



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 28 March 2012

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

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

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

2 DEVOTIONAL SEGMENT

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

3 RECOGNITION OF ACHIEVEMENT

3.1 YOUNG MANAGER OF THE YEAR AWARD – JENNIFER HAINES

Our very own Jennifer Haines, from the Environment Planning and Development Department, won the highly esteemed Young Manager of the Year award at the Local Government Managers Australia (LGMA) Queensland Future Leaders conference 26-27 March 2012.

Jen is the Service Manager Health and Environment in the Community Standards Group and her team of 25 staff look after environmental compliance, public health and pest management across the city.

The Health and Environment Team consistently exceed performance objectives, continually improve business practices and think outside the square.

With belief in every one of her staff, her ability to understand their individual strengths and weaknesses, and her unwavering confidence in them, Jen is able to lead a productive and happy team focused on achieving stability in some very difficult environments.

Jen's leadership style places a lot of importance on team work and recognition and reward for her staff members, and acknowledging that without them she cannot be successful.

The judging criteria included visionary leadership, innovation and change/continual improvement, best practice, interpersonal skills, contribution to the community/region and professional development.

4 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

Cr M Hobson PSM	Mayor
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2 – left at 6.00pm
Cr D Henry	Councillor Division 3
Cr J Burns	Councillor Division 4 – left at 6.00pm
Cr B Townsend	Councillor Division 5
Cr T Bowler	Councillor Division 6
Cr M Elliott	Deputy Mayor & Councillor Division 7 – entered at 4.02pm
Cr K Reimers	Councillor Division 8
Cr Williams	Councillor Division 9
Cr H Murray	Councillor Division 10 – left at 5.34pm

EXECUTIVE LEADERSHIP GROUP:

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

MINUTES:

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

5.1 GENERAL MEETING MINUTES 29 FEBRUARY 2012

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

That the minutes of the General Meeting of Council held on 29 February 2012 be confirmed.

[General Meeting Minutes 29 February 2012](#)

CARRIED

5.2 SPECIAL MEETING MINUTES 7 MARCH 2012

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

That the minutes of the Special Meeting of Council held on 7 March 2012 be confirmed.

[Special Meeting Minutes 7 March 2012](#)

CARRIED

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

The Chief Executive Officer presented the following items for noting:

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

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

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

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

6.2 APPEAL TO RAISE FUNDS TO PURCHASE A PIANO FOR RPAC

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

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

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

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

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

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

6.4 PARKING RESTRICTIONS IN CLEVELAND

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

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

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

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

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

CARRIED

1. Mr R Harris, resident of Macleay Island, addressed Council in relation to various SMBI matters including Weinam Creek Parking and an article by journalist Trent Dalton.
2. Ms N Olssen, Russell Island Association, addressed Council in relation to the Russell Island Annual Survey of Islander Issues and Item 15.2.6 – *Southern Moreton Bay Islands Community Infrastructure*.
3. Mr I Sajko, resident of Mt Cotton, addressed Council on tree maintenance.

MOTION TO RESUME MEETING

Moved by: Cr C Ogilvie
Seconded by: Cr M Elliott

That the meeting proceedings resume.

CARRIED

8 PETITIONS AND PRESENTATIONS

8.1 PETITIONS

8.1.1 PETITION (DIVISION 9) REQUEST TO REMOVE LEASING FEE PLACED ON SPORTING CLUBS BASED ON THE NUMBER OF POKER MACHINES

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

That the petition, which reads as follows, be received and referred to Corporate Services to review/investigate existing policy and prepare a report to a future Corporate Services & Governance Committee; and that the principal petitioner be advised in writing accordingly:

“Petition from residents of Redland City requesting that Council remove the leasing fee placed on sporting clubs based on the number of poker machines in their club as a result of a Council decision on 28 July 2010. This tax on Junior Sport is unfair and onerous and based on a false premise that all poker machines are profitable. It is not Local Government’s responsibility to manage gambling and it is negatively impacting on sporting clubs ability to invest in our junior sportsmen and women.”

CARRIED

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

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

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.”

CARRIED

8.1.3 PETITION (DIVISION 5) REQUESTING COUNCIL BITUMEN CHARLES TERRACE, MACLEAY ISLAND

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

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.”

CARRIED

8.2 PRESENTATIONS

8.2.1 PRESENTATION (CR TOWNSEND) – RUSSELL ISLAND ANNUAL SURVEY OF ISLANDER ISSUES

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

That the Russell Island Annual Survey of Islander Issues collated by the Russell Island Association, be received and forwarded to the relevant departments of Council for noting and future reference in project planning and budget deliberations.

CARRIED (unanimously)

9 MOTION TO ALTER THE ORDER OF BUSINESS**9.1 MOTION TO ACCEPT LATE ITEM**

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

That a late item – *Proposed Site Acquisition for Offsite Car Park Associated with Weinam Creek Parking Program* – be received and discussed as the last item of business (Item 20.1.1).

CARRIED

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

Nil

COUNCILLOR ABSENCES DURING MEETING

Cr Elliott entered the meeting at 4.02pm

Cr Ogilvie left the meeting at 4.08pm and returned at 4.13pm during Public Participation.

Cr Elliott left the meeting at 4.09pm and returned at 4.14pm during Public Participation.

Cr Ogilvie left the meeting at 4.56pm during Item 15.3.1 and returned at 4.58pm during Item 16.1.

Cr Elliott left the meeting at 5.12pm and returned at 5.18pm during Item 18.1.1.

Cr Ogilvie left the meeting at 5.14pm and returned at 5.22pm during Item 18.1.1.

Cr Murray left the meeting at 5.34pm during Item 18.1.1.

Cr Boglary left the meeting at 5.36pm and returned at 5.39pm during Item 18.1.1.

Cr Henry left the meeting at 3.39pm and returned at 5.43pm during Item 18.1.1.

Cr Burns left the meeting at 6.00pm at the conclusion of Item 18.1.1.

Cr Ogilvie left the meeting at 6.00pm at the conclusion of Item 18.1.1.

At 6.11pm the meeting became inquorate, with Crs Murray, Ogilvie, Burns, Elliott, Reimers, Henry and Boglary having left the Chamber.

The meeting became quorate at 6.19pm when Crs Elliott, Reimers and Henry returned to the meeting.

Cr Boglary returned at 6.29pm.

**11 DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE
6 MARCH 2012**

11.1 ENVIRONMENT PLANNING & DEVELOPMENT

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

That the Development & Community Standards Committee Minutes of 6 March 2012 be received and resolutions noted on items resolved under delegated authority.

CARRIED

[Development & Community Standards Committee Minutes 6 March 2012](#)

ITEMS RESOLVED UNDER DELEGATED AUTHORITY

**11.1.1 CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND
HOUSEKEEPING**

**11.1.2 CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT
ASSESSMENTS**

11.1.3 APPEALS LIST - CURRENT AS AT 20 FEBRUARY 2012

12 DEVELOPMENT & COMMUNITY STANDARDS COMMITTEE 20 MARCH 2012

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

That the Development & Community Standards Committee Minutes of 20 March 2012 be received and resolutions noted on items resolved under delegated authority.

CARRIED

[Development & Community Standards Minutes 20 March 2012](#)

ITEMS RESOLVED UNDER DELEGATED AUTHORITY

12.1.1 CATEGORY 1 - MINOR COMPLYING CODE ASSESSMENT AND HOUSEKEEPING

12.1.2 CATEGORY 2 - COMPLYING CODE ASSESSMENT AND MNOR IMPACT ASSESSMENTS

12.1.3 APPEALS LIST - CURRENT AS AT 5 MARCH 2012

12.1.4 BOUNDARY REALIGNMENT LOT RECONFIGURATION – 2 INTO 2 AT 55-57 BIRKDALE ROAD, BIRKDALE

12.1.5 MIXED USE (SHOP, REFRESHMENT ESTABLISHMENT AND MULTIPLE DWELLING) AT 75-99 GORDON ROAD, REDLAND BAY *(THIS ITEM WAS REFERRED TO GENERAL MEETING 28.3.2012 – SEE ITEM 18.1.1)*

ITEMS FOR CONSIDERATION

12.1.6 DEVELOPMENT AND COMMUNITY STANDARDS FEE DISCOUNTS AND WAIVERS FOR THE PERIOD OF OCTOBER TO DECEMBER, 2011

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

Attachment: [Fee Schedule Supporting Information - Updated 26 October 2011](#)

Responsible Officer: Toni Averay
General Manager Environment Planning & Development

Author: Kerri Lee
Business Support Officer, Sustainable Assessment

EXECUTIVE SUMMARY

The General Manager, Environment, Planning & Development and, the Group Managers of Sustainable Assessment and Community Standards, have delegated

authority to approve requests to reduce the application fee when a strict application of the scheduled fee is unreasonable or inappropriate considering the work required to carry out the assessment of the application.

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

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

The internal audit report recommended a quarterly management report of fee waivers and discounts should be provided to the General Manager, Environment, Planning & Development and the Chief Executive Officer.

The full list of approved fee discounts, waivers and refunds is attached.

BACKGROUND

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

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

On 4 October 2010, Policy Document 'Corporate POL-3094 and Guideline Document 'GL-3094-001' for 'Fee Waivers and Discounts Relating to Development and Community Standards Applications' were approved.

As of 20 October 2010, the Group Managers of Sustainable Assessment and Community Standards, received delegated authority to approve requests to reduce the application fee when a strict application of the scheduled fee is unreasonable or inappropriate considering the work required to carry out the assessment of the application.

PURPOSE

This report details fee discounts and waivers for Environment, Planning and Development for the period 1 October, 2011 to 31 December, 2011.

Summary of Discounts, Waivers and Refunds 1 October, 2011 to 31 December, 2011

Discounts/Waivers	Discounts Approved	Total Amount of Discount
Discretionary Discounts	3	\$1,603.50
Charities and Not-for-Profit Organisations	2	\$521.50

Discounts/Waivers	Discounts Approved	Total Amount of Discount
Accelerated DA Applications	18	\$7,383.21
Smart eDA Applications	68	\$20,027.70
Combined Applications	3	\$3,066.86
Resubmission of lapsed applications	2	\$264.50
Withdrawn Applications	5	\$2,449.00
Temporary Entertainment Venues	5	\$4,071.00
Animal Management Refunds	11	\$503.40
Total	118	\$39,890.67

Refusals

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

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

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

That the report be noted.

CARRIED

12.1.7 REQUEST FOR CONCESSION OF INFRASTRUCTURE CHARGES - EMERGENCY SERVICES, 96 THE ESPLANADE, KARRAGARRA ISLAND

Dataworks Filename: MCU012514

Attachment: [Locality Map](#)

Responsible Officer: Bruce Macnee
Manager Sustainable Assessment

Author: Janice Worland
Senior Planner Development Assessment

EXECUTIVE SUMMARY

Council, by delegation, approved an application seeking a Development Permit for a Material Change of Use (Code Assessment) for Emergency Services (Shed for the Karragarra Island Rural Fire Brigade) on an allotment zoned Community Purposes-sub-area CP4, on land at 96 The Esplanade, Karragarra Island, described as Lot 62 on RP130218.

The development is subject to infrastructure charges in accordance with the State Planning Regulatory Provisions (adopted charges), with the total Council infrastructure charge applicable to the development being \$14,911.21. A separate charge was levied by Allconnex for water and sewer infrastructure.

The applicant has requested that the charge be waived given the nature of the use. It is noted that Council has no power to waive or reduce the Allconnex charge applicable.

It is considered that a full concession of the Council charge should be given. This is on the grounds that the use is operated and managed by volunteers, provides a service that benefits the wider community, and crucially, places no additional load on trunk infrastructure.

BACKGROUND

In 1986 Council issued an approval for a Fire Brigade Depot building on the allotment. A further extension was approved in 1991. The total gross floor area (GFA) of the use on site was 108m².

In December 2011 Council granted a development permit for a material change of use involving the construction of a 248m² emergency services shed for the Karragarra Island Rural Fire Brigade (MCU012514). As part of this approval, an Adopted Infrastructure Charges Notices was issued to the applicant by both Council and Allconnex.

INFRASTRUCTURE CHARGES APPLICABLE

The approved development was subject to infrastructure charges in accordance with the Draft State Planning Regulatory Provision (adopted charges). The total Council infrastructure charge applicable to this development is \$14,911.21. The charge was calculated as follows in accordance with Council's resolution adopted on 29 June 2011 (including Amendment 1.1).

ASSESSMENT OF REQUEST

As a general rule, any decision to waive infrastructure charges needs to be considered carefully, given the impact this could have on Council's ability to fund infrastructure projects throughout the City and ultimately place a burden on the ratepayers.

Any decision to give a concession of infrastructure charges should be based on the type of use approved, the relevant impact on infrastructure and the benefits provided to the community.

The Karragarra Island Rural Fire Brigade is a small-scale, volunteer based organisation which provides a service which benefits the wider community.

Despite the existence of the emergency services use on the site prior to the application being made, the proposal was considered to be an intensification of the use, thus a Material Change of Use application was triggered. However, although an intensification of the use, the provision of the additional shed area is not considered to increase the load or impact on trunk infrastructure. The use provides a meeting space for training purposes and a parking area for the fire fighting trucks and equipment. The provision of the expanded use on the site does not increase the impact on Council's trunk infrastructure.

CONCLUSION

The proposal is for a small-scale, volunteer based use which benefits the wider Karragarra Island community. The proposal to increase the floor area of the existing use by replacing the existing shed is not considered to result in any additional impact or load on Council's trunk infrastructure. Accordingly, it is recommended that the request to give a full concession of the Council infrastructure charge be agreed to in this case.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr M Elliott

That Council resolve to:

- 1. Fully waive the trunk infrastructure charges levied by the Adopted Infrastructure Charges Notice associated with a development permit for Emergency Services (MCU012514) at 96 The Esplanade, Karragarra Island; and**
- 2. Attach a property note to the relevant property file for MCU012514 and advise the applicant that Council will not apply trunk infrastructure charges to the approved material change of use for 'Emergency Services'.**

CARRIED

13 PLANNING & POLICY COMMITTEE 7 MARCH 2012

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

That the Planning & Policy Committee Minutes of 7 March 2012 be received and item resolved under delegated authority be noted.

[Planning & Policy Minutes 7 March 2012](#)

CARRIED

ITEMS RESOLVED UNDER DELEGATED AUTHORITY**13.3.2 ADDITIONS TO THE ENVIRONMENTAL LAND ACQUISITION PROGRAM****13.3.3 WEINAM CREEK PARKING AND ASSOCIATED INITIATIVES****13.4.1 SUBMISSION ON PRIORITY INFRASTRUCTURE PLAN FOR MINISTER'S APPROVAL****ITEMS FOR CONSIDERATION****13.1 CITY SERVICES****13.1.1 APPROVED VEHICLE AND ACTIVITIES LICENCES - REDLAND BAY JETTY**

Datworks Filename: RTT: Permits - Jetties, Ramps, Pontoons

Attachments: [Attachment 1 Risk Register Jetty 2](#)
[Attachment 2 Marine Estimating Spread Sheet](#)

Responsible Officer: Louise Rusan
General Manager City Services

Author: Rodney Powell
Senior Adviser Infrastructure Project

EXECUTIVE SUMMARY

The Redland Bay jetty has been for many years used by the local maritime community as a loading and refuelling point. Due to the use of the jetty by unauthorised motor vehicles it has been determined that the use of the jetty be properly regulated by restricting access and issuing approved vehicle licences and activities licences for the jetty.

A risk assessment has been conducted to ensure that the facility is suitable for the proposed uses. In response to the findings of this risk assessment it is recommended that the Council fund the works to upgrade the jetty, estimated at \$65,500 in 12/13 financial year. This figure includes \$29,643 (Attachment 2) for immediate controls (bollards and kerbing) and \$35,845 for future treatments identified in the risk assessment.

Spill Kit \$9345
(Based on quote for kit for Council's Marina at Redland Bay)

Additional Lighting \$16,500
(Assumes two extra lights and poles one at end of causeway additional light on Jetty)

Structural Engineering Report \$10,000
(Indicative only actual price will depend on level of certification required)

Issue of an approved vehicle licence (vehicles up to 7 tonne GVM) for the purpose of loading and unloading vessels subject to conditions of permit and immediate controls in place.

Issue an approved vehicle licence up to a GVM to be determined by a structural engineering report.

Issue an activity licence for refuelling vessels, subject to all controls and future treatments identified in the risk assessment being implemented and subject to conditions of the licence.

Authorise maintenance vehicles to access jetties without a licence subject to approval by the Jetty Officer.

PURPOSE

This report investigates the feasibility of regulating the use of the Redland Bay Jetty to allow commercial vehicle access for loading, unloading and refuelling vessels moored at the jetty.

BACKGROUND

Local Law No. 14 (Jetties, Ramps and Ferries) 2011 Part 4 allows the local government to grant a licence (an approved vehicle licence) authorising a person to bring a vehicle onto, drive or use a vehicle on a jetty. Part 7 allows the local government, by subordinate local law to declare a particular activity to be a licensed activity (an activities licence).

Redland Bay jetty consists of a cause way section which terminates in a turnaround/parking area. Attached to the end of the causeway is a concrete jetty structure. The causeway is owned and managed by Redland City Council (RCC); the jetty is owned by Queensland Transport (TMR) and managed by Redland City Council. There are presently no permitted users of the jetty.

The use of the jetty by vehicular traffic was first investigated in 2005. It was decided then to close off access by installing a slip-rail system. This drew complaints from some users of the jetty saying it is the only place to unload their catch and refuel their vessel in the City. The rail was removed circa 2007 and unrestricted access has been allowed since.

Queensland Transport carried out structural capacity check (2 March 2006) and the jetty has been given a 7 tonne load limit. There is no evidence that the causeway has ever been given a load rating. However since this time the site has been sign posted with a 7 tonne load limit and has been used since by vehicles to load, un-load and re-fuel vessels moored at the jetty. The jetty and causeway are inspected regularly and no structural issues have been noted.

On 10 November 2010 TMR requested that the slip rail to be reinstated to prevent unauthorised access to the jetty. The work was requested but not completed until around September 2011 when the Divisional Councillor also raised the issue. As soon as the slip rail was in place RCC received complaints from the local fisherman and a fuel operator who use this site regularly. Marine Infrastructure Planning has been requested to investigate and if possible regulate the use of the site for approved vehicles.

There is only one other site with public refuelling facilities in Redland City, that is at Raby Bay Marina which is approximately 20km from Redland Bay. The next nearest site is outside of the Redlands at Stieglitz also approximately 20 km from Redland Bay.



View of causeway leading to Jetty



Slip Rail Installed (since replaced by a locked/lay-down bollard)

ISSUES

A risk assessment has been conducted (attachment 1) which highlights a number risks which will need to be addressed before a permit for vehicle usage can be issued

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.

FINANCIAL IMPLICATIONS

There is no current budget for this project. A \$65,500 budget item has been included in Year 1 (12/13) of the 10 year capital plan to cover the estimated \$29,643 for immediate controls recommended in the risk assessment and further additional funds of \$35,845 to cover other items identified as “future treatments” in the risk assessment (attachment 1).

- 1 The immediate controls recommended in the risk assessment have been investigated and the estimate for installation of kerbing and additional bollards \$29,643 (attachment 2).
- 2 The future treatments recommended in the risk assessment include: structural certification, spill kits, telephone, upgraded lighting and supporting procedures. Indicative costs for these items are:

Spill Kit	\$9345
(Portable spill kit and fire fighting equipment sufficient to contain any hydrocarbon spill in maritime environment)	
Additional Lighting	\$16,500
(Ignition safe lighting sufficient to carry out re-fuelling activities)	
Structural Engineering Report	\$10,000
(RPEQ certification of load limits for causeway)	
Total	\$35,845
(For future treatments identified in the risk assessment)	

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

- Local Laws were consulted with respect to the issuing of the necessary permits.
- Risk and Liability section were consulted concerning the risks associated with the proposed use of the jetty and causeway.
- The Environmental Compliance Team of Community Standards was consulted concerning environmental issues.
- The Councillor Division 5 has been consulted.

OPTIONS**PREFERRED**

That Council resolve to:

1. Undertake the necessary works to upgrade the jetty, estimated at \$65,500 in 12/13 financial year;
 - Immediate controls \$29,643
 - Spill Kit \$9,345
 - Additional Lighting and phone \$16,500
 - Structural Engineering Report \$10,000
 - **Total \$65,488**
2. Issue an approved vehicle licence (vehicles up to 7 tonne GVM) for the purpose of loading and unloading vessels subject to conditions of permit and immediate controls in place;
3. Issue of an approved vehicle licence up to a GVM to be determined by a structural engineering report for the purpose of refuelling vessels subject to all controls and future treatments being implemented and subject to conditions of the permit;
4. Issue an activities licence for the purpose of refuelling vessels subject to all controls and future treatments being implemented and subject to conditions of the permit; and
5. Authorise maintenance vehicles to access jetties without a licence, subject to approval by the Jetty Officer.

ALTERNATIVE

Refuse vehicle access to jetties, maintenance vehicles excepted.

OFFICER'S/COMMITTEE RECOMMENDATION

That Council resolve to:

1. Undertake the necessary works to upgrade the jetty, estimated at \$65,500 in 12/13 financial year;
 - Immediate controls \$29,643
 - Spill Kit \$9,345
 - Additional Lighting and phone \$16,500
 - Structural Engineering Report \$10,000
 - Total \$65,488
2. Issue an approved vehicle licence (vehicles up to 7 tonne GVM) for the purpose of loading and unloading vessels subject to conditions of permit and immediate controls in place;
3. Issue of an approved vehicle licence up to a GVM to be determined by a structural engineering report for the purpose of refuelling vessels subject to all controls and future treatments being implemented and subject to conditions of the permit;
4. Issue an activities licence for the purpose of refuelling vessels subject to all controls and future treatments being implemented and subject to conditions of the permit; and

5. Authorise maintenance vehicles to access jetties without a licence, subject to approval by the Jetty Officer.

COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr T Bowler

That Council resolve to:

1. Undertake the immediate controls recommended in the Risk Assessment, estimated at \$29,643.00, within the 11/12 financial year and to consider as part of the Q3 Budget review;
2. Undertake the necessary works to finalise the upgrade of the jetty, estimated at \$35,845.00 in 2012/13;
3. Issue an approved vehicle licence (vehicles up to 7 tonne GVM) for the purpose of loading and unloading vessels subject to conditions of permit and immediate controls in place;
4. Issue of an approved vehicle licence up to a GVM to be determined by a structural engineering report for the purpose of refuelling vessels subject to all controls and future treatments being implemented and subject to conditions of the permit;
5. Issue an activities licence for the purpose of refuelling vessels subject to all controls and future treatments being implemented and subject to conditions of the permit; and
6. Authorise maintenance vehicles to access jetties without a licence, subject to approval by the Jetty Officer.

CARRIED

13.2 ENVIRONMENT PLANNING & DEVELOPMENT

13.2.1 SMBI LAND ACQUISITION FOR TRAIL NETWORK

Dataworks Filename:	P&R SMBI Open Space Plan
Attachment:	<u>SMBI Land Acquisition for Trail Network</u>
Responsible Officer:	Toni Averay General Manager Environment Planning & Development
Author:	Angela Wright Principal Advisor Open Space Planning

EXECUTIVE SUMMARY

A pedestrian and cycling trail around Macleay Island is a desired outcome of the SMBI Open Space Plan 2006 and as such concerted effort has been made to obtain four open space lots to provide vital through street linkages in the path system.

Of the four open space zoned lots in Orana, Kalara, Tingara Streets and Kim Crescent, only one in Tingara Street has been acquired.

PURPOSE

The purpose of this report is to gain approval to:

- 1 Purchase Lot 246 RP 118164 (27 Kalara Street) and Lot 257 RP 118164 (28 Orana Street) for the purpose of providing a pedestrian and cycle path system around Macleay Island.
- 2 Remove Lot 245 RP 118164 (25 Kalara Street) and Lot 258 RP 118164 (26 Orana Street) from the SMBI Open Space Plan acquisition list and rezone to SMBI residential.

BACKGROUND

- The Redland Planning Scheme zones Lot 245 RP 118164 (25 Kalara Street) and Lot 258 RP 118164 (26 Orana Street) open space for the purposes of a link in a pedestrian and cycle path system around Macleay Island.
- The SMBI Open Space Plan and subsequent resolutions of Council approved the acquisition of these lots.

ISSUES

- It is proposed to purchase Lot 246 RP 118164 (27 Kalara Street) and Lot 257 RP 118164 (28 Orana Street) in order to progress the trail network.
- The same outcome of connecting the streets with a pathway can be achieved through the purchase of these lots.

RELATIONSHIP TO CORPORATE PLAN

7. Strong and connected communities

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

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated to account number 81159 SMBI Open Space Land Acquisition program.

PLANNING SCHEME IMPLICATIONS

It is considered that the outcome of recommendations in this report will result in some future amendments to the Redlands Planning Scheme such as rezoning Lot 245 RP 118164 (25 Kalara Street) and Lot 258 RP 118164 (26 Orana Street) to SMBI residential.

CONSULTATION

The alternative solution continues to meet the desired outcomes indicated in the Redland Planning Scheme and the SMBI Open Space Plan 2006.

OPTIONS

PREFERRED

That Council resolve to:

1. Purchase Lot 246 RP 118164 (27 Kalara Street) and Lot 257 RP 118164 (28 Orana Street) Macleay Island, at fair market value, for the purpose of providing a link in the pedestrian and cycle path system around Macleay Island;
2. Delegate authority to the Chief Executive Officer, under s.257(1)(b) of the Local Government Act 2009, to sign the relevant documentation to finalise the contract of sale; and
3. Remove Lot 245 RP 118164 (25 Kalara Street) and Lot 258 RP 118164 (26 Orana Street) from the SMBI Open Space Plan acquisition list and rezone to SMBI residential.

ALTERNATIVE

That Council resolve to proceed with resumption of Lot 245 RP 118164 (25 Kalara Street) and Lot 258 RP 118164 (26 Orana Street) Macleay Island for the purpose of providing a pedestrian and cycle path system around Macleay Island, and that the CEO be delegated the authority to sign the relevant documentation.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr T Bowler

That Council resolve to:

1. Purchase Lot 246 RP 118164 (27 Kalara Street) and Lot 257 RP 118164 (28 Orana Street) Macleay Island, at fair market value, for the purpose of providing a link in the pedestrian and cycle path system around Macleay Island;

2. Delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to sign the relevant documentation to finalise the contract of sale; and
3. Remove Lot 245 RP 118164 (25 Kalara Street) and Lot 258 RP 118164 (26 Orana Street) from the SMBI Open Space Plan acquisition list and rezone to SMBI residential.

CARRIED

13.2.2 REDLANDS TRACKPARK FACILITIES PLANNING

Datworks Filename: EM Conservation Area: Scribbly Gums
Conservation Area

Attachments: [Attachment 1 Location of Redlands Track Park Facilities](#)
[Attachment 2 Redlands Track Park User Need Analysis](#)
[Attachment 3 Redlands Track Park Concept Plan](#)

Responsible Officer: Gary Photinos
Manager City Planning & Environment

Author: Leo Newlands
Strategic Advisor Reserve Management

EXECUTIVE SUMMARY

Council resolved in October 2007 to make application to the State Government to excise a portion of the Cleveland Sewerage Treatment Plant land to create a reserve for open space and buffer purposes. In addition, Council approved "in principle" to the development of the Redlands Track park concept and to undertake the necessary planning for subsequent consideration by Council.

The subdivision process presented challenges and delays in relation to negotiating a final boundary line along a creek alignment to separate the existing Cleveland Sewerage Plant operations from the balance of the area to be created into a reserve for open space and buffer purposes. The new reserve is still required to provide sufficient buffer to the sewerage treatment plant, however the special lease arrangements, under Redland Water and Waste required that the public be prohibited from having any access to this land. The new arrangement as a reserve for open space and buffer now allows the public to have access to this land.

As the new reserve adjoins the existing Scribbly Gums Conservation Reserve, it is proposed it be amalgamated and referred to as the Redlands Track Park Facilities within the Scribbly Gums Conservation Area.

Planning that has already been undertaken indicates a significant level of interest in the outcomes of the project and indicates that the Redlands Track Park Facilities will provide significant benefits to the community as a recreational destination. Officers now seek confirmation of the project concept in order to undertake the next level of development for the site.

PURPOSE

The purpose of this report is to seek Council approval for continued planning and development of the Redlands Track Park Facilities.

BACKGROUND

- 2007 - the Redland City Council approached the State Government to excise a significant portion of the Special Lease for Sewerage Purposes situated at 2
-

Weippin Street, Cleveland described as Lot 171 on SL 7400 to create a Reserve for Open Space and Buffer Zones under Council's trusteeship.

- 2007 Council agreed in principle to the creation of the Redlands Regional Track Park (now referred to as the Redland Track Park) as a "conservation-based open space reserve for non-motorised track and trail based activities such as walking and cycling".
- May 2010 -The Department of Environment and Resource Management granted the request and changed the designation of the land to "Reserve for Open Space and Buffer Zone" with Council as Trustee.
- 2011- A preliminary planning document 'Redland Track Park User Needs Analysis' was developed by Council to inform master planning processes.

ISSUES

CREATING THE NEW RESERVE FOR OPEN SPACE AND BUFFER PURPOSES

The bushland on this site was relatively unmanaged by Redland Water and Waste at the time of the 2007 decision and was not required for future sewerage treatment purposes.

The Parks and Conservation Unit was providing support to Redland Water and Waste at the time in the ongoing management of weeds. Local Laws Compliance Unit assisted and continues to assist with illegal use by trail bikes.

As the ongoing management of the conservation values was non core business for Redland Water and Waste and the proposed area for excision is not required for the treatment plant operations besides providing a buffer zone to residential areas, the excised area of some 117 hectares can be managed for open space and provide opportunities for recreational use while providing active management of the bushland which is mostly in good condition.

The process of creating the reserve was through an application to the State Land Asset Management (SLAM) in the Department of Environment and Natural Resources (DERM). SLAM needed to investigate the application ensuring that no other parties are disadvantaged.

On 7 May 2010 new ambulatory boundary provisions commenced in Queensland. These provisions, contained in the Survey and Mapping Infrastructure Act 2003, the Land Act 1994 and the Land Title Act 1994, enable new feature-based methods for surveying the boundaries of land adjoining water subject to tidal influence or adjoining non-tidal boundary watercourses.

From a survey perspective creating the plan for the new reserve has involved an unsurveyed ambulatory boundary with a buffer strip (along Hilliard's Creek) based on the ambulatory boundary as defined by the new legislation. To complicate this further the physical access to the plant passes over the ambulatory boundary and buffer strip. In addition, several and significant water and waste water pipelines are located within the reserve and access to these assets was very important. This process has taken considerable time to complete.

This has created a highly unusual situation and we have needed to ensure that the plan was:

- suitable for the actions required,

- that it would not disadvantage any associated party,
- dedicated access would be available for all new and existing lots,
- the boundaries shown described what was on the land and
- that the titling system would accept the new lot definitions.

THE LOCATION OF THE REDLANDS TRACK PARK FACILITIES

The Redlands Track Park Facilities are located adjacent to the Cleveland Sewerage Treatment Plant, the Scribbly Gums Conservation Park, and the DPI Research Station in Alexandra Hills (Attachment 1). The Redlands Track Park Facilities as proposed to encompass approximately 150ha. Later stages, if approved, may take the accessible area to 225ha and support the provision of valuable north-south and east-west recreational linkages as outlined through the Seven C's project and linking the new Kinross Road Structure Plan area to the south.

REDLANDS TRACK PARK USER NEEDS ANALYSIS

Council undertook a preliminary study (Attachment 2) and user needs analysis of the proposed track park facility. Documents reviewed included Council's Community Plan, State planning documents and Queensland Outdoor Recreation Federation surveys of outdoor recreation demand. All documents were supportive of the concept, finding that walking and mountain biking are high-participation activities, and valuable forms of exercise. The supply of mountain-bike facilities was reviewed to establish the need for more facilities. Within the Redland City Council area there is only one venue in Days Road Conservation Area. This is a highly technical venue and only suited to skilled mountain bike riders. The study clearly established that the Redlands track park area filled a gap in providing beginner level mountain trail bike and walking facilities. The document also identifies a range of uses and considerations for concept planning for the area.

A full track and trail audit was commissioned of the existing trail network in the area. The study found that many of the existing trails would function well although it also made recommendations for the alteration and repair of to a number of trails to improve their flow and sustainability.

PLANNING FOR THE NEW REDLANDS TRACK PARK FACILITIES

In 2007 Council approved in principle the creation of the Redlands Regional Track Park as conservation based open space reserve for non motorised track and trails based activities such as walking and cycling, and for officers to undertake the necessary planning for subsequent consideration by Council.

The Redlands Track Park is envisaged as a facility for relatively easy cycling and walking activities such as mountain-biking, walking and orienteering in an urban outdoor setting. It is expected to be popular with families, young people and people of all ages looking for an attractive location for outdoor recreation and physical activities.

Council has sought preliminary feedback from a number of community groups regarding the desired outcomes of the track park concept. Feedback from this process to date has identified strong community interest (residents, individual users, clubs, interest groups and businesses), ownership and agreement for the proposed outcomes for the site.

The design planning process aims to improve issues such as erosion through planned sustainable trails and associated facilities particularly to ensure the facility provides an enjoyable and safe that people will want to return to time and time again.

Council's City Spaces Group has provided support and advice throughout the life of this project to date and has been closely involved in the user needs and design planning. The project will be handed to City Spaces to take it through the grant application process, maintenance, design and construction phases.

Refer to attachment 3 for the concept plan for the Redlands Track Park Facilities.

COLLABORATION WITH OTHER AGENCIES

Council has an established relationship with Boystown and the State Government through the Community Jobs Program for works to be undertaken in the past. Examples of previous works undertaken in the manner include the Pt O'Halloran boardwalk and the Eddie Santguiliana Boardwalk at South Street.

The ongoing management and development of the facilities offers great opportunities to collaborate with organisations such as Boystown. Boystown are aware of the proposed track park facilities, have teams currently working in Redland City and are willing and ready to bid for involvement in the facilities development. City Spaces would manage and coordinate further development of the Redlands Track Park Facilities in coordination with other organisations such as Boystown.

There is also the opportunity to consider a collaborative effort with the Cleveland Swimming Pool Complex for ancillary visitor services. Collaboration with DPI to secure a North/ South connection will also provide significant advantages for recreational movement in the city.

A PRIORITY PROJECT FOR REDLANDS

In preparation for the next state election, Redland City Council has provided the Liberal National Party (LNP) leader Campbell Newman and Queensland Premier Anna Bligh with a listing of major Redlands project priorities that require state funding and support.

The concept of the Redlands Track Park facilities has been afforded significant recognition in this list as well as being identified in the Council adopted Seven "C" Connection Strategy.

The SEQ Regional Plan recognises that the provision of accessible, well designed and managed urban space is an essential component of sustainable urban growth management.

As the project received "in principle" support from Council in 2007, it is now necessary to formalise approval for the project to facilitate grant applications for its development.

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
- 1.5 Co-ordinate effective management of the conservation estate on all (private and public) lands in Redlands, through a combination of incentives and various tenure and management arrangements to restore, maintain and plant new habitat
- 1.6 Address the decline in the health of Redlands waterways and improve water quality, aquatic populations and their biodiversity

2. Green living

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

- 2.4 Provide and maintain safe and attractive routes for people to walk and cycle throughout the city and to connect to nearby regional centres

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.

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

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

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'

- 7.5 Increase the physical activity participation of residents and deliver programs and incentives that strengthen opportunities for sport and recreation

FINANCIAL IMPLICATIONS

The track park facilities, once designed and cost estimated, represent one of the best potential projects for external funding. In particular funding through the State Government's recreation and sporting grants (infrastructure program – medium program \$240,001 - \$750,000 max contribution). \$40m is available annually for contributions towards new and improved opportunities for people to participate in sport and active recreation. The Redland Track Park Facilities is a typical project that the State would give serious consideration to.

There will be future financial implications for the development of the track park facilities but these are currently not fully quantified. An early preliminary estimate of \$130 000 has been made. The project does however have significant capacity to attract grants and social enterprise programs. A track park facilities plan, when developed, will inform the City Spaces Group about the full budgetary requirement and give an indication of the potential for social enterprise involvement in construction and management.

The projects implementation would mostly likely be phased over a number of years.

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

Consultation has been undertaken with Internal and external groups and individuals including:

- Manager City Planning and Environment
- Senior Advisor Sport and Recreation
- Advisor- Cycling and Public Transport
- Advisor Reserves Management
- Principal Advisor Open Space Planning
- Parks and Conservation Services Manager
- Senior Conservation Officer
- Conservation Fire Management Officer
- Conservation Fire Management-Team Leader
- Advisor Waterways Management
- Cr Murray Elliott Division 7
- Cr Craig Ogilvie Division 2

External stakeholders:

- Local cycle businesses (Bike Nirvana (Victoria Point), Cycle City (Cleveland), Bike Force-(Capalaba), Capalaba Cycles,
- Donna Dall- Brisbane South MTB Club and PCS Coaching Services
- Gillian Duncan and Mark Robert -Organised Grime
- Queensland Outdoor Recreation Federation
- DPI Cleveland
- Cleveland Aquatic Centre

OPTIONS**PREFERRED**

That Council resolve to:

- 1 Support the development of the Redlands Track Park Facilities for non-motorised track and trail outdoor recreation activities subject to future budget considerations, to commence in 2013/14; and
- 2 Note grant applications will be submitted to State and Federal Governments to support the funding for the facilities.

ALTERNATIVE

That Council resolve to direct that further investigation is undertaken before resolving to receive the report.

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

Moved by: Cr T Bowler

Seconded by: Cr D Henry

That Council resolve to:

1. **Support the development of the Redlands Track Park Facilities for non-motorised track and trail outdoor recreation activities subject to future budget considerations, to commence in 2013/14; and**
2. **Note grant applications will be submitted to State and Federal Governments to support the funding for the facilities.**

CARRIED

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 item, and following deliberation on this matter, the Committee meeting was again opened to the public.

13.3.1 SMBI ECONOMIC PICTURE OF SUSTAINABILITY

Datworks Filename: GOV SMBI Needs Campaign
Responsible Officer: Nick Clarke
General Manager Governance
Author: Mark Conlan
Principal Advisor SMBI Strategy

EXECUTIVE SUMMARY

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

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve to:

1. Note the *Urbis Opportunity Analysis for the SMBI Report and SMBI Financial and Infrastructure Sustainability Snapshot* undertaken as part of the SMBI Needs Campaign including the consultant's observations that the current approach to the development of the SMBI is unsustainable without financial support from other levels of government;
2. At this time Council does not endorse the scenarios, but will consider the information in the report after the Local Government elections;
3. To release the Urbis report and snapshot to the incoming Premier and relevant State and Federal Ministers for the purpose of advocating for meaningful financial and other support for the SMBI in accordance with the SMBI 2030 document; and
4. Endorse the Chief Executive Officer's intention to release the Urbis report and snapshot to the public.

CARRIED

14 CUSTOMER SERVICES COMMITTEE 21 MARCH 2012

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

That the Customer Services Committee Minutes of 21 March 2012 be received.

[Customer Services Minutes 21 March 2012](#)

CARRIED

14.1 CITY SERVICES

14.1.1 THE IMPACT OF THE NATIONAL HEALTH REFORM ON THE HACC FUNDING COUNCIL RECEIVES

Datworks Filename: CS Home & Community Care Program (HACC)

Responsible Officer: Greg Jensen
Manager Community and Cultural Services

Author: Leanne Tu'ipulotu
Manager Strengthening Communities

EXECUTIVE SUMMARY

From 1 July 2012, under the National Health Reform, the Commonwealth Government will take responsibility for the delivery of a consistent and unified aged and disability care system. The Commonwealth and State Governments are working together to implement these new arrangements, including changes to the administration and funding of the Home and Community Care (HACC) Program.

The changes will result in Council having two separate funding and service agreements, one with the Commonwealth Government through the Department of Health and Ageing (DoHA) and the other with the Queensland Government through the Department of Communities (DoC).

Clients will not notice any changes to service delivery provided by Home Assist Secure and Community Care Services (formerly Respite Services). The changes only affect how the funds are administered and the associated reporting requirements for funded organisations. There are no changes proposed to the current HACC funding levels received by Home Assist Secure and Community Care Services for the 2012/13 financial year.

PURPOSE

The purpose of this report is to provide advice on the changes to Home and Community Care (HACC) funding and the implications of these changes on Redland City Council's Community Care Services (formerly Respite Services) and Home Assist Secure Service.

BACKGROUND

Under the National Health Reform Agreement the Commonwealth Government will take responsibility for funding, policy, management and delivery of a consistent and

unified aged and disability care system. The Commonwealth and State Governments are working together to implement these new arrangements, including changes to the administration and funding of the Home and Community Care (HACC) Program.

From 1 July 2012 funding and service agreements for the provision of seniors and disability services will be split between Commonwealth and State Governments. The Commonwealth Government through the Department of Health and Ageing (DoHA) will have funding and operational responsibility for community care services to older people over 65 years of age and over 50 years for Aboriginal and Torres Strait Islander people. The Queensland Government through the Department of Communities (DoC) will have funding and operational responsibility for community care services to people under 65 years of age and under 50 for Aboriginal and Torres Strait Islander people.

The age split determines what services the Commonwealth will fund and what services the State will fund. The changes do not impact what services are delivered to the community and who can access them.

ISSUES

Clients will not notice any changes to service delivery provided by Home Assist Secure and Community Care Services (formerly Respite Services). The changes only affect how the funds are administered and the associated reporting requirements for funded organisations. There are no proposed changes to the funding levels that Council currently receives. There are however increased reporting requirements for Council.

These changes result in Council having two separate funding and service agreements:

- The first service agreement with the Commonwealth Government through the DoHA for a contract of services to older people (65 years and older or 50 years and older for Aboriginal and Torres Strait Islander people)
- The second service agreement with the State Government through DoC for younger people (under 65 years of age and under 50 for Aboriginal and Torres Strait Islander people).

Without the National Health Reform state and territory government budgets would be overwhelmed by the increasing demands of an ageing population, increasing rates of chronic and preventable diseases, new treatments becoming available and rising health care costs.

It is anticipated that the National Health Reform will deliver:

- Improved funding through greater efficiency
- Transparency and accountability
- Reduced waiting periods

The changes to the funding arrangements under the National Health Reform will ensure that Council is able to continue to receive the same level of funds to enable the effective provision of valuable services to an increasing ageing population in the Redlands.

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

This recommendation does not require any change to the current year's budget as funds have already been allocated through the budget process for the 2012/13 financial year. There are no changes proposed to the current HACC funding levels received by Home Assist Secure and Community Care Services for the 2012/13 financial year.

PLANNING SCHEME IMPLICATIONS

The outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation and information has been provided by Officers of Department of Health and Ageing (DoHA) and the Department of Communities (DoC) at HACC transition industry briefing and through the HACC transition portal website.

OPTIONS

PREFERRED

That Council resolve to note this report.

ALTERNATIVE

No alternative required.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr W Boglary

Seconded by: Cr T Bowler

That Council resolve to note this report.

CARRIED

14.2 CLOSED SESSION AT COMMITTEE

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

14.2.1 FINAL TRANSITION OF STRADDIE HOLIDAY PARKS UNDER ILUA

Datworks Filename: CP Straddie Holiday Parks - General

Responsible Officer: Louise Rusan
General Manager City Services

Author: Greg Jensen
Manager Community & Cultural Services

EXECUTIVE SUMMARY

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

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr W Boglary
Seconded by: Cr T Bowler

That Council resolve to note the contents of this report.

CARRIED

14.2.2 PROPOSED WEINAM CREEK CAR SHARE SCHEME

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

Responsible Officer: Louise Rusan
General Manager City Services

Author: Elisa Underhill
Manager City Enterprises

EXECUTIVE SUMMARY

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

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

Moved by: Cr W Boglary
Seconded by: Cr T Bowler

That the tender not be awarded and that Council officers continue to explore opportunities to establish a car share scheme, or similar service, to support the new parking initiatives at the Weinam Creek ferry terminal.

CARRIED

15 CORPORATE SERVICES & GOVERNANCE COMMITTEE 21 MARCH 2012

Moved by: Cr C Ogilvie
Seconded by: Cr M Elliott

That the Corporate Services & Governance Committee Minutes of 21 March 2012 be received.

[Corporate Services & Governance Minutes 21 March 2012](#)

CARRIED

15.1 CORPORATE SERVICES**15.1.1 CONTRACT EXTENSION FOR TENDER REF. 1168-2008-IMG PROVISION OF OFFSITE PHYSICAL RECORDS STORAGE**

Datworks Filename: FM Contracts – Supply Services

**Responsible Officer: Venita Van Der Meer
Service Manager Records Management Unit**

**Author: Tracey Justice
Acting Manager Procurement Operations**

EXECUTIVE SUMMARY

On 29 April 2008, the Chief Executive Officer accepted the officer's recommendation to award a contract to Grace Records Management for the provision of Offsite Physical Records Storage. This service is used to provide offsite storage for Council archives and provision of retrieval service when required, as the size of space for this storage at Council is not available.

This contract was awarded for a period of two (2) years, commencing 1 July 2008 with the option to extend for a further three (3), one (1) year periods not exceeding a maximum term of five (5) years.

The Chief Executive Officer accepted the officer's recommendation to exercise the first option to extend this contract from 1 July 2010 to 30 June 2011 and also the second option to extend this contract from 1 July 2011 to 30 June 2012.

Since the commencement of this contract Grace Records Management has provided these services in accordance with the terms and conditions of the contract.

Current Expenditure for this contract is approximately \$364,863.00 excl GST. The budgeted expenditure for the final extension period is \$109,000.00 excl GST. Total cost for the contract including the final extension period is projected to be approximately \$473,863.00 excl GST which will exceed the delegation of the Chief Executive Officer.

Consultation with the Service Manager Records Management Unit took place resulting in the approval request to exercise the third and final option to extend this contract from 1 July 2012 to 30 June 2013.

It is recommended that Council delegate authority to the Chief Executive Officer to approve the third and final option to extend this contract for a period of one (1) year from 1 July 2012 to 30 June 2013

PURPOSE

The purpose of this report is to seek Council's approval to delegate authority to the Chief Executive Officer to approve the third and final option to extend this contract for a period of one (1) year from 1 July 2012 to 30 June 2013, as it is anticipated expenditure will exceed the financial delegation of the Chief Executive Officer. This contract extension is awarded under the terms of contract for 1168-2008-IMG Provision of Offsite Physical Records Storage.

BACKGROUND

On 29 April 2008, the Chief Executive Officer accepted the officer's recommendation to award a contract to Grace Records Management for the provision of Offsite Physical Records Storage. This service is used to provide offsite storage for Council archives and provision of retrieval service when required, as the size of space for this storage at Council is not available.

This contract was awarded for a period of two (2) years, commencing 1 July 2008 with the option to extend for a further three (3), one year periods not exceeding a maximum term of five (5) years.

The Chief Executive Officer accepted the officer's recommendation to exercise the first option to extend this contract from 1 July 2010 to 30 June 2011 and the second option to extend this contract from 1 July 2011 to 30 June 2012.

ISSUES

There are no issues with this contract. Since the commencement of this contract Grace Records Management has provided these services in accordance with the terms and conditions of the contract including providing value for money to Council.

RELATIONSHIP TO CORPORATE PLAN

9. An efficient and effective organisation

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

9.4 Provide a safe place for staff to work in and support the health and wellbeing of our people.

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget and funds have been allocated in the Records Management 2012/13 budget

CONSULTATION

The following people were consulted in the preparation of this report and concur with the recommendations provided:

- Service Manager Records Management Unit
- Manager Procurement Operations
- Procurement Officer

OPTIONS**PREFERRED**

That Council resolve to:

1. Delegate authority to the Chief Executive Officer under Section 257 (1) (b) of the *Local Government Act 2009* to approve the third and final option and award Grace Records Management a final one (1) year extension from 1 July 2012 to 30 June 2013 for the provision of Offsite Physical Records Storage;
2. Make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and
3. Sign all relevant documentation.

ALTERNATIVE

That Council not delegate authority to the Chief Executive Officer to approve the third and final option to extend this contract for a period of one (1) year from 1 July 2012 to 30 June 2013 and go out to public tender for this service. If a new tender is required Council will need to advertise the tender and will require approval signoff prior to 1 July 2012 when the current tender is due to expire.

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

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

That Council resolve to:

1. Delegate authority to the Chief Executive Officer Under Section 257 (1) (b) of the *Local Government Act 2009* to approve the third and final option and award Grace Records Management a final one (1) year extension from 1 July 2012 to 30 June 2013 for the provision of Offsite Physical Records Storage;
2. Make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and
3. Sign all relevant documentation.

CARRIED

15.1.2 REDLAND WATER BILLING IMPLEMENTATION

Datworks Filename: GOV WRAD – RCC Business Readiness

Attachment: [Appendix 1 Revised Cost Estimates for Billing Option 1](#)

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Vicki Lewis
Acting Water Programme Manager

EXECUTIVE SUMMARY

At the General Meeting held on 25 January 2012, the Redland Water Billing Options report was presented to Council. Due to the uncertainty regarding the passage of the *South East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill* (the Bill), it was resolved to progress with Billing Option 1 – introducing an additional line of information on the water summary, subtotalling the State bulk water charge.

With the passing of legislation, work to progress Billing Option 1 has identified further systems configuration work which requires additional funding greater than the \$3,100 resolved on 25 January 2012. It should be noted that these additional costs may be fully recoverable and will be submitted to Gold Coast City Council for consideration. The costs include system and resource activities to action the necessary requirements for updating the rate notice for July 2012, as this will not be finalised in time for the April 2012 rate run.

PURPOSE

The Bill has now been passed and this report seeks to update Council on the impact of time constraints and current resource levels on Billing Option 1. Also to inform and seek approval from Council for additional costs that have been identified in the implementation of Billing Option 1 and to confirm the July 2012 date for implementation.

BACKGROUND

With the imminent return of Redland Water a comprehensive analysis of the billing of Water and Waste Water was undertaken. A number of opportunities to change the format and frequency of the water summary were identified and recommended to Council at the General Meeting held on 25 January 2012.

Officers Recommendations as follows:

- Billing Option 1 – Separate line item sub-totalling the state bulk water charge
- Billing Option 2 – Produce two separate notices, a water notice and a rate notice

Council resolved to progress with Billing Option 1. This option was deemed to present the least risk in the current environment at the time.

ISSUES

During discussion with RCC Officers in response to Council Resolution 12.3.5 General Meeting held on 25 January 2012 - Billing Options Report, the following needs to be considered in respect to Option 1 – Separate Line Item for Bulk Water.

- As advised in Redland Water Billing Options report, we would need to seek the approval of AW if we were to make any changes to the existing notice prior to 1 July 2012 (e.g. April rate run).
- AW would need to approve the change, which is the separate line item and charge amount displayed for bulk water.
- AW would also need to approve the printer test data, post all testing completed by RCC, and
- AW would need to approve the redesign changes to the rate notice required to fit in the additional line item for bulk water.
- Further AW billing team would also have administration requirements to check that appropriate information has been applied – which would also require approval.

Discussions have also identified that the initial investigation established that Proclaim cannot generate both pieces of information in a Rate Notice extract, with the alternative being the creation of a Comma Separated Value (CSV) file to accompany the Rate Notice extract file or by changing the printer rules (with Chandler). Changing the printer rules will not accommodate the October 2012 rate run, as consumption charges (paid in arrears) cover 2 financial periods combined into one amount for the extract. Activities to action Option 1 will need to be staged as two separate projects:

For July Rate Run

- Achievable outcome would include a change to printer rules, which would require 2-3 full days by Service Manager Revenue & Cash Management to change printing rules document. Plus 4-6 week timeframe for Chandler to modify current printing program and test (predominately) allowing for necessary approvals being received in a timely manner.
- Less likely to achieve separation of charge by April 2012 with the timeframe available, the work involved and the approvals required.

For October rate run

- External contractors would need to be engaged to develop a CSV format file to accompany the rate notice extract file.
- Initial report only reflected charges for internal systems development and Tech 1 requirements of \$3,100. Estimated costs to complete necessary systems requirements, now approximately \$16,500.

Recommendation

Proceed with activities to separate the Bulk Water charge, as a separate line item on the existing RCC rates notice, for July 2012 rate run. RCC to approve the costs incurred to meet the October rate run (systems) requirements.

As this activity is legislated as mandatory for water reintegration activities, withdrawal costs would be submitted to Gold Coast City Council for consideration.

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

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

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

FINANCIAL IMPLICATIONS

Refer to Appendix 1 – Revised Cost Estimates for Billing Option 1.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The WRAD team has consulted with General Manager Corporate Services, Service Manager Revenue and Cash Management and Service Manager Information Systems Services Unit.

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

Moved by: Cr C Ogilvie

Seconded by: Cr W Boglary

That Council resolve to:

1. Progress with Billing Option 1 with an implementation date of July 2012;
2. Approve the additional costs to proceed with a separate line item for bulk water from July 2012; and
3. Authorise the Chief Executive Officer to commence implementation activities.

CARRIED

15.1.3 WATER PROGRAMME UPDATE

Datworks Filename: GOV WRAD - RCC Reporting

Responsible Officer: Martin Drydale
General Manager Corporate Services

Author: Vicki Lewis
Water Programme Manager

EXECUTIVE SUMMARY

The Water Reintegration and Disestablishment Programme (WRAD) is in place to assist Council in preparing for the return of the Redland Water business. The WRAD team are working closely with RCC Managers and Staff, Allconnex Water and the other participating councils throughout all transitioning activities.

This report provides a summary status update on key activities, risks and issues within the programme.

PURPOSE

The purpose of this report is to provide an update on key activities and bring to the attention of Council any significant emerging risks and issues within the programme.

BACKGROUND

The WRAD Programme is the coordination point, assisting RCC work stream leads in bringing together all planned activities, risks, issues and resources to support and deliver the reintegration of Redland Water.

ISSUES

Current Activities:

Redland Water Complete Structure finalised: The structure was released on Monday 27th February 2012, with minimal issues and queries raised by transitioning employees. The project continues to respond to individual requests and confirmation of the application of the Workforce Framework Provisions to specific individual scenarios. The workforce framework principles are confirmed with Allconnex Water, Gold Coast City Council and Logan City Council to ensure we are applying consistent treatment to all transitioning employees.

Accommodation: The preferred site is in the final stages of negotiation and planning has commenced for the scoping of required works and resources necessary to deliver. Suitable tenants have also been identified and confirmed their interest in occupying the site offices if we successfully acquire the site.

Transition Planning: The project planning is continuing now that legislation has been passed. This includes working with groups and teams across Council to ensure that all necessary transitioning activities are identified, required timeframes established and resources allocated. This area of the project will regain necessary focus with the recent appointment of the WRAD Programme Manager, Human Resource Senior Advisor and Project Coordinator will also commence on 12th March 2012.

Infrastructure Charges: The Retransfer Schedule will identify contracts we will inherit for trunk infrastructure entered into by Allconnex Water for the Redland district. This process will also identify revenue from Infrastructure Charges collected by Allconnex Water toward trunk infrastructure in Redland district to transition back to Redland Water.

Council will need to resolve the method to be applied for determining constrained reserves for each of its trunk networks, which will need to include water supply and waste water. This resolution will be required before 1 July 2012.

Netserv Plan: Allconnex Water have presented and provided the draft Netserv Plans to Senior Officers within Redland City Council and this is currently being reviewed, with feedback scheduled to be advised to Allconnex Water by the end of March. Council will be provided with an overview presentation at the Development and Community Standards meeting on the 20th March 2012.

Withdrawal Costs: Redland City Council Officers attended a workshop facilitated by Queensland Water Commission, to discuss the draft terms and consideration of what constitutes withdrawal costs. Each Council was required to document their concerns and agreements to each of the categories identified within the draft discussion paper by Friday 9th March 2012.

The Transition Working Group (TWG), which consists of Allconnex Water and Council senior officers, are currently attempting to reach agreement on the process for withdrawal cost claims and reimbursement by Gold Coast City Council.

Redland City Council is now in a position to claim withdrawal costs from Gold Coast City Council, with all activities and charges captured to date, within the WRAD project cost centre. When the process has been agreed, we will immediately commence cost recovery. Cost claims date back to August 2011.

Retransfer Schedule: Discussions continue on the position of each Council in relation to the methodology for determining allocation of Allconnex Water's assets and liabilities under the re-transfer scheme. AW are responsible for drafting the retransfer schedule and providing this to the participating Councils for confirmation and sign off, prior to forwarding the Minister for approval by 30 April 2012. This may escalate to a significant issue if agreement cannot be reached between the participating councils. There is a potential risk that Council's will retransfer their water business on 1 July 2012, without a determination finalised on the treatment of assets. There is also the risk if escalation is sought that Ministerial direction may be stalled, based on the position appointee and their prior knowledge of legislative requirements.

Billing: Systems requirements have been scoped and Technology One consultants have been engaged to review initial requirements and provide Council with solution options. The systems configuration is necessary to meet legislation and separate out bulk water charges on the Water Summary enclosed with the Rates Notice. On 25th January 2012, Council resolved to separate the bulk water charge on the existing water summary notice.

Workplace Health and Safety: Transition planning has been commenced and all WPHS requirements to transition Allconnex Water employees back to Redland City Council without jeopardising our self insurance compliance are being determined. Key activities will include development of a position generic skills matrix, staff and

contractor re-induction and competency to operate principles being applied. All policies and procedures will be reviewed and updated, along with hazard, site and equipment inspections and risk assessment protocols.

Finance: Queensland Treasury Commission have been developing the Redland Water budget templates to assist in establishing future operational and capital budgeting requirements and determining pricing structure. Redland City Council have provided all historical Redland Water financial data, which has been applied to the model and testing is scheduled to be completed by the end of March.

The Commercial Finance Systems team are currently determining a workable solution to set up Redland Water in Finance One.

Draft Operational budgets have been commenced based on the new Redland Water Structure. Draft Capital requirements are currently being prepared and will be included with the Council Capital budget timetable. Water, Waste Water and Fees and Charges workshops will be scheduled with Council in May, in line with Council budget timetable.

Staff Transition: With the structure finalised and transitioning employees confirmed to return to Redland Water, significant works are being identified and scheduled to ensure that our payroll and Human Resource Information Systems (Aurion) solutions are viable. New positions within the Redland Water structure have evaluated position descriptions and these will be mapped to existing systems and procedural requirements.

Shareholder Loans: Councils and Allconnex Water have discussed the re-structuring of Shareholder loans to account for:

- Revised Participation Rights
- Rolled forward RAB.

Allconnex Water confirmed that provision for additional interest payments to reflect the rolled forward Regulated Asset Base (RAB) had been made, however confirmation from Queensland Competition Authority (QCA) in relation to the "interim" nature of that figure, as referred to in QCA price monitoring reports was required. CEO of Allconnex Water is currently seeking advice regarding the status of RAB and re-structuring of loans and will advise Councils by the end of March 2012.

Dividend Policy: Allconnex Water confirmed that no dividend had been budgeted for this financial year and this will be considered by the Board in March. If an interim dividend were to be payable it would be considered at a Board meeting to be held prior to 15 May (date for advice to Councils on any interim Dividend).

Risks:

Asset and Debt Apportionment: Participating Councils and Allconnex Water are currently working together to seek agreement on the method of asset and debt apportionment. Discussions have commenced and are centred on supporting recommendations from within the Ernst and Young Draft Report – Allconnex disestablishment: Discussion Paper (6 December 2011). The legislation sets out for two allocation methods:

- The default method – being the default methodology based on Participation Rights in the event there is no Retransfer Document agreed to by the Participating Councils (Participation Rights Method)
- A negotiated method reflected in a Retransfer Document (Alternative Method)

The report executive summary highlights the risks and burden associated with applying the Participation Rights Method.

A major issue raised was the treatment of Infrastructure Assets constructed by Allconnex Water between 1 July 2010 and 30 June 2012 (and WIP).

Gold Coast and Redland City Council's position is that such assets and related debt are apportioned geographically. Logan City Council position is that with Allconnex Water constructed assets are co-owned with agreements to be negotiated regarding share of returns on those assets, with related debt to be apportioned as per participation rights.

Each Council has provided a written 'Without Prejudice' exchange of views on assets and liabilities classes. TWG will discuss positions and prepare a schedule for finalising re-transfer agreement which recognises the legislated time lines.

Redland City Council is not prepared to accept debt acquired for the construction of assets which will not be servicing customers in the Redland City Council area.

Potential Liberal National Party as new State Government: If the Liberal National Party (LNP) succeeds at the state election on 24th March, 2012, there may be changes proposed to current distribution and retail legislation. Promised water bill reductions may include changes to bulk water charges or retail pricing. This would need to be monitored, impacts identified and future treatment determined, if and when any changes are advised.

Assets - Work In Progress (WIP) Clearance: Transitioning of WIP projects from Allconnex Water to Redland City Council may necessitate funding of significant parts of remaining projects. Cost implications for Redland City Council may include funding for post transition (1 July 2012) unfinished capital projects commenced within the district.

Existing workload and Resource Requirements: Due to the significant work to transition water back to council by 1 July 2012, resourcing impacts may be identified as a risk to delivery timeframes. Current transition planning is detailing all required activities, timeframes and resource requirements to meet legislative requirements. This is currently being monitored and any resource deficit will need a business case to support the engagement of additional resources or contractors, to ensure that withdrawal costs will be substantiated and approved by Gold Coast City Council.

Staff Retransfer: Employees identified to transition back to Redland City Council may lodge a grievance or hardship case due to dissatisfaction with their appointed role within the Redland Water Structure. This will continue to be monitored, each case reviewed and treated in isolation and all avenues exhausted to support the retention of our skilled workforce.

Issues:

Sewerage of Southern Moreton Bay Islands (SMBI): With the retransfer of water and waste water services back to council, the SMBI community focus is likely to return regarding council's position for future sewerage of the bay islands.

Redland Water Capital Requirements: For 2012/13 budget, Redland City Council will be required to fund all capital projects for Redland Water and this had not been considered in existing capital programmes.

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

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The Chief Executive Officer, General Manager Corporate Services and Senior Officers were consulted in the development of this report.

OPTIONS

Not applicable – this report is an information update only.

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

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

That Council resolve to note the update on the Water Reintegration and Disestablishment Programme.

CARRIED

15.1.4 FEBRUARY 2012 MONTHLY FINANCIAL REPORTS

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

EXECUTIVE SUMMARY

Section 152(2) of the *Local Government (Finance Plans & Reporting) Regulation 2010* requires the Chief Executive Officer to present the financial report to a monthly meeting.

The financial statements for February 2012 demonstrate that Council exceeded targets set in the 2011-2012 budget for six of the seven Financial Stability Key Financial Performance Indicators. These are:

- ability to pay our bills – current ratio;
- ability to repay our debt – debt servicing ratio;
- cash balance;
- cash balances – cash capacity in months;
- long term financial stability – debt to assets ratio; and
- operating performance

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

- level of dependence on general rate revenue

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

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

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

PURPOSE

The purpose is to present the February 2012 financial report to Council and explain the content and analysis of the report. Section 152(2) of the *Local Government (Finance, Plans & Reporting) Regulation 2010* requires the Chief Executive Officer of a local government to present statements of its accounts to the local government.

BACKGROUND

The Corporate Plan contains a strategic priority to support the organisation's capacity to deliver services to the community by building a skilled, motivated and continually learning workforce, ensuring assets and finances are well managed, corporate knowledge is captured and used to best advantage, and that services are marketed and communicated effectively.

ISSUES

Please refer to the attached Monthly Financial Performance Report.

RELATIONSHIP TO CORPORATE PLAN

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

8.7 Ensure Council resource allocation is sustainable and delivers on Council and community priorities

8.8 Provide clear information to citizens about how rates, fees and charges are set and how Council intends to finance the delivery of the Community Plan and Corporate Plan

FINANCIAL IMPLICATIONS

Please refer to the attached Monthly Financial Performance Report.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has taken place amongst Council departmental officers, Financial Reporting and Capital Management Team and the Executive Leadership Group.

OPTIONS

PREFERRED

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

That Council requests additional information.

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

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

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

CARRIED

15.2 GOVERNANCE

15.2.1 A REPORT ON THE AUDIT COMMITTEE MEETING

Dataworks Filename:	GOV Audit Committee
Responsible Officer:	Nick Clarke General Manager Governance
Author:	Siggy Covill Manager Internal Audit

EXECUTIVE SUMMARY

In line with the Audit Committee Charter, the Audit Committee meeting of 29 February 2012 was scheduled to enable discussion and consideration of the following:

- Receipt and confirmation of minutes of 22 November 2011;
- Business arising from previous minutes;
- Update from the Chief Executive Officer;
- Council End of Month Financial Reports;
- Q2 Budget Review;
- Compliance Certificates;
- Internal Audit Plan;
- Internal Audit Recommendations;
- QAO Recommendations;
- Internal Audit Reports;
- Update from External Auditors; and
- Other Business.

PURPOSE

The authority of the establishment of an Audit Committee is provided for under Section 105 of the *Local Government Act 2009*. It operates in accordance with Part 10, Subdivision 2, Sections 157-160 of the *Local Government (Finance, Plan and Reporting) Regulation 2010*.

The purpose of this report is to provide a summary of the issues discussed at the meeting on 29 February 2012.

BACKGROUND

The primary objective of the Audit Committee is to assist Council in fulfilling its corporate governance role and oversight of financial measurement and reporting responsibilities imposed under the *Financial Accountability Act 2009*, the *Local Government Act 2009* and other relevant legislation.

To fulfil this objective, it is necessary that a report on discussions and deliberations of the Audit Committee be submitted to Council to enhance the ability of Councillors to discharge their legal responsibility.

ISSUES

The following is a summary of the issues discussed at the meeting of 29 February 2012:

The Chair, Len Scanlan, declared the meeting open at 9.02am (Item 1), with all members and invitees present with the exception of Mayor Melva Hobson who arrived at 10.17am at item 8.1.

3 RECEIPT AND CONFIRMATION OF MINUTES

Moved by: Mr V Dua
Seconded by: Cr C Ogilvie

That the minutes of the Audit Committee meeting of 22 November 2011 be confirmed as a true and accurate record of proceedings.

3.1 BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

4 UPDATE FROM THE CHIEF EXECUTIVE OFFICER

- The Chief Executive Officer reported to the Audit Committee on the following notable matters.
- Water Reform - legislation, framework, regulation, structure, transition;
- Economic Development - review, structural reform;
- Election - deferral, corporate calendar adjustment, ECQ, gift declarations timing;
- WHS - recent audit result excellent;
- MySay staff survey results – excellent results obtained, research underway to identify causes of increased reporting of bullying;
- Financial Strategy - revised, budget process, QTC review, Q2 review;
- Carbon Tax - waste cost implications;
- National Health Reforms - customers and funding OK, administration cost higher;
- Disaster management - Flood commission interim report compliance; and
- IT&C strategy - focus on review of enterprise architecture.
- The following officers commented on:
 - Operational Risk Management Committee commencement (Nick Clarke)
 - QTC water and waste commercial model (Gavin Holdway)

COMMITTEE DECISION

That the report be noted.

5 COUNCIL FINANCIAL REPORTS

5.1 COUNCIL END OF MONTH FINANCIAL REPORTS

Council's end of month reports for October, November, December 2011 and January 2012 were presented to the Audit Committee.

COMMITTEE DECISION

That the Audit Committee note the financial reports as presented.

5.2 Q2 BUDGET REVIEW

The General Manager Corporate Services presented the Q2 Budget Review to the Audit Committee.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

6 COMPLIANCE CERTIFICATES

Compliance Certificates for the quarter October to December 2011 for Governance, Environment Planning & Development, City Services and Corporate Services were presented to the Committee.

COMMITTEE DECISION

That the Compliance Certificates as presented be noted.

7 INTERNAL AUDIT PLAN

7.1 AUDIT PLAN STATUS

The status of the Audit Plan was presented to the Committee for noting.

COMMITTEE DECISION

That the Audit Committee note the Status of the Audit Plan as presented.

8 AUDIT RECOMMENDATIONS DUE FOR IMPLEMENTATION

8.1 INTERNAL AUDIT RECOMMENDATIONS

The Senior Internal Auditor presented a progress report of audit recommendations due for implementation to the Committee.

COMMITTEE DISCUSSION

In order to address concerns raised by the Mayor, it was agreed to include more detail in future reports around the actions that have been taken by management in relation to those audit recommendations, especially in relation to project management.

COMMITTEE DECISION

That the Audit Committee note the status of the Internal Audit Recommendations and the extensions requested.

8.2 QAO RECOMMENDATIONS

The Senior Internal Auditor presented a progress report of QAO audit recommendations due for implementation to the Committee.

COMMITTEE DECISION

That the Audit Committee note the QAO Audit Recommendations Due For Implementation as presented.

9 INTERNAL AUDIT REPORTS

The following reports were presented for Audit Committee consideration:

9.1 CORPORATE SERVICES

- General Ledger
- Human Resources – Contract Vs Employees (draft report to be discussed)

COMMITTEE DISCUSSION

The Manager Internal Audit advised that the report: “Human Resources – Contract Vs Employees” has not yet been finalised and would be made available to a future Committee meeting.

COMMITTEE DECISION

That the report be received and noted as presented.

10 update from external auditors

Crowe Horwath presented a QAO Update and the Audit Strategy Document for the June 2012 year end to the Audit Committee.

COMMITTEE DECISION

That the Audit Committee note the presentation by Crowe Horwath.

11 OTHER BUSINESS

11.1 ORGANISATIONAL DEVELOPMENT PLAN ISSUE 34 – EXPOSING AND DETERRING MISCONDUCT, FRAUD AND CORRUPTION

The Manager Internal Audit presented a progress report to the Committee on Issue 34 of the Organisational Development Plan – Exposing and Deterring Misconduct, Fraud and Corruption.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

11.2 WORKPLACE HEALTH AND SAFETY

The Service Manager Workplace Health, Safety & Wellbeing presented an update to the Committee on the Workplace Health and Safety external audit recommendations.

COMMITTEE DECISION

That the Audit Committee note the update as presented and congratulate Mr Peter Gould, Service Manager Workplace Health, Safety & Wellbeing for being awarded an

Emergency Service Medal (ESM) for distinguished service with the Emergency Services in Australia.

11.3 CARETAKER ARRANGEMENTS

The General Manager Governance presented a report on the arrangements in place during the caretaker period.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

11.4 FUTURE AUDIT COMMITTEE MEETINGS

The General Manager Governance presented the following issues to the Committee:

- Seeking Council approval in March 2012 to extend the current appointments of the Independent Members of the Audit Committee to remain on the Committee until 30 June 2012 (due to the deferred election date).
- No planned Audit Committee meetings between 29 February and 30 June 2012, but the Independent Audit Committee Members will be available for consultation as required.
- The newly elected Council will determine the Audit Committee membership soon after the election.
- Provisional dates for Audit Committee meetings set now – one for September 2012 and one for November/early December 2012, subject to confirmation or change by the incoming Audit Committee.

COMMITTEE DECISION

That the Audit Committee note the presentation.

12 MEETING CLOSURE

The meeting closed at 11.56am.

RELATIONSHIP TO CORPORATE PLAN

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

- 8.5 Be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The Audit Committee minutes are presented for confirmation as a true and accurate record of proceedings at its next meeting.

OPTIONS**PREFERRED**

The Council resolve to accept this report, which summarises the issues discussed at the Audit Committee meeting of 29 February 2012.

ALTERNATIVE

1. That Council accept this report and request additional information; or
2. That Council not accept this report and request an alternative method of reporting.

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

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

That Council resolve to accept this report, which summarises the issues discussed at the Audit Committee meeting of 29 February 2012.

CARRIED

15.2.2 AUDIT COMMITTEE MEMBERSHIP

Datworks Filename: GOV Audit Committee

Responsible Officer: Nick Clarke
General Manager Governance

Author: Siggy Covill
Manager Internal Audit

EXECUTIVE SUMMARY

This report seeks Council's consideration of the extension of membership of the external members of the Audit Committee as required by the *Local Government (Finance, Plans and Reporting) Regulation 2010* (the Regulation).

PURPOSE

The purpose of this report is to request an extension to the contracts of the external audit committee members, Mr Len Scanlan (independent chair of the Audit Committee) and Mr Virendra Dua (independent external member) to 30 June 2012 due to the change in the Local Government election date.

BACKGROUND

The date for this year's local government elections was changed by the state government by regulation from Saturday 31 March 2012 to Saturday 28 April 2012 to accommodate the state election on 24 March 2012. The local government elections are being run by the Electoral Commission Queensland.

The current agreements between Council and the external Audit Committee members are due to expire in March 2012. Both external Audit Committee members expressed their willingness to extend their membership of the Audit Committee to 30 June 2012. The incoming Council will determine the Audit Committee membership for its term in due course.

ISSUES

In order to ensure compliance with the Regulation, these external Audit Committee members will represent the quorum during the caretaker period and until the membership for the new Audit Committee has been established after the formation of the incoming Council. It is prudent to have access to independent external expertise during the transition period. Other councils are acting in the same way.

RELATIONSHIP TO CORPORATE PLAN

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

8.5 Be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities

FINANCIAL IMPLICATIONS

There are no financial implications impacting Council as a result of this report as the current budget covers payment to the external Audit Committee members to 30 June 2012.

PLANNING SCHEME IMPLICATIONS

The outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

OPTIONS**PREFERRED**

That Council resolve to approve the extension of Mr Len Scanlan and Mr Virendra Dua as external members of the Audit Committee until 30 June 2012.

ALTERNATIVE

That Council seeks further information about the subject of this report.

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

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

That Council resolve to approve the extension of Mr Len Scanlan and Mr Virendra Dua as external members of the Audit Committee until 30 June 2012.

CARRIED

15.2.3 PUBLIC INTEREST DISCLOSURE POLICY (POL-3123)

Datworks Filename:	GOV Administrative/Corporate/Statutory Policy Documentation
Attachment:	<u>Public Interest Disclosure Policy 3123</u>
Responsible Officer:	Nick Clarke General Manager Governance
Author:	Siggy Covill Manager Internal Audit

EXECUTIVE SUMMARY

The *Public Interest Disclosure Act 2010* commenced on 1 January 2011 and replaced the *Whistleblowers Protection Act 1994*.

To meet the requirements of section 28 of the *Public Interest Disclosure Act 2010* this report seeks Council's endorsement of the new Public Interest Disclosure Policy (POL-3123).

PURPOSE

The purpose of this report is to present the proposed Public Interest Disclosure Policy for Council consideration and approval.

BACKGROUND

Section 28 of the *Public Interest Disclosure Act 2010* (the Act) requires that Council establish reasonable procedures to deal with public interest disclosures (PIDs). These procedures are required to be published on a public website under section 28(2).

The Public Interest Disclosure Standard No 1 (effective from 1 January 2011) issued by the Commission Chief Executive of the Public Service Commission requires the following **organisational commitment** standards to be in place:

6.1.1 The Chief Executive Officer must develop, implement and maintain a management program for PIDs under section 28 of the Act. This management program must, as a minimum, address the following:

- Organisational commitment to encourage the internal reporting of wrongdoing;
- Senior management endorsement of the value to the entity of PIDs and the proper management of PIDs and disclosers;
- A communication strategy for raising staff awareness about PIDs and the entity's PID procedures; and
- A training strategy to ensure:
 - Staff are given access to training on the identification of wrongdoing, how to make a PID, the support and protection afforded to disclosers, and how PIDs will be managed.

- The provision of specialist training and awareness about PIDs to senior managers and other staff who may receive or manage PIDs, disclosers or workplace issues relating to a PID.
- The appointment of a specialist unit to be responsible for issues related to the management of PIDs. The unit should have the following characteristics:
 - Direct access to the CEO in relation to PID matters;
 - Delegated authority to appropriately manage PIDs; and
 - Access to resources to properly manage PIDs.
- Ensuring effective systems and procedures are in place for issues arising from PIDs to inform improvements to service delivery, business processes and internal controls; and
- Providing a mechanism for regular evaluation and monitoring of the effectiveness of PID policies and procedures.

6.1.2 The Chief Executive Officer must develop and implement reasonable procedures for dealing with PIDs under section 28 of the Act. The procedures must, as a minimum, address the following:

- Clear identification of who is covered by the procedure and the types of wrongdoing to be reported;
- Encourage the reporting of wrongdoing;
- Establish a clear reporting system, preferably with multiple pathways, for staff to make a PID internally, together with information on how to make an external PID;
- Ensure the assessment of the risks of reprisal;
- Means for complying with the confidentiality requirements of the Act;
- The rights of review, both internal and external;
- A description of the roles and responsibilities of key staff in the entity's management of PIDs and the support and protection of disclosers; and
- The rights of subject officers.

6.1.3 The procedure for making PIDs should be referred to in policies and procedures for handling of complaints to ensure that assessments can be made about which complaints must be treated as PIDs.

ISSUES

The current Public Interest Disclosure (Whistleblower Protection) Guideline (GL-3060-002) is in the process of being reviewed and updated to reflect the requirements of the Act and the Public Interest Disclosure Standard No 1 and, together with the attached Public Interest Disclosure Policy (POL-3123), will ensure Council's full compliance.

Once approved, Council will embark on a training campaign to ensure staff awareness.

RELATIONSHIP TO CORPORATE PLAN**8. Inclusive and ethical governance**

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

8.5 Be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities

FINANCIAL IMPLICATIONS

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

OPTIONS**PREFERRED**

That Council resolve to adopt the attached Public Interest Disclosure Policy (POL-3123) effective 28 March 2012.

ALTERNATIVE

That Council make amendments to the proposed policy.

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

Moved by: Cr C Ogilvie

Seconded by: Cr W Boglary

That Council resolve to adopt the attached Public Interest Disclosure Policy (POL-3123) effective 28 March 2012.

CARRIED

15.2.4 AMENDMENTS TO SUBORDINATE LOCAL LAWS 19 (REGULATED PARKING), 21 (ROADS) AND 2 (ANIMAL MANAGEMENT)

Datworks Filename: L&E Local Law No 21- Roads
L&E Local Law No 19 – Regulated Parking
L&E Local Law No 2 – Animal Management

Attachments: [Proposed Amendment SLL No 21 - Roads](#)
[Proposed Consolidated SLL No 21 - Roads](#)
[Proposed Amendment SLL No 19 - Regulated Parking](#)
[Proposed Consolidated SLL No 19 - Regulated Parking](#)
[Proposed Amendment SLL No 2 - Animal Management](#)
[Proposed Consolidated SLL 2 - Animal Management](#)

Responsible Officer: Luke Wallace
Manager Corporate Governance

Author: Trevor Green
Principal Advisor Corporate and Democratic Governance

EXECUTIVE SUMMARY

At the General Meeting of 30 November 2012 Council resolved to propose to make amendment local laws to:

1. Add a schedule of off-street parking areas to Subordinate Local Law No. 21 (Roads);
2. Update the schedule of off-street parking areas in Subordinate Local Law No. 19 (Regulated Parking); and
3. Update the schedule of dog off-leash areas in Subordinate Local Law No. 2 (Animal Management) 2007.

Community engagement was conducted for a 42 day period commencing 13 December 2011 and 24 January 2012. No external submissions were received.

Council's Compliance Services Unit has requested that the amendment subordinate local laws 19 and 21 be amended in that Map 1 - Dollery Road Off Street Car Park be extended to include the underground car park and the open area car park to the south of the underground car park.

PURPOSE

To make amendment local laws which amend Subordinate Local Law No. 21 (Roads), Subordinate Local Law No. 19 (Regulated Parking) and Subordinate Local Law No. 2 (Animal Management) 2007.

BACKGROUND

Council is amending subordinate local laws to:

1. Add a schedule of off-street parking areas to Subordinate Local Law No. 21 (Roads);

2. Update the schedule of off-street parking areas in Subordinate Local Law No. 19 (Regulated Parking); and
3. Update the schedule of dog off-leash areas in Subordinate Local Law No. 2 (Animal Management) 2007.

At the General Meeting of 30 November 2012 Council resolved to:

1. Propose to make Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011;
2. Propose to make Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011;
3. Propose to make Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011; and
4. Conduct the consultation phase of the local law making process for the amendment subordinate local laws.

ISSUES

In accordance with Council's local law making process, community engagement was conducted for a 42 day period commencing 13 December 2011 and 24 January 2012. The engagement period was extended from the minimum of 21 days, as the engagement process included the Christmas / New Year period.

No external submissions were received.

Council's Compliance Services Unit has requested that the amendment subordinate local laws 19 and 21 be amended in that Map 1 - Dollery Road Off Street Car Park be extended to include the underground car park and the open area car park to the south of the underground car park. This is considered to be a minor amendment to both amending subordinate local laws.

RELATIONSHIP TO CORPORATE PLAN

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

- 8.5 Be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities.

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications associated with this report.

CONSULTATION

Community engagement was conducted for a 42 day period commencing 13 December 2011 and 24 January 2012. Consultation has also occurred with the Infrastructure Planning and Community Standards groups and King and Company Solicitors.

OPTIONS**PREFERRED**

That Council resolve to:

- (a) proceed with the making of, and make:
- (i) *Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2012* (formerly *Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011*) with amendments as particularised in Schedule 1;
 - (ii) *Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2012* (formerly *Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011*) with amendments as particularised in Schedule 1; and
 - (iii) *Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2012* (formerly *Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011*) with amendments as particularised in Schedule 1.
- (b) having prepared a consolidated version of *Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007* which incorporates the amendments to the subordinate local law identified in *Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2012* (formerly *Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011*), in accordance with section 32 of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of *Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007* which forms part of the agenda item considered by Council prior to the making of this resolution;
- (c) having prepared a consolidated version of *Subordinate Local Law No. 19 (Regulated Parking)* which incorporates the amendments to the subordinate local law identified in *Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2012* (formerly *Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011*), in accordance with section 32 of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of *Subordinate Local Law No. 19 (Regulated Parking)* which forms part of the agenda item considered by Council prior to the making of this resolution; and
- (d) having prepared a consolidated version of *Subordinate Local Law No. 21 (Roads)* which incorporates the amendments to the subordinate Local Law identified in *Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2012* (formerly *Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011*), in accordance with section 32 of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of *Subordinate Local Law No. 21 (Roads)* which forms part of the agenda item considered by Council prior to the making of this resolution.

Schedule 1***Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2012* (formerly *Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011*)**

- (a) All references to '2011'—
omit, insert—
'2012'.
- (b) Title, 'Redland Shire Council'—
omit, insert—

- 'Redland City Council'.
(c) Section 1, 'Shire'—
omit, insert—
'City'.
(d) Header, 'Shire'—
omit, insert—
'City'.

Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011)

- (a) All references to '2011'—
omit, insert—
'2012'.
(b) Section 10, schedule 1, part 2, map 1 (map of Dollery Road Off-Street Car Park)—
omit, insert—
the map titled 'Map 1, Dollery Road Off-Street Car Park' which forms part of the agenda item considered by Council prior to the making of this resolution.

Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2012 formerly Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011)

- (a) All references to '2011'—
omit, insert—
'2012'.
(b) Section 11, schedule 1, part 2, map 1 (map of Dollery Road Off-Street Car Park)—
omit, insert—
the map titled 'Map 1, Dollery Road Off-Street Car Park' which forms part of the agenda item considered by Council prior to the making of this resolution.

ALTERNATIVE

Not to proceed with the local law making processes to amend the subordinate local laws.

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

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

That Council resolve to:

- (a) proceed with the making of, and make:
- (i) Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011) with amendments as particularised in Schedule 1;
 - (ii) Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011) with amendments as particularised in Schedule 1; and

- (iii) Redland City Council Roads (Amendment) Subordinate Local law (No. 1) 2012 (formerly Redland City Council Roads (Amendment) Subordinate Local law (No. 1) 2011) with amendments as particularised in Schedule 1.
- (b) Having prepared a consolidated version of Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007 which incorporates the amendments to the subordinate local law identified in Redland City Council Animal Management(Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Animal Management(Amendment) Subordinate Local Law (No. 1) 2011), in accordance with section 32 of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007 which forms part of the agenda item considered by Council prior to the making of this resolution;
- (c) Having prepared a consolidated version of Subordinate Local Law No. 19 (Regulated Parking) which incorporates the amendments to the subordinate local law identified in Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011), in accordance with section 32 of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of Subordinate Local Law No. 19 (Regulated Parking) which forms part of the agenda item considered by Council prior to the making of this resolution; and
- (d) Having prepared a consolidated version of Subordinate Local Law No. 21 (Roads) which incorporates the amendments to the subordinate Local Law identified in Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011), in accordance with section 32 of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of Subordinate Local Law No. 21 (Roads) which forms part of the agenda item considered by Council prior to the making of this resolution.

Schedule 1

Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2011)

- (a) All references to '2011'—
omit, insert—
'2012'.
- (b) Title, 'Redland Shire Council'—
omit, insert—
'Redland City Council'.
- (c) Section 1, 'Shire'—
omit, insert—
'City'.
- (d) Header, 'Shire'—

omit, insert—

'City'.

Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2012 (formerly Redland City Council Regulated Parking (Amendment) Subordinate Local Law (No. 1) 2011)

- (a) All references to '2011'—

omit, insert—

'2012'.

- (b) Section 10, schedule 1, part 2, map 1 (map of Dollery Road Off-Street Car Park)—

omit, insert—

the map titled 'Map 1, Dollery Road Off-Street Car Park' which forms part of the agenda item considered by Council prior to the making of this resolution.

Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2012 formerly Redland City Council Roads (Amendment) Subordinate Local Law (No. 1) 2011)

- (a) All references to '2011'—

omit, insert—

'2012'.

- (b) Section 11, schedule 1, part 2, map 1 (map of Dollery Road Off-Street Car Park)—

omit, insert—

the map titled 'Map 1, Dollery Road Off-Street Car Park' which forms part of the agenda item considered by Council prior to the making of this resolution.

CARRIED

15.2.5 ELECTION PERIOD DELEGATIONS 2012

Datworks Filename: GOV Delegations LGA.472

Responsible Officer: Nick Clarke
General Manager Governance

Author: Trevor Green
Principal Advisor Corporate and Democratic
Governance

EXECUTIVE SUMMARY

To ensure that the business of Council is able to continue from the last General Meeting of the current Council until the Post-Election Meeting of the incoming Council, it is necessary to put in place appropriate processes and delegations. Delegations must be made in accordance with the provisions of the *Local Government Act 2009*.

These processes and delegations relate to:

1. Making, varying and discharging contracts with a value in excess of \$500,000, noting that those in excess of 1% of the Council's net rate and utility charges (as stated in Council's audited financial statements included in the most recently adopted annual report) require ministerial approval during a caretaker period for local government;
2. Applying to the Minister for Local Government for approval to make any major policy decision during the caretaker period;
3. Deciding development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
4. Providing instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*.

PURPOSE

To put in place appropriate processes and delegations to ensure that the business of Council is able to continue from the last General Meeting of the current Council, until the Post-Election Meeting of the new Council.

BACKGROUND

At the General Meeting of 29 February 2012 Council resolved to amend the adopted 2012 meeting schedule to include a General Meeting on Wednesday 18 April 2012 at 4.00pm. With the 2012 local government election to be held on 28 April 2012, the next meeting of Council will be the Post-Election meeting (usually a set agenda). At that meeting, Council is expected to create the new standing committees and may delegate decision-making about development applications to one of those committees. At Council's Post-Election meeting, Council may also decide to have a General Meeting in May. The ceremony for the declaration of office for Councillors usually occurs at the start of the Post-Election meeting.

Caretaker Period

The caretaker period for a local government is the period during an election for the local government, that starts on the day when public notice of the holding of the election is given (10 March 2012) and ends at the conclusion the election (when the results are declared).

During the caretaker period, Council cannot make a decision about the following matters (major policy decisions):

1. the appointment of a chief executive officer; or
2. the remuneration of the chief executive officer; or
3. to terminate the employment of the chief executive officer; or
4. to enter into a contract the total value of which is more than the greater of the following—
 - (i) \$150000;
 - (ii) 1% of the Council's net rate and utility charges as stated in Council's audited financial statements included in the most recently adopted annual report.

However, if Council considers that, having regard to exceptional circumstances that apply, it is necessary to make a major policy decision in the public interest, Council may apply to the Minister for approval to make the decision. The Minister may give the approval if the Minister is satisfied that, having regard to exceptional circumstances that apply, it is necessary for Council to make the major policy decision in the public interest.

Potential development application decisions under the *Sustainable Planning Act 2009*

Development application decisions under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*, are required to be made within Integrated Development Assessment System (IDAS) timeframes.

The existing powers conferred to the Development and Community Standards Committee are to:

1. decide development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
2. provide instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*, subject to the condition that where the Committee Chairperson is required to use his/her casting vote, the Mayor (and Deputy Mayor in his/her absence), preside over the meeting and be permitted to use his/her casting vote as Chairperson to determine the matter.

ISSUES

To ensure that the business of Council is able to continue from the last General Meeting of the current Council, until the Post-Election Meeting of the incoming Council, it will be necessary to put in place appropriate processes and delegations. These processes and delegations relate to:

1. Making varying and discharging contracts with a value in excess of \$500,000, noting that those in excess of 1% of the Council's net rate and utility charges (as stated in Council's audited financial statements included in the most recently

- adopted annual report) require ministerial approval during a caretaker period for local government;
2. Applying to the Minister for Local Government for approval to make any major policy decision during the caretaker period;
 3. Deciding development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
 4. Providing instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*.

During the period from the last General Meeting of the current Council to the conclusion of the election (last declaration of the poll is displayed in the Council's public office), should there be a need for a decision on such a matter, a Special Meeting would be called in accordance with the provisions of the *Local Government Act 2009* and Council's Local Law.

For the period from the conclusion of the election until the Post-Election meeting, the Chief Executive Officer can be delegated authority in relation to these matters, under s.257(1)(a) of the *Local Government Act 2009*. During this period, the Chief Executive Officer would consult with the "Mayor elect" in the event that he has to make a decision under delegated authority. Should the matter relate to a development application, the Chief Executive Officer would also consult with the "Councillor elect" for that division. Should the Chief Executive Officer need to use this delegation, he would then provide a report on the matter to the first General Meeting of the Council.

RELATIONSHIP TO CORPORATE PLAN

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals.

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

There are no implications relating to the Redlands Planning Scheme associated with this report.

CONSULTATION

Consultation has occurred with the Chief Executive Officer.

OPTIONS

PREFERRED

That Council resolve as follows:

1. That for the period from the conclusion of the election until the Post-Election meeting, the Chief Executive Officer be delegated, under s.257(1)(a) of the *Local Government Act 2009*:

- (a) The existing powers of the Development and Community Standards Committee to:
- (i) Decide development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
 - (ii) Provide instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*.
- (b) To make, vary and discharge contracts with a value in excess of \$500,000.
- During this period the Chief Executive Officer would consult with the “Mayor elect” in the event that he has to make a decision under delegated authority. Should the matter relate to deciding a development application, the Chief Executive Officer would also consult with the “Councillor elect” for that division.
2. That all matters determined under the above delegations be reported to the first General Meeting of the new Council.

ALTERNATIVE

That Council resolve to adopt the Officer’s Recommendation with amendments.

OFFICER’S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve as follows:

1. That for the period from the conclusion of the election until the Post-Election meeting, the Chief Executive Officer be delegated, under s.257(1)(a) of the *Local Government Act 2009*:
 - (a) The existing powers of the Development and Community Standards Committee to:
 - i. Decide development applications under the *Sustainable Planning Act 2009* and the *Integrated Planning Act 1997*; and
 - ii. Provide instructions to legal counsel for appeal matters actioned under Chapter 6 of the *Sustainable Planning Act 2009* and Chapter 4 of the *Integrated Planning Act 1997*.
 - (b) To make, vary and discharge contracts with a value in excess of \$500,000.

During this period, the Chief Executive Officer would consult with the “Mayor elect” in the event that he has to make a decision under delegated authority. Should the matter relate to deciding a development application, the Chief Executive Officer would also consult with the “Councillor elect” for that division.
2. That all matters determined under the above delegations be reported to the first General Meeting of the new Council.

CARRIED

15.2.6 SOUTHERN MORETON BAY ISLANDS COMMUNITY INFRASTRUCTURE

Datworks Filename: CS SMBI Social Infrastructure Strategy

Responsible Officer: Nick Clarke
General Manager Governance

Author: Frank Pearce
Acting Manager Community Futures

EXECUTIVE SUMMARY

There are currently several community led initiatives for facilities at different stages of planning for the Southern Moreton Bay Islands which has the potential to provide significant community benefit including:

- Russell Island Men's Shed
- Bay Islands Community Services (BICS) Macleay Island Centre
- Southern Moreton Bay Islands Community Resilience Centre & SES Facilities
- Russell Island Community Cultural Centre

The planning for these facilities has been supported through a range of Council processes, and there exists opportunity for further support by providing community organisations with the appropriate tenure agreements.

PURPOSE

To bring to Council's attention the current planning for a range of community led initiatives on SMBI. To endorse tenure arrangements for the Russell Islands Men's Shed and the Bay Islands Community Services Macleay Island Centre and note the ongoing planning efforts for the Southern Moreton Bay Islands Community Resilience Centre and the Russell Island Community Cultural Centre.

BACKGROUND

The Redlands Social Infrastructure Strategy, adopted in 2009, calls on Council to develop *partnership models to support the development of strong communities and the delivery of social infrastructure*. This series of community led initiatives on the Southern Moreton Bay Islands provides an opportunity for Council to partner with the community to deliver much needed social infrastructure on the Islands.

At the General Meeting on 14 December 2011 Council resolved to adopt the Jackson Road Community Precinct Landscape Master Plan for planning purposes. In this Master Plan, provision has been made for a Community workshop / Men's Shed. The Russell Island Men's Shed (auspiced by Career Employment Australia Inc., the parent of BICS) is developing plans to build a facility on the allocated site.

At the same meeting Council resolved to adopt the SMBI 2030 Community Plan thereby endorsing the SMBI 2030 goals and initiatives contained within the plan. This Plan identifies the following goals:

- Strong and Connected Communities 11.5: Support Bay Islands Community Services in the creation of a new facility on Macleay Island that will offer space for their existing operations and accommodate the provision of a wider range of community and government services to the islands.
-

- Strong and Connected Communities 7.3: Work with the Department of Community Safety to create and manage the Community Education and Resilience Centre (CERC) on the SMBI
- Wise Planning and Design 8.2: Investigate the potential for a Community Arts Precinct within the centres of Macleay and Russell Islands to promote the skills and crafts of people living on the islands.

The adopted Jackson Road Community Precinct Landscape Master Plan also highlights the need for further investigation of suitable sites for public exhibition of Island arts, culture and heritage acknowledging that these activities are best located at sites that are more accessible and visible than Jackson road.

ISSUES

Russell Island Men's Shed

The Russell Island Men's Shed group have been looking for a location on Russell Island to build a men's Shed since 2009 when they expressed an interest in being located at the Russell Island Sport and Recreation Park. While they were unable to be accommodated on that site, space has been allocated through the Jackson Road Community Precinct Landscape Master Plan. Career Employment Australia (parent group of Bay Islands Community Services and auspice for the Men's Shed) are currently pursuing funding opportunities to build a facility. The Men's Shed requires a Permit to Occupy to be issued for their allocated site.

Action required: Issue a Permit to Occupy to the Russell Island Men's Shed group (through their approved auspicing organisation) for that portion of land identified for this purpose in the Jackson Road Community Precinct Landscape Master Plan

Bay Islands Community Services Community Centre, Scarborough Terrace on Macleay Island

Bay Islands Community Services (BICS) has received Development Assessment approval for a new community centre on Macleay Island on land they own. The new centre will replicate BICS facility on Russell Island which provides a valuable community service to islands residents including:

- Accommodation for visiting specialists
- Relief assistance to vulnerable community members
- Low cost clothing for community which also generates operational income of BICS

Council has made \$50,000 available for the development of this facility through its Community grants process.

After discussions with appropriate Council departments and the local Councillor, the vacant Council owned block on Scarborough terrace adjacent to the block owned by BICS will be made available for parking under a Permit to Occupy agreement in accordance with our Leasing Policy. Sustainable Assessment Group has requested an easement be made of this property to provide longer term security as part of the development conditions.

Scarborough Terrace has been on the list of roads to seal for some time, but has been dropped off on a number of occasions. In view of this pending community facility, the sealing of a short (80 metres) section of this road to provide access to the

new community centre has been scoped and is required to be scheduled in the upcoming capital works program to coincide with the construction of the BICS facility.

Action required: Provide Bay Islands Community Services with an easement for access and car parking purposes over Lot 166 on RP 31201 in favour of Lot 167 on RP 31201 and make provision for the sealing of Scarborough Terrace in future capital works budget to coincide with the construction of the BICS facility.

SMBI Disaster Resilience Centre & SES Facilities

Funding for a SMBI Disaster Resilience Centre is potentially available through the State Government funded Natural Disaster Resilience Program. A suitable location for this facility needs to be identified for funding purposes. The disaster resilience centre will provide a facility for hosting community resilience training and activities, a base for the SMBI SES team and an operations centre in the event of an Island disaster.

The SES require a facility for the storage of vehicles, small plant and equipment, supplies, communications equipment and stock for responses in the event of a disaster, e.g. sand bags, tarpaulins, etc. The need is for a four (4) bay shed located with the resilience facility and having all weather access and hard standing areas.

The Russell Island Recreation Hall was initially considered as a suitable location to co-locate a SMBI Disaster Resilience Centre. Subsequent investigations established existing site constraints that made the location unsuitable for a Resilience Centre.

A working group of officers identified three potential sites on the Russell and Macleay Islands that could accommodate a Disaster Resilience Centre that met the following criteria:

- Accessible to all Island residents (i.e. close to a jetty)
- Relatively immune to natural disasters (outside of Bushfire Hazard, Flood Prone, Storm Tide and Drainage Constrained Land Overlays)
- Good community visibility

These sites included:

- 21-23 High Street, Russell Island
- Macleay Community Precinct (High Central Road Macleay Island)
- Russell Island Sport and Recreation Park

The site that was judged to best meet the criteria was 21-23 High Street, Russell Island. Locating a resilience facility on the Cambridge Road side of the block would allow other Museum/Community/Cultural/Information Centre activities (see below) to be located on the balance of the block, as well as potentially facilitating some shared community use of the resilience centre. It is recommended that this site be identified as a potential location for the SMBI Disaster Resilience Centre in future funding applications subject to further community consultation.

In addition to a facility on Russell Island, SES has also identified a need for a facility on Macleay Island to allow them to respond effectively to local events. There has been a trend of increasing call outs and assistance from the SMBI residents and the SES need to have sufficient resources to be able to train and store equipment.

The SES requirement for Macleay is for the storage of vehicles, small plant and equipment, supplies, communications equipment and stock for responses in the

event of a disaster, e.g. sand bags, tarpaulins, etc. The need is for a four (4) bay shed located within walking distance from the jetty and preferably within the general vicinity of the community precinct on Macleay Island having all weather access and hard standing areas.

Action required: Identify a portion of the Council owned site at 21-23 High Street, Russell Island (Cambridge Road side) as a potential location for the SMBI Disaster Resilience Centre in future funding applications subject to further community consultation. Consider the location of a SES facility within the general vicinity of the community precinct on Macleay Island in future planning.

Russell Island Museum/Community/Cultural/Information Centre

The endorsed Jackson Road Community Precinct Landscape Master Plan highlights the need for further investigation of suitable sites for the public exhibition of Island arts, culture and heritage, acknowledging that these activities are best located at sites closer to the jetty.

Council has recently been approached by the Russell Island Association, Community Art Group, Community Mosaic and Concrete Sculpture Group and the SMBI Museum suggesting the Council owned site at 21-23 High Street, Russell Island as a suitable location for a Community Cultural and Information Centre. This site meets the need to be both visible and accessible, and is zoned (SMBI Centre Zone) to allow this use. While there is currently no master plan for the Russell Island Centre, the proposed Museum/Community/Cultural/Information Centre meets a range of Overall Outcomes for SMBI Centre Zone Code as specified in the Redlands Planning Scheme (v3.1) including:

- Enhance the primacy, vitality and vibrancy of the centre
- Cater for the needs of visitors and the local community
- Provide a focus for local community interaction and activity
- Provide for local employment opportunities
- Are conveniently accessed by private vehicles, public transport and pedestrian and cycle routes.

In discussion with officers from City Planning & Environment, Corporate Acquisitions, Fleet & Facilities and Customer and Community Services it has been determined that no other Council or community use has previously been identified for this address. Further community consultation including the possibility of co-locating a community resilience centre on part of the property (see previous discussion) is necessary as a precursor to the block of land being earmarked for future community cultural / heritage use.

Action required: Nominate the Council owned site at 21-23 High Street, Russell Island as a suitable location for a Community Cultural and Information Centre subject to further community consultation

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

This recommendation does not require any change to the current year's budget. A budget proposal based on the existing functional scope for sealing of a portion of Scarborough Terrace will be necessary for the 2012/13 budget.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The following officers were consulted about one or more elements of this report:

- Manager Community Futures
- Facilities Services Manager
- Manager Property Services
- Group Manager Community & Cultural Services Unit
- Grants and Subsidies Officer
- Redlands SES Controller
- Service Manager Community Venues
- Senior Strategic Planner
- Service Manager Sport and Recreation
- Principal Adviser - Open Space Planning
- Principal Engineer Roads and Drainage

OPTIONS

PREFERRED

That Council resolve to:

1. Issue a Permit to Occupy to the Russell Island Men's Shed group (through their approved auspicing organisation) for that portion of land identified for this purpose in the Jackson Road Community Precinct Landscape Master Plan;
2. Provide Bay Islands Community Services with an easement for access and car parking purposes over Lot 166 on RP 31201 in favour of Lot 167 on RP 31201;
3. Make provision for the sealing of Scarborough Terrace in future capital works budget to coincide with the construction of the BICS facility on Scarborough Terrace Macleay Island;
4. Identify a portion of the Council owned site at 21-23 High Street, Russell Island (Cambridge Road side) as a potential location for the SMBI Disaster Resilience Centre in future funding applications subject to further community consultation. Consider the location of a SES facility within the general vicinity of the community precinct on Macleay Island in future planning; and
5. Nominate the Council owned site at 21-23 High Street, Russell Island as a suitable location for a Community Cultural and Information Centre subject to further community consultation.

ALTERNATIVE

That council resolve to note the report and take no further action.

OFFICER'S/COMMITTEE RECOMMENDATION

That Council resolve to:

1. Issue a Permit to Occupy to the Russell Island Men's Shed group (through their approved auspicing organisation) for that portion of land identified for this purpose in the Jackson Road Community Precinct Landscape Master Plan;
2. Provide Bay Islands Community Services with an easement for access and car parking purposes over Lot 166 on RP 31201 in favour of Lot 167 on RP 31201;
3. Make provision for the sealing of Scarborough Terrace in future capital works budget to coincide with the construction of the BICS facility on Scarborough Terrace, Macleay Island;
4. Identify a portion of the Council owned site at 21-23 High Street, Russell Island (Cambridge Road side) as a potential location for the SMBI Disaster Resilience Centre in future funding applications subject to further community consultation. Consider the location of a SES facility within the general vicinity of the community precinct on Macleay Island in future planning; and
5. Nominate the Council owned site at 21-23 High Street, Russell Island as a suitable location for a Community Cultural and Information Centre subject to further community consultation.

COUNCIL RESOLUTION

Moved by: Cr B Townsend

Seconded by: Cr M Elliott

That Council resolve to:

1. Issue a Permit to Occupy to the Russell Island Men's Shed group (through their approved auspicing organisation) for that portion of land identified for this purpose in the Jackson Road Community Precinct Landscape Master Plan;
2. Provide Bay Islands Community Services with an easement for access and car parking purposes over Lot 166 on RP 31201 in favour of Lot 167 on RP 31201;
3. Make provision for the sealing of Scarborough Terrace in future capital works budget to coincide with the construction of the BICS facility on Scarborough Terrace, Macleay Island;
4. Identify a portion of the Council owned site at 21-23 High Street, Russell Island (Cambridge Road side) as a potential location for the SMBI Disaster Resilience Centre in future funding applications subject to further community consultation (including points raised by the Russell Island Association in its presentation to Council on 28 March 2012). Consider the location of a SES facility within the general vicinity of the community precinct on Macleay Island in future planning; and
5. Nominate the Council owned site at 21-23 High Street, Russell Island as a suitable location for a Community Cultural and Information Centre subject to further community consultation.

CARRIED

15.3 IN APPRECIATION

15.3.1 ACKNOWLEDGEMENT – MARK CONLAN

The Mayor acknowledged the work Mark Conlan, as Principal Advisor, SMBI Strategy, had done in the past 3 years communicating with the SMBI community and his dedication to the work involved, often going above and beyond the duties of his role.

Cr Townsend, people representing various parts of SMBI, the SMBI Forum and Island Associations would also endorse my recommendation of Mark as he has certainly put his heart and soul into the work on the SMB Islands.

The Mayor requested that this acknowledgement be conveyed to Mark in writing.

16 MAYORAL MINUTE

16.1 SKATE PARK SOUTHSEA TERRACE, MACLEAY ISLAND

COUNCIL RESOLUTION

Moved by: Cr M Hobson

That Council resolve that the skate park component of the Southsea Terrace Park Master Plan be brought forward for design and construction in the 2012/13 financial year.

CARRIED

17 REPORTS DIRECT TO COUNCIL

17.1 GOVERNANCE

17.1.1 BRINGING REDLAND WATER HOME - COMMUNICATIONS PLAN

Datworks Filename: GOV Communication Plans

Attachment: [Redland Water Communications Plan](#)

Responsible Officer: Nick Clarke
General Manager Governance

Author: Kathy Petrik
Manager Marketing and Communications

EXECUTIVE SUMMARY

Redland City Council (RCC) is 'Bringing Redland Water home' 1 July 2012 as a result of the dissolution of Allconnex Water, which will cease its operations 30 June 2012. Redland Water will re-assume local water and wastewater distribution and retail services, but the State will continue to own and operate the bores, dams and reservoirs (bulk water) bought from RCC.

A marketing and communications plan is required to ensure Redland Water's re-establishment is successful. It will enable timely and consistent communication of key information, which will ensure key stakeholders are fully informed as to the transition progress and any other matters that might arise.

This plan forms part of the Water Reintegration and Disestablishment Project (WRAD) and WRAD's Change and Communication Strategy, which documents the approach to change and communication activities required.

PURPOSE

The main objective of this plan is to enable timely and consistent communication of key messages and other information, which will ensure key stakeholders are fully informed as to the transition progress and any other matters that might arise.

BACKGROUND

Redland City Council (RCC) is 'Bringing Redland Water home' 1 July 2012 as a result of the dissolution of Allconnex Water, which ceases operations on 30 June 2012.

In 2011, following considerable public and political debate within the Gold Coast, the Queensland Premier provided SEQ councils the option to opt out of these new organisations and return the distribution and retail of water and wastewater to local councils.

Gold Coast City Council's decision to leave Allconnex Water and manage its own distribution and retail services means Allconnex is no longer viable for Redland and Logan City Councils. RCC had no option but to withdraw as well. On 8 August 2011 RCC voted to withdraw from Allconnex Water and re-establish Redland Water for retail water distribution in the Redlands. The State Government agreed, but said Gold

Coast City Council would have to pay Redland and Logan City Council's costs to withdraw. On 14 February 2012, the Queensland Parliament passed the *South-East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Bill 2011*, to permit this to happen.

From 1 July 2012 Redland Water will re-assume local water and wastewater distribution and retail services, but the State will continue to own and operate the bores, dams and reservoirs (bulk water) bought from RCC.

A supporting marketing and communications plan will ensure Redland Water's re-establishment is successful. It will:

- ensure Council is able to consistently communicate and engage with its stakeholders to keep them informed of matters directly affecting them and provide opportunities for dialogue
- assist the smooth and seamless transition from Allconnex Water back to Redland Water

This plan forms part of the Water Reintegration and Disestablishment Project (WRAD) and WRAD's Change and Communication Strategy, which documents the approach to change and communication activities required.

Initial communications will focus on the established theme, 'Bringing Redland Water home'. This concept will communicate the brand's primary drivers, is an immediately deliverable promise and provides a campaign-able theme.

The key messages outlined in the attached plan will provide the foundation of all stakeholder communications.

ISSUES

The very public and acrimonious debate about the state government's water reform, water prices, and the demise of Allconnex Water in SEQ has created the potential for contentious issues to surface during each phase of *bringing Redland Water home*.

The main community concerns, identified through literature reviews, media and previous Pulse research, are outlined in the attached plan. These relate to community stakeholders and include reintegration costs and possible impacts on rates, water pricing impacts and disruption to water services/ standards of service.

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

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

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

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

This plan was prepared following a literature review of all RCC marketing and communications and media information from 2008 to 2011 and recent events leading to the dissolution of Allconnex.

The tactical marketing and communications activities undertaken during the transition of Redland Water to Allconnex were also reviewed and evaluated in preparing the implementation section of the attached plan.

This plan is also based on WRAD's Change and Communication Strategy.

OPTIONS

PREFERRED

That the attached Plan be approved for implementation.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve to approve the attached plan for implementation.

CARRIED

18 ITEM REFERRED FROM DEVELOPMENT & COMMUNITY STANDARDS COMMITTEE 20 MARCH 2012

18.1 ENVIRONMENT PLANNING & DEVELOPMENT

18.1.1 MIXED USE (SHOP, REFRESHMENT ESTABLISHMENT AND MULTIPLE DWELLING) AT 75-99 GORDON ROAD, REDLAND BAY

Dataworks Filename: MC009613

Attachment: [Locality Map and Site Plan](#)

Responsible Person: David Jeanes
Service Manager, Planning & Assessment

Author: Scott Pearson
Planning Officer, Planning Assessment Unit

EXECUTIVE SUMMARY

Council has received an application seeking a development permit for a material change of use (impact assessment) for a mixed use (Shop, Refreshment Establishment and Multiple Dwelling – 17 units) over 75-99 Gordon Road Redland Bay.

The application was made in accordance with the *Integrated Planning Act 1997* (IPA). The application has been assessed against the relevant sections of the Superseded Town Planning Scheme for the Shire of Redland 1988 (SPS) and the current Redlands Planning Scheme (RPS), including the overlays triggered by the application. A number of issues arise that have been considered, including:

- The relative weight given to the superseded planning scheme and the current planning scheme;
- Compliance with the various zones under the transitional planning scheme and the current RPS;
- Impacts on the ecological values of the site and development within the Environmental Protection zone; and
- Whether the proposed commercial elements are appropriate and whether the proposal will have a detrimental impact on surrounding centres.

The proposal was publicly advertised and one (1) properly made submission was received in relation to the proposal. The Department of Transport and Main Roads (DTMR) and Energex have provided referral agency responses.

As outlined in this report, the proposed use is considered to be acceptable under the 1988 superseded planning scheme and consistent with the Overall Outcomes of the relevant codes under the current scheme. It is therefore recommended that the application be **approved with conditions**.

1.0 BACKGROUND

The application was originally for a preliminary approval (to override the planning scheme) for a Service Station, 12 Multiple Dwellings, Shops and Service Industry over the entire site. It was lodged on 29 March 2006 under the 1988 Transitional Town Planning Scheme for the Shire of Redland. It is noted that the Redlands Planning Scheme commenced the next day on 30 March 2006.

2.0 SITE DESCRIPTION

2.1 Site

The site is a triangular block (16380m²) surrounded by 3 roads being Cleveland Redland Bay Road, Gordon Road and Giles Road. A 1260m² area for road widening is required by Council's Infrastructure Planning Group for the future upgrade of Giles Road. There is no existing driveway crossover. The land was zoned Rural Non-Urban under the Superseded Town Planning Scheme for the Shire of Redland 1988 Zoning. Under the current scheme approximately half of the site is zoned Environmental Protection and half Urban Residential. The slope of the site falls gradually from Giles Road towards Gordon Road. Vegetation exists across the entire site. The northern part of the site contains a small waterway. A single detached dwelling was previously located in the south-east corner, but has since been demolished.

2.2 Surrounding Area

Low density residential development, zoned Urban Residential, lies to the north and south. The residences to the south are currently being developed as part of a recent subdivision. To the north east there is a child care centre. To the south east lies an Energex substation. Further east (approximately 250m) is the Redland Bay State School.

Urban residential development and green space corridors typify the area. The nearest land with a Centre zoning is approximately 1km away. Land to the west is predominantly Rural Non-Urban and Conservation zoned land with some rural residences. Hence, the character is similar to that associated with the fringe of an urban area.

3.0 DEVELOPMENT PROPOSAL

The proposal is for Multiple Dwellings (17 units), Shop (400m² gross leasable area (GLA)) and a Refreshment Establishment (200m² GLA). It is noted that the proposal is less than the size of a small shopping centre, which is typically 1500-2000m² GLA. The overall development footprint equates to 8,668m².

The multiple dwellings are to be constructed in blocks of 2, 3 and 4 units. The units are two storeys in height (approximately 10m high). The highest point will be 12.1m from natural ground level although this will be reduced as filling parts of the site will increase the height of the finished ground level. Each unit will contain 3 bedrooms, a private open space area, a single garage and carport. There is also a visitor parking area with 8 spaces for the unit development. The multiple dwelling component

utilises approximately 5000m² of the site, which equates to a density of approximately 1 unit per 295m².

The proposed shop is for a single tenancy and the refreshment establishment will also be for one cafe/restaurant type use with an outdoor dining area. The maximum height will be at an RL of 28m (the same height as the units) and landscaping has been proposed around the corner of Giles and Gordon Roads. A total of 44 car parking spaces (plus a HRV bay) are being provided for the shops, via a ground level and basement arrangement.

A noise attenuation barrier is proposed around residential units 1-5 and 9-11 to mitigate road traffic noise. A 1.8-2.5m high barrier is proposed in a fence and mound combination, integrated with the proposed landscaping.

Landscaping (approximately 2m in width) has been provided along the sites frontages to Giles and Gordon Roads. Additional planting areas are also located internally along the driveway and around the car parking bays.

The small waterway traversing the northern part of the site is to be protected. A number of existing trees will be removed to accommodate the proposed buildings. Vegetation will be retained in the area zoned Environmental Protection and partly within the Urban Residential area.

Access to the site is proposed from the Gordon Road frontage. A new internal road will service the shops and dwelling units. A Heavy Rigid Vehicle (HRV) will be able to enter and manoeuvre around site then exit in forward gear. A waste collection vehicle will also be able to access the bin service area.

4.0 APPLICATION ASSESSMENT

4.1 *Integrated Planning Act 1997 (IPA)*

This application has been made in accordance with Chapter 3 (Integrated Development Assessment System, IDAS) of the *Integrated Planning Act 1997* and constitutes an application for impact assessment for a material change of use under the superseded Town Planning Scheme for the Shire of Redland 1988.

Section 6.1.29(1) of the IPA states that '*...the following matters, to the extent the matters are relevant to the application, apply for assessing the application—*

- a) *the common material for the application;*
- b) *the transitional planning scheme;*
- c) *the transitional planning scheme policies;*
- d) *any planning scheme policy made after the commencement of this section;*
- e) *all State planning policies;*
- f) *the matters stated in section 8.2(1) of the repealed Act;*
- g) *for an interim development control provision in force in a local government area—
the interim development control provision;*
- h) *if the application is for development that before the commencement of this section would have required an application to be made under any of the following sections of the repealed Act—*
 - i. *section 4.3(1)—the matters stated in section 4.4(3);*
 - ii. *section 5.1(1)—the matters stated in section 5.1(3);*

- iii. *any other matter to which regard would have been given if the application had been made under the repealed Act.*

It is also noted that s.3.5.6 of the IPA provides that *'In assessing the application, the assessment manager may give the weight it is satisfied is appropriate to a code, planning instrument, law or policy that came into effect after the application was made, but—*

- a) *before the day the decision stage for the application started; or*
b) *if the decision stage is stopped—before the day the decision stage is restarted.*

It is considered that significant weight should be given to the current Redlands Planning Scheme under s.3.5.6 of the IPA. The application was lodged 29 March 2006, the day before the RPS came into effect and significant changes have been made to the proposal since the adoption of the RPS. The application originally sought a preliminary approval to override the planning scheme for a Service Station, 12 Multiple Dwellings, Shops and Service Industry over the entire site. On 17 May 2007 the applicant changed the application to a development permit for Mixed Use – Multiple Dwelling (25 units), Shops and Refreshment Establishment over part of the site. Because the RPS had been in effect for more than a year when these changes were made, it is considered that significant weight should be given to the RPS. Furthermore, the RPS has now been in effect for nearly 6 years. Additionally, further changes have been made to the proposal culminating in a proposal for only 17 units.

In light of the above, the proposal has been assessed against both planning schemes. The following plans, policies and codes are considered applicable to this application:

4.2 Transitional Town Planning Scheme for the Shire of Redland 1988

Superseded 1988 Zoning

The site was zoned Rural Non-Urban under the 1988 Planning Scheme. According to the table of assessment an application for Shop, Refreshment Establishment or Multiple Dwelling is development requiring impact assessment. It is noted that development within this zone is not prohibited and any approval would typically be associated with a rezoning of the site. The zone provisions state that "Included in the zone is land which is expected to be required for urban development, following rezoning". Hence, it is expected that, although being zoned Rural Non-Urban, some areas are expected to be developed for other purposes. In such cases, the Development Control Plan (DCP) and Strategic Plan provide further direction on the intended development for the site.

Superseded 1988 Development Control Plan No. 1 (DCP1)

DCP1 addresses land use matters that have importance at a district level. The site is identified as Residential A under DCP1. Section 7 notes that the Residential A objective is to allocate sufficient land for dwelling houses and it also sets out guidelines for non-residential development.

Residential development is permitted where the site has access to an arterial road network as per S.7(2)(a), which the site does. Although the Department of Transport

and Main Road have restricted direct access to Cleveland-Redland Bay Road in order to maintain its efficiency. Nonetheless, the site has easy access to this arterial road via Gordon Road. The proposal also has a maximum height of 2 storeys and will not detrimentally affect the amenity of the area as required by S.7(2)(g) relating to multiple dwelling development in the Residential A precinct. The proposed multiple dwellings will provide greater housing choice for residents, the design includes an attractive landscaped streetscape and buildings that provide casual surveillance opportunities. Design elements such as eaves and building articulation are included to ensure there is no detrimental impact to the amenity of surrounding residents.

In accordance with Section 7(2)(h) the non-residential component, being the Shop and Refreshment Establishment, will not detrimentally impact on the amenity of the locality. The commercial uses include landscaping to the street frontages, an underground carpark to remove unsightly carparking from view and building treatments. The location is considered appropriate as it is co-located with an existing child care centre and nearby school. Furthermore, the proposal is small scale and contains less GLA than a normal local centre.

The DCP, Section 25 further identifies the site within Precinct 1 of Figure 2, for which special provisions for the Redland Bay area apply. Section 25(2)(b) notes that no access should be permitted to Gordon Road (a sub arterial road). Access is proposed to Gordon Road as this is now the preferred access point. Giles Road will be the main intersection with Cleveland-Redland Bay Road. Road widening dedication should also be provided to accommodate future traffic lanes, bus bays and landscaping as necessary, noise attenuation measures and pedestrian pathways, all of which have been incorporated into the proposal. It is noted that augmentation of the sewerage and water mains have been addressed and conditions requiring upgrades have been included in the recommendation.

Precinct 1 includes further specific provisions including (i) that no development of flood lines occurs. The proposal complies with this. In accordance with (iii) a) & b) a flora and fauna study have been provided. A buffer, a minimum 35m wide, that will contain existing native vegetation, will also be provided to screen Cleveland-Redland Bay Road, as required by point (iv). The development therefore complies with DCP1.

Superseded 1998 Strategic Plan - PDLU

The Superseded Strategic Plan outlines the intended future use of the site, subject to detailed site analysis. The Preferred Dominant Land Use for the property is Urban Residential. According to Section 4.2.1, the purpose of this designation '*...indicates the location of areas which are intended to accommodate the bulk of urban residential development [and] provision has been made to accommodate other forms of residential development including integrated small lot housing, dual occupancy and multiple dwellings.*' The Strategic Plan includes a provision relevant to multiple dwelling developments which states that multiple dwellings up to a maximum of 60 persons per hectare are a permitted form of development. The proposal is for approximately 51 persons per hectare and is therefore consistent. Overall, the multiple dwellings are considered to be a consistent form of development under the strategic plan.

The Urban Residential designation also allows non-residential uses such as local shopping facilities. Section 4.2.1 also states that '*Whilst it is intended that that*

residential uses will dominate, certain non-residential support facilities which provide local services to residents of an area may be contemplated in appropriate locations.' The centre is small and intended to cater to local residents. Furthermore, the site has easy access to an arterial road and it is co-located with other commercial activities. Hence, the proposed shops and refreshment establishment are also considered to be appropriate under the strategic plan.

Superseded 1998 Strategic Plan – Greenspace Map

The entire site is identified as a 'greenspace area'. Section 5.2.2 of the Strategic Plan mentions that, where a site is also identified as Urban Residential under the Strategic Plan, Council must have regard to protecting, maintaining or enhancing environmental values on the site where appropriate. The applicant has provided a detailed study of the site's ecology, including a tree survey, which has been assessed by Council's environmental team and discussed further under the Environmental Protection zone discussion.

The proposal is considered to comply with Section 5.2.2(b) which says that development is to be conducted in a manner which minimises any potential detrimental effect on the environmental values. Overall, the northern part of the site has been identified as the most significant area as it contains a waterway corridor whereas the southern portion of the site has been degraded by the construction of a previous dwelling. Development of the site has been limited to the southern part and the proposal has been restricted to a footprint of 8,668m², which means approximately 40% of the site or 6,548m² has been retained as open space. Trees within this open space area will not be removed, instead the area will be enhanced by weed removal and rehabilitation plantings. The proposal protects and will enhance on site vegetation therefore it is considered to comply with the greenspace requirements.

Summary

The Rural Non-Urban Zone allows for development of an urban residential nature such as the proposal, usually via an associated rezoning application. DCP1 and the Strategic Plan have identified the site as suitable for Residential A and Urban Residential purposes. The intent of these zones allows both residential and commercial development. Development is only appropriate though, subject to complying with the greenspace mapping, which has been addressed by the application. The proposal maintains the environmental values of the site and will not detrimentally affect the amenity of the area. As a result, it is considered that a development permit would have been recommended had a determination been required completely under the transitional Planning Scheme.

4.3 Redlands Planning Scheme

Desired Environmental Outcomes

The proposal has been assessed against the Desired Environmental Outcomes (DEO's) under Part 3, Division 1 of the RPS. The development is not considered to compromise the achievement of any of the following DEOs:

Natural Environment – the development footprint will protect and enhance an existing waterway corridor traversing the northern part of the site. It will also retain a number of significant trees in a 6,548m² open space area.

Character and Identity – the development is not outside the urban footprint nor will it impact on any of the city's significant features. The proposal provides a compact urban form by locating multiple dwellings and commercial activities in the southern part of the site. The proposed basement also helps to reduce the footprint.

Community Health and Wellbeing – the proposal provides a mix of residential dwelling types when compared to the surrounding standard lot development. It will also provide residents with closer access to retail facilities.

Access and Mobility – access to the arterial road has been restricted to ensure safe movement. Overall, the development will not detrimentally affect the transport opportunities and functions required under this DEO.

Essential Services – adequate infrastructure including sewer, water, telecommunications and waste collection can be provided on site. The proposal is not considered to be out of sequence and therefore does not compromise this DEO.

Economic Development – the development is co-located with a child care centre and a school. The proposal is also of a minor scale intended to cater to local resident needs and therefore will not compromise Council's network of centres.

Zone Code

Under the RPS the south eastern half of the site is zoned Urban Residential and the north western half is Environmental Protection. It is noted that Multiple Dwellings are an inconsistent use within both zones and the Shop and Refreshment Establishment components trigger impact assessment in the Urban Residential Zone.

Urban Residential Zone Code

The proposal has been assessed against the Specific Outcomes and Probable Solutions applicable to Assessable Development.

Specific Outcome S1.1 states that uses and other development identified as inconsistent are not to be established in the zone. Multiple dwellings are listed as an inconsistent use, hence the proposal has been assessed against the overall outcomes for the zone. Section 4.24.7(2)(a)(i) of the RPS requires development to provide a range of residential uses that:

- a) *are predominantly low-rise detached houses on individual lots of various sizes;*
- b) *maximise the supply of residential land through infill development;*
- c) *provide for housing choice and affordability;*
- d) *encourage opportunities for working from home;*
- e) *where in sub-area UR1 and UR2 - provide an increased range of residential uses including multiple dwellings, and aged persons and special needs housing.*

In relation to the above, it is noted that point a. states the zone is predominantly for low-rise detached houses. It does not prohibit multiple dwellings. The proposed 2 storey units are considered to be low rise (a building 1 to 2 storeys in height). The houses will not be on individual lots, although may later be placed on individual titles

under a community titles scheme. The site could be developed for detached dwellings, but the multiple dwelling proposal is considered appropriate as it will provide housing choice and affordability given the majority of surrounding dwellings are single detached.

The only concern is that the site is not zoned Sub Area UR1 or UR2. Multiple dwellings are not an inconsistent use within these sub areas, which are typically located close to urban centres and public transport hubs. It is considered that there is sufficient justification to support multiple dwellings on the subject site given it is co-located with commercial uses being the child care centre and school, similar to a local centre. Furthermore, there is a regular bus route within approximately 400m of the site, which will provide convenient access. It is noted however, that the centre will be small and is only intended to cater to local residents and not people travelling via public transport from beyond the locality.

It should also be noted that there was a previous approval granted for multiple dwellings in an Urban Residential Zone. On 30 March 2011, 3 units (MC011975) were approved on land at 13 Pine Terrace, Redland Bay as the unit design was considered to be a more desirable outcome than subdividing the site into standard format lots. This demonstrates that multiple dwellings can be accommodated in the Urban Residential Zone.

The proposal has also been assessed against the other relevant parts of the Code. The development is considered to comply with Probable Solution P1.3 which requires non-residential uses to be located on higher order roads, co-located with other similar uses, not within 800m of another centre zone and not exceeding 600m² maximum GFA.

Further to this, the applicant has submitted an Economic Needs Assessment to Council. The report looks at the Redland Bay Centre, existing centres on School of Arts Road and Collins Street and a future site that may be developed as a centre on Gordon Road. The report was based on the potential market and income of local residents, which has grown since the original needs analysis was done in 2007. Overall, it is considered that the proposal will not detrimentally impact on the function of surrounding centres. The centre will be small in size and is considered to provide predominantly for local convenience needs, catering for local residents.

The site will be attractively landscaped and have minimal impacts on traffic and noise within the locality. As such, the amenity of nearby neighbourhoods will not be negatively impacted by the proposal. The proposal will also fulfil a community need: the new Shop and Refreshment Establishment will provide savings in time and travel costs for local residents; it will provide greater choice and variety in shops and help local employment; it will help to reduce traffic congestion on surrounding roads; and the centre will be co-located with a nearby child care centre and primary school, consolidating an existing hub. Hence, the proposed centre is considered to be appropriate and meets Specific Outcome S1.3.

In accordance with Probable Solution P2.2 the site coverage is less than 50%. The residential density is approximately 1 unit per 295m² which exceeds the 1 per 400m² Probable Solution P2.4(2). However, the Specific Outcome has been met considering approximately 40% of the site will be open space and the dwellings maintain a low rise appearance so the built form will not dominate the site. The

building design includes architectural elements, such as pitched roofs, eaves and windows addressing the street, consistent with a typical urban residential area as per S2.5. Adequate private open space has been provided with solar access as per S3.4. Amenity has been addressed and the development complies with Specific Outcome 3 given noise will be mitigated by acoustic barriers and the traffic generated by the development is not considered to have a detrimental impact on the road network. Significant trees have been retained in the open space part of the site and all necessary urban services and infrastructure will be provided to each lot in accordance with S4.1 & S5.1. Overall, the proposal is considered to comply with the zone code.

Environmental Protection Zone

Approximately 3092m² of the Environmental Protection Zone will be utilised for Multiple Dwellings. Multiple Dwellings are listed as an inconsistent use and Specific Outcome S2.1 states that “uses identified as inconsistent are not established in the zone”. Notwithstanding this, the proposal is considered to comply with Overall Outcome 4.6.7(c) which states:

(c) Built Form and Density

- (i) The scale of uses and other development minimise adverse impacts on environmental values and the landscape setting by -*
 - a) using a low impact built form that reduces impacts on the land;*
 - b) limiting building height to maintain a low-rise appearance that sits among rather than dominates the landscape setting;*
 - c) using areas within the lot or premises that are already cleared or degraded;*
 - d) limiting and containing the footprint of the development.*

The applicant has provided an Ecological Assessment report to support the proposal. The report found that the northern part of the site contained a small waterway corridor and was more worthy of retention, compared to the southern part of the site which was degraded by the previous construction of a house. Hence, following ground truthing, it was found that the zoning does not accurately reflect the site characteristics. As a result, the applicant has left part of the Urban Residential Zone (approximately 1656m²) undeveloped and proposed part of the development in the Environmental Protection Zone. This has two benefits including the protection of significant trees identified in the Urban Residential zone that would have otherwise been permitted to be removed for development and it will create a larger buffer to Cleveland-Redland Bay Road. Hence, the development footprint has been limited to reduce impacts on the land and has been located on that part of the site which has previously been cleared. Furthermore, the development is a maximum two storeys high and therefore low-rise. Overall, the built form is considered to minimise adverse impacts on the environmental values of the site and therefore complies with the Overall Outcome.

In addition to the above, it should be noted that instead of swapping an equal portion of Urban Residential land (approximately 1656m²) for 1656m² of Environmental Protection zoned land, the development footprint has been pushed further into the Environmental Protection zone. There is an additional 1436m² of the Environmental Protection zoned land that will be developed as opposed to being left as open space. This is considered acceptable given Probable Solution P3.1 allows 30 percent of a lot less than 1 hectare to be developed for buildings, structure, car parking and other

uses associated with a development. Hence, 1934m² (30%) of the EP zone could be developed if left as a separate lot with future development potential. Given the proposal includes only an additional 1436m² of development within the EP Zone it is considered to be an acceptable outcome.

Multiple Dwelling - Use Code

The proposal is considered to comply with Section 6.18.4 Specific Outcomes and Probable Solutions applicable to Assessable Development. More specifically:

Location: The multiple dwellings are being created as part of a mixed use development.

Site Size and Density: The site is greater than 800m² and the frontage is greater than 20m.

Site Layout and Building Design: The overall height is less than the 8.5m maximum, site coverage is less than 40% and the front setback varies between 4.5 and 7m. The standard setback is 6m. However, the proposed articulated setback helps contribute to an attractive streetscape and is therefore considered to comply with Specific Outcome S3(1)(a).

Visual Privacy: Screening devices will be conditioned to ensure privacy issues are managed.

Acoustic Amenity: The design locates bedrooms as far as possible from the internal road to minimise noise impacts. An acoustic barrier will also be created around several units to mitigate noise.

Landscaping: The use incorporates a minimum 15% of the site as landscaping including a 2m wide landscape buffer along the frontage of the site and internal landscaping around the driveway to break up the built form.

Open Space: More than 20% of the site has been designed as open space. The probable solution requires 5% of the site to be provided as communal open space. Approximately 6446m² (39%) will be retained as open space which can be used as communal open space given it will be both functional and accessible and therefore compliant with Specific Outcome S7(1)(b). Each unit also has also been provided with a minimum 25m² private open space.

Access and Parking: Two car parking spaces have been provided for each unit and 8 visitor parking spaces in accordance with Schedule 1 – Access and Parking.

Internal Pedestrian and Cycleway Paths: There is space for pedestrian movements along the internal driveway.

Safety and Security: There are balconies and windows overlooking the internal driveway and lighting will be provided.

Service Facilities: A car wash bay will be provided. There is adequate space for clothes drying facilities and bins will be centrally located and screened from view.

Centre Design Code

The site is not within a Centre Zone, but because the proposal is for a centre development, this code is considered applicable to the assessment. The building complies with Specific Outcomes 1.2 & 1.3, given the design addresses the street and does not focus primarily on internal spaces. As previously discussed, setbacks accommodate suitable landscaping and noise mitigation fencing. An outdoor dining area and significant landscaping has been included on the Gordon and Giles Road corner to enhance its importance, as sought by Specific Outcome S1.6 and the built form has been articulated. There is no plant equipment proposed on roof tops and in accordance with S2.3, large eaves and awnings around the shop have been provided to protect pedestrians from the elements. The proposal includes pedestrian paths connecting the site to other surrounding pathways. No awnings have been provided around the site but this is still compatible with S5.1(2), which seeks awnings to be consistent with the character of the centre. Given the minor nature of the development and its local convenience purpose, awnings around the site are not considered necessary in this instance. Overall, the proposal is considered to meet the Centre Design Code provisions.

Overlay Codes

Acid Sulfate Soils Overlay

The site topography varies between 15.5m and 23.5m AHD. This is above the critical elevation of 5 metres AHD which is the level where consideration under the SPP begins to apply. Because the surface of the land is a minimum 15.5m AHD, the proposed development is not likely to disturb soils at the level of 5 metres AHD or lower.

Bushfire Hazard Overlay

The entire site is classified as Medium Bushfire Hazard. Council would normally seek a bushfire hazard assessment report for an application under the current scheme. However, land to the north and south has recently been cleared for residential development and no longer poses a hazard. To the west there is a 60m wide buffer created by Redland Bay Road which lessens any potential hazard. Furthermore, the remaining vegetation on site is not considered to pose a bushfire hazard. Hence, a bushfire hazard assessment is not considered necessary in this instance.

Bushland Habitat Overlay

Approximately half of the site, to the north, is mapped as Bushland Habitat. However, the site has varied environmental values. While in some sectors it is degraded, the overall value of this property is as a habitat patch and a link between the rural areas of the City into residential sectors and its environmental corridors. These corridors are being progressively enhanced as part of subdivisions which have occurred and will occur in the future to the east. Similarly there is a water course linkage from west to east. This has a restriction to the east of the site between Gordon Road and Gloria Parade but still permits connectivity for fauna travelling along the water course. The proposal incorporates enhancement of the Environment Protection zoned area by weed removal and native species planting. Overall, a total

of 6446m² will be protected as open space, which will ensure that the waterway corridor is not detrimentally affected and a majority of the Environmental Protection zoned land will be maintained as previously discussed. Hence, the proposal is considered to meet the provisions of the Code.

The southern portion of the site, also zoned Urban Residential, is mapped as koala habitat. The Redlands Planning Scheme requires offsets for lost koala habitat in accordance with the South East Queensland Koala Conservation State Planning Regulatory Provisions. Based on Saunders Havill Drawing No P386 E 1.2 VMP A, dated 19/10/2010, the number of koala habitat trees in the proposed development area proposed for removal is 35 (totalling 610m in height) and a further 6 (totalling 64m in height) will require removal due to road widening. As all but 3 of these trees are within the Koala Habitat or Bushland Habitat designations of the Habitat Protection Overlay and totally in the Koala State Planning Regulatory Provisions Assessable Area, offsets should apply. Based on the Redlands Planning Scheme offsets of 674 koala habitat trees would apply. Conditions have been recommended to achieve this offset.

Flood Storm and Drainage Constrained Land

A 'flood prone area' crosses the site in an east to west direction through the northern part of the site. The development footprint is approximately 20m from the flood area. As no part of the proposal affects any part of the site identified as 'flood prone area' the development complies with the Code. Council's Infrastructure Planning Group have also reviewed the proposal and note that the development is above any flood prone levels.

Road and Rail Noise Impact Overlay Code

To address this overlay code, the applicant has submitted an acoustic assessment. The report recommended construction of an acoustic barrier around some of the residential units and building attenuation measures to mitigate noise. The recommendations of the acoustic assessment have been conditioned. As a part of the application for operational works, the applicant must provide plans and specifications detailing the design and construction of the noise barriers. This is to be certified by a suitably qualified acoustic consultant indicating that the noise barrier achieves the requirements of this decision notice, 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd and Redland Planning Scheme Policy 5 - Environmental Emission.

Waterways, Wetlands and Moreton Bay

A natural drainage line follows the same path as the 'flood prone area'. As the multiple dwelling footprint is approximately 30m from the mapped drainage line the proposal meets Specific Outcome S2 of the Overlay Code which seeks that development retain the drainage line in its natural state.

General Code(s)

Access and Parking Code

The proposal includes 1 covered parking space and 1 uncovered space for each unit. A separate visitor parking area for 8 cars has also been included in the unit component. In accordance with the Scheme a total of 44 spaces have also been provided for the Shop and Refreshment Establishment. The parking layout is considered to be acceptable and space has been provided for a HRV such that this will be able to enter and exit the site in forward gear. Turning circles are achievable within the basement carpark. Conditions have been included to ensure the parking is designed and constructed appropriately and in compliance with the relevant Australian standards.

Council's Infrastructure Planning Group have also assessed the traffic report, submitted with the application, and agree with the conclusion that the traffic generated by the development will have a negligible impact on the road network. There are no concerns in terms of cycling/pedestrian activity or transport either. Pedestrians will have easy access to the site via existing and new pathways to be created as part of the development and vehicles will have convenient access from Gordon Road, which connects to Cleveland-Redland Bay Road.

Erosion Prevention and Sediment Control Code

The proposal is considered to generally comply with this Code subject to a standard condition.

Excavation and Fill Code

Significant parts of the site will require cutting and filling. To create the basement carpark and shop, part of the site will be filled. Tiered landscaping has been provided to ensure there is no retaining wall higher than 1m. The dwellings along Gordon Road will also be located on fill. There will be a retaining wall along Gordon Road, but there will also be landscaping on top with fencing behind the landscaping to ensure an attractive streetscape and avoid high blank walls. Overall, the proposal is considered to comply with the Code. There are no nearby residents that would be detrimentally affected in terms of amenity by the proposal.

Development Near Underground Infrastructure Code

The proposal has been conditioned to meet Council's DNUI standards.

Infrastructure Works Code

Sewerage connection to the site is available as per the submitted Hydraulic Assessment report and the proposed sewer extension layout (Appendix B) by Allconnex Water, received by Council on 21 March 2011.

A water supply is currently available to the site. Allconnex Water has provided conditions for water supply infrastructure extension to service the development site.

The subject land can be provided with appropriate electricity services without undue concern.

The subject land can be provided with appropriate telecommunication services without undue concern.

Waste management conditions have been provided where necessary.

Stormwater Management Code

The provided stormwater management plan, dated 28 October 2010, prepared by Opus International Consultants demonstrates that the development will not create a nuisance to neighbours and is in accordance with the Specific Outcomes of the Stormwater Management Code. It is considered that no stormwater problems will result for upstream or downstream properties, or for the site itself.

The nominated point of discharge is the existing stormwater network within Gloria Parade via the overland flow path located within the open space area of the subject site; the existing 2 x 525mm culvert and through to the existing open drain across Gordon Road.

The stormwater management plan is generally acceptable from a stormwater quality perspective. Some locational amendments and sizing verification will be required at the operational works stage.

Landscape Code

The provisions of this code have been addressed. A landscape concept plan forms part of the recommendation for approval. Additional conditions requiring compliance assessment of landscaping works have also been included.

Planning Scheme Policies

There are several Planning Scheme Policies that are applicable to this application. It is considered that these policies have been addressed in the technical comments provided by Council officers and in the conditioning of the recommendation.

4.4 State Planning Policies

The following State planning policies are applicable to this application:

State Planning Policy	Applicability to current Application
SPP 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide	The requirements of this policy are met in Council's Bushfire Hazard Code. The entire site is classified as Medium Bushfire Hazard. Council would normally seek a bushfire hazard assessment report for an application under the current scheme. However, land to the north and south has been cleared for residential development and no longer poses a hazard. To the west there is a 60m wide buffer created by Redland Bay Road which lessens any potential hazard. Hence, a bushfire hazard assessment is not considered necessary in this instance.
SPP 2/02 Planning and Managing Development Involving Acid Sulfate Soils	No cut or fill is proposed below 5m AHD. Therefore, the development is considered to comply with the relevant standards.
SPP 1/05 Conservation of Koalas in South-east Queensland	SPP 1/05 has been superseded three times since this application was first submitted. The Koala Management Area A1 defined in SPP 1/05 did not cover this site. However, the current South East Queensland Koala Conservation State Planning Regulatory Provisions does apply to this site. The site is designated as a medium and low value rehabilitation site in Koala Habitat Value mapping. The applicant has stated how many koala habitat trees will be removed and a condition has been included to ensure the developer undertakes offset planting or monetary contribution for the loss. It is also noted that existing vegetation to be retained in the open space area will be protected and enhanced.

5.0 INFRASTRUCTURE CHARGES

The proposed development is subject to infrastructure charges in accordance with the draft State Planning Regulatory Provisions (adopted charges). The total Redland City Council infrastructure charge applicable to this development is **\$402,960**.

6.0 REFERRAL AGENCIES

The Department of Transport and Main Roads (DTMR) provided a Concurrence Agency Response, dated 24 January 2011. Their conditions include limiting access to Cleveland-Redland Bay Road, noise attenuation measures and control of

stormwater runoff. DTMR's requirements have been incorporated into Council's conditions where necessary.

Energex provided an Advice Agency Response on 5 July 2007 which recommended the development should avoid any Energex infrastructure in Giles Road. These comments have been considered as part of the assessment of this application.

7.0 GROUNDS OF SUBMISSION

The application was publically advertised in accordance with the requirements of the Integrated Planning Act 1997.

During the notification period one (1) properly made submission was received by Council. The following grounds were raised in the submission:

- Whether there was a need for the shops and refreshment establishment. The submitter was concerned about impacts on the nearby Parmac centre on School of Arts Road; and
- In terms of design, the proposed development is not considered to address the street or offer a physical connection to the street frontage, the retaining wall along the frontage is bulky and landscaping is considered inadequate.

Officers comment:

It is noted that the applicant has provided revised plans to Council since the submission was lodged. With regards to the issue of need, the proposal will strengthen the co-location of uses being the child care centre and school around the site. This in turn will provide savings in time and travel costs for local residents, it will provide greater choice and variety in shops and help local employment. The centre is to cater to local residents and therefore will not detrimentally affect other nearby centres. This was also supported by a needs assessment submitted by the applicant.

Further details have also been provided regarding landscaping and the retaining wall along the site frontages. The layout was revised to include a tiered wall with landscaping on the corner of Gordon and Giles Roads. The wall along Gordon Road will also be stepped and include landscaping between retaining walls and fences to ensure an attractive streetscape. As such, the proposal complies with the RPS.

8.0 CONCLUSION

Council has assessed an application seeking a development permit for a material change of use (impact assessment) for a Mixed Use (Shop, Refreshment Establishment and Multiple Dwelling – 17 units) at 75-99 Gordon Road, Redland Bay.

Several issues have been addressed in the report including:

- The relative weight given to the superseded planning scheme and the current planning scheme;
- Compliance with the various zones under the transitional planning scheme and the current RPS;
- Impacts on the ecological values of the site and development within the Environmental Protection zone; and

- Whether the proposed commercial elements are appropriate and whether the proposal will have a detrimental impact on surrounding centres.

Overall, the proposal is considered to be generally in accordance with the Superseded Town Planning Scheme for the Shire of Redland 1988 and the current applicable codes and planning scheme policies of the Redlands Planning Scheme. Accordingly, it is recommended that the application be approved and a development permit be granted, subject to conditions.

MOTION TO ADJOURN COMMITTEE MEETING AT 11.54AM

Moved by: Cr H Murray
Seconded by: Cr T Bowler

That the meeting be adjourned for a ten minute break.

CARRIED

MOTION TO RESUME COMMITTEE MEETING AT 12.14PM

Moved by: Cr W Boglary
Seconded by: Cr T Bowler

That the meeting resume.

CARRIED

When the Committee meeting resumed at 12.14pm, Crs Murray, Bowler, Henry, Ogilvie, Boglary and Townsend were present.

Cr Williams entered at 12.16pm.

Cr Elliott entered at 12.22pm.

OFFICER'S RECOMMENDATION

That Committee, under delegated authority resolve as follows:

A MATERIAL CHANGE OF USE – DEVELOPMENT PERMIT

That the application for material change of use for the purpose of Multiple Dwelling (17 units), Shop and Refreshment Establishment on the land known as 75-99 Gordon Road, Redland Bay QLD 4165 described as Lot 2 on RP199205 be approved and a development permit be granted subject to conditions.

B CONDITIONS FOR DEVELOPMENT PERMIT

Approved Plans and Documents

1. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval. Comply with all of the development approval conditions at no cost to Council prior to the commencement of the use, unless otherwise stated as part of a specific condition of this approval.

Plan/Document	Plan/Doc Ref	Prepared by	Dated
Hydraulic Assessment Report	Appendix A	Allconnex Water (Opus International Consultants (Australia) Pty Ltd)	11 March 2011
Stormwater Management Plan	N-B0112.00 Rev A	Opus International Consultants (Australia) Pty Ltd	28 October 2010
75-99 Gordon Road, Redland Bay – Acoustic Assessment (revised)	2239.2 Version 02	Air Noise Environment Pty Ltd	October 2010
Site Plan	RB-SK-40 Rev A	Eric Hebron	Sept 2010
Type A Floor Plans	RB-SK-41 Rev A	Eric Hebron	Sept 2010
Type B Floor Plans	RB-SK-42 Rev A	Eric Hebron	Sept 2010
Streetscape Elevations	RB-SK-43 Rev A	Eric Hebron	Sept 2010
Commercial – Elevs/sections	RB-SK-44 Rev A	Eric Hebron	Sept 2010
Open Space & Landscape Plan	P386 P02 SK	Saunders Havill Group	5-10-10
Landscape Master Plan	P386 Dwg No 01 B	Saunders Havill Group	9-12-10
Plant Species and Material	P386 Dwg No 03 B	Saunders Havill Group	9-12-10
Vegetation Management Plan	Dwg No. P386 E 1.1 VMP A	Saunders Havill Group	19.10.10
Proposed Stormwater Location	Dwg Number 3826 L 04 A	Saunders Havill Group	October

Table 1: Approved Plans and Documents

Design

2. Provide further articulation to the eastern side wall of unit 1 and the southern facing side wall of unit 17. To enhance the entrance and appearance of the development, the identified walls must include a minimum two of the following forms of articulation: eaves, windows, a break in built form or different colours and materials.

Land Dedication

3. Dedicate land to the State as shown on Site Plan RB-SK-40 Rev A, prepared by Eric Hebron and dated 18 May 2007, for future road purposes.

Hours of operation

4. Operate the Shop and Refreshment Establishment only between the hours of 6:00am and 10:00pm.

5. Undertake loading and unloading associated with the Shop and Refreshment Establishment only between the hours of 7:00am and 7:00pm.

Existing Structures

6. Demolish or relocate all existing structures on site in accordance with the approved plan(s) and cap all services prior to demolition commencing.

Alteration to Utility Services

7. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval. Any cost incurred by Council and/or a relevant Agency must be paid prior to plumbing final or the use commencing, whichever is the sooner.

Refuse Collection – Waste Services

8. Submit to Council a copy of a written agreement with a waste services provider to provide a bulk bin collection service to the development.

Waste Management Plan

9. Submit as part of a compliance assessment application a Waste Management Plan (WMP) in accordance with Chapter 16 – Waste Management and Part 11 – Planning Scheme Policy 9, including but not limited to the following:
 - Internal access roads that enable waste collection vehicles to enter and exit the site in a forward gear and have adequate vertical clearance.
 - Certification by a Registered Professional Engineer of Queensland (RPEQ) that the internal access roads are of adequate design and construction that allow waste collection vehicles to enter and exit the site in a forward gear.
 - Cleaning of all waste and recycling containers to minimise impacts on the environment occupiers and neighbours of the premises. If a bin wash-down bay is to be provided it must be roofed, have a hose and cock located within the vicinity of the bay, and have a hardstand area suitably drained to a trade waste outlet or otherwise to the satisfaction of the local government. Where no on site waste/recycling bin cleansing facilities are provided, a written agreement is made with a private cleansing contractor for the purpose of cleansing the containers, to the satisfaction of the local government.

10. Implement the approved WMP.

Environmental Management Plan

11. Submit as part of a compliance assessment application an Environmental Management Plan (EMP), which addresses the environmental aspects of the site and management of the potential environmental impacts of the proposed development both for construction and operational phase of the project.
12. Implement the approved EMP during construction and operation of the use.

Environmental Protection Zone Rehabilitation

13. Submit as part of a compliance assessment application a rehabilitation plan for the area within the Environment Protection Zone by removal of weeds specified in the Redlands Planning Scheme Schedule 9 Weeds Species List. All areas where weeds are removed and open areas not containing native vegetation must be rehabilitated. Rehabilitation methodology, planting densities and species must be generally in accordance with the Redland City Council Vegetation Enhancement Strategy November 2007, the South East Queensland Ecological Restoration Framework or as otherwise approved by Council.
14. Implement the approved plan prior to the use commencing.

Tree Management Plan

15. Submit as part of a compliance assessment application a tree management plan highlighting any tree which is within the residential and commercial areas and within one tree height of any public access area. Establish fenced tree protection zones for all trees to be retained prior to the commencement of any works.

Koala Habitat Tree Contribution

16. Undertake offset planting on site. Submit to Council a koala habitat tree contribution for the offset planting of koala habitat trees where the applicant has been unable to replant on-site. The required contribution will be calculated on a per tree unit rate applicable at the time of payment and must be made prior to commencement of use. (Note: The rate of contribution is reviewed by Council annually. The current rate is \$150.00 per koala habitat tree).

Fauna Management

17. Appoint, at least 14 days before commencement of any vegetation removal, dewatering or earthworks, a wildlife spotter to examine the site for wildlife habitat, and to supervise clearing operations.

During clearing operations, the clearing contractor must:

- liaise with the on-site spotter; and
- ensure that each tree or other feature identified by the spotter as being a risk to wildlife if felled, disturbed or dewatered, is not damaged or disturbed until either:
 - the wildlife has moved from the operational site of its own volition; or
 - if the spotter holds a rehabilitation permit granted under the *Nature Conservation Regulation 1994* specifically to allow wildlife to be caught and moved – the wildlife is removed and transported from the clearing site to prescribed natural habitat in accordance with the conditions of the permit.

Where the on-site spotter does not hold a rehabilitation permit, the clearing contractor must ensure that vegetation clearing is undertaken only by sequential clearing. Habitat corridors and links are to be maintained during sequential clearing to allow the natural movement of animals from the site being cleared to neighbouring habitat areas.

Before commencement of, and during, clearing operations, it is the responsibility of the spotter to:

- be present at the site of clearing, dewatering, and other operations;
- identify any tree or feature with wildlife present, as well as any tree that has a crown which is intermeshed or overlapping with such a tree;
- advise the contractor of the precise location of each such tree or other feature.

Noise Management Plan

18. Implement the noise management plan in Appendix E of the acoustic report titled 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd. This plan must be reviewed regularly and Council must be notified of any intended amendments to the noise management plan. Amendments to the noise management plan must not be implemented prior to gaining Council approval.

Acoustic Barriers

19. Construct a 1.8 to 2.5 metre high acoustic barrier as follows:

- at the rear of units 1 - 5 as shown in section 4.6.2 and figure 6 of the acoustic report; and
- at the rear of units 9 -11 as shown in section 4.6.2 and figure 6 of the acoustic report.

The acoustic barrier must be constructed to achieve at least a standard that achieves a superficial mass of not less than 12.5kg/m² and total leakage of <1% of the total area. Guidance on the design of the barriers is provided in the acoustic report titled 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd.

Any acoustic barriers that are over 2.0 metres in height must be a fence / mound combination and constructed in accordance with diagrams 3/4/5 of Redland Planning Scheme *Policy 5 - Environmental Emissions*.

Pre Construction Acoustic Barriers Certification

20. Submit as part of a compliance assessment application plans and specifications detailing the design and construction of the noise barriers. The plans and specifications must be certified by a suitably qualified acoustic consultant indicating that the noise barrier achieves the requirements of this decision notice, 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd and Redland Planning Scheme Policy 5 - Environmental Emissions.

Post Construction Acoustic Barrier Certification

21. Submit to Council prior to the commencement of use a post construction certification for the acoustic barrier. The acoustic barrier must be physically assessed by a suitably qualified acoustic consultant, verifying by way of a written report, that the acoustic barrier complies with the requirements of condition 25.

Building Attenuation

22. Incorporate into the construction of units 1 to 17, as specified in section 6.1 and 4.6.3 of the acoustic report 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd, the following:

- Building attenuation as shown in table 4.7 is to be achieved by the incorporation of building materials into the building construction; and
- Mechanical ventilation must be provided for all rooms and units identified in Table 4.7, while maintaining the acoustic performance of the units.

Pre Building Construction Certification

23. Submit as part of a compliance assessment application, evidence that all building and construction plans have been certified by a suitably qualified acoustic consultant. Demonstrate that the development complies with the conditions of this approval (condition 28) and 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd. Where appropriate, acoustic measures to be incorporated within the development design, must be identified on the plans.

Post Building Construction Certification

24. Submit to Council prior to the commencement of use a post construction certification for the affected buildings. The certification must be provided by a suitably qualified acoustic consultant. This certification must demonstrate that the development complies with the conditions of this approval (condition 28) and 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd.

Car Wash Bay (6 dwellings or more)

25. Construct a car washing facility that is designed as follows:

- Roofed, bunded and drained to sewer via an approved oil interceptor / separator, in accordance with Council's Trade Waste requirements;
- The use of the oil interceptor / separator cannot be shared with any interceptor required for bin wash bays;
- Limiting the ingress of rainfall and overland flow; and
- Minimising water usage.

Compliance Assessment

26. Submit and gain Council approval for Compliance Assessment for the following purposes associated with the conditions of this development, prior to commencement of any works on site:

- Stormwater drainage and management;
- Water supply and reticulation (under delegation from Allconnex Water);
- Sewerage supply and reticulation (under delegation from Allconnex Water);
- Road and footpath works;

- Excavation and Fill;
- Sediment and erosion control;
- Open space works;
- Landscape works;
- Access, circulation and parking.

The matters above must be assessed against the relevant sections of the Redlands Planning Scheme and any applicable Australian Standards, development guidelines and best practice documents.

Hours of Construction

27. Undertake activities associated with the construction of the use only between the hours of 7.00am and 6.00pm on Monday to Friday and 7.00am and 5.00pm on Saturday, excluding public holidays, in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works.

Electricity Supply

28. Design and install underground electricity to the development in accordance with the requirements of the relevant service provider and Council. Provide Council with written confirmation of the service provider agreement to the supply of electricity, prior to any works associated with this Development Permit commencing. Decommissioning of any existing overhead supply and poles, made redundant by the approval, forms part of the electrical works.

Locate any pad-mounted transformer within the site boundaries to minimise the visual impact to the development.

Telecommunications

29. Provide a certificate of supply from a relevant telecommunications provider/supplier as part of the compliance application, which confirms that the development is able to be supplied with telecommunications services.

Water Supply Connection

30. Connect the development to the existing reticulated water supply system and provide suitable water meter(s), at no cost to Council, in accordance with the Redlands Planning Scheme Policy 9. This work includes all external augmentation required to bring an adequate water supply and pressure to the site.

Water Supply Extension

31. Construct adequate augmentation of the existing water supply network to provide sufficient fire flow of 30L/s for the commercial development by undertaking one of the following two options (Refer to Figure 1 – Extension of Serpentine Ck PRV Zone):

1. Construct DN200mm x 530m water main along Cleveland Redland Bay Road as shown on Figure 2 – Option 1; or

2. Construct water mains in conjunction with DA SB005250. A DN200mm main connection is required from Plum Court into the proposed DN150mm loop main of DA SB005250. At the completion of the loop at the access road of DA SB005250, a DN200mm main will be required to cross Giles Road, then from this point a DN200mm main will be required to be connected to Gordon Road reticulation opposite Gloria Parade as shown on Figure 3 – Option 2.

Fire Hydrants

32. Where applicable, the developer must provide fire spring hydrants in accordance with - Australian Standard 2419.1:1994 - Fire hydrant installation - System design, installation and commissioning; the Building Code of Australia; and the Queensland Fire and Rescue Authority.

Sewerage Connection

33. Connect the development to the existing sewerage system, in accordance with the Redlands Planning Scheme Policy 9, at no cost to Council. This includes augmentation works external to the development as required to adequately service the development.

Sewer Network Augmentation

34. Construct adequate augmentation of the existing sewerage network to service the commercial development as per the submitted Hydraulic Assessment report and the proposed sewer extension layout (Appendix B) by Allconnex Water, dated 11 March 2011.

Development Near Underground Infrastructure

35. Site buildings and structures to avoid building over existing sewer infrastructure unless otherwise approved by Council. The distance between any part of a building or load bearing structure and the existing sewer must not be less than 2.0 metres when pipes are >300mm in diameter or not less than 1.5m when pipes are <300mm in diameter.

Stormwater Management

36. Submit as part of a compliance assessment application detailed design and engineering drawings, generally in accordance with the Stormwater Management Plan prepared by Opus International Consultant Pty. Ltd. dated 28 October 2010, including but not limited to the following:
 - Stormwater drainage in accordance with the Redlands Planning Scheme Policy 9 and the Queensland Urban Drainage Manual (QUDM).
 - Design and certification by an RPEQ.
 - Network augmentation, if reasonably necessary, for the purpose of stormwater discharge.
 - Demonstration that development will not make material changes to the pre-development location, duration, frequency or concentration of overland

stormwater flow at the point of discharge to all downstream properties, including road reserves, and will not adversely impact on flooding or drainage (peak discharge and duration for all events up to the 100 year Average Recurrence Interval (ARI)) of properties that are upstream, downstream or adjacent to the site.

- Stormwater drainage from roofed and paved areas must be discharged to an approved drainage system within the subject site and adjoining road reserve(s).
- Construction of driveways and drainage to the Council and/or Department of Main Roads standards, including the provision for an ARI 100 years overland flow through driveways, open space areas or easements over adjoining properties. An assessment of the effect of 50% blockage of inlets must be included in the drainage calculations.

37. Submit as part of a compliance assessment application a detailed Stormwater Quality Management Plan generally in accordance with the Stormwater Management Plan prepared by Opus International Consultant Pty. Ltd. dated 28 October 2010, including but not limited to the following:

- Stormwater quality devices in accordance with the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland or as otherwise approved by Council.
- Provide detailed drawings of the proposed stormwater quality treatment system and any associated works complete with an electronic copy of any MUSIC Model as part of an application for compliance assessment.
- The detailed plan must demonstrate that the system is designed and located to minimise the removal of existing native vegetation.
- The plan must include details of the maintenance programme during the two year On Maintenance period for the stormwater treatment system and the long term maintenance. The maintenance plan as part of the Stormwater Quality Management Plan must be prepared and approved by Council for the ongoing maintenance of the system as part of the management of the site. This must include annual reporting to Council of compliance with the maintenance program and system performance.

38. Submit as part of a compliance assessment application, detailed design, specifications and engineering plans, designed and certified by an RPEQ for a stormwater detention system required for the site. Comply with A.S.3500.3:2003 Plumbing and Drainage - Stormwater Drainage, Council's standards and the relevant provisions of the Queensland Urban Drainage Manual (QUDM). The supporting documentation for this application will include a maintenance and pest control program for the proposed system.

39. Implement the approved plans and specifications prior to the use commencing.

Frontage Works

40. Submit as part of a compliance assessment application plans and specifications for frontage works, including but not limited to the following:

- A pedestrian crossing across Gordon Road between the site entrance and Gloria Parade;
- Footpath earthworks, topsoiling and turfing of all disturbed footpath areas;

- A kerb ramp must be provided at the Gordon Road/Giles Road intersection so as to provide a connection to the existing path on the eastern side of Gordon Road.
- A minimum of 2m wide pedestrian path along the length of the development site on the Gordon Rd frontage.
- Reinstatement of concrete kerb and channel where required;
- Entry treatment/access to the site;
- Adjustment and relocations necessary to public utility services resulting from these works;
- Signage and line marking as per the Department of Transport and Main Roads standard titled the Manual of Uniform Traffic Control Devices (MUTCD).

41. Implement the approved plans and specifications prior to the use commencing.

Redundant Crossovers

42. Remove all redundant vehicle crossovers and reinstate kerb and channel, road pavement, service and footpaths as specified in accordance with the standards in the Redlands Planning Scheme Policy 9.

Vehicle Parking

43. Provide on-site parking to accommodate 85 cars (34 spaces for the residential units, 8 visitor spaces, 41 spaces for the shop and refreshment establishment inclusive of 2 disabled spaces) and 1 HRV loading dock in accordance with the approved plans.

Parking, Access and Circulation

44. Submit as part of a compliance assessment application engineering plans and specifications for the construction of proposed access, car parking facilities and internal circulation driveways, including but not limited to the following:

- Driveways, circulation driveways, parking aisles and car parks to comply with the Redlands Planning Scheme Part 9, Schedule 1 – Access and Parking, and the Australian Standard 2890.1 – Parking Facilities – Off Street Car Parking;
- On-site car parking spaces including disabled and bicycle spaces, and loading bay facilities for a Heavy Rigid Vehicle (HRV), in accordance with the Redlands Planning Scheme Part 9, Schedule 1 – Access and Parking. Facilities must be designed in accordance with Australian Standard 2890.2 – Off-street Commercial Vehicle Facilities;
- Internal layouts designed for the turning movements of a Heavy Rigid Vehicle and Waste collection Vehicle that ensure that these vehicles are able to enter and exit the site in a forward direction;
- Disabled access in accordance with the relevant requirements of the Building Code of Australia and the Disability Discrimination Act; and

45. Implement the approved plans and specifications. Prior to occupancy or the use commencing, the Supervising Engineer must submit a certificate certifying that all work has been satisfactorily completed to the quality control criteria for this site.

46. Maintain and manage parking, access and circulation in accordance with the following:

- Ensure access to car parking spaces, bicycle spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available during the hours of operation; and
- Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward gear.

Earthworks

47. Submit as part of a compliance assessment application plans and specifications for earthworks, including but not limited to the following:

- Excavation and fill protects the safety of people and property by –
 - i) where involving gradients or embankments comply with Schedule 1 point 4 – “Particular filling or excavation” of the Building Regulation 2006;

(note: Please disregard this Condition item if the cut or fill proposed for an approval is deeper than 1m above or below the natural ground surface for the relevant building or structure)

- ii) ensuring retaining walls or structures –
 - are designed in accordance with Section 3 of *Australian Standard 4678:2002 (as amended) – Earth Retaining Structures*;
 - have a design life of not less than 60 years;
- iii) ensuring compaction is carried out in accordance with -
 - *Australian Standard 3798:2007 (as amended) – Guidelines on earthworks for commercial and residential developments*;
 - *Australian Standard 2870:1996 (as amended) – Residential slabs and footings - construction*.
- Excavation and fill prevent land or water contamination, or the harbourage of vermin by ensuring –
 - i) the controlled use of clean, dry, solid, inert building material as per section 4 of *Australian Standard 3798:2007 (as amended) - Guidelines on earthworks for commercial and residential developments*; and
 - ii) where the site contains contaminated material, the removal of contaminated material is disposed to an approved landfill under the conditions of a disposal permit issued under the *Environmental Protection Act 1994*.

48. Implement the approved plans and specifications

Landscaping Works

49. Submit as part of a compliance assessment application plans and specifications for landscaping generally in accordance with Revised Landscape Master Plan drawing no: 1, issue B and Plant Species and Material, drawing no: 2, issue B, dated 15.06.09 by Saunders Havill Group and in accordance with the Redlands Planning Scheme Policy 9, Chapters 2, 10 and 11. The following items must be provided in addition to the requirements of the Policy:

- Where there is existing vegetation, street trees or overhanging trees from adjacent land show where these trees are to be removed or retained. Saunders Havill Drawing No P386 E 1.2 VMP A details trees for retention and removal. Prior to removal, these trees are to be tagged and approved for removal by Redland City Council.
- Screen planting, specifically, the provision of tall columnar trees that provide screening along the western building elevation of units 1, 6 and 17;
- A pedestrian path link on the left-hand side of the entrance to enable pedestrian access to the commercial building.
- A 2m wide landscape buffer where the development footprint fronts Gordon and Giles Roads. Any fencing or retaining walls along Gordon and Giles Roads must be located behind the 2m wide landscape buffer or integrated with the landscape buffer;
- Details of street tree planting (24 street trees to Gordon Road and 15 street trees to Giles Road) with species selected from Schedule 9. Stock sizes must be not less than 100 litres with a minimum height of 2 metres, unless otherwise negotiated with the Council. Species selection must be as specified in the Redland City Council Street Tree Implementation Note May 2009;
- Details of lighting to communal open space, driveways, public carparks and footpaths within the site. The lighting design must incorporate the principles of Crime Prevention through Environmental Design (CPTED) and achieve the requirements of Planning Scheme Policy 16 – Safer by Design;
- Construct a pedestrian path linking Gordon Road to the proposed Commercial Building in accordance with the Landscape Master Plan (amended in red);
- All internal pathway / pedestrian connections are to comply with Australian Standard 1428.1-4: 2001 - Design for Access and Mobility;
- Construct pedestrian access gates along the rear boundary fence line of units 11 to 17 to allow resident access to Gordon Road;
- One cigarette disposal unit such as Butt Out or ECO Elegance products. The units must be placed at entries and exits to the shop building be free – standing or fixed to posts or wall mounted;
- Six (6) bicycles racks and (1) one seat with a back within the development site; and
- A maintenance plan for the entire landscaping component of the development.

NOTE: Street trees must not conflict with services (underground and overhead). If there are Energex overhead power lines, the tree species selection must not conflict with the height of powerlines and the provision of continuous power.

50. Implement the approved plan prior to the use commencing.

Fencing & Landscape Buffer

51. Construct/erect front fences and walls with a maximum height of:

- a) 1.2m where the fence is solid; and
- b) 1.8m where the fence has openings or material that makes it greater than 30% transparent in appearance.
- c) Where the fence is to be located on top of a retaining wall, the fence must be setback a minimum 1m and landscaping must be included within the setback. This is to ensure that no fence/wall combination is greater than 2m without some form of visual breakup.

Ensure that fences do not block or interrupt flow paths and do not exceed 10m in length without some form of articulation or detailing to provide visual interest.

Lighting

52. Provide lighting designed in accordance with Australian Standard 4282:1997. Ensure the design details integrate the principles of Crime Prevention through Environmental Design (CPTED) theory.

53. Provide overhead lighting to building entries in accordance with the principles of Crime Prevention through Environmental Design (CPTED). Design the lighting to minimise the potential for light spillage to cause nuisance to neighbours.

54. Ensure all car park lighting complies with the requirements outlined in the Australian Standard for Off-Street Car Parking (A.S.2890.1:2004) or any Australian Standard in substitution for this standard.

55. Install and maintain, at no cost to Council, a street and path lighting system to A.S. 1158.1 and Energex requirements, to operate from dusk to dawn, on all roads within and bounding the development and to all areas where the public will be given access.

C REFERRAL AGENCY CONDITIONS

A copy of the Department of Main Roads Referral Agency (Concurrence Agency) conditions is attached to this decision.

Note: Council's conditions incorporate those of any referral agency.

D ADDITIONAL PERMITS / APPROVALS REQUIRED

1. Submit an application to Council for Compliance Assessment approval for the following:

- Stormwater drainage and management;
- Water supply and reticulation;
- Sewerage supply and reticulation;
- Road and footpath works;
- Sediment and erosion control;
- Open space works;

- Landscape works;
- Access, circulation and parking.

The matters above must be assessed against the relevant sections of the Redlands Planning Scheme and any applicable Australian Standards, development guidelines and best practice documents.

2. Building Works and Plumbing and Drainage Works approvals are required.
3. Obtain a road opening permit from Council where any works are proposed within an existing road reserve. This approval must be obtained prior to the works commencing.

E ADVICE

1. Relevant Period

This development permit for a material change of use will remain current for a period of four (4) years starting the day the approval takes effect, as per sections 3.5.21(1) and 3.5.19 of the *Integrated Planning Act 1997*.

2. Fire Ants

Certain areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). The movement of extracted or waste soil, retaining soil, turf, pot plants, plant material, baled hay/straw or mulch/green waste/fuel into, within and out of the City from a property inside a restricted area is subject to approval of the Department of Primary Industries(DPI) - RIFA Movement Controls. Further information can be obtained from the DPI Call Centre 13 25 23 or on their web site www.dpi.qld.gov.au/fireants .

3. Rainwater Harvesting Systems

In accordance with Part MP 4.2 of the Queensland Development Code (QDC) all new Class 1 buildings must include a rainwater tank or alternative water substitution measures.

4. Allconnex Water

As of 1 July 2010, water and wastewater services previously provided by Redland City Council are now managed by Allconnex Water. Allconnex Water is the specialist water and wastewater business servicing the Gold Coast, Logan and Redland districts. The Allconnex Water business has been established under the State Government's South East Queensland Water Reform, which was initiated to improve the delivery of water services in South East Queensland. The Gold Coast, Logan and Redland Councils own the Allconnex Water business and therefore the earnings are invested back into each of these districts through the three Councils. Further information can be obtained from Allconnex Water on 1300 000 928 or on the website www.allconnex.com.au.

5. Water and Sewer Headworks Contributions

Conditions requesting payment of Water and Sewer Headworks Contributions are no longer included in the Decision Notice. Water and Sewer Headworks Contributions, under Policy 3 of the Redlands Planning Scheme, are now levied by way of an Infrastructure Charges Notice issued by Allconnex Water.

6. Mechanical Plant

Mechanical plant (air conditioning, refrigeration equipment and pumps) must comply with the *Environmental Protection Act 1994*.

Air conditioning and refrigeration equipment must achieve not more than 3dB(A) above the background level from 10pm to 7am and not more than 5dB(A) above the background level from 7am to 10pm when measured at an affected building.

Pumps (including heat pumps) must not audible from 10pm to 7am, not more than 5dB(A) above the background level from 7am to 7pm and not more than 3dB(A) above the background level from 7pm to 10pm when measured at an affected building.

To ensure that mechanical plant achieves the above criteria it is essential that consideration is given to its location and design prior to installation. Where mechanical plant does not comply with the above requirements, consideration will be given to taking enforcement action under the *Environmental Protection Act 1994*. Enforcement action may include the issuing of Direction Notices and this may require the relocation, redesign, installation of attenuation or removal of the mechanical plant.

For further information on mechanical plant it is recommended that you contact Council's Health and Environment Team on 3829 8855.

7. Fill External to the Site

Any borrowing or filling in excess of 300mm in depth will require Council approval in accordance with the provisions of the Redlands Planning Scheme.

PROPOSED MOTION 1 AT COMMITTEE

Moved by: Cr T Bowler

Seconded by: Cr B Townsend

That the application be refused on the following grounds:

1. Multiple dwellings are inconsistent in environmental protection zone;
2. The application does not maintain environmental values when 60% of site is to be affected by the development;
3. The development encroaches into environmental protection zones by 3092sqm;
4. This is an over-development of the site;
5. The proposed development encroaches into the Bushland habitat overlay, which will have an impact on connectivity from the East of the site to the West of the site; and

6. The proposed development is inconsistent with specific outcome S1.1 of the Urban Residential Zone Code which states '*Development identified as inconsistent in Table 1 are not established in the zone.*' Multiple Dwellings are listed in Table 1.

LOST

DIVISION

FOR: Cr Bowler

AGAINST: Crs Boglary, Ogilvie, Henry, Williams, Elliott, Murray and Townsend

Crs Burns and Reimers were not present when the motion was put.

Cr Hobson was absent from the meeting.

PROPOSED MOTION 2 AT COMMITTEE

Moved by: Cr C Ogilvie

Seconded by: Cr D Henry

That the report be deferred to the first Development & Community Standards Committee after the election to enable officers to seek legal advice on conflict issues.

The motion was LOST on the casting vote of the Chair.

COMMITTEE RESOLUTION

Moved by: Cr K Williams

Seconded by: Cr B Townsend

That the report be deferred to the General Meeting of 28 March 2012 to enable officers to seek legal advice on conflict issues.

CARRIED

ADDENDUM 23 MARCH 2012

This addendum provides the following:

- An application overview.
- Changes to the background section of the original report.
- An amended Urban Residential Zone Code assessment.
- An amendment to the Multiple Dwelling Use Code assessment, clarifying the height of the multiple units.
- An amended recommendation, with additional conditions, relating to a covenant on the balance of the Environmental Protection Zone and maximum height of retaining walls, conditions 14, 48 and 52.

Application Overview

Application Type Proposed Use	Impact Assessment Mixed Use - Multiple Dwelling x 17, Shop and Refreshment Establishment
Property Description Location Land Area	Lot 2 on RP199205 75-99 Gordon Road Redland Bay QLD 4165 16380m ²
Transitional Town Planning Scheme for the Shire of Redland 1988 Zoning Superseded 1998 Strategic Plan - PDLU - Greenspace Map Superseded 1988 Development Control Plan 1	Rural Non-Urban Urban Residential Greenspace Area Residential A
Redlands Planning Scheme Zoning RPS Overlays SEQ Regional Plan 2009-2031 No. of Public Submissions Applicant Land Owner Properly Made Date Start Decision Stage Statutory Decision Date Application Coordinator Manager	EP - Environmental Protection (part) UR - Urban Residential (part) Acid Sulfate Soils Bushfire Hazard Bushland Habitat Flood Storm and Drainage Constrained Land Road and Rail Noise Impact Waterways Wetlands and Moreton Bay Urban Footprint One (1) Joe Adendorff J F Woodward Holdings Pty Ltd J F Woodward Holdings Pty Ltd 29/03/2006 10/09/2009 21/02/2012 Scott Pearson Bruce Macnee

1.0 BACKGROUND

The application was originally for a preliminary approval (to override the planning scheme) for a Service Station, 12 Multiple Dwellings, Shops and Service Industry over the entire site. It was lodged on 29 March 2006 under the 1988 Transitional Town Planning Scheme for the Shire of Redland. It is noted that the Redlands Planning Scheme commenced the next day on 30 March 2006. On 17 May 2007 the applicant changed the application under s3.2.9(1) of Integrated Planning Act 2009 (IPA). The application was changed to seek a development permit for Mixed Use – Multiple Dwelling (25 units), Shops and Refreshment Establishment. On 30 May 2007 Council issued an amended acknowledgment notice and the application process was restarted. There was no additional development assessment fee required as part of the change.

The application was changed again on 22 June 2009, as part of the applicant's response to Council's information request. The change included a reduction in the number of multiple dwellings from 25 to 18 and in this instance the application did not restart, in accordance with s3.2.9(5) of IPA.

On 10 December 2010 the applicant provided further amended plans and a further reduction in the number of multiple dwellings from 18 units to 17. This change was considered to be 'minor' in that it did not (a) require referral to additional concurrence

agencies and (b) require a higher level of assessment. It was considered that the change was not likely to cause a public submission. Accordingly, the application process continued uninterrupted.

Urban Residential Zone Code

The proposed Multiple Dwelling component of the development is listed as an inconsistent use under Table 1 of the Urban Residential Zone Code. It is noted that the proposed Shop and Refreshment Establishment are not inconsistent uses. Specific Outcome S1.1 states that "*Uses and other development identified as inconsistent in Table 1 are not established in the zone.*"

Section 1.2.5(9) of the Planning Scheme (Structural Elements section) goes further to state that:

- (g) uses and other development which is generally considered inappropriate and not preferred in a zone -*
 - (i) is identified as inconsistent within each zone code and is impact assessable;*
 - (iii) indicates the local government's policy position that the nature and operational characteristics of the development and its potential impacts are inappropriate and inconsistent with the purpose of the zone, assessment criteria of relevant codes and the Desired Environmental Outcomes.*

Notwithstanding the above, the proposal is considered appropriate for the following reasons:

1. The application was lodged under the 1988 Planning Scheme which permitted multiple dwellings, subject to a rezoning application because the Strategic Plan and DCP1 identified the site as intended for urban residential uses;
2. Section 1.2.5(9) of the Planning Scheme infers that inconsistent uses are generally not appropriate as its potential impacts will be inconsistent with the purpose of the zone. The impacts of the proposal have been addressed. The environmental values of the site will be protected in the open space area and the design and location of the multiple dwellings are considered to result in an efficient use of a constrained site and one that will present attractively to the street. Furthermore, the multiple dwellings will not detrimentally affect the amenity of surrounding residents or adversely affect the noise, traffic or character of the locality. It is noted also that the site is surrounded by roads and is effectively an island. Overall, the impacts are not considered to be inappropriate and the development complies with the Overall Outcomes of the Zone Code;
3. The proposal does not directly comply with Specific Outcome 1.1 but assessed on its merits, the proposal is considered to meet the Overall Outcomes relevant to the Zone Code. The Table below lists all of the Overall Outcomes;
4. Multiple Dwellings are not inconsistent uses in areas zoned Sub Area UR1 or UR2. These sub areas are typically located close to urban centres and public transport hubs. This site shares many of those characteristics and it is considered that there is sufficient justification to support multiple dwellings on the subject site: It is co-located with commercial uses, being the child care centre and school, similar to a local centre. The proposal includes a commercial component thereby reinforcing the local centre function of the site and encouraging the co-location of

multiple dwellings. Furthermore, there is a regular bus route within approximately 400m of the site, which will provide convenient access;

5. It is noted that the 2A Amendments to the Redlands Planning Scheme, which were adopted by Council at a General Meeting on 28 July 2010, included a change to remove multiple dwellings from the inconsistent table. However, there will be additional criteria that the site and proposal needs to meet to ensure the lot size, density and amenity are still consistent with the Urban Residential zone. For example, the site should be between 1200-4000m² to maintain a low scale impact. The current proposal includes 17 units over an area of approximately 5000m² which is slightly larger. However, it is clear that multiple dwellings in the Urban Residential Zone are to be anticipated in the future; and
6. Based on the reasons provided above, it is considered that there would be sufficient planning grounds to support the proposal based on its merits. Council's Local Area and Strategic Planning Unit have been consulted and support this position.

Section 4.24.7 lists the following Overall Outcomes for the Urban Residential Zone Code. The table below assesses the proposal against the overall outcomes of the zone:

Overall Outcome	Complies	Officers Comment
<p><u>(a) Uses and Other Development</u></p> <p>(i) Provide for a range of residential uses that –</p> <p>a. are predominantly low-rise detached houses on individual lots of various sizes;</p>	✓	<p>The proposal is 2 storey and therefore meets the Planning Scheme definition of low rise. The outcome seeks <u>predominantly</u> detached dwellings but at the same time encourages a range of residential uses. The proposal satisfies the housing choice outcome by providing the proposed units in a compact form. It is noted that attached housing such as a dual occupancy are not inconsistent.</p>
<p>b. maximise the supply of residential land through infill development;</p>	✓	<p>The proposal is creating additional housing and therefore maximising the supply of residential land. Residential land exists north, south and east of the site. Therefore, the proposal is considered to be infill.</p>
<p>c. provide for housing choice and affordability;</p>	✓	<p>Standard residential lots generally surround the site, hence the proposed units will provide an alternative housing choice. Multiple dwellings are also generally marketed as a more affordable choice when compared to standard</p>

Overall Outcome	Complies	Officers Comment
		residential lots.
d. encourage opportunities for working from home;	N/A	
e. where in sub-area UR1 and UR2 - provide an increased range of residential uses including multiple dwellings, and aged persons and special needs housing.	N/A	The site is not within a sub-area.
(ii) Provide for a limited range of non-residential uses that - a. fulfill a local community need and provide opportunities for social interaction and activity;	✓	The proposal for a modest retail store and restaurant satisfies the overall outcome.
b. are highly accessible to the residents served;	✓	As Above.
c. are located on the major road network rather than local residential streets;	✓	As Above.
d. do not compromise the role and function of centres;	✓	As Above.
e. do not result in commercial ribbon development.	✓	As Above.
<u>(b) Built Form and Density</u> (i) The scale of uses and other development contribute to a predominantly detached residential built form by - a. limiting building height to maintain a low-rise appearance;	✓	The proposal is low rise as defined by the RPS.
b. buildings are sited and of a width, depth and bulk that are consistent with the lot size and a residential streetscape;	✓	The units are located on indicative building format lots, each approximately 9m wide and 25m deep. This is similar to a small lot. The units are also grouped together, but there is no more than 4 in one group to ensure the development is not bulky. The minimum front setback is 6m from Gordon Road and 4.5m from Giles Road. This is consistent with the 6m front setback to houses in Gloria Parade and 3-4m front

Overall Outcome	Complies	Officers Comment
		setbacks south of Giles Road in Lancaster Circuit. It is also noted that there is a 2m wide landscape buffer, which would not normally be provided as part of a standard residential development. Hence, the streetscape will be attractive and not dominated by the built form.
c. in sub-areas and for non-residential uses - being consistent with the preferred building types expected in the zone;	N/A	The site is not within a sub-area.
d. in sub-area UR2 - site coverage is reduced to facilitate the retention of native plants and integrated the built form with the surrounding landscape setting.	N/A	The site is not within a sub-area.
(ii) The density of uses and other development - a. utilise land efficiently through provision of a range of lot sizes and infill development that respects existing streetscapes in established areas;	N/A	The proposal does not include typical standard lots and therefore lot size is not relevant. It is noted however, that the proposal is considered to be infill development and the design is efficient given the site constraints such as vegetation protection.
b. where aged persons and special needs housing provide a range of accommodation types that, in total, is consistent with the predominant density in the zone.	N/A	The housing is not for aged persons or special needs.
(iii) Lot layout is climatically responsive.	✓	There are no lots proposed. However, the dwelling units are generally orientated north or north-east to maximise solar access.
(iv) Buildings incorporate a mix of architectural elements and styles that are responsive to local conditions and styles.	✓	The unit design includes pitched roofs, eaves, windows and entrances that address the street. Overall, the design is considered to be consistent with other multiple dwellings across the City.
(v) In sub-area UR2 - building design incorporate architectural styles and elements that reduce the visual impacts	N/A	The site is not within a sub-area.

Overall Outcome	Complies	Officers Comment
of the built form and are responsive to the natural landscape setting.		
(vi) In sub-area UR3 - buildings and structures are demountable and capable of being removed.	N/A	The site is not within a sub-area.
<u>(c) Amenity</u> (i) Uses and other development achieves a high standard of amenity by - a. protecting and enhancing of places of cultural significance or streetscape value;	N/A	There is no cultural or streetscape significance identified on the site. Though, as previously noted, the streetscape will be enhanced by landscaping and the dwellings will not dominate the streetscape.
b. having access to natural light and ventilation, privacy and private open space commensurate with the use;	✓	The units are orientated to the north to maximise solar access and breezes. Private open space has also been provided in accordance with the Multiple Dwelling Use Code.
c. providing high quality useable public open space that meets the needs of the community;	N/A	Public open space not required
d. maintaining the safety of people and property;	N/A	
e. eliminating or mitigating impacts associated with light, noise, air and traffic.		A condition has been included in the recommendation for approval to manage lighting impacts. Noise, air and traffic impacts are expected to be consistent with that experienced in a typical residential area. To ensure this an acoustic barrier and building attenuation measures will be provided. It is also noted that the multiple dwellings are physically separate to the commercial activities on site and therefore traffic will not detrimentally affect the residences.
(ii) The scale, operational attributes and impacts of non-residential uses maintains a high standard of residential amenity.	N/A	Not applicable in assessing multiple dwellings.
<u>(d) Environment</u> (i) Uses and other development	✓	There is a natural drainage line that traverses the site, which has been retained by the

Overall Outcome	Complies	Officers Comment
minimise adverse impacts on environmental and scenic values by - a. responding to topographical features;		proposal and will be enhanced by weed removal and revegetation.
b. minimising the need for excavation and fill;	✓	Some filling of the site is required to create an even pad level for the units to be constructed on. However, the floor levels for the units has been staggered to minimise the amount of filling required.
c. protecting the site from erosion;	✓	Native trees have been retained where possible to minimise impacts on soil stability. Conditions have also been included in the recommendation for approval to ensure any development on site occurs with Council's planning scheme provisions.
d. maximising the retention of native plants;	✓	Native trees have been retained where possible, particularly within the road reserve and area to be retained as open space.
e. maximising the use of native plants that are characteristic to the area;	✓	The applicant has provided a landscape concept plan which indicates the species to be planted on site.
f. incorporating best practice stormwater management and enhancing water quality;	✓	The applicant has submitted a stormwater management report to Council. Stormwater will be captured on site, treated and discharged to a legal point in Giles Road in accordance with the stormwater management code.
g. in sub-area UR2 - retention of native plants and landscape planting is used to screen built forms from the streetscape and broader viewing areas.	N/A	The site is not within a sub-area.
<u>(e) Infrastructure</u> (i) Uses and other development - a. make efficient use of existing infrastructure;	N/A	There is no existing infrastructure servicing the site.
b. provide for the extension of	✓	Sewer and water augmentation

Overall Outcome	Complies	Officers Comment
infrastructure in an orderly and cost effective manner;		works are required to be undertaken by the developer. The most direct and cost effective route to both services has been taken.
c. do not result unacceptable risk to community infrastructure.	N/A	No community infrastructure exists on site.
(ii) Uses and other development are serviced by infrastructure including - a. reticulated water;	✓	A condition has been included in the recommendation for approval to ensure the development is connected to Council's infrastructure.
b. reticulated sewerage; or	✓	As above.
c. where the site is not able to be connected to a reticulated sewerage system, wastewater is treated and disposed of on-site subject to site, soil and locational constraints;	N/A	As above.
d. stormwater drainage;	✓	As noted above, stormwater will be managed on site and discharged to a legal point in Giles Road.
e. constructed road access;	✓	The site has a constructed road access to Giles Road.
f. energy;	✓	A condition has been included in the recommendation for approval to ensure the development can be provided with energy.
g. telecommunications,	✓	A condition has been included in the recommendation for approval to ensure the development can be provided with telecommunications.
h. waste and recycling collection;	✓	Bins will be stored in a central, screened location on site and collected as required.
i. in sub-area UR2 - infrastructure is provided in accordance with any infrastructure agreement applying to the area.	N/A	The site is not within a sub-area.
(iii) Uses and other development reinforce an integrated, legible, efficient	✓	The development includes an internal driveway for vehicle movements and pathways for

Overall Outcome	Complies	Officers Comment
and safe movement network that - a. incorporate a full range of movement modes including public transport, passenger vehicles, walking and cycling;		pedestrians and cyclists. Public transport is not required to be accommodated on site.
b. provide pedestrian, cycle and vehicle movement networks that maximise connectivity, permeability and ease of mobility.	✓	As above.

The proposal has also been assessed against the other Specific Outcomes and Probable Solutions under the Urban Residential Zone Code. The commercial component of the development complies with Probable Solution P1.3 which requires non-residential uses to be located on higher order roads, co-located with other similar uses, not within 800m of another centre zone and not exceeding 600m² maximum GFA.

Further to this, the applicant has submitted an Economic Needs Assessment to Council. The report looks at the Redland Bay Centre, existing centres on School of Arts Road and Collins Street and a future site that may be developed as a centre on Gordon Road. The report was based on the potential market and income of local residents, which has grown since the original needs analysis was done in 2007. Overall, it is considered that the proposal will not detrimentally impact on the function of surrounding centres. The centre will be small in size and is considered to provide predominantly for local convenience needs, catering for local residents.

The site will be attractively landscaped and have minimal impacts on traffic and noise within the locality. The amenity of nearby neighbourhoods will not be negatively impacted by the proposal. The proposal will also fulfil a community need: the new Shop and Refreshment Establishment will provide savings in time and travel costs for local residents; it will provide greater choice and variety in shops and help local employment; it will help to reduce traffic congestion on surrounding roads; and the centre will be co-located with a nearby child care centre and primary school, consolidating an existing hub. Hence, the proposed centre is considered to be appropriate and meets Specific Outcome S1.3.

In accordance with Probable Solution P2.2 the site coverage is less than 50%. The residential density is approximately 1 unit per 295m² which exceeds the 1 per 400m² Probable Solution P2.4(2). However, the Specific Outcome has been met considering approximately 40% of the site will be open space and the dwellings maintain a low rise appearance so the built form will not dominate the site. The building design includes architectural elements, such as pitched roofs, eaves and windows addressing the street, consistent with a typical urban residential area as per S2.5. Adequate private open space has been provided with solar access as per S3.4. Amenity has been addressed and the development complies with Specific Outcome 3 given noise will be mitigated by acoustic barriers and the traffic generated by the development is not considered to have a detrimental impact on the road network. Significant trees have been retained in the open space part of the site and all necessary urban services and infrastructure will be provided to each lot in

accordance with S4.1 & S5.1. Overall, the proposal is considered to comply with the zone code.

Multiple Dwelling - Use Code

Site Layout and Building Design: The building height is less than the 8.5m maximum when measured from the finished ground level. However, it is noted that the height from the natural ground level is approximately 10.1m due to the fill required on site. Notwithstanding, the proposal is considered to comply with Specific Outcome S2.1 as the buildings are low rise and stand alone. Site coverage is less than 40% and the front setback varies between 4.5 and 7m. The standard setback is 6m. However, the proposed articulated setback helps contribute to an attractive streetscape and is therefore considered to comply with Specific Outcome S3(1)(a).

REVISED OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve as follows:

A MATERIAL CHANGE OF USE – DEVELOPMENT PERMIT

That the application for material change of use for the purpose of Multiple Dwelling (17 units), Shop and Refreshment Establishment on the land known as 75-99 Gordon Road, Redland Bay QLD 4165 described as Lot 2 on RP199205 be approved and a development permit be granted subject to conditions.

B CONDITIONS FOR DEVELOPMENT PERMIT

Approved Plans and Documents

- 1. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval. Comply with all of the development approval conditions at no cost to Council prior to the commencement of the use, unless otherwise stated as part of a specific condition of this approval.**

Plan/Document	Plan/Doc Ref	Prepared by	Dated
Hydraulic Assessment Report	Appendix A	Allconnex Water (Opus International Consultants (Australia) Pty Ltd)	11 March 2011
Stormwater Management Plan	N-B0112.00 Rev A	Opus International Consultants (Australia) Pty Ltd	28 October 2010
75-99 Gordon Road, Redland Bay – Acoustic	2239.2 Version	Air Noise Environment Pty	October 2010

Plan/Document	Plan/Doc Ref	Prepared by	Dated
Assessment (revised)	02	Ltd	
Site Plan	RB-SK-40 Rev A	Eric Hebron	Sept 2010
Type A Floor Plans	RB-SK-41 Rev A	Eric Hebron	Sept 2010
Type B Floor Plans	RB-SK-42 Rev A	Eric Hebron	Sept 2010
Streetscape Elevations	RB-SK-43 Rev A	Eric Hebron	Sept 2010
Commercial – Elevs/sections	RB-SK-44 Rev A	Eric Hebron	Sept 2010
Open Space & Landscape Plan	P386 P02 SK	Saunders Havill Group	5-10-10
Landscape Master Plan	P386 Dwg No 01 B	Saunders Havill Group	9-12-10
Plant Species and Material	P386 Dwg No 03 B	Saunders Havill Group	9-12-10
Vegetation Management Plan	Dwg No. P386 E 1.1 VMP A	Saunders Havill Group	19.10.10
Proposed Stormwater Location	Dwg Number 3826 L 04 A	Saunders Havill Group	October

Table 1: Approved Plans and Documents

Design

2. Provide further articulation to the eastern side wall of unit 1 and the southern facing side wall of unit 17. To enhance the entrance and appearance of the development, the identified walls must include a minimum two of the following forms of articulation: eaves, windows, a break in built form or different colours and materials.

Land Dedication

3. Dedicate land to the State as shown on Site Plan RB-SK-40 Rev A, prepared by Eric Hebron and dated 18 May 2007, for future road purposes.

Hours of operation

4. Operate the Shop and Refreshment Establishment between the hours of 6:00am and 10:00pm.
5. Undertake loading and unloading associated with the Shop and Refreshment Establishment between the hours of 7:00am and 7:00pm.

Existing Structures

6. Demolish or relocate all existing structures on site in accordance with the approved plan(s) and cap all services prior to demolition commencing.

Alteration to Utility Services

7. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval. Any cost incurred by Council and/or a relevant Agency must be paid prior to plumbing final or the use commencing, whichever is the sooner.

Refuse Collection – Waste Services

8. Submit to Council a copy of a written agreement with a waste services provider to provide a bulk bin collection service to the development.

Waste Management Plan

9. Submit as part of a compliance assessment application a Waste Management Plan (WMP) in accordance with Chapter 16 – Waste Management and Part 11 – Planning Scheme Policy 9, including but not limited to the following:
 - Internal access roads that enable waste collection vehicles to enter and exit the site in a forward gear and have adequate vertical clearance.
 - Certification by a Registered Professional Engineer of Queensland (RPEQ) that the internal access roads are of adequate design and construction that allow waste collection vehicles to enter and exit the site in a forward gear.
 - Cleaning of all waste and recycling containers to minimise impacts on the environment occupiers and neighbours of the premises. If a bin wash-down bay is to be provided it must be roofed, have a hose and cock located within the vicinity of the bay, and have a hardstand area suitably drained to a trade waste outlet or otherwise to the satisfaction of the local government. Where no on site waste/recycling bin cleansing facilities are provided, a written agreement is made with a private cleansing contractor for the purpose of cleansing the containers, to the satisfaction of the local government.
10. Implement the approved WMP.

Environmental Management Plan

11. Submit as part of a compliance assessment application an Environmental Management Plan (EMP), which addresses the environmental aspects of the site and management of the potential environmental impacts of the proposed development both for construction and operational phase of the project.

12. Implement the approved EMP during construction and operation of the use.

Environmental Protection Zone Rehabilitation

13. Submit as part of a compliance assessment application a rehabilitation plan for the area within the Environment Protection Zone by removal of weeds specified in the Redlands Planning Scheme Schedule 9 Weeds Species List. All areas where weeds are removed and open areas not containing native vegetation must be rehabilitated. Rehabilitation methodology, planting densities and species must be generally in accordance with the Redland City Council Vegetation Enhancement Strategy November 2007, the South East Queensland Ecological Restoration Framework or as otherwise approved by Council.

14. Implement the approved plan prior to the use commencing.

Development Areas and Covenant Areas

15. Undertake development in accordance with the following:

- a) Development is permitted within the area shown on Site Plan RB-SK-40 Rev A, prepared by Eric Hebron and dated Sept 2010.
- b) A development exclusion area (to be termed "covenant area") must be designated for the area outside the development area. After site inspection and approval of the designated covenant area by an Environmental Assessment officer, the areas must be surveyed and pegged on-site, prior to the start of construction works.
- c) The applicant must register a covenant, with the Department of Environment and Resource Management for the development exclusion area, with Redland City Council as covenantee. The covenant must regulate the preservation of the physical and natural features of the area within the designated covenant area. The covenant is binding on the covenantor and the covenantor's successors in title. The covenant must indicate all conditions contained in this section of this approval and must be approved by Council as part of an application for compliance assessment.
- d) All buildings and other improvements (including child/animal-proof fences, sheds, tennis courts, pools, outdoor entertainment features such as barbecues and gazebos, effluent disposal areas, domestic gardens, planting and maintenance of lawns (defined as non-native grasses), cut and fill batters, retaining walls), must be located entirely outside the exclusion area. The stormwater discharge may be located within the covenant area.
- e) Use of the land within the designated covenant area must be of a passive recreational nature (for example, walking, bird watching) and is to have minimal impact on vegetation and the natural environment. Passive recreational use does not include access by domestic animals or livestock, exercising of domestic animals, the use of wheeled or tracked vehicles including bicycles and motorcycles, constructed walking or cycling tracks, construction and use of barbecues,

fireplaces and other recreational structures, construction and use of tennis courts, play equipment, pools, and similar facilities.

- f) All native vegetation within the covenant areas is protected. The definition of native vegetation includes native vegetation whether living, or dead or fallen in-situ; and
- g) The natural land surface, fauna habitat, vegetation, and any watercourses within the covenant areas are protected.

Tree Management Plan

16. Submit as part of a compliance assessment application a tree management plan highlighting any tree which is within the residential and commercial areas and within one tree height of any public access area. Establish fenced tree protection zones for all trees to be retained prior to the commencement of any works.

Koala Habitat Tree Contribution

17. Undertake offset planting on site. Submit to Council a koala habitat tree contribution for the offset planting of koala habitat trees where the applicant has been unable to replant on-site. The required contribution will be calculated on a per tree unit rate applicable at the time of payment and must be made prior to commencement of use. (Note: The rate of contribution is reviewed by Council annually. The current rate is \$150.00 per koala habitat tree).

Fauna Management

18. Appoint, at least 14 days before commencement of any vegetation removal, dewatering or earthworks, a wildlife spotter to examine the site for wildlife habitat, and to supervise clearing operations.

During clearing operations, the clearing contractor must:

- liaise with the on-site spotter; and
- ensure that each tree or other feature identified by the spotter as being a risk to wildlife if felled, disturbed or dewatered, is not damaged or disturbed until either:
 - the wildlife has moved from the operational site of its own volition; or
 - if the spotter holds a rehabilitation permit granted under the *Nature Conservation Regulation 1994* specifically to allow wildlife to be caught and moved – the wildlife is removed and transported from the clearing site to prescribed natural habitat in accordance with the conditions of the permit.

Where the on-site spotter does not hold a rehabilitation permit, the clearing contractor must ensure that vegetation clearing is undertaken only by sequential clearing. Habitat corridors and links are to be maintained during sequential clearing to allow the natural movement of animals from the site being cleared to neighbouring habitat areas.

Before commencement of, and during, clearing operations, it is the responsibility of the spotter to:

- be present at the site of clearing, dewatering, and other operations;
- identify any tree or feature with wildlife present, as well as any tree that has a crown which is intermeshed or overlapping with such a tree;
- advise the contractor of the precise location of each such tree or other feature.

Noise Management Plan

19. Implement the noise management plan in Appendix E of the acoustic report titled *75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd*. This plan must be reviewed regularly and Council must be notified of any intended amendments to the noise management plan. Amendments to the noise management plan must not be implemented prior to gaining Council approval.

Acoustic Barriers

20. Construct a 1.8 to 2.5 metre high acoustic barrier as follows:

- at the rear of units 1 - 5 as shown in section 4.6.2 and figure 6 of the acoustic report; and
- at the rear of units 9 -11 as shown in section 4.6.2 and figure 6 of the acoustic report.

The acoustic barrier must be constructed to achieve at least a standard that achieves a superficial mass of not less than 12.5kg/m^2 and total leakage of <1% of the total area. Guidance on the design of the barriers is provided in the acoustic report titled *75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd*.

Any acoustic barriers that are over 2.0 metres in height must be a fence / mound combination and constructed in accordance with diagrams 3/4/5 of Redland Planning Scheme Policy 5 - *Environmental Emissions*.

Pre Construction Acoustic Barriers Certification

21. Submit as part of a compliance assessment application plans and specifications detailing the design and construction of the noise barriers. The plans and specifications must be certified by a suitably qualified acoustic consultant indicating that the noise barrier achieves the requirements of this decision notice, *75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd* and Redland Planning Scheme Policy 5 - *Environmental Emissions*.

Post Construction Acoustic Barrier Certification

22. Submit to Council prior to the commencement of use a post construction certification for the acoustic barrier. The acoustic barrier must be physically assessed by a suitably qualified acoustic consultant, verifying by way of a written report, that the acoustic barrier complies with the requirements of condition 25.

Building Attenuation

23. Incorporate into the construction of units 1 to 17, as specified in section 6.1 and 4.6.3 of the acoustic report 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd, the following:

- Building attenuation as shown in table 4.7 is to be achieved by the incorporation of building materials into the building construction; and
- Mechanical ventilation must be provided for all rooms and units identified in Table 4.7, while maintaining the acoustic performance of the units.

Pre Building Construction Certification

24. Submit as part of a compliance assessment application, evidence that all building and construction plans have been certified by a suitably qualified acoustic consultant. Demonstrate that the development complies with the conditions of this approval (condition 28) and 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd. Where appropriate, acoustic measures to be incorporated within the development design, must be identified on the plans.

Post Building Construction Certification

25. Submit to Council prior to the commencement of use a post construction certification for the affected buildings. The certification must be provided by a suitably qualified acoustic consultant. This certification must demonstrate that the development complies with the conditions of this approval (condition 28) and 75-99 Gordon Road, Redland Bay – Acoustic Assessment (Revised) October 2010, Prepared by Air Noise Environment Pty Ltd.

Car Wash Bay (6 dwellings or more)

26. Construct a car washing facility that is designed as follows:

- Roofed, bunded and drained to sewer via an approved oil interceptor / separator, in accordance with Council's Trade Waste requirements;
- The use of the oil interceptor / separator cannot be shared with any interceptor required for bin wash bays;
- Limiting the ingress of rainfall and overland flow; and

- Minimising water usage.

Compliance Assessment

27. Submit and gain Council approval for Compliance Assessment for the following purposes associated with the conditions of this development, prior to commencement of any works on site:

- Stormwater drainage and management;
- Water supply and reticulation (under delegation from Allconnex Water);
- Sewerage supply and reticulation (under delegation from Allconnex Water);
- Road and footpath works;
- Excavation and Fill;
- Sediment and erosion control;
- Open space works;
- Landscape works;
- Access, circulation and parking.

The matters above must be assessed against the relevant sections of the Redlands Planning Scheme and any applicable Australian Standards, development guidelines and best practice documents.

Hours of Construction

28. Undertake activities associated with the construction of the use only between the hours of 7.00am and 6.00pm on Monday to Friday and 7.00am and 5.00pm on Saturday, excluding public holidays, in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works.

Electricity Supply

29. Design and install underground electricity to the development in accordance with the requirements of the relevant service provider and Council. Provide Council with written confirmation of the service provider agreement to the supply of electricity, prior to any works associated with this Development Permit commencing. Decommissioning of any existing overhead supply and poles, made redundant by the approval, forms part of the electrical works.

Locate any pad-mounted transformer within the site boundaries to minimise the visual impact to the development.

Telecommunications

30. Provide a certificate of supply from a relevant telecommunications provider/supplier as part of the compliance application, which confirms that the development is able to be supplied with telecommunications services.

Water Supply Connection

31. Connect the development to the existing reticulated water supply system and provide suitable water meter(s), at no cost to Council, in accordance with the Redlands Planning Scheme Policy 9. This work includes all external augmentation required to bring an adequate water supply and pressure to the site.

Water Supply Extension

32. Construct adequate augmentation of the existing water supply network to provide sufficient fire flow of 30L/s for the commercial development by undertaking one of the following two options (Refer to Figure 1 – Extension of Serpentine Ck PRV Zone):
1. Construct DN200mm x 530m water main along Cleveland Redland Bay Road as shown on Figure 2 – Option 1; or
 2. Construct water mains in conjunction with DA SB005250. A DN200mm main connection is required from Plum Court into the proposed DN150mm loop main of DA SB005250. At the completion of the loop at the access road of DA SB005250, a DN200mm main will be required to cross Giles Road, then from this point a DN200mm main will be required to be connected to Gordon Road reticulation opposite Gloria Parade as shown on Figure 3 – Option 2.

Fire Hydrants

33. Where applicable, the developer must provide fire spring hydrants in accordance with - Australian Standard 2419.1:1994 - Fire hydrant installation - System design, installation and commissioning; the Building Code of Australia; and the Queensland Fire and Rescue Authority.

Sewerage Connection

34. Connect the development to the existing sewerage system, in accordance with the Redlands Planning Scheme Policy 9, at no cost to Council. This includes augmentation works external to the development as required to adequately service the development.

Sewer Network Augmentation

35. Construct adequate augmentation of the existing sewerage network to service the commercial development as per the submitted Hydraulic Assessment report and the proposed sewer extension layout (Appendix B) by Allconnex Water, dated 11 March 2011.

Development Near Underground Infrastructure

36. Site buildings and structures to avoid building over existing sewer infrastructure unless otherwise approved by Council. The distance between any part of a building or load bearing structure and the existing sewer must not be less than 2.0 metres when pipes are >300mm in diameter or not less than 1.5m when pipes are <300mm in diameter.

Stormwater Management

37. Submit as part of a compliance assessment application detailed design and engineering drawings, generally in accordance with the Stormwater Management Plan prepared by Opus International Consultant Pty. Ltd. dated 28 October 2010, including but not limited to the following:

- Stormwater drainage in accordance with the Redlands Planning Scheme Policy 9 and the Queensland Urban Drainage Manual (QUDM).
- Design and certification by an RPEQ.
- Network augmentation, if reasonably necessary, for the purpose of stormwater discharge.
- Demonstration that development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties, including road reserves, and will not adversely impact on flooding or drainage (peak discharge and duration for all events up to the 100 year Average Recurrence Interval (ARI)) of properties that are upstream, downstream or adjacent to the site.
- Stormwater drainage from roofed and paved areas must be discharged to an approved drainage system within the subject site and adjoining road reserve(s).
- Construction of driveways and drainage to the Council and/or Department of Main Roads standards, including the provision for an ARI 100 years overland flow through driveways, open space areas or easements over adjoining properties. An assessment of the effect of 50% blockage of inlets must be included in the drainage calculations.

38. Submit as part of a compliance assessment application a detailed Stormwater Quality Management Plan generally in accordance with the Stormwater Management Plan prepared by Opus International Consultant Pty. Ltd. dated 28 October 2010, including but not limited to the following:

- Stormwater quality devices in accordance with the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland or as otherwise approved by Council.

- Provide detailed drawings of the proposed stormwater quality treatment system and any associated works complete with an electronic copy of any MUSIC Model as part of an application for compliance assessment.
 - The detailed plan must demonstrate that the system is designed and located to minimise the removal of existing native vegetation.
 - The plan must include details of the maintenance programme during the two year On Maintenance period for the stormwater treatment system and the long term maintenance. The maintenance plan as part of the Stormwater Quality Management Plan must be prepared and approved by Council for the ongoing maintenance of the system as part of the management of the site. This must include annual reporting to Council of compliance with the maintenance program and system performance.
39. Submit as part of a compliance assessment application, detailed design, specifications and engineering plans, designed and certified by an RPEQ for a stormwater detention system required for the site. Comply with A.S.3500.3:2003 Plumbing and Drainage - Stormwater Drainage, Council's standards and the relevant provisions of the Queensland Urban Drainage Manual (QUDM). The supporting documentation for this application will include a maintenance and pest control program for the proposed system.
40. Implement the approved plans and specifications prior to the use commencing.

Frontage Works

41. Submit as part of a compliance assessment application plans and specifications for frontage works, including but not limited to the following:
- A pedestrian crossing across Gordon Road between the site entrance and Gloria Parade;
 - Footpath earthworks, topsoiling and turfing of all disturbed footpath areas;
 - A kerb ramp must be provided at the Gordon Road/Giles Road intersection so as to provide a connection to the existing path on the eastern side of Gordon Road.
 - A minimum of 2m wide pedestrian path along the length of the development site on the Gordon Rd frontage.
 - Reinstatement of concrete kerb and channel where required;
 - Entry treatment/access to the site;
 - Adjustment and relocations necessary to public utility services resulting from these works;
 - Signage and line marking as per the Department of Transport and Main Roads standard titled the Manual of Uniform Traffic Control Devices (MUTCD).

42. Implement the approved plans and specifications prior to the use commencing.

Redundant Crossovers

43. Remove all redundant vehicle crossovers and reinstate kerb and channel, road pavement, service and footpaths as specified in accordance with the standards in the Redlands Planning Scheme Policy 9.

Vehicle Parking

44. Provide on-site parking to accommodate 85 cars (34 spaces for the residential units, 8 visitor spaces, 41 spaces for the shop and refreshment establishment inclusive of 2 disabled spaces) and 1 HRV loading dock in accordance with the approved plans.

Parking, Access and Circulation

45. Submit as part of a compliance assessment application engineering plans and specifications for the construction of proposed access, car parking facilities and internal circulation driveways, including but not limited to the following:

- Driveways, circulation driveways, parking aisles and car parks to comply with the Redlands Planning Scheme Part 9, Schedule 1 – Access and Parking, and the Australian Standard 2890.1 – Parking Facilities – Off Street Car Parking;
- On-site car parking spaces including disabled and bicycle spaces, and loading bay facilities for a Heavy Rigid Vehicle (HRV), in accordance with the Redlands Planning Scheme Part 9, Schedule 1 – Access and Parking. Facilities must be designed in accordance with Australian Standard 2890.2 – Off-street Commercial Vehicle Facilities;
- Internal layouts designed for the turning movements of a Heavy Rigid Vehicle and Waste collection Vehicle that ensure that these vehicles are able to enter and exit the site in a forward direction;
- Disabled access in accordance with the relevant requirements of the Building Code of Australia and the Disability Discrimination Act

46. Implement the approved plans and specifications. Prior to occupancy or the use commencing, the Supervising Engineer must submit a certificate certifying that all work has been satisfactorily completed to the quality control criteria for this site.

47. Maintain and manage parking, access and circulation in accordance with the following:

- Ensure access to car parking spaces, bicycle spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available during the hours of operation; and
- Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward gear.

Earthworks

48. Submit as part of a compliance assessment application plans and specifications for earthworks, including but not limited to the following:

- Excavation and fill protects the safety of people and property by –
 - iv) where involving gradients or embankments comply with Schedule 1 point 4 – “Particular filling or excavation” of the Building Regulation 2006;
(note: Please disregard this Condition item if the cut or fill proposed for an approval is deeper than 1m above or below the natural ground surface for the relevant building or structure)
 - v) ensuring retaining walls or structures –
 - are designed in accordance with Section 3 of *Australian Standard 4678:2002 (as amended) – Earth Retaining Structures*;
 - have a design life of not less than 60 years;
 - vi) ensuring compaction is carried out in accordance with -
 - *Australian Standard 3798:2007 (as amended) – Guidelines on earthworks for commercial and residential developments*;
 - *Australian Standard 2870:1996 (as amended) – Residential slabs and footings - construction*.
- Excavation and fill prevent land or water contamination, or the harbourage of vermin by ensuring –
 - iii) the controlled use of clean, dry, solid, inert building material as per section 4 of *Australian Standard 3798:2007 (as amended) - Guidelines on earthworks for commercial and residential developments*; and
 - iv) where the site contains contaminated material, the removal of contaminated material is disposed to an approved landfill under the conditions of a disposal permit issued under the *Environmental Protection Act 1994*.
- Where any retaining wall is greater than 1m high it must be stepped 0.5m to provide landscaping.

49. Implement the approved plans and specifications

Landscaping Works

50. Submit as part of a compliance assessment application plans and specifications for landscaping generally in accordance with Revised Landscape Master Plan drawing no: 1, issue B and Plant Species and Material, drawing no: 2, issue B, dated 15.06.09 by Saunders Havill Group and in accordance with the Redlands Planning Scheme Policy 9, Chapters 2, 10 and 11. The following items must be provided in addition to the requirements of the Policy:

- Where there is existing vegetation, street trees or overhanging trees from adjacent land show where these trees are to be removed or

retained. Saunders Havill Drawing No P386 E 1.2 VMP A details trees for retention and removal. Prior to removal, these trees are to be tagged and approved for removal by Redland City Council.

- Screen planting, specifically, the provision of tall columnar trees that provide screening along the western building elevation of units 1, 6 and 17;
- A pedestrian path link on the left-hand side of the entrance to enable pedestrian access to the commercial building.
- A 2m wide landscape buffer where the development footprint fronts Gordon and Giles Roads. Any fencing or retaining walls along Gordon and Giles Roads must be located behind the 2m wide landscape buffer or integrated with the landscape buffer;
- Details of street tree planting (24 street trees to Gordon Road and 15 street trees to Giles Road) with species selected from Schedule 9. Stock sizes must be not less than 100 litres with a minimum height of 2 metres, unless otherwise negotiated with the Council. Species selection must be as specified in the Redland City Council Street Tree Implementation Note May 2009;
- Details of lighting to communal open space, driveways, public carparks and footpaths within the site. The lighting design must incorporate the principles of Crime Prevention through Environmental Design (CPTED) and achieve the requirements of Planning Scheme Policy 16 – Safer by Design;
- Construct a pedestrian path linking Gordon Road to the proposed Commercial Building in accordance with the Landscape Master Plan (amended in red);
- All internal pathway / pedestrian connections are to comply with Australian Standard 1428.1-4: 2001 - Design for Access and Mobility;
- Construct pedestrian access gates along the rear boundary fence line of units 11 to 17 to allow resident access to Gordon Road;
- One cigarette disposal unit such as Butt Out or ECO Elegance products. The units must be placed at entries and exits to the shop building be free – standing or fixed to posts or wall mounted;
- Six (6) bicycles racks and (1) one seat with a back within the development site; and
- A maintenance plan for the entire landscaping component of the development.

NOTE: Street trees must not conflict with services (underground and overhead). If there are Energex overhead power lines, the tree species selection must not conflict with the height of powerlines and the provision of continuous power.

51. Implement the approved plan prior to the use commencing.

Fencing & Landscape Buffer

52. Construct/erect front fences and walls with a maximum height of:

- a) 1.2m where the fence is solid; and
- b) 1.8m where the fence has openings or material that makes it greater than 30% transparent in appearance.
- c) Where the fence is to be located on top of a retaining wall, the fence must be setback a minimum 1m and landscaping must be included within the setback. This is to ensure that no fence/wall combination is greater than 2m without some form of visual breakup.

Ensure that fences do not block or interrupt flow paths and do not exceed 10m in length without some form of articulation or detailing to provide visual interest.

Lighting

53. Provide lighting designed in accordance with Australian Standard 4282:1997. Ensure the design details integrate the principles of Crime Prevention through Environmental Design (CPTED) theory.

54. Provide overhead lighting to building entries in accordance with the principles of Crime Prevention through Environmental Design (CPTED). Design the lighting to minimise the potential for light spillage to cause nuisance to neighbours.

55. Ensure all car park lighting complies with the requirements outlined in the Australian Standard for Off-Street Car Parking (A.S.2890.1:2004) or any Australian Standard in substitution for this standard.

56. Install and maintain, at no cost to Council, a street and path lighting system to A.S. 1158.1 and Energex requirements, to operate from dusk to dawn, on all roads within and bounding the development and to all areas where the public will be given access.

C REFERRAL AGENCY CONDITIONS

A copy of the Department of Main Roads Referral Agency (Concurrence Agency) conditions is attached to this decision.

Note: Council's conditions incorporate those of any referral agency.

D ADDITIONAL PERMITS / APPROVALS REQUIRED

1. Submit an application to Council for Compliance Assessment approval for the following:

- Stormwater drainage and management;
- Water supply and reticulation;
- Sewerage supply and reticulation;

- Road and footpath works;
- Sediment and erosion control;
- Open space works;
- Landscape works;
- Access, circulation and parking.

The matters above must be assessed against the relevant sections of the Redlands Planning Scheme and any applicable Australian Standards, development guidelines and best practice documents.

2. Building Works and Plumbing and Drainage Works approvals are required.
3. Obtain a road opening permit from Council where any works are proposed within an existing road reserve. This approval must be obtained prior to the works commencing.

E ADVICE

1 Relevant Period

This development permit for a material change of use will remain current for a period of four (4) years starting the day the approval takes effect, as per sections 3.5.21(1) and 3.5.19 of the *Integrated Planning Act 1997*.

2 Fire Ants

Certain areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). The movement of extracted or waste soil, retaining soil, turf, pot plants, plant material, baled hay/straw or mulch/green waste/fuel into, within and out of the City from a property inside a restricted area is subject to approval of the Department of Primary Industries(DPI) - RIFA Movement Controls. Further information can be obtained from the DPI Call Centre 13 25 23 or on their web site www.dpi.qld.gov.au/fireants .

3 Rainwater Harvesting Systems

In accordance with Part MP 4.2 of the Queensland Development Code (QDC) all new Class 1 buildings must include a rainwater tank or alternative water substitution measures.

4 Allconnex Water

As of 1 July 2010, water and wastewater services previously provided by Redland City Council are no managed by Allconnex Water. Allconnex Water is the specialist water and wastewater business servicing the Gold Coast, Logan and Redland districts. The Allconnex Water business has been established under the State Government's South East Queensland Water Reform, which was initiated to improve the delivery of water services in South East Queensland. The Gold Coast, Logan and Redland Councils own the Allconnex Water business and therefore the earnings are invested back into each of these districts through the three Councils. Further information can be obtained from Allconnex Water on 1300 000 928 or on the website www.allconnex.com.au.

5 Water and Sewer Headworks Contributions

Conditions requesting payment of Water and Sewer Headworks Contributions are no longer included in the Decision Notice. Water and Sewer Headworks

Contributions, under Policy 3 of the Redlands Planning Scheme, are now levied by way of an Infrastructure Charges Notice issued by Allconnex Water.

6 Mechanical Plant

Mechanical plant (air conditioning, refrigeration equipment and pumps) must comply with the *Environmental Protection Act 1994*.

Air conditioning and refrigeration equipment must achieve not more than 3dB(A) above the background level from 10pm to 7am and not more than 5dB(A) above the background level from 7am to 10pm when measured at an affected building.

Pumps (including heat pumps) must not be audible from 10pm to 7am, not more than 5dB(A) above the background level from 7am to 7pm and not more than 3dB(A) above the background level from 7pm to 10pm when measured at an affected building.

To ensure that mechanical plant achieves the above criteria it is essential that consideration is given to its location and design prior to installation. Where mechanical plant does not comply with the above requirements, consideration will be given to taking enforcement action under the *Environmental Protection Act 1994*. Enforcement action may include the issuing of Direction Notices and this may require the relocation, redesign, installation of attenuation or removal of the mechanical plant.

For further information on mechanical plant it is recommended that you contact Council's Health and Environment Team on 3829 8855.

7 Fill External to the Site

Any borrowing or filling in excess of 300mm in depth will require Council approval in accordance with the provisions of the Redlands Planning Scheme.

CARRIED

DIVISION

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

AGAINST: Crs Bowler and Townsend.

Cr Murray was not present when this motion was put.

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION – CR WILLIAMS

19.1.1 DIRECT DEBIT FACILITIES FOR PAYMENT OF RATES

In accordance with notice given on 20 March 2012, Cr Williams moved as follows:

COUNCIL RESOLUTION

Moved by: Cr K Williams

Seconded by: Cr B Townsend

That Council:

- 1. Initiate direct debit facilities for payment of rates; and**
- 2. Provide the necessary processes and framework as soon as practical in the financial year 2012/13.**

CARRIED

DIVISION

FOR: Crs Reimers, Bowler, Williams, Townsend, Boglary and Hobson.

AGAINST: Cr Henry.

Crs Burns, Murray, Elliott and Ogilvie were not present when this motion was put.

20 CLOSED SESSION

MOTION TO CLOSE THE MEETING AT 6.11PM

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

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

20.1.1 Proposed Site Acquisition for Offsite Car Park Associated with Weinam Creek Parking Project

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

CARRIED

At 6.11pm the meeting became inquorate, with Crs Murray, Ogilvie, Burns, Elliott, Reimers, Henry and Boglary having left the Chamber.

The meeting became quorate at 6.19pm when Crs Elliott, Reimers and Henry returned to the meeting.

Cr Boglary returned at 6.29pm.

MOTION TO REOPEN MEETING AT 6.40PM

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

That the meeting be again opened to the public.

CARRIED

20.1 CITY SERVICES

20.1.1 PROPOSED SITE ACQUISITION FOR OFFSITE CAR PARK ASSOCIATED WITH WEINAM CREEK PARKING PROJECT

Datworks Filename: LUP - Planning - Redland Bay Centre and Foreshore Master Plan

Responsible Officer: Louise Rusan
General Manager City Services

Author: Elisa Underhill
Manager City Enterprises

EXECUTIVE SUMMARY

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

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

That Council resolve to delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to negotiate and execute an unconditional contract for the acquisition of the 'preferred site' to accommodate the offsite car park.

CARRIED

DIVISION

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

AGAINST: Crs Elliott and Williams

Crs Murray, Burns and Ogilvie were not present when this motion was put.

21 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 6.41pm.

Signature of Chairperson: _____

Confirmation date: _____