in Control of Business Undertaking role under the new legislation.

All Health and Safety Representatives in RCC need to have awareness of the changes in the new legislation that affect them in their voluntary role.

All Workplace Health and Safety Officers need to be transitioned to their new roles as RCC Health and Safety Advisors due to the removal of the WHSO role within the legislation.

All employees will need to be orientated to the new definition of a Worker under the new legislation.

Redland City Council will need to review contractor safety management arrangements to ensure our due diligence responsibilities under the new legislation are met.

Redland City Council will need to review its volunteer management arrangements to ensure our due diligence responsibilities under the new legislation are met.

It is vital Councillors are aware of ELG's "Officer" status under the new legislation. Councillors under the new legislation are seen as "Workers" by definition and must abide by the "reasonably practical" definition in the Act. As such a process to support the RCC "Officers" in their due diligence will need to be developed in situations where a health and safety matter is discussed at a General Council Meeting.

RELATIONSHIP TO CORPORATE PLAN

9. An efficient and effective organisation

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

9.4 Provide a safe place for staff to work in and support the health and wellbeing of our people.

FINANCIAL IMPLICATIONS

- This recommendation requires a change to the current year's budget. The Finance One account number and budget phasing details are held within Statutory Workplace Health and Safety Obligation job number for consultants, contractors and external training.
- A Q1 ask has been submitted for an officer to undertake the changes and education required to ensure RCC compliance in the new legislation.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment 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 Workplace Health and Safety team have rolled out initial overviews of the implications of the new legislation to all managers and supervisors. The education program will continue over the next six months.

OPTIONS**PREFERRED**

That Council resolve to note and support the implementation of the new WH&S Harmonisation Legislation

ALTERNATIVE

The mandatory legislation is not implemented and Redland City Council accepts the risk of prosecution.

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

Moved by: Cr C Ogilvie
Seconded by: Cr W Boglary

That Council resolve to note and support the implementation of the new WH&S Harmonisation Legislation.

CARRIED (en-bloc)

19.3 CITY SERVICES

Cr Reimers declared a conflict of interest, or a perceived conflict of interest, in the following item as she is Patron of the Redland Multi-Sports Club and Muddies Cricket Club, and Convenor of the Judy Holt Bushcare Group. Cr Reimers stated she would remain in the room, voting in the community interest. Cr Reimers voted in the affirmative.

Cr Hobson declared a conflict of interest, or a perceived conflict of interest, in the following item as she is Patron of the Redlands Scottish & Celtic Society. Cr Hobson stated she would remain in the room, voting in the community interest. Cr Hobson voted in the affirmative.

19.3.1 FUNDING OPTIONS FOR PHASE 3 JUDY HOLT PARK EASTERN LANDFILL BATTER REMEDIATION AND ASSOCIATED WORKS PROJECT (2011-2012 & 2012/2013)

Datworks Filename:	EM Landfill Remediation Separate Charge (Brown Levy) CLR Site 01 Judy Holt Park Birkdale
Attachment:	<u>Attachment 1 - JH EB Project Remediation Phases</u>
Responsible Officer:	Elisa Underhill Manager City Enterprises
Author:	Deluna Lawrence Remediation Advisor

EXECUTIVE SUMMARY

This report is submitted in response to a Council request made during the 2011/2012 Landfill Remediation Separate Charge budget workshop to brief Council on the total project costs for further funding consideration to deliver the "Phase 3 Judy Holt Park Birkdale - Eastern Landfill Batter Remediation and Associated Works Project" (Phase 3 JH EB Project).

The total cost of Phase 3 JH EB Project is \$7,385,600 inclusive of \$345,000 of "improvement works" to progress cycleway, open space and recreation outcomes currently earmarked in the 10 Year Capex Programme. Direct costs associated with delivering closed landfill remediation outcomes total \$7,040,600, and includes costs for an engineered landfill cap, landfill gas collection and venting system, leachate management system, site revegetation and major drainage upgrades. "Improvement works" include the completion of the missing link to the regional bike path connecting Alexandra Hills and Birkdale parallel to Tarradarrapin Creek and the toe of the eastern landfill batter at Judy Holt Park.

This report informs Council on project reasoning and benefits, risks, construction costs and recommends the approval of capital borrowings from the Queensland Treasury Corporation of \$5.5 million. Given approval, project savings can be realised

in 2011/2012 due to the immediate purchase of project resources subject to cost variations surrounding expected construction index increases in 2012/2013. Borrowing costs are to be serviced through the ongoing levying of the LR Separate Charge over the next 20 year period with no change to the projected separate charge rate in 2012/2013 currently modelled at \$50.00 per rateable lot.

As predicted during rate modelling for the 2011/2012 budget, the Landfill Remediation Separate Charge Reserve cannot accommodate this level of immediate expenditure. Income received through the levying of the charge is not enough to deliver this project through the rate alone. This has triggered the development of an improved financial planning approach to the total Closed Landfill Remediation Programme (CLR Programme). Although full details of the amended financial approach to the total programme will not be finalised until the next budget development period the funding of the Phase 3 JH EB Project and CLR Programme is being modelled around a primary capital borrowing capability to provide a more rapid and cost effective major works delivery plan. The Phase 3 JH EB Project forms the first project to be brought under this improved financial strategy.

This integrated construction project is considered a high priority by the CLR Programme delivering significant environmental and community space outcomes. Confirmation of project costs and delivery commitments have been made by the Project Delivery Group (PDG) with actual site mobilisation/construction commencement projected in Q1-Q2 2012/2013.

Closed landfill areas throughout the City provide essential and valuable land assets and source of wider community enjoyment and well being for Redlands and the region. Strong Council and community commitment is needed over a long period to fix the arbitrary waste filling of the past and ensure the future viability and increasing safe use of these areas.

The scope of closed landfill management is expanding and fast becoming a financial, safety and environmental priority for the Redlands. This includes Judy Holt Park Birkdale being both a regional sporting park and a high risk closed landfill site.

PURPOSE

The purpose of this report to respond to the Council request for further project briefing and construction cost information, during 2011/2012 Landfill Remediation Separate Charge budget workshop deliberations.

This report seeks approval for a \$5.5 million capital borrowing loan from the Queensland Treasury Corporation to be drawn down in 2012/2013 confirming the full delivery of the Phase 3 Judy Holt Park Birkdale – Eastern Landfill Batter Remediation and Associated Works Project (2011/2012 & 2012/2013).

BACKGROUND

Landfilling History

- Judy Holt Park Birkdale was used as an unsupervised landfill site for approximately 20 years ceasing waste disposal activities in 1993. Detailed filling records are not available and the site was intermittently supervised. The site

accepted all waste types including farming, domestic, industrial, regulated and hazardous waste.

- Upon closure, the site was not closed with the extensive uniform engineered capping gas or leachate systems that are stipulated in more modern landfilling activities. In addition, when the site was cleared for filling it was not established with an engineered lining system placed at the bottom of the filling area to assist with the separation of the waste from the underlying environment, drainage and leachate management.
- Upon landfill closure, the parkland was formed into three (3) distinct plateau areas supporting various activities through the years including horse adjustment fields, cricket, rugby, dog obedience, special events including regional and national tournaments.

Master Plan

- The original Judy Holt Master Plan was adopted by Council in 2004 securing the site as a Regional Sports Park and Reserve under a lease arrangement from the State Government.
- In 2011, Council approved the amended Judy Holt Park Master Plan. This greatly improved the level of landuse planning detail required to drive the finalisation operational works across the site and deliver the final look and feel of the landform.

Closed Landfill Performance and Site Remediation History

- The park and the landfill area has experienced severe weathering, saturation, numerous fires, localised flooding, extensive surface water infiltration, vegetation loss, unapproved excavations and is consistently subject to competing community use and development pressures.
- Since the site was closed and sports fields were arranged along the plateau areas numerous small maintenance projects have been carried out in an effort to manage immediate risk and safety management issues to keep the regional sporting venue open and safe to support the increasing public use.
- A number of planting projects have been instigated across the site using both introduced and native species of trees and small shrubs in an effort to uptake high nutrients carried by landfill leachate. Although some plant and tree species have taken up in planting areas in the north of the site planting aims have proven unsuccessful and leachate continues to pose a significant environmental and financial concern.
- Judy Holt Park has a history of leachate outbreak incidents primarily through the north end of the eastern landfill batter with reports recommending the installation of leachate collection trenching systems and extensive landfill capping works to be planned. Due to the limited revenue received by Council during 2005-2008 through the levying of the Landfill Remediation Separate Charge (brown levy) Council has not in a position to fund such large operational works. Further

financial planning was prepared to 'ramp up' the charge income in an effort to plan for major remediation works in the future.

- In 2008 a detailed environmental investigation and remediation planning project into the total closed landfill area was commenced. Investigation results provided vital information on the functionality and condition of the site as both a major sporting venue and a closed landfill area culminating in a high level staged closed landfill remediation plan. This high level plan is in effect today and is used to prioritise works across the site and initiate integrated construction projects to deliver landfill remediation and improvement works simultaneously. An overview of the major remediation works plan can be viewed in Attachment 1.
- Between 2006 and 2009 two (2) closed landfill capping projects have rebuilt the cricket fields (second plateau) costing in the vicinity of \$2.56 million. These remediation projects delivered engineered capping systems, subsurface drainage and rebuilt high quality cricket fields across large sections of the landfill surface in response to the non compliant cover over waste and risks poses to continuing sporting field use. These works effectively sealed off large areas of previously subject to surface water infiltration, surface ponding and resolved numerous safety risks associated with landfill subsidence including the elimination of deep trip hazards.

Leachate Management and Site Maintenance

- Ongoing maintenance works have been completed across the site continually acting to reform damaged and eroding landfill batters and drainage lines and install three (3) leachate collection ponds and two (2) leachate collection sump systems. These collection systems although highly effective were to only be temporary containment solutions until larger closed landfill remediation works could be financially supported and designed appropriately. Currently landfill leachate collected at the site is extracted via liquid waste truck and disposed of outside Redland City to an appropriate waste water treatment facility further increasing costs and operational management at the site.
- In 2009, Redland Water (continuing Allconnex) ceased the approval of the disposal of trucked landfill leachate to the sewer network.
- During 2010/2011 maintenance costs peaked with leachate collection, sediment control, operational works, path maintenance and drainage maintenance costing close to \$1 million. Although this cost is not expected to continue it shows how expensive and damaging a wet season is to an area already requiring significant reconstruction works.

Landfill Gas

- Ambient landfill gas testing completed in 2011 has confirmed that the closed landfill area is still producing landfill gas. Although the park is now at the tail end of its full gas production life the use of the site as a regional sporting venue coupled with the supporting infrastructure and services poses risks to the Council, the community and site assets. This further supports the need to commit to works

that act to improve the management and safe collection and venting of landfill gas.

Phase 3 Project Funding

- Council indicated at the 2011/2012 budget workshop that although immediate budget increases to specifically support the Judy Holt Park project were not supported at the time of tabling the abovementioned report, clear acknowledgement was made by members of the Council and Mayor that there will be an anticipated increase in total project budget requested and should be supplied when reliable construction estimates have been received.
 - During 2011/2012 Council budgeting workshops the following extract was provided to Council as a notification to expect increases in the Judy Holt Park Eastern Landfill Remediation Project:
 - *Complete two (2) priority remediation construction projects - Judy Holt Park Birkdale and Redland Bay Transfer Facility/Closed Landfill, both of which have been spread across numerous years to keep income requirements achievable. Judy Holt Park Eastern Landfill Batter and Associated Works Project will be commenced in 2011/2012 with finalisation in 2012/2013, subject to revised budget modelling once construction costs are known.*
- In early November 2011, the construction estimation for Phase 3 remediation elements was received from the Project Delivery Group (PDG) totalling \$7,040,604 for the closed landfill remediation component. As expected, this cost is well outside the current financial allocation in the CLR Expenditure Plan totalling \$2,298,200.
- Refer to the “Financial Implications” section of this report to view full project financials

ISSUES

The following discussion of issues highlights strategic programme and specific project issues to be considered in the context of this report and the report recommending the approval of capital borrowings to commence major remediation works at a high priority closed landfill area.

Closed Landfill Areas - Delivering Major Community, Sporting Hubs and Open Space

When assessing the scope and expense related to closed landfill remediation delivery it is important to understand that Council, the Redland's and regional community depend heavily on the sustained performance of closed landfill areas in the Redland City.

These areas are subject to continual development pressures and are expected to provide significant foreshore parklands, major local and regional sporting venues and sites for the conduct of waste transfer businesses well into the future.

The Redland City is facing significant future costs associated with managing numerous landuse pressures on closed landfill areas, of specific mention are foreshore landfill areas which are and will be subject to tidal inundation and erosion, safety management and environmental emissions. In some instances, costly engineered barriers between Moreton Bay and the landfill extent will be required to ensure the protection of the landfill component from sea level rise and storm surge impacts. Other solutions may require total removal of the waste posing significant costs for transport and disposal outside the Redland City.

Due to the historical closure standard of most landfill areas, recent site audits have revealed that some sites require major surface water drainage works, car park formalisation, planning for significant landfill capping, gas management and stability issues have now become medium to high risk situations requiring substantial remedial works. The highest priority of the public use closed landfill sites is the Judy Holt Park Birkdale Regional Sports Park.

Judy Holt Park Site Risks and Management Issues

The following points highlight specific site management issues to be addressed through the delivery of Phase 3 Judy Holt Park Birkdale – Eastern Landfill Batter and Associated Works Project.

- High minor works and leachate management costs;
- Non-compliant uniform engineered capping system;
- High generation and expected continuation of landfill leachate;
- Shallow soil cover posing safety risks to park users;
- Permeable and unsealed major drainage lines;
- Erosion and loss of cover soils and accessibility;
- Incomplete connections of clean surface water;
- Water quality impacts from high nutrients and other contaminants;
- Exposure to potentially dangerous waste;
- Detection of landfill gas generation;
- Unsealed and eroding high use pathways/walkways;
- Dangerous slopes and inaccessible batter areas;
- High operational supervision required.

Project Benefits

The Phase 3 JH EB Project is one of the largest integrated closed landfill remediation projects to be planned through the CLR Programme. This project has been in the planning stage for approximately 24 months and has been scoped to provide value for money and quality landfill closure coupled with site improvement works required to be realised through the newly approved Master Plan 2011.

The Phase 3 Project Scope is expected to result in and contribute to the following environmental improvement and community benefits:

- Improve local water quality and provide increased protection to the downstream RAMSAR wetland;
- Improve site safety and the engineered barrier between human interaction and subsurface waste environment;

- Open new land and recreational spaces for safe public access and use;
- Deliver the missing link in both the local and trunk cycling and pedestrian path network identified in the Redland Cycling and Pedestrian Strategy; Provision of valuable open space showcasing panoramic views to Moreton Bay;
- Provide connected pathways and access through the site;
- Promote a healthier lifestyle and appreciation of the environment;
- Complete the final landform required through the approved Master Plan 2011 for the future build of the youth hub, fitness area and playground;
- Re-establish viable vegetation cover for local native bird life;
- Reduce increasing site management costs and site supervision.

Construction Project Scope

Landfill Capping

- Placement of a geosynthetic clay liner (GCL) engineered landfill cap/cover over waste in compliance with current guidelines and industry practice;
- Improved protection against potential slope failure through the placement of a geogrid within the capping profile;
- Installation of a new section of retaining wall in the mid southern section required to provide stability and make room for the Tarradarrapin Creek pathway.

Surface Water Management

- Formalisation and sealing of surface water flows including clean water connection to the creek and treatment of velocity entering the upper reaches of Tarradarrapin Creek;

Leachate Management

- Leachate trench and collection system including underground holding capacity to provide a closed leachate capture system with leachate disposed of via pumping truck to an approved treatment facility;

Landfill Gas Management

- Landfill gas management system to collect and passively vent landfill gas;
- Low maintenance final vegetation cover with no deep rooting trees or shrubs to reduce increasing maintenance costs and workplace health and safety risks surrounding works on steep slopes;

Improvement Works (10 Yr Capex)

- Construction of the Judy Holt Sportsfield – Tarradarrapin Creek Trail forming part of Redland City Council's Cycleway Trunk Network and complete a missing link in both the local and trunk cycling and pedestrian path network identified in the Redland Cycling and Pedestrian Strategy;
- Construction of shade shelter and connecting pathway to Cleary's Hill to provide immediate access and vantage point to the high point in the park.

Car Park Sealing

- Car park sealing does not form part of the delivery of this project.
- Car park 1, immediately in front of the rugby fields, is being sealed and marked through a separate capital project in late 2011.
- Future car park sealing is a programme managed and delivered through City Services.

Project Implications

Tree and Vegetation Loss

- The construction method of the capping system requires sealing from the top of the landfill batter to the toe (bottom) to be effective. This requires the denuding (stripping) of landfill batters within the project area to ensure the capping system is uniform and applied to the necessary area.
- The construction of the trail linkage will be carried out to minimise tree loss where possible, especially large tree loss that can be accommodated through minor design amendments.
- Confirmed costs for potential vegetation off-set approvals is not currently known, however has coverage of \$250,000 through the current project estimate.
- Council will be finalising approvals within the coming months and will be sure to negotiate the best environmental and financial outcome with the Department of Environment and Resource Management (DERM) where possible.

Public Access

- Public access that currently remains along the eastern landfill batter will be restricted for the duration of the construction. When possible it may be viable to allow fenced access however at this point Council will take a position of no-public access along the Tarradarrapin Creek linkage trail until such times as it is both safe and viable.
- The construction project will involve the management of contaminated soils and contaminated water. Deposited waste at the site is likely to contain hazardous materials and therefore will be strictly managed to keep public and worker safety a priority.

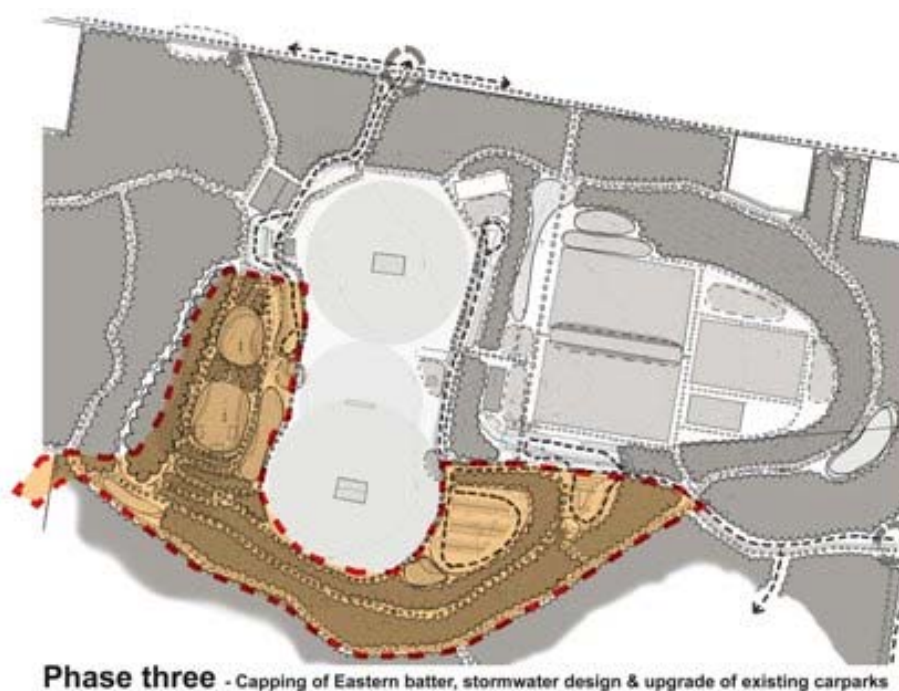
Interference with Eastern Cricket Field

- To sufficiently install the engineered capping layer required for this project Council will require trucking access along the topside of the eastern cricket field. This will cause the area to be damaged and remain inaccessible for a currently unknown period of time.
- Consultation has not progressed with the cricket club and will only be commencing upon the successful outcome of the report recommendation.
- Full rectification costs for any impacts to the eastern cricket field have been costed into the project.

Project Communications

- The project will be supported by a communications plan and related activities to ensure signage, newspaper advertisements, consultation activities and letter box drops are scheduled and completed.

Figure 1 Overview of the total project area during Phase 3 JH EB Project.



Construction Timing and Delivery

The Project Delivery Group (PDG) is currently finalising project approvals and detailed design and specification of the project. The PDG have indicated intentions to construct the job using internal construction crews and additional staffing resources. Soil stockpiling has been progressing for the past 12 months in anticipation of the project going ahead to reduce resource costs.

The project is planned to be constructed over a two (2) year period (2011/2012 and 2012/2013) is to be executed in the following general stages (indicative planning only).

Project Plan	Scope of Works	Predicted Timing
Final Design Approval	PDG to approve final set of design and specification	Nov 2011/Dec 2011
Project Financing	Council Approval QTC Loan Borrowings (full project support/funding)	Nov 2011-Dec 2011
Pre-Purchases / Project Resources	Construction Resource Tenders and Project Staffing Plan	Dec 2011-Feb 2012
Environmental Approvals	Vegetation Clearing Approvals / Veg Offset	Dec 2011-Mar 2012
Site Establishment/ Construction	Construction site establishment, public and club notification	April 2012-May 2012

Project Plan	Scope of Works	Predicted Timina
Notification		
Stage 1	<i>Remediation - Northern Entry Batter to Main Drainage Line 1</i>	<i>June 2012 - July 2012</i>
Stage 2	<i>Remediation - Mid Eastern Batter to Main Drainage Line 2</i>	<i>July 2012 - Sep 2012</i>
Stage 3	<i>Remediation - South Eastern Batter Section to Cleary's Hill</i>	<i>Sep 2012 -Dec 2012</i>
Stage 4	<i>Remediation - Western Section of Cleary's Hill and MP Improvements</i>	<i>Dec 2012 - Mar 2013</i>
Stage 5	<i>Construction Review and Site Finalisation</i>	<i>Mar 2013 - June 2013</i>

Landfill Leachate Management

Since 2007, Council has significantly increased site works to improve the capture and transport landfill leachate from this site to approved treatment facilities throughout South East Queensland. This has in turn increased the total management cost, collection and disposal of landfill leachate from Judy Holt Park Birkdale to peak in 2010/2011 at \$932,000.

Previous to the 2010/2011 financial year the region was in a drought however with significant rain periods during the subsequent floods, poor landfill capping systems, and unformed/unsealed surface water management systems have all contributed to extensive leachate generation within the waste mass.

Operational works across the site has been initiated prior to the forthcoming wet season to temporarily redirect and seal major surface water flows away from the landfill area to reduce the amount of surface water infiltration into waste. Additional works have been completed to rebuild sections of the entry road/trail linkage to keep community and truck access open to extensive erosion damage caused by uncontrolled surface water.

The CLR Programme is working on numerous projects that make up a long term leachate management strategy for the three (3) main landfill sites generating leachate. In brief, this involves:

- staged (targeted) landfill capping projects at high priority sites;
- redesign and sealing of surface water management systems;
- scoping of leachate pre-treatment technologies available, specific to the site/environment, to provide the highest level of protection for the environment and waste water treatment systems.

This strategy is expected to bring about a changed landfill leachate environment for the three main sites involved which is expected to include the overall reduction and increasing concentration of landfill leachate.

Due to the current regulatory environment and limited capacity of Allconnex waste water treatment systems Council must move towards the identification of the most cost and environmental beneficial means to manage and treat landfill leachate. This technology is relatively new to local governments with the CLR Programme is planning to release requests to the waste water treatment market to identify viable pre-treatment solutions for the Redland City landfill leachate scenario.

Additionally, given the expected total cost of a site specific pre-treatment system RedWaste will also be looking into other sewerage system upgrades and risk reduction planning that would possibly provide larger and more cost effective environmental benefits for total outputs from waste water plants within the Redland City.

This project is expected to reduce overall leachate collection total over the next two (2) year period. It is important to note that this improvement is not expected to be achieved immediately after landfill capping works. Large amounts of leachate are expected to be produced within the landfill mass which will require purging during and after construction has been completed.

The current Closed Landfill Remediation Programme has set aside the following funds to manage landfill leachate transport and disposal from Judy Holt Park over the next three (3) years.

	2010/2011	2011/2012	2012/2013	2013/14
*Landfill leachate management	\$932,000 (actual)	\$850,000	\$700,000	\$300,000

**Note: this operational budget allocation is in addition to the construction project estimates provided in this report*

Landfill Gas Management

- Judy Holt Park Birkdale has been subject to a number of landfill gas investigations and gas modelling exercises since its closure in to landfilling operations in 1993. All of which have identified insufficient gas levels for active landfill gas flaring to generate energy and is more suited to passive venting situation.
- Ambient landfill gas testing carried out in March 2011 confirmed that landfill gas is currently being generated at the site through the soil profile and was concentrating in underground service pits surrounding the rugby field area. Works are currently underway to remove and reduce potential risks to safety supported by increased landfill gas monitoring at the site.
- Based on recent draft landfill gas modelling, methane emissions calculated by Hyder Consulting Pty Ltd, the Judy Holt Park closed landfill is estimated to have peaked in 1993 at around 70,000 tonnes CO₂-e. Current emissions are estimated to be approximately 8,500 tonnes CO₂-e. This emissions level does

not trigger the potential National Greenhouse and Energy Reporting Act thresholds for landfills. As such, the landfill will not be subject to carbon tax for legacy emissions as the legislative environment currently implies.

- Recent site visit and discussions with LMS gas contractors has confirmed that Judy Holt Park is not a viable site to introduce active gas extraction nor is the site in a position to viably connect to the Birkdale Landfill gas flare for the conversion of methane.
- This project incorporates the construction of a passive landfill gas venting system throughout the eastern landfill batter area which will vent to a number of standing pipes across the project site. This system is similar to that employed at the Redland Bay Closed Landfill area and is releases gas that may collect under a landfill cover/capping system.

Increasing Costs for Major Landfill Remediation Works

- The total scope of Council's responsibility to manage emissions, safety and major upgrades is extensive and expensive. It involves detailed and specialist investigations, planning, construction works and ongoing monitoring. Large integrated planning and design projects on these sites take a minimum of 12-16 months to purchase and deliver.
- Closed landfill management functions have only one funding source through the levying of the Landfill Remediation Separate Charge (LR Separate Charge) via rates collection. The total cost of future major landfill remediation works can be difficult to estimate as each site has wide ranging site specific concerns and unless environmental and geotechnical investigations coupled with detailed design is completed total costs can only be roughly estimated. Future construction and material costs are expected to increase significantly therefore a current pricing path needs to consider future construction market index demands.
- Construction costs for major landfill remediation projects increase annually by approximately 8-11%. This is significantly higher than the general Council CPI index of 4.5% putting substantial pressure on priority planning, budget development and approval deliberations.
- It is important to understand that remediation works affect the total site and all infrastructure requirements needed to manage the site including roadways, stormwater infrastructure works and the replacement of all sporting facilities and assets affected by major works. This is extremely expensive and cannot be avoided if capping and landfill remediation works are to be effective, however the LR Separate Charge remains the only dedicated funding source.
- In the future, Council can expect significant and ongoing planning and operational management costs associated with closed landfill areas located along the Moreton Bay foreshore including some Southern Moreton Bay Islands, North Stradbroke Island and Coochiemudlo Island. Land management and master planning of these areas must consider tidal and storm inundation effects on the closed landfill area and plan to construct protection measures of which will require substantial funding support.

Reduced External Funding Opportunities

- State and Federal Government funding initiative are shifting away from dedicating funds to fixing past waste filling practices to support wider global

emissions management and resource recovery improvements. Council's ability to be considered for external grant funding is very limited with the remaining State Government further limiting funding application criteria to exclude works of this nature due to regional and flood recovery priorities.

- It is considered unlikely that Council will benefit from funding opportunities for closed landfill remediation works in the near future, this includes funds to be allocated to Council associated with the new Waste Levy.

RELATIONSHIP TO CORPORATE PLAN

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.

- 1.3 Protect our natural environment by restoring degraded landscapes, contaminated land and managing fire, pests and other hazards
- 1.6 Address the decline in the health of Redlands waterways and improve water quality, aquatic populations and their biodiversity

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.

- 3.3 Ensure the ongoing health of the bay by managing creeks, wetlands and stormwater and by protecting natural areas surrounding the bay

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
- 8.7 Ensure Council resource allocation is sustainable and delivers on Council and community priorities
- 8.6 Implement a comprehensive enterprise approach to risk management across the organisation

FINANCIAL IMPLICATIONS

The following points provide information and discussion on the total project cost and financial implications surrounding the financing of the Phase 3 JH EB Project. It also discusses the wider financial management strategy being applied to the future delivery of major remediation projects delivered through the Closed Landfill Remediation Programme.

To clarify the purchasing context of this project, the following points are made.

- Project expenditure complies with the requirements of the “Landfill Remediation Separate Charge” Expenditure Policy (Corporate Pol-3091) and the requirements of the capital definition contained in the Draft “Capital Vs Operational” Guidelines.
- Minor changes to Corporate Policy POL-3091 will be recommended in future reports to Council. Policy changes are not required to be made prior to the approval of this specific project funding approach.
 - Future expenditure policy (Pol-3091) amendments are expected to include an agreed Council position on the LR Reserve expenditure scope aimed at reducing the financial burden of infrastructure replacement for major remediation projects and to incorporate policy position on capital works funding and the access and management of capital borrowing.

Phase 3 JH EB Project Costs and Funding

- Currently this project has a \$2,285,200 budget allocation within the CLR Programme Expenditure Plan across 2 years (2011/2012 & 2012/2013).
- Council was briefed that as the project design and construction estimate was not yet completed at the time of the LR Separate Charge modelling for 2011/2012, that the project estimate was expected to be over \$5 million.
- Total construction cost estimate received in early November 2011 (closed landfill remediation only) is \$7,040,604. This estimate includes:
 - 20% Contingency totalling \$1,019,096
 - Operational Value of \$770,000
 - Capital Value of \$6,270,604
- Income received through the levying of the Landfill Remediation Separate Charge (LR Separate Charge) is not sufficient to fund the \$4,742,404 million capital shortfall involved in delivering this project in 2012/2013.
- This report recommends the approval of a \$5.5 million capital loan (borrowings) through the Queensland Treasury Corporation (QTC) over a 20 year term to sufficiently financially support the delivery of this project.
- The immediate increase to the LR Separate Charge required to cover the shortfall is not acceptable or viable in any way. However, through the approval of the \$5.5m QTC loan Council can remain on the current pricing path, as presented at the 2011/2012 budget workshop, at \$50.00 per rateable lot for 2012/2013.
- This preferred recommendation of this report does not require any addition to the current year’s budget as funds have already been allocated. However, it is noted that given approval to proceed with the report recommendation will trigger a Q2 submission to move current operational allocation of \$648,200 into a capital

account. The total 2011/2012 budget allocation of \$1,048,200 is proposed to be expended on securing material resources in anticipation of major works commencing in 2012/2013.

The following tables provide an overview of project costs, current budget and projected capital borrowings.

Table 1 Phase 3 Judy Holt Park Eastern Landfill Batter Remediation and Associated Works Project - Cost breakdown

Project Element	Estimation	Cost Responsibility	
Preliminaries	\$170,500	Landfill Reserve	Remediation
Site Preparation	\$300,000	Landfill Reserve	Remediation
Earthworks	\$679,500	Landfill Reserve	Remediation
Landscaping (including Veg Offset)	\$755,000	Landfill Reserve	Remediation
Capping	\$2,669,700	Landfill Reserve	Remediation
Landfill Gas Management	\$148,185	Landfill Reserve	Remediation
Leachate Management (system construction only)	\$77,840	Landfill Reserve	Remediation
Surface Water Management	\$75,355	Landfill Reserve	Remediation
Retaining Wall	\$85,400	Landfill Reserve	Remediation
Reinstatement Works	\$134,000	Landfill Reserve	Remediation
Construction On-Costs (inc. contingencies, PDG recovery)	\$1,945,124	Landfill Reserve	Remediation
Total Project Costs (remedial components only)	\$7,040,604	Landfill Reserve	Remediation

Table 2 Current Project Budget Allocation

Current Project Budget Allocation	2011/2012	2012/2013	Totals
Capital	\$400,000	\$0	\$400,000
Operational	\$648,200	\$1,250,000	\$1,898,200
Total	\$0	\$0	\$2,298,200

Table 3 Project Capital Borrowings - QTC Loan (20 yr)

QTC Loan - 5.25% for 20 yrs	2011/2012	2012/2013	Totals
Capital (loan amount)	\$0	\$5,500,000	\$5,500,000
Principal	\$0	\$161,988	\$161,988
Interest	\$0	\$288,750	\$288,750
Depreciation	\$0	\$0	\$0 – future years only

Table 4 Total Project Costs and Proposed Amendment to Future Budget Splits if Report Recommendation is Approved

Total Project Costs/Amended Budget Splits	2011/2012	2012/2013	Totals
Capital	\$1,048,200	\$5,222,404	\$6,270,604
Operational	\$0	\$770,000	\$770,000
Total	\$0	\$0	\$7,040,604

Funding Options

Option 1 - Preferred

Fully fund the Phase 3 Judy Holt Park Birkdale Eastern Landfill Batter Remediation and Associated Works Project through the levying of the Landfill Remediation Charge Reserve, incorporating capital borrowings of \$5.5 million from the Queensland Treasury Corporation (QTC) over a 20 year loan life to be drawn down during the 2012/2013 financial year.

This option will:

1. Retain the current Landfill Remediation Separate Charge pricing path at \$50.00 per rateable lot in 2012/2013 and include all costs associated with the closed landfill remediation components of the project.
2. Provide positive effects to Council's operational works programme through an improved financial management strategy for the closed landfill programme, moving predominant major works expenditure from operational to capital.
3. Provide the necessary confirmation to initiate the immediate purchase of project materials in 2011/2012.
4. Provide increased protection for localised water quality through improved surface water, leachate management and landfill capping systems.
5. Be serviced by the levying of the Landfill Remediation Charge into the 20yr payback period.

Option 2 – Not Preferred

Fund the Phase 3 Judy Holt Park Birkdale Eastern Landfill Batter Remediation and Associated Works Project through a negotiated split between General Revenue and the Landfill Remediation Separate Charge Revenue.

This option will:

- Retain the current Landfill Remediation Separate Charge pricing path at \$50.00 per rateable lot in 2012/2013 and include all costs associated with the closed landfill remediation components of the project.
- Trigger the movement or possible movement of a number of other capital projects currently sitting for delivery in the 10 yr Capex Programme.
- Alternatively trigger QTC loan requirements for general revenue environment.
- Provide increased protection for localised water quality through improved surface water, leachate management and landfill capping systems.

Option 3 – Not Preferred

Scale back the total scope of works associated with the Phase 3 Judy Holt Park Birkdale Eastern Landfill Batter Remediation and Associated Works Project to provide basic landfill remediation works where possible including surface water management systems, some soil capping works and continue to collect and transport leachate as is in place currently.

This option will:

- Retain the current Landfill Remediation Separate Charge pricing path at \$50.00 per rateable lot in 2012/2013.
- Deliver basic limited but acceptable environmental outcomes to improve surface water quality in targeted areas in the short term.
- Require the continuation of basic leachate collection and current transport requirements.

- Fail to deliver improved capping over waste and retain the current non-uniform soil cover promoting surface water infiltration and generation of landfill leachate.
- Leave the project area subject to erosion and waste exposure.
- Not deliver landfill gas management system.
- Not deliver landfill leachate collection system.

CONSULTATION

Corporate and Financial Services

- General Manager Corporate Services
- Service Manager, Strategic Finance

City Services

- General Manager City Services
- Manager Project Delivery
- PDG Construction Projects Services Manager
- PDG Design Services Management
- Senior Waste Planner, Infrastructure Planning
- Acting Service Manager RedWaste
- Closed Landfill Remediation Operations Coordinator

ELG/Councillor Workshop

A project funding workshop was carried out on Wednesday 16th November 2011 in Redland City Council Chambers with the Executive Leadership Group (ELG) and Councillors as invited attendees. The workshop did not attract a quorum however did have the following noted attendees:

Elected Members

- Mayor Melva Hobson
- Cr Wendy Boglary, Councillor Division 1
- Cr Kathy Reimers, Councillor Division 8
- Cr Helen Murray, Division 10
- Cr Toni Bowler, Division 6

Executive Leadership Group

- Chief Executive Officer
- General Manager City Services
- General Manager Environment Planning & Development
- General Manager Corporate Services

Overview of Workshop Consultation Discussion

Discussion at the workshop centred on the environmental implications of the project including the effect of landfill leachate in the upper reaches of Tarradarrapin Creek, tree loss, funding options and Councils need to reduce offset costs through the overall planting volume carried out by Council with the general feeling that this project be funded as proposed.

The workshop discussion highlighted that the community would expect that public access along the toe of the eastern batter would remain, however it was noted that

this request may not be able to be accommodated due to site restrictions and significant safety management issues. When clear funding direction is known a possible solution to this issue will be explored however at this point, public access will be denied with the public to be directed to access the site through existing pathways towards the west of the site, off William Street and Randall Road.

Councillors inquired as to the ability for external grant funding to support the project however it was confirmed that there are no current options for this project to obtain external funding, as noted in the "Issues" section of this report.

PLANNING SCHEME IMPLICATIONS

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

OPTIONS

PREFERRED

Fully fund the Phase 3 Judy Holt Park Birkdale Eastern Landfill Batter Remediation and Associated Works Project through the levying of the Landfill Remediation Charge Reserve, incorporating capital borrowings of \$5.5 million from the Queensland Treasury Corporation (QTC) over a 20 year period to be drawn down during the 2012/2013 financial year.

ALTERNATIVES

Alternative 1

Fund the Phase 3 Judy Holt Park Birkdale Eastern Landfill Batter Remediation and Associated Works Project to be delivered in stages across three financial years through the levying of the Landfill Remediation Charge Reserve incorporating capital borrowings calculated and approved annually, subject to the construction pricing index and other design amendment costs.

Alternative 2

Fund the Phase 3 Judy Holt Park Birkdale Eastern Landfill Batter Remediation and Associated Works Project through a negotiated split between General Revenue and the Landfill Remediation Separate Charge Revenue.

Alternative 3

Scale back the total scope of works to be within the current budget allocation and provide basic landfill remediation works where possible including surface water management and continue to collect and transport leachate as is in place currently.

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

**Moved by: Cr K Reimers
Seconded by: Cr M Elliott**

That Council resolve to fully fund the Phase 3 Judy Holt Park Birkdale Eastern Landfill Batter Remediation and Associated Works Project through the levying of the Landfill Remediation Charge Reserve, incorporating capital borrowings of \$5.5 million from the Queensland Treasury Corporation (QTC) over a 20 year period to be drawn down during the 2012/2013 financial year.

CARRIED

20 MAYORAL MINUTES

20.1 2018 COMMONWEALTH GAMES

Background

On behalf of Council, I congratulate the Gold Coast and the State bid team on their successful bid for the 2018 Commonwealth Games.

There are great opportunities for the Redlands, particularly with the cycling and shooting events being so close.

This will provide a tremendous boost for the short term accommodation tourism, employment and the economy generally. Six years is a relatively short preparation time.

COUNCIL RESOLUTION

Moved by: Cr M Hobson

That Council resolve as follows:

- 1. That an urgent report be prepared and presented to Council on the potential opportunities for Redland City as a result of the announcement that the 2018 Commonwealth Games will be held at the Gold Coast; in particular the announcement that the locations for the cycling and shooting events will be at Chandler and Belmont, respectively; and**
- 2. In developing this report, Council will invite the business and development sector to participate and consider what Redland City needs to do to prepare so business, accommodation and tourism sectors can gain maximum benefit from this event.**

CARRIED

DIVISION

FOR: Crs Reimers, Murray, Bowler, Townsend, Henry, Ogilvie, Boglary and Hobson

AGAINST: Crs Elliott and Williams

Cr Burns was absent from the meeting.

21 REPORTS DIRECT TO COUNCIL

21.1 OFFICE OF CEO

21.1.1 APPOINTMENT OF ALLCONNEX WATER BOARD CHAIRPERSON

Datworks Filename: GOV Allconnex Water

Responsible Officer: Gary Stevenson
Chief Executive Officer

Author: Gary Stevenson
Chief Executive Officer

EXECUTIVE SUMMARY

Following the resignation of former Allconnex Water Board Chairperson, the three Councils are required to appoint a new Chairperson.

PURPOSE

Council is requested to appoint a Chairperson selected by a Panel of three Council Mayors (or delegates).

BACKGROUND

Mr John Dempsey, former chairperson of the Allconnex Water Board resigned effective 1 October 2011. In accordance with the SEQ Water (Distributor and Retailer Restructuring) Act 2010, the three Participating Councils are required to appoint a replacement.

In accordance with the Participation Agreement the appointment is required to be approved by an Required Majority of the three Participating Councils (ie at least two of the three Participating Councils who together hold more than 50% of the total participation rights).

The three Council CEO's have jointly facilitated the recruitment and selection process engaging Talent Partners (part of Talent 2 International Limited) to assist.

Talent Partners undertook an executive search across various comprehensive networks and presented a long list of candidates for consideration by the three CEO's.

The CEO's approved a short list of three very highly qualified and experienced candidates who were subsequently interviewed by a Selection Panel comprising Mayor Melva Hobson (RCC), Deputy Mayor Daphne McDonald (GCCC) and Cr Luke Smith (LCC).

The Selection Panel conducted interviews on 16 November 2011 and reference checking of their preferred candidate has been conducted since.

The Selection Panel has unanimously made its selection.

DISCUSSION

The confidential Selection Report is attached for Councillors' consideration. Council is requested to ratify the selection and pass a formal appointment resolution.

The other two Participating Councils will do likewise in parallel to Council.

The terms of the appointment will be the same as those that were previously approved by Council for the former Chairperson. The appointment is for a term to conclude on 30 June 2013 (or earlier if dissolution of Allconnex Water occurs earlier).

RELATIONSHIP TO CORPORATE PLAN

This report relates directly and indirectly to a number of objectives in the "Inclusive and Ethical Governance" section of the Corporate Plan.

FINANCIAL IMPLICATIONS

The cost of the recruitment consultants is \$15,000 (excl GST) and has been funded by Allconnex Water from savings in the Chairperson's salary. The cost of employing the Chairperson is to be met by Allconnex Water as an ordinary operational cost already budgeted.

PLANNING SCHEME IMPLICATIONS

There are no implications for Redlands Planning Scheme.

CONSULTATION

Consultation has been undertaken with the Mayor and with other Participating Councils.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Elliott
Seconded by: Cr B Townsend

It is recommended that Council resolve to:

1. Ratify the appointment of the Selection Panel's preferred candidate in accordance with Sec 35(2) of the *SEQ Water (Distributor and Retailer Restructuring) Act 2010*; and
2. Deem the details of the appointment to be confidential until after all three Participating Councils ratify the appointment, and final negotiations with the preferred candidate are concluded.

CARRIED

21.2 GOVERNANCE

21.2.1 LGAQ SPECIAL GENERAL MEETING - POSTAL VOTE FOR AMENDMENT TO THE LGAQ CONSTITUTION

Datworks Filename: GOV LGAQ Annual Conference

Attachments: [LGAQ Notice of Special General Meeting](#)
[LGAQ Special General Meeting Voting Paper](#)

Responsible Officer: Nick Clarke
General Manager Governance

Author: Trevor Green
Senior Advisor Environmental Health

EXECUTIVE SUMMARY

The Local Government Association of Queensland (LGAQ) is to conduct a Special General Meeting at 5.00pm 7 December 2011. The purpose of the meeting is to rearrange the LGAQ electoral districts, to apply to the new term of Local Government, post the 2012 Local Government elections.

Five motions are to be put to the meeting. As a member of the LGAQ, Council is entitled to vote on the motions. Voting is by postal vote.

In summary the five motions are:

1. In rule 5.3 (schedule of districts) change Dalby to "Western Downs" and Roma to "Maranoa" respectively.
2. In Rule 5.3 (schedule of districts) create a new District No. 7, "Whitsunday" including Mackay, Isaac and Whitsunday. This has the effect of increasing the number of policy executive members by one.
3. In rule 5.3 (schedule of districts) change rule 5.3(3) to allow District No. 11 (Aboriginal and Island Councils) to have two members on the policy executive as elected by the members of that district.
4. In rule 1.2 (definitions) insert the words "Board Corporate Governance Charter" and "Policy Executive Corporate Governance Charter" to enable the formulation of corporate governance charters to further define the roles and responsibilities of members of the Board and the Policy Executive.
5. As a consequence of passing motion 2 and/or 3 several changes to the nomenclature of the constitution will be required. This motion merely provides the CEO the authority to make the changes and give proper effect to motions 2 and 3.

This report recommends that Council vote in the affirmative to the five motions.

PURPOSE

That Council vote on the five motions to be put to the Special General Meeting of the LGAQ, 7 December 2011 (as attached).

BACKGROUND

The Local Government Association of Queensland (LGAQ) is to conduct a special general meeting at 5.00pm 7 December 2011, for the purpose of rearranging of the LGAQ electoral districts, to apply to the new term of Local Government, post the 2012 Local Government elections.

Under Rule 4.14 of the LGAQ constitution, voting on the motions to be put to the meeting is being conducted via postal vote. As a member of the LGAQ, Council is entitled to vote on the motions. The LGAQ has forwarded a postal vote to Redland City Council to be completed and signed by the Mayor or Chief Executive Officer and returned to the association before 5.00pm 7 December 2011. Under the requirements of the *Corporations Act 2001* there must be at least 75% of all eligible voters in favour of a proposed change for a motion to be carried.

ISSUES

Two attachments have been included with this report.

1. Attachment 1 Notice of Special General Meeting - includes the five motions, their purpose and associated explanatory notes.
2. Attachment 2 Voting Paper - contains the votes for each motion for Council to complete and return to the LGAQ.

In summary the five motions are:

1. In rule 5.3 (schedule of districts) change Dalby to “Western Downs” and Roma to “Maranoa” respectively.
2. In Rule 5.3 (schedule of districts) create a new District No. 7, “Whitsunday” including Mackay, Isaac and Whitsunday. This has the effect of increasing the number of policy executive members by one.
3. In rule 5.3 (schedule of districts) change rule 5.3(3) to allow District No. 11 (Aboriginal and Island Councils) to have two members on the policy executive as elected by the members of that district.
4. In rule 1.2 (definitions) insert the words “Board Corporate Governance Charter” and “Policy Executive Corporate Governance Charter” to enable the formulation of corporate governance charters to further define the roles and responsibilities of members of the Board and the Policy Executive.
5. As a consequence of passing motion 2 and/or 3 several changes to the nomenclature of the constitution will be required. This motion merely provides the CEO the authority to make the changes and give proper effect to motions 2 and 3.

This report recommends that Council vote in the affirmative to the five motions.

RELATIONSHIP TO CORPORATE PLAN

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

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

PLANNING SCHEME IMPLICATIONS

There are no land use planning scheme implications associated with this report.

CONSULTATION

The LGAQ was consulted in the preparation of this report.

OPTIONS

PREFERRED

That Council resolve to vote in the affirmative to the five motions to be put to the Special General Meeting of the LGAQ, 7 December 2011 (as attached).

ALTERNATIVE

The Council alter its vote to that recommended or that Council not vote on all or some of the motions.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Elliott
Seconded by: Cr K Williams

That Council resolve to vote in the affirmative to the five motions to be put to the Special General Meeting of the LGAQ, 7 December 2011 (as attached).

CARRIED

22 CLOSED SESSION

MOTION TO CLOSE THE MEETING AT 7.05PM

Moved by: Cr K Williams
Seconded by: Cr W Boglary

That the meeting be closed to the public pursuant to Section 72 (1) of the *Local Government (Operations) Regulation 2010*, to discuss the following items:

22.1.1 Implementation of the Cleveland CBD Masterplan

The reason that this 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.”

22.1.2 Appointment of General Manager Redland Water

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

(a) the appointment, dismissal or discipline of employees;

22.2.1 North Stradbroke Island Recreational Area Management

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

“(e) contracts proposed to be made by it;” (Council)

22.2.2 State Government Waste Levy and Amendment to Fee Exemption Policy POL-0057 and Island Waste Disposal Fee Waiver CSO

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

“(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.”

CARRIED

MOTION TO REOPEN MEETING AT 8.10PM

Moved by: Cr T Bowler
Seconded by: Cr C Ogilvie

That the meeting be again opened to the public.

CARRIED

22.1 OFFICE OF CEO**22.1.1 IMPLEMENTATION OF THE CLEVELAND CBD MASTERPLAN**

Dataworks Filename: LUP Planning – Cleveland Master Plan

Responsible Officer: Gary Stevenson
Chief Executive Officer

Author: Alan Burgess
Manager Economic Development

EXECUTIVE SUMMARY

A confidential report from the Chief Executive Officer was discussed in closed session.

COUNCIL RESOLUTION

Moved by: Cr C Ogilvie

Seconded by: Cr D Henry

That Council resolve to:

- 1. Authorise the Chief Executive Officer to develop a project to define a path for the redevelopment of Cleveland in accordance with the Masterplan; and**
- 2. That the review of Council's Economic Development Strategy also include mechanisms to encourage investment in the City (including Cleveland CBD).**

CARRIED

22.1.2 APPOINTMENT OF GENERAL MANAGER REDLAND WATER

Dataworks Filename: GOV Business Units – Redland Water

Responsible Officer: Gary Stevenson
Chief Executive Officer

Author: Gary Stevenson
Chief Executive Officer

EXECUTIVE SUMMARY

A confidential report from the Chief Executive Officer was discussed in closed session.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr K Reimers
Seconded by: Cr H Murray

It is recommended that Council resolve to support the intended appointment by the Chief Executive Officer to the position of General Manager Redland Water.

CARRIED

22.2 CITY SERVICES

22.2.1 NORTH STRADBROKE ISLAND RECREATIONAL AREA MANAGEMENT

Dataworks Filename: CP Straddie Holiday Parks - General

Responsible Officer: Louise Rusan
General Manager City Services

Author: Russell Cook
Leisure and Recreation Services Manager
Andrew Ross
Group Manager Legal Services

EXECUTIVE SUMMARY

A confidential report from General Manager City Services was discussed in closed session.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr D Henry

That Council resolve as follows:

1. To make the Recreational Management Agreement with the State of Queensland as represented by the Department of Environment and Resource Management;
2. To delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009*, to negotiate the terms of the agreement and sign the relevant documentation, including the authority to make, vary or discharge the agreement;
3. To request the State apply a fee waiver for vehicle access permits to permanent NSI residents in accordance with the *Recreational Management Act 2006*; and
4. That the officers report and attachments remain confidential pending the outcome of the negotiation of the agreement.

CARRIED

**22.2.2 STATE GOVERNMENT WASTE LEVY AND AMENDMENT TO FEE
EXEMPTION POLICY POL-0057 AND ISLAND WASTE DISPOSAL FEE
WAIVER CSO**

Dataworks Filename: WM Policy

Responsible Officer: Robert Walford
Service Manager - RedWaste

Author: Emma Lochran
Projects Advisor - RedWaste

EXECUTIVE SUMMARY

A confidential report from Service Manager, RedWaste was discussed in closed session.

COUNCIL RESOLUTION

Moved by: Cr M Elliott
Seconded by: Cr T Bowler

That Council resolve as follows:

- 1. That the waste levy not be passed on to Community Service Clubs or Island Commercial Waste Transporters as from 1 December 2011; and**
- 2. That a further report be presented to the December Customer Services Committee with an amended policy that includes a moratorium for passing the levy onto Community Service Clubs and Island Commercial Waste Transports for a period reasonably allowing Clubs and Transporters to prepare and where applicable seek exemption from State Government with such costs to be covered by a CSO for RedWaste.**

CARRIED

PROCEDURAL MOTION AT 8.16PM**(ITEM 18.1.3 – STATE GOVERNMENT WASTE LEVY UPDATE AND AMENDMENT TO REDWASTE FEES AND CHARGES)**

Moved by: Cr C Ogilvie
Seconded by: Cr K Williams

That item 18.1.3 – *State Government Waste Levy Update and Amendment to RedWaste Fees and Charges* – be taken from the table.

CARRIED

COUNCIL RESOLUTION

Moved by: Cr K Williams
Seconded by: Cr B Townsend

1. That the Committee Recommendation not be accepted; and
2. That Council resolve to adopt the amended fees and charges and descriptions as per the attachment entitled RedWaste Business Unit Amended 2011/12 Fees and Charges from 1 December 2011, excluding Appendix 2, and provide reimbursement of the levy liability that accrues to RedWaste as a Community Service Obligation estimated to be an additional \$21,000 per annum excluding GST.

CARRIED

23 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 8.18pm.

Signature of Chairperson: _____

Confirmation date: _____