



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 25 January 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 extend that respect to other indigenous Australians who are present.

2 DEVOTIONAL SEGMENT

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

3 RECOGNITION OF ACHIEVEMENT

3.1 ACKNOWLEDGEMENT – MERNA GRAY

The Mayor acknowledged the passing of Merna Gray (Pastor Glen Gray's wife) and the contribution she and her husband had made to the Redland community over the years.

4 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

| | |
|-----------------|---|
| Cr M Hobson PSM | Mayor |
| Cr M Elliott | Deputy Mayor and Councillor Division 7 – left at 8.32pm |
| Cr W Boglary | Councillor Division 1 |
| Cr C Ogilvie | Councillor Division 2 - left at 8.17pm |
| 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 K Williams | Councillor Division 9 - left at 7.20pm |
| Cr H Murray | Councillor Division 10 – left at 8.32pm |

EXECUTIVE LEADERSHIP GROUP:

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

MINUTES:

| | |
|----------------|---|
| Mrs E Striplin | Corporate Meetings & Registers Team Officer |
|----------------|---|

5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 14 DECEMBER 2011

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

That the minutes of the General Meeting of Council held on 14 December 2011 be confirmed.

[General Meeting Minutes 14 December 2011](#)

CARRIED

5.2 SPECIAL MEETING MINUTES 21 DECEMBER 2011

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

That the minutes of the Special Meeting of Council held on 21 December 2011 be confirmed.

[Special Meeting Minutes 21 December 2011](#)

CARRIED

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 will be presented to the Planning & Policy Committee meeting on 8 February 2012.

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 an ensuing Corporate Services & Governance Committee.

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING AT 4.10PM

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

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

CARRIED

1. Ms K Murphy of Thornlands addressed Council in relation to Councillors conduct at the General Meeting of 14.12.2011 and expressed her appreciation for Council allowing a public participation segment at meetings.
2. Ms L Sturgess, representing residents from Orana Esplanade, Victoria Point addressed Council regarding the steps at Orana Esplanade.
3. Mr R Harris, resident of Macleay Island, addressed Council on various SMBI issues.

MOTION TO RESUME MEETING AT 4.23PM

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

That the meeting proceedings resume.

CARRIED

8 PETITIONS AND PRESENTATIONS

8.1 PETITIONS

8.1.1 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

Moved by: Cr J Burns
Seconded by: Cr D Henry

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 Scaqpe 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.

CARRIED

8.2 PRESENTATION

8.2.1 PRESENTATION BY CHIEF EXECUTIVE OFFICER

The Chief Executive Officer tabled and read two statements relating to Council's handling of the Biomass Development Application and subsequent complaints:

1. STATEMENT OF REGRET

“Council acknowledges that people with disabilities are equal citizens to be treated fairly. Council regrets that some members in attendance at a special meeting on the 9 November 2011, including Mr Hillier, perceive that they did not have an equal opportunity. Council operates a hearing loop system and endeavours to provide access to all services for all members of the community in respect of their rights and dignity.”

2. BIOMASS DEVELOPMENT APPLICATION

“On behalf of Redland City Council, I acknowledge the following in relation to Council's handling of the Mt Cotton Biomass Development Application and subsequent complaints:

- 1. Council's handling of the statutory development assessment process was not fully compliant (particularly relating to documentation of the referral of application changes to concurrence and referral agencies, and documentation of its consideration of the need for public notification of the application changes).*
- 2. Council's Development Approval (and that of the Planning Environment Court which followed) is ambiguous and contains conflicting information (particularly regarding the combustion mechanism and stack size) which has created uncertainty about detail of the approval*
- 3. Neither Council's development assessment process nor the subsequent Planning and Environment Court appeal process, have properly scrutinised the inconsistencies in the application (particularly relating to the combustion mechanism and stack size). While Council's current position is that such changes were not approved, the failure to adequately scrutinise the detail and to document its assessment at the time is not generally acceptable.*
- 4. Council's handling of some earlier subsequent complaints submitted by Mr Hillier was administratively deficient (particularly relating to the registration of complaints) and was in some cases protracted.*
- 5. Council's handling of Mr Hillier's initial complaint to the Crime and Misconduct Commission was technically deficient (particularly in relation to advice given to the Crime and Misconduct Commission about interpretation of one aspect of the Integrated Planning Act).*
- 6. Council's handling of its investigation into Mr Hillier's initial complaint to the Crime and Misconduct Commission was partly in breach of the Local Government Act (particularly in relation to the involvement of a technical officer*

whose previous involvement in the development assessment gave rise to a potential conflict of interest).

- 7. Council's handling of Mr Hillier's applications for documents (under statutory 'Right To Information' processes) was administratively deficient (particularly relating to the failure to identify all existing documents in the first instance).*

Council has endeavoured to remedy its acknowledged deficiencies in many ways, including (but not limited to) the following:

- 1. Comprehensive investigation into Mr Hillier's allegations including independent external and internal assessment.*
- 2. Referral of all complaints to other relevant authorities (including Crime and Misconduct Commission).*
- 3. Publication of the entire Investigation Report and consideration of its findings and intended actions at an open Council meeting.*
- 4. Major reform of the relevant department of Council (including significant re-structure and recruitment of new managers, enhancement of employee training and operational procedures and practices, and increased transparency and accountability).*
- 5. Review and enhancement of 'Right To Information' administrative processes (particularly relating to storage, identification and recovery of documents for complex applications).*
- 6. Council resolution regarding its current position on the Biomass Development Approval to mitigate potential for ongoing uncertainty.*
- 7. Council resolution declining the developer's request for extension of the currency period for the Biomass development (based strictly on statutory criteria).*
- 8. Conclusion of formal complaint investigations except recent complaints.*

For full detail and context of circumstances summarised by the above statement, refer to the CEO's Investigation Report dated 12 December 2010.

Council officers are committed to proper and diligent statutory process implementation for all development applications (including further statutory processes relating to the Biomass development if they are necessary).

On behalf of the Redland City Council I apologise to relevant individuals and organisations, and the Mt Cotton community for any avoidable negative impact caused by Council's deficiencies in its handling of the Biomass Development Assessment."

9 MOTION TO ALTER THE ORDER OF BUSINESS

9.1 MOTION TO ACCEPT LATE ITEM

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

That the late item *Amendment to Council Meeting Schedule* be accepted and discussed as Item 12.2.2.

CARRIED

9.2 MOTION TO WITHDRAW ITEM

Moved by: Cr J Burns
Seconded by: Cr M Elliott

That Item 13.2.1 Notice of Motion *Removal of Trees in Peppercorn Street, Victoria Point* be withdrawn.

CARRIED

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

10.1 CONFLICT OF INTEREST

Item 12.4.2 – Judy Holt Eastern Landfill Batter Remediation Project Materials supply over \$500,000 including GST – Delegated Authority - Cr Reimers declared a conflict of interest in this Item - see item for details.

COUNCILLOR ABSENCES DURING MEETING

Cr Townsend left the meeting at 5.01pm and returned at 5.03pm (during Item 12.1.1)
Cr Ogilvie left the meeting at 5.08pm (during Item 12.2.1) and returned at 5.11pm (during Item 12.2.2)
Cr Elliott left the meeting at 5.58pm and returned at 6.04pm (during Item 12.3.5)
Cr Ogilvie left the meeting at 6.01pm and returned at 6.09pm (during Item 12.3.5)
Cr Williams left the meeting at 6.17pm (during Item 12.4.2) and returned at 6.20pm (during Item 12.4.4)
Cr Boglary left the meeting at 6.20pm (during Item 12.4.4) and returned at 6.23pm (during Item 13.1.1)
Cr Reimers left the meeting at 6.59pm and returned at 7.01pm (during closed session)
Cr Bowler left the meeting at 7.13pm and returned at 7.17pm (during closed session)
Cr Henry left the meeting at 7.15pm and returned at 7.17pm (during closed session)
Cr Townsend left the meeting at 7.20pm and returned at 7.21pm (during closed session)
Cr Williams left the meeting at 7.20pm (during closed session)
Cr Boglary left the meeting at 7.36pm and returned at 7.39pm (during closed session)
Cr Ogilvie left the meeting at 7.36pm (during closed session) and returned at 8.13pm (during Item 14.1.2)

Cr Elliott left the meeting at 7.44pm and returned at 7.48pm (during closed session)
Cr Ogilvie left the meeting at 8.17pm during urgent business.
Cr Elliott and Murray left the meeting at 8.32pm during urgent business.

11 MAYORAL MINUTE**11.1 REDLAND CITY COUNCIL HOUSING SUMMIT****COUNCIL RESOLUTION**

Moved by: Cr M Hobson

That Council call a housing summit in Redland City that engages architects, planners, residents (particularly senior citizens and youth), builders and investors to review the draft Redlands Housing Strategy 2011-2031; this summit to consider architecturally designed spaces that cater for the needs of changing community demographics and reduces the residential footprint in infill areas without compromising needs and amenity.

AMENDMENT MOTION

Moved by: Cr M Elliott

Seconded by: Cr B Townsend

1. That the motion be amended by adding the words 'considers calling' after the words 'That Council'; the motion now reads as follows:

"That Council considers calling a housing summit in Redland City that engages architects, planners, residents (particularly senior citizens and youth), builders and investors to review the draft Redlands Housing Strategy 2011-2031; this summit to consider architecturally designed spaces that cater for the needs of changing community demographics and reduces the residential footprint in infill areas without comprising needs and amenity; and"

2. That a new point 2 be added which reads as follows:

"That this matter be referred to the Planning & Policy Committee meeting of 8 February 2012 and that Committee be delegated authority to determine the matter under s.257(1)(c) of the Local Government Act 2009."

CARRIED

The motion, with the amendment, became the motion and was put as follows:

1. That Council considers calling a housing summit in Redland City that engages architects, planners, residents (particularly senior citizens and youth), builders and investors to review the draft Redlands Housing Strategy 2011-2031; this summit to consider architecturally designed spaces that cater for the needs of changing community demographics and reduces the residential footprint in infill areas without comprising needs and amenity; and
2. That this matter be referred to the Planning & Policy Committee meeting of 8 February 2012 and that Committee be delegated authority to determine the matter under s.257(1)(c) of the *Local Government Act 2009*.

CARRIED

12 REPORTS DIRECT TO COUNCIL

12.1 OFFICE OF CEO

12.1.1 LAUNCH OF DESTINATION BRANDS FOR CLEVELAND AND CAPALABA

Dataworks Filename: Cleveland Master Plan
Capalaba Master Plan

Attachments: [Destination Brand Capalaba Brand Style Guide](#)
[Destination Brand Cleveland Brand Style Guide](#)

Responsible Officer: Gary Stevenson
Chief Executive Officer

Author: Alan Burgess
Manager Economic Development

EXECUTIVE SUMMARY

Following the completion of the master plans for both Cleveland and Capalaba, to assist in the implementation and promote economic activity, destination brands have been developed for both Cleveland and Capalaba. The brands are available for use by traders and community groups, in the respective locations, and a formal launch is programmed for 14 February (Capalaba) and 16 February (Cleveland).

PURPOSE

The purpose of this report is to advise Council of the formal launch of the Capalaba and Cleveland destination brands on 14th and 16th February respectively.

BACKGROUND

The Cleveland and Capalaba Master plans were formally endorsed by Council at the General Meetings on 22 September 2010 and 15 December 2010. In order to assist in the implementation of these plans a project was commenced to develop destination brands for each of the locations.

Following several focus groups with local businesses and trader groups draft concepts were developed and in consultation a preferred options agreed. This resulted in the following two brands, and accompanying taglines:



The destination brands are designed to generate a sense of place, and are available for use by the local traders and community groups. The wider the brand is used the greater the recognition, driving greater numbers of customers to the centres – thereby stimulating economic activity. It is also proposed the brands will be used to assist in investment attraction. The Style guides are attached for reference.

ISSUES

- A launch of the Capalaba brand has been programmed for 12pm, 14 February, at the Capalaba Central Shopping centre (opposite the Coffee club).
- A launch of the Cleveland brand has been programmed for 12pm, 16 February, at the Stockland Cleveland Shopping Centre (opposite Woolworths).
- All Councillors have been invited to attend and the Mayor will formally launch the brands.

RELATIONSHIP TO CORPORATE PLAN

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
- 6.2 Market the distinctive image of the Redlands by encouraging low impact businesses that are knowledge-based and creative to establish in the city
- 6.3 Promote significant redevelopment of Cleveland and Capalaba as principal regional activity centres delivering mixed-use centres that provide opportunities for economic investment and local employment
- 6.4 Bring new business to the Redlands by promoting the city as a sustainable business locale, promoting Redland's advantages and advocating for the relocation of a major state government department

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.

- 5.5 Plan and develop a network of accessible centres that provide a wide range of retail, commercial and community services along with local employment opportunities

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

Local businesses, shopping centres, trading groups and Chambers of commerce were all consulted during the development of the logos and taglines.

OPTIONS**PREFERRED**

Council resolve to note the launch of the destination brands for Capalaba and Cleveland at 12pm 14th and 16th February 2012 respectively.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr K Williams

That Council resolve to note the launch of the destination brands for Capalaba and Cleveland at 12pm on the 14th and 16th February 2012 respectively.

CARRIED

12.2 GOVERNANCE

12.2.1 SMBI NEEDS CAMPAIGN FOR THE UPCOMING 2012 STATE ELECTION

Datworks Filename: GOV SMBI Needs Campaign - State Govt Election 2012

Responsible Officer: Nick Clarke
General Manager Governance

Author: Mark Conlan
Principal Advisor SMBI Strategy

EXECUTIVE SUMMARY

The Strategic Framework for Addressing SMBI Issues, endorsed by Council in 2009, contained a proposal for a State Government campaign prior to and after the 2009 State election. Council proposes to undertake a similar SMBI needs campaign in the lead up to the 2012 State election to secure political commitment.

The focus of the campaign will be on the six key issues raised through recent community consultation and feedback from State government in the development of the SMBI 2030 Community Plan.

These issues are: transport; economic development; community services and facilities; sport and recreation; environmental protection and SMBI growth management.

PURPOSE

To seek Council endorsement of a SMBI Needs Campaign in the lead up to and following the 2012 State Election.

BACKGROUND

In early 2009 Council adopted a strategic framework for addressing SMBI issues. The framework contained a campaign (with community involvement) to call on the State Government to meet its responsibilities and commit to funding to address SMBI civil and social infrastructure deficiencies in partnership with Council.

The 2009 campaign had three phases:

1. 2009 Election Phase called on major political parties and relevant candidates to declare their position and make a commitment with respect to the future needs of the SMBI communities.
 2. 2009-2012 Government Phase would follow up post the election to ensure pre-election commitments to partnering with Council were met to plan for future needs and to commit substantial capital funding.
 3. 2012 Election Phase would call on major political parties and relevant candidates to account for their level of commitment and call on greater commitment to long term strategies.
-

The SMBI Needs Campaign for the 2012 State election is based on the three phases of the 2009 campaign above.

ISSUES

The primary purpose of the *SMBI Needs Campaign 2012* is to secure future State government commitment to key actions required to assist in resolving issues raised by Council and the SMBI communities. State Government feedback on SMBI 2030 received by Council has further refined the issues.

The campaign has four secondary purposes:

1. To inform and educate the wider community about the issues facing Council and the SMBI.
2. To hold those in power accountable for their 2009 pre-election promises. It is hoped this will strengthen support for SMBI initiatives of those in power in the future.
3. To offer all standing candidates for the 2012 State election the opportunity of establishing their position on SMBI issues and what support they can provide if elected.
4. To provide Council and the SMBI community direction and purpose when lobbying State representatives in the upcoming election.

The 2012 campaign will contain four elements:

1. Provide facts;
2. Disseminate the message;
3. Seek political commitment; and
4. Encourage community led campaign.

These four elements combine to create a coordinated and targeted SMBI Needs Campaign. Dates for the delivery of the campaign are dependant in the main on the timing of the announcement of the State election.

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

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

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as costs can be accommodated through existing resources.

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 require any amendments to the Redlands Planning Scheme.

CONSULTATION

The 2012 SMBI Needs Campaign is a continuation of the *RCC Strategic Framework to Address SMBI Issues*, Jan 2009. Consultation has included Chief Executive Officer; General Manager Governance; Group Manager Marketing and Communications; Group Manager Community Futures, and Principal Advisor SMBI Strategic Planning. The scope of consultation will broaden in the lead up to the election.

OPTIONS**PREFERRED**

That Council resolve to endorse the SMBI Needs Campaign in the lead up to and following the 2012 State Election.

ALTERNATIVE

That Council resolve to endorse a revised SMBI Needs Campaign in the lead up to and following the 2012 State Election.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr K Williams

That Council resolve to endorse the SMBI Needs Campaign in the lead up to and following the 2012 State Election.

CARRIED

12.2.2 AMENDMENT TO COUNCIL MEETING SCHEDULE**Dataworks 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

Based on the planned date for the 2012 local government elections for 31 March 2012, at the General Meeting 26 October 2011 Council resolved to adopt a schedule of dates and times for ordinary meetings and standing committee meetings from January 2012 to March 2012.

This morning the Premier Anna Bligh announced that the local government elections would move from March 31 to a date in late April or early May.

It is therefore considered appropriate to amend the meeting schedule for March to include the committee meetings and move the general meeting to the end of the month, as per the standard scheduling. The meeting schedule for April (or possibly even further), will be put forward to Council when the date for the local government elections is confirmed.

PURPOSE

Due to the announced postponement of the 2012 local government elections, to amend the March 2012 schedule of dates and times for ordinary meetings and standing committee meetings as detailed in this report.

BACKGROUND

The *Local Government Act 2009 and Local Government (Operations) Regulation 2010* provide the overarching framework for local government meetings. In relation to the scheduling of meetings, the Act and Regulation include the following requirements:

1. A local government must meet at least once in each month for a region, city or town; unless a meeting variation is granted by the Minister.
 2. A local government must, at least once in each year, publish in a newspaper circulating generally in its area, a notice of the days and times when its ordinary meetings, and the ordinary meetings of its standing committees, will be held.
 3. A local government must hold a meeting (post-election meeting) within 14 days after the conclusion of each quadrennial election. ("conclusion" is defined in the *Local Government Electoral Act 2011* as the last declaration of a poll conducted in the election, being displayed at the office of the returning officer).
-

4. The matters a local government must consider at a post-election meeting include the day and time for holding other meetings.

In summary, Council sets its yearly meeting schedule at the end of the preceding year and puts a public notice of all meeting dates and times in the local paper. In an election year Council only sets the next year's meeting schedule up to the time of the election. At the post-election meeting, Council then sets the meeting schedule for the remainder of the year.

Section 23 of the *Local Government Electoral Act 2011* states that the local government election is to be held on the last Saturday of March 2012 (31st March 2012), however a different day for a quadrennial election may be fixed by a regulation.

This morning Premier Anna Bligh announced that:

1. She intends to call the 2012 State election for Saturday the 24th of March; and
2. The local government elections would move from March 31 to a date in late April or early May.

ISSUES

At the General Meeting 26 October 2011 (Item 14.2.2), Council resolved to adopt a schedule of dates and times for ordinary meetings and standing committee meetings from January 2012 to March 2012. The schedule was based on the planned local government election date of 31 March, with only a general meeting to be held in March.

With the announcement today of the planned postponement of the local government elections to a date in late April or early May, it is considered appropriate to amend the meeting schedule for March to include the committee meetings and move the general meeting to the end of the month, as per the standard scheduling.

| March 2012 | | | |
|-----------------------------------|------|----------|------|
| Development & Community Standards | Tues | 6 March | 10am |
| Planning & Policy | Wed | 7 March | 9am |
| Development & Community Standards | Tues | 20 March | 10am |
| Customer Services | Wed | 21 March | 9am |
| Corporate Services & Governance | Wed | 21 March | 2pm |
| General Meeting | Wed | 28 March | 4pm |

With the lack of certainty at this time for the date for the local government elections (late April or early May; with the possibility of being pushed further out), the meeting schedule for April (or possibly even further), will be put forward to Council when the date for the local government elections is confirmed.

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

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

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications associated with this report.

CONSULTATION

Consultation has occurred with the Chief Executive Officer.

OPTIONS

PREFERRED

That Council resolve to amend the March 2012 schedule of dates and times for ordinary meetings and standing committee meetings as detailed in this report.

ALTERNATIVE

That Council not amend the March 2012 schedule of dates and times for ordinary meetings and standing committee meetings.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Elliott
Seconded by: Cr K Reimers

That Council resolve to amend the March 2012 schedule of dates and times for ordinary meetings and standing committee meetings as detailed in this report.

CARRIED

12.3 CORPORATE SERVICES

12.3.1 DECEMBER 2011 MONTHLY FINANCIAL REPORTS

| | |
|-----------------------------|--|
| Dataworks Filename: | FM Monthly Financial Reports to Committee |
| Attachment: | <u>RCC Monthly Financial Report December 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 December 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:

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

The following Financial Stability Ratio Key Financial Performance Indicator is outside of Council's target range:

- operating performance

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

- operating surplus ratio
- net financial liabilities ratio
- interest cover ratio
- asset consumption ratio

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

PURPOSE

The purpose is to present the December 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 December 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 M Elliott
Seconded by: Cr H Murray

That Council resolve to note the End of Month Financial Reports for December 2011 and explanations as presented in the attached Monthly Financial Performance Report.

CARRIED

12.3.2 QUARTERLY BUSINESS ACTIVITY REPORTS

| | |
|-----------------------------|---|
| Datworks Filename: | FM Quarterly Projects and Business Unit Activity Reports |
| Attachment: | <u>Quarterly Business Activity Reports December 2011</u> |
| Responsible Officer: | Martin Drydale General Manager Corporate Services |
| Author: | Helen Griffith Management Accountant Commercial Businesses |

EXECUTIVE SUMMARY

The attached report shows the Operating Statements for Council's business activities subject to the Code of Competitive Conduct for the quarter ending December 2011.

PURPOSE

Council resolved to apply the Code of Competitive Conduct to 9 Business Activities (Type 3s) as part of its 2011/12 adopted budget. This report highlights actual to budget results for revenue and expenditure and provides commentary on major variations. In line with previous reports this document presents the operational results for 8 of the 9 Business Activities Council adopted as part of its 2011/12 budget process.

BACKGROUND

In line with previous reports this document presents the operational results for 8 of the 9 Business Activities Council adopted as part of its 2011/12 budget process.

ISSUES

Financial statements for 8 of the 9 Business Activities that Council has resolved to apply the Code of Competitive Conduct to in the 2011/12 year are in the attached report. In line with previous quarterly submissions reporting for the Marine Transport business activity has not been supplied for December. The Marine Transport business activity is currently under review to improve the information contained and extracted from the financial management system.

The financials relating to the business activities subject to the code of competitive conduct are under development and further refinement. Fleet Operations was unable to provide commentary for its variances and some highlights are provided below. Extracts from the financial management system have been provided for this quarterly review although some line items are still under investigation and more detailed commentary will be provided at the third quarter reporting stage.

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; and

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

Redland Art Gallery

Redland Art Gallery received an unexpected grant of \$6K and were under budget in employee costs \$24K and goods and services \$19K.

School Age Care

School Age Care received extra income of \$57K from debtors and child care benefit entitlements but had not received an expected \$13K from Australian Sports Commission Grants. Expenses were over budget by \$67K in employee costs and \$32K goods and services due to the timing of invoices and extra costs required to set up the new Thornlands after school care room.

Cemetery Development & Maintenance

Cemetery Development & Maintenance had an increase in revenue \$8K due to a greater number of burials and an extra State Government Grant for a project completed in the 10/11 year. Expenses were on par with forecasts.

Fleet Leasing and Operations

Fleet Leasing and Operations were under in revenue by \$19K mainly owing to the under recovery from internal sources and over in internal expenses \$38K.

Quarry Operations

Quarry Operations received more than anticipated revenue with extra gravel required for Roads and Maintenance and sales of overburden material externally whilst expenditure was under in employee costs and goods and services.

Caravan Parks and Camping

Caravan Parks and Camping had an increase in revenue with higher occupancy across all parks due to the fine weather resulting in an increase in expenditure for litter bins and park rangers salaries. An increase in Depreciation of \$48K has had a negative effect on the program.

Building Certification

Building Certification was over budget in total revenue even with the downturn in construction work, its expense was over budget in salaries and wages following a voluntary redundancy payout.

Redland Performing Arts Centre

Redland Performing Arts Centre received a trainee grant that was not budgeted for and a boost to income with higher than anticipated revenue from end of year schools' dance concerts which of course increases employee/casual costs to hold the events. An increase in Depreciation due to building revaluations has had a negative effect on the program.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The reports were reviewed and commented on by the relevant areas of the business. In line with legislative requirements an annual review of the business activities will be conducted as part of the 2012/13 budget development process and these actual reports will provide information in the review process.

OPTIONS

PREFERRED

That Council resolve to note the Business Activity Reports to which the Code of Competitive Conduct applies for December 2011, as presented in the attachment.

ALTERNATIVE

That Council requests additional information.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr K Reimers
Seconded by: Cr M Elliott

That Council resolve to note the Business Activity Reports to which the Code of Competitive Conduct applies for December 2011, as presented in the attachment.

CARRIED

12.3.3 QUARTERLY PROJECT REPORTS

| | |
|-----------------------------|--|
| Datworks Filename: | FM Quarterly Project and Business Unit Activity Reports |
| Attachment: | <u>Quarterly Project Reports December 2011</u> |
| Responsible Officer: | Martin Drydale General Manager Corporate Services |
| Author: | Kevin Lamb Service Manager Financial & Capital Management |

EXECUTIVE SUMMARY

The attached reports include selected operational and capital project expenditure across individual groups and departments of Council for the cumulative position as at the end of December 2011.

PURPOSE

This report presents year to date expenditure against revised and original budgets for selected operational and capital projects across the groups and departments of Council.

BACKGROUND

This report presents selected operational and capital project expenditure across individual groups and departments of Council. A separate report presenting the operational results for 8 of the 9 business activities Council adopted as part of its 2011/12 budget process is prepared by the Commercial Finance team.

ISSUES

There are no issues to 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

Selected Operational Projects

Expenditure on operational goods and services was under revised budget by \$7.8 million at 31/12/2011 implying significant delays in the commencement and completion of 2011/12 operational projects and issues relating to the phasing of the revised budget. This will be closely assessed as part of the Q2 budget review. Major areas that are behind in operational expenditure include Infrastructure Planning Group \$857K, Water Distribution & Retail Project \$656K, City Spaces Group \$250K and People and Change Group \$164K.

Significant individual projects behind budget include:

| | |
|--|--------|
| Water Distribution Project (Adjustment to follow at Q2 budget review) | \$656K |
| Redland Bay Former Landfill Management Plan | \$656K |
| Aquatic Paradise Stormwater Silt Removal | \$184K |
| WH&S Taskforce | \$101K |
| Raby Bay Monitoring of Revetment Walls | \$93K |
| Total Water Cycle Management | \$77K |
| Destinational Marketing | \$68K |
| Master Plans and Local Area Plans | \$60K |
| Disaster Information Management System | \$60K |
| Biodiversity Strategy | \$59K |

The attached report provides details on the progress of an extensive list of other selected projects.

Selected Capital Projects

The capital expenditure program is behind year to date revised budget by 25.7% or \$4.0M at 31/12/11, and this will be closely assessed as part of the Q2 budget review. Main areas behind budget are Infrastructure Planning Group \$1.6M, City Spaces Group \$545K, Land Use Planning \$100K, City Infrastructure Group \$44K and Information Management Services Group \$43K.

Large capital projects behind schedule include:

| | |
|--|--------|
| Ziegenfusz/Cleveland Redland Bay Rd Intersection | \$400K |
| Birkdale Landfill Remediation – Capping | \$385K |
| Dinwoodie Rd & Cleveland/Redland Bay Rd Intersection | \$285K |
| Baythorne/King Collector | \$200K |
| Macleay Island Ramp Carpark | \$172K |
| MBC Thornlands (George to Tindappah) | \$125K |
| Tina Avenue Seawall | \$120K |
| Sale – Dollery Road | \$100K |
| Streetscaping Program | \$100K |
| Raby Bay Laydown Area | \$100K |

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 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 Quarterly Operational and Capital Project Reports as presented in the attached selected Quarterly Operational and Capital Projects Reports for the period ending 31 December 2011.

ALTERNATIVE

That Council requests additional information.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr K Reimers

Seconded by: Cr M Elliott

That Council resolve to note the Business Activity Reports to which the Code of Competitive Conduct applies for December 2011, as presented in the attachment.

CARRIED

12.3.4 WATER REFORM LEGISLATION OUTLOOK ELECTION CALLED**Dataworks Filename:** GOV – WRAD RCC Business Readiness**Attachments:** [APPENDIX 1 Risk Assessment](#)
[APPENDIX 2 Calendar of Key Dates](#)**Responsible Officer:** Martin Drydale
General Manager Corporate Services**Author:** Kate Giese
Water Programme Manager

EXECUTIVE SUMMARY

The Premier has announced that the Queensland election will be held on March 24 2012. Unless State Government treats it as Urgent Legislation, this will result in the lapse of the [South-East Queensland Water \(Distribution and Retail Restructuring\) and Other Legislation Amendment Bill 2011](#) (The Bill). The Bill is not likely to have been returned to Parliament for a second reading, eventual passage and royal assent, prior to the confirmed dissolution of Parliament and the enactment of caretaker conventions on the 19 February 2012.

PURPOSE

To inform Council on a potential delay to the passage of legislation that is required to re-establish Redland Water and to outline the consequences of the Bill lapsing and Council's options in this regard.

BACKGROUND

On 11 October 2011, the Minister for Energy and Water Utilities (The Hon. Stephen Robertson) introduced the Bill to the QLD Parliament. In his speech to Parliament, Minister Robertson made the following points:

- “The Gold Coast City Council voted – not once but twice – to opt out and establish its own water business.”
- “It was the actions of the Gold Coast City Council that then led the Logan and Redland councils to also withdraw from Allconnex.”
- “The Gold Coast City Council has appropriately agreed to bear the consequential costs incurred by the Redland City Council or the Logan City Council in the dissolution of Allconnex and the re-establishment of council specific water businesses.”
- “The consideration of the bill and its key provisions is only the first step. There is a lot of work to be done before 1 July 2012.”

In concluding this speech, Minister Robertson passed the Bill to the Environment, Agriculture, Resource and Energy Committee (EAREC) for consideration. The Committee has now taken the customary steps of holding a public briefing (16 November 2011) and calling for submissions (closed 2 December 2011). Only four submissions were received - from Allconnex Water and its three participating Councils. No date has been set for a public hearing on the Bill but it is noted that the Committee had until 5 April 2012 to report back to Parliament.

The Premier has today announced that the Queensland election will be held on March 24 2012 and has confirmed that she will visit the governor on February 19 to dissolve the Parliament, putting the government into caretaker mode.

As of Wednesday 25 January, the latest update from the secretariat of the Committee was as follows:

- All other parties have confirmed they are not seeking a Public Hearing
- The Committee will formally reconvene on the 15th February and can confirm that a Public Hearing is not required.
- The FLP (Fundamental Legislative Principles) Committee are still to review the Bill and report back to the EAREC to confirm whether it breaches and fundamental legislative principles. EAREC have requested that the FLP complete this activity by 30 January 2012. They are awaiting confirmation from the FLP committee that they can meet this timeframe as they have a high workload currently. The formal planned date for this remains as 2 March 2012.
- Should FLP breaches be identified, the EAREC will need to engage other departments to provide a response against the breaches. This would take around one week. (The Queensland Water Commission have indicated that they do not anticipate any legislative breaches to be identified due to the consultative approach that was taken in developing the legislation).
- The report could then be finalised within a further week and Tabled thereafter.
- No formal direction has been received from the government to bring the 5 April reporting date forward.

The process of Royal Assent of the Bill in order for it to become an Act of Parliament could take a further week to achieve once the Bill is passed through the legislative assembly.

However, there are means at the Government's disposal under which the legislation could still be passed in time.

Section 136 of the Standing Orders make provision for the Committee of the Legislative Assembly to vary the time for report for any Bill.

Alternatively *Section 137 of the Standing Orders* allows a Minister or Leader of the House to declare a Bill urgent, discharge the Committee reviewing the Bill and set the Bill down on the notice paper for its second reading.

Whilst the notice paper for the three remaining sitting dates prior to the election has already been published, it is possible for the notice paper to be updated to include the Bill. Legislation requires that when a Bill is set down on the notice paper, at least seven days must elapse until the commencement of the second reading debate. The latest date that this could occur is 7 February 2012.

If the Government is committed to this legislation it should look at one of these options to ensure the passage of the Bill and remove all the current uncertainty around whether it will be passed or whether the LNP might introduce alternative legislation if they are elected to govern at the forthcoming state elections.

It is now not known when, or if, the Bill will be reintroduced in the life of the next Parliament and whether it will be amended in any way.

ISSUES

A Risk Assessment of the likelihood and implications of the legislation not being passed has been conducted and is attached at APPENDIX 1. There are two scenarios to consider:

There is a change in government.

The Gold Coast Bulletin of 7 December 2011 contained statements that are concerning to Council. Deputy Leader of the Opposition, Tim Nicholls, was quoted in the article as saying; "(If we win) we will be moving to implement our four-point water plan. It will mean Allconnex will still exist"

The Gold Coast Bulletin then made the following editorial points in the article; "Under the LNP's four point plan there would be one bulk water entity in the southeast but the control of water retailing would be handed back to councils, non-performing assets would be written off and a 40 year debt repayment plan would be adopted."

The comments of Minister Robertson in the Gold Coast Bulletin article are also disconcerting; "It's the LNP that needs to answer to Councils whether they will support this Bill if they are elected."

We have requested and are awaiting an urgent response from the LNP, to seek assurance that under a LNP Government, Gold Coast City Council will continue to be held responsible for paying the costs of disestablishing Allconnex Water and re-establishing a Council controlled Water business. In addition, we have sought clarity on the LNP's intended direction on water reform, including how they propose to fund their direction with reference to the above media comments.

In a radio interview on 20th January 2012, Cr Russell Lutton, Deputy Mayor of Logan City Council asked the following of Campbell Newman: "Mine's a simple question of Yes or No - will you guarantee that the ratepayers of Logan and Redland will not be burdened with the cost of dismantling Allconnex?" Campbell Newman responded "I'm not in a position to do that. What I will say to you is that we have a plan to allow water to go back to councils, to distribution and retail, and I'm more than happy to sit down if we become the government to try and make sure that it doesn't impact on ratepayers."

Cr Lutton further stated "The Gold Coast pulled out knowing full well that they would have to wear the costs. The government has guaranteed that Logan and Redland ratepayers won't pay it and I'm trying to get a similar guarantee from the LNP and it just doesn't seem like they want to put their hand up and say yes." Mr Newman responded in part ".....If the Gold Coast have made a commitment to meet the costs in that particular area well that's something that has great weight with me but I'm not going to be held to a commitment that the Labour party have made for political purposes in the last 6 months."

Should a new government be elected this raises the serious risk that the position regarding the dissolution of Allconnex Water will change, resulting in:

- RCC being liable for any costs incurred to date;
- Negative implications to Councils projected financial returns and financial sustainability; and
- Increased concern surrounding the ongoing viability of the Allconnex Water business.

There is no change in government

The Bill may be reintroduced in the next sittings of Parliament but this may mean that it does not become an Act of Parliament until sometime around August or September 2012. This would make the task of re-establishing Redland Water and dissolving Allconnex almost impossible given the 1 July 2012 timeframe, as some of the steps required to be taken would have no legal foundation. Again, this scenario raises concerns surrounding the ongoing viability of the Allconnex Water business and also has negative implications to Councils projected financial returns and financial sustainability.

There are ongoing resource implications regardless of the scenario. In the event that there is no change in government and the legislation is passed prior to 1 July 2012, project resources will be required to continue with project activities in order to meet legislated timeframes. In the event the legislation is not passed prior to 1 July 2012, resources will be required to re-plan project activities to new agreed timeframes and/or to define and implement additional service level requirements to ensure and support the ongoing viability of Allconnex Water.

With reference to these developments Council has received notification from Logan City Council that they have similar concerns and are taking serious consideration of the legal basis upon which they will undertake water reintegration activities, to ensure the judicious expenditure of public funds.

OPTIONS

The uncertainty places Council in an invidious position and we should take whatever action we can to minimise risk and press for clarification. There exists a small window of opportunity before the government will enter caretaker conventions on 19 February 2012. This could include any or all of the following actions:

- Urgent contact with the State government to bring forward the reporting date for the Bill and set the Bill down on the notice paper for its second reading.
- Immediate contact with local members of the Legislative Assembly (i.e. the members for Redlands, Cleveland and Capalaba) to enlist their support in Council's efforts to escalate this on behalf of the ratepayers of Redland City Council.
- Media releases and local radio/TV campaigns to assist in bringing this matter, and the potential implications on staff and finances, to the public's notice to assist with advocacy efforts.
- Immediate cessation of all reintegration activities that are not on the critical path to ensure that the expenditure of public funds on further water reform activities is minimised in the absence of the necessary legislative authority.

CONCLUSION

The potential variables relating to this matter are significant and there are political dimensions at the State level which are likely to make communication difficult and may even mean that decisions are taken for short-term political reasons rather than public benefit.

It is considered that the following outcomes are most probable:

- Based on the evidence of every independent poll published in the last six months, the Liberal National Party is most likely to form government in QLD at some stage between March and June 2012.
- Unless State Government treats it as urgent legislation, the Bill that is currently before Council will not be reintroduced to the next Parliament without change and those changes may be significant leading to unexpected costs and more uncertainty and change for Allconnex Water staff.

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

FINANCIAL IMPLICATIONS

RCC have incurred direct costs in the region of \$165,000 with a further \$50,000 committed at this stage. Allconnex Water have incurred direct costs in the region of \$615,000 as at the end of December, with a multimillion dollar estimation anticipated against written off ICT projects.

PLANNING SCHEME IMPLICATIONS

There are no implications to the planning scheme within this report.

CONSULTATION

Consultation has occurred with the Executive Assistant of the Environment, Agriculture, Resources and Energy Committee, the Chief Executive Officer Redland City Council, the Chief Executive Officers of Allconnex Water, Logan and Gold Coast City Councils, the General Manager Corporate Services, the Group Manager Corporate Governance, the Group Manager Legal Services and senior officers within Redland City Council.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott

Seconded by: Cr D Henry

That Council resolve that:

1. A cautious approach be taken to implementation of all reintegration activities that are not on the critical path and maximum flexibility of resources is maintained so that costs can be reduced as quickly as possible if required, to ensure that the expenditure of public funds on further water reform activities is minimised in the absence of the necessary legislative authority;
2. Immediate further advocacy to the Premier, relevant Ministers, local members and relevant state agencies to treat the Bill as Urgent Legislation and have it considered by Parliament during early February;
3. Immediate further advocacy with the LNP seeking that they clarify recent media reports and clearly specify precisely what their intentions are in this matter to ensure councils and water utilities can plan financially and operationally and affected staff can be provided some certainty regarding their future;
4. Immediate contact with all candidates and current local members of the Legislative Assembly (i.e. the members for Redlands, Cleveland and Capalaba) to enlist their support in Council's efforts to escalate this on behalf of the ratepayers of Redland City Council; and
5. Depending on the responses from the State Government and the LNP, Council commits resources to a joint campaign with Logan City Council if necessary, to commit funds to assist in bringing this matter, and the potential implications on staff and finances, to the public's notice to assist with advocacy efforts.

CARRIED

12.3.5 REDLAND WATER BILLING OPTIONS

Datworks Filename: GOV WRAD – RCC Business Readiness

Attachments: [APPENDIX 1 Glossary](#)
[APPENDIX 2 Summary of Considerations](#)
[APPENDIX 3 Financial Impacts](#)
[APPENDIX 4 Water Notice Research](#)
[APPENDIX 5 Online Billing Research](#)

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Kate Giese
Water Programme Manager

EXECUTIVE SUMMARY

Water billing reintegration activities are underway to re-establish billing for Redland Water in accordance with legislative requirements, by 1 July 2012.

PURPOSE

The purpose of this report is to present the considerations associated with changing the format and / or frequency of billing for water and wastewater.

BACKGROUND

Prior to the transition of Redland Water (RW) to Allconnex Water, the water and waste water charges were included with Councils rates notices. Legislation¹ requires that the water and wastewater account charges must be on a separate page to the rates notice. A separate water summary notice was developed for the establishment of Allconnex Water, which RCC sends out with the quarterly rates notice, on behalf of Allconnex Water under a Service Level Agreement (SLA).

Transition activities are underway to reintegrate and rebrand the water summary notice as RW, in preparation for 1 July 2012. As RW did not previously send a water summary notice, both community and council consultation requirements with regard to the proposed Redland Water Summary Notice need to be understood.

In addition to the transition activities required to establish the water summary notice for Redland Water, a number of opportunities to change the format and frequency of the water summary have been identified, and are presented in this report for Council's consideration.

The first option looks at changing the current bill format to include a separate line item for bulk water charges. The legislation requires the bulk water component to be stated under a separate heading on the water summary notice, called 'State bulk

¹ South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 and the South-East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill 2011

water price'. An exemption in relation to this requirement for the current Allconnex Water summary was obtained from the Queensland Water Commission (QWC) by the WRAD establishment project in 2009. A similar exemption would need to be sought on behalf of Redland Water if this option is not preferred.

Options two and three consider providing customers with a water notice that is separate to the rates notice, and changing the billing frequency, respectively. The separation of the water notice would be an enabling factor for future opportunities, such as on line billing and / or a direct debit facility for Redland Water customers.

A cost analysis of each option and a comparative analysis of water billing approaches, including online billing, by other councils in Queensland have been completed and are attached to this report for reference.

WATER BILLING OPTIONS

Option 1: Separate line item for bulk water

Summary: This option is a legislative requirement (unless an exemption is granted for Redland Water) and introduces an additional line of information on the water summary, sub-totalling the state bulk water charge.

Customer Impact: Low – Medium.

- With the change to the water summary, there may be a perception that there is a new charge to pay when the charges are broken down into their separate components.

System Impact: Medium.

- This change requires an update to the printer business rules and charge configuration changes within the Property and Rating system, Proclaim. These changes have a development and testing time of 6 weeks.
- This option does not require any changes to the payment system.

Operational Impact: Low – Medium.

- There could be an increased number of customer queries due to the changed water summary with some potentially perceiving the new line item as a new charge to pay.
- Communications advising customers of the impending changes to the water summary will need to be scheduled prior to the first rate notice containing the change.

Cost Impact:

One off: \$3,100

Ongoing: Nil

Cash flow impact: Nil

Advantages:

- Compliance with legislation
- Customers will have greater clarity and there will be more transparency regarding the components that make up the water consumption charges.

Timeframe for Implementation:

The earliest possible rate run to introduce a separate line item for bulk water would be April 2012. If this option is implemented prior to July 2012, Allconnex would need to provide approval for the change to the water summary.

Other Considerations

Once water consumption is greater than 140kl per quarter (averaging 1,500 litres per day), the distribution and retail charge will be higher than the bulk water charge.

The table below provides an example of how the charges would be presented on a consumption notice for a low and high water user

| Customer Water usage | Water Consumption (kl) | Local Government Distribution and Retail Price | State Bulk Water Price |
|----------------------|------------------------|--|------------------------|
| High (Tier 3) | 2,252 | \$3,158.72 | \$2,706.90 |
| Low (Tier 1) | 51 | \$32.53 | \$61.30 |

For customers with a low water usage, the bulk water price is the higher component of the water consumption charge.

An analysis of the most recent rate run, as billed in January 2012 reviewed the number of properties with water consumption charges and determined that less than 2% of properties are large water users with consumption over 140kl per quarter. Therefore only a small amount of consumption notices will have the distribution and retail charge higher than the bulk water charge.

Option 2: Separate quarterly water notice to the rate notice from July 2012

Summary: This option is to produce and post two separate notices, a water notice and a rate notice. Producing a separate quarterly water notice will incur additional changes to systems and operational processes will be of greater impact to the customer.

Customer Impact: Medium – Major

The customer will receive two notices each quarter requiring two separate payments.

- With a separate notice for water, there will be increased focus on the water charges and potentially a perception that there is a new charge to pay.

- The paperwork received by the customer will be doubled and particularly noticeable for those customers owning multiple properties.
- For each property, the customer will be required to make two separate payments to the same organisation at the same time.

System Impact: Major

Implementing a separate water notice will require changes to the following:

- Updates to the payment mechanisms:
 - Additional biller codes for electronic payment options
 - Interactive Voice Response (IVR) for payment by phone
 - MyServices (on RCC website) requiring up to 8 weeks development and testing
- Configuration of the Property and Rating software, Proclaim, to enable the production of a separate water notice
- Chandler Print changes with updated printer business rules and new base stationery stock for both the rate notice and the water notice.

Operational Impact: Medium.

A separate water notice for each ratepayer will incur additional operating costs per quarter to cover the following:

- Stationery requirements doubled
- Postage charges doubled
- Increased printing costs and transactional costs
- Possible additional customer service requirements to increased customer queries
- Running a separate water notice will duplicate all of the activities needed to produce a rate notice file
- The additional number of transactions will increase the workload in cash management
- The separation of water and rate notices will increase the legal costs on accounts where recovery action has to be taken
- Running a separate water notice will require additional dedicated server time
- The business processes would need to be mapped before a decision could be made on additional staff requirements to support a separate water notice.
- Communications advising customers of the impending changes to the water summary will need to be scheduled prior to the first rate notice containing the change.

Cost Impact:

One off: \$29,400

Ongoing: \$495, 500 pa

Cash flow impact: Nil

Advantages:

- Customers will have greater clarity and there will be more transparency regarding the components that make up the water consumption charges.
- Creating a water notice that is separate to the rates notice enables the opportunity to better meet future legislative requirements for water billing.

Timeframe for implementation:

To implement this option by 1 July 2012, planning for the work and engagement with the different parties would need to commence as soon as possible. There is a 6-month timeframe required to undertake the configuration of the Proclaim, and the creation of new rate and water notices.

Other Considerations:

- Community focus groups should be established to review the proposed water notice and the changed rate notice followed by approval from Council.

Option 3: Separate monthly water notice from July 2012

Summary: This option is to produce and post two separate notices, a water notice and a rate notice, with the water notices produced and posted monthly.

There will be greater impacts than in Option 2 to operational processes and the customer due to the increased frequency of water notices.

Customer Impact: Major

- The customer will receive sixteen bills annually (12 monthly water notices and 4 quarterly rates notices), each requiring separate payments, compared to the four rates notices received previously. This will be particularly noticeable for those customers owning multiple properties
- With a separate notice for water, there will be increased focus on the water charges and potentially a perception that there is a new charge to pay

System Impact: Major

As with Option 2, implementing a separate water notice will require changes to the following:

- Updates to the payment mechanisms:
 - Additional biller codes for electronic payment options
 - Interactive Voice Response (IVR) for payment by phone
 - MyServices (on RCC website) requiring up to 8 weeks development and testing
-

- Configuration of the Property and Rating software, Proclaim, to enable the production of a separate water notice
- Chandler Print changes with updated printer business rules and new base stationery stock for both the rate notice and the water notice.

Operational Impact: Major

- There will be a requirement for more frequent meter readings
- Stationery requirements will increase fourfold
- Postage charges will increase fourfold
- Increased printing costs and transactional costs
- Potentially additional customer service requirements to handle increased queries
- The additional number of transactions required on a monthly basis will increase the workload in cash management
- The separation of water and rate notices will increase the legal costs on accounts where recovery action has to be taken
- Running a separate water notice will duplicate all of the activities needed to produce a rate notice file on a monthly basis
- Running a separate water notice monthly will require additional dedicated server time
- The business processes would need to be mapped before a decision could be made on additional staff requirements to support monthly water notices.

Cost Impact:

One off: \$29,400

Ongoing: \$1,395,500

Cash flow impact: Interest loss of \$109,000 where fixed and variable costs are charged monthly

Interest gain of \$125,000 where fixed costs are charged quarterly and variable costs are charged monthly

Advantages:

- More frequent billing may assist customers to manage their cash flow more effectively.
- Customers will have greater clarity and there will be more transparency regarding the components that make up the water consumption charges
- Creating a water notice that is separate to the rates notice enables the opportunity to better meet future legislative requirements for water billing.

Timeframe for implementation:

As with Option 2, to implement this option by 1 July 2012, planning for the work and engagement with the different parties would need to commence as soon as possible.

A 6-month timeframe is required to undertake the configuration of Proclaim, and the creation of new rate and water notices.

Other Considerations:

- Community focus groups should be established to review the proposed water notice and the changed rate notice followed by approval from Council.
- Determination needs to be made as to whether fixed (water access) and variable (water consumption) costs would appear on the same notice.
 - Fixed costs must be charged in advance - charging these monthly has a negative impact on Councils cash flow when compared against charging fixed costs quarterly.
 - Variable costs are charged in arrears. Charging these monthly has a positive impact on Councils cash flow when compared against charging variable costs quarterly.
 - Charging fixed water access costs quarterly within the general rates notice, and variable water consumption costs monthly via the water notice would provide the most positive cash flow position for Council (excluding ongoing costs)

RELATIONSHIP TO CORPORATE PLAN**9. An efficient and effective organisation**

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

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

FINANCIAL IMPLICATIONS

Refer to APPENDIX 3 Financial Impacts.

PLANNING SCHEME IMPLICATIONS

There are no implications to the planning scheme within this report.

CONSULTATION

The WRAD team has consulted with Redland City Council Officers and 16 other Queensland Councils outside the SEQ water grid.

OFFICER'S RECOMMENDATION

Given the continuing uncertainty regarding the passage of the enabling legislation² (the Bill) to effect the disestablishment of Allconnex Water and the establishment of

² South-East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill 2011

Redland Water, Option 1 presents the least risk and cost impact in the current environment.

In the event that the legislation is passed, Option 2 is recommended as it enables the opportunity to better meet future legislative requirements and will increase the presence of identity of Redland Water.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Progress Option 1, in the event that legislation is not passed, and authorise the Chief Executive Officer to commence implementation activities; and
2. Progress Option 2, in the event that the legislation is passed in its current form, and authorise the Chief Executive Officer to commence activities upon the passage of said legislation.

COUNCIL RESOLUTION

Moved by: Cr K Williams

Seconded by: Cr W Boglary

That Council resolve as follows:

1. To progress Option 1 – separate line item for bulk water
2. Authorise the Chief Executive Officer to commence implementation activities; and
3. That a further report be brought back to the Corporate Services and Governance Committee meeting on 22 February 2012.

CARRIED

12.4 CITY SERVICES

12.4.1 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - PROVISION OF FUEL REDUCTION ZONES FOR THE SOUTHERN MORETON BAY ISLANDS

Datworks Filename: P&R Maintenance - Conservation

Responsible Officer: Lex Smith
Manager City Spaces

Author: Rory House
Senior Conservation Officer

EXECUTIVE SUMMARY

The current contract 1117-2008-PCO for the provision of maintenance of the Fuel Reduction Zones on the Southern Moreton Bay Islands has been in place for a period of five (5) years and expired on 12 November 2011. Since the expiry of this contract, Parks and Conservation Unit are seeking quotations on an as needs basis.

In accordance with section 106 of the *Local Government Act 2009* and section 182 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, a new tender documentation was developed in consultation with the Parks & Conservation Unit and Procurement Services Unit with the objective of obtaining submissions from suitable individuals or entities who could demonstrate the ability to provide value for money and adequate capacity and capability to provide maintenance to the Fuel Reduction Zones at various sites on the Southern Moreton Bay Islands of Karragarra, Macleay, Russell and Lamb Islands within Redland City Council's boundaries.

A public tender process was advertised in the market place during the month of November 2011 with a new contract to be in place to commence on 01 February 2012. The tender process has been completed in consultation with Procurement Services Unit.

This contract consists of services to be delivered across various sites on Karragarra, Macleay, Russell and Lamb Islands to ensure the sites are maintained to a standard that minimises the risk of fire spreading to neighbouring properties thus protecting human life.

The services on the scheduled lists form part of this arrangement T-1503-11/12-PCO and are provided on a scheduled basis.

The estimated value to provide Fuel Reduction Zones maintenance services across these sites is likely to be above the Chief Executive Officer's current delegation. So to ensure a smooth exit and entry transition from the existing arrangement 1117-2008-PCO to the new arrangement, T-1503-11/12-PCO and to comply with the delegation requirements for the new arrangement it is recommended that Council:

- Delegate the authority to the Chief Executive Officer to make, vary and discharge the contract T-1503-11/12-PCO; and
-

- Allow the Chief Executive Officer to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve the variations for this new arrangement on an as needs basis.

PURPOSE

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

- Delegate the authority to the Chief Executive Officer to award the contract to the successful contractor;
- Delegate the authority to the Chief Executive Officer to make, vary and discharge the contract T-1503-11/12-PCO; and
- Allow the Chief Executive Officer to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve the variations for this new arrangement on an as needs.

BACKGROUND

In consultation with the Parks & Conservation Unit, a tender process was undertaken for the maintenance of Fuel Reduction Zones on the Southern Moreton Bay Islands of Karragarra, Macleay, Russell and Lamb Islands due to the existing contract reaching its full term.

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

- Delegate the authority to the Chief Executive Officer to award the contract to the successful contractor.
- Delegate the authority to the Chief Executive Officer to make, vary and discharge the contract T-1503-11/12-PCO; and
- Allow the Chief Executive Officer to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve the variations for this new arrangement when required.

ISSUES

No issues to report.

RELATIONSHIP TO CORPORATE PLAN

9. An efficient and effective organisation

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

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

FINANCIAL IMPLICATIONS

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

The Parks & Conservation Unit have sufficient funds budgeted in 2011/12 for the provision of Fuel Reduction Zones maintenance on the Southern Moreton Bay Islands.

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

CONSULTATION

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

- Senior Procurement Officer
- Senior Conservation Officer

OPTIONS

PREFERRED

That Council resolve to:

1. Delegate authority to the Chief Executive Officer, under section 257 (1) (b) of the *Local Government Act 2009* to:
 - a) Award the contract under delegation to the successful contractor;
 - b) Make, vary and discharge the contract T-1503-11/12-PCO;
 - c) Allow the Chief Executive Officer to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve any variations to the new arrangement T-1503-11/12-PCO on an as needs basis; and
 - d) Sign all relevant documentation.

ALTERNATIVE

That Council resolve to not delegate this authority to the Chief Executive Officer which may result in delays with the awarding of contracts which could lead to additional costs to Council.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

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

1. Award the contract under delegation to the successful contractor;
2. Make, vary and discharge the contract T-1503-11/12-PCO;
3. Allow the Chief Executive Officer to sub delegate the authority to the relevant personnel with the appropriate delegated authority to approve any variations to the new arrangement T-1503-11/12-PCO on an as needs basis; and
4. Sign all relevant documentation.

CARRIED

CONFLICT OF INTEREST

Cr Reimers declared a conflict of interest, or perceived conflict of interest in the following item, stating that she is Patron of Redlands Multi-sports Club, Patron of Muddies Cricket Club and Convenor of the Judy Holt Bushcare Group. Cr Reimers elected to remain in chambers and vote in the best interests of the community. Cr Reimers voted in the affirmative.

12.4.2 JUDY HOLT EASTERN LANDFILL BATTER REMEDIATION PROJECT MATERIALS SUPPLY OVER \$500,000 INCLUDING GST - DELEGATED AUTHORITY

Datworks Filename: 40312 – Remediation Works Judy Holt Park Eastern Batter

Attachment: [Pages from Minutes November 30 2011 Council](#)

Responsible Officer: Brad Salton
Group Manager Project Delivery Group

Author: Nigel Carroll
Construction Projects Service Manager

EXECUTIVE SUMMARY

The construction of the Judy Holt Eastern Landfill Batter Remediation project was originally programmed for completion over a number of years. To expedite this so as to avoid ongoing environmental issues associated with an uncapped closed landfill site and to achieve economy of scale savings, Council resolved to take out a loan from the Queensland Treasury Corporation in the order of \$5.5m so that this project can be fast tracked and completed by the end of the 2012/13 financial year.

The total cost for the construction of this project is estimated at \$7,385,600.00 excluding GST with the construction being undertaken by Councils internal construction crews from the Construction Projects Unit. The cost to supply some of the materials required for this project will be over \$500,000.00 including GST and these materials will be sourced through a tender process.

To assist with expediting the contract award process and delivery of various projects, the Project Delivery Group has been presenting reports to Council over the last few financial years requesting that authority be delegated to the Chief Executive Officer to make, vary and discharge contracts for various tenders with a value over \$500,000 including GST.

This report recommends that the Chief Executive Officer be delegated authority to accept the tenders and make, vary and discharge all contracts over \$500,000.00 including GST for the Judy Holt Eastern Landfill Batter Remediation Project J/N 40312.

PURPOSE

The purpose of this report is to seek resolution from Council to delegate authority to the Chief Executive Officer under *section 257 (1) (b) of the Local Government Act 2009* to accept the tenders and make, vary and discharge all contracts over \$500,000 including GST for the Judy Holt Eastern Landfill Batter Remediation Project J/N 40312.

BACKGROUND

The construction of the Judy Holt Eastern Landfill Batter Remediation project was originally programmed for completion over a number of years. To expedite this and to avoid ongoing environmental issues associated with an uncapped closed landfill site and to achieve economy of scale savings Council resolved to take out a loan from the Queensland Treasury Corporation in the order of \$5.5m so that this project can be fast tracked and completed by the end of the 2012/13 financial year.

The total cost for the construction of this project is estimated at \$7,385,600.00 excluding GST with the construction being undertaken by Councils internal construction crews from the Construction Projects Unit. The cost to supply some of the materials required for this project will be over \$500,000.00 including GST and these materials will be sourced through a tender process.

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

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

Over the last few financial years the Project Delivery Group has been presenting reports to Council requesting that authority be delegated to the Chief Executive Officer to make, vary and discharge contracts for various tenders with a value over \$500,000.00 including GST. This process has been used to assist with expediting the contract award process and delivery of the project.

ISSUES

Council resolution is being sought to delegate authority to the CEO to make, vary and discharge the contracts associated with the Judy Holt Eastern Landfill Batter Remediation Project J/N 40312.

This delegation will assist Council by reducing the timing for the tender process so that the awarding of the contract is not dependent on Council meeting dates which will expedite the process.

Should Council decide not to delegate authority to the Chief Executive Officer it may result in delays with the awarding of contracts and the construction of the project which could lead to additional costs 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

The Judy Holt Eastern Landfill Batter Remediation project has been approved by Council in the 2011/12 Capital Works Program and funding has already been approved for the completion of the project in the 2012/13 financial year (refer to Attachment A Minutes of General Meeting 30 November 2011 – Item 19.3.1).

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The Senior Tenders and Contracts Officer, the Group Manager, Project Delivery Group and the General Manager, City Services have been consulted in the preparation of this report and are supportive of the recommendation.

OPTIONS

PREFERRED

That Council resolve to:

1. Delegate authority to the Chief Executive Officer under section 257 (1) (b) of the Local Government Act 2009 to accept the tenders and make, vary and discharge all contracts over \$500,000 including GST for the Judy Holt Eastern Landfill Batter Remediation Project J/N 40312;
2. Delegate authority to the Chief Executive Officer under *section 257 (1) (b) of the Local Government Act 2009* to sign and amend all relevant documentation; and
3. Authorise the Chief Executive Officer to delegate further the Councils Contract Authority role to an appropriate senior officer within Council.

ALTERNATIVE

That Council resolve to not delegate this authority to the Chief Executive Officer which may result in delays with the awarding of contracts and the construction of the project which could lead to additional costs to Council.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

That Council resolve to:

1. Delegate authority to the Chief Executive Officer under *section 257 (1) (b) of the Local Government Act 2009* to accept the tenders and make, vary and discharge all contracts over \$500,000 including GST for the Judy Holt Eastern Landfill Batter Remediation Project J/N 40312;
2. Delegate authority to the Chief Executive Officer under *section 257 (1) (b) of the Local Government Act 2009* to sign and amend all relevant documentation; and
3. Authorise the Chief Executive Officer to delegate further the Councils Contract Authority role to an appropriate senior officer within Council.

CARRIED

12.4.3 SEAVIEW ROAD REHABILITATION DELEGATED AUTHORITY FOR A PROJECT OVER \$500,000 INCLUDING GST

Datworks Filename: 46253 – Contracts & Contract Admin

Responsible Officer: Brad Salton
Manager Project Delivery Group

Author: Greg Finlay
Service Manager Project Management

EXECUTIVE SUMMARY

The 2011/2012 approved Capital Works Program includes a project with an estimated tender component value over \$500,000 including GST – PDG-46253 Seaview Road Mt Cotton Road Rehabilitation

To assist with expediting the contract award process and delivery of projects, the Project Delivery Group has been presenting reports to Council over the last few financial years requesting that authority be delegated to the Chief Executive Officer to make, vary and discharge contracts for various tenders with a value over \$500,000 including GST.

In the 2011/2012 financial year the Project Delivery Group in consultation with City Infrastructure Group has identified a project from the Road Rehabilitation Program that will require tenders be sought with an estimated value over \$500,000 including GST.

This report recommends that the Chief Executive Officer be delegated authority to accept the tenders and make, vary and discharge all contracts over \$500,000 including GST for the following listed project within the 2011/2012 financial year approved budget.

| Project Number | Project Name |
|-----------------------|---|
| 46253 | Seaview Road Mount Cotton – Road Rehabilitation |

This delegation will assist Council by reducing the timeframe for the tender process so that the awarding of the contract is not dependent on Council meeting dates which will expedite the process.

PURPOSE

The purpose of this report is to seek resolution from Council to delegate authority to the Chief Executive Officer to accept the tender and make, vary and discharge all contracts over \$500,000 including GST for the listed project within the 2011/2012 financial year approved budget.

BACKGROUND

The 2011/2012 approved Capital Works Program consists of a project with an estimated tender component value over \$500,000 including GST.

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

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

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

In the current financial year 2010/2011 reports advising of other projects requiring tenders with an estimated value over \$500,000 including GST was presented to Council seeking the CEO be delegated authority to accept the tenders and make, vary and discharge all contracts over \$500,000 including GST. These reports were approved by Council and the delegated authority was granted.

In the 2011/2012 financial year the Project Delivery Group in consultation with Infrastructure Planning Group has identified a project from the Road Rehabilitation Program budget that will require tenders be sought with an estimated value over \$500,000.00 including GST.

ISSUES

Council resolution is being sought to delegate authority to the CEO to make, vary and discharge the contracts associated with the project listed in the table below.

| Project Number | Project Name and Description |
|----------------|---|
| 46253 | Seaview Road Mount Cotton – Road Rehabilitation |

This delegation will assist Council by reducing the timing for the tender process so that the awarding of the contract is not dependent on Council meeting dates which will expedite the process.

The project listed is to be managed by the Project Delivery Group in the 2011/2012 financial year and has been approved as part of the 2011/2012 budget approval process.

Should Council decide not to delegate authority to the Chief Executive Officer it may result in delays with the awarding of a contract and the construction of the project which could lead to additional costs 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

The project PDG-46253 Seaview Road Mt Cotton Road Rehabilitation in this report is an approved project for the 2011/2012 financial year as part of the budget approval 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 Project Coordinator Civil, the Group Manager Project Delivery Group, the General Manager City Services and the Principal Engineer City Infrastructure Group have been consulted in the preparation of this report and are supportive of the recommendation.

OPTIONS

PREFERRED

That Council resolve to:

1. Delegate authority to the Chief Executive Officer under *section 257 (1)(b)* of the *Local Government Act 2009* to accept the tender and make, vary and discharge the contract over \$500,000 including GST for the following listed project within the 2011/2012 financial year approved budget;

| Project Number | Project Name |
|----------------|---|
| 46253 | Seaview Road Mount Cotton – Road Rehabilitation |

2. Delegate authority to the Chief Executive Officer *section 257 (1)(b)* of the *Local Government Act 2009* to sign and amend all relevant documentation;
3. Appoint the Chief Executive Officer as Principal's Representative for these contracts; and

4. Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

ALTERNATIVE

That Council resolve to not delegate this authority to the Chief Executive Officer which may result in delays with the awarding of contracts and the construction of the project which could lead to additional costs to Council.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve to:

1. Delegate authority to the Chief Executive Officer under *Section 257 (1)(b) of the Local Government Act 2009* to accept the tender and make, vary and discharge all contracts over \$500,000 including GST for the following listed project within the 2011/2012 financial year approved budget;

| Project Number | Project Name |
|----------------|---|
| 46253 | Seaview Road Mount Cotton – Road Rehabilitation |

2. Delegate authority to the Chief Executive Officer under *Section 257 (1)(b) of the Local Government Act 2009* to sign and amend all relevant documentation;
3. Appoint the Chief Executive Officer as Principal's Representative for these contracts; and
4. Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

CARRIED

12.4.4 DELEGATED AUTHORITY FOR THE PREFERRED SUPPLIER FOR THE PROVISION OF WET PLANT HIRE FOR REDLAND CITY COUNCIL'S MAINLAND WASTE TRANSFER STATIONS

Datworks Filename: WM CONTRACT - T-1540-11/12-WST

Responsible Officer: Elisa Underhill
Manager City Enterprises

Author: Robert Walford
Service Manager - RedWaste

EXECUTIVE SUMMARY

Birkdale Waste Transfer Station, Redland Bay Waste Transfer Station and Giles Road Hard fill Facility require the provision of wet plant hire in order to continue essential operations and facilitate the receipt of residential and commercial waste.

The sites are currently operating under provision of wet plant hire arrangement through formal quotation.

It has been identified that the equipment is required long term therefore a tender process must be completed to engage suitable plant and equipment to operate these facilities. RedWaste seeks Council resolution to delegate authority to the CEO to award, make, vary or discharge the contract for wet plant hire. **PURPOSE**

The purpose of this report is to seek Council resolution to delegate authority to the Chief Executive Officer under section 257(1)(b) of the Local Government Act 2009 to award the contract for the Preferred Supplier for the Provision of Wet Plant Hire for Redland City Council Waste Transfer Stations in line with budget approval for these specified works.

BACKGROUND

RedWaste currently operates the Birkdale and Redland Bay Waste Transfer Stations and the Giles Road Hardfill. Until 31 October 2011 wet plant hire was provided under contract WST 1419 10/11 however since contract expiry wet plant hire has been arranged through Council's Plant Hire Panel of Providers 1210-2009-FLT. RedWaste has been working with Council's Procurement Team to develop a formal specification and it is currently in the market for response.

ISSUES

The contracting of wet plant hire is required for transfer station operations, greenwaste operations, loading and stockpile management, and dust suppression.

The timing of this delegation is critical due to a number of reasons including:

- Wet Plant Hire will be undertaken for a minimum contract period of two (2) years with option to extend for a further additional period of three (3) one (1) year periods not exceeding a Maximum Term of five (5) years.

- The tender needs to be awarded to the successful contractor in early February 2012 in order for sites to continue to operate as the current wet plant hire quotation is due to cease 28 February 2012.
- The closing date for tender submissions is 3 February 2012 and as such delegation to the CEO is required to expedite the award of contract.

RELATIONSHIP TO CORPORATE PLAN

2. Green living

Our green living choices will improve our quality of life and our children's lives, through our sustainable and energy efficient use of resources, transport and infrastructure, and our well informed responses to risks such as climate change.

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

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated to account number 55005, 55006 And 55009.

CONSULTATION

The Service Manager – RedWaste and the A/Operations Advisor – RedWaste were consulted in the preparation of this report and concur with the recommendations provided.

The Manager – Procurement Operations has been consulted in the preparing the tender documentation. The Procurement process is being facilitated through the Procurement section.

OPTIONS

PREFERRED

That Council resolve to:

Delegate authority to the Chief Executive Officer, under section 257(1)(b) of the *Local Government Act 2009* to:

1. Accept the tender and award a Preferred Supplier arrangement for the Provision of Wet Plant Hire for Redland City Council Waste Transfer Stations;
2. Make vary and discharge the contract for in accordance with the agreed contract terms for any changes; and
3. To sign all relevant documentation.

ALTERNATIVE

No alternatives offered.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

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

1. Accept the tender and award a Preferred Supplier arrangement for the Provision of Wet Plant Hire for Redland City Council Waste Transfer Stations;
2. Make vary and discharge the contract for in accordance with the agreed contract terms for any changes; and
3. To sign all relevant documentation.

CARRIED

13 NOTICE OF MOTION**13.1 NOTICE OF MOTION – CR HENRY (DIVISION 3)****13.1.1 ACQUISITION OF LAND IN THE EAST-WEST CORRIDOR OF THE KINROSS ROAD STRUCTURE PLAN**

In accordance with notice given on 22 December 2011, Cr Henry moved as follows:

COUNCIL RESOLUTION

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

That Redland City Council initiate further discussion with the Department of Environment & Resource Management regarding the opportunity for its acquisition of land in the east-west corridor of the Kinross Road Structure Plan.

CARRIED**DIVISION**

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

AGAINST: Crs Burns, Murray and Williams

13.1.2 CLOSURE OF SECTIONS OF GODDARD AND WRIGHTSON ROADS THORNLANDS

In accordance with notice given on 22 December 2011, Cr Henry moved as follows:

COUNCIL RESOLUTION

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

That a report be prepared to facilitate the closure of sections of Goddard Road and Wrightson Road, Thornlands which are shown as part of the greenspace network on the Kinross Road Structure Plan.

CARRIED**DIVISION**

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

AGAINST: Crs Burns and Williams

13.1.3 COST OF ADMINISTERING CONTROL OF SIGNS

In accordance with notice given on 4 January 2012, Cr Henry moved as follows:

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

That as a matter of urgency, Council will review the costs of administering control of signs and amend the Fees and Charges to accurately reflect full cost recovery.

On being put to the vote the motion was LOST

DIVISION

FOR: Cr Henry, Elliott and Bowler

AGAINST: Crs Burns, Reimers, Murray, Williams, Townsend, Ogilvie, Boglary and Hobson

13.2 NOTICE OF MOTION – CR BURNS (DIVISION 4)

This item was withdrawn from the Agenda (See Item 9.1.2 for details)

14 CLOSED SESSION

MOTION TO CLOSE THE MEETING AT 6.50PM

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

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:

14.1.1 Strategic Investment Opportunity

*The reason that this is applicable in this instance is as follows:
(e) contracts proposed to be made by it;*

14.1.2 Runnymede Project – Expression of Interest (EOI)

*The reason that this is applicable in this instance is as follows:
(e) contracts proposed to be made by it;*

14.2.1 Weinam Creek Parking and Associated Initiatives

*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 7.59PM

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

That the meeting be again opened to the public.

CARRIED

14.1 CORPORATE SERVICES

14.1.1 STRATEGIC INVESTMENT OPPORTUNITY

Dataworks Filename: L.118490/118607/118487/118703/118846/301332

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

A confidential report from General Manager Corporate Services was discussed in closed session.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

That Council resolve to:

1. Continue carrying out pre-purchase due diligence investigations for the premises described as Lot 1 RP145396, Lot 34-35 C618, Lot 4 SL12281 and Lot 19 SP115544;
2. Authorise the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, or his delegate to commence preliminary negotiations for potential purchase of the subject site by Council;
3. Present a report to Council in February 2012 with the findings of the due diligence investigations and preliminary purchase negotiations to obtain Council's decision on whether to proceed with the purchase; and
4. That this report remain confidential.

CARRIED

DIVISION

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

Crs Williams and Ogilvie were not present when this motion was put.

14.1.2 RUNNYMEDE PROJECT - EXPRESSION OF INTEREST (EOI)**Dataworks Filename: P&R Indigiscapes – The Runnymede Project****Responsible Officer: Martin Drydale
General Manager Corporate Services****Author: Gail Widrose
Manager Procurement Operations**

EXECUTIVE SUMMARY

A confidential report from General Manager Corporate Services was discussed in closed session.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION****Moved by: Cr T Bowler
Seconded by: Cr D Henry****That Council resolve to:**

- 1. Consider the counter offer from Horizon Foundation Inc and invite both Horizon Foundation Inc and Career Employment Australia Inc to participate in a full tender process for developing and operating the Runnymede Road site; and**
- 2. This report is held "Commercial in Confidence" and the information contained within the report remain confidential.**

CARRIED

DIVISION

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

Crs Williams and Ogilvie were not present when this motion was put.

14.2 CITY SERVICES

14.2.1 WEINAM CREEK PARKING AND ASSOCIATED INITIATIVES

Dataworks Filename: LUP Planning – Redland Bay Centre & Foreshore Master Plan
RTT – Redland Bay Centre & Foreshore Master Plan

Responsible Officer: Louise Rusan
General Manager City Services

Author: Elisa Underhill
Manager City Enterprises

EXECUTIVE SUMMARY

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

COUNCIL RESOLUTION

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

That Council resolve to:

- 1. Note the progress of the car share tender as at the date of this report;**
- 2. Note the summary of the Redland Bay Centre and Foreshore Master Plan market sounding exercise, which will be discussed in detail at a workshop scheduled for 1 February 2012; and**
- 3. Refer the proposal for a remote offsite car park to a Special Council Meeting to be convened following a workshop scheduled for 1 February 2012**

CARRIED

15 URGENT BUSINESS WITHOUT NOTICE

15.1 URGENT BUSINESS – CR HENRY

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

That permission be granted for Cr Henry to bring forward the following item of Urgent Business.

CARRIED

15.1.1 SAVE MORETON BAY CAMPAIGN

BACKGROUND

South East Queensland's waterway-dependent industries (primary industries, nature-based tourism, recreation and recreational fishing) is valued at \$5,110million. Recent surveys show that residents of SEQ want to maintain waterways and marine health. They recognise that population growth is hurting waterways; they want a regional approach; and they want preventative action now as it costs less than to remediate later.

The health of Moreton Bay continues to decline and action is needed now.

The total cost to restore health to South East Queensland's waterways is around \$500million over the next twenty years. While \$500million is a large amount, it is about the same as is being spent this year alone on just its one 8km section of the Ipswich Motorway between Dinmore and Goodna.

About \$78million is needed in the next three years and since the pollution that is causing the problems and threatening our \$5billion industries doesn't come from one source, the investment to keep Moreton Bay beautiful will need to come from several different sources. A range of investment options could be applied including residual offsets (from development and construction work), a Catchment Levy (a detached house, unit/townhouses), a Bulk Water Charge (industrial/rural use) or a Tourism Levy (per room per night).

COUNCIL RESOLUTION

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

That Council resolve to:

- 1. Endorse the principles of the Save Moreton Bay Campaign and supports further investigation of the investment strategy and options; and**
- 2. Urge the State Government and Opposition to provide leadership and commit financial support for on-ground projects and to investigate the application of levies on beneficiaries of the bay.**

CARRIED

15.2 URGENT BUSINESS – CR BURNS

Moved by: Cr J Burns
Seconded by: Cr H Murray

That permission be granted for Cr Burns to bring forward the following item of Urgent Business.

CARRIED

**15.2.1 ORANA ESPLANADE FORESHORE ACCESS STAIRS – OPPOSITE 38
ORANA ESPLANADE****BACKGROUND**

Councillor Burns referred to a Briefing Note distributed to Councillors on 24 January 2012 which recommended as follows:

1. That the current project be suspended to allow for further consultation with the local residents;
2. That the remaining budget for the 2011/12 stairs construction project is allocated for design works and permitting for the ramp to commence; and
3. That consideration is given to bring forward the ramp construction project from 2013/14 to 2012/13 to allow construction subject to the relevant approvals being obtained.

COUNCIL RESOLUTION

Moved by: Cr J Burns
Seconded by: Cr D Henry

That Council resolve as follows:

1. That the current project be suspended to allow for further consultation with the local residents;
2. That the remaining budget for the 2011/12 stairs construction project is allocated for design works and permitting for the ramp to commence; and
3. That consideration in budget discussions is given to bring forward the ramp construction project from 2013/14 to 2012/13 to allow construction subject to the relevant approvals being obtained.

CARRIED

15.3 URGENT BUSINESS – CR BURNS

Moved by: Cr J Burns
Seconded by: Cr M Elliott

That permission be granted for Cr Burns to bring forward the following item of Urgent Business.

CARRIED

15.3.1 TREES AT PEPPERCORN CRESCENT, VICTORIA POINT**BACKGROUND**

Councillor Burns referred to a Briefing Note distributed to Councillors on 24 January 2012 which recommended as follows:

It is recommended that the two dead trees on the road reserve at number 9 Peppercorn Crescent be removed as soon as operationally possible.

COUNCIL RESOLUTION

Moved by: Cr J Burns
Seconded by: Cr H Murray

That Council resolve that the two dead trees on the road reserve at number 9 Peppercorn Crescent be removed as soon as operationally possible.

CARRIED

DIVISION

FOR: Crs Burns, Reimers, Murray, Elliott, Bowler and Hobson

AGAINST: Crs Bowler, Townsend and Henry

Crs Ogilvie and Williams were not present when this motion was put.

15.4 URGENT BUSINESS – CR BOWLER

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

That permission be granted for Cr Bowler to bring forward the following item of Urgent Business.

CARRIED

15.4.1 SIGNAGE FACT SHEET**COUNCIL RESOLUTION**

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

That Council resolve that the Chief Executive Officer withdraw the recently released Fact Sheet related to election signage and seek Minister of Local Government comment on this document and Council's local law for consistency with the *Local Government Act 2009*.

CARRIED

DIVISION

FOR: Crs Bowler, Townsend, Henry, Boglary and Hobson

AGAINST: Crs Burns, Reimers, Murray and Elliott

Crs Williams and Ogilvie were not present when this motion was put.

16 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 8.33pm.

Signature of Chairperson: _____

Confirmation date: _____