



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 18 April 2012

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.00pm and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

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

2 DEVOTIONAL SEGMENT

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

3 RECOGNITION OF ACHIEVEMENT

- Mayor Hobson reported that Mark French from EMQ presented Council with a Certificate of Appreciation from the Department of Community Safety, thanking Council for its support during the 12-14 months of floods and rain and their willingness to support other local governments.
- The Chief Executive Officer, Mr G Stevenson, expressed on behalf of Redland City Council staff, appreciation of the contribution the Mayor and Councillors have made during this term of Council. He recognised the retiring Councillors (Cr Toni Bowler and Cr John Burns) for their long service and contribution to Council and wished all Councillors and Candidates standing for election the very best.
- Mayor Hobson gave particular recognition to Cr Toni Bowler who will have completed 18 years as a Councillor in this Council. She thanked Cr Bowler for her unfailing commitment to the community. Mayor Hobson also thanked Councillors Burns and Williams for their contribution to Council in the various divisions they have represented over time. She also thanked all Councillors for their commitment and dedication throughout the challenges and gave proud thanks for the service they have done for the community.
- Mayor Hobson thanked the General Managers for their contribution to the way this Council now operates more effectively. Thanks were given to all officers, for their commitment, thorough preparation of reports, willingness to work and be patient with Councillors. She acknowledged the work of all staff of Redland City Council and their contribution to the Redlands community.
- Cr Elliott acknowledged Cr Bowler and Cr Burns, and their huge contribution to this community, wishing them well in their endeavours.
- Cr Murray acknowledged the two retiring Councillors (Burns and Bowler) for their enthusiastic contribution to the community. She also acknowledged the hard work Cr Williams has put in to the community.
- Cr Bowler stated that she will miss her friendships with Councillors and staff and her connection with the residents throughout the whole of the City.

- Mayor Hobson gave thanks to the Chief Executive Officer, Gary Stevenson for his guidance throughout the many areas of Council to include the ongoing water reform - for his very strategic approach, great skill and sensitivity.

4 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

Cr M Hobson PSM	Mayor
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2
Cr D Henry	Councillor Division 3
Cr J Burns	Councillor Division 4 – left at 5.33pm
Cr B Townsend	Councillor Division 5 – left at 6.36pm
Cr T Bowler	Councillor Division 6
Cr M Elliott	Deputy Mayor & Councillor Division 7 – left at 6.36pm
Cr K Reimers	Councillor Division 8
Cr Williams	Councillor Division 9 – left at 6.49pm
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 T Averay	General Manager Environment Planning & Development
Mrs L Rusan	General Manager City Services

MINUTES:

Mrs E Striplin	Acting Corporate Meetings & Registers Team Leader
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5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 28 MARCH 2012

That the minutes of the General Meeting of Council held on 28 March 2012 be confirmed.

[General Meeting Minutes 28 March 2012](#)

CARRIED

Cr Reimers queried the petition '*Requesting the completion of the footpath between Sherwood Court and Euston Court, Wellington Point*' as this was not showing in the Agenda.

The petition has been referred to City Services and a report addressing this matter will be presented at a future Committee meeting.

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

The Chief Executive Officer presented the following items 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 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 was due to be presented to the Planning & Policy Committee meeting on 7.3.2012. At the General Meeting 29.2.2012, the Chief Executive Officer advised the meeting that the above report would be presented at a subsequent meeting, due to further research being required on this matter.

6.2 APPEAL TO RAISE FUNDS TO PURCHASE A PIANO FOR RPAC

At the General Meeting on 14 December 2011 Council resolved that a report be prepared and presented to Council on how to establish such an appeal.

A report addressing this matter will be presented at a future Corporate Services & Governance Committee.

6.3 PETITION (DIVISION 4) REQUEST FOR COUNCIL TO PUT CONTRACT WITH SCAPE SHAPE ON HOLD IMMEDIATELY UNTIL FURTHER DISCUSSION TAKES PLACE REGARDING CURRENT POSITION OF STEPS AND RAMP AT ORANA ESPLANADE

At the General Meeting on 25 January 2012 Council resolved that the petition, which reads as follows, be received and referred to a Committee or officer for consideration and a report to the local government and that the current works be suspended and deferred pending the outcome of the report and decision of Council:

"Petition from residents requesting that Council put the contract with Scape Shape on hold immediately until further discussion takes place regarding correct position of steps and ramp. Correct position of steps at GPS co-ordination – 27.34.204 and 153.18.455."

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

6.4 PARKING RESTRICTIONS IN CLEVELAND

At the General Meeting on 29 February 2012 Council resolved that a report be prepared and presented to Council regarding parking restrictions in Cleveland with the view of easing those restrictions.

A report addressing this matter will be presented at a future Committee meeting.

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

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

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

CARRIED

1. Ms G Nemeth of Macleay Island addressed the Council on remote parking for Weinam Creek.
2. Mrs K Murphy of Thornlands addressed Council thanking the Service Manager, Roads & Drainage for the prompt action taken on a request for signage on Springacre Road.
3. Mrs G James of Macleay Island addressed Council on parking at Weinam Creek.
4. Mr I Sajko resident of Mount Cotton addressed Council regarding the mowing of grass and other vegetation issues outside his property.
5. Mr Mark Edwards, on behalf of residents of Redland Bay and SMBI addressed Council regarding Weinam Creek parking and the remote location proposal.

MOTION TO RESUME MEETING

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

That the meeting proceedings resume.

CARRIED

8 PETITIONS AND PRESENTATIONS

Nil

9 MOTION TO ALTER THE ORDER OF BUSINESS

Moved by: Cr J Burns
Seconded by: Cr K Williams

That Item 15.1.1 (*Urgent Business without Notice*) be moved forward and discussed as Item 14.1.1 before closed session.

CARRIED

DIVISION

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

AGAINST: Crs Elliott and Bowler

Cr Ogilvie was not present when the motion was put.

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

Crs Reimers, Townsend, Henry, Ogilvie, Boglary and Hobson declared a conflict of interest in Item 15.1.1 *Community Grants Program Round 2 Approval of Funds*. (See Item 15.1.1 for details)

11 MAYORAL MINUTES

Nil.

COUNCILLOR ABSENCES DURING MEETING

Cr Elliott left the meeting at 4.24pm and returned at 4.29pm (during Items 3 to 6)

Cr Ogilvie left the meeting at 4.36pm (during Public Participation) and returned at 4.55pm (during Item 12.1.1)

Cr Elliott left the meeting at 5.02pm and returned at 5.03pm (during Item 12.1.2)

Cr Henry left the meeting at 5.20pm and returned at 5.22pm (during Item 14.1.1)

Cr Burns left the meeting at 5.33pm (after Item 14.1.1)

Cr Elliott left the meeting at 5.35pm and returned at 5.36pm (during Item 15.1.1)

Cr Boglary left the meeting at 5.45pm and returned at 5.49pm (during closed session)

Cr Elliott left the meeting at 5.46pm (during closed session) and returned at 6.33pm (during Item 14.2.1)

Cr Townsend left the meeting at 5.59pm and returned at 6.04pm (during closed session)

Cr Ogilvie left the meeting at 5.42pm (during Item 14.1.1) and returned at 5.45pm (during closed session)

Cr Williams left the meeting at 6.13pm and returned at 6.15pm (during closed session)

Cr Williams left the meeting at 6.26pm and returned at 6.31pm (during closed session)

Cr Elliott left the meeting at 6.36pm

Cr Townsend left the meeting at 6.36pm

Cr Williams left the meeting at 6.49pm

12 REPORTS DIRECT TO COUNCIL

12.1 ENVIRONMENT PLANNING & DEVELOPMENT

12.1.1 SOUTHERN MORETON BAY ISLANDS WASTEWATER MANAGEMENT

Dataworks Filename: LUP On-site Wastewater Management Policy

Attachments: [POL 3032 On Site Wastewater Management](#)
[GL 3001 001 Secondary Treatment Plant](#)
[GL 3032 001 On site Wastewater Management](#)

Responsible Officer: Gary Photinos
Group Manager, City Planning and Environment

Author: Brett Hookway
Strategic Planner

EXECUTIVE SUMMARY

At its General Meeting on 27 July 2011 Council resolved to 'adopt *Temporary Local Planning Instrument No.1 (Southern Moreton Bay Islands Residential Zone: On-Site Wastewater Treatment) 2011* with a commencement date of 5 August 2011'. The *Temporary Local Planning Instrument No.1 (Southern Moreton Bay Islands Residential Zone: On-Site Wastewater Treatment) 2011* (TLPI) commenced on the 5 August 2011 and has suspended the operation of certain sections of the Redland Planning Scheme (RPS) and required that advanced secondary wastewater treatment systems be installed with all new dwelling houses and major renovations on the Southern Moreton Bay Islands (SMBIs).

While the TLPI has been in operation options for the more permanent arrangement to require an advanced level of waste water treatment on SMBIs have been investigated. Through these investigations it has been determined that the most practicable arrangement is to amend the existing On-site Waste Water Management Policy 3032 and associated guidelines [Attachments 1-3] to include specific performance criteria and acceptable measures for the SMBIs which will require the installation of advanced secondary treatment systems or the achievement of advanced secondary wastewater treatment on the SMBIs.

On-site waste water systems are regulated under the *Plumbing and Drainage Act 2002* [PDA], *Standard Plumbing and Drainage Regulation 2003* and the Queensland Plumbing and Wastewater Code. Under this regulatory framework opportunity exists for Council to adopt a higher standard of wastewater treatment for specific areas within the city. Under the PDA, the installation of an on-site wastewater treatment system requires a Plumbing and Drainage Compliance Permit. Council adoption of the amended on-site waste water management policy and associated guidelines incorporating specific requirements for the SMBIs provides a framework to enable Council to condition the installation of advanced secondary treatment systems as part of Plumbing and Drainage Compliance Permit required under the PDA.

Accordingly, this report recommends that Council resolve to:

1. Repeal the *Temporary Local Planning Instrument No.1 (Southern Moreton Bay Islands Residential Zone: On-Site Wastewater Treatment) 2011*;
-

2. Adopt the amended On-site Waste Water Management Policy 3032 and associated guidelines as a delegation instrument under section 85 of PDA to assist in carrying out compliance assessment of regulated work or on-site sewerage works on the SMBIs.

PURPOSE

The purpose of this report is to:

- Note the successful operation of the TLPI;
- Recommend the introduction of permanent controls for advanced secondary treatment systems on SMBIs through Council adoption of an amended On-site Waste Water Management Policy 3032 and associated guidelines incorporating specific performance requirements and acceptable measures;
- seek Council adoption of the amended On-site Waste Water Management Policy 3032 and associated guidelines as a delegation instrument under s85 of the *Plumbing and Drainage Act 2002*;
- Recommend the TLPI be repealed.

BACKGROUND

The following background information is of relevance:

- The Southern Moreton Bay Islands Planning and Land Use Strategy identified the management of domestic wastewater as critical to the long-term sustainability of the Islands and the southern part of the Moreton Bay Marine Park. Generally wastewater is treated and disposed of on-site with most dwellings relying on primary treatments systems (septic and sullage tank with absorption trenches).
- The most recent investigation into wastewater (Supplementary Planning Study and Sewerage Options Study 2002) indicates that once development exceeds a density of four dwellings/hectare or one dwelling/2,500m² within any given catchment (natural water catchment) there is an increased risk to public health and the environment associated with primary on-site wastewater treatment systems. Once a catchment reaches or exceeds this density of development alternative measures (such as higher performing on-site wastewater treatment systems) should be considered to reduce risks to public health and the environment.
- The Redland City Council Sustainability Study into on-site waste water systems on Southern Moreton Bay Islands analysed catchment dwelling densities. This analysis showed that many catchments on the Islands exceed four dwellings/per hectare supporting a requirement for higher performing on-site wastewater systems.
- At the Development and Community Standards meeting on 3 May 2011, Council resolved under delegated authority to:

1. Prepare a Redland City Council Temporary Local Planning Instrument No. 1: Southern Moreton Bay Islands On-Site Wastewater Treatment 2011 in accordance with the provisions of the *Sustainable Planning Act 2009*; and
 2. Seek approval from the Minister for Infrastructure and Planning to adopt and implement the Temporary Local Planning Instrument.
- In July 2011 the Minister for Local Government and Planning advised Council may proceed to adopt the TLPI as submitted.
 - At its General Meeting on 27 July 2011 Council resolved to adopt *Temporary Local Planning Instrument No.1 (Southern Moreton Bay Islands Residential Zone: On-Site Wastewater Treatment) 2011* and set a commencement date of 5 August 2011.
 - In accordance with the *Sustainable Planning Act 2009* (SPA), a temporary local planning instrument may suspend the operation of a planning scheme for up to 1 year. Accordingly, the operation of the TLPI will come to an end on the 5 August 2012. The TLPI has affected the operation of the RPS by requiring all new dwellings and major renovations to existing dwellings within the SMBI Residential zone to install advanced secondary on-site wastewater treatment systems as a minimum. An advanced secondary treatment system provides an improved level of wastewater treatment over the existing primary and secondary on-site wastewater systems that are currently used on the Islands to treat domestic wastewater.

ISSUES

While the TLPI has been in operation a number of more permanent options to require an advanced level of waste water treatment on the SMBIs have been investigated. The options investigated include:

- i) Council adoption of an amended On-site Waste Water Management Policy requiring advanced secondary treatment systems be installed on the SMBIs;
- ii) Preparation of a local law; and
- iii) Amendment to the Redland Planning Scheme.

Council adoption of an amended On-Site Waste Water Management Policy

Investigations undertaken have shown that Council adoption of an amended On-site Waste Water Management Policy 3032 and associated guidelines is the most suitable and practicable arrangement to supersede the TLPI when its operation ends on the 5 August 2012.

On-site Waste Water Systems are regulated under the PDA, the *Standard Plumbing and Drainage Regulation 2003* and the Queensland Plumbing and Wastewater Code. Under this regulatory framework opportunity exists for Council to formalise the adoption of a higher standard of on-site wastewater treatment work for specific areas within the city.

Under the PDA all wastewater treatment systems require a Plumbing and Drainage Compliance Permit. Council adoption of the amended on-site waste water management policy incorporating specific performance criteria and acceptable measures for the SMBIs provides a framework to enable Council to condition the installation of advanced secondary treatment systems as part of Plumbing and Drainage Compliance Permit required under the PDA.

While the TLPI requires that all code and impact assessable MCU applications within the SMBI residential zone provide as a minimum an advanced secondary treatment system, adoption of the amended policy would enable Council to require advanced secondary systems be installed on the SMBIs as a condition of all Plumbing and Drainage Compliance Permits.

Officers from the Department of Local Government and Planning (DLGP) and Council's Legal Services team have been consulted regarding the proposed approach. Officers from the DLGP and Council's Legal Services Manager have advised that Council adoption of the amended On-site Waste Water Management Policy and associated guidelines as a delegation instrument under the PDA is an appropriate and sufficient approach to require the installation of advanced secondary waste water treatment systems on the SMBIs and achieve a higher level of waste water treatment.

Recognising the outcomes sought by the TLPI and the proposed amendments to the On-site Waste Water Management Policy 3032 and associated guidelines are wholly consistent, it is appropriate to repeal the current TLPI at this time. The repeal will take effect on the day Council's resolution is notified in the government gazette.

Preparation of a local law or Amendment to the Redland Planning Scheme

The preparation of a local law or an amendment to the RPS was not considered appropriate for the following reasons:

- The installation of on-site wastewater treatment systems is dealt with through the PDA. As such, a requirement for a higher level of wastewater treatment in specific areas of the city is best handled under the PDA.
- Through State interest review of the draft RPS, the state has previously directed Council to remove a code for waste water management from the draft RPS.
- Given the operation of the TLPI will end on the 5 August 2012; it is highly unlikely that a local law could have been prepared or an amendment to the Redland Planning Scheme completed before this time.

Waste water treatment systems and water quality

The previous report to Council General Meeting on 27 July 2011 recommending Council adoption and commencement of the TLPI mentioned that during the life of the TLPI water quality testing on the SMBI would be undertaken and used to inform consideration of permanent arrangements to require a higher level of wastewater treatment on the SMBIs. This water quality testing has not however been able to be undertaken. Council's City Protection Unit has advised that it would be extremely difficult and costly to attempt to undertake water quality testing in an attempt to determine the effectiveness of the TLPI.

While advanced secondary treatment systems will provide for a higher level of wastewater treatment, it is highly unlikely that water quality testing would be able to detect any changes to water quality as a result of advanced secondary treatment systems being installed on the SMBIs. This is due in part to limited baseline water quality data being available, increased numbers of higher performing wastewater treatment systems being installed on the SMBIs in recent years, and high likelihood that any environmental contamination would be the result of existing primary treatment systems installed across the islands.

Other matters

It should be noted that Council adoption of the amended waste water management policy will essentially formalise what has been occurring on the SMBIs over recent years in regard to on-site wastewater management. Almost eight out of ten new dwelling houses on the SMBIs have installed a secondary treatment system in recent years. This shift is considered to be largely the result of landowners seeking to reduce the on-site wastewater land treatment and disposal area to realise greater flexibility in house design (including increased bedroom numbers) and a larger area of private open space.

The cost of an advanced secondary on-site wastewater system is similar in cost to the purchase, installation and on-going cost of a secondary treatment system. Recognising that over the last few years most new on-site wastewater systems (almost 80%) on the SMBIs have been secondary systems, the cost impact to landowners will, in most cases, be minimal. It should be noted that there will be an increase to landowners in the cost of purchasing and running an advanced secondary system over a primary system.

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.

1.6 Address the decline in the health of Redlands waterways and improve water quality, aquatic populations and their biodiversity.

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Officers from the Department of Local Government and Planning and Council's Legal Services and Plumbing Services have been consulted.

OPTIONS**Preferred**

That Council resolve to:

1. Repeal the *Temporary Local Planning Instrument No.1 (Southern Moreton Bay Islands Residential Zone: On-Site Wastewater Treatment) 2011*;
2. Repeal the existing Corporate Wastewater Management Policy 3032 and adopt the amended Corporate Wastewater Management Policy 3032 and associated guidelines;
3. Use the amended on-site Wastewater Management Policy 3032 and associated guidelines in the assessment of compliance permits under S85 of the *Plumbing and Drainage Act 2002*; and
4. Delegate authority to the Chief Executive Officer under s257 (1)(b) of the *Local Government Act* to exercise authority under s85 (3)(6)(7) and (10) of the *Plumbing and Drainage Act 2002*.

Alternative

That Council resolve not to adopt the amended policy and guideline.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr B Townsend

That Council resolve to:

1. Repeal the *Temporary Local Planning Instrument No.1 (Southern Moreton Bay Islands Residential Zone: On-Site Wastewater Treatment) 2011*;
2. Repeal the existing Corporate Wastewater Management Policy 3032 and adopt the amended Corporate Wastewater Management Policy 3032 and associated guidelines;
3. Use the amended on-site Wastewater Management Policy 3032 and associated guidelines in the assessment of compliance permits under S85 of the *Plumbing and Drainage Act 2002*; and
4. Delegate authority to the Chief Executive Officer under s257 (1)(b) of the *Local Government Act* to exercise authority under s85 (3)(6)(7) and (10) of the *Plumbing and Drainage Act 2002*.

CARRIED

12.1.2 PROPOSED CHANGES TO COUNCIL RESOLUTION REGARDING EXEMPTIONS UNDER SCHEDULE 4 OF THE SUSTAINABLE PLANNING REGULATION 2009

Dataworks Filename: LUP Sustainable Planning Act (SPA) 2009

Attachment: [Overlays Report](#)

Responsible Officer: Bruce Macnee
Manager Sustainable Assessment

Author: David Jeanes
Service Manager Planning Assessment

EXECUTIVE SUMMARY

The *Sustainable Planning Regulation 2009* (SPR) that accompanied the introduction of the *Sustainable Planning Act 2009* (SPA) made a Material Change of Use (MCU) for dwelling houses exempt from assessment under the Redlands Planning Scheme (RPS), subject to certain criteria.

One of the criteria relates to overlays identified in a planning scheme. Where an overlay (other than bushfire hazard overlay for a lot less than 2,000m²) applies to the premises and is relevant to the assessment of an MCU, the development will not be exempt.

Council previously resolved that all overlays (other than Airspace and Aviation Facilities Overlay) would be relevant to the assessment of an MCU for a Class 1(a) building (detached house) and Class10 building or structure for the purposes of Schedule 4 of the SPR. This includes the Acid Sulphate Soils Overlay.

Sustainable Assessment, in partnership with City Planning and Environment (CPE), has subsequently reconsidered whether the Acid Sulphate Soils Overlay might be determined not to be relevant in this regard. In particular, it is considered that there are four key issues to note.

1. No MCU for a dwelling house has exceeded the self-assessable criteria in relation to acid sulphate soils.
2. Small lot houses will likely be made self assessable in the future, which would essentially nullify the effect of the overlay.
3. Concerns relating to on-site waste water treatment have been addressed by other means, thereby removing a significant reason for not exempting dwelling houses.
4. Council can continue to assess and consider any non-compliance with RPS self-assessable criteria as concurrence agency under the SPR.

Consequently, it is recommended that Council resolve that, subject to compliance with the self-assessable criteria of the overlay, the Acid Sulphate Soils Overlay is not a relevant overlay for the purposes of the Schedule 4 of the SPR.

PURPOSE

The purpose of this report is to recommend that Council determine that the Acid Sulphate Overlay is not a relevant overlay to the assessment of a material change of use for a Dwelling House, Small Lot House, SMBI Dwelling, Caretakers Residence and Relatives Apartment (collectively described as dwelling houses for the purposes of this report).

BACKGROUND

The SPR that accompanied the introduction of the SPA amended the approval process for some types of low risk development. Specifically, under Schedule 4 of the Regulation, dwelling houses, dual occupancy and non-habitable buildings or structures in residential areas can be exempt from assessment against a planning scheme for a MCU, subject to certain criteria. Where development meets the defined criteria, only a development permit for building works will be required.

One of the criteria relates to overlays identified in a planning scheme. Where an overlay (other than bushfire hazard overlay for a lot less than 2,000m²) applies to the premises and is relevant to the assessment of an MCU, the development will not be exempt. The Local Government was invited to consider whether an overlay is relevant to the assessment of an MCU.

At the General Meeting of Council held on 30 March 2011 Council resolved as follows:

- 1. That for the purposes of interpretation of Schedule 4 of the Sustainable Planning Regulation, all overlays contained in the Redlands Planning Scheme (with the exception of the Airspace and Aviation Facilities Overlay) are relevant to the assessment of a material change of use for a Class 1(a) building (detached house) and Class 10 building or structure; and*
- 2. To investigate amending the level of assessment for a small lot house from code to self assessable subject to certain design and siting outcomes as part of the next round of Redlands Planning Scheme amendments.*

A copy of the agenda report and resolution is attached.

ISSUES

The above noted resolution of Council has been implemented by Sustainable Assessment (SA) in determining whether overlays are relevant to the assessment of an MCU for a Class 1(a) building (detached house) and Class 10 building or structure.

SA has developed and continues to develop and implement process reform in relation to these types of applications. This includes the expansion of the accelerated assessment process, to facilitate a more rapid decision making for low risk applications.

Despite this, the development industry has continued to raise concerns about Council's interpretation of Schedule 4 as it relates to dwelling houses. In particular, the relevance of the Acid Sulphate Soils Overlay is questioned.

SA, in partnership with CPE, has subsequently reconsidered the relevance of the Acid Sulphate Soils Overlay in relation to an MCU for a dwelling house.

In revisiting this matter there are considered to be four key issues for Council to note. These are outlined below:

First, research undertaken by SA finds that no MCU for a dwelling house, lodged since the commencement of the SPA, has exceeded the self-assessable acceptable solution thresholds that would make the development assessable under the RPS in this respect. A total of 194 MCU dwelling house applications, triggered solely by the Acid Sulphate Soils Overlay, were properly made between 18 December 2009 and 6 April 2012 in the Urban Residential, Medium Density Residential, Point Lookout Residential and SMBI Residential Zones. All of the proposals complied with the self assessable criteria.

The self assessable thresholds are generous in the context of a dwelling house and provide as follows:

'Filling or excavation on a lot or premises with a surface elevation that is equal to or below 5 metres Australian Height Datum (AHD) as shown on this overlay map only involves –

- (a) excavating or otherwise removing **less than** 100m³ of soil or sediment; or*
- (b) filling of land with **less than** 500m³ of material, where the average depth of the material is **less than** 500mm; or*

*Filling or excavation on a lot or premises with a surface elevation that is between 5 and 20-metres AHD as shown on this overlay map only involves excavating or otherwise removing **less than** 100m³ of soil or sediment from below the 5-metre AHD level.'*

The consequence of this is that whilst the overlay may trigger the need for a development permit for an MCU, the overlay code essentially does not need to be considered further because the self assessable criteria is not exceeded. It is acknowledged that the thresholds could potentially be exceeded on difficult sites and, for this reason it is recommended that any amendment to the resolution should ensure that the exemption does not apply in these circumstances.

Second, small lot houses are likely to be made self assessable in a future amendment of the RPS, as noted in the previous resolution of Council. The effect of this would be that a development that complies with the self assessable criteria would not require a development permit, including sites impacted by the Acid Sulphate Soils Overlay.

Further, and arguably of most significance in Council's deliberations, are concerns in relation to on site waste water treatment on SMBI properties. The report to Council, that led to the previous resolution, noted that, if the Acid Sulphate Soils Overlay were not relevant to the assessment of an MCU for a dwelling house, this would reduce Council's effectiveness in addressing on-site wastewater concerns on the Islands through the RPS.

Since that time a temporary local planning instrument (TLPI) has been adopted by Council to address concerns in this regard. Furthermore, as noted in a report elsewhere on this agenda, this matter no longer remains one of concern as it can be resolved through the *Plumbing and Drainage Act 2002*.

Finally, where an MCU for dwelling houses is exempt under Schedule 4 of the Regulation, there is a mechanism for Council to continue to assess the provisions of the planning scheme that would have applied had the development not been exempt. Council would be a concurrence agency under Schedule 7, Table 1, Item 26 of the Regulation. Council would have the power to assess and refuse development where considered necessary. This would have the effect of negating concerns relating to design issues amongst other matters.

It may be queried whether the approach being recommended might be expanded to include other overlays in the RPS, namely that they will not be relevant if the development complies with the self assessable criteria, such as, for example, the Road and Rail Noise Overlay. However, it is recommended that changes to the previous resolution of Council are restricted to the Acid Sulphate Soils Overlay at this time, because the self assessable threshold for the Acid Sulphate Soils Overlay is easily quantified. It is noted that the triggers in other overlays are less certain. Moreover, the other overlays relate to environmental or amenity impacts that need to be assessed, and which do not relate to the dwelling house itself.

Whilst it is recommended only to extend the exemption provisions for Acid Sulphate Soils at this time, SA are continuing to expand the accelerated assessment process with a particular focus on the situation where an overlay would be the only trigger. It will also be recommended that such assessment attracts a reduced fee.

Further, to remove any doubt, it is also confirmed that the Kinross Road Structure Plan Overlay and South East Thornlands Structure Plan Overlay are not relevant overlays for the purposes of Schedule 4.

CONCLUSION

Council previously resolved that all overlays, except the Airspace and Aviation Facilities, would be relevant to the assessment of a MCU for a dwelling house for the purposes of Schedule 4 of the Sustainable Planning Regulation 2009. This includes the Acid Sulphate Soils Overlay.

SA, in partnership with CPE, has subsequently reconsidered whether the Acid Sulphate Soils Overlay should be determined to be relevant to the assessment of dwelling houses. In particular, it is considered that there are four key issues to note.

1. No MCU for a dwelling house has exceeded the self-assessable criteria in relation to acid sulphate soils.
2. Small lot houses will likely be made self assessable in the future, which would essentially nullify the effect of the overlay.
3. Concerns relating to on-site waste water treatment have been addressed by other means, thereby removing a significant reason for not exempting dwelling houses.
4. Council can continue to assess and consider any non-compliance with RPS self-assessable criteria as a concurrence agency under the Sustainable Planning Regulation.

Consequently, it is recommended Council resolve that, subject to compliance with the self-assessable criteria of the overlay, the Acid Sulphate Soils Overlay is not a relevant overlay for the purposes of the Schedule 4 of the Sustainable Planning Regulation 2009.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's 'Wise Planning and Design' outcome 5 –

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

It is estimated that this proposal would result in a reduction in development application revenue of approximately \$100,000pa.

PLANNING SCHEME IMPLICATIONS

The recommendation in this report will not result in amendments to the RPS.

CONSULTATION

Sustainable Assessment has consulted with City Planning and Environment regarding this report. CPE are in agreement with the recommendation.

OPTIONS

Preferred

That Council resolves as follows:

1. That for the purposes of interpretation of Schedule 4 of the Sustainable Planning Regulation 2009, all overlays contained in the Redlands Planning Scheme (with the exception of the Airspace and Aviation Facilities, Acid Sulphate Soils, Kinross Road Structure Plan and the South East Thornlands Structure Plan Overlays [subject to Item 2. below]) are relevant to the assessment of a material change of use for a Class 1(a)(i) building (detached house) and Class 10 building or structure; and
2. The Acid Sulphate Soils Overlay is determined to be not relevant to the assessment of a material change of use for a Class 1(a)(i) building (detached house) and Class 10 building or structure where such development complies with Acceptable Solution A1 of the Acid Sulphate Soils Overlay Code.

Alternative

That Council resolves that the previous resolution of 30 March 2011 remains in effect (with the addition of the Kinross Road Structure Plan and the South East Thornlands Structure Plan Overlays only) as follows:

1. That for the purposes of interpretation of Schedule 4 of the Sustainable Planning Regulation, all overlays contained in the Redlands Planning Scheme (with the exception of the Airspace and Aviation Facilities, Kinross Road Structure Plan and the South East Thornlands Structure Plan Overlays) are relevant to the assessment of a material change of use for a Class 1(a) building (detached house) and Class 10 building or structure.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr J Burns
Seconded by: Cr B Townsend

That Council resolve as follows:

1. That for the purposes of interpretation of Schedule 4 of the Sustainable Planning Regulation 2009, all overlays contained in the Redlands Planning Scheme (with the exception of the Airspace and Aviation Facilities, Acid Sulphate Soils, Kinross Road Structure Plan and the South East Thornlands Structure Plan Overlays [subject to 2. below]) are relevant to the assessment of a material change of use for a Class 1(a)(i) building (detached house) and Class 10 building or structure; and
2. The Acid Sulphate Soils Overlay is determined to be not relevant to the assessment of a material change of use for a Class 1(a)(i) building (detached house) and Class 10 building or structure where such development complies with Acceptable Solution A1 of the Acid Sulphate Soils Overlay Code.

CARRIED

12.1.3 DELEGATION TO CHIEF EXECUTIVE OFFICER UNDER WASTE REDUCTION & RECYCLING ACT 2011

Dataworks Filename: GOV Delegations - LGA s.257

Responsible Officer: Brian May
Group Manager Community Standards

Author: Donna Wilson
Service Manager Compliance

EXECUTIVE SUMMARY

Council has recently been delegated responsibility for enforcement of provisions of the *Waste Reduction and Recycling Act 2011*.

It is usual practice when Council is delegated authority for enforcement under State legislation, to delegate to the Chief Executive Officer authority:

- (a) To administer and enforce compliance with the legislation (this is then sub delegated to nominated and suitably experienced Redland City Council officers); and
- (b) To appoint authorised officers and issue identity cards.

This report recommends that Council delegate its authority to the Chief Executive Officer to administer the *Waste Reduction and Recycling Act 2011*.

PURPOSE

To recommend that Council delegate its authority to the Chief Executive Officer to administer the *Waste Reduction and Recycling Act 2011*.

BACKGROUND

The *Waste Reduction and Recycling Act 2011* (the Act) commenced in 2011. The purpose of the Act is to promote waste avoidance and reduction and to encourage resource recovery and efficiency across the State. The Act also aims to strengthen litter and illegal dumping offences, including public reporting of vehicle related littering offences.

In early March 2012 Council received delegated authority from the State Government for responsibility under the Act regarding:

- (a) Preventing, controlling and monitoring risks for littering and dumping of waste in the city area; and
- (b) Educating the community on litter and illegal dumping offences.

ISSUES

When Council is delegated authority for enforcement under State legislation, it is usual practice for Council to delegate to the Chief Executive Officer authority:

- (a) To administer and enforce compliance with the legislation (this is then sub delegated to nominated and suitably experienced Redland City Council officers); and
- (b) To appoint authorised officers and issue identity cards

Such delegation provides for optimum efficiency and effectiveness in the administration of the laws and appointment of officers.

The Local Laws Team, within the Community Standards Group, will be responsible for compliance in relation to this legislation.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

There are no financial implications 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

The Manager Legal Services and the Manager Corporate Governance have been consulted on this matter and support the recommendations of this report.

OPTIONS

Preferred

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

1. Authority to exercise the powers and responsibilities relating to Chapter 10 (Authorised Persons), Sections 110, 111, 112, 117, 175, 176(2), 178, 179, 246, 248, 249, 253, 260, 261, 264(2)(c), 265 and 270 of the *Waste Reduction & Recycling Act 2011*;
2. Authority to exercise the powers associated with *Sections 183 and 187 of the Waste Reduction & Recycling Act 2011*, to appoint authorised officers and issue identity cards; and
3. The ability to sub-delegate the authority to exercise the powers and responsibilities listed in Recommendation 1 to nominated and suitably experienced Redland City Council Officers.

Alternative

That Council, by resolution, makes decisions on the administration of this legislation – including the appointment of officers and enforcement action.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr W Boglary

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

1. Authority to exercise the powers and responsibilities relating to Chapter 10 (Authorised Persons), Sections 110, 111, 112, 117, 175, 176(2), 178, 179, 246, 248, 249, 253, 260, 261, 264(2)(c), 265 and 270 of the *Waste Reduction & Recycling Act 2011*;
2. Authority to exercise the powers associated with Sections 183 and 187 of the *Waste Reduction & Recycling Act 2011*, to appoint authorised officers and issue identity cards; and
3. The ability to sub-delegate the authority to exercise these powers and responsibilities listed in Recommendation 1 to nominated and suitably experienced Redland City Council Officers.

CARRIED

12.2 GOVERNANCE

12.2.1 VENUE FOR POST-ELECTION MEETING

Datworks Filename: GOV Council Meeting Dates and Information

Responsible Officer: Nick Clarke
General Manager Governance

Author: Trevor Green
Principal Advisor Corporate and Democratic
Governance

EXECUTIVE SUMMARY

Under Queensland laws Council is required to:

- Hold a post-election meeting within 14 days after the conclusion of each quadrennial election.
- Hold its general and special meetings at Council's public office; however Council may by resolution fix another place for a meeting.

There is greater than usual interest from community members to attend the post-election meeting. To allow adequate seating for community members to attend the meeting, it is proposed to hold the 2012 post-election meeting at the Redland Performing Arts Centre Gallery.

PURPOSE

For Council to resolve to hold the 2012 post-election meeting at a suitable venue.

BACKGROUND

The *Local Government Act 2009* requires Council to hold a post-election meeting within 14 days after the conclusion of each quadrennial election.

The *Local Government (Operations) Regulation 2010* requires Council to hold its general and special meetings at Council's public office (Chambers); however Council may by resolution fix another place for a meeting.

ISSUES

The post-election meeting is the first meeting of the new Council and includes the ceremony for the declaration of office for Councillors. As such, there is greater than usual interest from community members to attend the meeting.

The Redland City Council Chambers only has limited seating in the public gallery. To allow adequate seating for community members to attend the meeting, it is proposed to hold the 2012 post-election meeting at the Redland Performing Arts Centre Gallery.

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.

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

There are planning scheme implications associated with this report.

CONSULTATION

Consultation has occurred with the Redland Performing Arts Centre.

OPTIONS**Preferred**

That Council resolve to hold the 2012 post-election meeting at the Redland Performing Arts Centre Gallery.

Alternative

That Council resolve to hold the 2012 post-election meeting in the Redland City Council Chambers or an alternative venue.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr W Boglary

Seconded by: Cr D Henry

That Council resolve to hold the 2012 post-election meeting at the Redland Performing Arts Centre Gallery.

CARRIED

12.3 CITY SERVICES

12.3.1 TRANSFER OF UNSPENT FUNDS FROM THE COMMUNITY GRANTS PROGRAM TO THE SPONSORSHIP PROGRAM

Datworks Filename: G&S Community Grants Program – 2011/12
Round 2

Responsible Officer: Louise Rusan
General Manager City Services

Author: Kim Sims
Community Grants Coordinator

EXECUTIVE SUMMARY

The Community Grants Team is in the process of finalising Round 2 (final round) of the Community Grants Program for 2011/12 and it is estimated that \$99,594 will be unspent this financial year. This is made up of \$83,000 from Council's operating budget and \$16,594 from Council's Environmental Reserves that must be returned to reserves. This under spend is due to the budget of \$250,000 for the Capital Infrastructure category of the program not being fully spent.

As in accordance with the Corporate Guidelines *GL-3082-001 – Financial Assistance to the Community Sector*, any unspent funds at the end of the financial year for the Community Grants Program cannot be rolled over and must be returned to Council's General Revenue.

The Community Grants Team also administers the Sponsorship Program with budget of \$126,000 for this program being provided in 2011/12 by the Marketing and Communications Group. Applications for sponsorship are received all year round with eligible applications being assessed and approved at monthly Sponsorship Assessment Meetings.

At the last Sponsorship Assessment meeting held in March 2012, eight applications were received seeking \$55,250. The budget available for applications at this meeting and for the remainder of 2011/12 is \$5,238.

The Sponsorship Program requires additional funds to support events and activities recommended for funding approved at this meeting and for additional eligible applications received to the end of the 2011/12 financial year to be considered for funding.

At the recent Councillor Workshop for the review of applications received under Round 2 of the Community Grants Program that was held on 29 March, it was raised and discussed by the Mayor and the Councillors in attendance at the workshop that unspent funds from the Community Grants Program could be transferred to the Sponsorship Program to continue to support the community in the sponsoring eligible events and activities.

Advice has been sought from the acting Manager of Communications in relation to the funding they would require to continue to sponsor events and activities and have been advised that \$50,000 would meet their immediate and foreseeable requirements.

Advice has also been sought from Financial Services on the possibility of this transfer and from the General Managers of City Services, Governance and Corporate Services on the process to approve this transfer.

Based on the advice received and the process to be followed, this report seeks approval from Council to transfer funds of \$50,000 from the unspent funds from the Community Grants Program to the Sponsorship Program. Any unspent funds, as at 30 June 2012, from the \$50,000 will be returned to Council's General Revenue.

The remaining unspent funds of \$33,000 from the Community Grants Program will be returned to Council's General Revenue. If the approval is not received by Council for the transfer of the funds to the Sponsorship Program, the unspent funds of \$83,000 (excluding funds returned to Environmental Reserves) will be returned back to Council's General Revenue as in accordance with the Corporate Guidelines *GL-3082-001 – Financial Assistance to the Community Sector*.

PURPOSE

This report seeks approval for the transfer of \$50,000 from the unspent funds of \$83,000 (excluding funds returned to Environmental Reserves) from the 2011/12 annual budget for the Community Grants Program, Community and Cultural Services Group, to the Sponsorship Program, Marketing and Communications Group.

BACKGROUND

The Community Grants Team, Community and Cultural Services Group, is in the process of finalising Round 2 (final round) of the Community Grants Program for 2011/12 and it is estimated that approximately \$83,000 (excluding funds returned to Environmental Reserves) will be unspent this financial year. As in accordance with the Corporate Guidelines *GL-3082-001 – Financial Assistance to the Community Sector*, any unspent funds at the end of the financial year for the Community Grants Program cannot be rolled over and must be returned to Council's General Revenue.

- The Community Grants Program is under spent by \$83,000 (excluding funds returned to Environmental Reserves) due to the annual budget for the Capital Infrastructure category not being full spent. The Capital Infrastructure category only has one funding round each financial year which is incorporated into Round 1 of the Community Grants Program that opened on 25 July and closed on 2 September 2011. The Capital Infrastructure category received 7 applications requesting \$190,563. Council approved funding of \$103,941.40 for 5 applications. This left an under spend of \$146,059.
- As in accordance with the Corporate Guidelines *GL-3082-001 – Financial Assistance to the Community Sector*, funds are able to be moved from one category to another to ensure maximum expenditure occurs. Unspent funds from Capital Infrastructure have been transferred to the Mayor's Small Grants, Organisation Support and Project Support categories to cover eligible projects.

The Community Grants Team also undertakes the administrative tasks required to deliver the Sponsorship Program. The Marketing and Communications Team is responsible for the budget for the Sponsorship Program in which \$126,000 was allocated in 2011/2.

- The budget was reduced from \$140,000 in 2010/11 to \$126,000 in 2011/12.

The Sponsorship Program accepts applications all year round with applications being assessed and approved by representatives from different areas within Council at a Sponsorship Assessment Meeting held at the end of each month.

- The areas represented at the Sponsorship Assessment Meeting are the Community and Cultural Group, Communications Group, Business and Performance Group and the City Spaces Group.

At the March Sponsorship Assessment meeting, eight applications were assessed at this meeting requesting \$55,250 in funding however the budget available for this meeting and for the remainder of 2011/12 is \$5,238.

- In 2010/11, 39 sponsorship events and activities were approved for the amount of \$139,557 and from 1 July 2011 until the end of February 2012, 28 sponsorship events and activities have already been approved to the value of \$120,762.
- Applications have already been received for the April meeting seeking funding of \$15,000.

The Sponsorship Program requires additional funds to continue to support these activities and events and it is being requested that unspent funds of \$50,000 from the Community Grants Program this financial year be transferred to the Sponsorship Program.

At the recent Councillor Workshop for the review of applications received under Round 2 of the Community Grants Program that was held on 29 March, it was discussed by the Mayor and the Councillors that unspent funds from the Community Grants Program be transferred to the Sponsorship Program to continue to support the community in the sponsoring of events and activities.

ISSUES

The Community Grants Team, Community and Cultural Services Group, is in the process of finalising Round 2 (final round) of the Community Grants Program for 2011/12 and it is estimated that \$83,000 (excluding funds returned to Environmental Reserves) will be unspent this financial year.

- As in accordance with the Corporate Guidelines *GL-3082-001 – Financial Assistance to the Community Sector*, any unspent funds at the end of the financial year for the Community Grants Program cannot be rolled over and must be returned to Council's General Revenue.

The Sponsorship Program currently does not have adequate budget to the end of the 2011/12 financial year to fund eligible sponsorship applications and requires additional funds to continue to provide funding for activities and events in the Redlands.

The Mayor and the Councillors who attended the recent Councillor Workshop held on 29 March to discuss applications received under Round 2 of the Community Grants Program, expressed their support for the transfer of unspent funds from the Community Grants Program to the Sponsorship Program.

Advice was sought from Financial Services on the possibility of transferring unspent funds from the Community Grants Program to the Sponsorship Program. Advice received stated that even though both programs are operational and within Goods and Services, they have separate vision outcomes – the Community Grants Program is an activity and the Sponsorship Program is a program. As the request for funds is to be transferred from an activity to a program, this will require Council approval as the expected outcomes for the Community Grants Program may now be different to what Council initially adopted.

Financial Services also advised that under the Local Government (Finance, Plans and Report) Regulation 2010, section 100 – Adoption and amendment of the budget, item (4) states – *“The local government may, by resolution, amend the budget for a financial year at any time before the end of the financial year.”* To comply with this legislation, the transfer of funds would need to be adopted at quarterly budget reviews.

Discussions have been held with the Acting Manager for the Communications Group on the funding they would require to meet their needs to the end of the 2011/12 financial year. Advice has been received that funding of \$50,000 would satisfy their immediate and foreseeable needs.

- The remaining unspent funds of \$33,000 from the Community Grants Program will be returned to Council’s Operating Budget.

Due to the applicants from the March Meeting awaiting a decision, which is unable to be made until the availability of funding is finalised, there is an urgency for the approval of these funds to be transferred.

If the approval of the transfer of funds to the Sponsorship Program is not received from Council, the unspent funds of \$83,000 (excluding funds returned to Environmental Reserves) will be returned to Council’s Operating Budget as in accordance with Corporate Guidelines *GL-3082-001 – Financial Assistance to the Community Sector*.

RELATIONSHIP TO CORPORATE PLAN

7. Strong and connected communities

Our health, wellbeing and strong community spirit will be supported by a full range of services, programs, organisations and facilities, and our values of caring and respect will extend to people of all ages, cultures, abilities and needs.

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

FINANCIAL IMPLICATIONS

Total unspent funding under the Community Grants Program in 2011/12 will be \$99,594. This includes underspends from Capital Infrastructure of \$83,000 which can be returned to Council's Operating Budget through the budget review process; and underspends of \$16,594 from Environmental Reserves, which must be returned to the Reserves account.

This recommendation requires a change to the current year's budget for the Community Grants Program and the Sponsorship Program. The \$50,000 will be transferred from Finance One account number 11431.238.0034.821404 to 10014.282.0034.821407. The remaining \$33,000 is returned through the budget review process.

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 Mayor and Councillors present at the Councillor Workshop held on 29 March for Round 2 applications of the Community Grants Programs discussed the benefits of transferring unspent funds from the Community Grants Programs to the Sponsorship Program to continue the support to the community for the sponsoring of events and activities.

Consultation has occurred with Financial Services on the possibility of transferring unspent funds from the Community Grants Program to the Sponsorship Program.

Discussions have also been held between the General Managers for City Services, Governance and Corporate Services on the process of approving the transfer of these funds. Advice was sought from the acting Group Manager of the Communications Group on the funding required to fund eligible sponsorship projects to the end of the 2011/12 financial year.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Elliott
Seconded by: Cr W Boglary

That Council resolve to approve the transfer of \$50,000 from the unspent funds from the 2011/12 budget for the Community Grants Program, Community and Cultural Services, to the Sponsorship Program, Marketing and Communications Group, to fund eligible sponsorship activities and events to the end of the 2011/12 financial year.

CARRIED

12.4 CORPORATE SERVICES

12.4.1 MARCH 2012 MONTHLY FINANCIAL REPORTS

Datworks Filename:	FM Monthly Financial Reports to Council
Attachment:	<u>RCC Monthly Financial Report March 2012</u>
Responsible Officer:	Martin Drydale General Manager Corporate Services
Author:	Sandra Bridgeman Financial Reporting Manager

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 March 2012 demonstrate that Council exceeded targets set in the 2011-2012 budget for five 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

The following Financial Stability Ratio Key Financial Performance Indicators are unfavourable and outside of Council's target range:

- Level of dependence on general rate revenue
- Operating performance

With respect to the five measures of sustainability adopted as part of the 2011-2012 budget, Council is currently meeting all five of the five targets. The measures currently being met are:

- Net financial liabilities ratio;
- Interest cover ratio; and
- Asset consumption ratio
- Operating surplus ratio

Council's system is currently being structured to measure its' asset sustainability ratio.

PURPOSE

The purpose is to present the March 2012 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.

Council has been given confirmation by Queensland Treasury Corporation (QTC) to borrow up to \$13M for 2011/12 financial year. At this stage it is expected that Council will borrow \$5.5M for the Phase 3 – Judy Holt Eastern Batter remediation and associated works. Further borrowing requirements will be determined as part of the Q3 budget review, however Council is not expecting to draw down the full \$13M. Council anticipates that forecast borrowings for the end of 2011/12 will be in the range of \$64M-\$66M instead of the original forecast balance of \$68M.

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 Council departmental officers, Financial Reporting and Capital Management Team and the Executive Leadership Group.

OPTIONS**Preferred**

That Council resolve to note the End of Month Financial Reports for March 2012 and explanations as presented in the attached Monthly Financial Performance Report.

Alternative

That Council requests additional information.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott

Seconded by: Cr T Bowler

That Council resolve to note the End of Month Financial Reports for March 2012 and explanations as presented in the attached Monthly Financial Performance Report.

CARRIED

13 NOTICE OF MOTION

13.1 NOTICE OF MOTION – CR BURNS

Moved by: Cr J Burns

Seconded by: Cr M Elliott

That the Notice of Motion (*Acid Sulphate Soil*) be withdrawn.

CARRIED

14 URGENT BUSINESS WITHOUT NOTICE**14.1 URGENT BUSINESS - CR BURNS**

Moved by: Cr J Burns
Seconded by: Cr K Williams

That permission be granted for Cr Burns to bring forward the proposed motion as an Item of Urgent Business in relation to the purchase of land for Weinam Creek parking.

After being put to the vote the motion was LOST

DIVISION

FOR: Crs Burns, Reimers, Murray and Williams

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

14.1.1 WEINAM CREEK PARKING - PROPOSED MOTION

That the decision to purchase land for Weinam Creek parking be put on hold until after the election, for the next Council to consider.

Cr Reimers declared a conflict of interest, or perceived conflict of interest in the following item stating that she is a member of the Redland's Rotary Sunrise and that she attends the Birkdale South State School P&C Meetings. Cr Reimers elected to remain in the chambers and vote in the best interests of the community.

Cr Townsend declared a conflict of interest, or perceived conflict of interest in the following item stating that she is an honorary member of the Tingira Boat Club. Cr Townsend elected to remain in the chambers and vote in the best interests of the community.

Cr Henry declared a conflict of interest, or perceived conflict of interest in the following item stating that she is a Patron of the RAMS Club, a member of the Redland Centre for Women Incorporated and has an association with the Volunteer Marine Rescue. Cr Henry elected to remain in the chambers and vote in the best interests of the community.

Cr Ogilvie declared a conflict of interest, or perceived conflict of interest in the following item stating that he is a patron of Raby Bay Volunteer Marine Rescue and a Patron of Redlands Touch Association. Cr Ogilvie elected to remain in the chambers and vote in the best interests of the community.

Cr Boglary declared a conflict of interest, or perceived conflict of interest in the following item stating that she attends the Uniting Church, is a member of the Redlands Centre for Woman, a member of Friends of Ormiston House, a member of Wellington Point Rotary and that she assists the All Stars Netball Club, Wellington Point. Cr Boglary elected to remain in the chambers and vote in the best interests of the community.

Cr Hobson declared a conflict of interest, or perceived conflict of interest in the following item stating that she attends the Uniting Church, is a Patron of Redlands Cricket Club, a Patron of Redlands PCYC and is a patron of the Cleveland District High School P&C. Cr Hobson elected to remain in the chambers and vote in the best interests of the community.

15 CITY SERVICES

15.1.1 COMMUNITY GRANTS PROGRAM ROUND 2 APPROVAL OF FUNDS

Datworks Filename: G&S Community Grants Program - 2011/12
Round 2

Responsible Officer: Louise Rusan
General Manager, City Services

Author: Kim Sims
Community Grants Coordinator

EXECUTIVE SUMMARY

A confidential report from the General Manager City Services was moved in open session.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr W Boglary

That Council resolve as follows:

1. To note the funding allocated to 16 applications under Round 2 of the Organisation Support Grants – Community Grants Program;
2. To approve funding for 14 applications under Round 2 of the Project Support Grants – Community Grants Program;
3. To approve funding for 5 applications under Round 2 of the Conservation Grants – Community Grants Program;
4. To approve funding for 11 applications under Round 2 of the Regional Arts Development Fund;
5. That the listings containing only successful Organisation Support, Project Support, Conservation Grants and Regional Arts Development Fund applicants remains confidential until the adoption at the General Meeting;
6. That once the funding is approved, Council has the option to announce the successful applicants after adoption at the General Meeting on 18 April or after the Local Government elections on 28 April 2012; and
7. That this report and attachment/s remain confidential.

CARRIED

16 CLOSED SESSION**MOTION TO CLOSE THE MEETING AT 5.45PM**

Moved by: Cr W Boglary

Seconded by: Cr D Henry

That the meeting be closed to the public pursuant to Section 72 (1) of the *Local Government (Operations) Regulation 2010*, to discuss the following item:

16.1.1 Youth Services in the Redlands

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 THE MEETING AT 6.40PM

Moved by: Cr K Reimers

Seconded by: Cr W Boglary

That the meeting be again opened to the public.

CARRIED

MOTION TO CLOSE THE MEETING AT 6.46PM

Moved by: Cr H Murray

Seconded by: Cr K Reimers

That the meeting be closed to the public pursuant to Section 72 (1) of the *Local Government (Operations) Regulation 2010*, to discuss the following item:

16.2.1 Redland Water Asset and Debt Apportionment

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 THE MEETING AT 6.50PM

Moved by: Cr K Reimers

Seconded by: Cr H Murray

That the meeting be again opened to the public.

CARRIED

16.1 CITY SERVICES**16.1.1 YOUTH SERVICES IN THE REDLANDS**

Dataworks Filename: CS – Capalaba Youth Space

Responsible Officer: Louise Rusan
General Manager City Services

Author: Leanne Tu'ipulotu
Manager Strengthening Communities

EXECUTIVE SUMMARY

A confidential report from the General Manager, City Services was discussed in closed session.

OFFICER'S RECOMMENDATION

That Council resolve to adopt preferred Options 1 and 2 and that the contents of this report remain confidential.

COUNCIL RESOLUTION

That Council resolve as follows:

1. That Council take back the co-ordination of the Youth Space in Capalaba and fund the associated rent, insurance, security and electricity charges and the Youth Space be renamed Redlands Youth Space;
2. That existing services at the Youth Space in Capalaba continue during the interim phase from 1 July 2012 for a period of 3 months;
3. That continued use by the existing church will be on a lease payment (on a weekly basis) after 30 June;
4. That officers bring back to Council a business case for the ongoing use of the existing youth space as part of the budget process for 2012/13; and
5. That the report remains confidential.

CARRIED**DIVISION**

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

AGAINST: Crs Bowler and Williams

Crs Burns, Elliott and Townsend were not present when the motion was put.

16.2 CORPORATE SERVICES**16.2.1 REDLAND WATER ASSET AND DEBT APPORTIONMENT**

Dataworks Filename: GOV WRAD - RCC Reporting

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Vicki Lewis
Water Programme Manager

EXECUTIVE SUMMARY

A Confidential Report from the General Manager Corporate Services was discussed in closed session.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

That Council resolve to:

- 1. Note the update on the negotiations and next steps for the treatment of, the transfer of constructed assets and related funding liabilities undertaken by Allconnex Water during the period 1 July 2010 and 30 June 2012; and**
- 2. Delegate authority to Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009*, to initiate or resolve action under the *Judicial Review Act* in relation to the LCC decision.**

CARRIED

16.2.2 ESTABLISHMENT OF A PREFERRED SUPPLIER ARRANGEMENT FOR THE MANUFACTURE, SUPPLY, DELIVERY AND INSTALLATION OF AIR HANDLER AND FAN COIL UNIT UPGRADES AND THE PROVISION OF OPTIONAL MAINTENANCE

Datworks Filename: FM Tendering – Supply Services

Responsible Officer: Brian Lewis
Manager Corporate Acquisitions, Fleet and Facilities

Author: Gail Widrose
Manager Procurement Operations

EXECUTIVE SUMMARY

A confidential report from Manager Corporate Acquisitions Fleet and Facilities was discussed in closed session.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr H Murray
Seconded by: Cr C Ogilvie

That Council resolve to:

- 1. Delegate authority to the Chief Executive Officer, under section 257(1)(b) of the *Local Government Act 2009*, to award the arrangement under delegation to the successful contractor subject to the budgetary approval for 2012/13;**
- 2. Make, vary and discharge the arrangement; and**
- 3. Sign all relevant documentation.**

CARRIED

17 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 6.50pm.

Signature of Chairperson: _____

Confirmation date: _____