



**Redland**  
CITY COUNCIL

# **MINUTES**

## **GENERAL MEETING**

**Wednesday, 25 July 2012**

The Council Chambers  
35 Bloomfield Street  
CLEVELAND QLD

## Table of Contents

Item	Subject	Page No
1	DECLARATION OF OPENING .....	1
2	DEVOTIONAL SEGMENT.....	1
3	RECOGNITION OF ACHIEVEMENT.....	1
4	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE.....	1
5	RECEIPT AND CONFIRMATION OF MINUTES.....	2
5.1	GENERAL MEETING MINUTES 27 JUNE 2012 .....	2
5.2	SPECIAL MEETING MINUTES 12 JULY 2012.....	2
6	MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES.....	2
7	PUBLIC PARTICIPATION.....	4
8	PETITIONS AND PRESENTATIONS.....	5
8.1	PETITION .....	5
8.1.1	PETITION (DIVISION 5) REQUESTING COUNCIL SEAL THE NORTHERN SECTION OF COONDOOROOPA DRIVE, MACLEAY ISLAND .....	5
9	MOTION TO ALTER THE ORDER OF BUSINESS .....	5
10	DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS .....	5
	CONFLICT OF INTEREST.....	5
	COUNCILLOR ABSENCES DURING MEETING .....	6
11	CITY SERVICES COMMITTEE 10 JULY 2012 .....	7
11.1	CITY SERVICES .....	7
11.1.1	PETITION (DIVISION 10) - REQUEST FOR A NEW FOOTPATH ON COLLINGWOOD ROAD, BIRKDALE.....	7
11.2	COMMITTEE DELEGATED AUTHORITY .....	12
11.2.1	WEINAM CREEK WALKWAY & PONTOON - REDLAND BAY CONTRACT OVER \$500,000 INCLUDING GST - DELEGATED AUTHORITY.....	12

<b>11.3</b>	<b>CITY SERVICES .....</b>	<b>16</b>
11.3.1	REQUEST FOR COUNCIL TO AWARD DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE OFFICER (CEO) – TENDER NO. T-1581-11/12-PCO, CLEANING OF COUNCIL BBQ'S AND SURROUNDS. ....	16
11.3.2	PETITION (DIV 5) - REQUEST FOR BITUMEN ON EASTBOURNE TERRACE, MACLEAY ISLAND .....	19
11.3.3	PETITION (DIV 5) - REQUESTING COUNCIL BITUMEN CHARLES TERRACE, MACLEAY ISLAND .....	22
11.3.4	PETITION (DIVISION 8) REQUESTING THE COMPLETION OF THE FOOTPATH BETWEEN SHERWOOD COURT AND EUSTON COURT, WELLINGTON POINT .....	25
11.3.5	SEEKING AUTHORITY FOR THE CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT FOR ROAD/RAIL INTERFACES BETWEEN REDLAND CITY COUNCIL AND QUEENSLAND RAIL .....	28
<b>11.4</b>	<b>CLOSED SESSION AT COMMITTEE .....</b>	<b>31</b>
11.4.1	PRELIMINARY REVIEW OF VISITOR INFORMATION SERVICES .....	31
<b>12</b>	<b>ENVIRONMENT &amp; PLANNING COMMITTEE – 11 JULY 2012.....</b>	<b>32</b>
<b>12.1</b>	<b>COMMITTEE DELEGATED AUTHORITY .....</b>	<b>32</b>
12.1.1	ADMINISTRATIVE AMENDMENT - KINROSS ROAD STRUCTURE PLAN OVERLAY CODE .....	32
12.1.2	MINOR AMENDMENT TO REDLANDS PLANNING SCHEME TO INCORPORATE 4A AMENDMENTS.....	36
<b>12.2</b>	<b>CITY PLANNING &amp; ENVIRONMENT.....</b>	<b>39</b>
12.2.1	DELEGATION TO CHIEF EXECUTIVE OFFICER TO UNDERTAKE ADMINISTRATIVE AMENDMENTS TO THE PLANNING SCHEME .....	39
<b>12.3</b>	<b>CLOSED SESSION AT COMMITTEE .....</b>	<b>43</b>
12.3.1	BUNKER ROAD STRUCTURE PLAN .....	43
<b>13</b>	<b>CORPORATE SERVICES &amp; GOVERNANCE COMMITTEE – 17 JULY 2012.....</b>	<b>45</b>
<b>13.1</b>	<b>GOVERNANCE .....</b>	<b>45</b>
13.1.1	SPONSORSHIP APPLICATION - 2012 REDFEST .....	45
<b>13.2</b>	<b>CORPORATE SERVICES.....</b>	<b>49</b>

13.2.1	LEASE - KEITH SURRIDGE PARK - CHANGE OF LESSEE NAME.....	49
13.2.2	POINT LOOKOUT SURF LIFE SAVING CLUB INC - NEW LEASE .....	52
13.2.3	TOONDAH HARBOUR BUSINESS CENTRE .....	55
13.2.4	ADOPTION OF PEOPLE STRATEGY 2012-2015 .....	59
13.2.5	ADDENDUM TO 2012-2013 FEES AND CHARGES SCHEDULES .....	63
<b>13.3</b>	<b>CLOSED SESSION AT COMMITTEE .....</b>	<b>66</b>
13.3.1	DRAFT 2011/12 FINANCIAL STATEMENTS .....	66
<b>13.4</b>	<b>CLOSED SESSION - COMMITTEE DELEGATED AUTHORITY .....</b>	<b>67</b>
13.4.1	LEVEL 7 VEHICLE ENTITLEMENTS .....	67
<b>14</b>	<b>REDLAND WATER COMMITTEE – 17 JULY 2012.....</b>	<b>68</b>
<b>14.1</b>	<b>REDLAND WATER .....</b>	<b>68</b>
14.1.1	REDLAND WATER PERFORMANCE PLAN 2012-2013 .....	68
<b>14.2</b>	<b>COMMITTEE DELEGATED AUTHORITY .....</b>	<b>71</b>
14.2.1	DELIVERY OF SOUTH-EAST THORNLANDS SEWER .....	71
<b>15</b>	<b>DEVELOPMENT ASSESSMENT &amp; COMMUNITY STANDARDS COMMITTEE – 18 JULY 2012 .....</b>	<b>78</b>
<b>15.1</b>	<b>ENVIRONMENT PLANNING &amp; DEVELOPMENT.....</b>	<b>78</b>
15.1.1	CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENTS AND ASSOCIATED ADMINISTRATIVE MATTERS, INCLUDING CORRESPONDENCE ASSOCIATED WITH THE ROUTINE MANAGEMENT OF ALL DEVELOPMENT APPLICATIONS.....	78
15.1.2	CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MINOR IMPACT ASSESSMENTS.....	81
15.1.3	CATEGORY 3 - MODERATELY COMPLEX CODE AND IMPACT ASSESSMENTS.....	85
15.1.4	APPEALS LIST CURRENT AS AT 9 JULY, 2012 .....	87
15.1.5	UPDATE ON GREENTAPE REDUCTION - REFORMING LICENSING UNDER THE <i>ENVIRONMENTAL PROTECTION ACT 1994</i> .....	91
<b>16</b>	<b>MAYORAL MINUTES.....</b>	<b>96</b>

---

<b>17</b>	<b>DIRECT TO COUNCIL REPORTS.....</b>	<b>97</b>
<b>17.1</b>	<b>CITY SERVICES .....</b>	<b>97</b>
17.1.1	SOLE PROVIDER PROCUREMENT OF TRACCS SOFTWARE LICENCES.....	97
<b>18</b>	<b>NOTICE OF MOTION UNDER SECTION 59 OF <i>LOCAL GOVERNMENT (OPERATIONS) REGULATION 2010</i>.....</b>	<b>100</b>
<b>18.1</b>	<b>NOTICE GIVEN BY CR TALTY .....</b>	<b>100</b>
18.1.1	NOTICE OF MOTION TO REPEAL OR AMEND A RESOLUTION OF COUNCIL OF 29 JUNE 2011 .....	100
<b>19</b>	<b>URGENT BUSINESS WITHOUT NOTICE .....</b>	<b>102</b>
<b>19.1</b>	<b>URGENT BUSINESS – CR OGILVIE .....</b>	<b>102</b>
19.1.1	DUNWICH POST OFFICE.....	102
<b>20</b>	<b>MEETING CLOSURE .....</b>	<b>102</b>

## 1 DECLARATION OF OPENING

The Mayor declared the meeting open at 10.00am and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

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

## 2 DEVOTIONAL SEGMENT

Pastor Richard Kingham, Cleveland Baptist Church, a member of the Ministers' Fellowship, led Council in a brief devotional segment.

## 3 RECOGNITION OF ACHIEVEMENT

Nil.

## 4 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

### MEMBERS PRESENT:

Cr K Williams	Mayor
Cr A Beard	Deputy Mayor & Councillor Division 8
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2
Cr K Hardman	Councillor Division 3
Cr L Hewlett	Councillor Division 4
Cr M Edwards	Councillor Division 5
Cr J Talty	Councillor Division 6
Cr M Elliott	Councillor Division 7
Cr P Gleeson	Councillor Division 9
Cr P Bishop	Councillor Division 10

### EXECUTIVE LEADERSHIP GROUP:

Mrs S Rankin	Interim Chief Executive Officer
Mr M Drydale	General Manager Corporate Services
Mr L Wallace	Acting General Manager Governance
Mrs T Averay	General Manager Environment Planning & Development
Mr G Soutar	General Manager Redland Water
Mr M Erbs	Acting General Manager City Services

### MINUTES:

Mrs J Parfitt	Team Leader Corporate Meetings & Registers
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## **5 RECEIPT AND CONFIRMATION OF MINUTES**

### **5.1 GENERAL MEETING MINUTES 27 JUNE 2012**

Moved by: Cr P Gleeson  
Seconded by: Cr P Bishop

That the minutes of the General Meeting of Council held on 27 June 2012 be confirmed.

[General Meeting Minutes 27 June 2012](#)

CARRIED

### **5.2 SPECIAL MEETING MINUTES 12 JULY 2012**

Moved by: Cr J Talty  
Seconded by: Cr M Edwards

That the minutes of the Special Meeting of Council held on 12 July 2012 be confirmed.

[Special Meeting Minutes 12 July 2012](#)

CARRIED

## **6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES**

The Interim Chief Executive Officer presented the following items for noting:

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

At the General Meeting on 26 October 2011 Council resolved that the petition, which reads as follows, be received and referred to a committee or officer for a report back to Council:

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

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

A report addressing this petition was presented to the City Services Committee on 10 July 2012.

### **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.

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

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

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

A report addressing this matter will be presented to the 4 September 2012 City Services Committee meeting.

**PARKING RESTRICTIONS IN CLEVELAND**

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

A report addressing this matter will be presented to the 7 August 2012 City Services Committee meeting.

**PETITION (DIVISION 8) REQUESTING THE COMPLETION OF THE FOOTPATH BETWEEN SHERWOOD COURT AND EUSTON COURT, WELLINGTON POINT (ALEXANDRA HILLS) FOR THE SAFETY OF PEDESTRIANS**

At the General Meeting of 28 March 2012 Council resolved that the petition, which reads as follows, be received and referred to City Services to review/investigate and prepare a report to a future Customer Services Committee; and that the principal petitioner be advised in writing accordingly:

*“Petition from ratepayers of Redland City requesting that Council complete the footpath between Sherwood Court and Euston Court, Wellington Point (Alexandra Hills) for the safety of pedestrians.”*

A report addressing this petition was presented to the City Services Committee on 10 July 2012.

**PETITION (DIVISION 5) REQUEST COUNCIL BITUMEN CHARLES TERRACE, MACLEAY ISLAND**

At the General Meeting of 28 March 2012 Council resolved that the petition, which reads as follows, be received and referred to City Infrastructure to review/investigate and prepare a report to a future Customer Services Committee; and that the principal petitioner be advised in writing accordingly:

*“Petition requesting that Council bitumen Charles Terrace, Macleay Island. Nearly all Waterfront Avenues are bitumen however Charles Terrace remains dirt and gravel. The Council currently re-covers the road with a white gravelly material which would be a large cost and it all washes away after rain. Also*



*white rock once crushed creates a fine dust which once is inhaled is believed to create health and asthma issues.”*

A report addressing this petition was presented to the City Services Committee on 10 July 2012.

### **PETITION (DIVISION 5) REQUEST FOR BITUMEN ON EASTBOURNE TERRACE, MACLEAY ISLAND**

At the General Meeting on 30 May 2012 Council resolved that the petition, which reads as follows, be received and referred to a committee or officer for consideration and a report to the local government; and that the principle petitioner be advised in writing accordingly:

*“Petition from residents requesting that bitumen on Eastbourne Terrace, Macleay Island is desperately needed”.*

A report addressing this petition was presented to the City Services Committee on 10 July 2012.

### **PETITION (DIVISION 2) REQUEST TO PROVIDE PEDESTRIAN PATH ALONG COBURG STREET EAST**

At the General Meeting on 27 June 2012 Council resolved that the petition, which reads as follows, be received and referred to a Committee or officer for consideration and a report to the local government and that the principal petitioner be advised in writing accordingly.

*“Petition from residents requesting a pedestrian path is constructed from the corner of Fitzroy Street running along Coburg Street East and joining with the existing path in Island Street. The construction of such a path will allow easy and safe access for those using mobility scooters and walking aids to William Ross Park, Queen Street and the Donald Simpson Centre. This request is in accordance with the Redland 2030 Community Plan; Liveability and quality of life, a better system of pathways, and cleaner greener transport.”*

A report addressing this matter will be presented to the 4 September 2012 City Services Committee meeting.

## **7 PUBLIC PARTICIPATION**

Moved by: Cr P Bishop  
Seconded by: Cr J Talty

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

CARRIED

1. Mr I Sajko, resident of Mt Cotton, addressed Council on various issues including drainage and the bin sizes listed on his rates notice.
2. Mr M Flannigan, representing Green Australia Structural Products, addressed Council in relation to his proposed business in the Redlands and the products his company supplies.

**MOTION TO RESUME MEETING**

Moved by: Cr P Bishop  
Seconded by: Cr P Gleeson

That the meeting proceedings resume.

CARRIED

**8 PETITIONS AND PRESENTATIONS****8.1 PETITION****8.1.1 PETITION (DIVISION 5) REQUESTING COUNCIL SEAL THE NORTHERN SECTION OF COONDOOROOPA DRIVE, MACLEAY ISLAND****COUNCIL RESOLUTION**

Moved by: Cr M Edwards  
Seconded by: Cr L Hewlett

That the petition, which reads as follows:

1. Be received and referred to a Committee or officer for consideration and a report to the local government;
2. Will form part of a forthcoming workshop with Council to review the SMBI sealing program; and
3. That the Principal Petitioner be advised in writing accordingly.

*“Petition from residents requesting that Council seal the northern section of Coondoorroopa Drive, Macleay Island.*

*There are 4 properties – 3 with established homes fronting this section on the northern side of the road and Pats Park on the southern side. The eastern end of the road is a cul-de-sac on the shore of Moreton Bay.*

*Other than the residents, the road is used by an increasing number of visitors to the park, workmen in trucks for lunch and boat owners launching tinnies at the three-quarter tide ramp.*

*The dust created from these vehicles is exacerbated by onshore winds from the south-east and north-east which funnel up this road.”*

CARRIED

**9 MOTION TO ALTER THE ORDER OF BUSINESS**

Nil

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

- Cr Williams declared a perceived conflict of interest in item 13.1.1 – see item for details
- Cr Elliott declared a conflict of interest in item 13.2.1 – see item for details.

**COUNCILLOR ABSENCES DURING MEETING**

Cr Ogilvie left the meeting at 10.31am during discussion on Item 13.2.1 and returned at 10.33am during discussion on 14.2.1.

**11 CITY SERVICES COMMITTEE 10 JULY 2012**

Moved by: Cr W Boglary  
Seconded by: Cr P Bishop

That the City Services Committee Minutes of 10 July 2012 be received and item resolved under delegated authority be noted.

[City Services Committee Minutes 10 July 2012](#)

CARRIED

**ITEM RESOLVED UNDER DELEGATED AUTHORITY**

2.1 Weinam Creek Walkway & Pontoon – Redland Bay Contract over \$500,000 including GST – Delegated Authority.

**11.1 CITY SERVICES****11.1.1 PETITION (DIVISION 10) - REQUEST FOR A NEW FOOTPATH ON COLLINGWOOD ROAD, BIRKDALE**

**Datworks Filename:** RTT: Design & Construction - Footpaths

**Attachments:** [Attachment 1 - Collingwood Road Path Network](#)  
[Attachment 2 - Interim Option of Localised Improvements](#)

**Responsible Officer:** Murray Erbs  
Group Manager City Infrastructure

**Author:** Jonathan Lamb  
Advisor Cycling & Public Transport

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**EXECUTIVE SUMMARY**

Residents from Birkdale and Wellington Point have requested via a petition to Council the construction of a pedestrian path along the southern side of Collingwood Road between Spoonbill Street and Hardy Road in Birkdale. The petitioners have also requested that associated with the proposed path that a `school-safe' crossing be installed across Collingwood Road to Mary Mackillop Catholic Parish Primary School.

An assessment has been made of the request to construct a pedestrian path and crossing point and it has been determined by Officers not to support the request, but to offer an alternative solution, as per the recommendation in this report.

**PURPOSE**

The purpose of this report is to provide advice and recommendation on the petition request for a pedestrian path along the southern side of Collingwood Road and installation of a crossing point.

**BACKGROUND**

At the General Meeting on 26 October 2011 (Item 8.1.1 refers), Council resolved as follows:

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*“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.”*

The petition was co-ordinated by a member of the Mary Mackillop Catholic Parish Primary School Safe to School Team. The Safe to School Team is a school-based group including teachers and parents.

Council Officers from City Infrastructure met on site with a parent representative of the Safe to School Team, along with the school principal on 31 August 2011. Concerns regarding the safety of school children walking to school were discussed, particularly at the crossing point at the intersection of Spoonbill Street and Collingwood Road. The school representatives requested a path connection along the southern side of Collingwood Road with a crossing point provided to the existing path link on the northern side (between Haig Road and Hardy Road).

Council officers advised that preliminary investigations were underway concerning the future upgrade of the intersection and associated improvements of the path network and pedestrian crossing points. It was not possible at the time to provide a time-frame as to when the improvements would take place or the full extent of the works.

## **ISSUES**

Collingwood Road is a trunk collector road with speed limited to 60km/hr, which at peak times can experience high numbers of vehicles.

In May 2011, a Department of Transport and Main Road (DTMR) – Road Safety officer carried out pedestrian and traffic counts at the intersection of Spoonbill Street and Collingwood Road revealing the following data:

- i. In two separate counts a total of 695 and 405 vehicles (including 1 and 6 heavy vehicles respectively) passed through the intersection in one half hour (between 3.00pm – 3.30pm) and during the same times a total count of 22 and 8 children respectively crossed the road. For these counts the 22 included high school children and the 8 consisted of primary school children only.
- ii. In another two separate counts a total of 897 and 844 vehicles (including 8 and 3 heavy vehicles respectively) passed through the intersection in one hour (between 7.30am – 8.30am) and during the same hour a total count of 17 and 4 children respectively crossed the road. For these counts the 17 included high school children and the 4 consisted of primary school children only.

DTMR’s risk assessment only accounts for primary school children. This crossing point has come in at a low risk of 54.30 and therefore would not be eligible for a paid School Crossing Supervisor. The crossing point currently is more that 200 metres from the school boundary and is outside the requirements for paid supervised crossing consideration.

The existing path linkage along the northern side of Collingwood Road forms part of the Cycleway Trunk Network, with local path links connecting to Haig Road, Hardy Road and Pitt Road. Students from Mary Mackillop Catholic Parish Primary, Wellington Point High School and Redland College use this path network. There is no kerb and channel on the southern side of Collingwood Road (**See Attachment 1**).

A preliminary investigation by Officers from City Infrastructure into improving the facilities for pedestrians and cyclists on Collingwood Road has determined that it would be possible to provide a pedestrian bridge (or culvert crossing) and path link (option 2) on the southern side of the road, along with a crossing point / pedestrian refuge. The works would also necessitate some road widening and construction of kerb and channel. There are site constraints including surrounding vegetation, drainage lines, contours and the adjacent conservation zoned land (Tarradarrapin Creek Wetlands).

The estimated cost for these works is approximately \$620,000. The project has been listed for possible consideration in the future Capital Works Program and a submission has been made for 50% funding (\$310,000) through the DTMR's SafeST Infrastructure Subsidy Scheme for 2013/14. Advice from DTMR suggests that the funding application is considered a low priority and unlikely to be funded.

In addition to these specific works, there will also be a cost associated with the future upgrade of the intersection at Collingwood Road and Spoonbill Street. The intersection upgrade and the footpath works on the southern side could be combined into a single project. While options and concepts are yet to be finalised for the ultimate intersection upgrade (option 3) and associated road re-construction, a conservative estimate on the combined works is in the order of \$3,000,000 to \$3,500,000.

An interim option (option 1) of localised improvements to the intersection of Collingwood Road and Spoonbill Street to improve pedestrian crossing facilities has also been considered. This would consist of widening the southern side of the intersection and realigning and widening the central island (**Attachment 2**). It is estimated that this option would cost approximately \$225,000.

## **RELATIONSHIP TO CORPORATE PLAN**

### **5. Wise planning and design**

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

- 5.8 Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport.

## **FINANCIAL IMPLICATIONS**

The interim option (option1) of localised improvement at the intersection of Collingwood Road and Spoonbill Street is estimated to cost \$225,000 and will be sort as part of 2013/14 Capital Works Program budget allocation.

The path link on the southern side of Collingwood road (option 2) is estimated to cost approximately \$620,000 and will be sort as part of 2013/14 Capital Works Program budget allocation. Some of this expense may be offset by capital grants from external sources. An application has already been submitted for the funding of footpath and pedestrian infrastructure through the Department of Main Roads and Transport's SafeST Infrastructure Subsidy Scheme for \$310,000. The external funding has a low ranking compared to other similar project.

Council will need to consider a budget allocation in the future Capital Works Program in the order of \$3,000,000 to \$3,500,000 to fund the complete road reconstruction and intersection upgrade works (Option3).

## **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**

- Principal Engineer Roads and Drainage – City Infrastructure
- Senior Engineer Traffic and Transport – City Infrastructure
- Advisor Transport and Planning – City Infrastructure
- Advisor Capital Works – City Infrastructure
- Strategic Advisor Reserve Management – Environment Planning & Development
- Senior Conservation Officer – City Spaces
- Road Safety Officer, SEQ South - Department of Transport and Main Roads
- The elected members for Division 8 and Division 10
- Safe to School Team Representative – Mary Mackillop Catholic Parish Primary

## **OPTIONS**

### **PREFERRED**

That Council resolve:

1. To list for construction in the 2013/14 Capital Works Program localised improvements to the intersection of Collingwood Road and Spoonbill Street to improve pedestrian crossing facilities. The works would consist of widening the southern side of the intersection and realigning and widening the central island; and
2. That the Principal Petitioner be advised in writing.

**ALTERNATIVE**

1. That Council resolve to list the design and construction of a footpath, a pedestrian bridge/culvert and crossing point to provide for the movement of pedestrians along the southern side of Collingwood Road in the 2013/14 Capital Works Program.
2. That Council resolve to list option 2 works to be undertaken in conjunction with the proposed future upgrade of the intersection at Spoonbill Street and Collingwood Road and associated Collingwood Road reconstruction, for cost effectiveness.

**OFFICER'S RECOMMENDATION**

That Council resolve as follows:

1. To list for construction in the 2013/14 Capital Works Program localised improvements to the intersection of Collingwood Road and Spoonbill Street to improve pedestrian crossing facilities. The works would consist of widening the southern side of the intersection and realigning and widening the central island; and
2. That the Principal Petitioner be advised in writing.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

**Moved by: Cr W Boglary**

**Seconded by: Cr P Bishop**

That Council resolve as follows:

1. **To list for construction in the 2013/14 Capital Works Program localised interim improvements to the intersection of Collingwood Road and Spoonbill Street to improve pedestrian crossing facilities. The works would consist of widening the southern side of the intersection and realigning and widening the central island; and**
2. **That the Principal Petitioner be advised in writing.**

**CARRIED** (en bloc)



## 11.2 COMMITTEE DELEGATED AUTHORITY

### 11.2.1 WEINAM CREEK WALKWAY & PONTOON - REDLAND BAY CONTRACT OVER \$500,000 INCLUDING GST - DELEGATED AUTHORITY

**Datworks Filename:** Project: 45252

**Responsible Officer:** Brad Salton  
Manager Project Delivery Group

**Author:** Nivedita Patel  
Tenders and Contracts Officer

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#### EXECUTIVE SUMMARY

This tender is in accordance with section 106 (2) Sound Contracting Principles of the *Local Government Act 2009*.

In accordance with section 173(3), 175 and 177 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, Council invited tenders for pontoon replacement works to be carried out at Weinam Creek, Meissner Street at Redland Bay.

The tender was advertised in The Courier Mail on Saturday 24 March 2012. Tenders closed on Thursday 19 April 2012 at 2.00pm.

This project is currently under evaluation and negotiations are currently underway with the shortlisted Tenderer.

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.

#### PURPOSE

This project is funded as part of an agreement with Department of Transport and Main Roads (DTMR). The requirement for the funding is that the project is to be completed by June 2013. The required permits for the works were obtained quicker than expected and Project Delivery Group was advised by the client (City Infrastructure) to proceed with procurement.

The purpose of this report is to seek resolution from Council to delegate authority to the Interim Chief Executive Officer to accept the tenders and make, vary and discharge a contract with a value over \$500,000 including GST for the Weinam Creek Walkway & Pontoon, Redland Bay project J/N 45252-2.

#### BACKGROUND

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:

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- 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).

On 17 May 2012, at the Post-Election Meeting (Item 5 Delegation of Formal Decision Making Authority to Standing Committees (c)), Council resolved "That all committees be delegated formal decision making authority under section 257 Local Government Act 2009 where one or more of the following circumstances apply:

*c) There is significant benefit that would justify making the decision. For example:*

*Entering into a contract by a certain date would provide financial benefits.*

The delegation is made with the following provisos:

- i) That officers (report authors) must provide justification for the use of the delegation in the committee report and include this in the report recommendations; and*
- ii) That for a standing committee to use delegated authority, there must be a minimum of eight Councillors in attendance at the meeting who vote in favour of the resolution.*

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.

This delegation is therefore within the Committee's limits and conditions.

## **ISSUES**

Committee resolution is being sought to delegate authority to the Interim Chief Executive Officer to accept the tenders and make, vary and discharge a contract with a value over \$500,000 including GST for the Weinam Creek Walkway & Pontoon, Redland Bay project (PDG-45252-2).

Should Committee decide not to delegate authority to the Interim Chief Executive Officer it will result in delays with the awarding of a contract and the construction of the project which could lead to additional costs to Council, possible loss of funding and loss of a public facility due to age and condition.

## **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

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**FINANCIAL IMPLICATIONS**

The Weinam Creek Pontoon project budget was deferred from 2011/2012 to the 2012/2013 financial year and has been approved in the Q3 Budget Review. Detailed breakdown as follows:

2011/2012 budget remaining	\$ 9,761.62
2012/2013 Q3 approved budget	<u>\$519,000.00</u>
Total construction budget available (2012/2013)	\$528,761.62
	=====

**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 Group Manager Project Delivery Group, Service Manager Project Management Services Unit, Project Coordinator Marine, Project Officer have been consulted in the preparation of this report and are supportive of the recommendation.

**OPTIONS****PREFERRED**

That Council resolve to use Committee delegated authority for formal decision making, in accordance with Section 257 of the *Local Government Act 2009*, as follows:

1. To delegate authority to the Interim Chief Executive Officer to accept the tender (PDG-45252-2) and make, vary and discharge a contract with a value over \$500,000.00 excluding GST;
2. To delegate authority to the Interim Chief Executive Officer to sign and amend all relevant documentation;
3. Authorise the Interim Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council; and
4. The use of delegated authority is justified as entering into a contract by a certain date would provide financial benefits.

**ALTERNATIVE**

That Committee resolve not to delegate authority to the Interim Chief Executive Officer which will result in delays with the awarding of a contract and the construction of the project which could lead to additional costs to Council, possible loss of funding and loss of a public facility due to age and condition.

**OFFICER'S RECOMMENDATION/  
COMMIMTTEE RESOLUTION**

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

That Council resolve to use Committee delegated authority for formal decision making, in accordance with Section 257 of the *Local Government Act 2009*, as follows:

1. To delegate authority to the Interim Chief Executive Officer to accept the tender (PDG-45252-2) and make, vary and discharge a contract with a value over \$500,000.00 excluding GST;
2. To delegate authority to the Interim Chief Executive Officer to sign and amend all relevant documentation;
3. Authorise the Interim Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council; and
4. The use of delegated authority is justified as entering into a contract by a certain date would provide financial benefits.

**CARRIED**

DIVISION:

FOR: Crs Williams, Ogilvie, Hardman, Edwards, Elliott, Talty, Beard, Gleeson, Bishop and Boglary

AGAINST: Cr Hewlett

**COUNCIL RESOLUTION**

Moved by: Cr W Boglary  
Seconded by: Cr P Bishop

That the Committee resolution be noted.

**CARRIED**

### 11.3 CITY SERVICES

#### 11.3.1 REQUEST FOR COUNCIL TO AWARD DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE OFFICER (CEO) – TENDER NO. T-1581-11/12-PCO, CLEANING OF COUNCIL BBQ'S AND SURROUNDS.

**Datworks Filename:** FM Tendering – Supply Services

**Responsible Officer:** Lex Smith  
Manager City Spaces

**Author:** Gail Widrose  
Contracts Manager

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#### EXECUTIVE SUMMARY

Council is currently in the tender process for the Cleaning of Council BBQ's and Surrounds. The expiry dates for the current contract is 26 July 2012. This contract involves the cleaning of Council owned BBQ units, at various sites across the City.

The BBQ units are located on the Mainland, Coochiemudlo Island, Southern Moreton Bay Islands of Russell, Karragarra, Macleay and Lamb Islands, and North Stradbroke Island.

Sites included in this tender document are categorised as follows:

- Seperable Portion A – Mainland
- Seperable Portion B – Southern Moreton Bay Islands & Coochiemudlo Is.
- Seperable Portion C – North Stradbroke Island

Tenderers can apply for any Separable Portion, but they must apply for this portion in its entirety.

In accordance with section 106 of the Local Government Act 2009 and Section 182 of the Local Government (Finance, Plans and Reporting) Regulations 2010, new tender documentation was developed in consultation with Parks & Conservation 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 carry out the cleaning services in accordance with the specification and within the required timeframes.

This tender was developed and called in accordance with section 106, Sound contracting principles of the Local Government Act 2009.

In line with sections 173 (3), 175 and 177 of the Local Government (Finance, Plans and Reporting) Regulation 2010, Council invited tenders for Cleaning of Council BBQ's and Surrounds in accordance with all legislation.

The tender was advertised in the public tenders section of:

- The Redland Times on 9 June 2012
  - The Courier Mail on 10 June 2012
-

- The Bayside Bulletin on 12 June 2012

Additionally, this tender was advertised in:

- The Redland City Council's website on 18 June 2012

Tender documents were forwarded to suppliers who responded to the advertisements expressing an interest in tendering for this type of services/work.

## **PURPOSE**

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

- Delegate the authority to the CEO to award the contract/s to the successful contractor/s;
- Make, vary and discharge the contract in line with budget considerations; and
- Signs all relevant documentation.

## **BACKGROUND**

Council is currently in the tender process for the Cleaning of Council BBQ's and Surrounds (which includes gazebos and shelters within five meter radius). The expiry dates for the current contract is 26 July 2012.

The new contract involves the cleaning of Council BBQ Units only

The sites for this cleaning tender are located on the Mainland, Coochiemudlo Island, Southern Moreton Bay Islands of Russell, Karragarra, Macleay and Lamb Islands, and North Stradbroke Island.

Sites included in this tender document are categorised as follows:

- Separable Portion A – Mainland
- Separable Portion B – Southern Moreton Bay Islands & Coochiemudlo Is.
- Separable Portion C – North Stradbroke Island

## **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

#### **9.11 Develop and improve systems to support modern and flexible delivery of services**

## **FINANCIAL IMPLICATIONS**

This recommendation does not require any change to the current year's budget as funds have already been allocated to account number 30316 235 6300 821601.

There is a CPI increase available on the anniversary date of each year for this contract.

With the removal of the requirement to service the gazebos and shelters we expect possible savings as the surrounds will be performed by Redland City Council staff as part of their routine maintenance regime.

### **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 with this tender process has included the following officers:

- Procurement Officer
- Manager Procurement Operations
- Manager Parks and Conservation Unit
- Senior Advisor Landscape Design
- Irrigation Technical Officer

### **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. Award the contract(s) under delegation to the successful contractor/s;
2. Make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and
3. Sign all relevant documentation.

#### **ALTERNATIVE**

No alternative is recommended

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

**Moved by:** Cr W Boglary

**Seconded by:** Cr P Bishop

**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(s) under delegation to the successful contractor/s;**
- 2. Make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and**
- 3. Sign all relevant documentation.**

**CARRIED** (en bloc)

### 11.3.2 PETITION (DIV 5) - REQUEST FOR BITUMEN ON EASTBOURNE TERRACE, MACLEAY ISLAND

**Dataworks Filename:** RTT: Public Response – Road Sealing

**Attachment:** [Eastbourne Terrace Aerial Map](#)

**Responsible Officer:** Murray Erbs  
Manager City Infrastructure

**Author:** Luke Gillis  
Advisor Capital Works

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#### EXECUTIVE SUMMARY

A petition was received by Council requesting that Council bitumen Eastbourne Terrace, Macleay Island.

At the General Meeting of 30 May 2012, Council resolved that the petition be received and referred to the appropriate area for consideration and a report back to Council.

It is recommended that Council workshop the proposed future road sealing program for SMBI considering the criteria and prioritisation methodology, and list the sealing of Eastbourne Terrace for future consideration.

#### PURPOSE

To prepare a response to a petition from residents requesting that Council seal Eastbourne Terrace, Macleay Island.

#### BACKGROUND

A number of resident in Eastbourne Terrace have requested that Eastbourne Terrace Macleay Island be formalised through road construction and sealing to reduce and manage dust and stormwater washouts.

Eastbourne Terrace, Macleay Island, consists of three segments of road divided by Brighton Road and High Central Road. The eastern section from Brighton to Cowes Road was sealed in 2010/2011, the section between Brighton Road and High Central Road is programmed to be sealed in 2013/2014 pending adoption by Council.

The last section of Eastbourne Terrace, between High Central Road and Dover Street has yet to be programmed. This final section of Eastbourne is considered to have a lower priority in relation to other road networks on Macleay Island.

The criteria for determining priority for sealing of roads on SMBI are as follows:

- Road hierarchy
  - Number of properties that use the road on a regular basis
  - Volume of traffic in relation to other roads
  - Major drainage problems creating the need for continuous high cost regular maintenance
-



- Condition of the existing gravel road [Including shape, potholing, dust issues, etc.]
- Whether it is used by commercial traffic, a bus route, or is an access to a popular destination

## **ISSUES**

Council has been committed to sealing roads on the Southern Moreton Bay Islands (SMBI). This is dependent upon the available allocated budget towards this road construction program and the adopted criteria used for road construction.

## **RELATIONSHIP TO CORPORATE PLAN**

### **5. Wise planning and design**

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

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

## **FINANCIAL IMPLICATIONS**

Future estimated cost for road reconstruction including drainage and sealing is approximately \$650,000.

This recommendation does not require any change to the current year's budget. This item will be listed for future works in the 10 Year Capital Works 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 Divisional Councillor, Cr Mark Edwards is aware of this petition.

## **OPTIONS**

### **PREFERRED**

That Council resolve to:

1. Workshop the proposed future road sealing program for SMBI and consider the criteria and prioritisation methodology;
2. List the sealing of Eastbourne Terrace for future consideration;
3. Advise the principal petitioner in writing.

### **ALTERNATIVE**

No alternative option recommended.

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

**Moved by: Cr W Boglary**

**Seconded by: Cr P Bishop**

**That Council resolve to:**

- 1. Workshop the proposed future road sealing program for SMBI and consider the criteria and prioritisation methodology;**
- 2. List the sealing of Eastbourne Terrace for future consideration; and**
- 3. Advise the principal petitioner in writing.**

**CARRIED (en bloc)**

**11.3.3 PETITION (DIV 5) - REQUESTING COUNCIL BITUMEN CHARLES TERRACE, MACLEAY ISLAND****Dataworks Filename:** RTT: Public Response – Road Sealing**Attachment:** [Charles Terrace Aerial Map](#)**Responsible Officer:** Murray Erbs  
Manager City Infrastructure**Author:** Luke Gillis  
Advisor Capital Works

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**EXECUTIVE SUMMARY**

A petition was received by Council requesting that Council bitumen Charles Terrace, Macleay Island. At the General Meeting of 28 March 2012, Council resolved that the petition be received and referred to the appropriate area for consideration and a report back to Council.

The March 2012 petition had a total of 19 signatures. Of these 19 signatures, 16 were from Charles Terrace, 2 from Michiko Street, which is parallel to Charles Terrace with one remaining signature from Treasure Island Avenue on Karragarra Island.

It is recommended that Council workshop the proposed future road sealing program for SMBI considering the criteria and prioritisation methodology, and list the sealing of Charles Terrace for future consideration.

**PURPOSE**

To prepare a response to a petition from residents requesting that Council seal Charles Terrace, Macleay Island.

**BACKGROUND**

A number of residents in Charles Terrace have requested that Charles Terrace, Macleay Island be formalised through road construction and sealing to reduce and manage dust and stormwater washouts.

Charles Terrace has been assessed and has been identified to have a medium priority for future road construction and sealing. This project has yet to be presented and adopted by Council and consequently is not identified in any future capital budget.

The criteria for determining priority for sealing of roads on SMBI are as follows:

- Road hierarchy
  - Number of properties that use the road on a regular basis
  - Volume of traffic in relation to other roads
  - Major drainage problems creating the need for continuous high cost regular maintenance
  - Condition of the existing gravel road [Including shape, potholing, dust issues, etc.]
-

- Whether it is used by commercial traffic, a bus route, or is an access to a popular destination

## **ISSUES**

Council has been committed to sealing roads on the Southern Moreton Bay Islands (SMBI). This is dependent upon the available allocated budget towards this road construction program and the adopted criteria used for road construction.

## **RELATIONSHIP TO CORPORATE PLAN**

### **5. Wise planning and design**

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

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

## **FINANCIAL IMPLICATIONS**

The estimated cost of road reconstruction including drainage & sealing is \$630,000.

This recommendation does not require any change to the current year's budget. This item will be listed for future works in the 10 Year Capital Works 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 Divisional Councillor, Cr Mark Edwards is aware of this petition.

## **OPTIONS**

### **PREFERRED**

That Council resolve to:

1. Workshop the proposed future road sealing program for SMBI and consider the criteria and prioritisation methodology;
2. List the sealing of Charles Terrace for future consideration;
3. Advise the principal petitioner in writing.

### **ALTERNATIVE**

No alternative option recommended.

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

**Moved by: Cr W Boglary**

**Seconded by: Cr P Bishop**

**That Council resolve to:**

- 1. Workshop the proposed future road sealing program for SMBI and consider the criteria and prioritisation methodology;**
- 2. List the sealing of Charles Terrace for future consideration; and**
- 3. Advise the principal petitioner in writing.**

**CARRIED (en bloc)**

### 11.3.4 PETITION (DIVISION 8) REQUESTING THE COMPLETION OF THE FOOTPATH BETWEEN SHERWOOD COURT AND EUSTON COURT, WELLINGTON POINT

**Datworks Filename:** RTT: Design & Construction - Footpaths

**Attachment:** [Montgomery Drive \(Sherwood to Euston\) Missing Path](#)

**Responsible Officer:** Murray Erbs  
Group Manager City Infrastructure

**Author:** Jonathan Lamb  
Advisor Cycling & Public Transport

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#### EXECUTIVE SUMMARY

Residents from Wellington Point and Alexandra Hills have requested via a petition to Council the completion of the footpath along Montgomery Drive between Sherwood Court and Euston Court in Wellington Point, Alexandra Hills.

An assessment has been made of the request to complete the footpath and it has been determined by officers to support the request and to recommend that Council list a concrete pedestrian path on Montgomery Drive between Sherwood Court and Euston Court in the future Capital Works Program for consideration of design in 2013/14 and construction in 2014/15.

#### PURPOSE

The purpose of this report is to provide advice and recommendation on the petition request for the completion of the footpath along Montgomery Drive between Sherwood Court and Euston Court.

#### BACKGROUND

Council received a petition from residents requesting the completion of the footpath along Montgomery Drive between Sherwood Court and Euston Court in Wellington Point, Alexandra Hills. The General Meeting Minutes of 28 March 2012, Item 8.1.2 note the following motion:

That the petition which read as follows, be referred to a Committee for consideration and a report back to Council:

*“Petition from ratepayers of Redland City requesting that Council complete the footpath between Sherwood Court and Euston Court, Wellington Point (Alexandra Hills) for the safety of pedestrians”.*

There is an existing 1.5m wide footpath which runs along eastern side of Montgomery Drive, starting at the intersection with McDonald Road, finishing just after the intersection with Euston Court. The footpath resumes again at the Sherwood Court intersection, continuing on to McMillan Road (**Attachment 1**).

The missing footpath link between Sherwood Court and Euston Court is approximately 350m in length.

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## **ISSUES**

Montgomery Drive performs the function of a local collector road. The existing footpath along it is compromised by the missing link. The completion of the missing footpath link will improve connectivity to the local park at Doug Tiller Reserve, Ormiston College and the cycling and pedestrian network on the eastern side of Hilliards Creek.

A future shared-use path between Montgomery Drive and the shared-use path on the eastern side of Hilliards Creek will formalise the existing trail through the reserve land along the creek corridor.

## **RELATIONSHIP TO CORPORATE PLAN**

### **5. Wise planning and design**

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

5.8 Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport

## **FINANCIAL IMPLICATIONS**

This recommendation does not require any change to the current year's budget. This item will be listed for future works in the 10 Year Capital Works Program. The preliminary cost to design and construct the missing footpath is estimated at approximately \$100,000 - \$115,000.

## **PLANNING SCHEME IMPLICATIONS**

There are no Planning Scheme implications

## **CONSULTATION**

- Senior Engineer Traffic and Transport – City Infrastructure
- Senior Adviser Landscape Design – City Spaces
- The Principal Petitioner
- The elected members for Division 1 and Division 8

## **OPTIONS**

### **PREFERRED**

That Council resolve to list a concrete pedestrian path on Montgomery Drive between Sherwood Court and Euston Court in the future Capital Works Program for consideration of design in 2013/14 and construction in 2014/15.

**ALTERNATIVE**

No alternative is proposed.

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

**Moved by: Cr W Boglary**

**Seconded by: Cr P Bishop**

**That Council resolve to list a concrete pedestrian path on Montgomery Drive between Sherwood Court and Euston Court in the future Capital Works Program for consideration of design in 2013/14 and construction in 2014/15.**

**CARRIED** (en bloc)



### 11.3.5 SEEKING AUTHORITY FOR THE CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT FOR ROAD/RAIL INTERFACES BETWEEN REDLAND CITY COUNCIL AND QUEENSLAND RAIL

**Datworks Filename:** RTT: Public Transport – Queensland Rail (QR)

**Attachments:** [Attachment 1: Interface Agreement](#)  
[Attachment 2: Road/Rail Interface Assets](#)

**Responsible Officer:** Murray Erbs  
Group Manager City Infrastructure

**Author:** Vije Vijekumar  
Advisor/Road Assets Engineer

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#### EXECUTIVE SUMMARY

This report recommends delegation of authority to the Chief Executive Officer (CEO) to determine whether to proceed with the Agreement for Road/Rail Interfaces between Redland City Council and Queensland Rail.

#### PURPOSE

The purpose of this report is to seek resolution from Council to delegate authority to the CEO to determine whether to proceed with the Agreement for Road/Rail Interfaces between Redland City Council and Queensland Rail.

#### BACKGROUND

In March 2010, the Queensland Government introduced the *Transport (Rail Safety) Act* which also identifies a requirement for both Queensland Rail and the responsible road manager to enter into an agreement outlining the obligations on both parties. Part 3 Division 2 Subdivision 4 Section 71 of the Act sets out the two year timeframe to complete the interface agreements after proclamation on September 2010. The proposed interface Agreement developed by the Department of Transport and Main Roads is attached [Attachment 1 – Interface Agreement].

A letter has been received from the Queensland Rail, requesting the CEO to sign the agreement for road/rail interfaces between Redland City council and Queensland rail. This agreement will commence on the date of the agreement and continue for a period of six (6) years unless terminated by either party to the agreement. This agreement outlines the maintenance responsibility of each authority and also has identified some upgrade measures required to manage risks. It has identified 12 assets as part of this agreement for maintenance, as detailed below;

List of Pedestrian Crossings Under Rail Corridor	2 Nos
List of Bridges (Road Over Rail)	4 Nos
List of Bridges (Rail Over Road)	5 Nos

#### ISSUES

Queensland Rail had carried out a risk assessment on these assets on 08/06/2011 and identified some upgrade measures required to manage these risks. The upgrade

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measures identified were, missing guardrail hazard markers and delineators to install on Armco guardrails. The tentative date for the completion of these works are August 2012. These dates could be negotiated with Queensland Rail.

The following maintenance activities have been identified as being the responsibility of council:

*Road surface and pedestrian pathway on bridge deck and approaches; "W" beam guard barriers; pavement markings; signage, street lighting and advanced warning signage on approaches; vegetation control on the subway approaches.*

These activities are carried out by council as part of their normal activities and will not have any significant impact on the council.

## **RELATIONSHIP TO CORPORATE PLAN**

### **5. Wise planning and design**

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

5.8 Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport

## **FINANCIAL IMPLICATIONS**

This recommendation does not require any change to the current year's budget as funds for these works can be obtained from existing road operation & maintenance budgets.

## **PLANNING SCHEME IMPLICATIONS**

The Environment Planning & Development 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**

Relevant staff from City Infrastructure, Roads, Drainage and Marine Operations have been consulted.

## **OPTIONS**

### **PREFERRED**

That Council resolve to delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to proceed with the agreement for road/rail interfaces between Redland City Council and Queensland Rail and sign all relevant documents.

**ALTERNATIVE**

No alternative is recommended

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

**Moved by:** Cr W Boglary

**Seconded by:** Cr P Bishop

**That Council resolve to delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to proceed with the agreement for road/rail interfaces between Redland City Council and Queensland Rail and sign all relevant documents.**

**CARRIED** (en bloc)

**11.4 CLOSED SESSION AT COMMITTEE**

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

**11.4.1 PRELIMINARY REVIEW OF VISITOR INFORMATION SERVICES**

**Datworks Filename:** ED Contract – Redland Visitor Information Centre

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

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

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**EXECUTIVE SUMMARY**

A confidential report from Manager City Enterprises was discussed in closed session at Committee.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

**Moved by:** Cr W Boglary  
**Seconded by:** Cr P Bishop

**That Council resolve to:**

- 1. Support the immediate cessation of the Visitor Information Centre contract; and**
- 2. Establish an interim visitor centre within IndigiScapes.**

**CARRIED** (en bloc)

**12 ENVIRONMENT & PLANNING COMMITTEE – 11 JULY 2012**

Moved by: Cr J Talty  
Seconded by: Cr W Boglary

That the Environment & Planning Committee Minutes of 11 July 2012 be received and items resolved under delegated authority be noted.

[Environment & Planning Minutes 11 July 2012](#)

CARRIED

**ITEMS RESOLVED UNDER DELEGATED AUTHORITY**

- 12.1.1 Administrative Amendment – Kinross Road Structure Plan – Overlay Code
- 12.1.2 Minor Amendment to Redlands Planning Scheme to Incorporate 4A Amendments

**12.1 COMMITTEE DELEGATED AUTHORITY****12.1.1 ADMINISTRATIVE AMENDMENT - KINROSS ROAD STRUCTURE PLAN OVERLAY CODE**

**Datworks Filename:** LUP Redlands Planning Scheme – Administrative Amendments

**Responsible Officer:** Gary Photinos  
Manager City Planning & Environment

**Author:** Nastassja Lazarus  
Strategic Planner

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**EXECUTIVE SUMMARY**

The Environment and Planning Committee's delegated authority to make a formal decision to approve an Administrative Amendment to the Redlands Planning Scheme is sought. The authority is requested to enable the process to be undertaken urgently as the amendment is needed to give direction to development in the Kinross Road Structure Plan Area.

City Planning and Environment has identified an omission in the Redlands Planning Scheme (RPS), specifically in Part 5 – Overlays, Division 15 – Kinross Road Structure Plan – Page 49, Specific outcome 2.1 Movement Network, (2) (k). In this section a place-marker (the word INSERT) was put into the scheme awaiting a final figure to be supplied by the State. The figure was provided very late in the process and through an oversight was not placed in the document before it was finally adopted.

It is proposed that Council undertake an Administrative Amendment as per *Statutory Guideline 01/12: Making and amending local planning instruments* to remove the word "INSERT" and replace it with the intended number of "835" to reflect conditions imposed by the Department of State Development, Infrastructure and Planning (DSDIP).

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## PURPOSE

To obtain Council's authority to proceed with an administrative amendment to the RPS specifically to remove the word "INSERT" and replace it with the intended number of "835" in Part 5 – Overlays, Division 15 – Kinross Road Structure Plan – Page 49, Specific outcome 2.1 Movement Network, (2) (k).

## BACKGROUND

On 21 December 2011 at the Special Meeting, Council resolved to adopt the Kinross Road Structure Plan as an amendment to the RPS subject to Ministerial conditions.

On 20 February 2012 the Kinross Road Structure Plan and associated amendments became effective as part of the Redlands Planning Scheme - Version 4.

## ISSUES

It has come to the attention of City Planning and Environment (CPE) that an omission occurs in Part 5 – Overlays, Division 15 – Kinross Road Structure Plan – Page 49, Specific outcome 2.1 Movement Network, (2) (k) of the RPS.

In the context of the specific outcome, the section currently reads:

*“(k) restrict direct vehicular access from all new uses and new lots directly adjoining the Kinross Road trunk collector for a distance of INSERT m from the intersection of Kinross Road and Boundary Road.”*

The omission occurred as Council officers were waiting for the appropriate number to be provided by state but omitted to include it in the final document. “835” should therefore appear instead of the word “INSERT”.

To rectify this omission Council must undertake an amendment to the RPS in accordance with *Statutory Guideline 01/12*. As per section 2.2.1 (1) of the Statutory Guideline the change proposed satisfies the definition of an administrative amendment in that the amendment will correct a factual matter incorrectly stated in the planning scheme. The proposed amendment will remove the word “INSERT” and replace it with “835”.

In the context of the RPS the amended Specific Outcome should read as follows:

*“(k) restrict direct vehicular access from all new uses and new lots directly adjoining the Kinross Road trunk collector for a distance of 835m from the intersection of Kinross Road and Boundary Road.”*

If council were to not accept the officer's recommendation for this amendment, (i.e. adopt the alternative recommendation) the likely consequences would be :

1. Confusion for both the public and Council officers in how to properly apply provision (k) of the Kinross Road Structure Plan; and
2. Council contravention of a Ministerial condition to adopt the 835m figure in provision (k) and the likelihood that the Minister will direct Council to make the amendment to include the figure.

## RELATIONSHIP TO CORPORATE PLAN

### 5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

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

## FINANCIAL IMPLICATIONS

There are no 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 result in an administrative amendment to the planning scheme.

## CONSULTATION

No other consultation has been undertaken for this proposed amendment. The insertion of "835m" as described above will reflect a Ministerial condition required originally attaching to the approval of the Kinross Road Structure Plan.

## OPTIONS

### PREFERRED

That Council resolve to use Committee delegated authority for formal decision making in accordance with Section 257 of the *Local Government Act 2009*, as a matter of urgency to proceed with making an Administrative Amendment to the Redland Planning Scheme to amend Part 5 – Overlays, Division 15 – Kinross Road Structure Plan – Page 49, Specific outcome 2.1 Movement Network, (2) (k) to replace the word "INSERT" with "835".

### ALTERNATIVE

Council defer the proposed administrative amendment to the Kinross Road Structure Plan for further clarification.

## OFFICER'S RECOMMENDATION/ COMMITTEE RESOLUTION

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

**That Council resolve to use Committee delegated authority for formal decision making in accordance with Section 257 of the *Local Government Act 2009*, as a matter of urgency to proceed with making an Administrative Amendment to the Redland Planning Scheme to amend Part 5 – Overlays, Division 15 – Kinross**

**Road Structure Plan – Page 49, Specific outcome 2.1 Movement Network, (2) (k) to replace the word “INSERT” with “835”.**

**CARRIED** (unanimously)

Cr Williams was not present when the motion was put.

Crs Hewlett and Gleeson were absent from the meeting.

**COUNCIL RESOLUTION**

**Moved by: Cr J Talty**

**Seconded by: Cr W Boglary**

**That the Committee resolution be noted.**

**CARRIED**



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### 12.1.2 MINOR AMENDMENT TO REDLANDS PLANNING SCHEME TO INCORPORATE 4A AMENDMENTS

**Datworks Filename:** LUP – Redland Planning Scheme Amendment 4A

**Attachments:** [Attachment 1 - Letter from Minister](#)  
[Attachment 2 - List of Zoning Amendments](#)

**Responsible Officer** Gary Photinos  
Manager City Planning & Environment

**Author:** Nastassja Lazarus  
Strategic Planner

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#### EXECUTIVE SUMMARY

The Environment and Planning Committee's delegated authority to make a formal decision to proceed with the incorporation of approved zoning changes into the planning scheme is recommended to be used. There would be significant benefit in both time and cost to both landowners and the Council if Committee were to use its formal decision making authority. A number of landowners, including Council, are awaiting the implementation of these zoning changes to make development applications.

On 31 May 2012, Council received correspondence from the Deputy Premier, Minister for State Development, Infrastructure and Planning advising that RPS Amendment 4A has been accepted as a minor amendment and that Council may proceed to adopt RPS amendment package 4A without conditions [Attachment 1 – Letter from Minister].

#### PURPOSE

The purpose of this report is to formalise Council adoption of Redlands Planning Scheme Amendment 4A package which contains 71 zoning amendments.

#### BACKGROUND

On 11 April 2012 Council formally requested approval from the Minister to integrate minor amendments into the Redlands Planning Scheme 2006 (titled "4a Minor Amendment Package"). These minor amendments represent 71 mapping changes, (zoning and overlay changes) made as a result of development approvals previously granted by Council [Attachment 2 – List of Zoning Amendments]. These amendments follow on from a previous package of zoning and overlay changes drawn from the 2A amendment package which were adopted by Council and became effective on the 29<sup>th</sup> February this year.

#### ISSUES

On 31 May 2012 Council received correspondence from the Deputy Premier, Minister for State Development, Infrastructure and Planning advising that RPS Amendment 4A has been accepted as a minor amendment and Council may proceed to adopt RPS Amendment 4A without change or conditions.

To implement RPS Amendment 4A Council needs to resolve to adopt the amendment and provide public notice in the local newspaper, the Government

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Gazette and on the Redland City Council website as per the *Statutory Guideline 01/12*. Following completion of these steps, evidence of compliance will be provided to the Department of State Development, Infrastructure and Planning.

The purpose of RPS Amendment 4A is to reflect boundary realignments and zoning changes primarily resulting from approved development applications. In many cases residential lots have been created over zone boundaries resulting in house lots with a split Urban Residential / Open Space (UR/OS) zoning. The consequences of this are that a landowner may need to go to considerable effort in time and cost to put in an MCU application to construct a house on their lot. The change in zonings proposed will remove this requirement.

The current process has been agreed with the State to speed the process of amending the zonings as quickly as possible to reduce or eliminate the risk of landowners having to go through a planning process to place a house on their land.

The officer recommendation has requested that Committee use its delegated power from council to approve the zoning changes now to further reduce the time required to have these zonings put into place in the planning scheme. Should council not accept the officer's recommendation or decide to defer the decision there are likely to be significant cost implications to both Council and landowners planning to undertake development on their land in the near future.

## **RELATIONSHIP TO CORPORATE PLAN**

### **5. Wise planning and design**

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

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

## **FINANCIAL IMPLICATIONS**

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

## **PLANNING SCHEME IMPLICATIONS**

The Redland Planning Scheme will be amended in accordance with the adopted mapping changes.

## **CONSULTATION**

City Planning and Environment have consulted with officers from the Department of State Development, Infrastructure and Planning.

**OPTIONS****PREFERRED**

That Council resolve to use Committee delegated authority for formal decision making in accordance with Section 257 of the *Local Government Act 2009*, as there would be significant benefit in both time and cost to both landowners and the Council to:

1. Adopt Redland Planning Scheme Amendment Package 4A as approved by the Minister for the Department of State Development, Infrastructure and Planning in his letter dated 31 May 2012; and
2. Undertake public notification procedures of the zoning amendments in accordance with *Statutory Guideline 01/12*.

**ALTERNATIVE**

That Council defer adopting Redland Planning Scheme Amendment Package 4A to allow discussion of elements of either part or the whole of the package.

**OFFICER'S RECOMMENDATION/  
COMMITTEE RESOLUTION**

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

That Council resolve to use Committee delegated authority for formal decision making in accordance with Section 257 of the *Local Government Act 2009*, as there would be significant benefit in both time and cost to both landowners and the Council to:

1. Adopt Redland Planning Scheme Amendment Package 4A as approved by the Minister for the Department of State Development, Infrastructure and Planning in his letter dated 31 May 2012; and
2. Undertake public notification procedures of the zoning amendments in accordance with *Statutory Guideline 01/12*.

**CARRIED** (unanimously)

Cr Williams was not present when the motion was put.

Crs Hewlett and Gleeson were absent from the meeting.

**COUNCIL RESOLUTION**

Moved by: Cr J Talty  
Seconded by: Cr W Boglary

That the Committee resolution be noted.

**CARRIED**

## 12.2 CITY PLANNING & ENVIRONMENT

### 12.2.1 DELEGATION TO CHIEF EXECUTIVE OFFICER TO UNDERTAKE ADMINISTRATIVE AMENDMENTS TO THE PLANNING SCHEME

**Datworks Filename:** LUP Redlands Planning Scheme – Amendment 2a

**Attachments:** [Attachment 1 - Statutory Guideline 01/12](#)  
[Attachment 2 - Administrative Amendment Process](#)

**Responsible Officer:** Gary Photinos  
Group Manager City Planning & Environment

**Author:** Martin Hunt  
Principal Advisor – City Wide Planning

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### EXECUTIVE SUMMARY

*Statutory Guideline 02/09: Making and amending local planning instruments* has recently been updated to *Statutory Guideline 01/12: Making and amending local planning instruments*. The revised *Statutory Guideline 01/12* no longer requires Council to resolve to undertake an amendment to the planning scheme for Administrative Amendments. Advice received from the Department of State Development, Infrastructure and Planning (DSDIP), states that it is up to the individual Local Government to decide, depending on internal processes and delegations in place.

Administrative amendments are described in detail in the following report but they basically constitute maintenance changes to the scheme and nothing that would affect either Council policy or people's development rights.

### PURPOSE

To obtain delegated authority for the CEO to undertake the Administrative Amendment process (Proposing to make an amendment) for Administrative Amendments to the RPS.

### BACKGROUND

- The superseded *Statutory Guideline 02/09: Making and amending local planning instruments* required that the local government needed to resolve to prepare a planning scheme/amendment.
  - In the revised *Statutory Guideline 01/12: Making and amending local planning instruments*, it is up to the local government as to whether they need to make a resolution of Council or undertake the process through delegation.
  - On 8 May 2012 CP+E requested clarification from the DSDIP, in reference to Stage 1, Step 1 of *Statutory Guideline 01/12*, specifically "the Local Government decides". The DSDIP provided advice, saying that *Statutory Guideline 01/12* has been specifically prepared to not require a local government to make a resolution to make a planning scheme or amendments.
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- The DSDIP further advised that Statutory Guideline 01/12 was written with the intention that each local government is to decide how they intend to manage the amendment process. Therefore, this would depend on Redland City Council's internal processes for delegation.
- This change to the guideline provides an opportunity to shorten the amendment process. As Administrative Amendments only relate to the "Housekeeping" of the planning scheme and not to matters of substance, delegation would allow these minor matters to be addressed much faster and allow the planning scheme to be brought up to currency in a much timelier manner.

## ISSUES

At present Redland City Council makes formal resolutions to undertake all proposed planning scheme amendments. After receiving clarification from DSDIP it is no longer a requirement for full Council to formally make a resolution when proposing to undertake a planning scheme or amendment.

Administrative amendments to planning schemes are very minor by definition (see definition of administrative amendment below). Administrative amendments have no policy implication or impact upon the community. The administrative amendment process is generally undertaken to reflect changes to State Government legislation, to rectify errors and formatting issues and to provide clarification to parts of the planning scheme.

An **administrative amendment** to a planning scheme is defined in Statutory Guideline 01/12 as the following:

1. An amendment that corrects or changes:
  - a) An explanatory matter about the planning scheme;
  - b) The format or presentation of the planning scheme;
  - c) A spelling, grammatical or mapping error in the planning scheme;
  - d) A factual matter incorrectly stated in the planning scheme;
  - e) A redundant or outdated term in the planning scheme;
  - f) Inconsistent numbering of provision in the planning scheme;
  - g) Cross-reference in the planning scheme; or
  - h) Removes provisions in a planning scheme which have been declared by a regulation made pursuant to the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009 (SEQ Water Act)* to have no effect for the assessment of a development application in the SEQ Region (see sections 78A and 102 of the *SEQ Water Act*) to have no effect for the assessment of a development application in the SEQ Region (See sections 78A and 102 of the *SEQ Water Act*).
2. An amendment to:
  - a) Reflect an amendment to the mandatory, non-mandatory or optional components of the standard planning scheme provisions (SPSP) used in the planning scheme;
  - b) Example for paragraph (2) (a) – an amendment to reflect an updated use definition of the SPSP that is already reflected (in its previous form) in a local

government planning scheme or to reflect a change made to SPSP if able to be included verbatim;

- c) Include a statement that a referral agency had delegated a referral agency jurisdiction to a local government under section 2.3 of the SPSP; or
- d) Include a statement that a state planning instrument, or part of one, is appropriately reflected in the planning scheme, if the Minister has advised the local government that the Minister is satisfied that the planning scheme reflects the state planning instrument (SPI).

It is understood that it is important to ensure clear communication at all times between Council departments, the Mayor and Councillors, and informing the Council through resolution is a practical means of ensuring Council is aware of projects being undertaken in CP&E. As such, Councillors will be kept informed of Administrative Amendments to the scheme as they occur.

It is important to note that Redland City Council has undertaken one administrative amendment so far, since version one of the Redlands Planning Scheme (RPS V1.0) was adopted in 2006. A number of other administrative amendments are included in the current 2A amendment package currently going to State. To date, Council has not refused any proposed administrative amendment.

By devolving administrative amendments to the CEO, Council can save significant time by undertaking the administrative amendment process in less than 60 business days. Delegation will save time by not having to wait for upcoming Council meetings to resolve to either propose or adopt changes to the planning scheme for administrative issues, such as grammatical errors, before sending the amendment package to the State Government for endorsement.

## **RELATIONSHIP TO CORPORATE PLAN**

### **5. Wise planning and design**

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

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

## **FINANCIAL IMPLICATIONS**

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

## **PLANNING SCHEME IMPLICATIONS**

The City Wide Planning Team advises that the outcome of recommendations in this report will result in a considerably reduced timeframe for implementing administrative amendments into the Redland Planning Scheme.

## CONSULTATION

CP&E liaised with the DSDIP, requesting clarification of terminology, specifically “the local government must decide”. The DSDIP informed CP&E that it is no longer a requirement to resolve to undertake an amendment to the planning scheme; instead it depends on Local Government delegations and internal processes.

A discussion was held at the group level, the outcome of the discussion was that the administrative amendment process would be shorter and more streamlined if there was delegation to the CEO to undertake administrative amendments to the RPS. Further, as there is no policy implications associated with administrative amendments, it was deemed that there was minimal risk in delegating this process to the CEO.

## OPTIONS

### Preferred

That Council resolve to delegate authority to the Chief Executive Officer in accordance with Section 257 of the *Local Government Act 2009*, to undertake Administrative Amendments to the Redlands Planning Scheme, including planning, preparation and adoption, as per *Statutory Guideline 01/12: Making and amending local planning instruments*.

### Alternative

That Council resolve not to delegate authority to the Chief Executive Officer for administrative amendments to the planning scheme.

## OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr J Talty

Seconded by: Cr M Edwards

That Council resolve to delegate authority to the Chief Executive Officer in accordance with Section 257(1)(b) of the *Local Government Act 2009*, to undertake Administrative Amendments to the Redlands Planning Scheme, including planning, preparation and adoption, as per *Statutory Guideline 01/12: Making and amending local planning instruments*.

**CARRIED** (en bloc)

### 12.3 CLOSED SESSION AT COMMITTEE

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

#### 12.3.1 BUNKER ROAD STRUCTURE PLAN

**Dataworks Filename:** LUP Planning – Bunker Road Precinct Plan

**Responsible Officer:** Gary Photinos  
Manager City Planning & Environment

**Author:** Alan Milijkovic  
Strategic Planner

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### EXECUTIVE SUMMARY

A confidential report from Manager City Planning & Environment was discussed in closed session at Committee.

### PROPOSED MOTION AT COMMITTEE

Moved by: Cr W Boglary

Seconded by: Cr M Elliott

That Council resolve as follows:

1. To adopt the proposed changes to the draft Bunker Road Structure Plan and required Redlands Planning Scheme amendments as detailed in Attachment 2 suggested by the first State interest review for the purposes of ministerial approval; and
2. That the draft Bunker Road Structure Plan and associated proposed amendments, Attachments 2 and 3, remain confidential until:
  - a) Written agreement from the Minister confirming that Council may proceed to public notification;
  - b) All landowners within the structure plan area have been given prior notification; and
  - c) Council proceeds to public notification and a call for submissions.

On being put to the vote the motion was LOST.

### DIVISION

**FOR:** Crs Boglary, Ogilvie and Elliott

**AGAINST:** Crs Hardman, Edwards, Williams, Beard, Bishop and Talty

Crs Hewlett and Gleeson were absent from the meeting.



**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr J Talty  
Seconded by: Cr M Edwards

That Council resolve as follows:

1. To defer making a decision on the draft Bunker Road Structure Plan to the Environment and Planning Committee scheduled for 8<sup>th</sup> August 2012 where the committee can:
  - a) Exercise it with the delegated authority to make a formal decision on the matter; and
  - b) Allow Councillors to seek further clarification on the matter to occur prior to that committee date.
2. That the draft Bunker Road Structure Plan and associated proposed amendments Attachments 2 and 3, remain confidential.

**CARRIED** (en bloc)

**13 CORPORATE SERVICES & GOVERNANCE COMMITTEE – 17 JULY 2012**

Moved by: Cr M Edwards  
Seconded by: Cr A Beard

That the Corporate Services & Governance Committee Minutes of 17 July 2012 be received and item resolved under delegated authority be noted.

[Corporate Services & Governance Minutes 17 July 2012](#)

CARRIED

**ITEM RESOLVED UNDER DELEGATED AUTHORITY****13.4.1 Level 7 Vehicle Entitlements****13.1 GOVERNANCE****PERCEIVED CONFLICT OF INTEREST**

Cr Williams declared a perceived conflict of interest in the following item stating she was a volunteer at the Redfest event and would remain in the chamber voting in the public interest. Cr Williams voted in the affirmative.

**13.1.1 SPONSORSHIP APPLICATION - 2012 REDFEST**

**Dataworks Filename: CR- Sponsorship - Outgoing**

**Responsible Officer: Luke Wallace  
Manager Corporate Governance**

**Author: Kathy Petrik  
Manager Marketing and Communications**

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**EXECUTIVE SUMMARY**

Council's Corporate Sponsorship policy has the objective of *"seeking to support and promote a strong and involved community through the sponsorship of events, projects, services or other activities in an equitable and accountable way."*

Sponsorship is defined as *"a business transaction in which a sponsor provides a financial contribution or value in kind to support an event, project, service or activity in return for negotiated commercial and other benefits. It is a business transaction because it involves an exchange that has measurable value to each party in commercial, communication or philanthropic terms"*.

In accordance with the policy and guidelines, all sponsorships over \$10,000 are referred to Council for decision. This report provides recommendations from the internal assessment committee about the sponsorship application of Redland Spring Festival Inc for RedFest in which a \$35,000 sponsorship commitment for a period of three years was requested.

The internal assessment panel recommends a total sponsorship payment of \$20,000 for the 2012 event. The event will also be charged the lowest charge available, as a not for profit organisation, for whole of ground venue fees for the three days.

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The recommended amount of sponsorship remains the same as for 2011, reflecting budgetary limitations and the growing number of groups seeking Council sponsorship.

## **PURPOSE**

This report provides background and recommendations to Council for sponsorship of RedFest in accordance with its policy and guidelines.

## **BACKGROUND**

### **RedFest**

This event is scheduled for 7-9 September 2012 at Norm Price Park - Redlands Showgrounds. The event has been operating in various formats since 1953 and is the longest running existing event in the Redlands. It is organised by Redland Spring Festival Inc. and targets primarily the local 35+ age group and families. The organisers expect public and exhibitor attendance to reach 15,000 for the three day festival.

RedFest describes itself as an annual celebration in the Redlands each September and celebrates music, art, food and community. It is run by a not for profit community organisation, headed by a volunteer committee with up to 300 volunteers supporting it.

The event lists the benefits it provides as retention of the longest and largest existing event in the Redlands, opportunity for community organisations to fundraise and artistic development through engagement of professional performers and arts workers. As well, the program is designed to attract local and regional audiences offering business and tourism opportunities to locals. It provides opportunities for community organisations to display, participate and earn income through the festival and gives local businesses an opportunity to network, promote and provide services.

New additions for the festival in 2012 are the RedFest Drama Festival, the blessing of the Dragon Boats at Thomson Beach, Victoria Point and a free Father's Day concert at IndigiScapes.

Sponsorship funding will be used to offset infrastructure costs including fencing, lighting and sound infrastructure, ticket boxes, marquees and security.

This sponsorship offers naming rights to a festival venue, recognition in all print media; logos on leaflets/programs; acknowledgment on website with link to RCC website; invitations to all corporate networking events; logo banners/signage; verbal acknowledgment through the 24 hours of programming; 100 festival weekend passes (which would be used in a Council community competition); a free display site for IndigiScapes to provide environmental education information during the festival.

## **ISSUES**

Redland City Council's Communications group will liaise with the sponsored organisation to ensure that all benefits agreed to in the sponsorship agreement are delivered satisfactorily.

## **RELATIONSHIP TO CORPORATE PLAN**

### **1. Healthy natural environment**

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

- 1.4 Improve residents' understanding, respect and enjoyment of the local environment through stewardship and partnerships

### **7. Strong and connected communities**

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

- 7.1 Promote festivals, events and activities for people to come together, developing connections and networks to improve community spirit and enhance 'sense of place'
- 7.4 Increase the participation of people from all age groups and backgrounds in local heritage, the arts and cultural expression

### **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.

- 6.6 Promote Redlands as a high quality tourism destination and encourage the development of sustainable nature-based, heritage and eco-tourism

## **FINANCIAL IMPLICATIONS**

The budget for corporate sponsorship for 2012-13 remains unchanged from last year at \$126,000. This has been considered when allocating \$20,000, the largest single allocation to an applicant.

## **PLANNING SCHEME IMPLICATIONS**

This report does not have any implications for the Redlands Planning Scheme.

## **CONSULTATION**

The internal assessment panel consisting of areas of community futures, community and cultural services, tourism, environment, planning and development and communications have been consulted in this decision.

## **OPTIONS**

### **PREFERRED**

Accept the assessment panel's recommendations to approve \$20,000 in sponsorship funding to Redland Spring Festival Inc (RedFest).

### **ALTERNATIVE**

1. Decline approval of the sponsorship requests from Redlands Spring Festival Inc. (RedFest).

2. Vary the amount of sponsorship funding to the Redland Spring Festival Inc (RedFest).

**OFFICERS RECOMMENDATION**

Accept the assessment panel's recommendations to approve \$20,000 in sponsorship funding to Redland Spring Festival Inc (RedFest).

**COMMITTEE RECOMMENDATION**

That Council resolve to:

1. Accept the assessment panel's recommendations to approve \$20,000 in sponsorship funding to Redland Spring Festival Inc (RedFest); and
2. That Council requests that RedFest consider reducing gate fees.

**COUNCIL RESOLUTION**

**Moved by: Cr A Beard**

**Seconded by: Cr M Edwards**

**That Council resolve to accept the assessment panel's recommendations to approve \$20,000 in sponsorship funding to Redland Spring Festival Inc (RedFest).**

**CARRIED**

## 13.2 CORPORATE SERVICES

### CONFLICT OF INTEREST

Cr Elliott declared a conflict of interest in the following item stating he was treasurer of the Alexandra Hills Football Club and would remain in the chamber voting in the public interest. Cr Elliott voted in the affirmative.

#### 13.2.1 LEASE - KEITH SURRIDGE PARK - CHANGE OF LESSEE NAME

**Dataworks Filename:** L.116271

**Attachment:** [Keith Surridge Park Site Plan](#)

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

**Author:** Merv Elliott  
Property Services Manager

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### EXECUTIVE SUMMARY

The Alexandra Hills Sporting Club Inc has changed its name to Alexandra Hills Australian Football Club Inc. Consequently the club has requested its lease with Council be changed to reflect this change of name.

### PURPOSE

To recommend to Council that the request to assign the lease from Alexandra Hills Sporting Club Inc to Alexandra Hills Australian Football Club Inc be approved.

### BACKGROUND

The Alexandra Hills Sporting Club Inc holds two leases over Council land at Keith Surridge Park, Alexandra Hills. One lease is the footprint of the clubhouse and the other is the designated outdoor smoking area. The playing fields are under Council control.

Recently the club has changed its name from the Alexandra Hills Sporting Club Inc to the Alexandra Hills Australian Football Club Inc (incorporated under the provisions of the Corporations Act).

The club (Alexandra Hills Australian Football Club Inc) has requested an assignment of the leases to the new name.

### ISSUES

The existing leases with the Alexandra Hills Sporting Club Inc expire on 4 June 2021. The proposed name change does not dramatically change the constitution and objectives of the sporting club, including:

- To promote, foster and provide playing facilities for junior and senior Australian Rules Football and any other sport as approved by the association.
  - To provide social and cultural facilities for members and their guests upon land and premises occupied by the association from time to time.
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- To promote, foster and develop sport in the community through direct participation, funding or management of sporting teams.
- The club's income and assets must be used solely to promote the club's objects.
- The club must not pay or distribute any profits, income or assets to the members.
- On winding up, any surplus must be given to an institution:
  - Which has objects similar to the club's objects; and
  - Which cannot distribute its income and assets to its membersThe members may decide the institution. If they do not so, the Supreme Court of Queensland may decide the institution.

There appears to be no valid reason why the name changes should be refused.

## **RELATIONSHIP TO CORPORATE PLAN**

### **7. Strong and connected communities**

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

- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people

## **FINANCIAL IMPLICATIONS**

There are no financial implications impacting Council as a result of this report. All costs will be paid by the club.

## **PLANNING SCHEME IMPLICATIONS**

None identified.

## **CONSULTATION**

Property Services Manager has consulted with club representatives and Service Manager, Sport & Recreation.

## **OPTIONS**

### **PREFERRED**

That Council resolve to:

1. Authorise the assignment of the lease of Council land from the Alexandra Hills Sporting Club Inc to Alexandra Hills Australian Football Club Inc;
2. All costs associated with the assignment are to be met by the new entity; and
3. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to execute all documents in relation to the assignment of the lease.

### **ALTERNATIVE**

None recommended.

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

Moved by: Cr P Bishop  
Seconded by: Cr W Boglary

That Council resolve to:

1. Authorise the assignment of the lease of Council land from the Alexandra Hills Sporting Club Inc to Alexandra Hills Australian Football Club Inc;
2. That all costs associated with the assignment are to be met by the new entity; and
3. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to execute all documents in relation to the assignment of the lease.

**CARRIED**



**13.2.2 POINT LOOKOUT SURF LIFE SAVING CLUB INC - NEW LEASE**

**Dataworks Filename:** L.164177

**Attachment:** [Point Lookout Surf Life Saving Club Site Plan](#)

**Responsible Officer:** Martin Drydale  
General Manager Corporate Services

**Author:** Merv Elliott  
Property Services Manager

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**EXECUTIVE SUMMARY**

The Point Lookout Surf Life Saving Club Inc hold a lease over Council trust land at Point Lookout. The lease expires in October 2012 and the club has requested a new lease for a 20 year period.

**PURPOSE**

The purpose of this report is to recommend that Council agree to the creation of a new lease over the subject property for a term of 20 years.

**BACKGROUND**

The Point Lookout Surf Life Saving Club Inc have been in occupation of Lot 73 CP826165 situated at Kennedy Drive, Point Lookout for 40 years. The existing lease expires in October 2012 and a renewal of the lease has been requested by the club.

It is normal practice for Council to renew leases when they become due, unless lease violations have occurred. There have been no such occurrences reported in respect to the club.

**ISSUES**

Council policy in respect to leases to sporting / community organisations is embodied in Policy POL-3071. The basic requirements are as follows:

- Rental: Lease fees based on Category C ie \$500 per year for clubs with a full liquor licence. Therefore Category C rental applies as the club has a full liquor licence;
- Term: Term of standard leases to be up to 10 years, 20 years or 30 years as required where the lessee invests significant funds into infrastructure or leases for an emergency service. Therefore a 20 year lease term is recommended due to the club providing a surf life saving service.
- Rates: General Rate applied to organisations with a full liquor licence. Therefore General Rates are applicable to the club as well as service charges and levies with respect to the services being used;
- Maintenance: Lessee to maintain the leased area to the satisfaction of Council.
-

## RELATIONSHIP TO CORPORATE PLAN

### 7. Strong and connected communities

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

- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people

## FINANCIAL IMPLICATIONS

There are no financial implications to Council. The club will bear all costs in relation to the new lease.

## PLANNING SCHEME IMPLICATIONS

None identified.

## CONSULTATION

The Property Services Manager has consulted with the Service Manager, Sport & Recreation.

## OPTIONS

### PREFERRED

That Council resolve to:

1. Grant a lease to the Point Lookout Surf Life Saving Club Inc over Lot 73 CP826165 for a term of 20 years in accordance with Council policy POL.3071; and
2. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary or discharge the lease and all related documents.

### ALTERNATIVE

#### Not Preferred

That Council resolve to refuse the request from Point Lookout Surf Life Saving Club Inc for a new lease.

## OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Edwards

Seconded by: Cr A Beard

That Council resolve to:

1. Grant a lease to the Point Lookout Surf Life Saving Club Inc over Lot 73 CP826165 for a term of 20 years in accordance with Council policy POL.3071; and

2. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary or discharge the lease and all related documents.

**CARRIED** (en bloc)

**13.2.3 TOONDAH HARBOUR BUSINESS CENTRE****Dataworks Filename:** L.118490/118607/118487/118703/118846/301332**Attachment:** [Toondah Harbour Business Centre Site Plan](#)**Responsible Officer:** Martin Drydale  
General Manager Corporate Services**Author:** Merv Elliott  
Property Services Manager

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**EXECUTIVE SUMMARY**

At its meeting held on 7 March 2012, Council approved the purchase of land and buildings at Toondah Harbour, previously referred to as the CSIRO site and now referred to as the Toondah Harbour Business Centre.

At its meeting held on 30 May 2012, Council resolved as follows:

1. *That Council officers be asked to bring a report to Council to advise on actions taken, and provide advice on further options, regarding the short-to-medium term utilisation of the newly purchased (former CSIRO) property at Toondah Harbour;*
2. *That the report consider the following uses:*
  - a) *Commercial letting of office space;*
  - b) *A business incubator;*
  - c) *Community group office space and meeting rooms;*
  - d) *Commercial letting to an aquaculture venture; and*
  - e) *Commercial letting to the UQ Moreton Bay Marine Research Station for research purposes.*
3. *That the report be made available prior to the 1<sup>st</sup> Quarter Budget Review 2012/13 so that any possible budget implications might also be considered in a timely fashion.*

**PURPOSE**

The purpose of this report is to address the points raised in the Council resolution of 30 May 2012.

**BACKGROUND**

Purchase of the above described site containing an area of 19,909m<sup>2</sup> and improved with office buildings of 1,842m<sup>2</sup> in area, store rooms, laboratories and various other buildings was approved by Council resolution on 7 March 2012. Subsequently a Contract of Sale was executed by both parties on 5 April 2012 for the purchase at a figure of \$3.4m with a settlement date of 18 July 2012.

The purchase of the site has had a two-fold benefit to Council. Firstly, office accommodation was made available to accommodate Allconnex staff being reintegrated into Council and secondly, for Council to have a majority ownership and control in respect to the future planning and redevelopment of the Toondah Harbour Precinct.

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## ISSUES

At its meeting held on 30 May 2012, Council resolved as follows:

1. *That Council officers be asked to bring a report to Council to advise on actions taken, and provide advice on further options, regarding the short-to-medium term utilisation of the newly purchased (former CSIRO) property at Toondah Harbour;*
2. *That the report consider the following uses:*
  - a) *Commercial letting of office space;*
  - b) *A business incubator;*
  - c) *Community group office space and meeting rooms;*
  - d) *Commercial letting to an aquaculture venture; and*
  - e) *Commercial letting to the UQ Moreton Bay Marine Research Station for research purposes.*

With respect to the second part of the resolution:

### **a) Commercial Letting of Office Space**

Tenders were called for the leasing of office space available excluding the allocation of 803.5m<sup>2</sup> of the 1<sup>st</sup> floor to Redland Water.

Redland Water have entered into a tenancy agreement with Council for the lease of this area for a 3 year period at market rental.

As a result of the tender process, Council have been successful in securing a tenant for an area of 400m<sup>2</sup> on the ground floor at market rental for a 3 year period.

Negotiations are proceeding for the leasing of the available office space remaining which totals approximately 600m<sup>2</sup>.

### **b) A Business Incubator**

A “business incubator” is defined as “A programme designed to support the successful development of entrepreneurial companies through an array of business support resources”. Typically, this involves the provision of reception and support service activities together with business advisory services aimed at promoting and building businesses housed in the incubator. This latter support role is similar to the support services provided by Council’s Business & Tourism Support Unit attached to the City Enterprises Group.

The tenancy of the office space available will, in itself, provide some impetus for business opportunities, however in the meantime, Council’s Business & Tourism Support Unit will investigate the feasibility of establishing a business incubator in the Centre to foster business opportunities and present a business case to a future Council Meeting should sufficient demand be identified.

### **c) Community Group Office Space and Meeting Rooms**

With full occupancy of the office accommodation, it is not considered feasible to utilise other parts of the site for community type uses. Security and health and safety arrangements would also need to be reviewed if this type of use is allowed.

Council has resolved to accept the transfer of a property from the State government located at Alexandra Hills which would be more suitable for community use and it is recommended that this be the preferred approach rather than utilising space at the Toondah Harbour Business Centre.

**d) Commercial Letting to Aquaculture Venture**

Negotiations are proceeding with interested parties with respect to this activity.

**e) Commercial Letting to the UQ Moreton Bay Marine Research Station for Research Purposes.**

Negotiations are proceeding but so far have not proved successful.

## **RELATIONSHIP TO CORPORATE PLAN**

### **9. An efficient and effective organisation**

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

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

9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels

### **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

6.3 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**

Changes to the 2012/13 year budget with respect to the expected rental income and ongoing facility maintenance costs will be made at the 1<sup>st</sup> Quarter Budget Review..

**PLANNING SCHEME IMPLICATIONS**

The City Planning & Environment Group was consulted and it is considered that the outcome of recommendations in this report will not require a change to the Redland Planning Scheme as the use of the facility for office accommodation has not changed from its previous use.

**CONSULTATION**

Consultation has occurred with leasing managing agents and prospective office tenants and the City Services Department.

**OFFICER'S RECOMMENDATION**

That Council note the contents of this report.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by:           Cr M Edwards  
Seconded by:       Cr A Beard

That Council resolve as follows:

1. To note the contents of this report; and
2. That an investigation of the potential of the site to cater for overflow parking commence, and that this investigation be completed so that any findings can be implemented for the Christmas Holidays.

**CARRIED** (en bloc)

**13.2.4 ADOPTION OF PEOPLE STRATEGY 2012-2015**

<b>Datworks Filename:</b>	<b>HRM Business Plan</b>
<b>Attachment:</b>	<a href="#"><u>People Strategy 2012-2015</u></a>
<b>Responsible Officer:</b>	<b>Eleanor Noonan Service Manager Workplace Development</b>
<b>Author:</b>	<b>Angela Saxby Senior Organisational Development Adviser</b>

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**EXECUTIVE SUMMARY**

A three year RCC People Strategy has been developed that addresses priorities to ensure a safe, productive workforce, directed by highly skilled leaders that see Council priorities delivered in partnership with operational employees. It supports the leadership and direction of the Executive Leadership Group's commitment to RCC's people, and will enable a shared vision and a culture of commitment to a clear strategic direction for Council.

It is important for the Mayor and Councillors to be aware of the commitment made by the Executive Leadership Group (ELG) to ensure we attract, keep, cultivate and enable our people to thrive in the workplace.

**PURPOSE**

This paper provides an overview of the 2012-2015 People Strategy, including its goals and actions. It will outline the 2012/13 priorities and inform the principles of delivery in line with the Back to Basics Policy (POL 3089), including red-tape reduction. It aligns with objectives contained within the Corporate Plan and includes prioritised annual action plans.

**BACKGROUND**

Council's Human Resource Management Policy (POL-2127) states Council's commitment to embrace the spirit and intent of our statutory obligations as an employer. It states RCC will achieve excellence in people management through the development of organisational cultural values and people behaviours that assists the organisation to meet its strategic goals and agreed community expectations.

To achieve this policy objective, best practice human resource practice research showed the need to produce a longer term strategy document. Research indicated the strategy should be informed by organisational members, and prioritised according to the areas that enable Council to increase satisfaction, commitment and loyalty, and thus productivity.

It also is a framework whereby statutory employer and employee obligations are outlined, that includes a responsibility to all employees to consider their individual behaviours that contribute to a better workplace. This will enable People and Change to drive clear commitments to improve or sustain priority areas that will ensure its people are actively engaged and motivated to achieve Council outcomes through increased productivity.



There is a significant lack of specific organisational goals and measures to track people and workforce issues. The People Strategy determines an appropriate range of People & Change indicators that track and measure change to workforce issues over time.

The 2012/2013 priorities have been determined by feedback from employees, including middle and senior management in addition to RCC's statutory requirements (certified agreement negotiation), and a response to RCC's risk register (bullying and harassment).

These priorities are:

- Reward and Recognition
- Performance Management Framework
- Career Management
- Respect in the Workplace (including a response to bullying and harassment)
- New Certified Agreements

The People Strategy supports and extends the responsibilities that are set within the WH&S Harmonisation legislation that sees every person in the organisation needing to take responsibility and accountability to ensure a safe, healthy and productive workplace. Thus, the People Strategy includes descriptive actions categorised for managers, supervisors and team leaders and all individuals. This notion is summarised in the tag line of the strategy: 'our workplace, our responsibility'.

The activities stemming from the People Strategy seeks to not create grandiose new programmes and change, rather, in context of our current back to basics policy, looks to find better ways to remove barriers from existing guidelines and procedures (eg performance management framework review). Thus, it has a commitment to develop uniform, equitable and effective standards for employees and reduce unnecessary compliance and regulatory processes in addition to determining creative ways using design principles that see effective programs have a high value, low cost (eg Reward and Recognition).

The People Strategy encompasses the complete People and Change strategy for the coming three years. It includes all areas, including Workplace Development, Workplace Relations and Workplace Health and Safety's short and long term goals, statutory obligations and measures, and associated budget approved through standard Council processes. All strategies within the People Strategy are identified within the endorsed '*10 Objectives in 3 Years*' document.

Annual action plans are currently in development, according to the priorities for the 2012/13 financial year, and will be supported by measures to ensure their effectiveness.

## **ISSUES**

Since its restructure in January 2011, P&C were working toward the creation of a long term strategy that commits to activities that respond to issues raised by the organisation. The impact of Voluntary Redundancies in 2011 set back the creation of this document, resulting in the consultation to produce this strategy commencing in September 2011.

Council requires a formal framework, including measures that respond to issues raised in the annual mySay (employee satisfaction survey).

The strategy is largely formulated upon the principles of this ensuring employee engagement, commitment and loyalty as key measures of staff satisfaction, performance, turnover, absenteeism and therefore organisational productivity.

A formal commitment to our people enables the ELG to remain responsive to creating an equitable, safe and thriving workplace whereby Council is well respected and seen as an excellent organisation that manages resources in an efficient and effective way.

The endorsement of this strategy by Council also shows commitment to our People, and their ability to meet the requirements set within our Corporate Plan.

## **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

9.2 Recruit and retain high quality staff and promote the organisation as an employer of choice

## **FINANCIAL IMPLICATIONS**

This Strategy and its 2012/2013 priorities have been budgeted within the upcoming 2012/13 budget, and have appropriate supporting documentation for project delivery, according to financial management stipulations.

## **CONSULTATION**

The People Strategy has been prepared with extensive consultation across all areas and levels of Council. The People Strategy was developed by the People and Change team using four key sources of information and feedback:

- Employee feedback in the MySay satisfaction surveys, workshops, new starter surveys
- Consultation with the Executive Leadership Group, Operational Leadership Group and Corporate Governance
- Best practice human resource management principles and case studies
- Integration with Council's four organisational development themes: sustainable, effective, clever and caring

The People Strategy has been prepared specifically to support and integrate with Council's existing Corporate Planning cycles. Its delivery is structured within an integrated Corporate Services planning model, where delivery of services is achieved in a clever, caring, sustainable and effective manner.

The final People Strategy was presented to OLG on 21 June 2012, and received support by the management team. Prior to this, the organisation was invited to provide feedback on a draft that resulted in the final document.

**OPTIONS****PREFERRED**

The People Strategy is adopted and endorsed by Council.

**ALTERNATIVE**

RCC does not have a long term strategy to ensure its Corporate Plan commitment of supporting the ongoing development of an excellent organisation that manages resources in an efficient and effective way.

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

**Moved by:** Cr M Edwards

**Seconded by:** Cr A Beard

**That the People Strategy be adopted by Council.**

**CARRIED** (en bloc)

**13.2.5 ADDENDUM TO 2012-2013 FEES AND CHARGES SCHEDULES****Dataworks Filename:** FM Fees & Charges 2012/2013**Attachments:** [Schedule of Fees & Charges 2012-2013 \(Excluding RedWaste and Redland Water\) Redland Water Schedule of Fees & Charges 2012-2013](#)**Responsible Officer:** Martin Drydale  
General Manager Corporate Services**Author:** Deborah Corbett-Hall  
Service Manager Commercial Finance

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**EXECUTIVE SUMMARY**

2012-2013 Fees and Charges schedules were adopted on 27 June 2012 at the June General Meeting of Redland City Council prior to the commencement of the current financial year.

During the final stages of 2012-2013 budget development, business areas within Council have identified two required changes:

- one landing fee requires the descriptions amending on the RCC (excluding RedWaste and Redland Water) schedule; and
- Redland Water developer contributions prior to the State government direction to cap infrastructure charges in 2011 have been requested for long standing applications.

The two addendums are highlighted in the attachments for RCC and Redland Water commercial business unit respectively.

**PURPOSE**

This report updates the adopted 2012-2013 Fees and Charges schedules following requests from the relevant business areas.

**BACKGROUND**

Fees and Charges were adopted on 27 June 2012 and the descriptions for one landing charge fee have subsequently been amended. Additionally, on the return of Redland Water to Redland City Council on 1 July 2012, the Environment, Planning and Development Department has requested Redland Water provide infrastructure charges for the 2012-2013 financial year that relate to applications made prior to the State government direction to cap infrastructure charges.

**ISSUES**

Amendments to adopted fees and charges require a council resolution prior to publication and implementation. The landing fee amount is currently correct although the description needs amending.

There is no financial impact to the following update:

*Charter Ferry Passenger Service:*

<i>Less than 3 tonnes</i>	<i>\$0</i>
<i>More than 3 tonnes but less than 30 tonnes</i>	<i>\$2,727.76</i>
<i>More than 30 tonnes</i>	<i>Fee On Application</i>

With the return of Redland Water from 1 July 2012, it has become apparent that some infrastructure charges aligned to developments prior to the state government direction for capping need to be determined and adopted. The approach taken for these charges has been to apply the RCC blended CPI of 4.5% to the 2011-2012 Allconnex Water Redland District Augmentation Charges. The second attachment highlights these new charges and any revenue impacts will be analysed in the 2012-2013 year to amend the adopted budget if required.

## **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 2012-2013 budget as estimates for fees and charges revenues are already contained in the developed budget. These estimates will be revised on a quarterly basis if necessary, following analysis of quantities and estimated revenues compared to actual revenues collected during the year.

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

The landing fee was discussed with ELG and Councillors, most recently at the budget development workshop on 23 May 2012.

Redland Water budget development was conducted in consultation with ELG and Council in June 2012. Following the return of Redland Water on 1 July 2012, it is apparent that additional infrastructure charges are required and consultation has taken place between officers within the Environment, Planning and Development Department and the accountant for the Redland Water commercialised business unit.

## **OPTIONS**

### **PREFERRED**

That Council resolve to adopt the revised fees and charges as highlighted in the attached documents.

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**ALTERNATIVE**

That Council request further information from the businesses that own the fee or charge.

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

**Moved by: Cr M Edwards**

**Seconded by: Cr A Beard**

**That Council resolve to adopt the revised fees and charges as highlighted in the attached documents.**

**CARRIED** (en bloc)

### **13.3 CLOSED SESSION AT COMMITTEE**

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

#### **13.3.1 DRAFT 2011/12 FINANCIAL STATEMENTS**

**Dataworks Filename: FM Monthly Financial Reports to Committee**

**Responsible Officer: Martin Drydale  
General Manager Corporate Services**

**Author: Sandra Bridgeman  
Financial Reporting Manager**

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#### **EXECUTIVE SUMMARY**

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

#### **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by: Cr M Edwards  
Seconded by: Cr A Beard**

**That Council resolve to note the 2011/2012 Draft Unaudited Financial Statements for review and illustrative purposes.**

**CARRIED (en bloc)**

**13.4 CLOSED SESSION - COMMITTEE DELEGATED AUTHORITY****13.4.1 LEVEL 7 VEHICLE ENTITLEMENTS**

**Dataworks Filename:** HRM Council Vehicles

**Responsible Officer:** Martin Drydale  
General Manager Corporate Services

**Author:** Amanda Daly  
Manager People & Change

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**EXECUTIVE SUMMARY**

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

**COMMITTEE RESOLUTION**

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

That Council resolve to use Committee delegated authority for formal decision making, in accordance with Section 257 of the *Local Government Act 2009*, as follows:

1. Remove the automatic entitlement of partial private use of a vehicle for all level 7 officers and assess future need on an operational needs basis;
2. All current employees with partial private use at level 7 (vehicle or cash in lieu of vehicle) are ring-fenced until the role is vacated. Additionally, it is recommended that ring-fencing is maintained for lateral moves for existing staff to other level 7 roles to ensure multiskilling and developing skills within the organisation is not discouraged. Consideration will also have to be given when the officer's vehicle is due for renewal as to whether a vehicle will be purchased or an allowance paid;
3. A full review of the carpool requirements be completed by Fleet, and lease fees for those with operational requirements (requesting partial private use) be considered to ensure fairness among level 7 officers;
4. Attraction and retention of employees be monitored by P&C; and
5. The use of delegated authority is justified to ensure immediate savings are made for RCC for any future recruitment.

**CARRIED** (unanimously)

**COUNCIL RESOLUTION**

**Moved by:** Cr M Edwards  
**Seconded by:** Cr A Beard

That the Committee resolution be noted.

**CARRIED**

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**14 REDLAND WATER COMMITTEE – 17 JULY 2012**

Moved by: Cr L Hewlett  
Seconded by: Cr J Talty

That the Redland Water Committee Minutes of 17 July 2012 be received and item resolved under delegated authority be noted.

[Redland Water Committee 17 July 2012](#)

CARRIED

**ITEM RESOLVED UNDER DELEGATED AUTHORITY**

14.2.1 Delivery of South-East Thornlands Sewer

**14.1 REDLAND WATER****14.1.1 REDLAND WATER PERFORMANCE PLAN 2012-2013**

**Datworks Filename:** WS Redland Water Committee  
WW Redland Water Committee

**Attachment:** [Redland Water Performance Plan for Water and Wastewater Services 2012-13](#)

**Responsible Officer:** Gary Soutar  
General Manager Redland Water

**Author:** Shelley Thompson  
PA to General Manager Redland Water

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**EXECUTIVE SUMMARY**

Redland Water (RW) is a commercial business unit (CBU) of Redland City Council (RCC).

Chapter 3 Part 4 Division 3 of the *Local Government (Beneficial Enterprises and Business Activities) Regulation 2010* states:

- A local government's operational plan for the financial year must include an annual performance plan for each commercial business unit.

RW had conducted a review of its annual performance plan for the 2012-2013 financial year and this is now presented for adoption.

It is recommended that the annual performance plan be approved.

**PURPOSE**

For council to adopt RW's annual performance plan for 2012-2013 to meet the requirement of the *Local Government (Beneficial Enterprises and Business Activities) Regulation 2010*.

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## BACKGROUND

Section 31 of the *Local Government (Beneficial Enterprises and Business Activities) Regulation 2010* states that an annual performance plan for a commercial business unit is a document stating the following for the financial year:

- a) the unit's objectives;
- b) the nature and extent of the significant business the commercial business unit is to conduct;
- c) the unit's financial and non-financial performance targets;
- d) the nature and extent of the community service obligations the unit must perform;
- e) the cost of, and funding for, the community service obligations;
- f) the unit's notional capital structure, and treatment of surpluses;
- g) the unit's proposed major investments;
- h) the unit's outstanding, and proposed borrowings;
- i) the unit's policy on the level and quality of services consumers can expect;
- j) the delegations necessary to allow the unit to exercise autonomy in its commercial activities;
- k) the type of information that the unit's reports to the local government must contain.

## RELATIONSHIP TO CORPORATE PLAN

### 5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

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

## FINANCIAL IMPLICATIONS

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

## CONSULTATION

Consultation has occurred with:

- Executive Leadership Group;
- Redland Water's group managers; and
- Senior Accountant Commercial Businesses.

## OPTIONS

### PREFERRED

That Council resolve to adopt the Redland Water Performance Plan for Water and Wastewater Services for 2012-13 as attached.

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**ALTERNATIVE**

That Council resolve to adopt the Redland Water Performance Plan for Water and Wastewater Services for 2012-13 with amendments.

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

**Moved by: Cr L Hewlett**

**Seconded by: Cr A Beard**

**That Council resolve to adopt the Redland Water Performance Plan for Water and Wastewater Services for 2012-13 as attached.**

**CARRIED** (en bloc)

## 14.2 COMMITTEE DELEGATED AUTHORITY

### 14.2.1 DELIVERY OF SOUTH-EAST THORNLANDS SEWER

**Dataworks Filename:** WW Planning – Reticulation – Rising Mains  
WW Planning – Sewage Pump Stations

**Attachment:** [South East Thornlands Sewer Project Plan](#)

**Responsible Officer:** Gary Soutar  
General Manager Redland Water

**Authors:** Bradley Taylor  
Group Manager Infrastructure and Planning  
Gail Widrose  
Procurement Operations Manager

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### EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval to adopt a tender consideration plan in accordance with the *section 179 of the Local Government (Finance, Plans and Reporting) Regulation 2010* for the design and construction of the sewer for the South-East Thornlands Development Precinct (SET). The components of the plan are:

- Diversion of PS68 pipeline to the proposed pump station PS165 with part DN150 rising main and part DN225/DN375 gravity sewer. Capital cost \$1,682,731.
- Construction of PS165 with DN250/DN300 rising main to inject into the existing pump station PS139 rising main towards pump station PS141. Capital cost \$4,368,556.

The objective of the tender consideration plan is to ensure that this project is completed on time (prior to the end of the 2012/2013 financial year) and within the budget as the Department of State Development has declared the sewerage of SET a major project.

The objectives of this plan will be achieved by:

- Engaging GHD to complete the detailed design of the project under the Local Buy arrangement. Cost for the detailed design component is \$186,633 excluding GST.
- Commencing an expression of interest (EOI) in accordance with the *section 177 of the Local Government (Finance, Plans and Reporting) Regulation 2010* for the construction component of the SET project.

It is envisaged that the tender consideration plan will save Council time and money as GHD were engaged by the Department of Main Roads & Transport (DMRT) for upgrading Redland Bay Road and associated intersections. The majority of survey, geotechnical and design works have been carried out by GHD Consulting Engineers. The detailed design of the sewer rising will require all of these components to be undertaken. GHD have been approached in regard to understanding the availability of the previous work and their availability to quickly complete a design. GHD have confirmed their strong interest. The estimated saving of not having to undertake the

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majority of survey, geotechnical and service location work is estimated to be \$125K. It is also understood that if this work were not available, there would be up to a 3 month delay in commencing the detailed design. GHD have prepared a detailed lump sum price proposal to prepare the following:

- Detailed design - \$186,633 excluding GST
- Survey and geotechnical work not covered by previous DMRT work - \$50,000 (provisional sum)

This represents a significant saving compared to the detailed design estimate prepared by the Logan Water Alliance (LWA) of \$876,998. GHD also propose to complete the detailed design by end of September 2012 - this relies on assistance being provided by the Department of State Development in regard to facilitating approvals.

## **PURPOSE**

A resolution is sought from Council in accordance with the Local Government (Finance, Plans and Reporting) Regulation 2010 – Sections 177 and 179 to:

- Adopt a tender consideration plan in accordance with *section 179 of the Local Government (Finance, Plans and Reporting) Regulation 2010* for design and construct of the sewer for SET.
- Commence an EOI for the construction component of the SET project and eventual acceptance of a tendered lump sum price based on final detailed design.

## **BACKGROUND**

LWA has now released their detailed planning and preliminary design reports. Two main trunk elements are required to be constructed to sewer the South-East Thornlands Development Precinct. They are:

- Divert PS68 pipeline to the proposed pump station PS165 with part DN150 rising main and part DN225/DN375 gravity sewer. Capital cost \$1,682,731.
- Construct PS165 with DN250/DN300 rising main to inject into the existing pump station PS139 rising main towards pump station PS141. Capital cost \$4,368,556.

The combined estimated cost for construction is \$6,051,286 without detailed design and easement costs. In order to ensure development is not curtailed in SET, it is essential that PS165 and the associated rising main to South Street are constructed as soon as possible. The diversion of PS68 can occur many years later when capacity requires this redirection.

LWA were questioned on 22 June 2012 in regard to what the detailed design would be as all costing associated within their schedules does not include any further costs for detailed design, easements, approvals or supervision. LWA provided a schedule for detailed design which is \$876,998 (excluding GST). This estimate does not include any land compensation costs associated with gaining of easements for the trunk sewer assets. It is unknown at this point what the expected costs of easements will be, however, they may be in the vicinity of \$250,000. This brings the expected costs to provide the trunk sewer to approximately \$7 million. The Department of State Development declared the sewerage of SET as a major project. It is

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understood that they will assist in obtaining any State Government approvals. Currently, the draft ICA for SET has a target date for completion of the sewer of June 2014.

The planning report highlights that approval in principle for the sewer route has been gained from DMRT, however, significant further approvals still need to be obtained before any construction can be undertaken. These approvals include:

- Clearing permits
- The proposed PS68 rising main alignment traverses vegetation mapped as medium value Bushland Habitat and lies within the Priority Koala Assessable Development Area and will be assessable against the development criteria defined in the SEQ Koala Conservation SPRP
- Vegetation is also mapped as areas of high ecological significance under the Queensland Coastal Plan. Clearance of vegetation may trigger assessable development under IDAS
- Creek crossing approvals
- Main road crossings
- Possible environmental offsets
- Easements will be required through freehold, State Reserve and Council land. LWA estimate the timeframe to achieve compulsory easements is 4 to 12 months
- Road excavation permits
- ERA 63 Development Approval for PS165

In addition, before a detailed design can be finalised there is a need to undertake:

- Survey and pegging of the route
- Geotechnical soil sampling every 250m and at 12m depth in the vicinity of PS165
- Potholing and surveying of existing services

LWA have provided a project plan which indicates that the detailed design and specification of the works including approvals will take 9 months. LWA also suggest that the duration of construction activities on site will be 10 months. If tendering is to be undertaken for detailed design and also construction, a further 6 months will be lost in these activities. Overall, LWA expects the project to take conservatively 25 months to complete using their delivery method. The project plan is shown in Attachment 1.

The program of work offered by LWA is not likely to satisfy the developers with the late completion date of the project. In order to use the agreed early sealing of plans for a limited number of lots it is proposed that the developers install temporary pump stations which will be connected to the existing gravity sewer discharging to PS68. Operating these temporary pump stations until the main system is constructed provides additional risks to the community and the environment. Early construction of the sewer will mitigate these risks.

Redland Water has a \$5 million budget to complete the sewer works. It is likely that the diversion of PS68 will not be required at this early stage of the project and only

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the gravity sewer components of the diversion will be required. Therefore, there will be adequate funds this year to complete the main components provided the critical milestones can be met.

The provision of sewerage for SET is currently a constraint to development. It is understood that Council would like to provide trunk sewerage facilities as soon as possible. Delivery of the trunk sewerage as proposed by LWA will not meet these needs. Consideration has been given to delivery options that provide an efficient and effective delivery.

In this regard it has been noted that DMRT have been upgrading Redland Bay Road and associated intersections. All of the survey, geotechnical and design works have been carried out by GHD Consulting Engineers. The detailed design of the sewer rising will require all of these components to be undertaken. GHD have been approached in regard to understanding the availability of the previous work and their availability to quickly complete a design. GHD have confirmed their capability and availability.

The estimated saving of not having to undertake the survey, geotechnical and service location work is estimated to be \$125K. It is also understood that if this work were not available, there would be up to a 3-month delay in completing these works before commencing the detailed design. GHD have provided a proposal to prepare the following documents:

- Detailed design - \$186,633 excluding GST
- Survey and geotechnical work not covered by previous DMRT work - \$50,000 (provisional sum)

The GHD proposal represents a significant saving compared to the detailed design estimate prepared by LWA of \$876,998. GHD also propose to complete the detailed design by end of September 2012. This completion date considers that assistance will be provided by the Department of State Development in regard to facilitating approvals.

In parallel to the detailed design process, it is proposed to shortlist suitable construction providers through an EOI. The final design will then be provided to the short list of pre-approved construction providers to allow them to submit a lump sum for tender evaluation. It may also be necessary for Redland Water to purchase materials such as pipes, fittings, pumps and switchboard at the earliest opportunity. This will also prevent any delays in the project timeframe.

If the GHD detailed design option is not recommended, the next expeditious option is to commence a full tender process for the detailed design component and possibly carry out additional survey, geotechnical and service location work. This will increase the duration of the project by at least 6 months and the expected completion date will be February 2014.

## **ISSUES**

Issues that may curtail the progress of the project include:

- Obtaining environmental approvals in a reasonable time
  - Obtaining any easements over private land
  - Inclement weather during construction
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- Completion of the infrastructure agreement with the developers

## **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**

- This recommendation does not require any change to the current year's budget as funds have already been allocated to account job number 64165.
- Should the GHD detailed design option not be adopted by Council, the next expeditious option is to commence a full tender process for the detailed design component and possibly carry out additional survey, geotechnical and service location work. This will increase the duration of the project by at least 6 months with an estimated completion date of February 2014 and would include additional costs to Council due to the requirement to commence a full tender process for this project and pay for survey, geotechnical and service location work.

## **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**

- Redland Water General Manager
- Procurement Operations Manager

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. Subject to an infrastructure agreement being finalised and signed by the developers and council:
  - a) to adopt, in accordance with the *Local Government (Finance, Plans and Reporting) Regulation 2010 – Section 179*, the tender consideration plan to ensure this project is completed on time (prior to the end of the 2012/2013 financial year) and within the budget by engaging GHD to complete the detailed design of the project under the Local Buy arrangement. Cost for the detailed design component is \$186,633 excluding GST.
  - b) to commence an expression of interest, in accordance with the *Local Government (Finance, Plans and Reporting) Regulation 2010 – Section 177*, for the construction component of the SET project.

### **ALTERNATIVE**

Should the GHD detailed design option not be adopted by Council, the next expeditious option is to commence a full tender process for the detailed design component and possibly carry out additional survey, geotechnical and service

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location work. This will increase the duration of the project by at least 6 months with an estimated completion date of February 2014 and would include additional costs to Council due to the requirement to commence a full tender process for this project.

That Council resolve, in accordance with the *Local Government (Finance, Plans and Reporting) Regulation 2010 – Section 177*, to commence a full tender process for the detailed design component and possibly carry out additional survey, geotechnical and service location work

### **OFFICER'S RECOMMENDATION**

That Council resolve as follows:

1. Subject to an infrastructure agreement being finalised and signed by the developers and council:
  - a) To adopt, in accordance with the *Local Government (Finance, Plans and Reporting) Regulation 2010 – Section 179*, the tender consideration plan to ensure this project is completed on time (prior to the end of the 2012/2013 financial year) and within the budget by engaging GHD to complete the detailed design of the project under the Local Buy arrangement. Cost for the detailed design component is \$186,633 excluding GST; and
  - b) To commence an expression of interest, in accordance with the *Local Government (Finance, Plans and Reporting) Regulation 2010 – Section 177*, for the construction component of the SET project.

### **COMMITTEE RESOLUTION**

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

**That Council resolve to use Committee delegated authority for formal decision making in accordance with Section 257 of the *Local Government Act 2009* as follows:**

1. **Subject to an infrastructure agreement being finalised and signed by the developers and council:**
  - a) **To adopt, in accordance with the *Local Government (Finance, Plans and Reporting) Regulation 2010 – Section 179*, the tender consideration plan to ensure this project is completed on time (prior to the end of the 2012/2013 financial year) and within the budget by engaging GHD to complete the detailed design of the project under the Local Buy arrangement. Cost for the detailed design component is \$186,633 excluding GST;**
  - b) **To commence an expression of interest, in accordance with the *Local Government (Finance, Plans and Reporting) Regulation 2010 – Section 177*, for the construction component of the SET project; and**
2. **The use of delegated authority is justified for the purpose of meeting budget timeframes.**

**CARRIED** (unanimously)

**COUNCIL RESOLUTION**

**Moved by:** Cr L Hewlett

**Seconded by:** Cr J Talty

**That the Committee resolution be noted.**

**CARRIED**

## **15 DEVELOPMENT ASSESSMENT & COMMUNITY STANDARDS COMMITTEE – 18 JULY 2012**

Moved by: Cr M Elliott  
Seconded by: Cr P Bishop

That the Development Assessment & Community Standards Committee Minutes of 18 July 2012 be received.

[Development Assessment & Community Standards Minutes 18 July 2012](#)

CARRIED

### **15.1 ENVIRONMENT PLANNING & DEVELOPMENT**

#### **15.1.1 CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENTS AND ASSOCIATED ADMINISTRATIVE MATTERS, INCLUDING CORRESPONDENCE ASSOCIATED WITH THE ROUTINE MANAGEMENT OF ALL DEVELOPMENT APPLICATIONS**

**Datworks Filename: GOV - Development and Community Standards - Delegated Items**

**Responsible Officer: Graham Simpson  
Acting Group Manager, Sustainable Assessment**

**Author: Kerri Lee  
Business Support Officer, Sustainable Assessment**

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#### **EXECUTIVE SUMMARY**

At the General Meeting of 27 July, 2011, Council resolved that development assessments be classified into the following four Categories:

Category 1 – Minor Complying Code Assessments & associated administrative matters, including correspondence associated with the routine management of all development applications;

Category 2 – Complying Code Assessments & Minor Impact Assessments;

Category 3 – Moderately Complex Code & Impact Assessments;

Category 4 – Major and Significant Assessments.

The applications detailed in this report have been assessed under Category 1 criteria - defined as complying code assessable applications, including building works assessable against the planning scheme, and other applications of a minor nature.

#### **PURPOSE**

The purpose of this report is for Council to note that the following decisions were made under delegated authority – Category 1 – Minor Complying Code Assessments and associated administrative matters, including correspondence associated with the routine management of all development applications.

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1. Development Permit issued on 30 May, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 48-54 Wrights Place, Mount Cotton. The Certifier Pty Ltd. (BWP001428)
2. Development Permit issued on 01 June, 2012 for building works assessable under the planning scheme for domestic additions at 29 Orion Street, Macleay Island. Palew Constructions. (BWP001487)
3. Development Permit issued on 01 June, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 64 O'Connell Parade, Wellington Point. The Certifier Pty Ltd. (BWP001494)
4. Development Permit issued on 04 June, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 2 Mayfair Street, Alexandra Hills. Strickland Certification Pty Ltd. (BWP001468)
5. Development Permit issued on 04 June, 2012 for building works assessable under the planning scheme for a private swimming pool at 35 Junee Parade, Karragarra. Mr J R Monaghan. (BWP001497)
6. A Notice agreeing to a change of approval was issued on 06 June, 2012 for a dual occupancy at 7 Pratt Court, Point Lookout. Evolve Property Services Pty Ltd. (MC011959)
7. Development Permit issued on 07 June, 2012 for operational works for an advertising device at 189-201 Old Cleveland Road, Capalaba. Bayside Medical Precinct, Outdoor Intelligence Pty Ltd. (OPW001315)
8. Development Permit issued on 07 June, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 493-495 Redland Bay Road, Capalaba. Mr E M Ney. (BWP001460)
9. Development Permit issued on 08 June, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 105 Habitat Drive, Redland Bay. Suncoast Enclosures. (BWP001491)
10. Development Permit issued on 08 June, 2012 for building works assessable under the planning scheme for domestic additions at 113-115 Campbell Road, Sheldon. Tri-Nat Enterprises Pty Ltd. (BWP0014950)
11. Development Permit issued on 12 June, 2012 for operational works for an advertising device at 144 Old Cleveland Road, Capalaba. Capalaba Football Club Inc. (OPW001287)
12. Development Permit issued on 13 June, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 55 Denham Boulevard, Redland Bay. Suncoast Enclosures. (BWP001474)
13. Development Permit issued on 22 June, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 58-60 O'Connell Parade, Wellington Point. Strickland Certification Pty Ltd. (BWP001502)

14. Development Permit issued on 5 June, 2012 for a material change of use for a dwelling house at 9 Nato Court, Thornlands. Steven A. O'Connor. (MCU012859)
15. Development Permit issued on 7 June, 2012 for a material change of use for a dwelling house at 23 Jerrys Place, Thornlands. Sutgold Pty Ltd. (MCU012862)
16. Development Permit issued on 13 June, 2012 for a material change of use for a dwelling house at 11 Colthouse Drive, Thornlands. Mr Cornelis L.A. De Ruyscher. (MCU012864)
17. Development Permit issued on 19 June, 2012 for a material change of use for a dwelling house at 1 Jicama Court, Thornlands. Henley Properties (Qld) Pty Ltd. (MCU012857)
18. Development Permit issued on 29 June, 2012 for a material change of use for a dwelling house at 2 Tuckeroo Street, Thornlands. BA Group Australia Pty Ltd. (MCU012869)
19. Development Permit issued on for building works approval assessed against the Redlands Planning Scheme for domestic additions at 105 Beelong Street, Macleay Island. Bay Island Designs. (BWP001488)
20. Development Permit issued on 29 May, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 6 Law Place, Alexandra Hills. G & J Grimsey Building Services Pty Ltd. (BWP001499)
21. Development Permit issued on 25 June, 2012 for building works assessable under the planning scheme for a domestic outbuilding at 34-36 Broadwater Terrace, Redland Bay. Mr W.C. Evers. (BWP001492)
22. A Notice issued on 22 June, 2012 agreeing to a change of approval was issued for a domestic outbuilding at 34-36 Broadwater Terrace, Redland Bay. Mr W.C. Evers and Mrs L.I. Evers. (BWP001328)

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

**Moved by:** Cr M Elliott  
**Seconded by:** Cr P Bishop

**That the report be noted.**

**CARRIED** (en bloc)

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### 15.1.2 CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MINOR IMPACT ASSESSMENTS

**Datworks Filename:** GOV - Development and Community Standards - Delegated Items

**Responsible Officer:** Graham Simpson  
Acting Group Manager, Sustainable Assessment

**Author:** Kerri Lee  
Business Support Officer, Sustainable Assessment

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#### EXECUTIVE SUMMARY

At the General Meeting of 27 July, 2011, Council resolved that development assessments be classified into the following four Categories:

Category 1 – Minor Complying Code Assessments & associated administrative matters, including correspondence associated with the routine management of all development applications;

Category 2 – Complying Code Assessments & Minor Impact Assessments;

Category 3 – Moderately Complex Code & Impact Assessments; and

Category 4 – Major and Significant Assessments.

The applications detailed in this report have been assessed under Category 2 criteria - defined as complying code assessable and compliance assessable applications, including operational works, and Impact Assessable applications without submissions of objection. Also includes a number of process related delegations, including issuing planning certificates, approval of works on and off maintenance and the release of bonds, and all other delegations not otherwise listed.

#### PURPOSE

The purpose of this report is for Council to note that the following decisions were made under delegated authority – Category 2 – Complying Code Assessments and Minor Impact Assessments.

1. Development Permit issued on 29 May, 2012 for reconfiguration of lots (two into eighty four lots) at 19-37 Collins Street and 153-187 School of Arts Road, Redland Bay. Philip Usher Constructions Pty Ltd. (SB005458)
2. Development Permit issued on 29 May, 2012 for a material change of use for a dwelling house at 22 Cowes Street, Macleay Island. Mr D J Wilson. (MC011281)
3. Development Permit issued on 29 May, 2012 for a material change of use to construct a dual occupancy at 11 St Andrews Avenue, Birkdale. JDC Designs & Planning. (MCU12642)
4. A Notice agreeing to a change of approval was issued on 30 May, 2012 for reconfiguration of lots (one into three) at 61-63 Sanctuary Drive, Mount Cotton. , Von Investments, The Certifier Pty Ltd. (SB404206/1)

5. Development Permit issued on 31 May, 2021 for a material change of use for a small lot house at 48 Wellesley Street, Wellington Point. Reliable Certification Services. (MCU12798)
6. Development Permit issued on 31 May, 2021 for a material change of use for a small lot house at 45 Stradbroke Street, Redland Bay. Building Surveying Professionals Queensland. (MCU12836)
7. Development Permit issued on 31 May, 2012 for a material change of use to operate a home business (Hairdressing Salon) at 23 Drevesen Avenue, Cleveland. X A Franklin. (MCU12830)
8. Development Permit issued on 31 May, 2021 for a material change of use for a small lot house at 13A Bream Place, Redland Bay. Simonds Qld Constructions. (MCU12793)
9. Development Permit issued on 31 May, 2021 for a material change of use for a small lot house at 13 Bream Place, Redland Bay. Simonds Qld Constructions. (MCU12794)
10. Development Permit issued on 01 June, 2021 for a material change of use for a small lot house at 11 George Street, Ormiston. Mr G W Noonan, Mrs E K Noonan. (MCU12770)
11. Development Permit issued on 01 June, 2012 for the reconfiguration of lots (one into two lots) at 17 Scott Street, Cleveland. Alguna Pty Ltd. (ROL005595)
12. Development Permit issued on 04 June, 2012 for a material change of use for a dwelling house at 15 The Rampart, Redland Bay. Mrs D J McDonald. (MCU012749)
13. A Notice agreeing to extend the relevant period of an existing development approval was issued on 05 June, 2012 for a building works approval to construct domestic additions at 4 Kindara Street, Amity. Ms S K Markgren, Mr J S Olsen. (BWP001052)
14. Development Permit issued on 07 June, 2012 for a material change of use for a child care centre at 12 St Anthony Drive, Alexandra Hills. Bickerton Masters Pty Ltd. (MCU012707)
15. A Notice agreeing to a change of approval was issued on 08 June, 2012 for a multiple dwelling (x 17) at 40-42 Holland Crescent, Capalaba. , Bartley Burns. (MC012780)
16. A Notice agreeing to a change of approval was issued on 08 June, 2012 for a domestic outbuilding at 7 White Street, Victoria Point. The Certifier Pty Ltd. (BWP001361)
17. Development Permit issued on 08 June, 2012 for a material change of use for a dwelling house at 20 Treasure Island Avenue, Karragarra Island. Sutgold Pty Ltd. (MCU012752)

18. A Notice agreeing to extend the relevant period of an existing development approval was issued on 08 June, 2012 for a lot reconfiguration and mixed use (tourist resort, accommodation units, shop and caretaker's residence) at 49 Dickson Way, Point Lookout. Bartley Burns. (MC007377)
19. Development Permit issued on 08 June, 2012 for a material change of use to construct a dual occupancy at 5 Ney Road, Capalaba. ASI Planning. (MCU012799)
20. Development Permit issued on 13 June, 2012 for reconfiguration of lots (one into two lots) at 54 Lawn Terrace, Capalaba. Mrs T M Leatham. (ROL005583)
21. A Notice agreeing to a change of approval was issued on 18 June, 2012 for a multiple dwelling (x 11) at 122-124 Mount Cotton Road, Capalaba. , Indacom Design. (MC010760)
22. A Notice agreeing to a change of approval was issued on 18 June, 2012 for a place of worship at 74 Lyndon Road, Capalaba. , The Certifier Pty Ltd. (C2058)
23. Development Permit issued on 18 June, 2012 for a material change of use for a small lot house at 167-185 South Street, Cleveland (proposed lot 27). Javica Pty Ltd. (MCU012844)
24. Development Permit issued on 19 June, 2012 for a material change of use for a small lot house at 167-185 South Street, Cleveland (proposed lot 24). Javica Pty Ltd. (MCU012845)
25. Negotiated Decision Notice issued on 19 June, 2012 to vary an existing approval for a reconfiguration at 184 Russell Street, Cleveland. East Coast Surveys Pty Ltd. (ROL 005572)
26. A Notice agreeing to a permissible change of approval was issued on 19 June, 2012 for a reconfiguration of lots (Combined MCU / Standard Format Reconfiguration) at 15-55 School Of Arts Road, Redland Bay (14 Viola Drive, Redland Bay). Mr K Woodward, Mrs A Woodward. (SB004189)
27. Preliminary Approval issued on 19 June, 2012 for a service industry (specialising in the assembly and construction of shade sails) at 7 Sandra Street, Russell Island. Precision Worldwide Logistics Pty Ltd. (MC011556)
28. Development Permit issued on 20 June, 2012 for the reconfiguration of lots with common property (one into two lots) at 5 Yarrong Road, Point Lookout. Jeremy Sean Salmon, Michael Allan McFillin As PR and Mr H J Davis. (ROL005552)
29. Development Permit issued on 20 June, 2012 for the reconfiguration of lots with common property (one into two lots) at 20 Samarinda Way, Point Lookout. Eagle Surveys Pty Ltd. (ROL005599)
30. A Notice agreeing to a change of approval was issued on 21 June, 2012 for a small lot house at 115 Torquay Road, Redland Bay. , Mrs H Koenen. (MC011480)



31. Development Permit issued on 21 June, 2012 for a material change of use for a development near underground infrastructure approval for a dwelling house at 17 Riley Peter Place, Thornlands. Javica Pty Ltd. (MCU012855)
32. Development Permit issued on 27 June, 2012 for a material change of use to construct a Multiple Dwelling (10 units) at 9-10 Michelle Court, Cleveland. R & J Jones Family Trust. (MCU012757)
33. Development Permit issued on 28 June, 2012 for reconfiguration of lots (one into two lots) at 6 Waller Court, Point Lookout. Eagle Surveys Pty Ltd. (ROL005570)
34. A Notice agreeing to a change of approval was issued on 28 June, 2012 for a dual occupancy at 6 Waller Court, Point Lookout. Eagle Surveys Pty Ltd. (MC010236)
35. A Notice agreeing to a change of approval was issued on 25 June, 2012 for a reconfiguration of lots at 630-636 Main Road and 8 Nelson Road, Wellington Point. Eagle Surveys Pty Ltd. (SB005229 and SB005485)
36. A Notice agreeing to extend the relevant period of an existing development approval was issued on 26 June, 2012 for a material change of use for an extension to existing marine services (boat storage facility) at 98 and 102-104 Beveridge Road, Thornlands. Bartley Burns Certifiers and Planners. (MC010757)

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

**Moved by:** Cr M Elliott  
**Seconded by:** Cr P Bishop

**That the report be noted.**

**CARRIED**

### 15.1.3 CATEGORY 3 - MODERATELY COMPLEX CODE AND IMPACT ASSESSMENTS

**Datworks Filename:** GOV - Development and Community Standards - Delegated Items

**Responsible Officer:** Graham Simpson  
Acting Group Manager, Sustainable Assessment

**Author:** Kerri Lee  
Business Support Officer, Sustainable Assessment

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#### EXECUTIVE SUMMARY

At the General Meeting of 27 July, 2011, Council resolved that development assessments be classified into the following four Categories:

Category 1 – Minor Complying Code Assessments & associated administrative matters, including correspondence associated with the routine management of all development applications;

Category 2 – Complying Code Assessments & Minor Impact Assessments;

Category 3 – Moderately Complex Code & Impact Assessments;

Category 4 – Major and Significant Assessments

The applications detailed in this report have been assessed under Category 3 criteria that are defined as applications of a moderately complex nature, generally mainstream impact assessable applications and code assessable applications of a higher level of complexity. Impact applications may involve submissions objecting to the proposal readily addressable by reasonable and relevant conditions. Both may have minor level aspects outside a stated policy position that are subject to discretionary provisions of the Planning Scheme.

Applications seeking approval of a plan of survey are included in this category. Applications can be referred to Development and Community Standards Committee for a decision.

#### PURPOSE

The purpose of this report is for Council to note that the following decisions were made under delegated authority - Category 3 – Moderately Complex Code & Impact Assessments. ([Category 3 Report](#))

1. Development Permit issued on 4 June, 2012 for a material change of use for an apartment building at 154 Middle Street, Cleveland. DGK Planning Consultancy. (MC012004)
2. Development Permit issued on 26 June, 2012 for a material change of use for an outdoor recreation facility (children's parties and animal petting zoo) at 1-5 Pinecone Place, Thornlands. Mr R.E. Caruana and Mrs K.L. Caruana. (MCU012606)

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

**Moved by: Cr M Elliott  
Seconded by: Cr P Bishop**

**That the report be noted.**

**CARRIED**

**15.1.4 APPEALS LIST CURRENT AS AT 9 JULY, 2012**

**Datworks Filename:** GOV - Development and Community Standards – Current Appeals

**Responsible Officer:** Graham Simpson  
Acting Group Manager, Sustainable Assessment

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

**EXECUTIVE SUMMARY**

<b>1.</b>	<b>File Number:</b>	Appeal 2884 of 1998 (SB351901)
<b>Applicant:</b>		<b>Sabdoen Pty Ltd</b>
<b>Application Details:</b>		Claim against zoning amendment Point O'Halloran Road, Victoria Point
<b>Appeal Details:</b>		Compensation.
<b>Current Status:</b>		Appeal has been discontinued.

<b>2.</b>	<b>File Number:</b>	Appeal 1167 of 2007 (MC009414)
<b>Applicant:</b>		<b>AJ &amp; CL Dowley</b>
<b>Application Details:</b>		Material Change of Use for Dwelling House 20 Emerson Street, Russell Island
<b>Appeal Details:</b>		Applicant appeal against Condition 1 of Negotiated Decision.
<b>Current Status:</b>		Consent Order issued on 6 July 2012.

<b>3.</b>	<b>File Number:</b>	Appeal 1880 of 2008 (SB004758.1A SB004758.1B MC007588)
<b>Applicant:</b>		<b>Heritage Properties P/L</b>
<b>Application Details:</b>		Material Change of Use (residential development) and Reconfiguring a Lot (1 into 35 lots (1A)) and Preliminary Approval affecting a Planning Instrument 268, 278, 296, 310, 332 & 344 Cleveland-Redland Bay Road, Thornlands
<b>Appeal Details:</b>		Applicant appeal against deemed refusal.
<b>Current Status:</b>		Conditions are being reviewed by appellants and Infrastructure Agreements are being finalised.
<b>Hearing Date:</b>		Judgment 12 April 2011. Appeal allowed. Set down for review 27 July, 2012.

<b>4.</b>	<b>File Number:</b>	Appeal 1963 of 2009 (MC010715)
<b>Applicant:</b>		<b>JT George Nominees P/L</b>
<b>Application Details:</b>		Preliminary Approval for MCU for neighbourhood centre, open space and residential uses (concept master plan). Cnr Taylor Rd & Woodlands Dve, Thornlands.
<b>Appeal Details:</b>		Applicant Appeal against refusal.
<b>Hearing Date:</b>		Adjourned for further review 25 July 2012.

<b>5.</b>	<b>File Number:</b>	Appeal 2675 of 2009. (MC010624)
<b>Applicant:</b>		<b>L M Wigan</b>
<b>Application Details:</b>		Material Change of Use for residential development (Res A & Res B) and preliminary approval for operational works 84-122 Taylor Road, Thornlands
<b>Appeal Details:</b>		Applicant Appeal against refusal.
<b>Hearing Date:</b>		Adjourned for further review 25 July 2012.

<b>6.</b>	<b>File Number:</b>	Appeal 2894 of 2011. (SB004896)
<b>Applicant:</b>		<b>M &amp; D Power</b>
<b>Application Details:</b>		Reconfiguring a Lot (1 into 10 Lots) 18 Mainsail Street, Birkdale
<b>Appeal Details:</b>		Compensation Claim in relation to Council's refusal.
<b>Current Status:</b>		Further negotiations are underway.
<b>Hearing Date:</b>		Adjourned for further review 21 August 2012.

<b>7.</b>	<b>File Number:</b>	Appeal 3788 of 2011. (MC010623)
<b>Applicant:</b>		<b>Karreman Resources P/L</b>
<b>Application Details:</b>		Request to Change Development Approval for Extractive Industry 616-632 West Mt Cotton Rd, Mt Cotton
<b>Appeal Details:</b>		Applicant appeal against part refusal of request for Permissible Change .
<b>Current Status:</b>		Conclave meetings on hold. Without prejudice negotiations underway.
<b>Hearing Date:</b>		Listed for review 19 July 2012.

<b>8.</b>	<b>File Number:</b>	Appeal 4611 of 2011 and Appeal 4612 of 2011 (SB005472 / MC012092 and SB005471 / MC012091)
	<b>Applicant:</b>	<b>Ausbuid Projects P/L and PEET Thornlands P/L</b>
	<b>Application Details:</b>	Reconfiguring a Lot (1 into 141 Lots) and (1 into 98 Lots) and Preliminary Approvals affecting a Planning Instrument 89-101 & 104 Kinross Rd, Thornlands
	<b>Appeal Details:</b>	Applicant appeal against deemed refusal.
	<b>Current Status:</b>	Consent Order issued on 22 June 2012.

<b>9.</b>	<b>File Number:</b>	Appeal 4947 of 2011 (MC011057)
	<b>Applicant:</b>	<b>Mulder</b>
	<b>Application Details:</b>	Material Change of Use for a Dwelling House 8 Edgewater Place, Lamb Island
	<b>Appeal Details:</b>	Applicant appeal against deemed refusal.
	<b>Current Status:</b>	Without prejudice meeting held Wed 18/04/2012. Clarification of issues in dispute. Appellant considering alternative design options.
	<b>Hearing Date:</b>	Listed for further review 18 July 2012.

<b>10.</b>	<b>File Number:</b>	Appeal 5192 of 2011 (MC008414)
	<b>Applicant:</b>	<b>Cleveland Power Pty Ltd</b>
	<b>Application Details:</b>	Request to Extend Relevant Period for Bio-mass Power Plant and ERA # 17 70-96 Hillview Rd, Mt Cotton
	<b>Appeal Details:</b>	Applicant appeal against refusal.
	<b>Current Status:</b>	Review being conducted by experts.
	<b>Hearing Date:</b>	Listed for review 18 July 2012.

<b>11.</b>	<b>File Number:</b>	Appeal 342 of 2012 (BWP001388)
	<b>Applicant:</b>	<b>Seymour</b>
	<b>Application Details:</b>	Building Works for Domestic Outbuilding 309 Esplanade, Redland Bay
	<b>Appeal Details:</b>	Applicant appeal against refusal.
	<b>Current Status:</b>	Without prejudice negotiations underway.
	<b>Hearing Date:</b>	Adjourned to 12 July 2012.

Information on appeals may be found as follows:

### 1. Planning and Environment Court

- a) Information on current appeals and declarations with the Planning and Environment Court involving Redland City Council can be found at the District Court web site using the "Search civil files (eCourts) Party Search" service: <http://www.courts.qld.gov.au/esearching/party.asp>
- b) Judgements of the Planning and Environment Court can be viewed via the Supreme Court of Queensland Library web site under the Planning and Environment Court link: <http://www.sclqld.org.au/qjudgment/>

### 2. Redland City Council

The lodgement of an appeal is acknowledged with the Application details on the Councils "Planning and Development On Line - Development - Application Inquiry" site. Some Appeal documents will also be available (note: legal privilege applies to some documents). All judgements and settlements will be reflected in the Council Decision Notice documents:

<http://www.redland.qld.gov.au/PlanningandBuilding/PDOnline/Pages/default.aspx>

### 3. Department of State Development, Infrastructure and Planning (SDIP)

The DSDIP provides a Database of Appeals (<http://services.dip.qld.gov.au/appeals/>) that may be searched for past appeals and declarations heard by the Planning and Environment Court.

The database contains:

- A consolidated list of all appeals and declarations lodged in the Planning and Environment Courts across Queensland of which the Chief Executive has been notified.
- Information about the appeal or declaration, including the appeal number, name and year, the site address and local government.

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

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

That the report be noted.

**CARRIED**

**15.1.5 UPDATE ON GREENTAPE REDUCTION - REFORMING LICENSING  
UNDER THE *ENVIRONMENTAL PROTECTION ACT 1994***

**Datworks Filename:** EM Environmental Protection Act 1994 – Review  
and Amendments

**Attachments:** [Attachment 1 - Letter to DERM GreenTape  
Reduction July 2011](#)  
[Attachment 2 - Report to the Development and  
Community Standards Committee 2 August 2011  
Greentape Reduction](#)

**Responsible Officer:** Toni Averay  
General Manager Environment, Planning and  
Development

**Author:** Jennifer Haines  
Service Manager Health and Environment

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**EXECUTIVE SUMMARY**

The State Government Greentape Reduction Project was established in response to business and government concerns that the regulatory environment in relation to Environmental Protection had become unnecessarily complex and difficult to navigate. Through consultation with business owners, peak bodies, regulators and the community, a number of initiatives were identified in an attempt to simplify and improve licensing processes under the *Environmental Protection Act 1994*.

**PURPOSE**

To provide an update to Council on the progression of this State Government incentive and to advise of possible impacts to Council of the legislative changes proposed in the *Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012*.

**BACKGROUND**

In May 2011, the “Greentape Reduction - Reforming Licensing under the *Environmental Protection Act 1994*: Discussion Paper and Regulatory Assessment Statement” were released by the then Department of Environment and Resource Management (DERM).

Council Officers supported the intent of the paper but did not agree with the proposed process (refer to Attachment 1), and Council noted the submission made to the State in its Development and Community Standards Committee of the 2<sup>nd</sup> August 2011.

Council Officers raised concerns that the proposal to develop two additional assessment processes for Environmentally Relevant Activities (ERAs) and maintain four approval processes and a public register of statutory rules for ERAs would actually increase the administrative burden on Local government, there were also concerns with Stage 2 of the amendment process which proposes to review the Environmental licensing framework, and possibly deregulate some ERA's.

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In response to the State-wide consultation the Department of Environment and Resource Management released "Greentape Reduction-Reforming licensing under the *Environmental Protection Act 1994*: Final Regulatory Impact Statement" in October 2011. This paper acknowledged that the Bill would result in further administration impacts for ERAs regulated by Local Government but that due to a lack of data these impacts had not been quantified or explored further in the paper.

As a result of the 2012 State Government Election further discussion on the Amendment legislation was put on hold. On 29 May 2012 the *Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2012* (Bill) was introduced to parliament, and was directed to the Agriculture, Resources and Environment Parliamentary Committee for discussion. It is expected that the Bill will shortly be given assent in Parliament.

## ISSUES

The Bill seeks to amend the *Environmental Protection Act 1994* to provide an updated regulatory framework that focuses on activities that have a higher environmental risk.

Proposed amendments that will significantly affect Council include:

- Creation of an additional (standard application) development assessment track.
- The separation of the development permit and environmental authority requires Council to utilise the environmental authority to regulate ERAs instead of the development approval.
- Possible deregulation of ERAs administered by Local Government

The changes to the regulatory framework should provide efficiencies to business, but the benefits will be felt mainly by the industries not regulated by Local Government, including the mining and resources sector.

These changes will, however, result in increased costs to Council for the development of new standard conditions, guidelines, forms and information for business owners, education and training for staff and changes to our information technology and administrative processes.

The deregulation of ERAs may result in a loss of Council revenue equivalent of up to \$132,673 for ERAs administered in 2011/2012. Redland City Council currently licenses the following ERAs, that are activities for which Council has the devolved responsibility.

ERA Category	Quantity
Poultry farming	28
Chemical storage	40
Boiler making or engineering	6

ERA Category	Quantity
Metal recovery	8
Motor vehicle workshop operation	130
Printing	2
Surface coating	8
Concrete batching	8
Wooden and laminated product manufacturing	6
Boat maintenance or repair	12
<b>Total</b>	<b>248</b>

The removal of the licensing system for these devolved ERAs would mean that Council Environmental Health Officers would no longer proactively audit these activities to ensure their compliance with the Environmental Protection legislation and the Environmental Authority issued to the business.

There is anecdotal feedback that business operators would lose out on the reduction of service and inability to take advantage of the resource and assistance that these audits can provide to business owners, not only assisting them to understand and comply with their Environmental obligations, in what can be a very complex and technical environment, but also to assist them run their business efficiently in matter such as waste disposal methods and recycling and the incentive licensing system.

Council would still maintain the responsibility for monitoring and enforcing the provisions of the Act, and ensuring that businesses continue to comply with their obligations under the Act in relation to environmental harm, however the system of monitoring and cost recovery for this responsibility would no longer be available to Council.

Council will still be required to respond to requests for service and complaints regarding nuisance, air, water, noise and odour releases under the *Environmental Protection Act 1994* which last year totalled 554. In essence Council would then be expected to fund this monitoring and response from other revenue sources.

It is possible that the deregulation of ERAs will lead to a drop in environmental standards by some industry members, which may have an impact on the communities surrounding these activities and the receiving environment, defeating one of the purposes for which the *Environmental Protection Act 1994* was originally introduced.

The Explanatory Notes for the Bill acknowledge the costs to government in implementing the Bill relate to both the cost of transitioning and the ongoing administration costs.

Transitional costs include:

- developing and consulting on new standard conditions and guidelines;
- education of local business owners about the changes;
- updating forms and work instructions;
- training staff in the new processes; and
- upgrading information technology systems.

The Department notes that there will be some costs for Local Government transitioning to the new provisions and states that some support will be given by State Government in the development of guides, templates and forms. The level of support that is proposed is not clear and significant work will still need to be completed by Council to ensure our local process and local systems are updated, and Council staff are trained appropriately.

The Department of Environment and Heritage Protection (DEHP) have indicated that they intend to make a submission to Parliament to amend the *Environmental Protection Regulation 2008* in November 2012. To meet this timeframe they are intending to release a Regulatory Assessment Statement for consultation during August and September 2012.

This process will give effect to the changes to the type of ERAs that may be deregulated.

Council Officers have had involvement in discussions with the Department of Environment and Heritage Protection on the proposed changes through the LGAQ Environmental Protection Interest Group and participation at an information session on 22 June 2012.

The final implications for Council will not be certain until the Greentape Reduction legislative amendments have been debated in Parliament. The legislation is currently planned to commence in March 2013, although this may be changed to July 2013, after a request from the LGAQ to align with the financial year.

Council Officers will continue to consult on the development of the legislation in an effort to best prepare Council to transition to this new delivery model, and in an effort to ensure that local government is given appropriate and effective consultation opportunities.

### **CONCLUSION**

Council Officers are concerned that the Bill, in its current form, will not deliver significant savings to local business owners and will place an increased and un-resourced administrative burden on Council.

The final implications for Council will not be fully understood until the Greentape Reduction legislative amendments have been debated in Parliament, and the Department consults with Local Government on its future plans to amend the *Environmental Protection Regulation 2008*.

### **RELATIONSHIP TO CORPORATE PLAN**

The regulation of ERAs under the *Environmental Protection Act 1994* contributes to Council's green living strategic priority 2.9 to protect our community and the natural

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environment by managing environmental harm and nuisance caused by industry, business and development from past and present activities.

### **FINANCIAL IMPLICATIONS**

The creation of an additional (standard application) development assessment track and the separation of the development permit and environmental authority will result in increased costs to Council for the development of new standard conditions, guidelines, forms and information for business owners, education and training of staff and changes to our information technology and administrative processes.

Possible deregulation of the majority of ERAs administered by Local Government may result in a loss of Council revenue equivalent to \$132,673 for 227 ERAs administered in 2011/2012. Council will still be required to respond to requests for service and complaints regarding nuisance, air, water, noise and odour under the *Environmental Protection Act 1994* which last year totalled 554 and may increase with the deregulation of ERAs.

### **PLANNING SCHEME IMPLICATIONS**

It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme but will require changes to our development assessment processes.

### **CONSULTATION**

Council staff have consulted with the Department of Environment and Heritage Protection on the proposed changes through the LGAQ Environmental Protection Interest Group and participation at information sessions on 22 June 2012.

### **OFFICER'S RECOMMENDATION**

That this Committee report be noted

### **COMMITTEE RECOMMENDATION COUNCIL RESOLUTION**

**Moved by:** Cr M Elliott  
**Seconded by:** Cr P Bishop

**That this Committee report be noted and that Council write to the minister asking for further consideration of this legislation, noting the potential risks and impacts for Councils.**

### **CARRIED**

**16 MAYORAL MINUTES**

Nil.

## **17 DIRECT TO COUNCIL REPORTS**

### **17.1 CITY SERVICES**

#### **17.1.1 SOLE PROVIDER PROCUREMENT OF TRACCS SOFTWARE LICENCES**

**Datworks Filename:** CS Aged Care – Home Assist Secure (HAS)  
G&S QLD Health & Dept. Housing – Home Assist Secure (HAS)

**Responsible Officer:** Greg Jensen  
Manager Community & Cultural Services

**Author:** Leanne Tu'ipulotu  
Manager Strengthening Communities

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### **EXECUTIVE SUMMARY**

Due to recent funding changes to the Home and Community Care (HACC) funding that Council receives to deliver Redlands Home Assist Secure the current software HASLINK is no longer able to meet the funding requirements. It is necessary to decommission HASLink database and purchase additional licences of the TRACCS software system.

ADAMAS Corporate Solutions are the sole supplier of TRACCS software in Australia. Approval is sought to gain Sole Supplier status for ADAMAS Corporate Solutions to provide TRACCS software and associated support services to Redland City Council.

### **PURPOSE**

This report seeks approval to grant Sole Supplier status to ADAMAS Corporate Solutions to provide TRACCS software and associated support services to Council.

### **BACKGROUND**

Redlands Home Assist Secure provides a broad range of home maintenance and minor modification services for older people and younger people with a disability. The programs aim to remove some of the practical housing related difficulties experienced by eligible people who wish to remain living independently in their home. Council receives funding from the Department of Housing and Public Works, Department of Health and Ageing Commonwealth HACC Program and Department of Communities, Child Safety and Disability Services Queensland Community Care funding to deliver Redlands Home Assist Secure Services.

As part of the Home Assist Secure Program funding package, the Department of Housing and Public Works has provided service providers in Queensland with software – HASLink, which is used as Redland Home Assist Secure's operational software. In late May 2012, the Department of Housing and Public Works advised they would soon cease to support HASLink.

In 2011-12, the Home and Community Care program provided a total of \$27,000 (one-off funds) to assist organisations transition to the new funding arrangements from 01 July 2012. As per the contract variation special conditions, these funds can be used for *IT software and equipment required for changes to business processes.*

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Permission has been granted by the Department of Communities, Child Safety and Disability Services to carry forward these funds for expenditure in 2012-13.

## **ISSUES**

In late May 2012, the Department of Housing and Public Works advised they would soon cease to support HASLink. The Department's position means they will no longer support HASLink for HACC/Community Care MDS reporting purposes. The Department will not be able to provide HACC funded services who are experiencing issues with the HASLink software, reporting or otherwise, with any type of support to resolve the issue.

The Department of Communities, Child Safety and Disability Services strongly recommended that Council transition away from HASLink as soon as possible and by 30 September 2012, as the Department of Housing and Public Works cannot provide any assurances beyond this date.

This change in position represents a high risk to Redland Home Assist Secure's ongoing commitment to provide home maintenance and minor home modification services for approximately 4,500 clients per year. In addition, from 01 July 2012 HASLink does not have the functionality to meet Council's financial reporting obligations under Council's Service Agreements for Commonwealth HACC Program and Queensland Community Care funding, which would result in Council being in breach of current funding arrangements.

Redland City Council currently uses TRACCS (Time Recording and Client Care System) to manage client data for Community Care Services. It has been identified that this TRACCS software system will enable HAS to meet all service and funding requirement. To enable efficient consistent management of the same funding streams it is essential for Redland Home Assist Secure to decommission HASLink database and purchase additional licences for the TRACCS software system.

ADAMAS Corporate Solutions are the sole supplier of TRACCS software in Australia.

## **RELATIONSHIP TO CORPORATE PLAN**

### **7. Strong and connected communities**

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

- 7.2 Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people

## **FINANCIAL IMPLICATIONS**

There are no financial implications impacting Council as a result of this report, as funds for this purchase have been provided by the Department of Communities, Child Safety and Disability Services HACC funding program.

In 2011-12, the HACC program provided a total of \$27,000 (one-off funds) to assist organisations transition to the new funding arrangements from 01 July 2012. As per the contract variation special conditions, these funds can be used for *IT software and*

equipment required for changes to business processes. Permission has been granted to carry forward these funds for expenditure in 2012-13.

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

Discussions have been had with:

- Manager Procurement
- Team Leader Application Services, Information Management
- Business Analyst, Information Management
- Project Portfolio Business Analyst, Corporate Services
- Acting Principal Co-ordinator Seniors and Disability Services
- Group Manager Community and Cultural Services
- Rob Ahearn, Department of Housing and Public Works
- Patrick Tyro-Burns, Department of Communities, Child Safety and Disability Services
- Tim Watts, Director, ADAMAS Corporate Solutions

## **OPTIONS**

### **PREFERRED**

That Council resolve in accordance with the s.184 *Local Government (Finance, Plans and Reporting) Regulation 2010*:

- b because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders*

to award Sole Supplier status to ADAMAS Corporate Solutions to provide TRACCS software and associated support services to Redland City Council.

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

**Moved by:** Cr M Elliott  
**Seconded by:** Cr M Edwards

That Council resolve in accordance with the s.184 *Local Government (Finance, Plans and Reporting) Regulation 2010*:

- “b because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders”*

to award Sole Supplier status to ADAMAS Corporate Solutions to provide TRACCS software and associated support services to Redland City Council.

### **CARRIED**



**18 NOTICE OF MOTION UNDER SECTION 59 OF *LOCAL GOVERNMENT (OPERATIONS) REGULATION 2010*****18.1 NOTICE GIVEN BY CR TALTY****18.1.1 NOTICE OF MOTION TO REPEAL OR AMEND A RESOLUTION OF COUNCIL OF 29 JUNE 2011**

At the General Meeting of 29 June 2011 (Item 17.1.2 refers) and as amended at General Meeting on 29 February 2012 (Item 12.4.1 refers) Council resolved as follows:

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

In accordance with notice given on 19 July 2012, Cr Talty moved as follows:

**COUNCIL RESOLUTION**

**Moved by: Cr J Talty**

**Seconded by: Cr P Bishop**

**That Council AMEND its decision of the General Meeting of 29 June 2011 and resolve as follows:**

- 1. To amend the *Redland City Council Adopted Infrastructure Charges Resolution No.1.2 of 2011* made under the *State Planning Regulatory Provision (Adopted Charges)* pursuant to Division 5A of the *Sustainable Planning Act 2009* by:
  - a. Renumbering the existing section “4” to “4a”; and**
  - b. Inserting a new section 4b as follows:  
“4b. Notwithstanding the provisions of section 3, this resolution declares that the adopted infrastructure charges schedule identified in Table 2 does not apply to a ‘Produce Store’ in the Rural Non-urban Zone (at the time of issuing the AICN) and that the amount levied will be \$50 per square metre of Gross Floor Area and no charge for the stormwater network.”****
- 2. The amendment is to apply retrospectively to Material Change of Use applications issued a decision notice on and from the 8th February 2012 including MCU012530 and MCU 012507;**
- 3. The amendment is to have effect on the day the making of this resolution is first published in a newspaper circulating generally in the Redland local government area; and**
- 4. To undertake all necessary public notification as prescribed in Division 5A of the *Sustainable Planning Act 2009*.**

**CARRIED**

## Background

Attachment: [Supporting Information](#)

- The Sustainable Planning (Housing Affordability and Infrastructure Charges Reform) Amendment Act 2011 introduced legislation to amend the Sustainable Planning Act 2009 (SPA) to allow for the introduction of maximum standard charges and a framework to allow councils to adopt charges (the Adopted Infrastructure Charges Resolution) equal to or less than the maximum for particular types of development and/or for different parts of local government areas. This included Council discretion to fully or partially exempt particular uses.
- It has come to my attention that it may be considered unreasonable that a charge rate for a 'Produce store' in the Rural Non-urban Zone is equivalent to all other uses in the development category 'Commercial (Bulky Goods). It most likely that this use within this zone is expected to perform less intensively than that of a similar store located within a commercial zone, and thereby creating less demand on Council's infrastructure servicing of the site. Although it is acknowledged that Council's intent was to maximise financial contributions from development to offset the capping of infrastructure charges by the State Government and consequential reduced overall cost recovery on trunk infrastructure, it is considered that a charge on 'Produce Stores' in Rural Non Urban Areas has had the unintended consequence of discouraging this important service to the existing rural industry in Redlands.
- We currently have two application submitted to Council to provide a produce store for the Redlands. Currently the only access to such service business is via Capalaba Produce, which is actually in Brisbane, or the Beenleigh Produce and Farm Supply. With no competition price competitiveness has not been present in the market for Redland consumers. Both of the current applicants have expressed concern regarding the level of fees that would be required to bring their businesses to fruition; one applicant has noted that if the fees remain as they are he will have to withdraw from his proposal as the fees will make his business proposed small rural business non-viable. A direct parallel can be drawn between Council's current fee structure with regard to the start up costs of these businesses and a limitation on the market as without change Council's fees will reduce or prevent the success and sustainability of these proposed service businesses and in turn they will reduce the any future capability for these businesses to support local employment.
- The proposed change to application of the charges schedule will reduce the infrastructure charges for a 'Produce store' in a Rural Non-urban Zone from \$140 per square metre of GFA (plus \$10 per impervious square metre) to \$50 per square metre of GFA and no charge for storm water. By comparison, the 'Rural enterprise' use that falls within the State Planning Regulatory Provisions' 'Industry' category has a charge of \$50/square metre of Gross Floor Area and \$10/imp m2 stormwater.

Preferred Option: That Council accept the motion as presented and support adoption.

**19 URGENT BUSINESS WITHOUT NOTICE**

**19.1 URGENT BUSINESS – CR OGILVIE**

Moved by: Cr C Ogilvie

Seconded by: Cr A Beard

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

CARRIED

**19.1.1 DUNWICH POST OFFICE**

**COUNCIL RESOLUTION**

Moved by: Cr C Ogilvie

Seconded by: Cr A Beard

**That Council resolve to support a community summit to discuss the recent tragic events at the Dunwich post office.**

CARRIED (unanimously)

**20 MEETING CLOSURE**

There being no further business, the Mayor declared the meeting closed at 10.50am.

Signature of Chairperson: \_\_\_\_\_

Confirmation date: \_\_\_\_\_