



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday 14 December 2011

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

Table of Contents

Item	Subject	Page No
1	DECLARATION OF OPENING	1
2	DEVOTIONAL SEGMENT.....	1
3	RECOGNITION OF ACHIEVEMENT.....	1
3.1	APPOINTMENT OF GENERAL MANAGER REDLAND WATER.....	1
3.2	MATTHEW STANLEY FOUNDATION.....	1
4	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE.....	2
5	RECEIPT AND CONFIRMATION OF MINUTES.....	2
5.1	GENERAL MEETING MINUTES 30 NOVEMBER 2011	2
6	MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES.....	2
6.1	PETITION (DIVISION 10) REQUEST FOR A NEW FOOTPATH ON COLLINGWOOD ROAD	2
7	PUBLIC PARTICIPATION.....	3
8	PETITIONS AND PRESENTATIONS.....	3
8.1	CONFERENCE REPORT – CR ELLIOTT (DEPUTY MAYOR/DIVISION 7) - 12 TH INTERNATIONAL CITIES TOWN CENTRES & COMMUNITIES SOCIETY 2011 CONFERENCE.....	3
9	MOTION TO ALTER THE ORDER OF BUSINESS	4
10	DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS	5
10.1	MATERIAL PERSONAL INTEREST	5
10.2	CONFLICT OF INTEREST.....	5
11	REPORT DIRECT TO COUNCIL	6
11.1	ENVIRONMENT PLANNING & DEVELOPMENT.....	6
11.1.1	REQUEST TO EXTEND RELEVANT PERIOD FOR BIO-MASS POWER PLANT AT 70-98 HILLVIEW ROAD, MOUNT COTTON.....	6

12	PLANNING & POLICY ITEM – 7 DECEMBER 2011	31
12.1	GOVERNANCE	31
12.1.1	SMBI 2030 COMMUNITY PLAN SUBMITTED FOR ADOPTION	31
13	DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE 6 DECEMBER 2011	40
13.1	ENVIRONMENT PLANNING & DEVELOPMENT.....	40
	ITEMS RESOLVED UNDER DELEGATED AUTHORITY	40
13.1.1	CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND HOUSEKEEPING.....	40
13.1.2	CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT ASSESSMENTS.....	40
13.1.3	APPEALS LIST - CURRENT AS AT 29 NOVEMBER 2011	40
	ITEMS FOR CONSIDERATION	40
13.1.4	LOCAL LAW 6: TREE CLEARING WITHIN TREE PROTECTION AREAS, AND TREE PROTECTION AREA 31 - NOTICE OF MOTION TO REVOKE TPA31	40
13.1.5	REFUND OF INFRASTRUCTURE CONTRIBUTIONS	53
14	CUSTOMER SERVICES COMMITTEE 6 DECEMBER 2011	57
14.1	CITY SERVICES	57
14.1.1	REDWASTE BUSINESS UNIT REPORT FOR SEPTEMBER QUARTER 2011	57
14.1.2	REDLANDS SPORTS SUMMIT.....	60
14.2	CLOSED SESSION AT COMMITTEE	65
14.2.1	STATE GOVERNMENT WASTE LEVY AND AMENDMENT TO FEE EXEMPTION POLICY POL-0057 AND ISLAND WASTE DISPOSAL FEE WAIVER CSO	66
15	PLANNING AND POLICY COMMITTEE 7 DECEMBER 2011	68
15.1	CITY SERVICES	68
15.1.1	LAND MANAGEMENT PLAN LAURIE BURNS SPORTSFIELDS.....	68
15.2	GOVERNANCE	74
15.2.1	PUBLIC TOILETS STRATEGIC REVIEW	74

15.3	CITY SERVICES	80
15.3.1	MASTER PLANNING & REDEVELOPMENT OPTIONS FOR TOONDAH HARBOUR	80
15.3.2	2011/12 DIVISIONAL PARKS AND INFRASTRUCTURE PROGRAM - DIVISIONS 1, 5, 6 AND 10.....	86
15.3.3	EGW WOOD SPORTSFIELD, SEL OUTRIDGE PARK, JACKSON ROAD COMMUNITY PRECINCT AND REDLANDS BASEBALL PARK LANDSCAPE MASTER PLANS	89
15.4	ENVIRONMENT PLANNING & DEVELOPMENT.....	94
15.4.1	WORKING WITH SEQ CATCHMENTS TO MEET NRM TARGETS UNDER THE SEQ REGIONAL PLAN.....	94
15.4.2	REDLANDS SUSTAINABILITY STUDY	101
15.4.3	PROPOSED COASTAL MANAGEMENT DISTRICTS FOR THE CITY.....	119
15.4.4	REDLANDS HOUSING STRATEGY 2011-2013	123
15.5	CLOSED SESSION AT COMMITTEE	132
15.5.1	DRAFT BUNKER ROAD STRUCTURE PLAN	132
16	CORPORATE SERVICES & GOVERNANCE COMMITTEE 7 DECEMBER 2011	133
16.1	OFFICE OF CEO.....	133
16.1.1	APPOINTING AN ACTING CHIEF EXECUTIVE OFFICER	133
16.2	CORPORATE SERVICES.....	135
16.2.1	CLEVELAND DISTRICT MEALS ON WHEELS LEASE OF COUNCIL LAND	135
16.2.2	PROPOSED PARK & RIDE FACILITY AT CAPALABA.....	138
16.2.3	WATER REINTEGRATION - IMPLEMENTATION UPDATE.....	141
16.3	GOVERNANCE	145
16.3.1	CHRISTMAS DELEGATIONS 2011	145
16.3.2	E-PETITIONS	148
16.3.3	SPONSORSHIP APPLICATION - REDLANDS EASTER FAMILY FESTIVAL 2012	154
16.3.4	CONTRACT EXTENSION -1210-2009-FLT PANEL OF PROVIDERS FOR PLANT HIRE	157

16.4	CLOSED SESSION AT COMMITTEE	159
16.4.1	REDLAND CITY COUNCIL CERTIFIED AGREEMENTS	159
16.4.2	AMENDMENTS TO ALLCONNEX WATER PARTICIPATION AGREEMENT	160
17	MAYORAL MINUTE	161
17.1	APPEAL TO RAISE FUNDS TO PURCHASE A PIANO FOR RPAC	161
18	REPORTS DIRECT TO COUNCIL	162
18.1	CORPORATE SERVICES.....	162
18.1.1	NOVEMBER 2011 MONTHLY FINANCIAL REPORTS.....	162
18.1.2	ADOPTION OF KEY POLICIES FOR THE FINANCIAL YEAR 2012 - 2013.....	165
18.1.3	FINANCIAL STRATEGY 2012 - 2022.....	169
18.2	GOVERNANCE	174
18.2.1	COUNCILLOR REMUNERATION 2012	174
18.3	CITY SERVICES	180
18.3.1	PARK NAMING – BOB & DELPHINE DOUGLAS RESERVE	180
19	NOTICE OF MOTION	184
19.1	NOTICE OF MOTION – CR ELLIOTT (DIVISION 7).....	184
19.1.1	INCREASED FUNDING FOR ADDITIONAL BUS SERVICES THROUGHOUT REDLAND CITY	184
19.2	NOTICE OF MOTION – CR WILLIAMS (DIVISION 9).....	185
19.2.1	PARKING OPTIONS – WEINAM CREEK.....	185
19.3	NOTICE OF MOTION – CR BURNS (DIVISION 4).....	186
19.3.1	AMENDMENT TO LOCAL LAW 11 – SIGNS	186
20	CLOSED SESSION	187
20.1	CORPORATE SERVICES.....	188
20.1.1	FUTURE ACCOMMODATION & STRATEGIC INVESTMENT OPPORTUNITY	188
20.2	OFFICE OF CEO.....	189
20.2.1	REDLAND WATER ORGANISATIONAL STRUCTURE.....	189

20.3	ENVIRONMENT PLANNING & DEVELOPMENT.....	190
	20.3.1 COOCHIEMUDLO BARGE SERVICES.....	190
21	MEETING CLOSURE	191

1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.03pm and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

The Mayor also paid Council's respect to their elders, past and present, and extend that respect to other indigenous Australians who are present.

2 DEVOTIONAL SEGMENT

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

3 RECOGNITION OF ACHIEVEMENT

3.1 APPOINTMENT OF GENERAL MANAGER REDLAND WATER

The Mayor acknowledged and congratulated Mr Gary Soutar on his appointment as General Manager Redland Water and his continuing involvement in the work to transition water back to the Redlands.

3.2 MATTHEW STANLEY FOUNDATION

The Matthew Stanley Foundation seeks to promote non-violence and mutual respect among young people and the Mayor introduced Mr Paul Stanley and the Foundation's new WACO (Walk Away Chill Out) Campaign.

MOTION TO ADJOURN MEETING AT 4.12PM

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

That the meeting adjourn to allow a promotional photo to be taken for the 'Walk Away Chill Out' campaign.

CARRIED

MOTION TO RESUME MEETING AT 4.15PM

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

That the meeting proceedings resume.

CARRIED

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 J Burns	Councillor Division 4
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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5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 30 NOVEMBER 2011

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

That the minutes of the General Meeting of Council held on 30 November 2011 be confirmed.

[Minutes November 30 2011 Council](#)

CARRIED

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

The Chief Executive Officer presented the following item for noting:

6.1 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 the Planning & Policy Committee meeting on 8 February 2012.

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

Moved by: Cr D Henry
Seconded by: Cr M Elliott

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

CARRIED

1. Ms N Olssen of Russell Island addressed Council in relation to Item *SMBI 2030 Community Plan Submitted for Adoption*.
2. Mr P Stanley of Thorneside and the Matthew Stanley Foundation, addressed Council in relation to the work of the Matthew Stanley Foundation and the Foundation's new campaign – "Walk Away Chill Out".

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 CONFERENCE REPORT – CR ELLIOTT (DEPUTY MAYOR/DIVISION 7) - 12TH INTERNATIONAL CITIES TOWN CENTRES & COMMUNITIES SOCIETY 2011 CONFERENCE

Cr Elliott presented a report to Council on his attendance at the International Cities Town Centres & Communities Society Conference 25-28 October 2011 in Hobart.

Excellent speakers at the conference included:

Gabrielle Morrish (Principal, GM Urban Design & Architecture Crows Nest) *Affordable Housing*.

Greg Davis (Director Taktics4, West Perth) *Economic Implications of High Density Living on Town Centre Sustainability*.

Susanne Pini (Director – Head of Retail & Town Centres) *Why and How Mixed Development.*

Greg Fenwick (Economic Development Coordinator, City of Newcastle) *Rebranding and Repositioning Business Precincts in the City of Newcastle.*

Nick Tobin (General Manager, Willoughby City Council) – *Delivering a New Town Centre.*

David Sim (Senior Consultant & Director at Gehl Architects) A Scotsman based in Denmark gave example of living communities, eg. closing off streets in New York City, providing seats and people flocked and took in the ambience of the city away from the cars.

Cr Elliott was also able to take a tour of Canberra on the way to Hobart, looking at Canberra's road systems, graffiti management, green space, park furniture and general maintenance, noting that Redland City's systems and maintenance are very good across the board.

Cr Elliott commended the conference and was thankful for the opportunity to attend.

9 MOTION TO ALTER THE ORDER OF BUSINESS

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

That the order of business be altered to discuss Item 16.4.1 *Request to Extend Relevant Period for Biomass Power Plant at 70-98 Hillview Road, Mount Cotton* (as listed on the agenda) as the first Item of business – 11.1.1.

CARRIED

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

That the order of business be altered to discuss Item 13.2.2 *SMBI 2030 Community Plan Submitted for Adoption* (as listed on the agenda) as the second Item of business – 12.1.1.

CARRIED

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

10.1 MATERIAL PERSONAL INTEREST

- Cr Elliott declared a Material Personal Interest in Item 13.1.5 – see item for details.

10.2 CONFLICT OF INTEREST

- Cr Williams declared a Conflict of Interest in Item 11.1.1 – see item for details.
- Crs Reimers, Hobson, Williams, Elliott and Ogilvie declared a Conflict of Interest in Item 14.2.1 – see item for details.
- Cr Ogilvie declared a Conflict of Interest in Item 15.3.1 – see item for details.
- Crs Williams and Boglary declared a Conflict of Interest in Item 16.3.3 – see item for details.

COUNCILLOR ABSENCES DURING MEETING

Cr Elliott left the meeting at 4.43pm during Item 9 and returned at 4.45pm during Item 11.1.1.

Cr Ogilvie left the meeting at 5.26pm and returned at 5.31pm during Item 11.1.1.

Cr Ogilvie left the meeting at 5.32pm and returned at 5.33pm during Item 11.1.1.

Cr Elliott left the meeting at 5.42pm and returned at 5.48pm during Item 11.1.1.

Cr Ogilvie left the meeting at 6.42pm at the completion of Item 11.1.1 and returned at 6.51pm when the meeting resumed.

Cr Bowler left the meeting at 7.37pm and returned at 7.38pm during Item 17.1.

Cr Williams left the meeting at 8.10pm and returned at 8.13pm during Item 18.2.1.

Cr Townsend left the meeting at 8.14pm and returned at 8.16pm during Item 18.2.1.

Cr Townsend left the meeting at 8.16pm and returned at 8.18pm during Item 18.2.1.

Cr Bowler left the meeting at 9.08pm and returned at 9.11pm during closed session.

Cr Burns left the meeting at 9.27pm and returned at 9.29pm during closed session.

11 REPORT DIRECT TO COUNCIL**DECLARATION OF CONFLICT OF INTEREST**

Cr Williams declared a conflict of interest, or a perceived conflict of interest, in the following item stating that she had an election sign in Mount Cotton. Cr Williams stated she would remain in the room and vote in the community interests. Cr Williams voted in the affirmative.

MOTION TO MOVE INTO OPEN FORUM AT 5.02PM

Moved by: Cr K Williams
Seconded by: Cr T Bowler

That the meeting move into Open Forum to discuss the following item.

CARRIED

MOTION TO MOVE OUT OF OPEN FORUM AT 6.30PM

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

That the meeting move out of Open Forum.

CARRIED

11.1 ENVIRONMENT PLANNING & DEVELOPMENT**11.1.1 REQUEST TO EXTEND RELEVANT PERIOD FOR BIO-MASS POWER PLANT AT 70-98 HILLVIEW ROAD, MOUNT COTTON**

Datworks Filename: MC008414
Attachments: [Locality and Aerial Map](#)
[Site Plan & Elevations](#)
Responsible Officer: Toni Averay
General Manager Environment Planning & Development
Author: Bruce Macnee
Group Manager Sustainable Assessment

EXECUTIVE SUMMARY

Application Type	Request to Extend Relevant Period for MCU
Approved Use	Bio-mass Power Plant (Undefined Use) and ERA #17
Property Description	Lot 2 on RP 30611
Location	70-96 Hillview Road Mount Cotton QLD 4165
Land Area	11.97 ha

Transitional Planning Scheme	
Strategic Plan 1998 Greenspace Map	Rural Non Urban Greenspace Dominant Landscape and Visual Values
Development Control Plan 1 Zoning	Rural / Non Urban Rural / Non Urban
Redlands Planning Scheme	
Redlands Planning Scheme Zoning Designated Community Infrastructure Overlays	Rural Non-Urban & Conservation N/A Bushfire Hazard Bushland Habitat Extractive Resources Flood Prone, Storm Tide and Drainage Constrained Land Landslide Hazard Protection of Poultry Industry Waterways Wetlands and Moreton Bay
SEQ Regional Plan 2009-2031 - Land Use Category	Regional Landscape and Rural Production Area
No. of Public Submissions Applicant Land Owner	N/A Cleveland Power Pty Ltd Darwalla Egg Producers Pty Ltd
Date Request Received Statutory Decision Date	07/11/2011 19/12/2011
Application Coordinator Manager	Chris Vize Bruce Macnee
Officer's Recommendation	Refusal

An approval by consent was granted by the Planning and Environment Court on 7 November 2007 for the operation of a power plant fuelled by chicken litter on the subject site at 70-96 Hillview Road, Mount Cotton. The power plant comprises the power generator, chimney, dry fluid coolers, a large fuel storage hall and an associated carparking area. The power generated by the plant is intended to burn chicken waste produced from poultry farms and to provide electricity to the adjoining Golden Cockerel processing plant and the electricity grid.

With the development's approval period of 4 years about to expire, the applicant lodged this request to extend the relevant period for an additional 2 years, taking the relevant period to 7 November 2013. This report has assessed the consistency of the approved development, including its conditions, against the current laws and policies that would apply to the development, as well as the current community awareness of the development, the likelihood of potential submissions and the views of any concurrence agency (in this case, the Department of Environment and Resource Management (DERM)).

It is considered that there are numerous inconsistencies with the current laws and policies. The community's awareness of the development is limited by the time that has elapsed since the notification period (nearly seven years), resulting in changes to the makeup of the surrounding locality and by the uncertainty regarding the characteristics of the approved development due to the significant amendments that have occurred since the public notification. It is considered highly likely that a

significant number of submissions would be lodged if the opportunity was presented to neighbouring residents. It is therefore recommended that the request be refused.

If the request is refused, a new development application would be required in order to carry out the development.

PURPOSE

This Category 4 application is referred to the Environment, Planning and Development Committee for determination.

BACKGROUND

The original application was lodged on 18 June 2004 and involved a Material Change of Use for a "Bio-mass Power Plant" (Undefined Use) and an Environmentally Relevant Activity (ERA) #17 – Fuel Burning. ERA #17 for fuel burning was a non-devolved activity, meaning that this aspect of the proposal was required to be assessed entirely by the Environmental Protection Agency (EPA) (now DERM).

The development application was publicly notified on two separate occasions on August 2004 and May 2005. After this time, Council issued a number of informal information requests, which resulted in several responses from the applicant. These responses included additional information as well as changes to the development itself. This included changes to the cooling system, apparent changes to the burning system, as well as alterations to the layout of the development. The application did not revert back to the start of the application process and was not re-notified.

On 14 November 2006 Council received the Concurrence Agency Response from the EPA, approving the ERA #17 in full, subject to conditions.

On 20 March 2007 a development permit, subject to conditions, was granted by Council at a Development Assessment Committee meeting.

An appeal against Council's decision was filed on 2 May 2007 by a submitter to the application. Without prejudice negotiations and discussions took place throughout 2007 between the parties involved in the appeal. A settlement was reached and the appeal was therefore dismissed by agreement of the parties. A Consent Order was issued by the Court on 7 November 2007, which upheld the approval of the application, subject to conditions. The conditions and approved plans referenced in this Consent Order therefore represent the current approval documentation. It is noted that the approval plans and documents were submitted between April 2005 and March 2007, and reflect significant amendments to the layout, technology and management practices that occurred over that time. Inconsistencies within the approved material have caused a great deal of confusion both inside Council and in the community.

The application has been the subject of significant scrutiny both during and after the application process. This included a number of internal and external audits of the processing of the development application.

1. DEVELOPMENT PROPOSAL AND SITE DESCRIPTION

1.1 Proposal

1.1.1. Approved Development

The approved development involves the operation of a power plant fuelled by chicken litter in Hillview Road, Mount Cotton. The plant infrastructure will replace the existing large rectangular poultry growing shed on the north-eastern side of the site. The following summarises the development (as generally presented to the DA Committee in 2007):

- the plant design and operation is modelled on that currently being used in the United Kingdom;
- the fuel to be burnt is primarily chicken litter (with other start up fuels being smaller quantities of sawdust and gas);
- the plant will have a throughput of 60 000 tonnes of chicken litter per annum;
- the sources of the fuel are local Darwalla operated poultry farms, however, dependent upon supply of litter sources may include competitors' farms and Darwalla operated farms outside the local area;
- the activity is proposed to operate continuously;
- the proposal is an ERA under the *Environmental Protection Act 1994* (EP Act) and is the responsibility of DERM;
- fuel delivery will be via 10 to 12 semi-trailers per day with additional truck movements to dispose of general waste;
- the fuel storage hall will be approximately 11 metres in height above existing ground level and 3000m² in area (60m x 50m);
- maximum litter storage will be 700 tonnes (4 days fuel) at any one time;
- the power generation / distribution and pollution control equipment / infrastructure occupies an area of approximately 2040 m² (60m x 34m) on the south-western side of the fuel storage hall. This plant area has a predominate height similar to the height of the fuel storage hall, with a chimney that extends to 30 metres in height (though there are conflicting heights and diameters in the approved plans);
- the approved plans are confusing and appear to indicate both a rotating kiln and a fluidised bed furnace as the burner, which burn at a temperature between 900°C and 1200°C, although it is noted that Council has separately resolved that the approval did not include a rotating kiln – refer to discussion at section 2.3.3 of this report;
- the heat from the burner heats water to generate steam which drives a turbine;
- the turbine drives an alternator which produces the electricity that is released to the grid and the Golden Cockerel processing plant to the east of the site;
- the EPA conditions restrict the power generation to approximately 5 MW of electricity;
- emissions will be released to the air via a bag house filter, lime dosing system and a 30m high stack;

- waste ash will be collected, cooled and collected for reuse by licensed waste transporters; and
- the disposal of waste heat is proposed to be via a dry fluid cooling system (fans).

1.1.2. Extension Request

The application was approved with a relevant period of four (4) years. The applicant has requested an extension of 2 years to this relevant period, taking the period to 7 November 2013. The applicant cites the global financial crisis, the community opposition and resulting official investigations into the development application and delays in resolving an application to realign the properties boundaries as the three major reasons for the delay in commencing the development.

1.1.3. Site

The subject site has been used for poultry farming for several decades and currently accommodates four poultry sheds, a residential dwelling and a mobile phone tower. The buildings and associated use areas are contained within the northern half of the site. A dam exists on the eastern side of the site and it is understood that the south-eastern portion of the site has been used for intermittent grazing activities. The south-western portion of the site is heavily vegetated, steeply sloped and contains the highest elevations on the site.

The existing poultry use area has been benched to facilitate the siting of the poultry sheds, and is accessed via a driveway that runs up the slope to the benched portion of the site. The site itself is accessed from Hillview Road, which is a sealed bitumen road that accesses a number of rural properties and intersects with Mount Cotton Road to the east.

1.1.4. Surrounding Area

The surrounding area is predominantly rural in nature. The Golden Cockerel chicken processing plant is located to the direct east of the site, with another poultry farm on the northern side of Hillview Road. To the south of the site are a contractor's depot and the Barro Quarry. A number of small to medium size rural lots exist in the locality, which are used for a mix of uses, varying from purely residential dwellings on large lots to hobby farms and conservation-style lots. To the far west of the site are large stretches of bushland, which dominate both sides of West Mount Cotton Road.

A park residential estate exists on the eastern side of Mount Cotton Road. Mount Cotton State School is located approximately 800 metres to the north-east of the site. The large Mount Cotton village residential estate exists to the south-east of the site on the eastern side of Mount Cotton Road. Further subdivision has occurred within the Mount Cotton village within 2-3 kilometres of the subject site, which has created approximately an additional 220 residential lots.

2. APPLICATION ASSESSMENT

2.1 Sustainable Planning Act 2009 (SPA)

This application has been made in accordance with Section 383 of the *Sustainable Planning Act 2009* (SPA) and constitutes a Request to Extend the Relevant Period.

Section 388 of SPA states that, in deciding the request, the Assessment Manager must only have regard to:

- (a) *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 chapter 8, part 1; and*
- (b) *the community's current awareness of the development approval; and*
- (c) *whether, if the request were refused—*
 - i. *further rights to make a submission may be available for a further development application; and*
 - ii. *the likely extent to which those rights may be exercised; and*
- (d) *the views of any concurrence agency for the approval given under section 385.*

Point (a) is discussed in Section 4.2 below, points (b) and (c) are discussed in Section 4.3 below and point (d) is discussed in Section 4.4 below.

2.2 Consistency of Approval with Current Laws and Policies

2.2.1 SEQ Regional Plan 2009-2031

The site is located within the Regional Landscape and Rural Production Area in the SEQ Regional Plan 2009-2031. Within this designation, "urban activities" are heavily discouraged and are required to demonstrate locational requirements and overriding need for the development in the public interest.

The definition of an "Urban Activity" under the Regional Plan Regulatory Provisions is:

Urban activity means a residential, industrial, retail, or commercial activity. It does not include the following –

- (a) *tourist activity;*
- (b) *sport and recreation activity;*
- (c) *community activity;*
- (d) *outdoor recreation;*
- (e) *forestry and primary industry activity or an activity reasonable associated with such a purpose for which the premises or surrounding area is used, for example the following –*
 - (i) *farm workers' accommodation;*
 - (ii) *a mechanical repair workshop for farm machinery or vehicles;*
 - (iii) *vehicle storage associated with transporting forestry or primary industry produce or resources;*
 - (iv) *processing and packaging forestry or primary industry goods, including crushing and screening of extracted materials and wholesale nurseries.*

- (f) *an aeronautical facility;*
- (g) *an emergency services facility;*
- (h) *water cycle, waste management, telecommunications and electricity infrastructure [emphasis added];*
- (i) *a cemetery crematorium;*
- (j) *an animal boarding facility.*

It is uncertain whether the proposal fits within “electricity infrastructure”, as there is no clear definition of electricity infrastructure within the Regional Plan or the Electricity Act 1994. It is uncertain, therefore, whether electricity infrastructure in this context refers to all aspects of electricity generation and conveyance or whether it simply refers to conveyance (i.e. power lines, substations, transformers and the like).

2.2.2 State Planning Policies

State Planning Policies (SPP) relevant to the development of this site are identified and discussed in the following table:

State Planning Policies	Comments
SPP 1/03 – Mitigating the adverse impacts of Flood, Bushfire and Landslide 1.0	Although the RPS does not explicitly state that this SPP has been “appropriately reflected” in the Scheme, the matters for consideration under this policy are contained within the RPS. Therefore, refer to Section 4.2.4 for discussion on this matter.
SPP 2/07 – Protection of Extractive Resources	The subject site is significantly covered by the Key Regional Resource Buffer for KRA 71. The development is not an incompatible or sensitive use, and therefore is not inconsistent with this SPP.
SPP 2/10 – Koala Conservation in South East Queensland	This State Planning Policy is relevant to the development of planning schemes and policies. The development assessment component is enshrined within the SEQ Koala Conservation SPRP, which is discussed in Section 4.2.3 below.
SPP 4/10 – Healthy Waters	Council’s Environmental Assessment Officer has identified that this policy is not the best policy for this type of development, due to its scale. The policy is meant for small-scale uses, as it identifies deemed-to-comply solutions for these development types. For the subject development, the RPS requirements are the most appropriate.

2.2.3 State Planning Regulatory Provisions

Two State Planning Regulatory Provisions are relevant to the assessment of this request:

- South East Queensland Koala Conservation State Planning Regulatory Provisions (referred to herein as the Koala SPRP); and

- Draft State Planning Regulatory Provision (Adopted Charges) (referred to herein as the Adopted Charges SPRP).

Koala SPRP

The Koala SPRP identifies development that is “prohibited development” and also provides assessment criteria for development within an assessable area. The SPRP identifies the subject site as follows:

<i>Broad Designation</i>	Priority Koala Assessable Development Area
<i>Assessable or Not Assessable</i>	Assessable
<i>Koala Habitat Value</i>	High and Medium Value Bushland (south-western portion of site) Medium Value Rehabilitation (balance of site – affecting development location)

Council’s Environment Assessment Officer has reviewed the development against the current Koala SPRP. The development is located within the Medium Value Rehabilitation designation, which requires offset planting (or monetary contributions in lieu of plantings), where native non-juvenile vegetation is required to be removed due to the proposal. The development does not involve the removal of native vegetation, and therefore offset planting is not applicable.

The policy also requires consideration of the development’s impact on koala movement corridors through the site. It is considered that the development area has low corridor value, as it is currently occupied by a large poultry shed (being the same size as the proposed development area), does not contain existing native vegetation and would be a non-preferred linkage to the habitat area in the south-western corner of the site, where there are more preferable linkages to this area to the south, east and west.

In this regard, it is considered that the development is not inconsistent with the Koala SPRP.

Adopted Charges SPRP

The Adopted Charges SPRP prescribes the maximum amount of infrastructure contributions that Councils can charge on particular development types, and identifies how these charges are levied. An adopted charges resolution of Council identifies the adopted charge amounts for the particular development types.

While the SPRP is applicable to the request to extend the relevant period, Council has resolved to apply the Planning Scheme Policies at 30 June 2011 (immediately prior to the SPRP coming into force) to requests to extend the relevant period. Additional contributions are secured by way of infrastructure agreement in these circumstances. The infrastructure contributions under the planning scheme policies and their implications to this request are discussed in **Section 4.2.5** of this report.

2.2.4 Redlands Planning Scheme

This section assesses the consistency of the approval against the current Redlands Planning Scheme (Version 3).

Under this Scheme, the subject site is within the Rural Non-Urban Zone. The identified inconsistencies include the use itself, which is inconsistent in this zone, stormwater management, revegetation requirements, uncertainty regarding noise levels and road infrastructure.

Zoning Intent

The general zoning and intention for this land is relatively unchanged from the 1988 Town Plan and the 1998 Strategic Plan through to the current Redlands Planning Scheme. In all planning documents, the zoning or designation is Rural Non-Urban, with the intention being to provide for agriculture and other rural uses, aligned uses that support the on-going operation of these rural uses and to protect the poultry industry and ensure its survival within Redland City.

Similarly, in both schemes the locality is identified for its visual, scenic and landscape values.

Use

The original development application was lodged as a Bio-mass Power Plant (Undefined Use) under the Transitional Planning Scheme. It is not clear that this was the appropriate use definition as the use appears to be consistent with an Industry Class IV. An Industry Class IV was a prohibited use in the Rural Non-Urban zone as opposed to an undefined use which was a consent use. The consequence of this difference is that the assessment test for the development application would have been different under the transitional provisions of the *Integrated Planning Act 1997*.

In contrast, the use is clearly defined as 'High Impact Industry' in the Redlands Planning Scheme, as a power plant is specifically referenced. 'High Impact Industry' is defined as follows:

Means the use of any premises for a large, high impact industrial activity which is similar to those activities set out below and ancillary activities that support the industrial use such as administration offices or sales and display areas for products manufactured, assembled or finished on the site –

...(b) *electricity and fuel burning activities –*

- (i) power station;*
- (ii) coke production – producing, quenching, cutting, crushing or grading coke...*

Within the Rural Non-Urban Zone, this use is subject to Impact Assessment and is identified as an inconsistent use. Specific Outcome S1.1 identifies that those uses identified as inconsistent are not established or undertaken within the Rural Non-Urban Zone. It is also noted that 'High Impact Industry' is inconsistent in all zones in the Redlands Planning Scheme. This is a clear policy direction that these types of

uses cannot readily fit within land in this Council area, given the nature of development within the City, including proximity to sensitive land uses and environmental areas.

It is recognised that the Redlands Planning Scheme has the effect of elevating the use from impact but not inconsistent under the Transitional Planning Scheme (based on an Undefined Use – Bio-mass Power Plant) to impact inconsistent under the Redlands Planning Scheme.

The Code, in its overall and specific outcomes does, however, support uses that:

- (a) *promote productive rural activities that rely on the use of the land including traditional and emerging rural activities;*
- (b) *provide opportunity for aligned uses to co-locate with traditional and emerging rural activities.*

In addition, the Protection of the Poultry Industry Overlay Code clearly highlights the intention to maintain and support the poultry industry in the rural areas of Redland City.

Equally, however, the Zone Code requires that a high standard of rural amenity is maintained by ensuring that any development mitigates the impacts of light, noise, air and traffic.

In light of the outcomes above, several considerations arise:

- Does the development for a bio-mass power plant, which is an inconsistent use, assist in supporting and sustaining the poultry industry now and into the future?
- Does the development suitably mitigate the impacts of light, noise, air and traffic to acceptable standards?

As identified within the applicant's planning report and in the original report to Council, waste from poultry operations, in the form of chicken litter, has been a problem for poultry operators for decades. This form of waste is "regulated waste" under the EP Act, and therefore requires collection and disposal by a licensed waste contractor. In addition, the disposal of regulated waste must be performed to specific criteria in accordance with the EP Act and Environmental Protection (Waste Management) Regulation 2000.

To avoid outright disposal of this waste product, two obvious reuse options are available to poultry operators. The first approach is to combine the chicken litter with green waste and soil to produce commercial soil improvers. The manufacturing of compost and soil conditioners is identified as Environmental Relevant Activity #53, and requires licensing with the Department of Environment and Resource Management.

A Council officer has recently conducted a search of DERM's public licence register, which confirms that there are soil conditioning operations at Larapinta (approximately 35km west), Tamborine (approximately 45km south) and Beaudesert (approximately 70km south of site). A number of different green waste products can be used in soil conditioners, and therefore there is competition to disposing of the chicken litter in

this way. It is understood that the supply of chicken litter far outweighs the demand for its use in soil conditioners. This option therefore does not completely solve the re-use problem.

The second option is to utilise the chicken litter as biomass fuel, which is then thermally treated to produce electricity. The environmental and amenity impacts of this option are discussed in the following two sections. For the intent of supporting the poultry industry, it is noted that this option potentially reduces the transport costs for the poultry operators in the region, by providing an alternative to transport the waste product to soil conditioning operations outside of the City. This, however, has not been quantified within the application information. It provides an alternative to use in soil conditioners, where the supply of chicken litter outstrips demand. In addition, it provides additional economic benefit to the subject operation (Darwalla and Golden Cockerel) by reducing the electricity costs (through self-sufficiency) and providing revenue through sale of excess electricity to the grid.

However, in consideration of the above, a number of questions arise which must be answered: Is the burning of chicken litter to produce electricity really the best option for its disposal? Does it represent the most ecologically efficient and benign technique? Are there other options for its disposal and re-use that would result in better air quality and better support rural industry as a whole (for example, a switch to organic farming techniques would result in a more innocuous by-product)? In addition, to what extent will the biomass power plant rely on poultry litter from sources external to the region, and therefore result in greater transport and environmental costs?

These are questions that would need to be considered in any planning grounds assessment of the development, but which have not been analysed in sufficient depth at present. It is not considered that these questions can be answered as part of this request to extend the relevant period, but rather, need to be considered as part of a new development application with formal information request and public notification stages.

Amenity Impacts

There are three major amenity considerations in relation to the development. Each of these is discussed in turn below.

- Impacts on visual amenity

The subject site is recognised in both the Transitional Planning Scheme and the Redlands Planning Scheme for its scenic and landscape values. The site is visible from a tourist route (Mount Cotton Road) and has a well vegetated and elevated backdrop, being at the foothills of the Mount Cotton ridgeline to the west. The application assessed the visual impacts of the development from the major vantage point along Mount Cotton Road and identified that it complied with the planning scheme at the time. The plant and storage shed is located on an existing poultry farm and adjoins a poultry processing plant to the east and another poultry farm to the north-east.

The proposed facility will replace an existing large storage shed, covering the same footprint. The chimney stack, at approximately 30 metres in height, will be highly

visible from surrounding properties and Mount Cotton Road. This stack can be made to blend with the background through choice of colour (as conditioned on the approval), and is similarly blended by existing telecommunications tower and high voltage power lines that run near this area of the site.

- Noise impacts

Noise reports and modelling were provided in relation to the development as part of the original application. This modelling demonstrated that the development complied with policies and standard in place at that time. It is noted that the standards for noise levels have not changed. The maximum allowable noise levels are prescribed as 3dB(A) above the background noise level. The modelling conducted by the applicant identified an average background level of 35dB(A), and therefore the development was required to be lower than 38dB(A) at all sensitive receptors. The noise report identified a number of sensitive receptors and modelled the noise levels at each based on the proposal at that time. In all cases, the noise levels were less than 38dB(A), with the highest level being 32dB(A), which is the predicted noise level at the nearest dwelling house (in Hillview Road, 200 metres to the north of the development area).

In this regard, based on the noise modelling conducted for the development, the development complies with the current policies and standards in relation to noise impacts.

However, confusion was created when a number of revised plans were submitted after the noise report was received. These plans included apparent changes as follows:

- Replacing the ground loop heat rejection cooling system with dry fluid coolers (cooling fans); and
- Replacing the fluidised bed furnace with a rotating kiln - though it is noted that Council has separately resolved that the amended burner was not approved by the permit – refer section 2.3.3 later in this report.

Both changes to the design have the potential to cause a higher noise level (though this would need to be clarified through modelling by a qualified acoustical consultant).

It is noted that revised modelling was received for the changed cooling system. This predicted that the noise levels at the receptors would be no higher than originally predicted, and therefore continue to comply.

In relation to the rotating kiln burner option, no revised noise modelling was provided by the applicant. It is not known whether the change to the burner design would result in higher noise levels, as measured at sensitive receptors. This would need to be confirmed through appropriate modelling by a qualified acoustical consultant. It may be that the noise created by other parts of the power plant, for example the turbine, would be much louder than the burner and therefore the burner does not contribute to the overall noise emission levels. However, there is currently no evidence in the application information to determine this.

The submission of the alternative burner option prior to decision has resulted in uncertainty in the modelling data. Therefore there is not sufficient evidence to determine whether compliance would be achieved with the current standards.

- Air Quality impacts

During the original application the applicant provided air quality modelling that predicted the emissions of all relevant pollutants against the prescriptive legislated criteria. This report demonstrated that the proposal would meet all air quality emission requirements under the EP Act. This report was peer reviewed by an external consultant at the behest of Council. The external consultant raised some concerns with the report, in particular that the dispersion modelling used was not appropriate for the complex terrain associated with the locality. At Council's request, the applicant reviewed their air quality report using a more acceptable dispersion model that was better able to model dispersion through the Mount Cotton terrain. This was again peer reviewed by the external consultant, who was generally satisfied with the modelling and the output data, which demonstrated that the proposal would achieve all air quality emission requirements.

The air quality modelling identified emissions of carbon monoxide, nitrogen dioxide, sulphur dioxide, dioxins and furans, hydrogen chloride, particulate matter and heavy metals. In all cases, the emission levels were below the thresholds set within the criteria levels under the relevant legislation.

This modelling was based on the original development design. Since that time, some plans have depicted a rotating kiln, and there are numerous iterations of the chimney stack. It is unknown whether these changed elements affect the air quality modelling, as this has not been modelled or confirmed by experts in this field. Therefore there is not sufficient evidence to determine whether compliance has been achieved with the current standards.

Stormwater Management

Stormwater from the north eastern part of the truck turnaround and the car park will be directed to the north east through lot 2 on RP209666 and then to Hillview Road. The remainder of the site will be discharged to the dam located on the subject site. The dam discharges to the south east into lot 3 on RP209666. Lots 2 and 3 on RP209666 are owned by Golden Cockerel Pty Ltd which is in turn partly owned by Darwalla Eggs.

The first issue raised is that Lots 2 and 3 on RP209666 are not part of the application. To achieve a lawful point of discharge, there would need to be demonstration that there is a non-worsening of the discharge prior to leaving the site. From the original application information this does not appear to be demonstrated, but is left to be resolved at a later time (at the associated development works stage).

The second issue is that there is no identified pre-treatment of the stormwater prior to discharge. All of the contaminants from the roofed areas and car parking will be carried to the north east unless there is sufficient treatment of this stormwater prior to discharge.

A condition of the approval requires a stormwater quality management plan to be provided, demonstrating compliance with Schedule 11 Water Quality Objectives in the Redlands Planning Scheme. This schedule is still relevant today, and would be used in the assessment of the application if it were re-lodged today. However, without evidence of the treatment options it is not known whether the objectives could be achieved on the site. It is noted that the topography of the site may make the siting of appropriate treatment facilities very difficult. At least two treatment areas would be required; one between the power plant / storage shed and the on-site dam and the other between the proposed car park and the eastern property boundary. In both cases, this involves steep terrain, falling from the benched area.

The issues of the topography of the site are again relevant in the consideration of the quantity of stormwater discharge. Condition 6.7 of the consent order requires works in accordance with the Council's standards "including the provision for an ARI 100 year's overland flow through driveways, open space areas or easements over adjoining properties". The approval of the proposed drainage was to occur prior to the commencement of the construction. It is not clear that sufficient area is available to contain a detention basin for the discharge to the north east. To accommodate the discharge to the north east and to the south east (dam discharge) two options would be available:

- (a) obtaining an appropriately sized private stub easements over the downstream lands to establish that stormwater drainage discharge rights exist; or
- (b) Detaining the stormwater discharge from the site to existing flows.

Neither of these options has been satisfied by the current approval.

In this regard, it is considered that the development does not suitably demonstrate appropriate stormwater management in terms of a lawful point of discharge and appropriate treatment of the stormwater.

Road Infrastructure

The width of the formation and sealed pavement in Hillview Road is not appropriate to carry the number of heavy vehicle movements that will occur as a result of the development. The widening or reconstruction of the pavement in Hillview Road would need to be undertaken for safety reasons and to achieve the requirements of the Infrastructure Works Code and the associated Infrastructure Works Planning Scheme Policy. To achieve the requirements of the Code and Policy it is considered that Hillview Road would need to be upgraded to a 7.0 metre wide pavement sealed with 40mm of Asphaltic Concrete (AC) with 1.5 metre wide gravel shoulders on both sides of the seal.

The conditions of the consent order do not require the widening or reconstruction of the pavement:

- (a) in the Hillview frontage of the site; or
- (b) along the external section of Hillview Road from the land to the intersection of Hillview Road with Mt Cotton Road.

Instead of requiring pavement construction works, the consent order proposes interalia that;

“the applicant must enter an infrastructure agreement with Council in order to ensure the Hillview Road pavement is maintained to a standard acceptable to Council”

This condition does not achieve the upgrade of Hillview Road to a standard that would comply with the Redlands Planning Scheme.

Habitat Protection and Revegetation Requirements

The Habitat Protection Overlay affects the subject site and identifies two habitat protection designations for the site:

Bushland Habitat	This designation affects the south-western portion of the site. It requires that development is not located in this portion of the site, to ensure retention of vegetation in this area. The development complies with this requirement.
Enhancement Area	<p>This designation affects the balance of the site. It requires that development is contained within this portion of the site, and also requires revegetation to this area at a rate of 1 plant per 400m² of site area. This designation identifies areas within the City that support and complement the higher order vegetation areas (i.e. existing habitat areas and identified vegetation corridors).</p> <p>Under the specified planting density a total of approximately 200 native trees would need to be planted within the Enhancement Area of the site. The approval condition 5.1(c) requires a Vegetation Management Plan to be provided and revegetation to occur, but the condition does not specify the extent of the revegetation area. In this regard, the development approval, including its conditions, does not achieve the current intent and requirements of the Habitat Protection Overlay Code.</p>

Summary of RPS Assessment

The approval is not consistent with the Redlands Planning Scheme Version 3 in the following respects:

- The use for High Impact Industry is an inconsistent use within the Rural Non-Urban Zone in the Redlands Planning Scheme;
- The development does not suitably demonstrate stormwater quality treatment and a lawful point of discharge;
- The development does not achieve the rehabilitation outcomes within the Habitat Protection Code;
- The development does not facilitate Hillview Road being upgraded to a standard appropriate for the expected truck movements and therefore does not achieve the outcomes of the Infrastructure Works Code and Policy; and

- Based on changes to the design of the power plant that were not included in the noise and air quality modelling, there is insufficient information to demonstrate that the noise and air quality levels will comply with current policies.

2.2.5 Infrastructure Contributions

The development approval involved no monetary infrastructure contributions, as the site is not connected to either reticulated sewer or water supply. Similarly, under the Planning Scheme Policy 3 in the Redlands Planning Scheme, the development would not be subject to infrastructure contributions. The basis for this is outlined below:

- Water Supply and Sewer Headworks – The site is not connected to reticulated water or sewer.
- Transport and Cycleway – There is no identified contribution rate for non-residential uses. Instead, the policy states that an appropriate charge and/or works would be determined based on the expected level of impact on the transport network. Hillview Road is not trunk infrastructure, and the relevant trunk network (Mount Cotton Road) is under the control of the State. No contribution would be applicable in this instance.
- Open Space – Not applicable for non-residential uses.
- Community Facilities – Not applicable for non-residential uses.
- Stormwater – The development will not result in any increase in the impervious area of the site and therefore no stormwater contributions are applicable.

Therefore, the imposition of infrastructure contributions is not a reason for refusal of the request.

2.3 Community Awareness and Potential Submissions

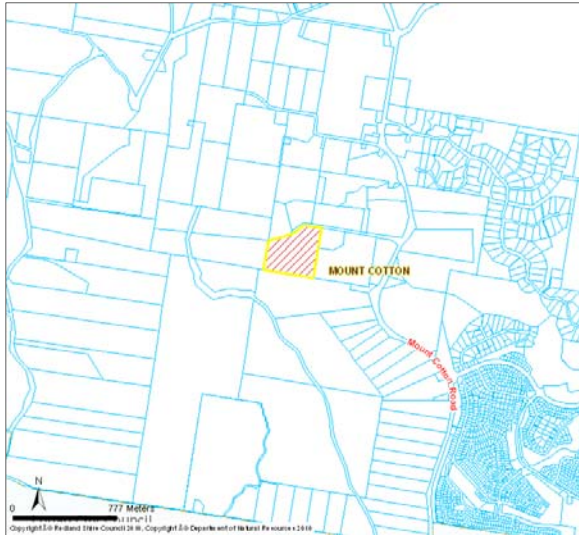
This section will assess the current surrounding community's awareness of the development approval and the likelihood of submissions on the proposal.

2.3.1 Community Awareness

In terms of the community's awareness of the development, the following factors need to be considered:

- What is the size of the affected catchment?

The size of the affected catchment is best defined by considering the broadest extent of the noise and air quality assessment area. Modelling data and mapping was provided in relation to the development as part of the original application, and identified an area of 2km to 3km around the development site. This area is shown on the following map:



While it is likely that a number of persons or groups outside of this catchment may still have an interest in, and objection to, the development, these interests are less likely to be based on real or perceived impacts on their lifestyle, and based more on philosophical objections to the development.

- What are the implications of non-awareness of the development?

As can be seen from the above map, the affected catchment includes not only rural lands, but also park residential and standard urban residential land to the eastern side of Mount Cotton Road. Residents within a park residential or urban residential area have different perceptions of amenity to those living on rural lands (thus the reason planning schemes refer to both “rural amenity” and “residential amenity” as differing terms). There is a clear perception among residential occupiers that uses associated with electricity production, intensive agriculture, incineration, quarrying, and the like, will be located away from residential areas, to mitigate any real or perceived impacts through separation.

If a new application was made for the use, further rights to make a submission would be available. Approving this request to extend the relevant period would remove these rights. This would have the practical effect of disempowering those residents within the affected catchment.

- How much change to the catchment has occurred since the development was approved?

Since the time of consideration of the original application / notification, two additional stages of the Mount Cotton village have been developed. These are; the southern stage adjoining Logan City Council (lots created in 2011) and the central stage centred on Helicia Circuit (lots created in 2007 and 2009). These stages comprise approximately 220 new residential lots.

- How aware of the development is the community within the affected catchment?

It is likely that there would be a moderate knowledge of the development application within the affected catchment. The application was subject to two sets of public

notification in 2004 and 2005, and attracted 333 submissions. There have been numerous newspaper articles and letters to the editor in the local newspapers, which are free of cost and circulated to the entire Redland City population, and public meetings regarding the development.

This obviously does not guarantee that everyone has knowledge of the project and it also does not guarantee full knowledge of the project's particulars, including scale, operational characteristics and impacts. In addition, the fact that over 200 new lots have been created since the consideration of the application means that there is a potential for new owners to have no knowledge of the development. This is also obviously true of new purchasers of existing properties within the catchment. It is noted that over 6 years have elapsed since the time of the second public notification of the application. Furthermore, if an extension of two years were agreed this would result in a period in excess of eight years between public notification and commencement of the use. Changes in property ownership within the catchment during this time are inevitable.

In addition, the proposed development changed significantly during the decision period and was not re-notified (Section 4.3.2 considers this issue in more detail). Also, conflicts exist between the approved plans themselves. The approved plans identify different chimney stack heights and diameters. There was an attempt to resolve this conflict by notating four of the plans to say that they must be in accordance with the two other plans; however, the details on the two referenced plans are not necessarily sufficient to allow a clear understanding of the development. In this regard, there is obvious confusion and uncertainty among the community, the Council and DERM about what is actually approved. This uncertainty affects the awareness of the community of the actual approved development.

2.3.2 Likely Submissions

The development application was subject to impact assessment under the Transitional Planning Scheme. Under the current Redlands Planning Scheme the development would also be subject to impact assessment, and would therefore be subject to a notification period and open to submissions from the public.

It is considered that there would be a potential for a significant number of submissions should a new application for the development be lodged. This is based on the following facts and circumstances:

- Three hundred and thirty-three (333) submissions were received on the original development application. Three hundred and thirty-two (332) of these submissions were objections to the proposal;
- The submissions received raised a large number of legitimate planning issues that were considered in the assessment of the application;
- The development has been the subject of significant and continuing scrutiny by surrounding residents, community groups and progress associations. Within the media it has also been the subject of a number of newspaper articles and letters to the editor; and

- Significant changes to the proposed development during the decision period, particularly in relation to the cooling system and the furnace, were not re-notified and additional submissions could be expected for these changed aspects of the development.

Taking the final point above further, it is important to identify the potential content of future submissions. The changes made to the development after the public notification period included:

- Replacing the ground loop heat rejection cooling system with dry fluid coolers (cooling fans);
- The inclusion of a rotating kiln in some plans submitted late in the assessment process, although as previously noted, Council has resolved that this was not approved by the development permit – refer section 2.3.3 below; and
- Apparent changes to the chimney stack height and diameter.

These aspects have the potential to cause additional noise and air quality impacts over and above that modelled using the original design components. While revised noise modelling data was provided in relation to the changed cooling system, no revised data was provided regarding the burner or chimney stack. Therefore, there is no evidence to confirm that the development will meet the maximum noise levels. .

In this regard, it is considered highly likely that public submissions would be made in respect of the proposal.

2.3.3 Changes during the IDAS Process

As discussed in the previous section, a number of changes occurred after the public notification stage. These changes included the following:

- April 2006 – Site plan received – which provided more detail on the site layout.
- October 2006 – Revised cooling system details provided – ground loop heat rejection system.
- November 2006 – Revised site plans received – indicating ground loop heat rejection system layout.
- 1 December 2006 – Heat balance model received – first mention of a rotating kiln.
- 12 December 2006 – Revised site layout plan received – rotating kiln shown on plans.
- January 2007 – Additional information to justify ground loop heat rejection cooling system.
- 28 February 2007 – Revised noise modelling based on revised cooling system – dry fluid cooling system.

- 2 March 2007 – Revised plans indicating dry fluid cooling system.

Although these changes are considered to be significant, there is little evidence that they were given adequate scrutiny and assessed against Sections 3.2.9 and 3.2.10 of the *Integrated Planning Act 1997*.

It is noted that Council considered a report by the CEO following a comprehensive review of the development approval at a Special Meeting of 9 November 2011 and resolved as follows:

It is recommended that Council resolve to:

1. *Endorse the findings set out in the Investigation Report;*
2. *Endorse the intended actions (Nos. 1-11) set out in the Investigation Report:*
 1. *This Report will be presented formally to Council for its general consideration in relation to the Complaint and specifically in relation to the options for Development Approval clarification.*
 2. *The Applicant will be advised of Council's description of the development which has been approved and its interpretation of the inconsistent Approved Plans, and the Applicant will be requested formally to confirm its intentions regarding the combustion mechanism (kiln and stack) and the scale of the development.*
 3. *If the Applicant advises that changes to the combustion mechanism (eg from fluidised bed furnace to rotating kiln or increased dimension of the stack) or to the scale of the development are intended, the EPA (DERM) will be requested to advise whether or not such changes are acceptable under the ERA Permit approved by the Planning and Environment Court.*

If the EPA (DERM) advises that the changes are accepted, Council will be requested to formally consider the merit of seeking a declaration from the Planning and Environment Court to give certainty regarding the detail of the approved development.

4. *If the Applicant advises that no changes to the combustion system or the scale of the development are intended, Council will be requested to reiterate its interpretation of the detail of the approved development, and advise the Applicant and the EPA accordingly.*
5. *Council will implement the Primary Investigation Report recommendations (Appendix R page 26):*
 - a) *That the CEO invites any interested Councillor and the Complainant to an informal meeting with relevant Council officers for the purpose of all attendees gaining a better understanding and appreciation of:*
 - I. *the processes Council and other parties must follow,*
 - II. *how the perceptions of the parties were formed, and*

- III. available resources, training and other opportunities that might assist in improving knowledge about the processes involved.*
- b) That the CEO makes training in good decision making available for Councillors and relevant Council officers [eg Queensland Ombudsman's Office resources and training course].*
- c) That the CEO makes training in the roles and functions of Council as assessment manager under the Sustainable Planning Act 2009 available for Councillors and relevant Council officers [ideally presented by knowledgeable Council officers].*
6. Council will implement the McCullough Robertson Report recommendations (Appendix S page 13):
- a) In light of the allegation, Council implement some changes to its current development assessment to incorporate SPA process checklists, flowcharts and procedures.*
- b) We agree with the recommendations in the Investigation Report and suggest that Council provide its officers with further training with respect to Council's roles and responsibilities as an assessment manager under SPA, and the procedures it is required to follow in assessing development applications. That might include a review of Council's delegations to ensure that Council officers have power to decide discretionary based decisions (for example, decisions as to whether a change amounts to a 'minor change', or whether a changed development application is required to be re-notified).*
- c) Council should prepare a standard form to be used to notify a referral agency of any changes to a development application, and the effect of those changes on the IDAS process under division 3 of SPA.*
- d) It should also ensure that the issue is properly addressed in the Council officer's assessment reports and in internal documents on the development application files, where there have been changes to the development application during or after the public notification stage in the IDAS process.*
7. The CEO will present this Report to the Complainant and in accordance with Council's General Complaints Policy and Guidelines (adopted November 2007) and the Local Government Act 1993, the Complainant will be invited to confirm that the matter be formally considered by Council.
8. The CEO will refer a copy of this Report to the Crime and Misconduct Commission (CMC) and seek its direction again as to any aspect it considers relevant, including the allegation that Council officers previously misled the CMC.
9. The CEO will issue a written apology to the Complainant on behalf of Council for the protracted timeframes in dealing with his complaints.

10. *The CEO will issue a written advice to the Complainant regarding Council's intended future handling of any potentially defamatory communications from him with a clear statement that legal action will be taken by Council if such communication continues.*
11. *All parties to the Appeal and other relevant stakeholders will be advised that the Investigation has concluded and generally in relation to the findings;*
3. *Note the observations set out in the Investigation Report;*
4. *Determine that formal complaints (GC 562A, 726 and 727) have been adequately addressed by the Investigation Report and that no further action be taken in relation to these complaints; and*
5. *Acknowledge that the Development Application process and outcomes contained inconsistencies and ambiguity; notification to the Referral Agency was deficient and that the application was complex.*

While this resolution does not form part of the statutory assessment process, the investigation and outcome further highlight the significant inconsistency and confusion in the original approval.

It is noted that the applicant has been asked to confirm his intentions regarding the combustion mechanism (kiln and stack) and the scale of the development, but has not yet replied to Council.

It is further noted that the Department of Environment and Resource Management referred to both the boiler and the kiln in its amended concurrence agency response issued on 24 October 2007.

It must also be noted that there is still considerable doubt among current Council officers in respect of the specific nature of the furnace approved by the permit.

3.1 Concurrence Agencies

The Environmental Protection Agency (EPA) (now DERM) was a concurrence agency for the original development application. The applicant referred this request to DERM for their comment. DERM have provided advice back to Council stating the following:

As the Concurrence Agency Respondent for the proposed Biomass Plant at Mount Cotton, DERM has no objections for a time extension of the Development Approval.

The Department of Main Roads was a third party advice agency to the application. Despite their third party advice role, the department provided conditions on the application, which were attached to the approval by Council and then the Court. However, at no time was DMR a concurrence agency.

CONCLUSION

The request to extend the relevant period has been considered against the criteria in SPA. There is confusion and uncertainty within the community and Council

regarding the development, brought about by incremental changes to the development design and layout after the application was publicly notified. The approved plans themselves are conflicting, which adds to the confusion. This has an impact upon the community's awareness of the approved development.

Additionally, more than six years has passed since public notification of the proposal. It is highly likely that a significant number of submissions would be received if further rights were given through the lodgement of a new application. This, coupled with the number of inconsistencies with the Redlands Planning Scheme, results in a recommendation to refuse the request to extend.

One of the inconsistencies in the plans is in relation to the burner. A number of plans submitted late in the process show a rotating kiln. However, Council has no record that this was considered as part of the Council assessment process. It is further noted that the Department of Environment and Resource Management referred to both the boiler and the kiln in its amended concurrence agency response issued on 24 October 2007.

It must also be noted that there is still considerable doubt among current Council officers in respect of the specific nature of the furnace approved by the permit.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler
Seconded by: Cr K Reimers

That Council resolve as follows:

That the Request to Extend the Relevant Period for a Material Change of Use for a Bio-mass Power Plant and Environmentally Relevant Activity #17 on the land known as 70-96 Hillview Road, Mount Cotton described as Lot 2 on RP 30611 be refused on the following grounds:

- 1. That the approval, including its conditions, is not consistent with the current laws and policies applying to the development as follows:**
 - (a) The use for 'High Impact Industry' is identified as an inconsistent use within the Rural Non Urban Zone under the Redlands Planning Scheme. The fact that the use 'High Impact Industry' is identified in every zone within Redland City as an inconsistent use is a clear policy direction that these types of uses cannot readily fit within land in this Council area, given the nature of development within the City, including proximity to sensitive land uses and environmental areas;**
 - (b) The approval, including its conditions, does not provide suitable treatment of stormwater prior to discharge. The condition requiring a stormwater quality management plan to be provided is uncertain, as the areas available for stormwater treatment facilities are heavily constrained by slope. In this regard, the development is inconsistent with the Stormwater Management Code in the Redlands Planning**

Scheme, as there is insufficient evidence that the development will achieve the water quality objectives in the Scheme;

- (c) There is insufficient evidence to demonstrate a lawful point of discharge for stormwater from the development. The approval, including its conditions does not demonstrate that there is non-worsening of the pre-existing flows or provide easement rights to discharge the stormwater via other properties;**
 - (d) The development does not facilitate Hillview Road being upgraded to a standard appropriate for the expected truck movements and therefore does not achieve the outcomes of the Infrastructure Works Code and Policy;**
 - (e) The development does not achieve the revegetation requirements under the Habitat Protection Code, and therefore does not achieve the outcomes of this Code relating to enhancement of environmental values;**
 - (f) The noise modelling forming the basis of the approved noise report is not based on the technologies depicted in the approved plans. There is therefore insufficient evidence to demonstrate that the approved design will meet all noise level criteria; and**
 - (g) The air quality modelling forming the basis of the approved air quality report is not based on the technology depicted in the approved plans. There is therefore insufficient evidence to demonstrate that the approved design will meet all air quality criteria;**
- 2. That the community's current awareness of the development approval is inadequate, evidenced by the following:**
- (a) More than six years has passed since the public notification period for the development application in 2005;**
 - (b) A number of new development areas have been established in Mount Cotton village since the time of the public notification. Within a 2-3 km catchment approximately 220 new residential lots have been created since this time;**
 - (c) A number of lots have changed ownership since the public notification;**
 - (d) Key elements of the development have changed since public notification, therefore, limiting community awareness of the characteristics of the approved development; and**
 - (e) The development approval includes a number of conflicting approved plans, which creates confusion within the community regarding what is actually approved; and**
- 3. That it is highly likely that members of the community would exercise their right to make submissions should a further development application be**

lodged. Granting of an extension would remove these rights. The following considerations are relevant:

- (a) Three hundred and thirty-three (333) submissions were received on the original development application;
- (b) There remains keen interest in, and concern about, this development in the community;
- (c) It is highly likely that submissions relating to the changes made during the decision period would be made, given the opportunity; and
- (d) The development type (High Impact Industry) is clearly indicated as an inconsistent use within every zone in the Redlands Planning Scheme. This planning scheme is a representation of the community's expectations, and it can therefore be expected that submissions would be made regarding this type of use proposed under this current planning regime.

CARRIED (unanimously)

MOTION TO ADJOURN MEETING AT 6.43PM

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

That the meeting adjourn for 5 minutes.

CARRIED

MOTION TO RESUME MEETING AT 6.51PM

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

That the meeting proceedings resume.

CARRIED

The meeting resumed with Crs Burns, Reimers, Elliott, Bowler, Williams, Townsend, Henry, Ogilvie, Boglary and Hobson present. Cr Murray returned to the meeting at the completion of Item 12.1.1.

12 PLANNING & POLICY ITEM – 7 DECEMBER 2011**12.1 GOVERNANCE****12.1.1 SMBI 2030 COMMUNITY PLAN SUBMITTED FOR ADOPTION**

Datworks Filename: LUP Community Plan - SMBI

Attachments: [Draft SMBI 2030](#)
[Draft SMBI 2030 Community Plan - Submission](#)
[Review Report Final Incl. 2a and 2b](#)

Responsible Officer: Nick Clarke
General Manager Governance

Author: Mark Conlan
Principal Advisor SMBI Strategy

EXECUTIVE SUMMARY

The SMBI 2030 Community Plan (see Attachment 1) restates a coordinated approach to planning for and managing the resolution of a variety of Southern Moreton Bay (SMBI) issues. The plan has been developed with the community over the last two years through a number of review and consultation processes.

At the Planning and Policy Meeting of 8 June 2011, Council resolved to commence community consultation on the draft SMBI 2030 Community Plan. Community consultation was held between 4 July and 29 August 2011. At the closure of the community consultation period, Council had received 51 submissions from SMBI residents, non-resident landowners, community groups and State agencies. The *SMBI 2030 Community Plan Submission Review Report* (see Attachment 2) –

provides a summary of all submissions, officer comments, and subsequent recommendations in response to the submissions.

As a result of the community feedback received, the revised SMBI 2030 Community Plan is now presented to Council for adoption. The development of a project plan to guide the embedding of the community plan into Council's core business will commence upon endorsement. Planning for the launch and distribution of the plan to the community will be undertaken following its graphic design and editing for the purpose of publication.

PURPOSE

The purpose of this report is to seek Council's resolution to adopt the SMBI 2030 Community Plan (Attachment 1), in accordance with the CEO's framework for addressing SMBI issues, the Mayor's Bay Island Blueprint and the Redlands 2030 Community Plan, Embracing the Bay, Goal 7 Strong future for islands.

BACKGROUND

The SMBI 2030 Community Plan is a direct response to the Redlands 2030 Community Plan, Embracing the Bay, Goal 7 Strong future for islands: *Island communities thrive, and strategic plans and visions, developed with the community, guide successful regeneration, healing and wellbeing of North Stradbroke Island, Coochiemudlo Island and the Southern Moreton Bay Islands.*

On the 25th of February 2009 Council approved the Chief Executive Officer's six point strategic framework and associated budget for addressing SMBI issues. The development of the SMBI 2030 community plan is one of the outcomes of this framework, in line with the Redlands 2030 Community Plan.

The SMBI 2030 Community Plan is the culmination of over two years work. The plan re-states a coordinated approach to planning for and managing the resolution of a variety of SMBI issues. The plan has been refined over time through a number of Council approved consultation processes and provides the foundation for future planning for the SMBI.

The processes followed to create the SMBI 2030 community plan included:

- creation of the SMBI Communities Advisory Committee
- review of the SMBI Planning and Land Use Strategy (SMBI PLUS)
- review of SMBI input into the Redlands 2030 Community Plan
- creation of the RCC State SMBI Senior Officers Working Group
- creation of the draft SMBI 2030 Community Plan
- Council support for the release of the draft SMBI 2030 for community consultation
- Councillor, Officer, external stakeholder and community consultation on the draft SMBI 2030 Community Plan
- presentation of the SMBI 2030 Community Plan to Council for adoption.

ISSUES

The SMBI 2030 Community Plan takes the Redlands 2030 Community Plan's long term overarching strategic vision, vision outcomes and goals for the City and refines them with SMBI specific initiatives to create a planning guide for the future of the SMBI based on island-specific community values and views. The attached SMBI 2030 Community Plan is the culmination of this work (see Attachment 1).

The precursor to the SMBI 2030 Community Plan, the Southern Moreton Bay Islands Planning and Land Use Strategy (SMBIPLUS) has been carefully reviewed and its principles, still relevant today, guide the eight vision outcomes of the SMBI 2030 Community Plan. Similar to the Redlands 2030 Community Plan, the eight vision outcomes are: Healthy natural environment; Green Living; Embracing the bay; Quandamooka country; Wise Planning and design; Supportive vibrant economy; Strong and connected community; Inclusive and ethical governance.

The SMBI 2030 community plan has three functions:

- 1 to guide future planning for the SMBI
- 2 to define key goals, initiatives, stakeholders and progress measures that work towards achieving the agreed vision
- 3 to provide grounds on which the community and other partners could base future endeavours.

To achieve the outcomes of the SMBI 2030 Community Plan higher levels of government support with partnering, funding, advocacy and resourcing will be needed. The SMBI 2030 gives Council the platform from which to lobby the State for assistance in addressing many outstanding SMBI issues.

The planning outcomes from the SMBI 2030 Community Plan are as follows:

- clear goals and outcomes
- indicators to measure progress
- active participation by all sectors of the community
- community and Council commitment to the Community Plan
- strategic alignment of Council's contemporary planning to the SMBI 2030 Community Plan
- an integrated approach to planning
- enhanced community capacity, knowledge and understanding at a local level
- a framework for future local and neighbourhood planning
- identified opportunities for partnership and ongoing collaboration with community, government and industry stakeholders.

Priorities and Challenges

Community priorities identified through consultation and submissions received include:

- transport
- on-islands economic development
- community services and facilities
- sport and recreation facilities
- conservation
- inclusive planning.

These priorities have been addressed within the SMBI 2030 Community Plan. Specific initiatives contained in the draft SMBI 2030 reflecting the complexity of the islands' development legacy and the future sustainability of population growth have been revised in light of community and stakeholder feedback and in accordance with the attached Submission Review Report.

Gaining consensus within the consultation process has been problematic, for example 'Bridge versus no bridge' or 'more consultation versus getting on with it' or 'inject funding to fix the islands but the rates should be lower'. These issues are not islands' specific and are encountered anywhere community consensus is sought.

The predominant themes throughout the plan are the community's concerns about maintaining character, lifestyle and the natural environment. Managing population growth and urban expansion were concerns raised by the community with the need to provide modern, well-distributed infrastructure and transport services, a range of housing options, and a mix of small businesses and low impact industry.

The plan contains various challenges: managing growth and development while preserving character and lifestyle; providing for the specific needs of island living; preserving the biodiversity of the natural environment and the farmlands which are part of the SMBI's heritage; having local government strategies to sustain a vibrant economy and green living; and establishing better partnerships with the State and Federal governments to assist Council to deliver on the plan.

Breakthrough Projects

Each of the eight outcome areas contained in the SMBI Community Plan identified breakthrough projects. These breakthrough projects are considered to be powerful or inspiring projects for which there is a clear commitment by Council or the community.

Sixteen breakthrough projects and actions have been identified to drive the community plan forward in its early days and should result in measurable progress in achieving specific goals as well as the broad visions contained in the SMBI 2030 Community Plan. By prioritising these projects, the various stakeholders and partners are indicating their commitment to follow through with resources in the short term.

SMBI 2030 Community Plan – Breakthrough Projects

Healthy Natural Environment:

1. Southern Russell Island Conservation Park – secure remaining private lots and consolidate identified conservation zones
2. SMBI inclusion within the Waterways Extension Program - undertake greater surface and groundwater monitoring

Green Living:

1. Growing community gardens – creating spaces and improving skills in managing on-islands community gardens
2. Wastewater management initiatives – introduce a temporary planning instrument whilst investigating longer term solutions

Embracing the Bay:

1. Landmark waterfront parklands – develop the six master planned parks across the SMBI
2. Affordable transport – work with the Department of Transport and Main Roads and Translink to reduce the cost of SMBI to Mainland transport connections

Quandamooka Country:

1. SMBI heritage trails and signage - improving cultural heritage knowledge through the inclusion of Quandamooka People’s language and images within the signage
2. Protecting Indigenous cultural heritage sites and landscapes important to Quandamooka People

Wise Planning and Design:

1. Provide land and facilities for sporting and community uses at:
 - a) Union Street, Russell Island – Russell Island Sport and Recreation Park (Kennedy’s Farm)
 - b) High Central Road, Macleay Island
2. Undertake master planning for the centres of Macleay and Russell Islands

Supportive Vibrant Economy:

1. SMBI economic development and tourism strategy
2. Facilitate the roll out of the National Broadband Network (NBN) to the SMBI as a priority

Strong and Connected Communities:

1. Southern Redlands Community Health and Wellbeing Hub
2. Develop and implement the SMBI Local Social Infrastructure Strategy

Inclusive and Ethical Governance

1. Island information strategy – eg ‘Island-living’ information and techniques for timely communication
2. Transparent process for annual reporting of revenue raising and public spending on the SMBI

Embedding the Plan

Council will undertake a planned approach to embedding the SMBI 2030’s vision, priorities, goals, breakthrough projects and progress measures into Council’s organisational capability and responsiveness. Some of the actions to be undertaken to embed the community plan will include:

- Continued championing of the plan through the Executive Leadership Group

- A focussed and planned approach to translating the strategic directions of the SMBI 2030 into decision-making frameworks and operational outcomes
- Annual budgeting and operational planning supported by long term financial and corporate planning
- A comprehensive communications plan to increase internal and external understanding of the SMBI 2030
- Cross Council working groups to develop an integrated approach to activity planning to achieve community goals
- Publication and launch of a clear and easy-to-read formal document and web based SMBI 2030 Community Plan.

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 this Corporate Plan

FINANCIAL IMPLICATIONS

The financial impacts of the SMBI 2030 Community Plan and impacts on long term asset management planning have been considered throughout the process of developing the SMBI 2030. A number of breakthrough projects and key actions required by Council are being defined and will be costed for future budget processes.

Council currently subsidises capital and operating costs on the SMBI to the value of approximately \$10 million per annum above revenue from rates. In addition there is a legacy infrastructure backlog in excess of \$500 million which is unsustainable for Council without commitments made by all stakeholders including the community, the private sector and other levels of government. Council continues to seek additional funding and resources for the SMBI and will continue to pursue funding from government for specific projects and initiatives.

Further budget investigations will impact on the:

- 1 Preparation of the 10 Year CAPEX
- 2 Preparation of the 10 Year OPEX and annual operational budgets
- 3 Timing of breakthrough projects.

Adoption of the SMBI 2030 Community Plan does not, in its own right, commit Council financially beyond local government's role in the delivery of the breakthrough projects. Council will continue to be guided by its accountabilities under the *Local Government Act 2009* and its corporate plan, long term financial strategy, long term asset management plan and annual budget processes for the detailed implementation of the SMBI 2030 Community Plan.

The SMBI 2030 has a twenty year time horizon and a life of ten years. It is envisioned that the document will be reviewed in full in ten years. Direct costs projected for 2011/12 are linked to establishing the structures and processes to embed the plan into Council's corporate planning. Further expenditure will be required in 2016/17 for an interim review of the plan.

PLANNING SCHEME IMPLICATIONS

The City Planning and Environment Group was consulted and it is considered that the outcome of recommendations in this report will not in the short term have any impact on the Redlands Planning Scheme but in the longer term will result in possible amendments to the Redlands Planning Scheme. These amendments will be investigated further through the Redlands Planning Scheme review to be started in 2012.

CONSULTATION

Consultation on the issues facing the SMBI has been ongoing since the Southern Moreton Bay Islands Place project was initiated in 2007 – 2008 and the Redlands 2030 community engagement with island communities in 2009 – 2010. Focussed consultation has taken place from 2009 – 2011 tied specifically to the draft SMBI 2030 Community Plan.

The following groups had input into the visioning, goals and initiatives of the SMBI 2030 Community Plan:

- An Internal Working Group made up of Planning and Policy Officers
- The SMBI Communities Advisory Committee
- A Senior Officers Working Group made up of senior officers of Council and eight State government departments
- The Executive Leadership Group and Councillors through two workshops
- The SMBI communities through public events and community submission opportunities
- Non-resident land owners
- Other internal and external stakeholders that have an interest in the islands.

On the 8th of June 2011, under delegated authority, the Planning and Policy Committee endorsed the release of the draft SMBI 2030 for community consultation. Community consultation was open between the 4th of July and the 29th of August 2011 and consisted of:

- Open houses (August 6)
- Meet the planner (August 8 & 9 Russell Island, 11 & 12 Macleay Island)
- Newsletters to all islanders, plus posters on all ferry terminal notice boards of events and ways to get involved
- Letters to 7,556 absentee landowners
- SMBI 2030 web site and email address.

Submissions received during the community consultation process have been reviewed and the submission review report is attached (Attachment 2)

OPTIONS

PREFERRED

That Council resolve to:

1. Note the SMBI 2030 Community Plan – Submission Review Report (Attachment 2); and
2. Adopt the revised SMBI 2030 Community Plan (Attachment 1) thereby endorsing the SMBI 2030 goals and initiatives to:
 - a. Inform Council's long term financial planning, asset management plans, capital works program and operational budget;
 - b. Provide guidance to the community, government and private sector for future planning purposes;
 - c. Provide Council and the community with an advocacy tool with other levels of government on key planning and funding initiatives; and
 - d. Guide and inform future detailed design and planning processes pertaining to the Southern Moreton Bay Islands.

ALTERNATIVE

That Council resolve to:

1. Note the Submission Review Report, and
2. Adopt the draft SMBI 2030 Community Plan with requested changes.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr W Boglary

That Council resolve to:

1. **Note the SMBI 2030 Community Plan – Submission Review Report (Attachment 2); and**
2. **Adopt the revised SMBI 2030 Community Plan (Attachment 1) thereby endorsing the SMBI 2030 goals and initiatives to:**
 - a. **Inform Council's long term financial planning, asset management plans, capital works program and operational budget;**
 - b. **Provide guidance to the community, government and private sector for future planning purposes;**
 - c. **Provide Council and the community with an advocacy tool with other levels of government on key planning and funding initiatives; and**

- d. **Guide and inform future detailed design and planning processes pertaining to the Southern Moreton Bay Islands.**

CARRIED

DIVISION

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

Cr Murray was not present when this motion was put.

13 DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE 6 DECEMBER 2011

13.1 ENVIRONMENT PLANNING & DEVELOPMENT

Moved by: Cr B Townsend
Seconded by: Cr C Ogilvie

That the Development & Community Standards Committee Minutes of 6 December 2011 be received and resolutions noted on items resolved under delegated authority.

CARRIED

[Development & Community Standards Committee Minutes 6 December 2011](#)

ITEMS RESOLVED UNDER DELEGATED AUTHORITY

13.1.1 CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND HOUSEKEEPING

13.1.2 CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT ASSESSMENTS

13.1.3 APPEALS LIST - CURRENT AS AT 29 NOVEMBER 2011

ITEMS FOR CONSIDERATION

13.1.4 LOCAL LAW 6: TREE CLEARING WITHIN TREE PROTECTION AREAS, AND TREE PROTECTION AREA 31 - NOTICE OF MOTION TO REVOKE TPA31

**Datworks 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
Services Manager, Design and Co-ordination**

EXECUTIVE SUMMARY

There currently exists ambiguity and uncertainty as to the correct interpretation and associated application of certain exemptions under Local Law 6 (LL6). Several external customer disputes, resulting from tree clearing requests, have recently occurred, relating to the interpretation and intent of the LL6 and associated Tree Protection Areas (TPA). Questions have now been raised as to the legitimacy of the

vegetation protection Local Law and Tree Protection Areas and associated application and consistency of the law.

Vegetation protection policy in the Redlands has evolved from the original 'Bylaw Chapter 56 Tree Protection' (1990), to 'Amendment to Bylaw Chapter 56 Tree Protection (1994), to 'Interim Local Law No. 56A Tree Protection' (1997), and to the current version of the policy in use today, Local Law Policy No. 6 Protection of Vegetation (1998). Although these policies are slightly different, the general intent has remained the same throughout all policy up-dates, including the list of specific vegetation damage 'exemptions' which are applicable to properties subject to protection under the policy.

This report outlines the relevant historical facts and issues regarding the original intent and purpose of the exemptions and associated amendments to the exemptions, explains the mechanisms by which vegetation is protected in the City and outlines the current debate relating to 'exemptions' to vegetation protection. Furthermore, the report seeks a Committee resolution on: (1) the adoption of an interpretation that is consistent with the objectives and legal requirements of Local Law Policy No. 6 Protection of Vegetation and (2) whether Tree Protection Area 31 should be retained or revoked. In doing so, the report seeks to avoid future confusion, legal issues, and customer dissatisfaction with regards to the application of Local Law 6 Protection of Vegetation, and to re-instate Councils commitment to vegetation protection.

PURPOSE

This report is referred to the Environment, Planning and Development Committee to:

- Provide a historical analysis of vegetation protection within the Redland City Council from 1990;
- Provide information regarding the mechanisms by which vegetation is protected within the City;
- Provide advice on the current debate relating to the application of 'exemptions' to vegetation protection;
- Identify the potential implications associated with adopting one of the two interpretations relating to vegetation clearing 'exemptions';
- Address the Councillors Notice of Motion, dated 18 October 2011, relating to the revocation of TPA31 (Redland Bay); and,
- Seek a determination on the direction Council wishes to take in regard to vegetation clearing 'exemptions' within Local Law 6.

BACKGROUND

The following information is a timeline detailing the adoption of each vegetation protection local law that has applied in the Redlands since 1990. Also included in the timeline are details of particular events relating to the origin of the 10/3 metre rule and the current debate relating to vegetation protection:

- 1990 - Chapter 56 Tree Protection.

- 20/12/1990 – Special meeting held by Council to consider amendments to exemptions contained in Chapter 56 – Tree Protection By-laws. Carried by Committee but rejected by Department of Housing and Local Government.
- 21/11/1990 - The first Tree Protection Areas (TPA1 & 2) were declared.
- 3/9/91 - Planning and Environment Committee meeting held to discuss the general objections relating to TPA's 4 & 5 and to revise the exemptions to reflect these objections.
- 25/9/91 - Special meeting held by Council to consider and adopt amendments to exemptions relating to Chapter 56 Tree Protection Bylaw. Amendments adopted by resolution.
- 20/11/91 – Correspondence from King and Company Solicitors with accompanying list of Council adopted exemption changes and Intra Vires Certificate.
- 10/3/93 – Bulk mail out of letters to landholders affected by proposed Tree Protection Area. Letter and attached Information Sheet containing conflicting and incorrect policy information.
- 1994 - (Amendment By-law) Local Law No. 1.
- 1997 - Interim Local Law No. 56A Tree Protection.
- 1998 - Local Law No. 6 Protection of Vegetation.
- 1998 - Sub-section 27 Local Law No. 6 – Permitted damage.
- 2011 – Issue was raised by owner of 7-9 Mudlo Street, Redland Bay with land under TPA31 (Redland Bay). Resident challenging refusal to permit tree removal and to apply exemptions.
- 26/10/2011 – Council resolution that officers present report to committee regarding TPA31 and the relevant sections of LL6.
 - 1/11/2011 – Workshop presentation to Development and Community Standards Committee seeking to inform Council of options with regard to vegetation clearing within TPA's.

CONSULTATION

The Design and Coordination Team has consulted with numerous Council sections including Legal Services, Compliance, Environment and Planning, and Environment Assessment. A Councillor Workshop on Local Law Policy No. 6 *Protection of Vegetation* was undertaken on 18 October 2011, highlighting the facts relating to the issues as contained in this report.

ASSESSMENT

1.2 Analysis of Local Laws - Vegetation Protection

a. By-law Chapter 56 Tree Protection – 1990

By-law Chapter 56 provided a basic but straightforward mechanism for protecting trees and vegetation on freehold land in the Shire. Vegetation clearing ‘exemptions’ that applied to this policy were specifically listed and in relation to general exemptions of clause 13.4, the policy did not apply to a tree or vegetation:

“within three (3) metres of a building or structure or the foundations for a building or structure lawfully in existence at the date of commencement of this Chapter, or within three (3) metres of the site of a proposed building or structure in respect of which the Council has granted its approval to the carrying out of building work pursuant to the provisions of the Building Act 1975-1988 and Standard Building By-laws amended from time to time.”

Key points to note regarding this policy are;

- The policy required an area to be declared as a ‘Tree Protection Area’ for vegetation to be protected under the policy;
- The policy provided ‘one level’ of protection for specific or all vegetation on land within the declared TPA;
- The exemptions did not include specific damage to vegetation in respect of boundaries or fence-lines;
- There was a ‘definition’ of vegetation that could be protected under a TPA;
- The policy allowed for informed decisions based on individual circumstances using consideration and discretionary powers of the assessing officer; and,
- The policy did not contain the wording – *“except where a tree protection area has been declared for the express purpose of protecting such tree or vegetation”*.

b. By-law Chapter 56 Amendment - 1994

By-law Chapter 56 was amended for the specific purpose of revising the existing ‘exemptions’ relating to Chapter 56, triggered by the public objections to the proposed declaration of TPA 1 & 2 in 1991.

For the purpose of this report, it is the key document that demonstrates, the time-period within which significant alterations to the policy exemptions were made and the relevant Council discussions that took place in relation to these changes. The main changes to Chapter 56 included:

- Increasing of the clearing exemption distance from a dwelling from 3 metres to 10 metres;
- The introduction of the proviso *“except where a tree protection area has been declared for the express purpose of protecting such tree or vegetation”*;
- Non-defined exemptions applying to boundary fence-lines;
- Exemptions applying to general maintenance pruning, removal of deadwood and hazardous limbs; and,

- Exemptions applying to pruning for power-line and telephone wires.

c. Interim Local Law No. 56A Tree Protection – 1997

Interim Local Law No. 56A Tree Protection included the amended general exemptions introduced by the amended Chapter 56 By-law. Although Interim Local Law No. 56A was basically the old Chapter 56 with the amended exemptions included, some points of difference are important to note:

- The inclusion of the 10 metre rule;
- The inclusion to exemptions 14.4 and 14.8, the specific clause, “*except where a tree protection area has been declared for the express purpose of protecting such tree or vegetation*” as a higher order protection for significant trees within the 10 metre zone; and,
- Boundary-line vegetation clearing restricted. And not permitting the removal of trees in the line of boundary fences without application to Council.

d. Local Law No. 6 Protection of Vegetation – 1998

Local Law 6 was gazetted in 1998. It is the current policy for protecting vegetation. There are several areas where the current policy varies from the repealed Interim Local Law No. 56A, including:

- The definition of ‘protected vegetation’;
- The introduction of the definition of ‘significant vegetation’, and the implications of this definition;
- The change from TPA (Tree Protection Areas) to VPO (Vegetation Protection Orders);
- The creation of a definitive lower and higher order of vegetation protection;
- The creation of the 3 metre general exemption relating to fences and boundaries;
- The introduction of the definition of ‘reasonably necessary’ in relation to this 3 metre general exemption;
- The retention of the clause “*except where a vegetation protection order has been declared for the express purpose of protecting such vegetation*”; and,
- Introduction of optional ‘vegetation management plans’ forming part of protected vegetation management. This option allows for various programs such as ‘Land for Wildlife”, or other conservation programs to be implemented on individual properties that are subject to protected vegetation.

1.3 Local Law No. 6 – “Protected Vegetation”

As indicated above, LL6 included several changes from the previous Interim Local Law No. 56A Tree Protection. The most significant change to the Local Law was the creation of higher and lower orders of ‘significant vegetation’ protection. These higher and lower orders of protected vegetation are summarised as follows:

1. Where a Vegetation Protection Order is in force (high order protection).
2. Where land is subject to certain development and planning criteria outlined in Sections 24 & 25 (low order protection).

To be considered 'protected', vegetation must fulfil one or more of the criteria contained in the definitions of 'significant vegetation'. This assessment is a subjective assessment carried out by an experienced person/s, and usually supported by ecological, arboricultural, historical, cultural or other evidence.

Once identified as 'significant vegetation', section 24 of LL6 protects vegetation on land that is identified as being within the habitat protection overlay and is capable of being subdivided. Section 25 of LL6 protects vegetation where it is identified as 'significant' in a condition of development. Where vegetation is protected by sections 24 or 25 all exemptions listed in Section 27(b)–(j) of the subordinate Local Law are applicable to the vegetation.

Determining whether or not an exemption applies to a particular situation is a 'self-assessable' task carried out by the land owner. That is, they are not required to consult with Council prior to removing vegetation which has a lower order of protection where it falls within the exempt areas identified in Section 27(b) of the subordinate Local Law.

If the property and associated vegetation is subject to a VPO (or a TPA transitioned from the old bylaws) the specific exemptions outlined under Section 27 (b) may or may not apply, depending on the interpretation used. Included below is a discussion of the two interpretations and the implications of each from a vegetation management perspective.

1.4 General Exemption Interpretations.

The adoption of the amended By-law 56 in 1994 saw the introduction of the exception to the exemptions. As shown in section 3.1 above, this provision has since been included within all subsequent iterations of the tree protection laws. Consultation with Council staff employed during this period confirms that the interpretation applied was consistent with that showed below as Interpretation 1.

With the appointment of the new Arborist Design and Coordination and the Service Manager Design and Coordination, this interpretation has been challenged on the basis of legal advice provided by Councils Group Manager Legal Services, historical written advice from King and Company and discussion within the Planning and Environment Committee meeting on 3 September 1991. Furthermore, a literal reading of the provision leads to the same conclusion, presented as Interpretation 2 below.

The two interpretations are as follows:

1. The general exemptions, including the 10/3 metre rule, apply to all 'protected vegetation', including Section 24 & 25 (Local Law 6) and where a TPA or VPO is in force, except where the TPO expressly states that the exemptions do not apply or, where a TPA has been declared to protect a specific tree or vegetation and this vegetation is expressly identified in the order.

2. The general exemptions, including the 10/3 metre rule, apply to all land where 'protected vegetation' exists, *except* where there is a VPO or a TPA which has been declared for the purpose of protecting such vegetation. Where such an order is in force, there may or may not be certain exemptions listed on the order that do or do not apply, such as in the case of the specifically listed exemptions that apply to Vegetation Protection Order 12 (SMBI).

1.5 Analysis of the two interpretations.

The origins, intent and purpose of the 10 metre exemption rule and the introduction of the clause "*except where a tree protection area has been declared for the express purpose of protecting such tree or vegetation*" is explained by the following extract from the Planning and Environment Committee meeting on 3 September 1991.

"In light of the current objections, it is considered that this issue requires further review, particularly with regard to potential fire risk. The Rural Fires Board have recommended a minimum firebreak distance of 10 metres surrounding residential dwellings in rural areas. This would appear reasonable, not only decreasing fire risk, but also limiting the threat of damage caused by falling limbs. However, it would be necessary to include the proviso which would allow Council, if considered necessary, to expressly protect any tree or vegetation within this 10 metre zone.

This statement supports the assertion that the purpose of the provision included with the 10/3 metre exemptions was to provide a mechanism where Council could regulate indiscriminate clearing of vegetation that was within the 10 metre area of an existing dwelling, by removing the automatic right to clear vegetation. The same provision has been included in all subsequent versions of the Redlands Tree Protection Bylaws, including Local Law 6. The current investigation has not yielded any further records that demonstrate that the original intent and purpose of the provision had changed in any way.

Interpretation 1

Council records show that interpretation 1 has been in use since 1991. On 11 October 1991, a few weeks after the amended exemptions were adopted by Council, a letter from the then Shire Clerk was sent to members of the community who had objected to the proposed Tree Protection Area 4 & 5. The letter stated that vegetation could be removed within 10 metres of a dwelling. This letter appeared to contradict the policy by not including reference to the provision "*except where a vegetation protection order has been declared for the express purpose of protecting such vegetation*". Consequently, the correspondence implied that vegetation within 10 metres of an existing dwelling could be removed under any circumstance.

It would appear that it was this letter which informed the belief, within the community, that clearing could occur within 10 metres of an existing dwelling irrespective of there being a TPA declared for the express purpose of protecting vegetation. Following on from this initial letter in 1991, standard letters containing the same misinformation continued to be sent several years later, to landholders affected by proposed Tree Protection Areas. Attached to these letters was a copy of Chapter 56 By-law, and an

Information Sheet explaining how the By-law worked and the exemptions that applied without Council approval.

Both the letter and the information sheet stated that trees could be removed without Council approval if they were within 10 metres of the dwelling, even though there was specific reference to the 10 metre exemption not applying where a tree has been specifically indication for protection. A Tree Clearing Application Checklist and subsequent staff training around that time did not refer to the specific exemption exclusion provision (that is, the exemptions do not apply where a tree or vegetation is indicated as being protected), even though it was stated on the Information Sheet, Amendment to Bylaw 56, the Interim Local Law No. 56A, and in the current Local Law Policy No. 6 Protection of Vegetation Policy.

Interpretation 2

The detailed assessment of current and historical documentation has lead officers to conclude that the interpretation which Council has been applying since the introduction of the formal amendments to By-law 56 in 1994 does not fully reflect the intent of the exception provision. The resulting interpretation is based on the observation that, the exemption exclusion clause (that is, the exemptions do not apply where a tree or vegetation is indicated as being protected) was implemented to counter the effects of the proposed increase to exemption areas surrounding dwelling houses, that is, from 3 metres to 10 metres.

An assessment of advice provided to Council by King and Company solicitors in 1991 states that Council must, in declaring a tree protection area for the purpose of protecting particular trees or vegetation, expressly state within its resolution that this is the purpose of the declaration. It follows that, where a TPA has been declared to protect all vegetation on land subject to the order then the exception to the exemptions will apply, that is, the exemptions do not apply.

2.0 Discussion

2.1 Implications of Permitting Damage to Vegetation Within 10/3 Metre Areas Where a TPA or VPO is in Force

A decision to allow clearing within the 10/3 metre areas, where a TPA or VPO is in force, has several potential negative outcomes. These negative outcomes range in severity from an increase in clearing to, inhibiting the ability of Council to meet its statutory obligations and community expectations.

The use of the interpretation which favours the allowance of clearing within 10 metres of a dwelling house and 3 metres of a structure, whether or not the land is included within an area designated as a TPO or VPO, has the potential to result in unchecked clearing in these areas. The so called 'self assessable' exemptions will result in clearing of vegetation that is unable to be monitored by Council Officers irrespective of the significance of the vegetation. What is particularly uncertain is the amount of vegetation that has been lost, and will be lost, as a result of clearing under these 'self assessable' criteria given that no application to remove vegetation is necessary under this interpretation. However, officers have advised that they have been

recording CRIDS for the majority of phone enquiries relating to removal of vegetation within the 10/3 metre exemption areas.

a. Redlands 2030 Community Plan

The Redlands Community Plan (RCP) aims, among other things, to maintain biodiversity and protect, restore and enhance the environment. It seeks to achieve these aims through halting the decline of koala numbers and biodiversity and retaining habitats of adequate size to ensure ecosystem functioning.

Unmonitored 'self assessable' clearing within the 10/3 area where land is included in a TPA is not consistent with the targets sought by the RCP. Furthermore, community expectations support a desire for "more trees, shade and green space" (Redlands 2030 Consultation Report, 2010 p.6).

b. State Planning Policy 2/10 Koala Conservation in South East Queensland

The Aims of the Koala SPP are to ensure that Koala habitat conservation is taken into account in planning processes, contributing to a net increase in koala habitat in south-east Queensland.

Several suburbs within the City support populations of koalas. These populations are under threat as a result of urban development and habitat loss. The Koala SPP aims to address the decline in koala numbers by ensuring that the local planning instrument and structure plans adequately reflect the policy. For a local planning instrument to reflect the objectives of the policy it must, among other things, protect significant areas of koala habitat value and ensure that habitat connectivity is retained and enhanced to maintain koala population viability.

Local Law 6 is seen as a vehicle to assisting in achieving the outcomes of the Community Plan and the Koala SPP. Over the last 13 years, there has been a shift in focus in terms of vegetation protection and associated habitat and biodiversity preservation. Over this same period the vegetation protection measures afforded by the Local Law have remained static. In this regard an assessment of the common held truths associated with LL6 is justified.

Adopting an interpretation which advocates open communication between community and Council to facilitate achieving the outcomes of the Community Plan and the Koala SPP is therefore advocated.

The following list represents potential implications of allowing continued self-regulated clearing of vegetation using the 10/3 metre rule within a TPA.

- It is contrary to the written procedures and principles of Local Law 6;
- It removes Councils ability to regulate and monitor destruction of significant vegetation within the 10/3 metre zone of areas under a TPA;
- Vegetation retention within the 10/3 metre zone is unenforceable;
- Widespread removal of significant vegetation on smaller urban lots can be legally undertaken within the 10/3 metre zone even where the vegetation and dwelling can coexist;

- New vegetation planted within 10/3 metre zone will not be afforded any protection;
- Achieving the objectives of the SPRP Koala will be hampered; and,
- Reduced ability to achieve the objectives of the Redlands Community Plan.

2.2 Implications of Revoking TPA31

Protection and management of 'significant' vegetation on land, not subject to a current development application, within the City is achieved via the provisions of Local Law 6. The local law achieves protection through two mechanisms; (1) high order protection is achieved through TPA's or VPO's and (2) low order protection is achieved through sections 24 & 25. Section 24 protects vegetation, on land that is covered by the habitat protection overlay and on land that has potential for subdivision. Section 25 protects vegetation where a condition of development identifies vegetation of significance on a particular parcel of land. Refer to section 3.2 of this report for further details of how vegetation is protected by LL6.

Vegetation on land which is, not included within a TPA or VPO, not covered by the habitat protection overlay, not capable of being subdivided and not subject to a condition of development is not protected by Local Law 6.

Significant vegetation located on land which is included within a TPA may not, in all circumstances, be otherwise protected by LL6. That is, if a Tree Protection Area were revoked, a certain number of properties located within the TPA would not be afforded protection under sections 24 or 25 of LL6.

The following are examples of properties within TPA 31 containing vegetation which, if the TPA were revoked, would not be protected under sections 24 or 25 of LL6.

Properties with Vegetation not Protected by s24 or s25 of LL6			
Zone	Investigation Zone	Investigation Zone	Investigation Zone
Area	174.488ha	20.520ha	4050m ²
Overlays	- Bushland Habitat over a small portion of the lot	- Acid Sulfate Soils - Bushland Habitat over a portion of lot	- Acid Sulfate Soils
TPA	31	31	31
Minimum lot size	ROL inconsistent	ROL inconsistent	ROL inconsistent

These three examples indicate that there is vegetation on properties that would be afforded no protection at all if TPA 31 were revoked. Any proposal to revoke a TPA must consider the implications of the revocation in light of the potential for property owners to remove vegetation on their land.

Summarised in the table below are the benefits and risks of retaining or revoking a TPA.

Benefits/Risks of Retaining or Revoking a TPA	
Retaining a TPA	Revoking a TPA
- Provides greater overall vegetation protection	- Removes a layer of protection
- Provides higher level of vegetation protection	- Results in some properties having lower or no protection
- Customer/Council engagement is created	- Removes the ability of Council to 'negotiate' productive outcomes with customers
- Minimises indiscriminate clearing of vegetation	- Allowable exemptions are non-discriminatory with regard to quality and value of vegetation
- Imparts a seriousness about long term vegetation management	- Generally results in unnecessary and widespread loss of significant vegetation
- Supports the principles of the Koala SPP and Redlands Community Plan	- Does not support the principles of the Koala SPP and Redlands Community Plan

2.3 Achieving Balanced Vegetation Protection

The past administration of Local Law 6, in regard to vegetation clearing within areas where a TPA is in force, has adopted the use of Interpretation 1. The evidence above suggests that this interpretation is not what was intended by the introduction of the provision:

“except where a tree protection area has been declared for the express purpose of protecting such tree or vegetation”

The authors of this report advocate the adoption of an interpretation which acknowledges the historical events which lead to the introduction of this provision backed by current and historical legal advice. Furthermore through the implementation of discretionary principles

Accordingly the authors suggest that a more apt interpretation of the above provision would prevent 'self assessable' clearing from occurring within the 10/3 metre areas where the 'significant vegetation' is located on a property within a TPA or VPO and the order specifically states that one, some or all vegetation is protected.

CONCLUSION

Recently there has been debate surrounding the correct interpretation of the exemption provisions of Local Law 6. Historical evidence and advice indicates that certain actions should be taken when considering the drafting of reports and resolutions pertaining to the declaration of Tree Protection Areas. Given the variation of drafting in terms of the recommendations and associated Committee resolutions it is apparent that the advice presented in the letter of the 20 November 1991 from

King and Company (which was that the resolution declaring tree protection for an area must specifically state that this is the purpose of the declaration) was not always taken into account.

The evidence presented above supports the retention of Tree Protection Area 31. The removal of this high level of protection from properties within the Redland Bay area would undoubtedly result in the loss of significant vegetation.

It is clear that the issues at hand are finely balanced and that care must be taken in making a determination. A number of options are available to Council with regard to the direction that they take when considering how to apply vegetation removal exemptions under Local Law 6. Evidently, the interpretation which has been historically applied has merit, however there is advice both historically, from King and Company, and recently, from Group Manager Legal Services, indicating that this interpretation may be incorrect. In the interest of providing a recommendation from officers, which adopts an approach consistent with the precautionary principle, the following preferred recommendation is advocated. In recognition of the finely balanced nature of this matter three alternative recommendations are presented.

OPTIONS

Preferred

The exemption provisions of Local Law 6 *Protection of Vegetation*, Section 27 'permitted damage' (b)(i)(ii)(iii)(iv)(v)(vi), **do not apply**, where a Tree Protection Area or a Vegetation Protection Order is in force.

Alternative 1

The exemption provisions of Local Law 6 *Protection of Vegetation*, Section 27 'permitted damage' (b)(i)(ii)(iii)(iv)(v)(vi) **do apply**, where a Tree Protection Area or a Vegetation Protection Order is in force, unless, the Tree Protection Area or Vegetation Protection Order expressly states otherwise or specific vegetation is identified in the order as being protected.

Alternative 2

The Chief Executive Officer be instructed to explore potential amendments to Local Law 6 with a view to resolving vegetation clearing exemptions and to incorporate relevant current policy and applicable studies.

Alternative 3

That Tree Protection Area 31 (Redland Bay) be revoked.

OFFICER'S RECOMMENDATION/

That Council resolve as follows:

1. That the exemption provisions of Local Law 6 *Protection of Vegetation*, Section 27 'permitted damage' (b)(i)(ii)(iii)(iv)(v)(vi), do not apply, where a Tree Protection Area or a Vegetation Protection Order is in force; and

2. That Tree Protection Area 31 (Redland Bay) be retained on the grounds that to revoke the Order would present an immediate opportunity for widespread, unregulated destruction of significant vegetation within the Tree Protection Area 31.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr B Townsend

Seconded by: Cr T Bowler

That Council resolve as follows:

1. That the Officer's Recommendation not be accepted;
2. That Tree Protection Area 31 (Redland Bay) be retained on the grounds that to revoke the Order would present an immediate opportunity for widespread, unregulated destruction of significant vegetation within the Tree Protection Area 31;
3. That the exemption provisions of Local Law 6 Protection of Vegetation, Section 27 'permitted damage' (b)(i)(ii)(iii)(iv)(v)(vi) do apply, where a Tree Protection Area or a Vegetation Protection Order is in force, unless, the Tree Protection Area or Vegetation Protection Order expressly states otherwise or specific vegetation is identified in the order as being protected; and
4. That the Chief Executive Officer be instructed to explore potential amendments to Local Law 6 with a view to resolving vegetation clearing exemptions and to incorporate relevant current policy and applicable studies.

CARRIED

DIVISION

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

DECLARATION OF MATERIAL PERSONAL INTEREST

Cr Elliott declared a Material Personal Interest in the following Item as his son has an application which meets the time frame mentioned in this report and left the meeting at 6.59pm.

13.1.5 REFUND OF INFRASTRUCTURE CONTRIBUTIONS

Dataworks Filename: RTT PIPS General

Responsible Officer: Bruce Macnee
Manager Sustainable Assessment

Author: David Jeanes
Services Manager Planning Assessment

EXECUTIVE SUMMARY

At its General Meeting of 30 November 2011 Council resolved:

To adopt the attached amendments to the Redland City Council Adopted Infrastructure Charges Resolution, as amended, 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;

The resolution amended the credit (or discount) available for existing lawful uses, which could be used as an offset against applicable infrastructure charges, from fifty per cent (50%) to one hundred per cent (100%). Issues of consistency in application and the reasonableness of previous credits has now arisen as it relates to those development permits issued with charge notices under the former 50% arrangement.

This report recommends Council establishes a policy position that retrospectively applies a 100% credit for existing lawful uses in the calculation of infrastructure charges for those development permits issued between 1 July 2011 and the amendment of the *Redland City Council Adopted Infrastructure Charges Resolution*, which reintroduced the full credit.

PURPOSE

The purpose of this report is to highlight an issue relating to the return to full credits for existing lawful uses in the calculation of infrastructure charges, to table options for Council to consider in response to the matter, and to discuss implementation processes for a preferred option.

BACKGROUND

The Sustainable Planning (Housing Affordability and Infrastructure Charges Reform) Amendment Act 2011 introduced legislation to amend the Sustainable Planning Act 2009 (SPA), to allow for the introduction of maximum standard charges. The amendment also established a framework to allow councils to adopt charges (the Adopted Infrastructure Charges Resolution) equal to or less than the maximum for

particular types of development and/or for different parts of local government areas. This also included council discretion to provide credits for existing lawful uses when calculating an infrastructure charge.

Council's initial resolution, which provided a 50% credit for existing lawful uses, was amended on 30 November 2011 to, amongst other things, return to the 100% credit that was previously available under Planning Scheme Policy 3 (PSP). As a consequence, an issue of consistency in application and reasonableness of existing lawful use credits has arisen for those development permits issued in the short period when the 50% credit applied under the regulated charges. During this time, a total of 29 development permits was issued.

ISSUES

One of the main concerns, for development approvals that have fallen into the 50% crediting period, is that existing uses have not been treated consistently. The former Planning Scheme Policy provided full credits for existing lawful uses across all infrastructure networks. So, in reality there has only been a period of a few months in which the 100% credit has not been generally applied. By default, this also raises the question of whether it is reasonable to effectively charge these particular applications more than subsequent developments under the maximum standard charges framework.

However, it is noted that further amendments to the Adopted Infrastructure Charges Resolution are likely in the future which may impact on the level or type of an applicable charge. This raises the question of how far Council may want to, or can practically go back in time to apply a change of policy. At some point, development approvals become dated and less likely to be consistent with current laws and policies. Administratively this may also prove impractical. It is further noted that retrospective legislation is the exception rather than the rule in Australia.

There are three options available to Council to respond to the credits issue for the development permits in question:

1. Do nothing – that is, the 50% credit/discount will continue to apply to permits issued between 1 July 2011 and the day the resolution of 30 November 2011 took effect.
2. Provide the relevant subsidy to outstanding charges (on payment) or a refund to the original applicant for those that have been paid.
3. Only provide a subsidy to outstanding charges - that is those not already paid.

It is noted that Council has already determined to apply full credits on the basis that this is consistent with its application under the former Planning Scheme Policy. It can be argued that this is enough reason to apply it retrospectively. It may also be considered reasonable that, due to the short period in which the 50% credit has been in effect, and the relatively small number of approvals in question, retrospectivity should be applied in this case.

Should Council adopt the preferred option 2, applying a full credit for existing lawful uses for the 29 development permits issued under the 50% arrangement will result in a potential reduction in developer charges of \$338,100. A \$48,300 refund would

need to be administered for the two developments which have already paid the charges in full. The remaining development proposals would be notified of available subsidy on the outstanding infrastructure charges.

Under SPA, infrastructure charge notices cannot be amended outside of the relevant appeal period. As the 29 approvals in question fall into that category, the recommended mechanism to refund contributions paid (or subsidise the future amount owing) is by way of a notice in writing to the applicant. This complies with the requirements of SPA and Council's powers under the *Local Government Act 2009*. A note will also be attached to the property file to ensure the applicable subsidy or refund is captured in Council's business systems and passed on to the applicant.

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. Retrospectively applying a full credit for existing lawful uses will result in a potential reduction in developer charges estimated to be \$338,100. Of this amount, \$48,300 would be in the form of a refund on those applications which have paid the charges in full, with the balance being by way of a subsidy on future payment.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

This report was forwarded to Allconnex for its information.

CONCLUSION

Three options were presented in this report to address the matter of retrospectively applying full existing use credits. It is considered that the option of applying a 100% credit or discount retrospectively is consistent with Council's commitment to wise planning and appropriate, given the short time that has elapsed since the resolution was implemented on 1 July 2011.

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

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

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

1. Retrospectively apply a 100% credit for existing lawful uses pursuant to the amended Redland City Council Adopted Infrastructure Charges Resolution of 30 November 2011 to all eligible infrastructure charges notices, issued from 1 July 2011;
2. Refund the difference between a 50% and 100% credit to those developments that have already paid their infrastructure contributions, pursuant to Council's resolution which came into effect on 1 July 2011; and
3. Attach a property note to all properties files, subject to an Infrastructure Charges Notice issued between 1 July 2011 and Council's adoption of the 100% credit, advising that Council will apply a 100% credit for existing lawful uses pursuant to the amended Redland City Council Adopted Infrastructure Charges Resolution of 30 November 2011.

CARRIED

Cr Elliott returned to the meeting at 7.00pm.

14 CUSTOMER SERVICES COMMITTEE 6 DECEMBER 2011

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

That the Customer Services Committee Minutes of 6 December 2011 be received.

CARRIED

[Customer Services Minutes 6 December 2011](#)

14.1 CITY SERVICES

14.1.1 REDWASTE BUSINESS UNIT REPORT FOR SEPTEMBER QUARTER 2011

Datworks Filename: WM - Waste Monthly Reports To Committee

Attachment: [RedWaste Business Unit Report Sept 2011](#)

Responsible Officer: Elisa Underhill
Manager City Enterprises

Author: Robert Walford
RedWaste Service Manager

EXECUTIVE SUMMARY

The RedWaste Business Unit Report is presented to Council on a quarterly basis for noting. This report provides details relating to the business unit's performance for the quarter from 1 July 2011 to 30 September 2011 and covers financial and non-financial indicators for waste, as outlined in the Annual Performance Plan 2011/12. The Annual Performance Plan for 2011/12 was adopted by Council in May 2011, and as such the business unit's performance for this quarter has been compared against the Annual Performance Plan 2011/12.

Most of the report findings will be "business as usual". Where exceptions occur, these will be highlighted.

The report provides a regular opportunity for Council to consider the performance of the RedWaste Business Unit and to respond to any exceptional reporting.

PURPOSE

To report on the performance of the RedWaste business unit against key performance indicators (KPIs) outlined in the Business Unit's Annual Performance Plan for 2011/12 for the quarter from 1 July 2011 to 30 September 2011.

BACKGROUND

The RedWaste Business Unit Annual Performance Plan identifies KPIs for which performance targets have been agreed with Council. Reporting is prepared each quarter through Council's Customer Services Committee.

ISSUES

The report is provided to Council as a means of monitoring the performance of business unit's activities. The first part of the attached report comprises a "snapshot" of the business unit's achievement in meeting KPIs (year-to-date) and financial report card.

The report then provides a specific financial report and commentary, capital expenditure (graphically) and a detailed customer overview. The main body of the report focuses on actual levels of achievement against the KPIs for each of the months, year to date. Where exceptions have occurred and targets not met, an explanation is given as well as action taken to improve performance.

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.

2.2 Promote, support and encourage commitment to green living in our community by improving residents' understanding of climate change and achieving greater water, energy and waste conservation and efficiency

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

FINANCIAL IMPLICATIONS

There are no financial implications impacting Council as a result 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 require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation has occurred with:

- Manager - City Enterprises;
- Senior Advisor - Financial Services; and
- Service Manager – RedWaste.

OPTIONS

Preferred

That Council resolve to note the RedWaste Business Unit Report for the quarter ending 30 September 2011, as presented in the attachment.

Alternative

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

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

Moved by: Cr W Boglary

Seconded by: Cr K Reimers

That Council resolve to note the RedWaste Business Unit Report for the quarter ending 30 September 2011, as presented in the attachment.

CARRIED (en-bloc)

14.1.2 REDLANDS SPORTS SUMMIT

Dataworks Filename: P&R Annual Sports Summit - 2012

Responsible Officer: Louise Rusan
General Manager City Services

Author: Kristina Dickman
Senior Adviser Sport & Recreation

EXECUTIVE SUMMARY

The Redlands Sports Summit is a community event scheduled for mid March 2012. This event aims to support the capacity of our local sport and recreation groups and to maximise the networking opportunities with peak industry bodies, such as the State Sporting Organisations and government agencies.

PURPOSE

This report is to inform you of the Redlands Sports Summit event in mid March 2012.

BACKGROUND

The Redlands Sports Summit is primarily an event aimed at supporting the capacity of our local organizations. It is a commitment that Council has identified for delivery in the 2011-12 operational plan objective 7.1.2. This commitment has been sequenced and integrated with the wider Sport Redlands and 'Redlands Alive and Kicking' program and directly fulfils the corporate objective of Strong and Connected Communities and indirectly supports several others. This has been a culmination of six months of carefully integrated programming and capacity building to enrol partnership support, community interest and funding for the event. The officers have made concerted and conscious efforts to secure funds so all these activities are run cost effectively with maximum benefit to the community.

ISSUES

The Sport Summit is scheduled for mid March 2012. It is a financial commitment under sponsorship funding from Queensland Health for \$5,000 and Department of Communities Active Inclusion funding of \$9,000 to Redland City Council to deliver a combined sports forum to assist in building the capacity of sporting clubs and community organisations to deliver on the preventative health agenda for an active and healthy community. We are able to achieve this in combination with the activities of Bike Week, held at the same time.

A condition of the grant funding is that it has to be delivered by the end of March 2012. Council officers were advised by the Department of Communities that this timeframe is not able to be extended as it has already had an extension of time. It was originally set for delivery at the end of 2011, however, that proved an unsuitable time for clubs and a difficult time to secure a venue. It also meant that there was limited lead time to organise the event.

Mid March is the most suitable time for clubs to receive information as they are gearing up for the winter sport season and have new committees and members and

the motivation is high and are able to attend as it is in-between school holidays. It is also a good time for State Sporting Organisations and peak industry bodies as they are looking for opportunities to link with their clubs and other stakeholders early in the year.

The proposed program consists of a variety of key industry speakers to present on a wide range of topics from the upcoming Olympic event and future Commonwealth Games event to grassroots club development and practical workshops in the afternoon. It is also a forum to engage with the community and get an update on the issues that are concerning our clubs and associations.

This event would assist in raising Redlands profile and give us a much needed opportunity to voice our community's needs with those stakeholders in an appropriate forum.

The event provides a unique platform to deliver the sport and recreation vision and outcomes as stated in Redlands 2030 Community Plan.

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

- 7.1 Promote festivals, events and activities for people to come together, developing connections and networks to improve community spirit and enhance 'sense of place'
- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people
- 7.3 Increase community safety, health and wellbeing by planning and delivering programs, services, partnerships, regulations and education
- 7.5 Increase the physical activity participation of residents and deliver programs and incentives that strengthen opportunities for sport and recreation
- 7.6 Provide practical programs, support and guidance to the community sector in its delivery of highly valued support services and community projects
- 7.7 Increase children and young people's active participation in community life and support their social, cultural and physical development
- 7.8 Support "Ageing Well in the Redlands", to enable active participation in all aspects of community life
- 7.9 Actively participate in multi-agency forums to support the health and wellbeing of Indigenous residents of the Redlands and work with Aboriginal and Torres Strait Island communities in the Redlands to develop initiatives that respond to their aspirations

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

- 8.2 Provide accessible information through different media to let residents know about local issues and how to get involved in programs and make a positive contribution to their community
- 8.3 Establish and maintain effective partnerships with local, regional and national organisations and governments to deliver the visions and goals of the community
- 8.4 Deliver broad, rich and deep engagement that reaches residents of all ages, backgrounds and locations, enabling them to contribute their views about plans and decisions affecting them and developing community leadership
- 8.7 Ensure Council resource allocation is sustainable and delivers on Council and community priorities

FINANCIAL IMPLICATIONS

The Sport Summit is a financial commitment under sponsorship funding from Queensland Health for \$5,000 and Department of Communities Active Inclusion grant funding of \$9,000 to RCC to deliver a combined sports forum to assist in building the capacity of sporting clubs and community organisations to deliver on the preventative health agenda for an active and healthy community. A condition of the grant funding is that it has to be delivered by the end of March 2012. If we are unable to run the event by this time we will have to return the funding to the State.

This event does not require a direct Council contribution as the funding that has been secured externally will cover the projected costs of the event.

PLANNING SCHEME IMPLICATIONS

Not applicable

CONSULTATION

- Mayor and ELG
- Clubs and Associations
- Industry Peak Bodies and State Sporting Organisations
- Department of Communities, Sport and Recreation
- Queensland Health

OPTIONS

PREFERRED

It is recommended that Council note this report for the Redlands Sports Summit for mid March 2012.

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

Moved by: Cr W Boglary

Seconded by: Cr K Reimers

That Council resolve to note this report for the Redlands Sports Summit for mid March 2012.

CARRIED (en-bloc)

DECLARATION OF CONFLICT OF INTEREST

Crs Reimers declared a perceived conflict of interest in the following item, stating that she is associated with the following organisations:

- Patron, Muddies Cricket Club
- Patron, Redlands Multi-sports Club
- Patron, Redlands Dog Obedience
- Member, Redlands Sunrise Rotary
- Convenor, Clean up Australia Day
- Convenor, Judy Holt Bushcare.

Cr Reimers elected to stay in the room and vote in the best interests of the community. Cr Reimers voted in the affirmative.

Cr Hobson declared a perceived conflict of interest in the following item stating that she is associated with the following memberships:

- Patron, Redlands Bayside Disability Services Inc.
- Patron, Bay FM 100-3
- Patron, Bayside Respite Care Association
- Patron, Cancer Council Queensland (Redlands Branch)
- Patron, Cleveland Local Ambulance Committee
- Patron, Cleveland High P&C Association
- Patron, Cleveland Symphony Orchestra Inc.
- Patron, Coochiemudlo Island Surf Life Saving Club Inc.
- Patron, Isle of Coochie Golf Club
- Patron, Music of Redlands College
- Patron, PCYC
- Patron, Point Lookout Surf Life Saving Club Inc.
- Patron, Redland District Committee on the Ageing (RDCOTA)
- Patron, Redland City Bands
- Patron, Redlands Geneological Society
- Patron, Redlands Hospital Auxillary
- Patron, Redland Scottish & Celtic Society Inc.
- Patron, Redlands Bayside Aussi Masters Swimming Club
- Patron, Redlands Orchid Society Inc.
- Patron, Redlands Sporting Club Pipe Band
- Honorary Member, Rotary Club of QLD
- Honorary, Soroptimist International Bayside
- Patron, Surf Life Saving QLD – South Coast Branch
- Vice-Patron, Surf Life Saving QLD
- Patron, University of the Third Age, Redlands District
- Honorary Vice-President, Wellington Point Cricket Club
- Patron, Redlands Women's Information Network
- Patron, Redlands Cycling Club Inc.
- Member, Redlands Uniting Church
- Patron, Redlands Bayside Disability Services Inc.
- Honorary Member, Redlands Cricket Club

Cr Hobson elected to stay in the room and vote in the best interests of the community. Cr Hobson voted in the affirmative.

Cr Williams declared a perceived conflict of interest in the following item stating that she is associated with the following organisations:

- Past President, Redland Spring Festival Committee
- Member, Lions Club of Capalaba
- Honorary Member, Rotary Club of Capalaba
- **Coordinator, Redland Easter Festival**
- Member, Capalaba State College P & C

Cr Williams elected to stay in the room and vote in the best interests of the community. Cr Williams voted in the affirmative.

Cr Elliott declared a perceived conflict of interest in the following item stating that he is associated with the following organisations:

- Member, Easts Leagues Club
- Member, Moreton Bay Trailer Boat Club
- Member, Wynnum Manly Leagues Club
- Member, Alexandra Hills State High School P&C
- Member, Vienna Woods State School P&C
- Member, Hilliards State School P&C
- Patron, Alexandra Hills Sporting Club

Cr Elliott elected to stay in the room and vote in the best interests of the community. Cr Elliott voted in the affirmative.

Cr Ogilvie declared a perceived conflict of interest in the following item stating that he is associated with the following organisations:

- Redlands Touch Footy Club
- Redlands United Soccer Club
- Point Lookout Surf Lifesaving Club

Cr Ogilvie elected to stay in the room and vote in the best interests of the community. Cr Ogilvie voted in the affirmative.

14.2 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.

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

Datworks Filename: WM Policy
Responsible Officer: Robert Walford
Service Manager - RedWaste
Author: Emma Lochran
Projects Advisor - RedWaste

EXECUTIVE SUMMARY

A confidential report dated 5 December 2011 from Service Manager RedWaste was discussed in closed session.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

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

- 1. That the Officer's recommendation not be accepted;**
- 2. That Council resolve to:**
 - a) Amend the draft POL-0057 Exemption of Waste Disposal Fees and Charges at Council Waste Handling Facilities for Community Service Organisations as per Appendix B, to waive the State waste levy fee for applicants who can demonstrate they applied but were unsuccessful in their application to DERM for a levy exemption, but deemed to be a NFP entity by Council as per criteria established in POL-0057 and published by Council;**
 - b) Present a report to Council at February Customer Services Committee with criteria to be applied in such instances as in a) above;**
 - c) Apply a financial limit of \$1000 (inclusive of GST and State waste levy) to all NFP and community organisations per financial year, after which the applicable C&I, C&D or green waste charge would apply;**
 - d) Charge commercial waste transporters where State waste levy liable waste is disposed at Council's Mainland and island waste facilities and that:**
 - i. All Island commercial waste transporters disposing of leviable waste will be charged the State waste levy, unless they obtain an exemption certificate from DERM, from 1 April 2012; and**
 - ii. Council will adopt Appendix C as attached.**
 - e) Allow receipt of waste from NFP and community organisations only at Birkdale Waste Handling Facility; and**

- f) Reimburse RedWaste via a Community Service Obligation for lost gate fee revenue, and the cost of the state imposed waste levy liability for:**
 - i. NFP and community organisations who apply to Council for waste disposal fee exemption under POL-0057.**

CARRIED

15 PLANNING AND POLICY COMMITTEE 7 DECEMBER 2011

Moved by: Cr T Bowler
Seconded by: Cr K Reimers

That the Planning & Policy Committee Minutes of 7 December 2011 be received and resolution noted on item resolved under delegated authority.

CARRIED

[Planning & Policy Committee Minutes 7 December 2011](#)

15.1 CITY SERVICES

15.1.1 LAND MANAGEMENT PLAN LAURIE BURNS SPORTSFIELDS

Datworks Filename: P&R Sports Parks Laurie Burns Sportsfield
Master Plan

Attachment: [Laurie Burns Draft Land Management](#)

Responsible Officer: Louise Rusan
General Manager City Services

Author: Kristina Dickman
Senior Adviser Sport & Recreation

EXECUTIVE SUMMARY

Community and Social Planning (C&SP) and Environmental Management (EM) developed the draft Landscape Master Plan for the Laurie Burns Sportsfields on Coochiemudlo Island and engaged the community in an extensive consultation process.

In undertaking further consultation with Department of Resource Management (DERM), Redland City Council as trustee for the reserve land at Laurie Burns Sportsfields was required to align the document to a Land Management Plan subject to the provisions of the *Land Act 1994*. This was to take into account the proposed leases and uses for community organisations, communications, utilities and emergency services. The site functions as a community precinct that caters for local community and sport and recreation groups.

In undertaking the planning of the site there has been significant consideration of the multiple stakeholder interests and environmental issues. All stages of the consultation and planning processes are now completed with the development of a refined draft Land Management Plan.

This plan will guide proposed infrastructure development and new lease areas for the ten years as well as assisting in seeking funded where possible through external grants, internal revenue and community partnerships.

Under the new corporate structure the responsible officers for this project now sit with the Sport and Recreation and Public Places Units of the City Spaces Group under City Services Department.

PURPOSE

The purpose of this report is for Council to:

1. Support the proposed boundaries for community leases
 - a. Community workshop
 - b. Emergency Services Shed
 - c. Coochiemudlo Recreation Club
2. Provide in principle support for the proposed boundaries for future communications lease areas subject to development approvals.
3. Support the allocation of any future revenue from the communications leases to go directly into the site for maintenance and capital works of sport and recreation infrastructure.
4. Support the adoption of the Land Management Plan for planning purposes.

BACKGROUND

Council Policy and Planning Committee meeting on 7 September 2011 approved the draft plan for Laurie Burns Sportsfields to go to public consultation and engagement. The consultation period for the draft remained open to the public until 17 October 2011.

In undertaking further consultation with Department of Resource Management (DERM), Redland City Council as trustee for the reserve land at Laurie Burns Sportsfields is required to align the document to a Land Management Plan subject to the provisions of the *Land Act 1994*. This is to take into account the proposed leases and uses for community organisations, communications, utilities and emergency services. The site functions as a community precinct that caters for local community and sport and recreation groups.

All stages of the consultation and master planning processes are now completed with the development of four refined draft landscape master plans.

ISSUES

Redland City Council as trustee for the reserve land at Laurie Burns Sportsfields, Coochiemudlo Island, is responsible for managing the land subject to the provisions of the *Land Act 1994*.

The land management plan has been developed as planning guide for DERM, Council and the community to provide a vision to guide site development over the next 10 to 20 years.

To date Council has undertaken an extensive investigation and engagement process with the community and stakeholders of the site. This involved surveying residents, onsite investigations and stakeholder interview in the initial stages. The drafting of the plan condensed the community input and ideas. Further engagement through an open public consultation allowed for community wide review of the plans. This

provided a mix of different ways for residents to be involved. The information gathered through this process provided Council with 'best-fit' options for the site.

The major design influences for the planning include:

- a. Protection of the environmental values of the parks balanced with the needs of the community;
- b. Maximisation of access to the parks and opportunities for walking and cycling;
- c. Links and connections to other paths/open space areas/ community facilities;
- d. Minimisation of potential crime risks through design and lighting solutions;
- e. Maximising recreation opportunities and providing a mix of activities and infrastructure for people of all ages and abilities;
- f. Site drainage issues;
- g. Site entry car parking and vehicle movement, pedestrian safety; and
- h. Proposed locations for community leases, communications leases (Optus and Telstra) and identifying the existing utilities and emergency services locations (see attached land management plan page 8).

The draft land management plan contains an analysis of the site and its context and character, key findings of technical studies and community consultation, a vision and proposed landscape plan, indicative finishes and a planting palette.

RELATIONSHIP TO CORPORATE PLAN

Laurie Burns Sportsfields Land Management Plan will drive three outcome areas from the Corporate Plan and Redlands 2030, and their implementation will contribute to the achievement of the eleven goals from the 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.

- 5.6 Manage the built environment in a way that creates accessible and user friendly spaces and maintains our local character and identity, ensuring all new developments use high quality design that reflects our sub-tropical climate, promotes health, community harmony and wellbeing.
- 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.
- 5.11 Provide for 'place making' throughout the city through creative and inclusive master planning, local area planning, public art and heritage planning and precinct character planning processes to manage development at a local level.

- 5.12 Plan, provide and advocate for essential physical and social infrastructure that supports community well-being and manage Council's existing infrastructure assets to ensure current service standards are maintained or improved.
- 5.13 Enhance the city's liveability and enable people to enjoy outdoor activities, social gatherings and community events through planning, providing and managing high quality parks and open space.

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.

- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people.
- 7.7 Increase children and young people's active participation in community life and support their social, cultural and physical development.
- 7.8 Support "Ageing Well in the Redlands", to enable active participation in all aspects of community life.

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.
- 2.4 Provide and maintain safe and attractive routes for people to walk and cycle throughout the city and to connect to nearby regional centres.
- 2.7 Keep Redlands clean and green through programs that increase community participation in practical and positive local action to build a sense of ownership and an increasing pride in our city.

FINANCIAL IMPLICATIONS

The finalised land management plan will be used as a tool to schedule capital works and maintenance projects through the 10 year Capital Works Program. Currently there is \$278,100 allocated for works in the 10 year Capex.

The endorsement of this plan does not mean the park will be upgraded in its entirety in this timeframe. The implementation may be in stages and as funding is made available from both internal and external sources through revenue, grants, subsidies and partnerships.

It is requested for the anticipated revenue from the communications leases to go directly into the implementation of site maintenance and capital works for sport and

recreation infrastructure. Council will actively seek partnerships and external funding to contribute to the delivery of the plan.

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 involved interviews, site analysis, intercept surveys, surveys with residents and onsite focus group meetings with both internal and external stakeholders. Several presentations and a workshop were also made through the Coochiemudlo Island Progress Association.

This information was directly translated in the draft master plans and further rounds of public engagement and consultation with stakeholders, residents and user groups was undertaken. The information gathered throughout this process enabled the master plans to be refined, prior to presenting them to Council for final endorsement.

Further consultation was also been conducted with:

- Elected Council Representatives
- Manager - Property Services
- Principal Adviser - Land Use Planning
- Principal Adviser – Open Space Planning
- Senior Advisers – Natural Environment Team
- Senior Adviser – Waste Planning
- Senior Adviser - Parks and Conservation

OPTIONS

PREFERRED

That Council resolve to:

1. Support the proposed boundaries for community leases:
 - Community Workshop;
 - Emergency Services Shed; and
 - Coochiemudlo Recreation Club;
2. Provide in principle support for the proposed boundaries for future communications lease areas subject to development approvals;
3. Support the allocation of any future revenue from the communications leases to go directly into the site for maintenance and capital works of sport and recreation infrastructure; and
4. Support the adoption of the Land Management Plan for planning purposes.

ALTERNATIVE

Seek additional information in support of the adoption of the Laurie Burns Sportsfields Land Management Plan.

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

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That Council resolve to:

1. Support the proposed boundaries for community leases:
 - a. Community Workshop;
 - b. Emergency Services Shed; and
 - c. Coochiemudlo Recreation Club;
2. Provide in principle support for the proposed boundaries for future communications lease areas subject to development approvals;
3. Support the allocation of any future revenue from the communications leases to go directly into the site for maintenance and capital works of sport and recreation infrastructure; and
4. Support the adoption of the Land Management Plan for planning purposes.

CARRIED (en-bloc)

15.2 GOVERNANCE

15.2.1 PUBLIC TOILETS STRATEGIC REVIEW

Datworks Filename: CS Planning - Public Amenities

Attachments: [At Your Convenience, The Toilet Paper: A Strategic Review of Public Toilets in the Redlands](#)
[Draft Public Toilet Provision Policy – POL-3122](#)

Responsible Officer: Nick Clarke
General Manager Governance

Author: Roberta Bonnin
Group Manager Community Futures

EXECUTIVE SUMMARY

Council is responsible for 96 public toilets in the Redlands including those in caravan and holiday parks. The strategic review of public toilets in the Redlands covers 74 public toilets across the mainland, North Stradbroke Island and the Southern Moreton Bay Islands. This review was prompted in part by the State Government's requirement under the *Local Government Act 2009* for councils to develop higher level asset management plans, specifying roles and standards for their assets.

The strategic review set out to gain a clear understanding of the current provision of public toilets in the Redlands and included an audit of the availability and standards of Council's public toilets mapped in catchments across the city, their financial performance and their energy efficiency and the environmental impacts.

At Your Convenience, The Toilet Paper: A Strategic Review of Public Toilets in the Redlands, which includes the Strategic Development Plan for Public Toilets (Attachment 1), has informed the development of the Public Toilets Provision Policy (Attachment 2). Actions will be undertaken to support the planning, design, management and maintenance of existing, new and upgraded public toilets with input into development of Council's Advanced Buildings Asset and Services Management Plan to be completed in 2012-13.

PURPOSE

To seek Council adoption of the Public Toilets Provision Policy and to seek Council endorsement of *At Your Convenience, The Toilet Paper: A Strategic Review of Public Toilets in the Redlands* which includes the Strategic Development Plan for Public Toilets in the Redlands.

BACKGROUND

This strategic review of Council's public toilets was prompted in part by the *Local Government Act 2009 and Regulations*, particularly sections relating to preparation of long-term asset management plans and strategies to ensure the sustainable management of assets, and the requirement for local governments to consider the

whole-of-life costings of assets for long term financial management planning and budgets.

Council has embarked on a program of strategic reviews for social infrastructure, beginning with Strategic Development Plan for Community Facilities – Community Halls in 2010. After the review of public toilets is completed, a review of leased buildings is planned. These reviews aim to look at facilities and associated services that are currently managed by different parts of Council, to identify potential efficiencies and improvements in planning and delivery and to ensure Council's planning, investment and operation of community facilities are targeted most effectively to meet changing community needs.

The Community Facilities Review – Amenities (now called Public Toilets) was approved In Council's 2010/11 Operational Plan under Wise Planning and Design, 5C Managing Community Assets and funded through the annual budget process to achieve the following:

An assessment of current use and future needs and options for renewal of existing facilities, disposal of redundant facilities, requirements for new facilities in the short, mid and long term. Options for community business partnerships will also be explored.

ISSUES

Public amenities are critical enablers for many activities and many people in the Redlands. Examples include:

- recreation – use of parks and outdoor areas and water based recreation mean people need to use a toilet and other facilities (eg drinking water) at some point
- exercise – joggers, walkers and bike riders are frequent users of public toilets, as are people playing sport
- tourism – visitors to the Bay or the islands are far from their home toilets
- place making – toilet facilities are part of the infrastructure that make people feel welcome, catered for and proud of a place
- work – many workers are mobile. Couriers, taxi drivers and sales people often need to use public toilets
- commuting and transport – travelling is a common time when people need to use public toilets
- homelessness – for many homeless people, public facilities are their only option for toilets, showers and change rooms
- hygiene and sanitation – public facilities provide an alternative to use of streets, footpaths, bus stops or parks for toilet breaks.

The Strategic Review of Public Amenities was informed by the following investigations and reports which were undertaken by Council officers and consultants:

- building condition/ planning and operational priorities (Asset and Services Management Plan)
- safety and access audits
- strategic assessments
- literature and practice review
- collection of public toilet data and analysis of each Redland catchment (aligned with Social Infrastructure Strategy and the draft Redland Open Space Strategy currently in development)
- identification and review of a number of case study sites
- stakeholder and community engagement
- review of previous consultations including parks master planning and community satisfaction surveys
- green building performance report (Aecom)
- asset management and financial advice (Morrison Low)
- summary review report and strategic development plan (99 Consulting).

Major findings of the strategic review are outlined below:

- public toilet provision in the Redlands is currently somewhat under-provided based on national benchmarking and Council's own standards (for example less than 50% of Council's regional and district parks currently include toilet facilities)
- Council's maintenance and operational spending on toilets is relatively high, reflecting moves in recent years to rectify past under-spending
- community satisfaction with public toilets in the Redlands is relatively high
- many of Council's existing public toilets rate poorly for safety, amenity or disability access
- older style facilities are perceived as unattractive, unsafe and unclean. More recent facilities, while better-regarded by the public, have had issues with materials that cannot withstand coastal conditions
- Council currently does not specify energy and environmental performance requirements beyond applicable regulations and standards however environmental impact improvements in water and energy use would also reduce costs and increase safety, aesthetics and usability
- The average cost of operating and maintaining a public toilet is \$12,878 per year with individual asset costs affected by usage, security and location. Total operating costs in 2010/11 were \$ 953,000. The cleaning operating costs include daily scheduled clean and a volume of event cleans and call-out cleans.
- There is a shortfall in Council funds for renewal of ageing toilets and construction of new toilets while opportunities exist for sharing responsibilities and costs with commercial parties who derive benefit from public facilities.

Strategic Development Plan for Public Toilets – Desired Outcomes

Based on the research and consultation documented in the reports above, a set of six desired outcomes for public toilets provision have been developed:

- Public toilets where they are needed, when they are needed
- Public toilets that are fit for place, purpose and people
- Public toilets that are clean, safe and accessible
- Public toilets that are easy to find
- Public toilets and services at reasonable cost to Council
- Public toilets that minimise environmental impact.

An implementation plan arising from the Strategic Development Plan outlines fifteen actions to achieve the desired outcomes listed above with another three actions to improve coordination and delivery of the plan.

The development and adoption of the Public Toilet Policy POL-3122 is the first of these actions. The policy will guide Council's continuous improvement in the planning, design, management and provision of public access to toilets in the Redlands to ensure that these facilities best meet current and future community need, and operate in accordance with Council's asset management responsibilities.

RELATIONSHIP TO CORPORATE PLAN

2. Green living

- 2.1 Achieve sustainability through strong leadership and innovation, and by effective planning and managing our services, assets and resources
- 2.4 Provide and maintain safe and attractive routes for people to walk and cycle throughout the city and to connect to nearby regional centres
- 2.6 Conserve energy and water, improve efficiency and reduce greenhouse gas emissions resulting from Council's energy consumption

5. Wise planning and design

- 5.6 Manage the built environment in a way that creates accessible and user friendly spaces and maintains our local character and identity, ensuring all new developments use high quality design that reflects our sub-tropical climate, promotes health, community harmony and wellbeing
- 5.11 Provide for 'place making' throughout the city through creative and inclusive master planning, local area planning, public art and heritage planning and precinct character planning processes to manage development at a local level.
- 5.12 Plan, provide and advocate for essential physical and social infrastructure that supports community well-being and manage Council's existing infrastructure assets to ensure current service standards are maintained or improved
- 5.13 Enhance the city's liveability and enable people to enjoy outdoor activities, social gatherings and community events through planning, providing and managing high quality parks and open spaces

7. Strong and connected communities

- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people.
- 7.5 Increase the physical activity participation of residents and deliver programs and incentives that strengthen opportunities for sport and recreation
- 7.7 Increase children and young people's active participation in community life and support their social, cultural and physical development
- 7.8 Support "Ageing Well in the Redlands", to enable active participation in all aspects of community life

8. Inclusive and ethical governance

- 8.3 Establish and maintain effective partnerships with local, regional and national organisations and governments to deliver the visions and goals of the community

FINANCIAL IMPLICATIONS

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

Of the eighteen actions contained in the Strategic Development Plan, twelve actions will be undertaken by staff resources within short, medium and long term time frames. Some actions may involve reprioritisation of existing maintenance and capital budgets. Two medium term projects involve budget bids for disability access improvements and signage. Three actions are intended to reduce costs by exploring public access to private facilities, external sources of funding for capital or upgrades and potential for public/commercial partnerships.

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

Community engagement for this project included:

- interviews with Councillors and the Mayor
- targeted consultations with representatives of user groups, including people with disabilities, seniors, families and young people.
- an online survey promoted to Council's Online Feedback Network and via Council networks.

An internal steering group was established comprising officers from:

- Open Space Planning, Facilities Services Unit, Community and Social Planning, Infrastructure Planning Group, Operations and Maintenance and Financial Services.

OPTIONS**PREFERRED**

That Council resolve to:

1. Adopt of the Public Toilets Provision Policy POL-3122; and
2. To endorse *At Your Convenience, The Toilet Paper: A Strategic Review of Public Toilets in the Redlands* for planning purposes

ALTERNATIVE

That further research is undertaken as directed by Council for consideration at a future date.

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

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That Council resolve to:

1. Adopt the Public Toilets Provision Policy, POL-3122; and
2. Endorse *At Your Convenience, The Toilet Paper: A Strategic Review of Public Toilets in the Redlands* for planning purposes.

CARRIED (en-bloc)

DECLARATION OF CONFLICT OF INTEREST

Cr Ogilvie declared a conflict of interest, or a perceived conflict of interest in the following item stating that he rented a house in that area and it is possible that he may still be living in that house and that any development may affect his residential amenity. Cr Ogilvie remained in the room stating he would vote in the community interests. Cr Ogilvie voted in the affirmative.

15.3 CITY SERVICES

15.3.1 MASTER PLANNING & REDEVELOPMENT OPTIONS FOR TOONDAH HARBOUR

Datworks Filename: RTT PLANNING: Redevelopment of Toondah Precinct

Attachments: [Attachment 1-Review of Reports on the Master Planning & Redevelopment Options for Toondah Harbour](#)
[Attachment 2-Toondah Project Plan](#)
[Attachment 3-Economic Transition Presentation](#)
[Attachment 4-Council Resolution](#)

Responsible Officer: Murray Erbs
Group Manager, City Infrastructure

Author: Rodney Powell
Senior Adviser Infrastructure Project

EXECUTIVE SUMMARY

The Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour was presented to a Council Workshop on 9 November 2011. It was recommended at the workshop that this report be now submitted to the next Planning and Policy Committee and that the report be provided to the State Coordinator-General for the purpose of:

1. Undertaking further preliminary investigations to inform the harbour infrastructure concept design;
2. Consulting with key stakeholders, Council, Community and in State Government over viability, delivery and the management structure;
3. Completing a review of the harbour infrastructure concept design and viability;
4. Deciding on an approach to project delivery through a Project Plan process.

It was also noted at the workshop that a previous Council resolution from the General Meeting of 28 November 2007 Item 10.4.1 indicating preference for option 3A should be rescinded to allow for an unconstrained review of options.

PURPOSE

The purpose of this report is to note the GHD Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour report and to endorse

the provision of this report to the State Coordinator-General for the purpose of undertaking the next steps of investigation, consultation, concept design, viability and project planning.

BACKGROUND

On 28 November 2007 Council resolved as follows:

- 1. That the concept Option 3A as proposed in the "Toondah Harbour Master Planning and Redevelopment Option Study" and detailed more specifically in the "Toondah Harbour Draft Supplementary Report" be adopted as the preferred planning model for the redevelopment of the Toondah Harbour precinct; and*
- 2. That agreement with the State Government be sought on a workable delivery platform for the master planning of the Toondah Harbour land and marine precincts as outlined in confidential report in this matter from Manager Infrastructure Planning dated 30 October 2007*

To progress a workable delivery platform, GHD Pty Ltd [GHD] was engaged to conduct a review of reports on the Master Planning and Redevelopment Options for Toondah Harbour. GHD has reviewed the previous studies into the concept plan options for Toondah Harbour prepared by Ernst & Young (EY), Holland Project Services (HPS), Hassell and International Marina Consultants (IMC).

The purpose of this latest review was to test the feasibility and viability of the concept plan options and identify any information gaps that need to be addressed. The options were reviewed in broad terms, but with specific engineering, cost and financial viability work around the revised option identified by IMC ('IMC option'). The previous reports concluded that State Government policy supported change and development at Toondah Harbour given its status as an "Area of State Significance – Social and Economic" in the SEQ Coastal Management Plan. It is also noted that agreement would need to be reached between key stakeholders over the way forward, and with State Government in relation to a delivery model and structure.

GHD has identified the need for a number of technical investigations which will need to be undertaken before an optimal master plan can be developed. These investigations have been incorporated into a project plan by GHD to identify the best way forward to develop an optimal master plan.

Since the commissioning of this report the North Stradbroke Island Economic Transition Taskforce has come into being and there is now an opportunity to have the State Coordinator-General to undertake the next steps that include investigation, consultation with key stakeholders (including Council and the community), concept design, viability and project planning.

ISSUES

This project is provided with the highest priority Project of all the projects that have been included into "Priority Projects for the Redlands" in "Redlands – to 2030 and Beyond". In this document it is recognised that State leadership will be required to drive, coordinate and fund a number of initiatives that have State responsibility including the North Stradbroke Island Transition Strategy which includes the

Toondah Harbour Precinct. This recommendation would allow the State Coordinator-General to take carriage of the project and ensure a high level of key Council and community stakeholder engagement. Council's stake is also enhanced as the owner of freehold land within the Harbour precinct.

The advantage of the State Coordinator-General having carriage for this project is that under the State Development and Public Works Organisation Act 1971 (SDPWO Act), the Co-ordinator-General has wide-ranging powers to plan, deliver and coordinate large-scale infrastructure projects, while ensuring their environmental impacts are managed and can declare a project to be a significant project and coordinate the environmental impact assessment of the project. Under the SDPWO Act, the Coordinator-General can, for example:

- undertake or commission investigations, prepare plans, give directions and take any other measures the Coordinator-General thinks necessary or desirable to plan, build and regulate infrastructure developments for Queensland;
- establish a program of works;
- declare a project to be a significant project and coordinate the environmental impact assessment of the project;
- declare a project to be a prescribed project;
- declare state development areas and oversee development in these areas;
- recommend to the Minister and Governor in Council that the Coordinator-General, a local body or another person undertake works on behalf of the Coordinator-General;
- acquire land or easements for:
 - authorised works
 - works included in a program of works or approved development scheme
 - works undertaken by a local body or a department of the state government
 - state development areas
 - an infrastructure facility of significance.

It is most desirable that the project be at least declared a significant project. A 'significant project' declaration does not imply government approval of, support for or commitment to the project in question.

Rather, it means the project requires a rigorous and comprehensive environmental impact assessment, involving whole-of-government coordination.

The declaration does not exempt the project proponent from the need to:

- obtain necessary development approvals
- comply with relevant planning and environment laws and planning instruments.

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.

- 3.1 Address the social, cultural and economic needs of island communities by partnering with residents and other tiers of government to deliver infrastructure, facilities and services.

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

FINANCIAL IMPLICATIONS

There are no financial implications.

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. Any changes will be the subject of future reports to Council.

CONSULTATION

Councillors and ELG have been consulted at a Council workshop 9 November 2011.

OPTIONS

PREFERRED

That Council resolve to:

1. Note the Draft Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour prepared by GHD;
2. Rescind the Council Resolution from the General Meeting 28 November 2007 Item 10.4.1 giving preference to Option 3A planning model for the redevelopment of the Toondah Harbour precinct to allow an unconstrained review of all viable options; and
3. Provide the Draft Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour prepared by GHD and supporting reports to the State Coordinator-General for the purpose of:

- a. Undertaking further preliminary investigations to inform the harbour infrastructure concept design;
- b. Consulting with key stakeholders, Council, Community and in State Government over viability, delivery and the management structure;
- c. Completing a review of the harbour infrastructure concept design and viability; and
- d. Deciding on an approach to project delivery through a Project Plan Process.

ALTERNATIVE

None considered

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Note the Draft Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour prepared by GHD;
2. Rescind the Council Resolution from the General Meeting 28 November 2007 Item 10.4.1 giving preference to Option 3A planning model for the redevelopment of the Toondah Harbour precinct to allow an unconstrained review of all viable options; and
3. Provide the Draft Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour prepared by GHD and supporting reports to the State Coordinator-General for the purpose of:
 - a. Undertaking further preliminary investigations to inform the harbour infrastructure concept design;
 - b. Consulting with key stakeholders, Council, Community and in State Government over viability, delivery and the management structure;
 - c. Completing a review of the harbour infrastructure concept design and viability; and
 - d. Deciding on an approach to project delivery through a Project Plan Process.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie

Seconded by: Cr W Boglary

That Council resolve to:

1. Note the Draft Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour prepared by GHD;
2. Rescind the Council Resolution from the General Meeting 28 November 2007 Item 10.4.1 giving preference to Option 3A planning model for the redevelopment of the Toondah Harbour precinct to allow an unconstrained review of all viable options;

3. Provide the Draft Review of Reports on the Master Planning and Redevelopment Options for Toondah Harbour prepared by GHD and supporting reports to the State Coordinator-General for the purpose of:
 - a. Undertaking further preliminary investigations to inform the harbour infrastructure concept design;
 - b. Consulting with key stakeholders, Council, Community and in State Government over concepts, viability, delivery and the potential management structure;
 - c. Completing a review of the harbour infrastructure concept design and viability; and
 - d. Deciding on an approach to project delivery through a Project Plan Process;
4. That the Coordinator-General be alerted to the need for community engagement in the development of the original concepts; and
5. That follow-up with the current opposition parties regarding their support for state involvement be undertaken.

CARRIED

DIVISION

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

15.3.2 2011/12 DIVISIONAL PARKS AND INFRASTRUCTURE PROGRAM - DIVISIONS 1, 5, 6 AND 10

Datworks Filename: P & R Divisional Park Infrastructure Development

Attachment: [AMENDED Projects and Estimates for DPIP
Divisions 1, 5, 6 and 10 2011 2012](#)

Responsible Officer: Lex Smith
Manager City Spaces

Author: Annette Henderson
Support Officer Public Place Projects Unit

EXECUTIVE SUMMARY

Annual funding of \$500,000 has been made available for Divisional parks and other infrastructure projects in Redland City Council Budget 2011/12. \$50,000 is allocated to each Division.

This report is to seek Council approval of the 2011/12 DPIP amended program of works for Divisions 5, 6 and 10.

PURPOSE FOR THE AMENDED LIST OF

The purpose of this report is to seek Council approval for the amended list of projects for the 2011/12 Divisional Parks and Infrastructure Program for Divisions 5, 6 and 10. The approved funding will be used for the provision of new infrastructure in parks and open space and associated works as detailed for Divisions 5, 6 and 10. (Attachment A)

BACKGROUND

- Council has approved in the 2011/12 budget for the provision of \$500,000 to be available under Governance and Planning Department for the benefit of supplying park and other infrastructure.
- At the General Meeting of 27th July 2011, Council approved the program of projects prepared for the 2011/12 Divisional Parks and Infrastructure Program
- Please refer to the attached document for the table of the proposed amended list of projects to be implemented under 2011/12 DPIP for Divisions 5, 6 and 10.
- Some of the projects are still to be fully designed and costed and this may have implications in terms of delivery dates and location of the project within the park or open space.
- All of the projects will be fully costed under tendering processes. Again this may impact on delivery times and capacity if unforeseen issues arise.

ISSUES

- A 2011/12 Divisional Parks and Infrastructure Program (DPIP) has now been developed with the assistance of the Divisional Councillors and key stakeholders across Council.
-

- Some of the approved projects in each of Divisions 5 and 6 are no longer required for various reasons; therefore new projects have been included in the program, which require Council approval.
- Two of the projects in Division 10 have been amended and require Council approval.

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.

FINANCIAL IMPLICATIONS

Within the current 2011/12 budget an amount of \$50,000 for each Division has been allocated from General Revenue to facilitate the fulfilment of the Divisions 5, 6 and 10 portion of 2011/12 DPIP.

Each project or group of projects still require further costing through the design and tendering phase of the projects. Delivery of some projects will be subject to these further investigations and availability of budget. The former Open Space Planning Unit will be able to contribute some limited funds to assist projects to be delivered. One of the projects was attracting State Government subsidy which has now been declined.

This report identifies projects to the value of \$150,000.

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

A series of internal workshops have been held between Parks and Conservation Services, the Environmental Management Group and Projects Delivery Group and developed the master list of projects for discussion purposes.

Councillors for Divisions 5, 6 and 10 having been sent a list of approved and possible Divisional projects have now made changes and additions to the list. Discussions with the Councillors from Divisions 5 and 6 assisted in determining what the priorities were for each of these Divisions over a 2 year period. The 2011/12 DPIP has been developed from these discussions and investigations by relevant officers. Some projects may require community engagement at a local level prior to construction.

OPTIONS

PREFERRED

That Council resolve to approve the program of projects prepared for the 2011/12 Divisional Parks and Infrastructure Program for Divisions 5, 6 and 10.

ALTERNATIVE

That Council not approve the program of projects prepared for the 2011/12 Divisional Parks and Infrastructure Program for Divisions 5, 6 and 10.

OFFICER'S RECOMMENDATION

That Council resolve to approve the program of projects prepared for the 2011/12 Divisional Parks and Infrastructure Program for Divisions 5, 6 and 10 as attached.

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

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That Council resolve to approve the program of projects prepared for the 2011/12 Divisional Parks and Infrastructure Program for Divisions 1, 5, 6 and 10 as attached.

CARRIED (en-bloc)

15.3.3 EGW WOOD SPORTSFIELD, SEL OUTRIDGE PARK, JACKSON ROAD COMMUNITY PRECINCT AND REDLANDS BASEBALL PARK LANDSCAPE MASTER PLANS

Dataworks Filenames: P&R Sports Parks – EGW Wood Sportsfield
Landscape Master Plan
P&R Sports Parks – Sel Outridge Park Landscape
Master Plan
P&R Sports Parks – Jackson Road Community
Precinct Landscape Master Plan
P&R Sports Parks – Redlands Baseball Park
Landscape Master Plan

Attachments: [EGW Woods Draft Landscape Master Plan](#)
[Sel Outridge Draft Landscape Master Plan](#)
[Redlands Baseball Park Draft Landscape Master
Plan](#)
[Jackson Road Draft Landscape Master Plan](#)

Responsible Officer: Louise Rusan
General Manager City Services

Author: Kristina Dickman
Senior Adviser Sport & Recreation

EXECUTIVE SUMMARY

Community and Social Planning (C&SP) and Environmental Management (EM) developed the draft Landscape Master Plans for EGW Wood Sportsfield, Sel Outridge Park, Jackson Road Community Precinct and Redlands Baseball Park. C&SP and EM sought Council approval for public engagement and consultation of the plans.

All mainland sites currently function as high use sporting grounds and recreational areas and are destination parks in the City. The Jackson Road site functions as a community precinct that caters for local community and sport and recreation groups.

In undertaking the planning of these sites there has been significant consideration of the multiple stakeholder interests and environmental issues at each of the sites. All stages of the consultation and master planning processes are now completed with the development of four refined draft landscape master plans.

These master plans will guide a ten year program of infrastructure development and capital works, funded where possible through external grants, internal revenue and community partnerships.

Under the new corporate structure the responsible officers for this project now sit with the Sport and Recreation and Public Places Units of the City Spaces Group under City Services Department.

PURPOSE

To seek Council adoption of EGW Wood, Sel Outridge, Jackson Road Community Precinct and Redlands Baseball Park Landscape Master Plans for planning purposes.

BACKGROUND

Council Policy and Planning Committee meeting on 3 August, 2011 approved the draft Landscape Master plans for EGW Wood Sportsfields and Sel Outridge Park to go to public consultation and engagement. The consultation period for the draft remained open to the public until 2 September, 2011. Further rounds of consultation and engagement were held with user groups, the divisional Councillor's and interested parties to clarify points of the master plan and to ensure that all concerns were addressed through the process.

Council Policy and Planning Committee meeting on 7 September, 2011 approved the draft Landscape Master plans for Jackson Road Community Precinct and Redlands Baseball Park to go to public consultation and engagement. The consultation period for the draft remained open to the public until 17 October, 2011.

All stages of the consultation and master planning processes are now completed with the development of four refined draft landscape master plans.

ISSUES

In delivering on the visions and goals of Redlands 2030 Community Plan and Council's Corporate Plan 2010-2015, Council endorsed the 2010/11 Operational Plan and accompanying budget for the EGW Wood Sports , Sel Outridge Park, Jackson Road Community Precinct and Redlands Baseball Park Landscape Master Plans.

Extensive background information, internal and external stakeholder engagement and technical studies compiled by Council officers over the last several months have been considered and consolidated into the draft EGW Wood Sportsfields, Sel Outridge Park, Jackson Road Community Precinct and Redlands Baseball Park Landscape Master Plans

The landscape master plans for the four parks are developed as planning guides for Council and the community for ten to twenty years and provide a vision to guide site development as well as design features and direction for the management of significant issues.

The major design influences for the planning include:

- Protection of the environmental values of the parks balanced with the needs of the community;
- Maximisation of access to the parks and opportunities for walking and cycling;
- Links and connections to other paths/open space areas/ community facilities;
- Minimisation of potential crime risks through design and lighting solutions;
- Maximising recreation opportunities and providing a mix of activities and infrastructure for people of all ages and abilities;
- Creation of natural and artificial shaded areas;
- Flood mitigation and site drainage issues;

- Site entry car parking and vehicle movement, pedestrian safety; and
- Placement of utilities.

Each draft landscape master plan contains an analysis of the site and its context and character, key findings of technical studies and community consultation, a vision and proposed landscape plan, indicative finishes and a planting palette.

Stage 2 of the master planning process involved further community consultation on the draft landscape master plans. The open public consultation process allowed for community wide review of the plans. This provided a mix of different ways for residents to be involved. The information gathered through this process provided Council with 'best-fit' options for the sites as well as highlight other unforeseen opportunities or limitations of the draft landscape master plans prior to their finalisation.

RELATIONSHIP TO CORPORATE PLAN

EGW Wood Sportsfields, Sel Outridge Park, Jackson Road Community Precinct and Redlands Baseball Park Landscape Master Plans will drive three outcome areas from the Corporate Plan and Redlands 2030, and their implementation will contribute to the achievement of the eleven goals from the 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.

- 5.6 Manage the built environment in a way that creates accessible and user friendly spaces and maintains our local character and identity, ensuring all new developments use high quality design that reflects our sub-tropical climate, promotes health, community harmony and wellbeing
- 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
- 5.11 Provide for 'place making' throughout the city through creative and inclusive master planning, local area planning, public art and heritage planning and precinct character planning processes to manage development at a local level
- 5.12 Plan, provide and advocate for essential physical and social infrastructure that supports community well-being and manage Council's existing infrastructure assets to ensure current service standards are maintained or improved
- 5.13 Enhance the city's liveability and enable people to enjoy outdoor activities, social gatherings and community events through planning, providing and managing high quality parks and open spaces

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

- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people
- 7.7 Increase children and young people's active participation in community life and support their social, cultural and physical development
- 7.8 Support "Ageing Well in the Redlands", to enable active participation in all aspects of community life

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
- 2.4 Provide and maintain safe and attractive routes for people to walk and cycle throughout the city and to connect to nearby regional centres
- 2.7 Keep Redlands clean and green through programs that increase community participation in practical and positive local action to build a sense of ownership and an increasing pride in our city
- 2.9 Protect our community and the natural environment by managing environmental harm and nuisance caused by industry, business, development from past and present activities

FINANCIAL IMPLICATIONS

The finalised landscape master plans will be used as tools to schedule annual capital works projects through the 10 Year Capital Works Program. It must be noted however, that the endorsement of the Landscape Master Plans does not mean that the park will be upgraded in its entirety within the 10 year period. The implementation may be in stages and as funding is made available from both internal and external sources through revenue, grants, subsidies and partnerships.

Council will actively seek community partnerships and external funding to contribute to the delivery of the plan, for example funds to be sourced through grant applications to State Government for sport and recreation elements of the plan such as sportsfield lighting.

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 involved interviews, site analysis, intercept surveys, surveys with residents and onsite focus group meetings with both internal and external stakeholders.

This information was directly translated in the draft master plans and further rounds of public engagement and consultation with stakeholders, residents and user groups was undertaken. The information gathered throughout this process enabled the master plans to be refined, prior to presenting them to Council for final endorsement.

Further consultation was also been conducted with:

- Elected Council Representatives
- Leisure & Recreation Services Manager
- Senior Sport and Recreation Officer - Leisure & Recreation Services
- Service Manager - Survey Services
- Principal Adviser - Land Use Planning
- Principal Adviser – Open Space Planning
- Senior Advisers – Natural Environment Team
- Senior Adviser – Waste Planning
- Senior Adviser - Parks and Conservation

OPTIONS

PREFERRED

That Council resolve to adopt the EGW Wood Sportsfield, Sel Outridge Park, Jackson Road Community Precinct and Redlands Baseball Park Landscape Master Plans for planning purposes.

ALTERNATIVE

Seek additional information in support of the adoption of the EGW Wood Sportsfield, Sel Outridge Park, Jackson Road Community Precinct and Redlands Baseball Park Landscape Master Plans at a later date.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That Council resolve to adopt the EGW Wood Sportsfield, Sel Outridge Park, Jackson Road Community Precinct and Redlands Baseball Park Landscape Master Plans for planning purposes.

CARRIED (en-bloc)

15.4 ENVIRONMENT PLANNING & DEVELOPMENT

15.4.1 WORKING WITH SEQ CATCHMENTS TO MEET NRM TARGETS UNDER THE SEQ REGIONAL PLAN

Datworks Filename: EM SEQ NRM Plan

Attachments: [Attachment 1 SEQ Catchments Letter and Discussion Paper](#)
[Attachment 2 SEQ NRM Plan Targets](#)
[Attachment 3 Adoption of SEQ NRM Plan Targets in Redland City](#)

Responsible Officer: Gary Photinos
Group Manager City Planning and Environment

Author: Warren Mortlock
Principal Advisor Environmental Protection

EXECUTIVE SUMMARY

The South East Queensland Natural Resource Management Plan 2009–2031 (SEQNRMP) is the main, environment and natural resource management plan for the region. This report describes the relevance of these targets in Redland City and Council's approach to their implementation under the SEQ NRM Plan to 2031. It describes and recommends that Council endorse a close working relationship with SEQ Catchments to implement priority targets.

PURPOSE

- Describe the relevance of the SEQ NRM Plan 2031 targets to Redland City.
- Describe and confirm Council's approach to the implementation of these targets.

BACKGROUND

The SEQNRMP released in late 2010 is a non statutory natural resource management plan for the region that contributes to the sustainability framework promoted within the South East Queensland Regional Plan (SEQRP). It articulates measurable targets for the condition and extent of environment and natural resources aligned to desired regional outcomes (DRO) and policies in the South East Queensland Regional Plan 2009–2031 (SEQRP).

The Council of Mayors (SEQ) approved the list of priority programs of the South East Queensland Regional Plan for implementation on October 2nd 2009. This list included implementation of the SEQ NRM Targets.

A Discussion Paper "Achieving Better Alignment of NRM Activity between SEQ Catchments and the Councils of SEQ" (Attachment 1) was published by SEQ Catchments in September 2011.

The paper outlines two areas for enhancing existing arrangements with Councils: development of a memorandum of understanding (MOU) with each Council; and

facilitation of investment alignment. Currently, officers in City Environment Unit and Environmental Education are pursuing both avenues with SEQC in respect to the Extension Programs operating through Indigiscapes.

ISSUES

Main issues

The issues arising for Council at present are:

- a. what are the targets and the implementation arrangements for them;
- b. how are they measured, what is the status (current condition) and trend for each target;
- c. addressing Council's responsibilities (prioritizing) through policy, plans, investment, and on-ground implementation.

What are the NRM targets?

The NRM targets establish an objective for management of 39 'key' areas of natural resource management. The targets are listed in the attachment "SEQ NRM Plan Targets" (Attachment 2).

These targets are medium term guidance to the wide range of existing plans, strategies and actions in place across levels of government, industry, academic and conservation sectors and the community. The plan helps to improve coordination and management so that everyone is moving in the one direction.

The SEQNRMP has been endorsed by State and local government, and the targets were negotiated in a partnership approach taken by State Government agencies, SEQ Councils, community organisations, industry groups, the conservation sector and academia in finalising the plan.

The SEQ NRM Plan does not belong to any one of these; rather we are all stakeholders, owners, and implementers of the Plan.

Council had a formative role in the development of the targets in 2008/9 on the back Council's own work in publishing the SOE 2008. The headings are the same as those used at the regional level in the *State of the Region Report 2008* and *State of the Region Technical Report 2011*. Redland City uses the same format and 15 targets are for indicators included in Council's own State of the Environment Report 2008 (SOE 2008) and Rating Report Summary (SOER 2009). There are no NRM targets related to natural hazards, such as: bushfire, landslip, or storm surge. Nor are any targets included for resource audit of water, waste or energy use.

Implementation arrangements

Redland City Council is regarded as having taken a leading role in SEQ on natural resource management and consequently is making progress on implementing many but not all of the NRM targets. We are clearly one of the main agents for getting these targets met in Redland City. Through the Council of Mayors, Redland City broadly supported the targets as a package but this is evolving into a more detailed and prioritised approach to the most important targets for Council and little if any action on others, at least at this stage.

At least ten (10) targets relate to areas and issues outside the direct jurisdiction or control of Council. Some also have little relevance in the Redlands, and for some there are no agreed data sets of benchmarks currently in place see attachment," Adoption of SEQ NRM Plan Targets in Redland City for a brief analysis.

A '*Benchmark Atlas – SEQ Natural Resource Management Plan*' was published in January 2010 by the Regional Coordination Mapping Group. The next step is the preparation of a 'Target Atlas' containing Target Implementation Maps to be developed in consultation with stakeholders to identify necessary actions and priorities.

There has not been a more recent report on the current condition or trend for the NRM targets. In most cases, it is too early to establish how well the Region or Redlands City is faring in regard to the individual targets (using science and mapping), let alone how Council is going. Such assessment is more objective for targets for which we have data (waterways, vegetation) and more subjective for targets where an agreed data set or benchmarks are not yet available.

Council is very aware that despite good management, the environment may not show recovery for some targets (eg. CM1 "Extent and condition of seagrass and mangrove salt marsh"; W6 "Water quality objectives for all SEQ waterways met or better"), and may never do so for others (CM6 "Extent and frequency of coastal algal blooms"; L2 "Agricultural land remains for agriculture > 90% of SEQ").

With the exception of waterways (W6 "Water quality objectives for all SEQ waterways met or better" & W7 'Ecosystem health and ecological process restored in disturbed waterways'), a routine monitoring and a reporting regime will be required at regional and local level before the trends in data become evident for the targets. We already have the SEQ Healthy Waterways/EHMP initiatives at regional level and Council's own annual Waterway Recovery Reporting covering the W6 and W7 targets.

We foresee a need for local monitoring and reporting on other priority targets – especially:

- NC1: Extent of remnant vegetation (35%) and non-remnant woody vegetation (22%)
- NC2: No net fragmentation of vegetation tracts (> 5000ha)
- NC3: Extent and condition of wetlands maintained or increased.
- NC4: Protect > 4% of pre-clearing extent vulnerable regional ecosystems.
- NC5: Conservation status native species maintained or improved.
- NC6: Extent and condition of habitat for priority taxa maintained or increased.

At present, the SOE 2008 and SOER 2009 are still the best publicly available presentation of relevant data and trends for the targets in Redlands.

Relationship with SEQ Catchments

SEQ Catchments (SEQC) is one of the organisations implementing the targets. SEQC has a significant role in implementation and monitoring against the targets, and in engagement and coordination with councils to provide a consistent basis for

this regional NRM action. SEQC has also developed a Strategic Investment Plan for SEQC to 2014 (SIP) in support of the NRM Plan. This Plan provides a starting point to discuss partnership arrangements.

The Council of Mayors (SEQ) has had significant input into the preparation of the SIP and continues its coordination role with a focus on implementation and liaison with other NRM stakeholders. Council of Mayors (SEQ) provides two representatives who act as Directors on the Board of SEQ Catchments.

SEQC has also developed guidelines for integrating ecosystem services into council documents, which provides direction on how to implement policy in the SEQ Regional Plan developed in association with SEQC, Redlands ecosystem function mapping to support our efforts to address this policy.

Redlands is further ahead than many because Council has already engaged in a number of formal and informal arrangements with SEQC, including, development of an MOU, Ecosystem Services Mapping, and collaboration on the development of 'Ecological Restoration Guidelines'.

Council's approach

Council will need to focus on the priority targets and take a staged approach to implementation, which may differ between the targets:

Stage 1 Supportive overarching policy

Stage 2 Implementation through relevant plans and strategies and on-ground actions;

Stage 3 Data collection, mapping and reporting at local scale.

Supportive overarching policy

A supportive overarching policy framework is already largely in place. Most targets in Redlands and are already covered by at least one the strategy in the Corporate Plan, the Environment Policy POL 2644 and one of Council's major strategies or plans (see Attachment 3).

The relationship to other Council policy initiatives such as Corporate Sustainability Reporting, the Sustainable Redlands Study, and State of the Environment Reporting also needs to be worked out as these are further developed in coming years.

Implementation through relevant plans and strategies and on-ground actions

The priority targets identified for the current Corporate Plan period to 2015 for Redlands are

- L6- The extent of erosion from hills slopes and gullies will be reduced by 50% from 2008 baseline;
- NC1- The 2001 extent of regional vegetation covers- including both remnant vegetation (35% and additional non-remnant woody vegetation (22%) – will be maintained or increased;
- NC3- The 2008 extent and condition of SEQ wetlands will be maintained or increased;

- NC6- The 2001 extent and condition of habitat for priority taxa will be maintained or increased;
- W6- Scheduled water quality objectives for all SEQ waterways will be achieved or exceeded, and;
- W7- Waterways classified as ranging from slightly to moderately disturbed and/or highly disturbed will have ecosystem health and ecological process restored.

Put simply, we can achieve more if we work in partnership with others on the NRM target issues. Council (and their cost) with its partners (such as SEQC, Brisbane City and Logan City, and DERM) needs to identify the additional actions we can achieve – and included these in its plans and strategies. We already have, or are developing strategies covering the main targets to focus on at present – Biodiversity Strategy and Draft Waterway Recovery Strategy.

It should be noted that a close working relationship is emerging between Council and SEQ Catchments, including the development of a shared plan of extension activities.

Data collection, mapping and reporting at local scale.

The final stage is monitoring and reporting to drive future management. For example, Council already manages and reports on:

- greenhouse gas emissions (target A1) though its own target exceeds the NRM Plan;
- waterway health and water quality for our creeks through the annual Waterway Recovery Report.

A similar annual approach is proposed for the natural environment (revegetation, koalas, glossy black cockatoos, etc) in a new but similar 'Healthy Natural Environment' report to be published by Council in 2012.

Progressively, monitoring and reporting will be developed at the local scale to allow for reporting to the regional scale in whatever format is finally settled on by SEQC.

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.

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.

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.

4. Quandamooka Country

The rich Aboriginal heritage of the Redlands (Quandamooka) and the Traditional Owners' ongoing custodianship of Quandamooka land and waters will be widely understood and respected, and we will work together for the future of Quandamooka Country

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.

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget. Future budget allocations will be determined as the planning involved in meeting the targets is considered in future policy documents and implementation plans.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

SEQ Catchments, and City Planning and Environment advisers were consulted.

OPTIONS

PREFERRED

That Council resolve to:

1. Acknowledge the adoption of the SEQ Natural Resource Management Plan and targets by the Council of Mayors;
2. Focus on the following priority targets in the Redlands for planning purposes:
 - a) L6- The extent of erosion from hills slopes and gullies will be reduced by 50% from 2008 baseline;
 - b) NC1- The 2001 extent of regional vegetation covers- including both remnant vegetation (35% and additional non-remnant woody vegetation (22%) – will be maintained or increased;
 - c) NC3- The 2008 extent and condition of SEQ wetlands will be maintained or increased;

- d) NC6- The 2001 extent and condition of habitat for priority taxa will be maintained or increased;
- e) W6- Scheduled water quality objectives for all SEQ waterways will be achieved or exceeded, and;
- f) W7- Waterways classified as ranging from slightly to moderately disturbed and/or highly disturbed will have ecosystem health and ecological process restored.

ALTERNATIVE

That Council resolve to defer consideration of this report to another meeting pending the provisions of additional information regarding the SEQ Natural Resource Management Plan and targets.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler
Seconded by: Cr D Henry

That Council resolve to:

1. Acknowledge the adoption of the SEQ Natural Resource Management Plan and targets by the Council of Mayors; and
2. Focus on the following priority targets in the Redlands for future planning purposes:
 - a. L6- The extent of erosion from hills slopes and gullies will be reduced by 50% from 2008 baseline;
 - b. NC1- The 2001 extent of regional vegetation covers- including both remnant vegetation (35% and additional non-remnant woody vegetation (22%) – will be maintained or increased;
 - c. NC3- The 2008 extent and condition of SEQ wetlands will be maintained or increased;
 - d. NC6- The 2001 extent and condition of habitat for priority taxa will be maintained or increased;
 - e. W6- Scheduled water quality objectives for all SEQ waterways will be achieved or exceeded; and
 - f. W7- Waterways classified as ranging from slightly to moderately disturbed and/or highly disturbed will have ecosystem health and ecological process restored.

CARRIED

15.4.2 REDLANDS SUSTAINABILITY STUDY

Datworks Filename:	LUP Sustainable Redlands Study
Attachment:	<u>Attachment 1 - Redlands Sustainability Study Final Report</u>
Responsible Officer:	Gary Photinos Manager City Planning & Environment
Author:	Mark Grenfell Senior Advisor Spatial Analysis & Planning

EXECUTIVE SUMMARY

The management of population growth and population pressures has recently emerged as a key issue for all levels of Government. At the local level, the *Redlands 2030 Community Plan* and *Corporate Plan 2010-2015* and the recently adopted *Corporate Policy - Sustainable Population Management*, identifies management of population growth and its impacts as a priority issue confronting the City.

The Redlands 2030 Community Plan identifies the undertaking of the Sustainable Redlands Study as a key breakthrough project which will inform future planning of the City, including the review of the Redlands Planning Scheme and associated strategies. Recognising there are no examples of such a project being completed successfully at the local level, significant work including peer reviews by academics and consultants has been undertaken to develop a robust methodology which can provide both a qualitative and quantitative assessment of key sustainability indicators within the City over the next twenty years.

The Redlands Sustainability Study represents a collaborative body of work, which seeks to identify key environmental, economic and social indicators which are most relevant to sustainability at the City level and which can be measured to assess the impacts of predicted population growth based on the key assumption that the existing planning framework and other Council policies and strategies will continue to apply. For example the future growth scenarios which have been assessed assume:

- No expansion of the current urban footprint with future population growth accommodated primarily with this footprint;
- Population growth rates align with current projections accommodating an additional 15389 dwelling increase by 2031.

This report outlines the findings of the Study and addresses the results for each of the identified local and state indicators both at a suburb and citywide level. (Note - the Southern Moreton Bay Islands and North Stradbroke Island have been included in the current study where relevant data is available.)

Critically, the study indicates the majority of local indicators are expected to improve within the next twenty years. This position is based on the assumption that the current planning and policy framework and associated strategies will continue to apply effectively mitigating or offsetting any negative impacts associated with

population growth. The ongoing maintenance of the current planning and policy framework will need to be considered as part of Council's long term financial strategy and budgeting cycle.

The study also indicates significant deficiencies are expected to arise in regards to the identified state government indicators. This provides Council with an important tool to advocate for improved State infrastructure and services to address highlighted deficiencies

PURPOSE

To present to Council the outcomes of the Redlands Sustainability Study

BACKGROUND

- The "Wise Planning and Design Outcome Area" of the Community Plan details the Sustainable Redlands Study as a break through project that:
- "To achieve the goal of a sustainable carrying capacity for the Redlands, Council is commissioning a study that identifies sustainable population and dwelling numbers for the Redlands, bearing in mind the vision and values of Redlands 2030.
- This study will inform future planning, including the review of the Redlands Planning Scheme and associated strategies." (Redlands 2030 Community Plan)
- On the 29 September 2010, a Councillor workshop was held to discuss the Population Growth Management Policy and Sustainable Redlands Study (Study). At the workshop, Councillors provided suggestions and comments on a range of amendments to refine the policy. In addition, a methodology for the Sustainable Redlands Study was presented.
- Council's Planning and Policy Committee Meeting on the 24 November 2010, Council resolved to:
 1. Adopt the Corporate Sustainable Population Management Policy – POL-3093; and
 2. That external peer review partners be engaged as part of the ongoing study work.
- Planning consultants Halcrow Pty Ltd were commissioned to assist with the identification of critical elements influencing population capacity of the City and to develop a robust methodology capable of measuring the impacts of the City's expected growth pattern on a number of key environmental, economic and social indicators and critical thresholds. Two alternative land use planning scenarios were also developed to determine what effects, if any, these alternative land use and population scenarios would have on the indicators.
- A Peer Review Group was established to advice on the design and effectiveness of the draft methodology. The Peer Review Group comprised of academics with expertise in the field of population planning and capacities, and included
 - Prof. Neil Sipe (Head of School – Environmental Planning QUT)
 - Murray Lane (PHD Student QUT)
 - Paul Summers (Planning/Sustainability Consultant)

- The peer review proposed amendments to the initial Study methodology and refined the purpose of the Study. The refined Study purpose is to:

Identify the critical environmental, economic and social elements that influence sustainable population management and livability to inform a sustainable population and settlement pattern for the City

- A detailed methodology was prepared based on the revised scope and methodology. The revised study has involved the following key phases:

Project inception and project management

Phase 1: Key areas and outcomes

Phase 2: Data sourcing and scenario assumptions

Phase 3: Scenario development

Phase 4: Analysis of scenario results

Phase 5: Mapping of scenario results, and

Phase 6: Reporting of results.

ISSUES

Local Government Sustainability Indicators

Based on the peer review and ongoing discussions with Halcrow, the number of key indicators was reduced from 18 to 8 in order to focus more on matters that Council had direct control over, and to ensure the indicators have a direct link to growth and development and allow for the assessment of change over time as a result of growth. The 8 indicators are:

1. Housing Supply & Diversity
2. Vegetation & Biodiversity Change
3. Employment
4. Condition of Local Waterways
5. Access to Recreation
6. Access to Foreshore Areas and Moreton Bay
7. Connectivity
8. Productive Land

In addition to this, through internal consultation, it was also decided to include Community Facilities as an additional ninth indicator.

1. Community Facilities

State Government Sustainability Indicators

It was also recognised that it was essential for the Study to not only seek to measure key indicators of sustainability which Council directly influenced but also indicators that the State has direct control over. For these reasons an additional 4 State Government Indicators were defined. These include:

1. Health and Wellness

2. Crime and Justice
3. Transport
4. Education

All indicators will be assessed based on current conditions and future growth scenarios. This will highlight any current or future deficits to the accepted benchmarks or current acceptable levels.

Determining Dwellings, Population and Indicators

The Study involved the development of a 'baseline' scenario detailing the current situation in terms of dwellings and population numbers of the Redlands in 2010. In addition future growth scenarios for 2021 and 2031 based on estimated growth in accordance with the Redlands Planning Scheme and Local Growth Management Strategy have also been developed. These scenarios were then assessed against the 13 indicators with their associated measures generated for these years and historically back to 2006 for reference purposes.

Overview of Data Collection, Analysis and Future Growth Scenarios

Data sourcing for the Study involved a detailed review of available information relating to each indicator while ensuring a correlation between population growth and urban development was included.

Analysis of the scenario results involved assessing the impacts on the indicators due to population and development growth over the two future 10 year periods and assessing the relative level of change from the current baseline scenarios. Analysis of scenario results also included:

- Altering the assumptions and parameters for selected indicators and associated measures within the one future growth scenario to assess the impact of potential Council policies and plans
- Comparison/assessment of forecast future condition of indicators against the baseline conditions determined for 2006 and 2010
- Assessment of forecasted future conditions of indicators for 2021 and 2031 against goals and targets as set out in Council and SEQ policies and plans.

Key assumptions and parameters

A critical part of the scenario model development was establishing the correlation between population growth and housing development for the key environmental, economic and social indicators, and determining key assumptions and parameters.

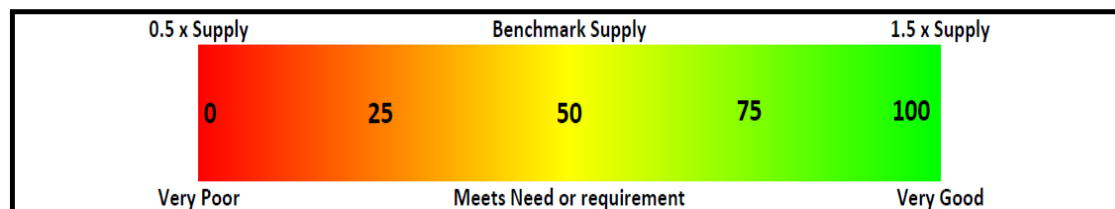
The scenario model was developed in line with existing Council and regional policies and planning strategies. For example, the Corporate Sustainable Population Management Policy details principles for how development and population growth is to be managed. Key statements from the Policy relating to growth management which assisted with developing the baseline and growth scenarios are:

- Maintaining a compact settlement pattern within the existing urban footprint in Redland City;

- Revitalising the city's major centres to create well planned commercial centres incorporating employment, housing, cultural, recreational and entertainment opportunities supported by good quality public transport services and connections;
- Ensuring that the full range of infrastructure, including social infrastructure, required to support a strong and connected Redlands community is sequenced and provided to meet demand;
- Protecting and enhancing sensitive environmental areas;
- Supporting sustainable building design, enhanced resource use efficiency, increased use of renewable energy, minimisation of waste and increased use of public transport and pedestrian and cycle facilities;
- Enhancing amenity and liveability within the Redlands for all groups across the city;
- Supporting inclusive communities which respect and nurture the health, well being and cultural values of Redland residents and visitors;
- Complementing the achievement of economic strength, innovation, vitality, increased self sufficiency and stability in the local economy, and
- Promoting and supporting increased levels of local employment.

Rating System

An indicator rating system was established to benchmark and present the performance of each indicator. The rating system, seen below, is based on the benchmark (or current level) being shown as 50 with half the benchmark level shown as 0, and one and a half times the benchmark level shown as 100.



Results for Sustainability Indicators

Overall Indicator Results

The following table shows the baseline results for each of the thirteen indicators. The impact of population growth and development in the Redlands on environmental, economic and social indicators depends on the relationship of these indicators with housing supply and diversity.

Each indicator can also depend on the continuation of a range of local strategies, plans and initiatives adopted by Council (and other organisations) to manage and mitigate the impacts of population growth and housing development.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Housing Supply and Diversity	56564	67328	71953	50	69	77
Vegetation & Biodiversity change (ha)	9412	9504	9589	50	51	52
Employment (% self-containment)	39%	42%	46%	16	19	26
Condition of Local Waterways (TN t/year)	103	99	91	52	53	57
Access to Open Space (ha/1000 persons)	93	81	76	50	37	32
Access to Foreshore (m/1000 persons)	329	286	280	50	37	35
Connectivity (no. of dwellings)	47152	55162	58087	50	67	73
Productive Land (ha)	193	97	96	50	0	0
Community Facilities (no. of facilities)	65	87	87	47	69	55
Health & Wellness (Hospital facilities - no additional facilities)	207	207	207	50	7	0
Crime & Justice (Police levels - no additional police)	271	271	271	50	39	37
Transport (No State road or public transport upgrades)	69%	58%	56%	50	35	32
Education (No additional primary of high schools)	69%	58%	56%	71	70	58

Housing Supply and Diversity

This indicator measures housing supply and diversity by reporting on changes in housing type and location over time in Redlands between 2010 and 2031.

The table below shows the results of the scenario model for Redlands housing supply and diversity and, in particular, future levels of low, medium and high density development for 2010 to 2021, and 2021 to 2031.

Redlands	2010	2021	% change (2010-2021)	2031	% change (2021-2031)	% change (2010-2031)
Total housing supply	56,564	67,328	19%	71,953	7%	27%
Total population	142,822	170,518	19%	181,276	6%	27%
Low density	47,688	53,985	13%	56,970	6%	19%

Redlands	2010	2021	% change (2010-2021)	2031	% change (2021-2031)	% change (2010-2031)
Medium density	8,549	12,516	46%	13,526	8%	58%
High density	327	828	153%	1,457	76%	345%

- The principal and major activity centres of Capalaba, Cleveland and Victoria Point are likely to have high to moderate levels growth in housing supply and diversity.
- Sheldon-Mt Cotton and Thornlands are modelled to have the highest levels of housing supply growth for the period from 2010 to 2031.
- The emphasis on low density housing supply in the two fastest growing SLAs in Redlands will have significant implications for transport infrastructure, transport congestion, employment, connectivity, and native vegetation and biodiversity conservation.
- South Moreton Bay Islands (SMBI) and Coochiemudlo Island will also experience a relatively high level of residential development by 2031. The increase in housing supply and diversity is anticipated to be significantly low density in nature.

Vegetation & Biodiversity Change

This indicator measures the change in the area of vegetation given different levels of housing development in Redlands. All Redlands SLAs have been modelled except for North Stradbroke Island. The results are based on the assumption that various planning provisions regarding development and vegetation protection will continue, and that vegetation enhancement continues on open space.

Using the Redlands Planning Scheme, it was determined which development areas currently have bushland habitat present and are zoned for development. These areas of bushland habitat identified for future development were assumed to be a future loss in vegetation as development occurs. In contrast, areas zoned Open Space with any form of bushland enhancement were assumed to be a vegetation gain. These respective areas were then calculated for each SLA which resulted in a net loss / gain of vegetation area for each.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Net vegetation cover (ha)	9412	9504	9589	50	51	52

- Suburbs with the largest net gain in vegetation and associated improvement in the performance index are Thornlands (50 to 59), Wellington Point (50 to 55) and Ormiston (50 to 54).
- Thorneside is expected to have a small decrease in vegetation of 0.2 hectares with the index decreasing from 50 to 49.

Employment

This indicator measures the proportion of total employed Redland residents who work in a local job (self containment), and the number of local jobs as a proportion of employed residents (self sufficiency), given changes in population and housing development. The table below shows Redlands employment self containment for 2010 to 2031.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Employment (% self-containment)	39%	42%	46%	16	19	26

- While employment self containment has improved, the performance index shows that there is still a significant gap compared with the target of 60 percent
- Significant implications for transport infrastructure, transport congestion, community safety and greenhouse gas emissions as resident workers continue to journey to work outside of Redlands
- The number of jobs in the Redlands has grown significantly by 2031, and Redlands is modelled to almost achieve its target of 60 percent employment self sufficiency

Condition of Local Waterways

This indicator measures the condition of local waterways in the Redlands mainland by reporting on estimated pollutant loads entering Moreton Bay considering total suspended solids (TSS), total nitrogen (TN) and total phosphorus (TP) (all in tonnes/year).

For Redlands as a whole, there is a small improvement in the condition of local waterways in terms of Total Nitrogen with the performance index improving from 52 to 57. This is based on the assumption that various mitigation actions to improve stormwater management and wastewater treatment will be implemented.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Condition of Local Waterways (TN tonnes/year)	103	99	91	52	53	57

Note: A performance index value of 100 represents pre-development (bushland) loads of total nitrogen, a performance index of 50 represents nitrogen levels twice that of pre-development.

- Thornlands, Wellington Point and Alexandra Hills have the largest improvement in the performance index value in terms of Total Nitrogen.
- Sheldon-Mt Cotton and Redland Bay have a significantly higher performance index value than other suburbs in terms of the scenario model results.

- Other suburbs have much lower performance index values for the condition of local waterways.
- The Waterways Indicator recognises the current Healthy Waterways Report Card rating, however this Study reviews all catchments and waterways, and when combining and averaging all waterways, the overall result is above the report card rating.

Access to Open Space

The parkland hierarchy network was analysed based on catchment distances, and the area of population served. This was then supplemented with future development areas, including additional growth areas, and future parkland provision.

The table below shows the results of the scenario model for Redlands parks and public open space for 2010 to 2031. While there is a small increase in the area of active parkland in the Redlands over the period to 764.3 hectares, this increase is more than offset by the expected population growth for the region. This will have implications for access to active parkland and recreational opportunities in 2031 if there is no additional parkland dedicated or future upgrades to existing informal parkland.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Access to Open Space (ha/1000 persons)	5.0	4.9	4.6	67	64	57

Note: A benchmark value of 50 equates to 4.3 hectares per 1,000 local residents.

- Cleveland, Redland Bay and Thorneside are expected to have indicator values of 100 in 2031, while Sheldon-Mt Cotton is also high at 83 (although it is trending downward from 100 in 2010).
- This is in contrast to Alexandra Hills, Birkdale, Ormiston, Thornlands and Victoria Point which are likely to have index values of less than 50 by 2031, suggesting that these SLAs may not meet the benchmark requirement.

In addition to analysing open space from a hectare per thousand people perspective, the new Redland Open Space Strategy, which is due in February 2012 for public review, will be addressing open space supply from an activity perspective. The strategy will be proposing that Council will be able to assess open space shortfall based on what recreation and sporting activities are not provided within a given catchment. The city is being assessed on a neighbourhood and suburb based catchment model. This analysis gives the open space planners a better indication of the size and type of land that is still required particularly in the infill parts of the city. The standard hectares per thousand people will still be applied to Greenfield areas and new parks will be indicated and specified in the Redland Planning Scheme and Priority Infrastructure Plan.

Access to Foreshore

This indicator measures public accessibility to foreshore areas and Moreton Bay by reporting on the length of accessible foreshore or coastline in Redland (mainland only) seen in the table below.

While there is a small increase in the total length of publicly accessible foreshore in the Redlands over the period to 46,232 metres (a 4 percent increase), this increase is offset by the expected population growth for the region. This result assumes that the Council is able to secure access to foreshore areas and establish new foreshore parklands through planning and development approval processes.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Access to Foreshore (m/1000 persons)	329	286	280	50	37	35

- While Ormiston is expected to remain relatively unchanged with a performance index score of 51 in 2031, the index value for all other SLAs is expected to decrease over the period, in particular, Victoria Point and Redland Bay.

Connectivity

This indicator shows changes in connectivity of the number of dwellings within close proximity to public transport and all major, district, neighbourhood and local centres across the City.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Connectivity (no. of dwellings)	47,152	55,162	58,087	50	67	73

- Overall, there is some distinct variation in connectivity between the established suburbs in the north and the suburbs in the south of the city
- With the exception of Redland Bay, there is general improvement in the performance index of each SLA across the Redlands mainland.
- The connectivity performance index of Sheldon-Mt Cotton and Thornlands is expected to increase to 100 by 2031. The performance index of Victoria Point is also likely to increase significantly, from 50 in 2031 to 85 by 2031.
- Connectivity in Redland Bay is expected to fall considerably, with the performance index decreasing to 29 by 2031.

Productive Land

This indicator measures changes in the area of productive land by reporting on the area of land zoned rural non-urban within the Redlands urban footprint. Areas of active farmlands were identified based on 2006 and 2010 aerial photography. These farms were then analysed to see which areas were subject to future residential

development. Timings were then associated to estimate when the farms may cease operation.

By 2031, as expected and consistent with Council and state government planning frameworks the area of productive land in the urban footprint is expected to decrease to 96 hectares, resulting in the performance index for productive land to decrease from 50 to 0, where an index value of 0 indicates that the area of productive land is expected to half. There remains a significant level of productive rural land outside of the urban footprint.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Productive Land (ha)	193	97	96	50	0	0

- Thornlands is expected to experience the largest decrease in productive land at 85 percent, with Birkdale and Alexandra Hills also showing significant decreases. Redland Bay, Ormiston and Wellington Point reduce by between 30 and 51 percent. There is a 10 percent reduction modelled for Victoria Point.
- However, there remains a significant level of productive rural land outside of the urban footprint. On the mainland, there is approximately 2,788 hectares of productive rural land, with approximately half of this (1,324 hectares) found within the Sheldon-Mt Cotton SLA. The current Rural Futures Study will address long term planning outcomes for a range of agricultural, tourism and other opportunities within the Regional Landscape and Rural Production Area of the City

Productive Land – Mainland Summary

Area of Mainland	2010 Area (ha)	To be developed by 2031 (ha)	Not to be developed by 2031 (ha)	% change
Urban Footprint	193	97	96	50.3%
Outside of Urban Footprint	2595	0	2595	0.0%
TOTAL	2788	97	2691	3.5%

Community Facilities

This indicator measures changes in the number of community facilities for all of the Redlands SLAs seen in the following table. The current and future Community Facilities were tabled based on a suburb breakdown. These were then compared and rated against the Council benchmarks, with all results tallied for the Mainland and Islands areas of the City for 2021 and 2031 horizons.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Community Facilities (no. of facilities)	65	87	87	47	69	55

- Overall, the results suggest that the Redlands is expected to meet its stated service standards for community facilities.
- The performance index for the Redlands mainland is expected to increase to 63 in 2031, reflecting that Redlands will be meeting its benchmark service standards.
- The performance index for the Redlands island communities is forecast to be 44 by 2031.

Results for State Sustainability Indicators

Health & Wellness

This indicator analyses the local hospital facilities in terms of overnight and same day beds and the emergency department spaces. This utilises the Health Services Plan published in June 2011 by Queensland Health. The indicator analyses the effect of the future population growth (both inside and outside Redlands) on the current and the proposed future service provisions of the hospital facilities.

The table below shows the results of the scenario model for the number of hospital facilities (beds) for Redlands and Wynnum. An important role for Council will be to monitor and advocate for the planned provision of hospital and other health facilities (215 beds) to occur through the period to 2031. This will require appropriate levels of health funding and phasing of hospital development by relevant agencies. Related issues including having sufficient hospital land supply and appropriate transport corridors and buffer areas may also be required.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Hospital facilities - no additional facilities	207	207	207	50	7	0
Hospital facilities - additional facilities	207	361	422	50	50	50

Crime & Justice

The analysis for the Crime & Justice Indicator was based on police numbers and the current crime rates. The policing area of Wynnum District covers all of Redland City, as well as some of Brisbane City. The current and future population levels of this area were taken into account for this analysis.

A benchmark of police officer numbers has been set by both the Federal and State Governments at 230 police per 100,000 head of population. This level has been used to calculate current and future policing demand numbers to meet the benchmark levels. In combination with this the current crime rates have been included to determine the effect the current police officer numbers have on the crime level. An important role for Council will be to monitor and advocate for an additional 50 police officers to occur through the period to 2031 to maintain the current crime level.

The table below shows the results of the scenario model for policing levels for Wynnum of which Redlands is a part for 2010 to 2031. Assuming no change in the current level of policing, Redland's policing level falls over time to 2031 compared to the State and Federal benchmark level. Insufficient policing levels in the Wynnum District may compromise public safety and crime levels may increase.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Police levels - no additional police	271	271	271	50	39	37
Police levels - maintain current crime rate	271	308	321	50	50	50
Police levels - meet State and Federal benchmark level	502	569	594	100	100	100

Transport

This indicator reviewed the current State road network, and the travel times currently experienced on that network, based on the number of vehicles. This was projected to a 2031 horizon, based on increasing vehicle and dwelling numbers, and the corresponding impact on travel times. The scenarios were then developed to include the effect on travel times based on the proposed State Road network upgrades, and the increases to the public transport facilities (based on the SEQ Infrastructure Plan and Program 2010).

The table below shows the results of the scenario model for transport travel times for 2010 to 2031. Ongoing investment, planning and delivery of road and public transport upgrades by all levels of government will be required to 2031 given the important role of efficient and effective transport networks to the Redlands economy and community.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
No State road or public transport upgrades	69%	58%	56%	50	35	32
All road upgrades (no public transport upgrades)	69%	60%	58%	50	37	34
All road and public transport upgrades	69%	68%	68%	50	49	49

Education

The Social Infrastructure Planning Guideline produced by the Queensland Government provides approximate rates of provision for Primary and Secondary schools based on dwellings. These benchmarks were analysed against the 2010, 2021 and 2031 planning horizons. This was done to a suburb level, and then combined to a city wide level, however the suburb level analysis did highlight some issues in the southern area of the City in respect of both primary and high school

requirements. Two scenarios were then developed to model the impact and need for an additional Primary School and an additional High School in southern Redlands.

The table below shows the results of the scenario model for accessibility to primary schools and high schools for Redlands for 2010 to 2031.

Redlands	2010 Value	Index	2021 Value	Index	2031 Value	Index
No additional schools provided	71		57		48	
Redland Bay gains additional high school	71		66		56	
Redland Bay gains additional primary school	71		57		48	
Redland bay gains additional high school and primary school	71		70		58	

Note: A performance index value of 50 represents a benchmark target of 3,000 households per primary school and 8,000 households per high school.

- Without additional provision of primary schools and secondary schools, Redlands will not meet the State targets for primary and secondary schools. The lack of schools may have a flow on effect with an increase in transport congestion and the amount of travel time for students and families.
- In terms of secondary schools in Redlands:
- Victoria Point (15,717 households) and Redland Bay (20,551 households) are well over the target of 8,000 households per secondary school by 2031 (and Redland Bay is already well over the target in 2010).
- The level of change in the number of households for primary schools and secondary schools for individual SLAs varies considerably.

Alternative Development Scenarios

The scenario model was also used to determine levels of change for two alternative growth scenarios. Importantly both scenarios assumed no expansion of the urban footprint but accommodated projected growth within this area in different housing densities and locations as follows:

- Consolidated Development Scenario:
 - Focused growth and development around established activity centres with medium and high density development, and
- Dispersed Development Scenario:
 - Dispersed growth and development across the Redlands SLAs with predominantly low and medium density development

Consolidated Development Scenario Results

The scenario model has been used to generate a consolidated (activity centre) scenario for the two periods 2010 to 2021, and 2021 to 2031. The scenario model has been used to assess the level of change for each of the indicators given a higher proportion of medium and high density development across the three principal and

major activity centre SLAs in Redlands. A summary of the results are seen in the following table.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Housing Supply and Diversity	56,564	67,328	71,953	50	69	77
Vegetation & Biodiversity change (ha)	9,412	9,491	9,577	50	51	52
Employment (% self-containment)	39%	42%	47%	16	20	28
Condition of Local Waterways (TN t/year)	103	100	92	52	53	57
Access to Open Space (ha/1000 persons)	93	82	77	50	38	33
Access to Foreshore (m/1000 persons)	329	288	282	50	37	36
Connectivity (no. of dwellings)	47,152	56,053	59,535	50	69	76
Productive Land (ha)	193	124	99	50	14	1
Community Facilities (no. of facilities)	65	87	87	47	69	64

Dispersed Development Scenario Results

The scenario model has been used to generate a dispersed development scenario for the two periods 2010 to 2021, and 2021 to 2031. The scenario model has been used to assess the level of change for each of the indicators given a higher proportion of low density development across each SLA, and a more even distribution of total development across the Redlands. A summary of the results are seen in the following table.

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Housing Supply and Diversity	56,564	67,328	71,953	50	69	77
Vegetation & Biodiversity change (ha)	9,412	9,501	9,579	50	51	52
Employment (% self-containment)	39%	41%	45%	16	18	25
Condition of Local Waterways (TN t/year)	103	99	91	52	54	57
Access to Open Space (ha/1000 persons)	5.0	5	5	67	63	56

Redlands	2010 Result	2021 Result	2031 Result	2010 Index Value	2021 Index Value	2031 Index Value
Access to Foreshore (m/1000 persons)	329	283	268	50	36	31
Connectivity (no. of dwellings)	47,152	54,934	58,493	50	67	74
Productive Land (ha)	193	98	96	50	1	0
Community Facilities (no. of facilities)	65	87	87	47	59	55

Key Conclusions

- The study indicates a determining factor in terms of the performance of many of the indicators will be the extent of any mitigation or offsetting of negative impacts
- Based on the assumption that the current planning and policy framework and associated strategies will continue to apply effectively mitigating or offsetting any negative impacts associated with population growth, the majority of local indicators are expected to improve within the next twenty years.
- Potentially, a major challenge for Council will be to ensure the costs of mitigation and offsetting of negative impacts, as required by the current planning and policy framework, are sustained in the long term.
- The impact of population growth and development will depend on the relationship of the indicators with housing supply and diversity, and the range of local strategies, plans and initiatives adopted to manage the impacts of population growth and housing development.
- Overall, the indicator results are relatively similar at a City wide level for all three modelled scenarios for 2031 (baseline, consolidated and dispersed). However the three modelled scenarios indicate at the SLA level significant differences, showing some suburbs far exceeding the benchmark level while others could be well below the standard required.
- Significant deficiencies are expected to arise in regards to the identified state government indicators if the effects are not mitigated as modelled in the Study.

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.

- 1.1 Increase biodiversity by taking informed action to protect, enhance and manage our local ecosystems
- 1.6 Address the decline in the health of Redlands waterways and improve water quality, aquatic populations and their biodiversity

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.

- 2.5 Achieve greater use of public transport by advocating for improved access to innovative and high quality services

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.

- 5.2 Manage population growth in a compact settlement pattern, having defined the sustainable carrying capacity of the city and limits to population growth
- 5.5 Plan and develop a network of accessible centres that provide a wide range of retail, commercial and community services along with local employment opportunities
- 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
- 5.9 Promote housing diversity, choice and affordability to address the city's current and future needs, incorporating medium density housing within and around the city's centres and transport nodes
- 5.10 Maintain the quality and liveability of residential areas and protect natural resources
- 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 immediate financial implications. Recommendations for future study amendments will need to be considered as part of future budgets. The Redlands Sustainability Study's preparation and other associated costs are included in 2010/11 Budget.

PLANNING SCHEME IMPLICATIONS

It is considered that the adoption of the Strategy and its actions will inform the future review of the Redlands Planning Scheme. The model will be able to test alternative settlement patterns and population scenarios proposed for or within the Redlands Planning Scheme.

CONSULTATION

Consultation has been undertaken with internal officers from the City Planning and Environment Group, City Infrastructure Group and Community Futures Group. External consultation has been undertaken by peer review partners Paul Summers, Neil Snipe and Murray Lane and planning consultants Halcrow Pty Ltd.

OFFICER'S RECOMMENDATION

That Council resolve to adopt the Redlands Sustainability Study as attached; (Attachment 1) to:

1. Inform the review of the Redlands Planning Scheme;
2. Assist future policy development to address and respond to indicators that are below the identified benchmark levels; and
3. Provide an advocacy tool for liaison with the State Government and private sector on key sustainability issues confronting the City.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr D Henry

Seconded by: Cr B Townsend

That Council resolve to adopt the Redlands Sustainability Study as attached; (Attachment 1) to:

- 1. Inform the review of the Redlands Planning Scheme;**
- 2. Assist future policy development to address and respond to indicators that are below the identified benchmark levels;**
- 3. Provide an advocacy tool for liaison with the State Government and private sector on key sustainability issues confronting the City;**
- 4. Acknowledge the Redlands Sustainability Study as a critical study requiring ongoing enhancement, development and peer review; and**
- 5. Disseminate the Redlands Sustainability Study to State Government, Council of Mayors, LGAQ and ALGA.**

CARRIED

DIVISION

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

15.4.3 PROPOSED COASTAL MANAGEMENT DISTRICTS FOR THE CITY

Dataworks Filename: LUP Planning – State Coastal Management Plan

Attachment: [Letter from DERM re Coastal Management Districts](#)

Responsible Officer: Gary Photinos
Manager City Planning & Environment

Author: Michael Beekhuyzen
Senior Strategic Planner

EXECUTIVE SUMMARY

The Department of Environment and Resource Management (DERM) have released proposed new Coastal Management Districts (CMD) for the City for public comment by 23 December 2011. The proposed new CMDs are part of a broader state wide process to replace the existing CMDs with new CMDs as part of the on-going introduction of the new Queensland Coastal Plan.

The release of proposed new CMDs follows previous public consultation on the draft Queensland Coastal Plan in 2009. The supporting material released with the draft Queensland Coastal Plan included draft CMDs for consultation purposes.

Council in 2009 provided comment on the draft Queensland Coastal Plan. This included comment on the draft CMDs. The previous comments made by Council and the effect of the new CMDs are currently being comprehensively reviewed by City Planning and Environment. This review will then form the basis for a further submission to the DERM on the proposed new CMDs.

To meet the timeframes of the public consultation, delegated authority is being sought for the CEO to submit a submission to the DERM on the proposed new CMDs by 23 December 2011.

PURPOSE

The purpose of this report is to inform Council on the proposed new CMDs and to seek delegated authority for the CEO to provide the DERM with a submission on the proposed new CMDs in the City.

BACKGROUND

The DERM has in place a coastal management framework across the state that principally includes:

- the Coastal Protection and Management Act 1995 (Coastal Act);
- the State Coastal Management Plan (2001); and
- regional coastal management plans.

The State Coastal Management Plan and regional coastal management plans operate with other instruments to deliver the intent of the Coastal Act.

In August 2009, the DERM released a draft Queensland Coastal Plan for public comment. The draft Queensland Coastal Plan will replace the existing State Coastal Management Plan and regional coastal plans once finalised. As part of the introduction of the Queensland Coastal Plan, amendments to the Coastal Act and associated Regulations are proposed. One such amendment to the Coastal Act Regulations is the introduction of new CMDs for the state.

At the General Meeting held on 28 October 2009 Council resolved to endorse detailed comments on the draft Queensland Coastal Plan. These comments included comments on the draft CMDs for the City.

On 4 November 2011, Council received correspondence from the DERM advising of the proposed new CMDs in the City and the opportunity to comment on the new CMDs by 23 December 2011 (see attached).

ISSUES

Coastal Management Districts (CMDs)

CMDs are declared under the Coastal Act and used to identify coastal areas requiring special development controls and management practices. The CMDs also identify areas where specified development activities under the Sustainable Planning Act 2009 require referral to the DERM as a concurrence agency. These include:

- Operational works (e.g. tidal works, disposing of dredge spoils, reclaiming land under tidal water or constructing an artificial waterway);
- Material change of use of premises;
- Reconfiguring a lot; and
- Buildings seaward of a coastal building line.

For the above development activities the DERM have a regulatory role in development assessment.

Since the 2009 consultation on the draft Queensland Coastal Plan, the boundaries of the draft CMDs have been revised in light of the Queensland Government coastal hazard area maps and submissions received on the draft CMDs. This has resulted in the preparation of the new CMDs that have been released for public comment to 23 December 2011.

The proposed new CMDs include:

- Queensland tidal water;
- areas subject to tidal inundation to the year 2100 (including an 0.8 metre rise in sea level);
- areas within an erosion prone area;
- areas where coastal building lines have been declared;
- generally the balance of lots where any of the above is on the lot (to align with property boundaries).

The following are generally excluded from the proposed CMDs:

- freehold land with an area of less than 2000 square meters, except where the land is considered to have a very high vulnerability to sea erosion. However, small freehold lots in developed urban areas have generally been excluded;
- lots which are landward of substantial constructed assets such as roads or houses which could reasonably be expected to be protected from erosion;
- lots landward of certain approved coastal protection structures such as boulder walls;
- lots (except leasehold land) which have substantial development on the site and further intensification is unlikely or there is no coastal management benefit from including the lot;
- where inundation by sea level rise is the only threat, the CMD will only extend to the first landward freehold lot back from the coast;
- lots landward of canals; and
- mining leases.

The DERM have stated that number of lots across the state proposed within the new CMDs districts has generally decreased compared to the number in existing CMDs.

It should be highlighted that the new proposed CMDs are property based compared to the existing CMDs which are area based. Whilst this change has expanded CMDs inland across the state compared with existing CMDs, this change has no practical effect as development referral triggers under the Sustainable Planning Act 2009 currently apply to development irrespective of whether a lot is wholly or partly within a CMD.

Submission to DERM on proposed CMDs for the City

The effect of the new CMDs is currently being comprehensively reviewed by City Planning and Environment Group. Key aspects of this review are as follows:

- analysing the extent of change of the proposed CMDs compared with the existing CMDs in terms of the number of properties and area of land affected;
- assessing whether Council's recently adopted storm tide modelling for the City that includes enhanced greenhouse conditions and sea level rise of 0.8 metres by 2100 (consistent with the State Coastal Plan) for planning purposes has been incorporated into the proposed CMDs; and
- reviewing Council's previous submission on the draft CMDs to determine whether these comments need to be restated through this further opportunity for comment.

This review will form the basis for a further submission to the DERM on the proposed CMDs.

It is however unlikely that this review will be completed in time to be provided for Council endorsement through its Planning and Policy Committee and General Meeting schedule and also meet the 23 December public consultation timeframe. In order to meet the timeframe for public consultation, delegated authority is being

sought for the CEO to submit a submission to the DERM on the proposed CMDs by 23 December 2011.

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.

5.4 Review Council's and the community's climate change preparedness, ensuring all risks are understood and plans are activated to deal with expected outcomes

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

The City Planning and Environment Group prepared this report. The outcome of recommendations in this report will not result in amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation with other areas of Council or the DERM will be undertaken as part of the comprehensive review of the proposed CMDs if required.

OPTIONS

PREFERRED

That Council resolve to delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to submit a further submission on the proposed new CMDs for the City.

ALTERNATIVE

That Council request for the submission to be considered at its General Meeting on 14 December 2011 via a direct to Council report.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

That Council resolve to delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to submit a further submission on the proposed new Coastal Management Districts for the City.

CARRIED (en-bloc)

PROCEDURAL MOTION AT COMMITTEE

Moved by: Cr W Boglary

Seconded by: Cr D Henry

That Item 4.4 *Redlands Housing Strategy 2011-2013* be discussed in open session and that the confidential documents be made “public documents”.

CARRIED

15.4.4 REDLANDS HOUSING STRATEGY 2011-2013

Dataworks Filename: LUP Redlands City Housing Strategy

Attachment: [Redlands Housing Strategy 2011 - 2031](#)

Responsible Officer: Gary Photinos
Manager City Planning & Environment

Author: Martin Hunt
Principal Adviser City Wide Planning

EXECUTIVE SUMMARY

The *Redlands Housing Strategy 2011-2031* (the Strategy) is Council's first formal housing policy to address local housing challenges in the Redlands and represents a coordinated policy. It has been prepared response to meet specific objectives identified in the Community Plan 2030 and Corporate Plan 2010-2015.

The outcomes of the Strategy will inform a number of important changes to Council's overall housing policy framework including informing the new planning scheme preparation and changes to non-planning scheme related housing polices. The drafting of the housing strategy is a statutory requirement pursuant to the *Sustainable Planning Act 2009* (SPA) and the *Local Government Act 2009* (LGA).

The Strategy has been through a process of consultation with key stakeholders, both to identify the key housing challenges in the Redlands, and also to determine ways to manage these challenges. The Housing Strategy represents a collaborative body of work, responding to a wide range of views on how to meet the diverse and future needs of the community.

The Strategy was presented to Council at the Planning and Policy Committee Meeting on 7 September 2011. At this meeting it was decided that the item be deferred to the October Planning & Policy meeting with a Councillor workshop prior to the Committee meeting, with Councillors to send questions, issues etc to officers by Monday 12 September 2011.

A workshop was held with Councillors on the 28 September 2011. A number of issues were raised at this workshop, and changes have now been made to the Strategy in direct response to the matters raised by Councillors. These changes include:

- Objective 2.1, Action 5 p30 - deletion of planning action (to designate substantial residential land close to the key employment hubs either existing or planned for the Redlands including [...])
- Objective 2.2, Action 11 p31 to ensure that intensification is directed to key employment hubs, but not in the corridors. This has also been reflected by changes to Figure 10 on page 29.
- Objective 3.1, Action 16 p39 – deletion of planning action to review the Relatives Apartment Code – this code is unlikely to be carried over into the new planning scheme.
- Objective 3.1, Action 16 p39 - include all housing codes in the review of development barriers (including site coverage, mix of dwelling sizes, car-parking and open space requirements etc.),
- Objective 3.1, Action 21 p40 - reword to clarify that small lot houses are to be code assessable where the proposal cannot meet self assessable outcomes, but is able to demonstrate good urban design outcomes.
- Objective 3.2, Action 24 p40- reword to ensure that open space is provided appropriate to the level of care being provided.
- Objective 4.1, Action 33 p47 – reword to clarify that reduced lot sizes and street frontages would only be considered in appropriate locations usually ‘greenfield’ development, and not in environmentally sensitive areas
- Objective 4.2, Action 38 p48 – reword to indicate that potential incentives will be investigated, with Council to take an advocacy role in encouraging not-for-profit housing or registered housing organisations.
- Incorporation of 3 new graphs to replace original figure16 to clarify land sale prices.

Following this workshop the item was deferred to the December Policy and Planning Committee Meeting where the amended report was to be presented to Council.

It is now recommended that the amended Strategy be adopted, and then implemented under the leadership of the Redlands Housing Task Group. Following Council’s formal adoption of the Strategy, the recommendations will need to be incorporated into Council’s Operational Plan/s and future budget/s along with incorporation into the new Redlands Planning Scheme.

PURPOSE

That Council resolve to endorse the Redlands Housing Strategy and supporting documents.

BACKGROUND

Work on the Redlands Housing Strategy 2011-2031 commenced in mid 2010 in partnership with a project consortium comprising Council, 99 Consulting, SGS Economics and Planning, and John Gaskell Planning Consultants. The project consisted of 3 stages:

1. **Stage 1 Scoping Study** – to set out the scope and overall direction of the strategy
2. **Stage 2 Background Studies** – comprising:
 - i. A Housing Needs Assessment - analysing data about the current and future population and housing market in the Redlands
 - ii. A Planning Scheme Review - barriers and opportunities in the current Planning Scheme which are likely to help or hinder the task of meeting future needs.
 - iii. A Non-Planning Scheme policy Review – Council’s current non-planning scheme interventions in the housing market.
3. **Stage 3 Redland Housing Strategy** – this built on the previous four aspects of the project to answer the question “what can we do, as a local government, to address the Redland’s housing challenges?”

ISSUES

Council has a Statutory Obligation to Prepare a Housing Strategy

The Redland Housing Strategy 2011 – 2031 has been developed in response to –

- a range of statutory obligations and policy drivers; and
- current and future housing issues.

Council has a statutory obligation to develop a housing strategy in accordance with the Sustainable Planning Act 2009 (SPA) and the Local Government Act 2009 (LGA). SPA gives legal effect to State Planning Policy 1/07 Housing and Residential Development (SPP 1/07), which requires Council to do a housing needs assessment and a planning scheme analysis when amending the planning scheme. It is also a requirement of SPP 1/07 to amend the planning scheme according to the findings of the needs assessment and analysis. In addition, the Local Government Act 2009 gives legal effect to Council’s Corporate Plan.

A key strategic priority for land use in the Redland City Council Corporate Plan 2006 – 2010 was to develop a housing strategy to respond to a range of housing challenges in the Redlands.

Housing Issues Identified in Community Plan

The Strategy sought to address a range of local housing issues, many of which were identified through community engagement for the Redlands 2030 Community Plan, in the research carried out for the Redlands Social Infrastructure Strategy 2009 and in the preparation of the Local Growth Management Strategy 2008 (LGMS). These included:

- The need for clear definitions and consistent use of terms such as housing affordability, affordable housing, housing stress and adaptability. These terms need to be defined and clarified in terms of their meaning in the Redlands context.
- Diversity of housing choices - whether there is adequate and appropriate housing to meet community needs.

- Declining housing affordability and increasing housing stress, and the impacts of this declining affordability on households.
- Tenure types – the implications of tenure types on affordability and housing stress for those on low-medium incomes.
- The concept of “affordable living” in the context of transport and service costs, particularly in the Southern Moreton Bay and North Stradbroke Islands (SMB & NSI). The relationship between location, housing affordability and affordable living needs to be explored.
- The need for flexibility of accommodation, and the current adaptability of buildings to changing social and demographic trends.
- A shortage of affordable housing. There is a small social housing sector in Redlands and a shortage of crisis accommodation. Partnerships, policy and mechanisms to address this shortfall needed to be investigated.
- The implications of an ageing population for housing size, type, design and housing affordability.
- The housing needs of Indigenous people in our Redland communities.
- The challenges young people face in accessing affordable housing in the Redlands.
- The increase in the number of people at risk of homelessness and the provision of adequate accommodation and support services to address this.
- The question of cultural and behavioural change regarding diverse housing types and forms, particularly in terms of higher-density living.

Stakeholder Group Consultation Issues

Some of the themes raised in the first round of consultation were as follows. It should be noted that these were general comments and did not necessarily reflect the views of all those present at the time.

The difficulty of achieving higher densities in Redlands

Developers consulted in this process expressed the view that in the Redlands it is difficult to deliver financially viable medium density housing projects outside key central locations such as Cleveland and Capalaba. According to some of the developers consulted, this is largely due to local market conditions and a lack of demand, and not so much a matter of planning regulation. Members of the Bayside Housing Network reflected on the type of community opposition medium density housing developments have recently attracted.

The challenge of land supply

Some of the developers consulted, and the participants in the Quandamooka Forum, commented on the challenge of land supply requirements over the next 20 years. The Forum commented particularly on the situation on North Stradbroke Island where there is very little developable land, but there is a likelihood of an influx of people following successful Native Title negotiations. Developers commented on a lack of serviced land in general.

A perception of inflexibility and lack of timeliness in Council's development assessment process

Most of the developers consulted, and the participants in the Aged Care Providers Network, expressed a strong view that Council takes too long to process development applications and is not sufficiently flexible in the application of planning policy.

Balance between environmental and housing needs

There was a strong perception amongst developers, aged care providers and to some extent also social housing providers that at present environmental preservation maybe over-emphasised at the expense of housing development.

Aged Care Facilities

Aged Care providers expressed a strong view that the planning scheme does not sufficiently support the existing requirements of the aged care industry. In their view, retirement village projects are processed as simply "standard" housing developments, resulting in inappropriate assessment of project components such as car parking and infrastructure requirements.

Island Issues

The Quandamooka Forum focused on the specific situation on the Islands (especially North Stradbroke). They commented on a likely increase in demand for housing as a result of Native Title decisions, and on the difficulty of achieving this within current planning and infrastructure arrangements.

Housing Affordability

Social housing providers noted that there has recently been a rapid expansion of social housing in the Redlands and when this all comes into operation it should result in easing some of the pressure on the social housing system. However, long-term plans are unclear. Developers mainly commented on the difficulty of achieving affordability given land and development costs and spoke of the need for incentives to improve affordability.

Link between housing and economic development

A number of comments linked housing and economic development in various ways, including:

- the aged care and retirement living industries' role as major employers in the Redlands;
- housing development as an employment and economic development opportunity for Aboriginal and Torres Strait islander people; and
- the need to ensure that local employment opportunities grow along with housing.

The Redlands Housing Strategy Workshop

The Housing Strategy Workshop, held on 30 May 2011, built on these insights. This workshop involved a gathering of representatives from a number of sectors including:

- the development industry;

- non-profit housing and homelessness organisations;
- aged care providers;

the Quandamooka traditional owners;

- the Queensland Department of Communities; and
- Council staff from a number of different groups.

Participants intensively workshopped each of the five outcomes.

For Outcomes 1 and 2 participants were asked to respond spatially, working in groups to determine where the extra 21,000 dwellings would be best located. This resulted in a number of alternative solutions to this question, and a shared appreciation of the challenges of the task. For the other three outcomes, participants were asked to brainstorm actions which would help achieve the goal. As the workshop proceeded, the lists of suggestions were posted on the walls of the meeting room and participants were invited to vote on the ones they supported the most strongly.

Many of the actions and approaches suggested - especially those strongly supported by the group - are incorporated into the final housing strategy report.

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.

- 1.1 Increase biodiversity by taking informed action to protect, enhance and manage our local ecosystems

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
- 2.2 Promote, support and encourage commitment to green living in our community by improving residents' understanding of climate change and achieving greater water, energy and waste conservation and efficiency
- 2.5 Achieve greater use of public transport by advocating for improved access to innovative and high quality services
- 2.6 Conserve energy and water, improve efficiency and reduce greenhouse gas emissions resulting from Council's energy consumption

4. Quandamooka Country

The rich Aboriginal heritage of the Redlands (Quandamooka) and the Traditional Owners' ongoing custodianship of Quandamooka land and waters will be widely understood and respected, and we will work together for the future of Quandamooka Country

- 4.6 Build on Council's partnership with local Aboriginal organisations to strengthen shared planning, service delivery, advocacy and decision-making, using the Quandamooka Aboriginal Community Plan to guide our management of assets and services

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.

- 5.2 Manage population growth in a compact settlement pattern, having defined the sustainable carrying capacity of the city and limits to population growth
- 5.5 Plan and develop a network of accessible centres that provide a wide range of retail, commercial and community services along with local employment opportunities
- 5.6 Manage the built environment in a way that creates accessible and user friendly spaces and maintains our local character and identity, ensuring all new developments use high quality design that reflects our sub-tropical climate, promotes health, community harmony and wellbeing
- 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
- 5.9 Promote housing diversity, choice and affordability to address the city's current and future needs, incorporating medium density housing within and around the city's centres and transport nodes
- 5.11 Provide for 'place making' throughout the city through creative and inclusive master planning, local area planning, public art and heritage planning and precinct character planning processes to manage development at a local level

6. Supportive and vibrant economy

Businesses will thrive and jobs will grow from opportunities generated by low impact industries, cultural and outdoor lifestyle activities, ecotourism and quality educational experiences.

- 6.1 Bolster the local economy and local employment by providing business support to local companies, promoting social enterprise and providing opportunities for creativity, diversity and entrepreneurial activity

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
- 7.8 Support “Ageing Well in the Redlands”, to enable active participation in all aspects of community life

FINANCIAL IMPLICATIONS

There are no immediate financial implications other than initiating amendments to the Redlands Planning Scheme. Recommendations for future local area planning, modelling, joint venture projects and incentive schemes will need to be considered as part of future budgets. In the short to medium term, there are financial implications for the actions identified and as such detail planning and costing will be presented through budget preparation and adoption processes.

PLANNING SCHEME IMPLICATIONS

It is considered that the adoption of the Strategy and its actions will translate directly into the new Redlands Planning Scheme. The drafting of the new planning scheme will commence in the first half of 2012.

CONSULTATION

To complement the broad community consultation which informed the Community Plan we have undertaken consultation with stakeholders who have a direct role with housing in the Redland and have an intimate understanding of the housing issues relevant to their respective disciplines.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Adopt the Redlands Housing Strategy 2011 – 2031 as attached; (Attachment 1) as the basis for:
 - a. The drafting of the new Redlands Planning Scheme;
 - b. Informing Council's budget, capital works and operational plans;
 - c. Providing Council with an advocacy tool for liaison with the State Government, private sector and not-for-profit companies on key planning issues;
 - d. Guiding and informing future detailed design and planning processes pertaining to housing in the Redlands; and
 - e. Establishment of the Redlands Housing Task Group to implement the actions recommended in the Strategy.
2. That Council release the report as a public document.

COMMITTEE RECOMMENDATION

That this item be deferred to the General Meeting scheduled for 14 December 2011 to allow further changes to be made to Attachment 1.

COUNCIL RESOLUTION

Moved by: Cr T Bowler

Seconded by: Cr D Henry

That Council resolve as follows:

1. To note the Redlands Housing Strategy 2011 – 2031 as attached; (Attachment 1) be considered as a draft;
2. To seek Community and Councillor comments on the draft strategy until the 31st January 2012;
3. That a submissions report and subsequent amendments to the strategy to be considered at the Planning and Policy Committee scheduled for the 8th February 2012; and
4. That the proposal for the establishment of the Redlands Housing Task Group, to implement the actions recommended in the Strategy, be deleted.

CARRIED

15.5 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.

15.5.1 DRAFT BUNKER ROAD STRUCTURE PLAN

Datworks Filename: Bunker Road Precinct Plan

Responsible Officer: Toni Averay
General Manager Environment Planning & Development

Author: Martin Hunt
Principal Adviser City Wide Planning

EXECUTIVE SUMMARY

A confidential report from General Manager Environment Planning & Development was discussed in closed session.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve as follows:

1. To adopt the draft Bunker Road Structure Plan and required Redland Planning Scheme amendments as detailed in Attachment 2 for the purposes of first State interest review;
2. That the draft Bunker Road Structure Plan and associated proposed amendments Attachment 1 – Statutory Components to the RPS remain confidential pending written agreement from the Minister confirming that Redland City Council may proceed to public notification;
3. That the public notification period be undertaken for a period of 30 business days; and
4. That the public notification period be supported by a range of measures including, but not limited to a newsletter, a meet the planner day and static displays in Redland City Council libraries and the Cleveland administration centre.

CARRIED (en-bloc)

16 CORPORATE SERVICES & GOVERNANCE COMMITTEE 7 DECEMBER 2011

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That the Corporate Services & Governance Committee Minutes of 7 December 2011 be received.

CARRIED

[Corporate Services & Governance Minutes 7 December 2011](#)

16.1 OFFICE OF CEO

16.1.1 APPOINTING AN ACTING CHIEF EXECUTIVE OFFICER

Datworks Filename: GOV – Delegations, HRM Senior Management

Responsible Officer: Gary Stevenson
Chief Executive Officer

Author: Gary Stevenson
Chief Executive Officer

EXECUTIVE SUMMARY

This report updates the list of General Managers to a panel of senior employees, each of whom is authorised to act in the role of Chief Executive Officer during periods of absence.

PURPOSE

The purpose of this report is to obtain Council's approval (in accordance with section 195, *Local Government Act*), to appoint suitably qualified persons to act as Chief Executive Officer when the Chief Executive Officer is absent from duty or cannot, for another reason, perform the Chief Executive Officer's responsibilities.

BACKGROUND

At the General Meeting on 28 July 2010 (item 13.2.1 refers) Council resolved to appoint the following General Managers to a panel from which any one of them may be selected to act as Chief Executive Officer: Toni Averay, Nick Clarke, Martin Drydale, Mike Hyde, Greg Underwood.

The Panel requires updating due to change of personnel.

ISSUES

The proposal is consistent with the resolution passed on 28 July 2010, and with section 257 of the *Local Government Act 2009* which permits a local government to delegate this power to the Chief Executive Officer or Mayor:

"195 Appointing an acting chief executive officer

A local government may appoint a qualified person to act as the chief executive officer during-

- (a) any vacancy, or all vacancies, in the position; or
- (b) any period, or all periods, when the chief executive officer is absent from duty or cannot, for another reason, perform the chief executive officer's responsibilities."

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

9.1 Deliver excellent leadership throughout the organisation for the benefit of the community

FINANCIAL IMPLICATIONS

There are no financial implications other than the increased salary costs for the acting Chief Executive Officer which have been accommodated within the Council's budget.

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications.

CONSULTATION

Executive Leadership Group.

OPTIONS

PREFERRED

That Council resolve to appoint the following General Managers of Council to a panel from which any one of them may be selected to act as Chief Executive Officer when the Chief Executive Officer is absent from duty, or cannot, for another reason, perform the Chief Executive Officer's responsibilities:

- Toni Averay
- Nick Clarke
- Martin Drydale
- Louise Rusan

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie

Seconded by: Cr B Townsend

That Council resolve to appoint the following General Managers of Council to a panel from which any one of them may be selected to act as Chief Executive Officer when the Chief Executive Officer is absent from duty, or cannot, for another reason, perform the Chief Executive Officer's responsibilities:

- Toni Averay
- Nick Clarke
- Martin Drydale
- Louise Rusan

CARRIED (en-bloc)

16.2 CORPORATE SERVICES

16.2.1 CLEVELAND DISTRICT MEALS ON WHEELS LEASE OF COUNCIL LAND

Dataworks Filename: L.119216

Attachment: [Site Plan](#)

Responsible Officer: Brian Lewis
Manager Contracts Acquisitions, Fleet and
Facilities

Author: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

The Cleveland District Meals On Wheels Assoc Inc have held a lease for the past 30 years over Council land situated at 66 Queen Street, Cleveland described as Lot 1 on RP216866 for the purpose of providing community support by way of meal assistance.

The original lease expires on 31 December 2011 and the Association has requested a new lease. The Association has over the years maintained the premises to Council's satisfaction in accordance with the requirements of the lease, and made various improvements.

PURPOSE

The purpose of this report is to recommend to Council that the lease be renewed for a further term of 10 years.

BACKGROUND

In 1977, Council granted a lease to the Cleveland District Meals On Wheels Assoc Inc which expired in 2007. A further lease was granted in 2007 expiring on 31 December 2011.

The Association has now sought a further lease for a term of 10 years which is consistent with Council's policy on leasing to sporting and community groups.

The Association has in the past maintained the premises to a satisfactory standard consistent with its purpose. Council has not received any complaints regarding the activity nor have there been any competitive interests for the premises from other organisations.

ISSUES

In accordance with the provisions of the *Local Government Act 2009*, Council needs to resolve to agree to the leasing of Council land. Because the lease is to be given to an Incorporated association, the requirements for tendering or auctioning the site in accordance with the above legislation is not required.

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

- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people;
- 7.8 Support "Ageing Well in the Redlands", to enable active participation in all aspects of community life.

FINANCIAL IMPLICATIONS

There are no financial implications impacting Council as a result of this report. All costs for lease preparation will be met by the Cleveland District Meals On Wheels Assoc Inc.

In accordance with Council's policy on leasing to sporting and community groups, lease rental is to be nominal for the duration of the lease i.e. \$1 per annum.

PLANNING SCHEME IMPLICATIONS

No planning implications involved.

CONSULTATION

Property Services Manager has consulted with the Senior Advisor Community Development and Local Councillor.

OPTIONS

PREFERRED

That Council resolve to:

1. Agree to the lease of premises situated at 66 Queen Street, Cleveland described as Lot 1 on RP216866 for a period of 10 years from 1 January 2011 to 31 December 2021; and
2. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary or discharge a lease in accordance with Council's current leasing policy.

ALTERNATIVE

That Council resolve to refuse the application from Cleveland District Meals On Wheels Assoc Inc for the lease of the subject premises.

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

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

That Council resolve to:

1. Agree to the lease of premises situated at 66 Queen Street, Cleveland described as Lot 1 on RP216866 for a period of 10 years from 1 January 2012 to 31 December 2021; and
2. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary or discharge a lease in accordance with Council's current leasing policy.

CARRIED

16.2.2 PROPOSED PARK & RIDE FACILITY AT CAPALABA

Dataworks Filename: 117877

Attachment: [Park & Ride Development Proposal](#)

Responsible Officer: Brian Lewis
Manager Contracts, Acquisitions, Fleet and Facilities

Author: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

At its meeting held on 22 October 2010, Council adopted a recommendation to lease Council owned land described as Lot 1 RP861500 to Translink Transit Authority for an initial period of 10 years in order to facilitate the construction of the Capalaba Park & Ride Station. The subject land is to be used for access purposes and has been used for this purpose for the last 10 years.

A proposal has now been put forward by Translink Transit Authority to purchase the Lot rather than enter into a lease.

PURPOSE

The purpose of this report is to recommend to Council that the subject property be sold rather than leased to Translink Transit Authority (Translink) or Department of Transport and Main Roads.

BACKGROUND

Translink is proposing to develop a Park & Ride facility at the intersection of Moreton Bay Road and Redland Bay Road, Capalaba as the plan attached.

Council owns Lot 1 RP861500. This lot is shown on the attached plan as providing access to the Park & Ride facility and has been used for at least the last 10 years as access for various commercial premises at the rear.

Council's site is landlocked and has no functional purpose other than for providing access.

ISSUES

Whilst the original Council resolution supported a lease to Translink, further discussions were held with this Authority who considered that a nominal rental would be appropriate for the use of the site as a partnership arrangement between Council and the Authority. Further negotiations were undertaken and as a result Translink have offered to purchase the freehold title of the Council land for \$20,000.

It is considered that this proposal is far more acceptable to Council rather than a 10 year lease at nominal rental. Because of the fact that this property is landlocked and

has been used for access purposes for the last 10 years, the offer of purchase for \$20,000 is considered to be reasonable under the circumstances.

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

Council will receive \$20,000 revenue from the sale of Lot 1 RP861500 which will require an adjustment to the 2011/12 budget. All other costs associated with this transaction will be met by Translink.

PLANNING SCHEME IMPLICATIONS

None identified.

CONSULTATION

Property Services Manager has consulted with Principal Engineer Roads & Drainage and Translink Transit Authority representatives.

OPTIONS

PREFERRED

That Council resolve to:

1. Agree to the sale of Lot 1 RP861500 to Translink Transit Authority or nominated Qld Government Department for the amount of \$20,000; and
2. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary or discharge a contract of sale and sign all relevant documents.

ALTERNATIVE

That Council resolve to:

1. Lease Lot 1 RP861500 to Translink Transit Authority for a term of 10 years; and
2. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary or discharge a lease and sign all relevant documents.

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

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That Council resolve to:

1. Agree to the sale of Lot 1 RP861500 to Translink Transit Authority or nominated Qld Government Department for the amount of \$20,000; and
2. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary or discharge a contract of sale and sign all relevant documents.

CARRIED (en-bloc)

16.2.3 WATER REINTEGRATION - IMPLEMENTATION UPDATE

Dataworks Filename: GOV WRAD – RCC Administration/Resources

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Kate Giese
Water Programme Manager

EXECUTIVE SUMMARY

Under the South-East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill 2011 (the 'Bill'), Council is required to re-establish a water business by 1 July 2012.

This report provides a summary of re-establishment activities to date and outlines future activities for Councils information.

PURPOSE

To advise Council on a number of activities and developments impacting upon the reintegration for Redland Water to date and to outline a forward view of planned activities over the next three months.

BACKGROUND

On 8 August 2011, Council resolved to withdraw from Allconnex Water and to restore the Redland Water business. The Water Reintegration and Disestablishment (WRAD) project was formed to manage and coordinate the activities required to support Allconnex Water disestablishment activities and to reintegrate Redland Water within Redland City Council.

The project team is working with officers within Council, and in communication with Gold Coast and Logan City Councils as well as Allconnex Water to determine and plan required activities and to engage subject matter experts in the development and delivery of the reintegration project plan.

DISCUSSION

Staff Transition

Recruitment for the General Manager Redland Water has commenced and is expected to be finalised by early December in accordance with the Staff Support Framework. A discussion paper with regard to a more detailed Redland Water functional and management structure will be presented to Council for consideration on the 14th December 2011. A further discussion paper will be provided early in the New Year with regard to the complete structure, which is expected to be finalised by the end of January 2012. The project team is currently working with the programme managers from Allconnex Water and the other participating councils to develop a consistent and agreed process to assist in determining which council an employee will transition to.

A Staff Support Framework will replace the existing Workforce Framework, offering protection to employees identified as currently providing services to Allconnex Water including through SLA's . The new framework will be in effect for three years from the 1st July 2012 and provides for the preservation of employee entitlements and conditions following transfer. It is expected that the framework will be approved through parliament on or before December 16 2011. Allconnex Water has scheduled communication sessions for their employees to provide information regarding the framework once the framework receives State approval. Council representatives will also be in attendance at these sessions.

Financial transition

The development of a long term financial and regulatory pricing model for Redland Water is currently underway and activities are being planned for the development of the 2012-2013 budget for the returning water business. Activities relating to the wind up and formal closure of Allconnex Water after 1 July 2011 are progressing, although these are in the early stages at this time, with the greater part of this work scheduled from March next year.

The State Government imposed price capping will continue through to 30 June 2013. RCC will provide an initial price path for water and waste water pricing by 1 March 2013, for the period 1 July 2013 to 30 June 2018.

For the 2012 - 2013 financial year, the Bill does not remove the obligation that a Distributor-Retailer (Allconnex Water) is required to publish their proposed pricing for the next financial year by 31 March. This means that currently Allconnex Water will be responsible for declaring prices for the 2012/2013 that will be subsequently inherited by Councils. Council officers are liaising with officers within Allconnex Water, the other participating councils and the Queensland Water Commission to determine if pricing is required to be based on projected Council water costs, or whether it would be acceptable to base these on Allconnex Water costs with subsequent pricing adjustments the following year if required.

Re-transfer schedules

The Re-transfer schedules will nominate the assets, liabilities and employees which will retransfer to each successor council. As the current asset owners, the bulk of this activity is the responsibility of Allconnex Water who are currently performing due diligence to ensure all of the assets and liabilities have been identified and accounted for and discussions have commenced with council officers in relation to a number of transfer schedule items. Consultation and discussion is expected to continue into the first quarter of next year, in order to finalise the transfer schedules for certification and Ministerial approval in April.

Withdrawal Costs

The State government have confirmed that withdrawal costs will be claimable from Gold Coast City Council once the SEQ Amendment Bill receives Royal Assent. Discussions and workshops have been taking place with Allconnex Water, other participating councils and the Queensland Water Commission to classify withdrawal costs and to determine whether any prescription of costs needs to be dealt with via a regulation.

In the interim, the WRAD project team is capturing all potential withdrawal costs to facilitate swift invoicing of these to Gold Coast City Council once it has been more specifically clarified what may be claimable and the enabling legislation is in place.

Further Transition Activities

- Planning has commenced for the water bill design and format and a review of billing options is currently underway.
- Redland Water website and the re-use of Redland Water branding activities have commenced.
- A detailed review of accommodation options has been undertaken and will be presented for consideration in a separate report.
- Workplace Health and Safety reintegration activities have been planned and are scheduled to commence in the New Year.
- Consultation has taken place with the State Archivist in relation to access to Allconnex Water records following the disestablishment.
- A Change and Communication Transition Working Group has been established comprising of key representatives from Allconnex Water and its participating councils, to discuss and coordinate communication and change management activities to transitioning Allconnex employees.
- Allconnex Water are developing customer messaging as part of the final billing cycle for each district regarding the transfer to new Council water businesses in addition to call centre scripting in order to respond to customer queries. Council officers are investigating options for customer messaging to be included in the April rates notice.
- Council officers have attended a number of business briefings with Allconnex Water providing an overview of the current business environment to facilitate transition planning.
- Joint discussions with the Energy and Water Ombudsman Queensland to clarify compliance obligations will be scheduled in collaboration with Gold Coast and Logan City Councils. A number of submissions have been made to the State Government, the opposition and the Parliamentary Committee on behalf of Council in relation to QCA and EWOQ requirements and expediting the approval of the enabling legislation.

ISSUES

The key risks which have already been escalated to Councils attention include:

- The enabling legislation may not receive royal assent until April. This may be further compounded in the instance there is a State election caretaker period or a change in State government.
- QCA price monitoring requirements and compliance obligations are expected to be onerous.

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

This report relates directly and indirectly to a number of objectives in the “Efficient and Effective Organisation” section of the Corporate Plan.

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

There are no implications to the planning scheme within this report

CONSULTATION

Consultation has occurred with the General Manager Corporate Services, WRAD Project team members, the Group Manager Financial Services, senior officers and subject matter experts within Council, the Allconnex Water Disestablishment Project Director and the Project Directors for Logan and Gold Coast City Council water reintegration project teams.

OFFICER’S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That Council resolve to note the report and instruct officers to continue progressing transition activities to ensure the successful reintegration of Redland Water by 1 July 2012.

CARRIED (en-bloc)

16.3 GOVERNANCE

16.3.1 CHRISTMAS DELEGATIONS 2011

Datworks Filename: GOV Council Meeting Dates & Information

Responsible Officer: Nick Clarke
General Manager Governance

Author: Trevor Green
Senior Advisor Environmental Health

EXECUTIVE SUMMARY

Council development application decisions under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997* are delegated to the Development and Community Standards Committee. Between the last Council meeting of 2011 and the first Council meeting of 2012, there is a gap of 6 weeks.

To comply with the Integrated Development Assessment System (IDAS) timeframes and ensure continuity within this decision-making process, it is proposed that Council conditionally delegates, the powers conferred to the Development and Community Standards Committee, to the Mayor, for the period 15 December 2011 to 24 January 2012 (inclusive).

PURPOSE

The purpose of this report is to recommend that Council conditionally delegates the existing powers of the Development and Community Standards Committee from 15 December 2011 to 24 January 2012 (inclusive), to comply with the Integrated Development Assessment System (IDAS) timeframes and ensure continuity within this decision-making process.

BACKGROUND

At the General Meeting 26 October 2011 (Item 14.2.2) Council resolved to adopt the schedule of dates and times for ordinary meetings and standing committee meetings, from January 2012 to March 2012. With the last meeting of 2011 to be held on 14 December 2011 and the first meeting of 2012 to be held on 25 January 2012, there is a gap of 6 weeks for any potential development application decisions under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*, which may need to be made to meet Integrated Development Assessment System (IDAS) timeframes.

The existing powers conferred to the Development and Community Standards Committee are to:

1. Decide development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
 2. Provide instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*, subject to the condition that where the Committee Chairperson is required to use his/her casting vote, the Mayor (and Deputy Mayor in his/her
-

absence), preside over the meeting and be permitted to use his/her casting vote as Chairperson to determine the matter.

ISSUES

To comply with the Integrated Development Assessment System timeframes and ensure continuity within this decision-making process, it is proposed that Council delegates, under section 257 of the *Local Government Act 2009*, the powers conferred to the Development and Community Standards Committee, to the Mayor, for the period 15 December 2011 to 24 January 2012 (inclusive), subject to the condition that this delegation can only be exercised where the Chair of the Development and Community Standards Committee, the relevant Divisional Councillor and the Chief Executive Officer have been:

1. Personally provided with a copy of each development report that would normally be determined by the Committee; and
2. Granted a period of three (3) business days from the receipt of the report in which to comment, prior to that application being determined. A report will be presented to the Development and Community Standards Committee 7 February 2012, detailing all matters determined under delegated authority during the subject period.

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

The Sustainable Assessment and City Planning and Environment groups have been consulted in the preparation of this report.

OPTIONS

PREFERRED

That Council resolve:

1. That for the period 15 December 2011 to 24 January 2012 (inclusive), the Mayor be delegated, under s.257(1)(a) of the *Local Government Act 2009*, the existing powers of the Development and Community Standards Committee to:

- a. Decide development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
 - b. Provide instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*.
2. That the powers conferred in resolution 1 above be subject to the condition that this delegation can only be exercised where the Chair of the Development and Community Standards Committee, the relevant Divisional Councillor and the Chief Executive Officer have been:
- a. Personally provided with a copy of each development report subject to approval by the delegate, which would normally have been determined by the Committee; and
 - b. Granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined.

ALTERNATIVE

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

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That Council resolve as follows:

1. That for the period 15 December 2011 to 24 January 2012 (inclusive), the Mayor be delegated, under s.257(1)(a) of the *Local Government Act 2009*, the existing powers of the Development and Community Standards Committee to:
 - a) Decide development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
 - b) Provide instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*.
2. That the powers conferred in resolution 1 above, be subject to the condition that this delegation can only be exercised where the Chair of the Development and Community Standards Committee, the relevant Divisional Councillor and the Chief Executive Officer have been:
 - a) Personally provided with a copy of each development report subject to approval by the delegate, which would normally have been determined by the Committee; and
 - b) Granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined.

CARRIED (en-bloc)

16.3.2 E-PETITIONS

Dataworks Filename: GOV Petitions

Responsible Officer: Luke Wallace
Manager Corporate Governance

Author: Trevor Green
Senior Advisor Environmental Health

EXECUTIVE SUMMARY

At the General meeting 26 October 2011 (Item 17.7.1) a Notice of Motion was given by Cr Murray (Division 10) that Council investigate the introduction of e-petitions. Council resolved:

That Council investigate the introduction of the ability to accept and conduct e-petitions, for the benefit of our community.

In developing a government e-petition service, there are a number of matters which should be considered and/or developed into the system:

1. Resourcing
2. Redland City Council Local Law Provisions
3. Endorsement or Approval
4. Counter-petitions or voting to support or oppose a petition
5. Verification
6. Petitioner Restrictions
7. Contact Details

This report recommends that Council resolve to conduct a demonstration of an e-petition system at a Councillor Workshop.

PURPOSE

To report on an investigation on the introduction of an e-petitions system for Redland City Council.

BACKGROUND

At the General meeting 26 October 2011 (Item 17.7.1) a Notice of Motion was given by Cr Murray (Division 10) that Council investigate the introduction of e-petitions. Council resolved:

That Council investigate the introduction of the ability to accept and conduct e-petitions, for the benefit of our community.

A petition is a formally drawn up-request addressed to a person or organisation. The collection of support by other persons through obtaining their signature to the petition provides an indication of the importance of an issue to the community. The petition to free Nelson Mandela collected millions of signatures throughout the world.

An internet petition is called an e-petition.

An internet petition is a form of petition posted on a website. Visitors to the website in question can add their email addresses or names, and after enough "signatures" have been collected, the resulting letter may be delivered to the subject of the petition, usually via e-mail (Wikipedia).

Through technology advancement, e-petitions provide another opportunity for persons to raise matters of concern to authorities, make requests and look for the support of others to their cause, via the internet. It makes sense in a changing world that government processes adopt to embrace technology advances (e.g. financial exchanges, e-mail as another form of written correspondence, web-pages etc). For all systems, there must be adequate checks and balances built in to ensure the security and integrity of the system, it is sufficiently used to meet the associated costs and that it meets its intended purpose. It is here that "the jury is still out" on e-petitions.

An internet search regarding e-petitions was undertaken. This search found 3 main government authorities who run e-petition sites: United States, United Kingdom and Queensland. Each site has its own individual rules, processes for making and signing a petition, conditions, checks and balances and potential outcomes. The Local Government Association of Queensland (LGAQ) has advised that it is not aware of any other Queensland local government introducing an e-petition system. One council has had a system developed, which has not been implemented.

Up until the development of this report, the Local Government Association of Queensland (LGAQ) ran (via contract) an e-petition site for all Queensland local governments. Developed in partnership with The National Forum, the original intention was to provide a service that was comparable to the State Government e-petition service. The Petitions Queensland website was an initiative of the LGAQ in 2006, but was not well supported by Queensland Councils or the Queensland community and is no longer a current service offered by the LGAQ.

There are a number of free e-petition sites available on the internet which will accept petitions.

ISSUES

In developing a government e-petition service, there are a number of matters which should be considered and/or developed into the system.

1. Resourcing

Initial discussions indicate that a system could be developed for Redland City Council at an estimated cost of \$3,000, through the modification of a previously prepared system. Annual operational costs are estimated at \$300/year. This has not been tested in the market.

2. Redland City Council Local Law Provisions

Section 9 (1) of *Redland City Council Subordinate Local Law No. 5 (Meetings)* requires that - any petition presented to a local government meeting will be in legible writing or typewritten and contain a minimum of 10 signatures. As such the requirement for a minimum of 10 signatures would apply for the receipt of an e-petition to Council. For an e-petition, an e-mail address is taken as the petitioner's signature (see below).

As it is regarded that the collection of a large number of signatures on an e-petition via the internet is easier than tradition collection methods (e.g. standing on streets), government organisations usually require higher petitioner numbers before a petition may be received (the British system requires a minimum of 100,000 signatures). Council may therefore wish to review its Local Law 5, though as the law currently stands, e-petitions could be introduced immediately.

3. Endorsement or Approval

The LGAQ service required that all petitions needed a sitting councillor to endorse the petition. This was similar to the state government service. The intention was to limit the likelihood of frivolous petitions being launched.

The British e-petition system requires a petition to be initially approved through a government agency. Approval is based on two issues, (1) that as a petition it requests a particular action and is not just a statement and (2) that the matter is not a repeat of a similar petition.

It may be that Council would need to introduce a policy and guideline to regulate such matters. This could be easily auctioned.

4. Counter-petitions or voting to support or oppose a petition

Often, on sensitive issues, a counter petition is created to a petition. The concept and processes of e-petitions places the subject matter in an open forum. As such, those opposing the request can follow the same process to set up a counter argument on the site.

The LGAQ service included a feature that allowed both support and opposition to a petition to be recorded. It was believed that opposition to a petition was just as relevant as support. This was to prevent counter-petitions being created, while allowing those against to vote on the matter.

It may be that Council would need to introduce a policy and guideline to regulate such matters.

5. Verification

Verification of an e-mail address is integral to the e-petition process. The system is designed to include a verification process. This could include sending out an automated e-mail to the petitioner on the e-mail address given, which must be responded to before the signature is recorded.

It may be that Council would need to introduce a policy and guideline to regulate such matters.

6. Petitioner Restrictions

Most government e-petition sites place restrictions on who may sign a petition e.g. a citizen of the area/country. This requirement can be viewed through two opposing arguments. Firstly it ensures that the petition represents those of the country/area who are actually “directly” affected and that the government body represents. The petition “should not” be biased by a flooding of signatures from other areas or even countries.

Conversely hard copy petitions are often signed by persons from outside of the directly affected area, so perhaps such a restriction should not be placed on an e-petition which has potential access to persons from across the world? Some sites also limit the number of petitioners from an e-mail address to one person.

Council would need to consider these matters and what, if any, restrictions it might want to place on locality (Redlands only, Queensland only, Australia only, unlimited?). It may be that Council would need to introduce a policy and guideline to regulate such matters.

7. Contact Details

Most government e-petition systems require full contact details of the petitioners. Usually only summary details are displayed on the website (e.g. TG Cleveland). E-petition sites should contain the legalities associated with the supply of the petitioner’s details in terms of privacy.

A related issue would be the handling of matters such as “spam” type petitions, vexatious petitions, or nonsensical petitions. It may be that Council would need to introduce a policy and guideline to regulate such matters.

Options

1. Not progress the provision of an e-petition system for Council

Those wishing to make an e-petition for presentation to Council can use an e-petition site available on the internet for the development of their petition and collection of signatures. Upon receipt of such a petition, Council would need to verify the checks and balances of the system used.

2. Not progress the provision of an e-petition system for Council, but review in three years

While not implementing an e-petition system at present, the matter would be reviewed in three years, to look at advances in e-petition systems available and changes in the use of e-petitions by other government organisations and the community.

3. Implement a three year trial e-petition system for Council

The comparatively minimal costs associated with the development and operation of an e-petition system for Council makes this a realistic option. The success or otherwise of the system would be reviewed in three years.

4. Implement an e-petition system for Council

The comparatively minimal costs associated with the development and operation of an e-petition system for Council, in association with the potential benefits to the Redland community and impending increased proportion of the community using the internet, support this option.

5. Conduct a demonstration of an e-petition system at a Councillor Workshop

An e-petition service provider would demonstrate how e-petitions are conducted and explain the checks and balances associated with the system. A decision on whether to progress a system for adoption could be made by Council after the workshop.

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

Should Council resolve to develop an e-petition system, the estimated costs are \$3000 for the development of the system and \$300 per year to operate.

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications associated with this report.

CONSULTATION

The Local Government Association of Queensland, On Line Opinion (e-petition service provider) and the Information Management Group were consulted in the preparation of this report.

OPTIONS

PREFERRED

That Council resolve to conduct a demonstration of an e-petition system at a Councillor Workshop.

ALTERNATIVES

1. Not progress the provision of an e-petition system for Council.
2. Not progress the provision of an e-petition system for Council, but review in three years.
3. Implement a three year trial e-petition system for Council.
4. Implement an e-petition system for Council.

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

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That Council resolve to conduct a demonstration of an e-petition system at a Councillor Workshop.

CARRIED (en-bloc)

DECLARATION OF CONFLICT OF INTEREST

Cr Williams declared a conflict of interest or perceived conflict of interest in the following item stating that she is a volunteer at the Redlands Easter Family Festival. Cr Williams elected to remain in the room and vote in the best interests of the community. Cr Williams voted in the affirmative.

Cr Boglary declared a conflict of interest or perceived conflict of interest in the following item stating that she is on the organising committee of the Redlands Easter Family Festival. Cr Boglary elected to remain in the room and vote in the best interests of the community. Cr Boglary voted in the affirmative.

16.3.3 SPONSORSHIP APPLICATION - REDLANDS EASTER FAMILY FESTIVAL 2012

Datworks Filename: CR Sponsorship - Outgoing

Responsible Officer: Nick Clarke
General Manager Governance

Author: Kathy Petrik
Manager Marketing and Communications

EXECUTIVE SUMMARY

Council's Corporate Sponsorship policy was adopted in October 2009, with the policy objective of *"seeking to support and promote a strong and involved community through the sponsorship of events, projects, services or other activities in an equitable and accountable way"*. This policy came into force on 1 January 2010.

The definition of sponsorship is defined as *"a business transaction in which a sponsor provides a financial contribution or value in kind to support an event, project, service or activity in return for negotiated commercial and other benefits. It is a business transaction because it involves an exchange that has measurable value to each party in commercial, communication or philanthropic terms"*.

In accordance with the policy and guidelines, all sponsorship requests over \$10,000 are to be determined by Council. This report provides recommendations from the internal assessment panel about sponsorship of the 2012 Redlands Easter Family Festival, which has requested \$25,000. This is \$15,000 above last year's sponsorship.

The internal assessment panel is recommending a payment of \$10,000, the same amount provided in 2011.

PURPOSE

To provide background and recommendations to Council for sponsorship funding for Redlands Easter Family Festival in accordance with its policy and guidelines.

BACKGROUND

Redlands Easter Family Festival - Sunday 7 April 2012

This event is scheduled for Sunday 7 April 2012 at Norm Price Park - Redlands Showgrounds. It has been organised annually by local churches since 2000 and the organisers state it attracts about 15,000 people. The festival provides a full day program of free rides, food and entertainment for the community.

It has received annual funding from Council in past years and in 2011 Council awarded a \$10,000 sponsorship. It also enjoys reduced charges for venue rental as a community event. This year the organisers are seeking the significantly larger amount of \$25,000 in sponsorship.

The free community event aligns with the strategic priority of Council relating to "strong and connected communities". The organisers state it "promotes healthy lifestyles for youth and building stronger families, local service infrastructure, building community and community support services, building links between local care service providers, acknowledging local care services."

The benefits being offered to Council in return for sponsorship funding are the provision of a speaker, media exposure, branding opportunities on all print and signage, networking opportunities and a sponsor display.

In reviewing this application, it is noted that the organisers intend to expand the event from previous years "to showcase our local schools, clubs, associations, churches, care services, disability services, aged care services, health services, playgroups, vacation care, safety house and neighbourhood watch programs, child protection services, choirs, crisis support services, counselling services, support and social groups. ...All of the wonderful (and usually free) social services that are available in our community to our local public, many of whom may be unaware of the breadth of services that are available."

The application shows extra sponsorship funds would be used for rides, additional tent/display booth and event infrastructure hire including transport and labour for 'Local Services Showcase' area, fireworks and advertising.

The internal assessment panel is recommending that Council provide sponsorship to the Redlands Easter Family Festival in the amount of \$10,000.

ISSUES

Redland City Council's Communications group will liaise with the organisers of the Easter Family Festival to ensure that all benefits agreed to in the sponsorship agreement are delivered satisfactorily.

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

- 7.1 Promote festivals, events and activities for people to come together, developing connections and networks to improve community spirit and enhance 'sense of place'
- 7.4 Increase the participation of people from all age groups and backgrounds in local heritage, the arts and cultural expression

FINANCIAL IMPLICATIONS

There is sufficient funding available in the sponsorship budget for 2011-12 to fund this event. The budget for corporate sponsorship for 2011-12 has been reduced by 10% and this was taken into account by the assessment panel in making this recommendation.

CONSULTATION

Mayor Melva Hobson; the internal assessment committee made up of managers of Community and Cultural Services, Economic Development, Community Futures and Communications Groups.

OPTIONS

1. Accept the assessment panel's recommendations to allocate \$10,000 in sponsorship funding to the 2012 Redlands Easter Family Festival.
2. Decline approval of this sponsorship request.
3. Vary the amount of sponsorship funding to the 2012 Redlands Easter Family Festival

PREFERRED

Accept the assessment panel's recommendation to pay \$10,000 in sponsorship funding to the 2012 Redlands Easter Family Festival.

ALTERNATIVE

Amend the amount of sponsorship funding to the 2012 Redlands Easter Family Festival.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr K Reimers

Seconded by: Cr W Boglary

That Council resolve to approve the payment of \$10,000 in sponsorship funding to the 2012 Redlands Easter Family Festival.

CARRIED

DIVISION

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

16.3.4 CONTRACT EXTENSION -1210-2009-FLT PANEL OF PROVIDERS FOR PLANT HIRE

Dataworks Filename: FM Tendering

Attachment: [Delegated Authority Report](#)

Responsible Officer: Brian Lewis
Manager Contracts Acquisitions Fleet & Facilities

Author: Gail Widrose
Manager Procurement Operations

EXECUTIVE SUMMARY

On 29 November 2009, the General Manager Corporate Services approved the Officer's recommendation to accept the companies listed in the attached signed Delegated Authority Report and establish a Panel of Providers for Plant Hire, for a period of two (2) years from 1 December 2009 to 30 November 2011 with no option to extend.

A tender evaluation process is currently being undertaken to establish a new Approved Contractor List for Plant Hire. Due to resource issues, WH&S legislation changes and the number of responses received to give the evaluation team sufficient time to finalise the evaluation process Procurement Services is seeking the approval of Council to delegate to the Chief Executive Officer the authority to approve the extension to the existing contract for a period of approximately two (2) months from 1 December 2011 to 1 February 2012.

Due to the nature of the services involved, high risk activity and the frequent use of these services, it is important that an arrangement is in place to mitigate risk to Council.

BACKGROUND

Council sought tenders from suitably qualified operators to establish an approved contractor list to assist relevant areas of Council with plant hire services within the boundaries of Redland City Council including North Stradbroke Island, Southern Moreton Bay Islands of Russell Island, Karragarra Island, Lamb Island, Macleay Island, and Coochiemudlo Island.

The tender allowed the suppliers to submit tender responses for one or more of the required three categories of services, which are:

- Dry Hire;
- Wet Hire; and
- Operator Only.

Tenders closed on 27 October 2011. Sixty six (66) submissions were received for this service. In addition to the number of submissions received, many clarifications were required in order to proceed with the evaluation process. Due to resource issues, the number of responses received and to give the evaluation team sufficient time to

finalise the evaluation process, Procurement Services is seeking the approval of Council to delegate to the Chief Executive Officer the authority to extend the existing contract for a period of approximately two (2) months from 1 December 2011 to 1 February 2012.

ISSUES

- Procurement Services requires this contract to be extended to give the evaluation team sufficient time to finalise the evaluation process
- The Procurement Services Manager was consulted in the preparation of this report and concurs with the recommendations provided
- Works are to be undertaken in line with current contract scheduling within Contract 1210-2009-FLT
- Due to the nature of the services involved, high risk activity and the frequent use of these services, it is important that an arrangement is in place to mitigate risk to Council

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

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

FINANCIAL IMPLICATIONS

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

BENEFITS

- Value for money for establishing a new Approved Contractor List for Plant Hire by undertaking an effective procurement process; and
- Continuity of services required across Council whilst undertaking the evaluation process for the new Approved Contractor List.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That Council resolve to delegate to the Chief Executive Officer, under *Section 257 (1) (b) of the Local Government Act 2009* the authority to approve the extension to Contract 1210-2009-FLT Panel of Providers for Plant Hire from 1 December 2011 to 01 February 2012.

CARRIED (en-bloc)

16.4 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.

16.4.1 REDLAND CITY COUNCIL CERTIFIED AGREEMENTS

Datworks Filename: HRM Industrial Agreements - RCC Enterprise Bargaining Agreement

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Amanda Daly
Manager People & Change

EXECUTIVE SUMMARY

A confidential report from General Manager Corporate Services was discussed in closed session.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That Council resolve to:

1. A rollover of the two certified agreements for a period of 5 months;
2. Enter into correspondence with the relevant unions regarding this roll over;
3. Agree to a 1.66 (for 5 months) percentage wage increase for the financial year 2012-13;
4. Approve paid union meetings to allow unions to discuss this matter with their members; and
5. Authorise the Chief Executive Officer to implement an organisational wide communication programme regarding this rollover to begin as soon as practicable.

CARRIED (en-bloc)

16.4.2 AMENDMENTS TO ALLCONNEX WATER PARTICIPATION AGREEMENT

Dataworks Filename: GOV WRAD – Allconnex Water
Administration/Resources

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Kate Giese
Water Programme Manager

EXECUTIVE SUMMARY

A confidential report from General Manager Corporate Services was discussed in closed session.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

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

That Council resolve to amend the Participation Agreement, in line with the Deed of Amendment No.1 of the Southern SEQ Distributor – Retailer Authority Participation Agreement.

CARRIED (en-bloc)

17 MAYORAL MINUTE**17.1 APPEAL TO RAISE FUNDS TO PURCHASE A PIANO FOR RPAC**Background

An opportunity may have arisen where a Steinway concert piano may be available to purchase at an exceptionally reduced cost. So as not to have to rely on Council subsidising this much needed exercise, it is desirable that a report be prepared to outline the method by which Council may acquire this piano.

The Mayor has given notice that at the General Meeting scheduled for 14 December 2011 she intends to move as follows:

COUNCIL RESOLUTION

Moved by: Cr M Hobson

That Council resolve as follows:

- 1. That Council support an appeal to raise funds to purchase a piano for RPAC; and**
- 2. That a report be prepared and presented to Council on how to establish such an appeal.**

CARRIED

18 REPORTS DIRECT TO COUNCIL

18.1 CORPORATE SERVICES

18.1.1 NOVEMBER 2011 MONTHLY FINANCIAL REPORTS

Datworks Filename:	FM Monthly Financial Reports to Committee
Attachement:	<u>RCC Monthly Financial Report November 2011</u>
Responsible Officer:	Martin Drydale General Manager Corporate Services
Author:	Kevin Lamb Service Manager Financial & Capital Management

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 November 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 November 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 November 2011 and explanations as presented in the Monthly Financial Performance Report.

ALTERNATIVE

That Council requests additional information.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

**Moved by: Cr C Ogilvie
Seconded by: Cr M Elliott**

That Council resolve to note the End of Month Financial Reports for November 2011 and explanations as presented in the attached Monthly Financial Performance Report.

CARRIED

18.1.2 ADOPTION OF KEY POLICIES FOR THE FINANCIAL YEAR 2012 - 2013

Dataworks Filename: FM Corporate Budget

Attachments: [POL-1837 Revenue Policy](#)
[POL-1838 Debt Policy](#)
[POL-3013 Investment Policy](#)
[POL-3043 Corporate Procurement Policy](#)
[POL-3118 Enterprise Asset and Service Management Policy](#)

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Grant Tanham-Kelly
Service Manager Strategic Finance

EXECUTIVE SUMMARY

Sections 132-134 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* require a local government to annually prepare Investment, Debt and Revenue Policies respectively. Section 143 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* provides a requirement for a local government to prepare and adopt a Procurement Policy each financial year.

Sections 135-136 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* require a local government to prepare a long term asset management plan and that plan must provide for strategies to ensure the sustainable management of assets the first of these strategies being the adoption of a Enterprise Asset and Services Management Policy.

During the annual review of the *Financial Strategy (the Strategy)* between October and December 2011, Redland City Council considered the necessary revisions of the aforementioned policies and the Corporate Procurement Policy. The policies have been revised in line with the discussions held during these workshops as well as the more recent budget implications.

The policy objectives of the five documents are outlined below:

- **Financial Investment Policy** - To maximise earnings from authorised financial investments of surplus funds after assessing counter party, market and minimising risks.
 - **Debt Policy** - The objective of this policy is to ensure the sound management of Council's existing and future debt.
 - **Revenue Policy** - The generation of an appropriate level of revenue to support the delivery of Community Plan goals is an essential element of Council's 10 Year Financial Strategy.
-

- **Procurement Policy** – When Council enters into a contract it must have regard to the Sound Contracting Principles which are contained in s106 of the *Local Government Act 2009* and are as follows:
 - Value for money;
 - Open and effective competition;
 - The development of competitive local business and industry;
 - Environmental protection; and
 - Ethical behaviour and fair dealing.
- **Enterprise Asset and Services Management Policy**– to manage the assets of the Redland City Council on behalf of the community to deliver services in the most effective and sustainable way.

PURPOSE

The purpose of this report is for Council to adopt investment, borrowing, revenue, enterprise asset and service management and procurement policies for 2012-2013.

Section 104 of the *Local Government Act 2009* requires the local government's long term financial plan (Financial Strategy) to outline the investment, debt and revenue policies.

Section 134 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* stipulates the Revenue Policy must be adopted in sufficient time before the start of the financial year to allow an annual budget that is consistent with the revenue policy to be adopted for the financial year.

Sections 135-136 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* require a local government to prepare a long term asset management plan and that plan must provide for strategies to ensure the sustainable management of assets the first of these strategies being the adoption of an Enterprise Asset and Services Management Policy.

Section 143 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* provides a requirement for a local government to prepare and adopt a Procurement Policy each financial year.

BACKGROUND

The annual review of the Financial Strategy was conducted between October and December 2011 and the five policies were discussed during this review. The decisions made both during the review and in subsequent workshops with Councillors have been captured in the revisions of the four policies.

ISSUES

In adopting the Financial **Investment Policy** for 2012-2013, Council will demonstrate its policy stance on dealing with surplus funds. Council will follow a more active investments management strategy over the next 10 financial years to maximise the returns generated from investing cash balances.

The adoption of the **Debt Policy** for 2012-2013 will outline for the following ten years the anticipated new loans, interest and principal repayments.

In adopting the **Revenue Policy** for 2012-2013, Council will provide the community with a clear statement of intention in relation to revenue raising for the new financial year. The adoption of the Policy will also include the noting of the planned dates to levy the rates in 2012-2013. In levying rates, Council will schedule the issue of rate notices quarterly.

For 2012/2013 the rate notice schedule is:

	Q1	Q2	Q3	Q4
Issue Date	13 July 2012	5 October 2012	11 January 2013	8 April 2013
Due Date	14 August 2012	5 November 2012	11 February 2013	8 May 2013

In adopting the **Procurement Policy** for 2012-2013 Council will meet or exceed both Local and State Government legislative requirements for the sustainable supply of goods and services; or the carrying out of work; or the disposal of assets in consideration of whole-of-life cost.

In adopting the **Enterprise Asset and Services Management Policy** for 2012-2013, Council recognises that the use of sound asset and services management practices will significantly assist in achieving its corporate mission *“to be a sustainable and effective organisation with clever and caring people”*.

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

9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community’s aspirations and capacity to pay for desired service levels

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

FINANCIAL IMPLICATIONS

The five attached policies for 2012-2013 provide the policy framework for debt, financial investment, asset management, procurement and revenue in the financial year.

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.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr C Ogilvie
Seconded by: Cr T Bowler

That Council resolve to adopt:

1. The aforementioned rate notice schedule;
2. Financial Investment Policy (POL-3013);
3. Debt Policy (POL-1838);
4. Revenue Policy (POL-1837);
5. Enterprise Asset and Service Management Policy (POL-3118); and
6. Corporate Procurement Policy (POL-3043).

CARRIED

DIVISION

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

AGAINST: Cr Williams

MOTION TO MOVE INTO OPEN FORUM AT 7.44pm

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

That the meeting move into Open Forum to discuss the following item.

CARRIED

MOTION TO MOVE OUT OF OPEN FORUM AT 7.58PM

Moved by: Cr C Ogilvie
Seconded by: Cr B Townsend

That the meeting move out of Open Forum.

CARRIED

18.1.3 FINANCIAL STRATEGY 2012 - 2022

Datworks Filename: FM Financial Reporting

Attachments: [Financial Strategy 2012 – 2022](#)
[RCC 2011 Credit Review](#)

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Grant Tanham-Kelly
Service Manager Strategic Finance

EXECUTIVE SUMMARY

The preparation and adoption of a long-term financial strategy is a key step in setting clear financial objectives and targets in order to demonstrate long term financial sustainability and stewardship. Council's 10 year Financial Strategy provides this policy framework to guide all future decision making on financial resource allocation.

The adoption of a Financial Strategy is good business practice but is also supported through the following State legislation:

- *The Local Government Act 2009*; and
- *The Local Government (Finance, Plans and Reporting) Regulation 2010*.

The detailed strategies and financial performance targets in the Financial Strategy set out financial priorities and boundaries that encourage efficient management of resources, revenue raising limits and measurable milestones.

PURPOSE

To seek adoption of Council's Financial Strategy 2012 to 2022.

BACKGROUND

Council considers its longer term strategic financial management policies with a view to refining its 10 year financial policy framework in order to guide the achievement of the objective of financial sustainability for the City.

The Financial Strategy provides Council with an agreed roadmap for managing its financial resources and processes and is aligned with the objectives and priorities of its Community, Corporate and Operational Plans. Within the framework of the Financial Strategy, guidance is provided to support decision-making with respect to capital and operating revenue and expenditure, asset and service management levels and strategic procurement.

The Financial Strategy represents a key step in establishing clear financial objectives and targets in order to demonstrate long term financial sustainability and stewardship. These are expressed in the Financial Strategy by the inclusion of forecasts for operating statements, balance sheets, cash flows and KPI's for each of the 10 years covered by the Strategy.

In May 2011, Council adopted the Financial Strategy 2011 – 2021 which was revised in response to the following issues:

- State government announcement in April 2011 regarding the capping of water prices (but not State bulk water prices) and the impact of this on projected financial returns from Allconnex Water;
- State government announcement in April 2011 regarding the capping of infrastructure charges and the impact of this on the projected 10 year capital programme;
- Meeting Council's targets for financial sustainability including a return to surplus by 2013 – 2014;
- Routine annual review of CPI and growth parameters to be used in financial forecasting; and
- Routine annual review of key financial policies.

In September 2011, Council was advised by the Department of Local Government and Planning (DLGP) that it had been selected for a financial Credit Review to be undertaken by the Queensland Treasury Corporation (QTC). The Credit Review included an assessment of Council's Financial Strategy 2011 – 2021 (adopted in May 2011) and associated long term financial plans in order to independently determine the long term financial sustainability of Redland City Council. The Credit Review was concluded in November 2011 and is attached at Appendix 1.

Between September and December 2011 Council undertook its annual review of the Financial Strategy taking into account:

- The impact of a return of the water business into Council operations and the disestablishment of Allconnex Water with effect from 1 July 2012;
- Review of proposed revenue increases;

- Meeting Council's targets for financial sustainability including a return to surplus by 2013 – 2014;
- Routine annual review of CPI and growth parameters to be used in financial forecasting; and
- Routine annual review of key financial policies.

The revised Financial Strategy 2012 – 2022 is now presented for adoption by Council in response to the outcomes of the QTC Credit Review and Council's annual review process.

ISSUES

As previously stated, Council were subject to a comprehensive Credit Review prepared by QTC based on both the 2011/12 year end accounts and the Financial Strategy 2011 – 2021 adopted in May 2011, which was adopted prior to the decision to reintegrate water and wastewater services into Council business.

In November 2011 the QTC Board assessed Council's credit rating on this historical data, as **Sound** with **Neutral** outlook defined as:

Sound: *A local government with an adequate capacity to meet its financial commitments in the short, medium and long-term. While it is likely that it may have a record of minor or moderate operating deficits, the local government is expected to regularly report operating surpluses. It is likely able to address its operating deficits, manage major unforeseen financial shocks and any adverse changes in its business, with minor or moderate revenue and/or expense adjustments. The expense adjustments are likely to result in some changes to the range of and/or quality of services offered. Its capacity to manage core business risk is sound.*

Neutral Outlook: *There are no known foreseeable events that would have a direct impact on the local government's capacity to meet its financial commitments. It may be possible for a rating upgrade or downgrade to occur from a neutral outlook, if such an event or circumstance warranted as such.*

As part of the Credit Review, QTC undertook some financial sensitivity testing which highlighted two areas for consideration and action by Council in formulating decisions on revenue raising and operational and capital resourcing over the life of the Financial Strategy. These can be summarised as:

- Concerns regarding the community capacity to bear the projected higher general rate increases in the first year of the Strategy; and
- Concerns regarding the ability of Council to deliver the required reductions in employee and goods and services spending in order to achieve financial sustainability targets.
- In parallel to the QTC Credit Review, and without knowledge of the recommendations mentioned above, Council reviewed the Financial Strategy 2011 – 2021 and determined that it would:
- Forecast lower general rate increases of 4.5% over the life of the Financial Strategy;

- Forecast a conservative improvement in financial returns from the return of the water business into Council operations from 1 July 2012; and
- Forecast lower reductions in operational spending than had previously been forecast but still require savings of 1% in employee costs and 10% in goods and services costs for Year 1 of the Strategy.

These amendments to the Financial Strategy have resulted in the achievement of all financial sustainability targets within the same timescale. Some key points include:

- Revised forecasts are dependent on a lower level rate increase than previously modelled, predominately achievable due to the return of the water and wastewater business. A reduced general rate increase is in line with QTC recommendations;
- Revised forecasts predict a return to acceptable levels of operating performance from year 2;
- Revised forecasts in operational expenditure are manageable in line with QTC recommendations; and
- Revised forecasts in capital expenditure levels have been reduced to compensate for the reduction in developer cash contributions, resulting from the State Government's decision to cap infrastructure charges.

The Financial Strategy is provided at Attachment 2 and provides a clear indication of an improving financial position for Council over the life of Strategy and ensures that plans are in place for the achievement of financial sustainability targets, with more work required to ensure that asset sustainability targets are achieved and that the financial implications resulting from the reintegration of water are as seamless as possible.

I would like to acknowledge and thank all Councillors and staff in the development of the Financial Strategy for their support, input and feedback.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The Financial Strategy provides a financial policy framework to guide decision making on financial resource allocation over the longer term in order to demonstrate and achieve financial sustainability.

As such, the Strategy is the first reference point for such decisions and will be reviewed annually to ensure that alignment with community and corporate objectives is maintained.

PLANNING SCHEME IMPLICATIONS

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 been carried out with all Councillors, Executive Leadership Group, Senior Financial Advisors and Financial Staff in the development of the Strategy.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve to:

- 1. Note the Queensland Treasury Corporation Redland City Council 2011 Credit Review and the rating of Sound with a Neutral Outlook;**
- 2. Acknowledge the key recommendations made in the Credit Review and note that these have been positively responded to in the development of the 2012 – 2022 Financial Strategy; and**
- 3. Adopt the Redland City Council Financial Strategy 2012 – 2022, as amended and attached.**

CARRIED

DIVISION

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

AGAINST: Cr Williams

MOTION TO MOVE INTO OPEN FORUM AT 8.12PM

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

That the meeting move into Open Forum to discuss the following item.

CARRIED

MOTION TO MOVE OUT OF OPEN FORUM AT 8.23PM

Moved by: Cr H Murray
Seconded by: Cr W Boglary

That the meeting move out of Open Forum.

CARRIED

18.2 GOVERNANCE**18.2.1 COUNCILLOR REMUNERATION 2012**

Dataworks Filename: GOV Councillors' - Remuneration

**Responsible Officer: Nick Clarke
General Manager Governance**

**Author: Trevor Green
Senior Advisor Environmental Health**

EXECUTIVE SUMMARY

All Queensland local governments must adopt the 2012 remuneration schedule for elected representatives, as determined by the Local Government Remuneration and Discipline Tribunal Report 2011.

Previously the Tribunal established 10 categories of local governments and set minimum and maximum remuneration ranges within each category for Mayor, Deputy Mayor and Councillor, respectively. Redland City Council is in category 6.

Councillors were required to vote on what remuneration within their category range they were to be paid. Since the concept of the maximum and minimum levels of remuneration in each category of local government was established, there have been regular requests to the Tribunal to set a single rate of remuneration in each category - especially in the larger Councils. Redland City Council was a strong contributor to this campaign.

This year the Tribunal has decided to discontinue the practice of setting a remuneration range in each category and, instead, to set a single rate for Mayors, Deputy Mayors and Councillors in each category of local government.

As Council must adopt the full 2012 calendar year remuneration schedule within 90 days of the schedule being gazetted (9 December 2011), this means that Council will

be adopting the schedule before the proposed 2012 local government elections. As such, the incumbent Council will be adopting remuneration levels for the incoming Council.

PURPOSE

The purpose of this report is for Council to adopt the 2012 remuneration schedule as determined by the Local Government Remuneration and Discipline Tribunal Report 2011.

BACKGROUND

Requirement for Council to Make a Resolution on Remuneration

Pursuant to Chapter 5, Part 1, Division 1 of the *Local Government (Operations) Regulation 2010 (the Regulation)*, the *Local Government Remuneration and Discipline Tribunal* determines the remuneration schedule for Mayors, Deputy Mayors and Councillors, in each Queensland local government category. There are ten categories (Special and 1-9). Redland City Council is in category 6.

Within 90 days of the schedule being gazetted, a local government must by resolution, adopt the remuneration schedule. The remuneration schedule is determined as a percentage of the rate payable to a member of the Queensland Legislative Assembly (MLA).

Prior to 2008

Prior to 2008 (current electoral term), there were no legislative criteria for the determination of the remuneration provided to Councillors, other than the generic requirement under section 237 of the *Local Government Act 1993*, that a local government may by resolution authorise remuneration to a Councillor and record the principles on which the remuneration system was based.

In the previous electoral term the Councillors' remuneration included a base salary and additional benefits (including a Council vehicle and an electoral allowance).

2008

Amendments to the *Local Government Act 1993* introduced in the second half of 2007 led to the current system for determining Councillors' remuneration and removed the inclusion of any additional benefits as part of a remuneration package.

At the 2008 Post-Election Meeting, Council resolved for the Mayor, Deputy Mayor and Councillors to be remunerated at the maximum in each category to seek parity with the previous remuneration packages which included the additional benefits.

2009

As there was no increase in the base salary rate applicable to a MLA, the Tribunal did not increase the rate for elected representatives for 2009, apart from an increase to the remuneration range for Mayors.

Council resolved for remuneration to remain unchanged in each category, with the exception of the Mayor.

2010

The Tribunal increased the remuneration levels which may be paid to elected representatives by 3.15%.

Council resolved that the remuneration for the Mayor, Deputy Mayor and Councillors were to remain unchanged. To do this, the elected representatives resolved to accept reduced percentages of the rate payable to a MLA.

2011

The Tribunal increased the remuneration levels which may be paid to elected representatives by 2.5%.

Council resolved that the remuneration for the Mayor, Deputy Mayor and Councillors were to remain unchanged. To do this, the elected representatives resolved to accept reduced percentages of the rate payable to a MLA.

In September 2011, Council made a submission to the Tribunal's 2011 review to amend its process to provide a single level of remuneration for each local government category. It was also organised for those Councillors attending the Local Government Association of Queensland's Conference, to attend a deputation with the Tribunal to discuss this issue. A similar deputation had taken place in 2010.

At the Local Government Association of Queensland's 115th Annual Conference in early October, the Association resolved to support a Redland City Council motion that it make requests to the Local Government Remuneration and Discipline Tribunal to set Councillors' salary levels, rather than providing a remuneration range.

ISSUES

Remuneration schedule

This year the Tribunal has decided to discontinue the practice of setting a remuneration range in each category and, instead, to set a single rate for Mayors, Deputy Mayors and Councillors in each category of Local Government. In doing this, the Tribunal has considered a range of issues, including:

1. the significantly different levels of remuneration currently being paid in different Councils within the same category;
2. the cost of moving to a "single rate" for each level of Councillor in each category;
3. the decision of the Commonwealth Remuneration Tribunal to award a 3.1% increase to Federal MPs from 1 July 2011; and
4. the increase of 2.5% in the base salaries of State MPs which took effect from 1 August 2011.

After allowing for the 2.5% general increase, the aim of the Tribunal was not to involve a net increase in the total amount payable to Mayors, Deputy Mayors and Councillors across the 72 Councils within the Tribunal's jurisdiction. The Tribunal acknowledged that in moving to the new system some individual Councils will pay Councillors more in 2012 than in 2011, while others will pay less. As detailed above, as Redland City Councillors remuneration had not been increased for a number of

years, the Tribunal's Category 6 remuneration schedule for 2012 will result in an increase in remuneration for Redland City Councillors.

Remuneration determined by the Tribunal for 2012 (Reference rate of \$137,149)		
	(%)	(\$ pa)
Mayor	110%	\$150,864
Deputy Mayor	75%	\$102,862
Councillor	65%	\$89,147

The Tribunal notes that section 43 of the Regulation provides an opportunity for Councils to make a submission to the Tribunal to increase or decrease the remuneration levels in exceptional circumstances. It is not considered that there would be any mitigating situations that the Tribunal would consider which would justify increasing or decreasing the remuneration levels relating to Redland City Council.

Adoption by resolution of the remuneration schedule

As per the provisions of the *Local Government (Operations) Regulation 2010*, Council is still required by resolution, to adopt the remuneration schedule within 90 days of the schedule being gazetted (9 December 2011).

Adoption of the 2012 remuneration schedule before 2012 election

The requirement to adopt the schedule within 90 days of the schedule being gazetted (9 December 2011), means that Council must adopt the schedule before the proposed 31 March 2012 local government elections. As the schedule will be adopted for the full 2012 calendar year, the incumbent Council will be adopting remuneration levels for the incoming Local Government.

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

That the Mayor, Deputy Mayor and Councillors be remunerated in accordance with the recommendations of this report.

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications associated with this report.

CONSULTATION

The Local Government Remuneration and Discipline Tribunal and Local Government Association of Queensland were consulted in the preparation of this report.

OPTIONS

PREFERRED

That Council resolve to:

1. Adopt the 2012 remuneration schedule as determined by the Local Government Remuneration and Discipline Tribunal Report 2011.
2. That the 2012 remuneration levels for the Mayor, Deputy Mayor and Councillors, be set at:
 - a. Mayor - 110% of "Reference Rate" of \$137,149 (\$150,864)
 - b. Deputy Mayor - 75% of "Reference Rate" of \$137,149 (\$102,862)
 - c. Councillors - 65% of "Reference Rate" of \$137,149 (\$89,147)

ALTERNATIVE

That Council resolve not to adopt the remuneration schedule as determined by the Local Government Remuneration and Discipline Tribunal Report 2011 and seek consideration by the Tribunal for higher or lower levels of remuneration under the exceptional circumstances provision.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Adopt the 2012 remuneration schedule as determined by the Local Government Remuneration and Discipline Tribunal Report 2011;
2. That the 2012 remuneration levels for the Mayor, Deputy Mayor and Councillors, be set at:
 - a. Mayor - 110% of "Reference Rate" of \$137,149 (\$150,864)
 - b. Deputy Mayor - 75% of "Reference Rate" of \$137,149 (\$102,862)
 - c. Councillors - 65% of "Reference Rate" of \$137,149 (\$89,147)

COUNCIL RESOLUTION

Moved by: Cr H Murray
Seconded by: Cr T Bowler

That Council resolve to:

1. **Adopt the 2012 remuneration schedule as determined by the Local Government Remuneration and Discipline Tribunal Report 2011;**
2. **That the 2012 remuneration levels for the Mayor, Deputy Mayor and Councillors, be set at:**

- a. Mayor - 110% of "Reference Rate" of \$137,149 (\$150,864)
 - b. Deputy Mayor - 75% of "Reference Rate" of \$137,149 (\$102,862)
 - c. Councillors - 65% of "Reference Rate" of \$137,149 (\$89,147)
3. Council notes that the "Reference Rate" relates to a Queensland Parliament Backbencher.

CARRIED

18.3 CITY SERVICES

18.3.1 PARK NAMING – BOB & DELPHINE DOUGLAS RESERVE

Dataworks Filename: P&R Parkland

Responsible Officer: Lex Smith
Manager City Spaces

Author: Jeanette Adams
Centre-Coordinator, Redlands IndigiScapes
Centre

EXECUTIVE SUMMARY

A request has been made to name a park in honour of Bob and Delphine Douglas for their contribution to protecting and enhancing the environment within our local community. The report provides recommendations on naming requests received by Council based on the Park Naming, Memorials, and Tributes Policy Document – POL-3068 adopted by Council on 26 September 2007 and Local Law No.15 Parks and Reserves. The policy acknowledged that any Council decision, by resolution, will take precedence over any aspect of the policy where exceptional circumstances have been demonstrated.

Local recreation parks tribute naming will only be considered in exceptional circumstances to recognise individuals for their eminence and exceptional endeavours associated with the community. The Recommendation within this report is consistent POL – 3068.

PURPOSE

To recommend that Council tribute name the park at 12-24 Liriope Place and 169 Bunker Road, Victoria Point and described as Lot 900 SP 235943 Lot 901 SP 215304 as “Bob & Delphine Douglas Reserve” being for their contribution to the local community of the Redlands in many areas of conservation.

BACKGROUND

A request for park naming was submitted by Ms Lyn Roberts on behalf of the Koala Action Group and the Eprapah Creek Land Catchment Association in support of a number of proposals from Councillors Henry, Bowler and Murray as well as members of the public. Following consultation with Bob Douglas, the parkland area adjacent Mr Douglas’ property was agreed upon. It is requested that the area Lot 900 SP 235943 at 12-24 Liriope Place, Victoria Point and Lot 901 SP 215304 at 169 Bunker Road, Victoria Point, be named the Bob & Delphine Douglas Reserve. An official application was then requested to be submitted.

Division 6 Councillor was informed of this request and subsequently provided support for the naming of the park as “Bob & Delphine Douglas Reserve”.

The application was submitted and Council also received three other letters of support all of which mentions the activities of Bob & Delphine Douglas.

Bob & Delphine had many voluntary commitments including Meals on Wheels, ECCLA and KAG.

Their property was one of the first Land for Wildlife properties in the Redlands and the control of weeds and replanting on their property was a dedicated work.

They were keen water testers, volunteering on a number of sites and discovering that the water flowing out of Eprapah Creek on their property was of a higher quality to that flowing in.

All the work on their property was for unselfish reasons to benefit wildlife. The wider community knew it was a haven for native animals and it was used as a release site for carers with rehabilitated wildlife.

Bob and Delphine volunteered at IndigiScapes before it opened 13 years ago. They removed many weeds from the area and spent hours replanting. They were individually responsible for the building and maintenance of the Maze for many years, pruning and hedging by hand.

Bob and Delphine were the driving force behind the Community Nursery at IndigiScapes for many years, volunteering at least 2 days per week. Following the loss of Delphine, Bob has continued his work in the Nursery heading up the Tuesday morning propagation group with up to 12 volunteers.

Bob used his teaching skills to educate others on propagation methods and inspire others in his love of native plants.

Bob and Delphine used their property for workshops and events to encourage others to participate in good environmental practices.

Bob and Delphine were executive members of ECCLA since 2004, working tirelessly at working bees. Bob has been vice president of the group from December 2006.

Bob and Delphine were also members of KAG for many years planting hundreds of trees in the local parks.

Delphine passed away in 2006. Bob has recently been diagnosed with Motor Neurone Disease which is progressing rapidly.

The following information is added in addition to the above.

In 2007 Bob was awarded the Australia Day award for Outstanding Contribution to the Environment.

In 2011 Bob was named as one of the Queensland Conservation Council's Champions of Conservation.

Bob and Delphine were both members of a number of Bushcare groups volunteering hundreds of hours over a 13 year period.

ISSUES

Naming of park or reserves

The Council may by resolution under the provisions of Local Law 15 assign a name to a park or reserve; or change the name of a park or reserve. In addition, Council adopted the Park Naming, Memorials and Tributes Policy nominates that Local Recreational Parks can be considered for tribute naming or renaming in exceptional circumstances to recognise individuals for their eminence and outstanding endeavour associated with the Redlands community such as:

- Provided extensive community service;
- Worked to foster equality and reduce discrimination;
- Risked his/her life to save others;
- Prior ownership for a significant period of time;
- Made a significant financial or non financial contribution to the park.

This application is for the naming of a local conservation park.

The above application information is considered for support and approval by Council on the basis that Bob and Delphine Douglas provided extensive community service, in many areas of conservation throughout the Redlands and on their property which adjoins the parkland.

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

FINANCIAL IMPLICATIONS

The naming of the parks would involve a financial implication of approximately \$1,500 for the timber sign and metal plaque.

The acceptance of the recommendations provided would need to be funded from the Parks and Conservation Unit's normal operating budget.

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 Divisional Councillor, Cr Toni Bowler, and City Planning & Environment were consulted concerning the naming of this park. Cr Bowler also provided written support to the applicant.

Ongoing consultation has been maintained with Bob Douglas (Delphine is deceased) regarding the proposed naming and the area concerned.

OPTIONS

PREFERRED

That Council resolve to tribute name the parkland at Lot 900 SP 235943 at 12-24 Liriope Place, Victoria Point and Lot 901 SP 215304 at 169 Bunker Road, Victoria Point, as "Bob & Delphine Douglas Reserve".

ALTERNATIVE

That Council resolve not to approve the tribute naming of the parkland Lot 900 SP 235943 at 12-24 Liriope Place, Victoria Point and Lot 901 SP 215304 at 169 Bunker Road, Victoria Point, as "Bob & Delphine Douglas Reserve"

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Bowler
Seconded by: Cr D Henry

That Council resolve to tribute name the parkland at Lot 900 SP 235943 at 12-24 Liriope Place, Victoria Point and Lot 901 SP 215304 at 169 Bunker Road, Victoria Point, as "Bob & Delphine Douglas Reserve".

CARRIED

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION – CR ELLIOTT (DIVISION 7)

19.1.1 INCREASED FUNDING FOR ADDITIONAL BUS SERVICES THROUGHOUT REDLAND CITY

In accordance with notice given on 6 December 2011, Cr Elliott moved as follows:

COUNCIL RESOLUTION

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

That Council lobby both the state government and opposition for increased funding for additional bus services throughout Redland City, particularly on the main commuter routes.

CARRIED

19.2 NOTICE OF MOTION – CR WILLIAMS (DIVISION 9)

19.2.1 PARKING OPTIONS – WEINAM CREEK

Background

[Weinam Creek Parking Update](#)

There has been a great deal of concern raised as to the lack of detail provided on the car parking options available eg. Shuttle bus hours of operation to secure parking; disability access on shuttle buses; options available when permit area parking is full; does a permit apply to a vehicle or to a user.

In order for residents to understand the implications of their choice, it is important that these details are clarified and the residents offered the opportunity of sufficient time to make an informed choice.

In accordance with notice given on 6 December 2011, Cr Williams moved as follows:

PROPOSED MOTION

Moved by: Cr K Williams
Seconded by: Cr J Burns

That Council resolve to:

1. Provide further detail on each of the parking options available to residents of Redland Bay and the Southern Moreton Bay Islands as proposed in Council's resolution 28th October 2011 Item 16.2.1 Weinam Creek Car Park Charges And Associated Initiatives; and
2. Extend the Expressions of Interest Period to 15 February 2012 to allow residents to make an informed choice.

On being put to the vote the motion was **LOST**

DIVISION

FOR: Crs Burns and Williams

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

19.3 NOTICE OF MOTION – CR BURNS (DIVISION 4)

19.3.1 AMENDMENT TO LOCAL LAW 11 – SIGNS

In accordance with notice given on 6 December 2011, Cr Burns moved as follows:

PROPOSED MOTION

Moved by: Cr J Burns
Seconded by: Cr K Williams

That Council amend its Local Law 11 regarding the erection of election signage to reflect the *Local Government Act 2009*.

Motion as follows;

“36 Election advertising

1. A local government must not make a local law that-
 - a. Prohibits or regulates the distribution of how-to-vote cards; or
 - b. Prohibits the placement of election signs or posters.
2. A how- to- vote card includes a how- to- vote under the *Electoral Act*.
3. An election sign or poster is a sign or poster that is able, or intended , to –
 - a. influence a person about voting at any government election; or
 - b. affect the result of any government election.
4. A government election is an election for a local, State or Commonwealth government.
5. A local law, to the extent that it is contrary to this section, has no effect”.

On being put to the vote the motion was **LOST**

DIVISION

FOR: Crs Burns, Murray and Williams

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

20 CLOSED SESSION

PROCEDURAL MOTION

That a non-member, Mr Gary Soutar, stay in the room and participate in Item 20.2.1 (as per Local Law No. 5 s.10(1)).

MOTION TO CLOSE THE MEETING AT 9.03PM

Moved by: Cr T Bowler

Seconded by: Cr M Elliott

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:

20.1.1 Future Accommodation & Strategic Investment Opportunity

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

(e) contracts proposed to be made by it;

20.2.1 Redland Water Organisational Structure

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

(a) the appointment, dismissal or discipline of employees;

20.3.1 Coochiemudlo Barge Services

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 9.44PM

Moved by: Cr K Reimers

Seconded by: Cr H Murray

That the meeting be again opened to the public.

CARRIED

20.1 CORPORATE SERVICES**20.1.1 FUTURE ACCOMMODATION & STRATEGIC INVESTMENT OPPORTUNITY**

Dataworks Filename: L.118490/L.118607/L.118487/L.118703/L.118846
L.301332

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Brian Lewis
Manager Contracts Acquisitions, Fleet and
Facilities

EXECUTIVE SUMMARY

A confidential report from General Manager Corporate Services was discussed in closed session.

COUNCIL RESOLUTION

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

1. That Council authorise the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to commence negotiation to acquire the subject site and carry out due diligence investigations and to report to Council at its General Meeting in January 2012; and
2. That this report remains confidential.

CARRIED

DIVISION

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

AGAINST: Cr Elliott

20.2 OFFICE OF CEO

20.2.1 REDLAND WATER ORGANISATIONAL STRUCTURE

Dataworks Filename: GOV Business Units – Redland Water

Responsible Officer: Gary Stevenson
Chief Executive Officer

Author: Gary Soutar
General Manager Redland Water

EXECUTIVE SUMMARY

A confidential report from Chief Executive Officer was discussed in closed session.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

It is recommended that Council resolve to adopt the proposed Organisational Structure to include the following Redland Water Group Manager positions, (in accordance with Section 196(1) of the *Local Government Act 2009*) to be effective 1 July 2012;

- Redland Water Distribution and Treatment Services
- Redland Water Infrastructure and Planning
- Redland Water Retail and Customer Services

CARRIED

DIVISION

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

20.3 ENVIRONMENT PLANNING & DEVELOPMENT**20.3.1 COOCHIEMUDLO BARGE SERVICES**

Datworks Filename: GOV Development and Community Standards
Committee Reports for Noting

Responsible Officer: Toni Averay
General Manager Environment Planning &
Development

Author: Donna Wilson
Service Manager Compliance

EXECUTIVE SUMMARY

A confidential report from General Manager Environment Planning & Development was discussed in closed session.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr K Reimers

That Council resolve to note:

1. The information in this report regarding the provision of an emergency vehicle barge service to ensure the continuation of essential transport services to residents and visitors of Coochiemudlo Island;
2. That \$10,000 net cost will be referred to the Q2 budget review to fund the services of Stradbroke Ferries for the period 3 December 2011 and 5 December 2011, and Amity Trader for the period 5 December 2011 to 19 December 2011; and
3. That an additional \$15,000 net cost may be referred to the Q2 budget review to fund an extension of four weeks (if required), up to and including 16 January 2012 to Amity Trader in the event Megamia Pty Ltd is no longer operational.

CARRIED

DIVISION

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

AGAINST: Cr Bowler

21 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 9.47pm.

Signature of Chairperson: _____

Confirmation date: _____