



Redland
CITY COUNCIL

REPORT

COORDINATION COMMITTEE MEETING

Wednesday, 21 August 2013

**The Council Chambers
35 Bloomfield Street
CLEVELAND QLD**

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The Mayor is the Chair of the Coordination Committee. Coordination Committee meetings comprise of *Portfolios* chaired by Council's nominated spokesperson for that portfolio as follows:

PORTFOLIO	SPOKESPERSON
1. Community & Environmental Health and Wellbeing; Animal Management; Compliance & Regulatory Services	Cr Wendy Boglary
2. Economic Development, Governance, Service Delivery, Regulations and Emergency Management	Mayor Karen Williams supported by the Deputy Mayor Alan Beard
3. Tourism and CBD Activation	Cr Craig Ogilvie
4. Commercial Enterprises (Water, Waste, RPAC, etc)	Cr Kim-Maree Hardman
5. Open Space, Sport and Recreation	Cr Lance Hewlett
6. Corporate Services	Cr Mark Edwards
7. Planning and Development	Cr Julie Talty
8. Infrastructure	Cr Murray Elliott
9. Environment; Waterways and Foreshores	Cr Paul Gleeson
10. Arts, Culture and Innovation	Cr Paul Bishop

1 DECLARATION OF OPENING

The Mayor declared the meeting open at 11.06am.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

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

EXECUTIVE LEADERSHIP GROUP:

Mr B Lyon	Chief Executive Officer
Mr L Wallace	Acting General Manager Organisational Services
Mrs L Rusan	General Manager Community & Customer Services
Mr G Soutar	General Manager Infrastructure & Operations
Mr G Holdway	Chief Financial Officer

MINUTES:

Mrs E Striplin	Corporate Meetings & Registers Team Officer
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**3 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF
INTEREST ON ANY ITEMS OF BUSINESS**

Nil

4 MOTION TO ALTER THE ORDER OF BUSINESS

Nil

5 PORTFOLIO 2 (MAYOR KAREN WILLIAMS)
(Supported by Deputy Mayor Cr Beard)

**ECONOMIC DEVELOPMENT, GOVERNANCE, SERVICE DELIVERY,
 REGULATIONS AND EMERGENCY MANAGEMENT**

5.1 ORGANISATIONAL SERVICES

5.1.1 OPERATIONAL PLAN 2012/13 QUARTERLY PROGRESS REPORT

Datworks Filename: GOV Corporate Performance Reporting - Quarterly

Attachment: [June 2013 Quarterly Operational Plan](#)

Responsible/Authorising Officer:



Nick Clarke
General Manager Organisational Services

Author:

Jo Jones
Services Manager Corporate Planning and Performance

PURPOSE

The purpose of this report is to present Council with an update regarding delivery of the Operational Plan 2012/13. This report is the final report and provides an update to 30 June 2013.

Under the *Local Government Act 2009* Council must review progress against the annual operational plan at least quarterly.

BACKGROUND

The Operational Plan 2012/13 was adopted in June 2012 and outlines key projects which contribute to the delivery of the Corporate Plan 2010-2015. The attached report outlines the status of each project, together with a comment from the responsible area within Council.

The report aims to provide a year end summary of the delivery of the plan.

ISSUES

The attached report includes the status of each project together with a comment from the relevant area of Council. The table below provides a summary as at 30 June 2013. This summary includes those projects which were carried forward from 2011/12.

	Number
Completed	67
Cancelled	1
Carried forward for ongoing monitoring	10
Included in Operational Plan 2013/14	6
Total	84

In the final quarter, one project is cancelled from the operational plan. The cardboard recycling project will progress through the Portfolio Management Office (PMO).

Ten projects were not completed at 30 June 2013 and will continue to be monitored as part of the quarterly reports until they are complete.

Six projects have been included in the Operational Plan 2013/14.

STRATEGIC IMPLICATIONS

Council's Operational Plan 2012/13 is an important statutory plan which sets out Council's plans to deliver the Corporate Plan 2010-2015 to achieve the vision, outcomes and goals of the Redlands 2030 Community Plan. The Operational Plan 2012/13 includes a wide range of projects which directly contribute to the delivery of Council's agreed outcomes. Tracking progress against this plan provides a useful assessment of Council's performance in delivering against its plans.

LEGISLATIVE REQUIREMENTS

The *Local Government Regulation 2012* (section 174) states that "*the chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals not more than 3 months.*" Under the same section of the regulation, Council is allowed to amend the plan at any time before the end of the financial year.

Risk Management

The risk of not delivering against Council's operational plan is that Council does not achieve the commitments set out in the longer term corporate and community plans. Each project would have associated risks which would be managed by the relevant area of Council.

Financial

The Operational Plan 2012/13 is funded from the annual budget.

People

Projects within the Operational Plan 2012/13 are managed by the appropriate area of Council. The status and comments in the attached report have been provided by the relevant officer and compiled by Council's Corporate Governance Group. Although the delivery of the plan itself is dependent on staff resources and some projects relate to people issues, there are not direct impacts on people issues resulting from this report.

The attached report does not reflect the changes made in the recent organisational restructure Corporate Governance are working to update the performance reporting system to reflect the new structure. The next report for quarter one of 2013/14 will reflect the new departments and groups.

Environmental

Some projects within the Operational Plan 2012/13 directly contribute to Council's environmental commitments, in particular those related to Council's outcome 'Healthy Natural Environment'. However, this report does not have any direct environmental impacts.

Social

Some projects within the Operational Plan 2012/13 directly contribute to Council's social agenda, in particular those related to Council's outcome 'Strong and Connected Communities'. Almost all projects would have some degree of social impact but the progress report itself does not have any direct social impacts.

Alignment with Council's Policy and Plans

Council's Operational Plan 2012/13 outlines planned activities and projects against the nine outcomes in the Corporate Plan 2010-2015. Therefore, it is a key planning document and consistent with both the Corporate Plan 2010-2015 and the Redlands 2030 Community Plan.

CONSULTATION

The Corporate Governance Group has prepared the attached report in consultation with the relevant officers and managers within Council. The status and comments have been provided by the officers involved in delivering the particular projects within the Operational Plan 2012/13.

OPTIONS

1. That Council notes the quarterly progress report against delivery of Council's Operational Plan 2012/13.
2. That Council notes the quarterly progress report against the Operational Plan 2012/13 but requests additional information to be provided after this meeting.
3. That Council defers discussion of the report until the next meeting of the Co-ordination Committee so additional information can be provided.

OFFICER'S/COMMITTEE RECOMMENDATION

Moved by: Cr A Beard

Seconded by: Cr J Talty

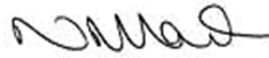
That Council resolve to note the Operational Plan 2012/13 end of year report.

CARRIED 11/0

5.1.2 2013 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND CONFERENCE

Datworks Filename: GOV LGAQ Annual Conference

Responsible/Authorising Officer:



Nick Clarke
General Manager Organisational Services

Author:

Trevor Green
Principal Advisor Corporate and Democratic Governance

PURPOSE

The purpose of this report is to;

1. Advise Council of the Local Government Association of Queensland (LGAQ) Annual Conference to be held in Cairns;
2. Recommend attendance by two Councillor delegates; and
3. Allocate Council's voting rights for the conference.

BACKGROUND

The LGAQ Annual Conference is the principal conference in Queensland relating to local government. The conference specifically caters for the important and challenging role of leading local governments in Queensland.

The LGAQ Annual conference is included in the Councillors' list of mandatory training for attendance by at least one Councillor (Expenses Reimbursement and Provision of Facilities for Councillors Guideline GL-3076-001).

ISSUES

The LGAQ 117th Conference is to be held in Cairns from 21-24 October 2013. The conference theme for this year is *Value for Money*. The *Value for Money* theme is a reflection of the financial climate which is increasingly seeing Queensland councils being asked to deliver 'more with less'. A broad array of speakers from all tiers of government will be presenting at the conference on a range of topical areas.

The keynote speakers at the conference include:

1. Cr Sir Merrick Cockell - Chair, UK Local Government Association;
2. Dr Neil Norton-Knowles - Fiscal Economist and Financial Adviser; and
3. Rt Hon Cr Graham Quirk, Lord Mayor of Brisbane.

The programme also includes a number of forums including a Mayors Panel to explore the issue of councils providing value for money.

As a full member of the LGAQ, Council can send two official delegates to the LGAQ Annual Conference as well as other attendees, if it so desires.

In addition to the program of speakers, as an LGAQ full member, Council is entitled to vote on both proposed changes to the LGAQ Policy Statement and any motions put forward by members. Council has six votes at the LGAQ Annual Conference, which can be wholly exercised by one delegate or may be split in any proportion Council determines between two delegates.

STRATEGIC IMPLICATIONS

Legislative Requirements

There are no legislative requirements associated with this report.

Risk Management

Non-attendance by Council at the conference results in a lost opportunity for Redland City Council to voice its views in matters being considered (voted on) at the conference.

Financial

This recommendation does not require any change to the current year's budget as funds have already been allocated. There are no conference fees for Council's delegates, as the cost of attendance for two representatives is included in Council's annual membership to the LGAQ.

People

Council's representation at the LGAQ Annual Conference provides the opportunity for Councillors to keep abreast of contemporary and emerging issues in local government and associate with leaders in this field and other elected representatives from across Queensland.

Environmental

There are no environmental issues associated with this report.

Social

Attendance at the LGAQ Annual Conference supports Councillors provide the highest level of leadership to the organisation and the Redland's community.

Alignment with Council's Policy and Plans

Relationship to Corporate Plan

The recommendation primarily supports Council's Strategic Priority 9 of delivering an efficient and effective organisation.

- 9.1 Deliver excellent leadership throughout the organisation for the benefit of the community

CONSULTATION

Consultation has occurred with the Local Government Association of Queensland and the Office of the Mayor.

OPTIONS

1. That Council resolve as follows:

- a) That Council be represented by two Councillors as official delegates to the 2013 LGAQ Annual Conference; and
 - b) That Council's voting rights at the conference are split equally between the two official delegates.
2. That Council be represented by one Councillor as official delegate to the 2013 LGAQ Annual Conference with full voting rights.
 3. That Council is not represented at the 2013 LGAQ Annual Conference.
 4. That Council resolve as follows:
 - a) That Council be represented by two Councillors as official delegates to the 2013 LGAQ Annual Conference;
 - b) That Council's voting rights at the conference are split equally between the two official delegates; and
 - c) That further Councillors attend the conference as unofficial attendees.

COMMITTEE DISCUSSION

It was agreed that Crs Boglary and Talty be nominated as the official delegates, representing Council at the 2013 LGAQ Annual Conference.


OFFICER'S/COMMITTEE RECOMMENDATION

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

That Council resolve as follows:

- 1. That Council be represented by two Councillors as official delegates to the 2013 LGAQ Annual Conference; and**
- 2. That Council's voting rights at the conference are split equally between the two official delegates.**

CARRIED 11/0

6 PORTFOLIO 6 (CR MARK EDWARDS)
CORPORATE SERVICES**6.1 ORGANISATIONAL SERVICES****6.1.1 DELEGATED AUTHORITY - EDRMS PROCUREMENT TENDER****Datworks Filename:** T-1644-13/14-RCC**Authorising Officer:****Nick Clarke**
General Manager Organisational Services**Responsible Officer:****David MacNiven**
Group Manager Information Management**Author:****Ellen Jenkins**
Service Manager IT Technical Services

PURPOSE

The purpose of this report is to seek Council resolution to delegate authority to the Chief Executive Officer, under Section 257(1)(b) of *the Local Government Act 2009*, to accept the tender (T-1644-13/14-RCC) and to make, vary and discharge a contract with a value over \$500,000 (excluding GST) for the provision of the supply and installation of a new Electronic Document and Records Management System (EDRMS).

BACKGROUND

This procurement is an integral part of the implementation of the Information Management Strategy 2012-2017. This is a strategy that was adopted by Council on the 28th November 2012 (Item No. 13.1.1).

This proposal is to improve the management of electronic documents and records and is seeking tenders for the supply and installation of a new Electronic Document and Records Management System (EDRMS) that has the following functionality:

Document Management capability to:

- Manage documents as single electronic files in a repository;
- Manage compound documents comprising container documents and component content files in a repository;
- Manage links between content components and container documents in a repository;
- Managed structured index data/metadata in relational databases;
- Index full text of content in a full text engine to facilitate full text retrieval;
- Management of controlled thesaurus of terms; and
- Provision of mass storage facilities including hierarchical storage management and content addressable storage, and

Records Management capability to:

- Mandatory provision of check out and check in facilities so record cannot be overwritten – it can only be copied and then amended and checked back in;
- Control access to metadata, content, document and records via access control markings, roles, groups, etc;
- Retention and disposal – disposal schedule definition, allocation and execution; resolving conflicts, review and destruction;
- Hybrid and physical – physical folders; markers, retrieval and access control; tracking and circulation; disposal folder management;
- Authentication and encryption – electronic signatures and electronic watermarks and encryption;
- Content Management - The capability to manage and track the location of, and relationships among, content within a repository; and
- File System - The way files are named and placed logically for storage & retrieval, most commonly in a hierarchical (tree) structure.

ISSUES

The only issue is one of timing. The project has been scoped with an awarded tenderer decision by September 2013. If this timescale is not met then additional costs will be incurred on contract resources already allocated to the project.

STRATEGIC IMPLICATIONS

Legislative Requirements

The following Acts apply:

1. *Public Records Act 2002*
2. Information Standard 40: Recordkeeping
3. Information Standard 31: Retention and Disposal of Public Records
4. *Local Government Act 2009*
5. *Right to Information Act 2009*
6. *Information Privacy Act 2009*

Risk Management

Failure to provide a delegation will result in a delay in the implementation of the new solution, resulting in additional costs.

Financial

An approved CAPEX budget (\$1.5 Million) for the Electronic Document and Records Management Project has been included in the 2013-2014 financial year.

People

The EDRMS project will require extensive interaction with all staff within council, from the initial phase of gathering business requirements to the final phase of training and implementing a solution. This project has been classified as a High Organisational Change project.

Environmental

Not Applicable.

Social

Not Applicable.

Alignment with Council's Policy and Plans

The EDRMS project aligns with Council's policy and plans through increasing organisational knowledge being captured, decreasing the reliance on paper files, increasing the control over document lifecycle, increasing the ability to find the correct records and increasing the ability to facilitate regulatory compliance and legal discovery.

CONSULTATION

Consultation has taken place with:

- Chief Executive Officer (CEO);
- General Manager, Organisational Services;
- Chief Information Officer (CIO); and
- Service Manager, Procurement Operations.

OPTIONS**Option 1**

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

1. To accept the tender and award a contract with a value over \$500,000 (excluding GST) for the provision of the supply and installation of a new Electronic Document and Records Management System (EDRMS) under contract T-1644-13/14-RCC; and
2. To make, vary and discharge the contract in accordance with the agreed contract terms and conditions; and
3. To sign and amend all relevant documentation in relation to this contract.

Option 2

Council resolve not to undertake the supply and installation of a new Electronic Document and Records Management System (EDRMS).

OFFICER'S/COMMITTEE RECOMMENDATION

Moved by: Cr M Edwards

Seconded by: Cr P Gleeson

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


- 1. To accept the tender and award a contract with a value over \$500,000 (excluding GST) for the provision of the supply and installation of a new Electronic Document and Records Management System (EDRMS) under contract T-1644-13/14-RCC;**
- 2. To make, vary and discharge the contract in accordance with the agreed contract terms and conditions; and**
- 3. To sign and amend all relevant documentation in relation to this contract.**

CARRIED 11/0

6.1.2 AUDIT COMMITTEE CHARTER AND INTERNAL AUDIT CHARTER

Datworks Filename: GOV Audit Charter

Attachments: [FINAL POL-3008 - Audit Committee Charter](#)
[FINAL POL-3009 - Internal Audit Charter](#)

Responsible/Authorising Officer: 
Nick Clarke
General Manager Organisational Services

Author: **Siggy Covill**
Group Manager Internal Audit

PURPOSE

The purpose of this report is to seek approval for the recommended changes to the Audit Committee Charter - Corporate POL-3008, and the Internal Audit Charter - Corporate POL-3009.

BACKGROUND

As a result of recent changes to the *Local Government Act 2009* and the *Local Government Regulation 2012* and the fact that these policies were scheduled for review, the Audit Committee Charter and Internal Audit Charter were revised to incorporate any changes required. The revised policies also reflect Council's recent re-organisational changes and the new Councillor portfolio structure.

ISSUES

Amendments to the policies include:

Audit Committee Charter

- Updated referrals made to the *Local Government Act 2009* and the *Local Government Regulation 2012* to incorporate any changes to the Act and Regulation.
 - Added the requirement for the Audit Committee to monitor and oversee the implementation of Council's fraud control policy and initiatives.
 - Removed the requirement for an alternate member to be appointed to the Audit Committee.
 - Removed the ability of management to request extensions to implementation dates of audit recommendations.
 - Added the responsibility of the Audit Committee to provide an effective oversight function to ensure that fraud and corruption control objectives are being met in relation to mitigation of fraud and corruption risks.
 - Added the requirement for a meeting to be scheduled before the financial statements are certified and given to the Auditor-General for auditing.
 - Changes due to organisational restructure and Councillors' new portfolio structure.
 - Minor formatting and wording changes.
-

Internal Audit Charter

- Updated referrals made to the *Local Government Act 2009* and the *Local Government Regulation 2012* to incorporate any changes to the Act and Regulation.
- Removed the referral to the general complaints process being managed and coordinated by Internal Audit.
- Added changes to the structure of Internal Audit's resourcing.
- Added the formal exit meeting held with relevant management at the completion of an audit to discuss the draft report and audit findings and recommendations.
- Removed the need for a draft report to be issued in two stages – firstly to the Group Manager, then to the General Manager. Only one draft report to be issued to all management concerned for their comments and feedback.
- Removed the ability of management to request extensions to implementation dates of audit recommendations.
- Removed the requirement to report second and subsequent extensions of audit recommendations to the Audit Committee.
- Added General Managers' responsibility to present internal audit reports relating to their area of operations to the Audit Committee.
- Changes due to the new organisational structure.
- Minor formatting and wording changes.

STRATEGIC IMPLICATIONS

Legislative Requirements

Requirements from the *Local Government Act 2009* and the *Local Government Regulation 2012* have been taken into account during the preparation of this report.

Risk Management

No particular risk management issues arise from the recommended changes to these policies; however, including the effective oversight function in relation to mitigation of fraud and corruption risks in the responsibilities of the Audit Committee raises the profile of such risks.

Financial

There are no financial impacts as a result of this report.

People

There is no material impact on officers as a result of this report; however, streamlining the process with issuing only one draft report to all relevant officers and management concerned should result in efficiencies in the process.

Environmental

There are no environmental implications resulting from this report.

Social

There are no social implications resulting from this report

Alignment with Council's Policy and Plans

Relationship to Corporate Plan: 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.

CONSULTATION

Consultation was undertaken with the internal and external Audit Committee members, the Chief Executive Officer, Council's General Managers and Internal Audit staff.

OPTIONS

1. That Council accept this report, which summarises the changes to the revised Audit Committee Charter and Internal Audit Charter,
2. That Council defers consideration of this matter, or
3. That Council not accept this report and requests further changes.

OFFICER'S/COMMITTEE RECOMMENDATION

Moved by: Cr M Edwards
Seconded by: Cr P Gleeson

That Council resolve to approve the changes to the Audit Committee Charter (Corporate POL-3008) and the Internal Audit Charter (Corporate POL-3009).

CARRIED 11/0

6.2 OFFICE OF CEO

6.2.1 JULY MONTHLY FINANCIAL REPORTS

Dataworks Filename: FM Monthly Financial Reports to Committee

Attachment: [Monthly Financial Report July 2013](#)



Authorising Officer:

Bill Lyon
Chief Executive Officer

Responsible Officer:

Gavin Holdway
Chief Financial Officer

Author:

Deborah Corbett-Hall
Service Manager Business and Commercial Finance

PURPOSE

The purpose is to present the July 2013 Monthly Financial Performance Report to Council and explain the content and analysis of the report. Section 204(2) of the *Local Government Regulation 2012* 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

New Monthly Financial Report

The monthly financial reports now include a 'Statement of Comprehensive Income' and will report against the adopted budget position. The Statement of Comprehensive Income is an alternative way of publishing some of the information contained in the 'Operating and Capital Funding Statement'. The intent behind this is to show greater alignment between the *annual* financial statements and the *monthly* financial reports for comparability. The June 2013 Audit Committee also requested the inclusion of some employee data and again for comparability this report now includes relative data as compared to and contained in Council's annual report. The team has also finessed the report slightly to value-add where possible without fundamentally changing the look and feel of the monthly financials.

Interim Opening Balances

Certification of Council's 2012/13 annual financial statements are subject to the review and audit of The Queensland Audit Office (QAO) over the coming months.

Until last year's statements are finalised and certified, the opening balances on the 2013/2014 Statement of Financial Position are subject to change, as per previous years. Council is working very closely with QAO auditors to ensure the 2012/2013 statements are completed and certified as efficiently as possible. Of particular note, due to the implications of the returning water operations and the required consistency between the annual financial statements of Gold Coast City Council, Logan City Council and Redland City Council with respect to the accounting treatments; the 2013/2014 opening balances may be subject to change until November 2013's monthly financial reports.

STRATEGIC IMPLICATIONS

Council annually adopts key financial stability and sustainability ratios as part of its annual operation plan and budget.

The following adopted 2013/2014 Key Financial Stability and Sustainability Ratios were either achieved or favourably exceeded by Council as at the end of July 2013, noting the opening balances on the Statement of Financial Position are prior to the end of year accounts finalisation and QAO certification:

- Ability to pay our bills – current ratio;
- Ability to repay our debt – debt servicing ratio;
- Cash balance;
- Cash balances – cash capacity in months;
- Longer term financial stability – debt to asset ratio;
- Net financial liabilities;
- Interest cover ratio;
- Asset consumption ratio; and
- Operating surplus ratio – as is the case in the period when the levying of rates occur, this ratio is showing a significantly favourable figure of 44%. This should again reduce significantly next period although we anticipate it will stay above 0% on average.

The following indicators were outside of Council's target range for July 2013:

- Level of dependence on General Rate Revenue – this is significantly higher than the maximum threshold of 37.5% this period due to the levying of rates and all of the revenue being recognised in the current period. This should level out to around the budgeted 33.8% by June 2014.
- Operating performance ratio is significantly low at -14.66% due to the net cash outflow from operations in the current period. This varies in line with the rating cycle.

Legislative Requirements

Section 204(2) of the Local Government Regulation 2012 requires the Chief Executive Officer to present the financial report to a monthly meeting. The July 2013 financials are presented in accordance with the legislative requirement although movement on the opening balances in the Statement of Financial Position is

anticipated over the coming weeks as the organisation finalises the 2012/2013 accounts in accordance with the Australian Accounting Standards.

Risk Management

July 2013 revenues and expenditures have been noted by the Executive Leadership Group and relevant officers who can provide further clarification and advise around actual to budget variances. Additionally, the July 2013 financial reports provide a very early indication of financial outcomes and as the first quarter progresses, trends will start to emerge whereby officers can provide further clarification and advice around actual to budget variances.

Of note, the organisation is presently reviewing the capital projects that may need to have budget carried over from the 2012/2013 financial year and the monthly financial report for August may see movement in the annual and revised budget for capital expenditure.

Financial

There are no direct financial impacts to Council resulting from this report; however it provides an indication of financial outcomes at the end of July 2013.

People

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity. The June 2013 Audit Committee requested some people data, and a people summary is now included as part of the monthly financial report.

Environmental

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

Social

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

Alignment with Council's Policy and Plans

This report has a relationship with the following items of the Corporate Plan:

8. Inclusive and ethical governance

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

- 8.7 Ensure Council resource allocation is sustainable and delivers on Council and community priorities; and
- 8.8 Provide clear information to citizens about how rates, fees and charges are set and how Council intends to finance the delivery of the Community Plan and Corporate Plan.

CONSULTATION

Consultation has taken place amongst Council departmental officers, Financial Services Group Officers and the Executive Leadership Group.

OPTIONS

1. Council resolve to note the End of Month Financial Reports for July 2013 and explanations as presented in the attached Monthly Financial Performance Report;
or
2. Council request additional information.

OFFICER'S/COMMITTEE RECOMMENDATION

Moved by: Cr M Edwards

Seconded by: Cr P Gleeson

Council resolve to note the End of Month Financial Reports for July 2013 and explanations as presented in the attached Monthly Financial Performance Report.

CARRIED 11/0

6.3 INFRASTRUCTURE & OPERATIONS

6.3.1 CEO DELEGATED AUTHORITY TO SIGN CONTRACT FOR PLANT OVER \$500,000

Datworks Filename: P&R Briefing Notes and Reports

Responsible/Authorising Officer:



Gary Soutar
General Manager Infrastructure & Operations

Author:

Leo Newlands
Advisor Reserve Management

PURPOSE

The purpose of this report is to seek resolution from Council to delegate authority to the Chief Executive Officer (CEO) to accept the tenders and make, vary and discharge a contract for purchase over \$500,000 (including GST) within the 2013/2014 financial year approved budget.

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

In the 2013/2014 financial year, a fleet replacement program to replace the current fleet of out front mowers and edger-blower has been identified at an estimated value between \$620,000 and \$650,000 including GST. Replacements are needed for workplace health and safety (WHS) and fleet renewal purposes.

BACKGROUND

- 2012 - Turf Services in conjunction with the WH&S unit, commissioned studies into the exposure to respirable dust (Hibbs and Associates) and noise exposure (internal qualified noise assessor, Aldo Lo Presti).
- March 2013 - a briefing note was presented to General Managers Louise Rusan and Martin Drydale outlining the need to update the mower fleet for workplace health and safety reasons, to buy machinery in bulk to improve market buying power and to consolidate budgets into the 13-14 financial year.
- Budget has been approved for the fleet replacement program under number 41005-198-0034-242099.

Unit	Project name	Description	Budget code	Estimated cost
City Spaces Group- Turf Services	Fleet Replacement Program	Replace the current fleet of Out Front Mowers and Edger- Blower	41005-198-0034-242099	\$620,000 to \$650,000

ISSUES

1. Delegated authority and obligations of Council under the *Local Government Act 2009*
 - Council may, by resolution, delegate authority to the CEO, under s.257(1)(b) of the *Local Government Act 2009*, to accept the tenders and make, vary and discharge a contract over \$500,000.
 - The estimated total cost of the purchase will be in the vicinity of \$620K to \$650K which will exceed the CEO's delegation.
 - A process has been utilised whereby Council has delegated the authority to approve/award a successful bid to the CEO prior to the tender closing and being evaluated. This saves significant time on the procurement process. The alternative is where Council officers evaluate, recommend and then send a report to Council for approval for the awarding of a specific contract and associated delegation and may add up to 3-4 weeks to the process.

2. Workplace health and safety and mower fleet upgrade
 - Turf Services teams on the mainland, Southern Moreton Bay Islands (SMBI) and North Stradbroke Island (NSI), currently operate a total of 12 out front mowers and 3 medium sized tractors (edger blower units) in daily mowing operations.
 - These mowers are efficient but there are a number of WHS issues associated with their operation, including the operator's exposure to noise, dust and climatic conditions. All of this equipment is currently covered with an open-sided sunshade only.
 - In conjunction with the WHS Unit, Fleet Services Unit and manufacturers, officers have undertaken a study on how to reduce the risks involved and improving productivity, whilst decreasing current purchasing and maintenance costs, thus creating efficiencies to Council.
 - There have been 5 incidents and 2 lost time injuries, in the past 2 years, resulting from exposure to spider/tick bites, rashes from contact with certain types of trees, foreign objects in eyes and staff complaints of serious concerns with the inhalation of dust and particles.
 - Studies indicate changes to the fleet are necessary to reduce WHS risks. This alteration of the fleet acquisition program is timely in providing the opportunity to combine the 2 purchasing programs. This will create an immediate saving in the procurement process and should also provide improved purchasing power when going to the market for all 12 machines once every 3 years.

STRATEGIC IMPLICATIONS**Legislative Requirements**

Council may, by resolution, delegate authority to the CEO, under s257(1)(b) of the *Local Government Act 2009*, to accept the tenders and make, vary and discharge a contract over \$500,000.

Risk Management

Council's Workplace Health and Safety have identified safety issues of prolonged exposure of operators to recognised WHS risks from dust, noise and climatic exposure associated with the current fleet of out-front mowers and edger blower tractors. Replacement of out-front mowers with integrated cabs and the modification of air conditioned cabs to the edger blower tractors will manage this risk.

Financial

The project outlined in this report is approved for the 2013/2014 financial year as part of the budget approval process.

People

Replacement of equipment as outlined will aid in providing a safe and responsive workplace to employees.

Environmental

Not applicable.

Social

Not applicable.

Alignment with Council's Policy and Plans

Outcome 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.

Strategy 9.7- Develop our procurement practices to increase value for money within an effective governance framework. It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

The following have been consulted in the preparation of this report and are supportive of the recommendation.

- General Manager Infrastructure & Operations;
- Group Manager City Spaces;
- Parks and Conservation Service Manager;
- Turf Services Officer; and
- Service Manager Fleet Services.

OPTIONS

To delegate authority to the Chief Executive Officer to accept the tenders and make, vary and discharge a contract for the provision of out-front mower and air cab mowers over \$500,000 (\$620,000-650,000) including GST for the following project within the 2013/2014 financial year approved budget:

Option 2

To not delegate this authority to the Chief Executive Officer and accept prolonged exposure of operators to recognised workplace health and safety risks, and accept decreased efficiency in managing Council's fleet replacement program.

OFFICER'S/COMMITTEE RECOMMENDATION

Moved by: Cr M Edwards

Seconded by: Cr J Talty

That Council resolve as follows:

1. To delegate authority to the Chief Executive Officer, under s257(1)(b) of the *Local Government Act 2009*, to accept the tenders and make, vary and discharge a contract over \$500,000 including GST within the 2013/2014 financial year approved budget; and
2. That the Chief Executive Officer be authorised to sign and seal all relevant documentation.

CARRIED 11/0

7 PORTFOLIO 7 (CR JULIE TALTY)
PLANNING & DEVELOPMENT**7.1 COMMUNITY & CUSTOMER SERVICES****7.1.1 PRIORITY DEVELOPMENT AREAS****Datworks Filename:** ED Planning - Priority Development Areas**Attachments:** [Attachment 1 – Instrument of Delegation](#)
[Attachment 2 – Proposed Revised SPA Delegation](#)**Responsible/Authorising Officer:****Louise Rusan**
General Manager Community & Customer Services**Author:****Dan Zilli**
Operations Works Manager

PURPOSE

The purpose of this report is to seek delegation of certain responsibilities under the Economic Development Act to the Chief Executive Officer (CEO).

BACKGROUND

On 21 July 2013 Toondah Harbour and Weinam Creek were officially declared as Priority Development Areas (PDA) by the State Government. These areas represent two of only four PDAs so far declared in Queensland. All PDAs are administered under the *Economic Development Act 2012* (ED Act), with relevant powers under this Act vested in the Minister for Economic Development Queensland (MEDQ).

Pursuant to Section 169(1)(h) of the ED Act, MEDQ has delegated to Redland City Council its responsibilities for acceptance and assessment of PDA development applications and carrying out enforcement actions relevant to the Planning and Environment (P&E) Court.

This report seeks to give effect to these delegations by ensuring that there is appropriate delegation from Council to the CEO to ensure efficient processing of the applications.

ISSUESDelegations

Section 169(1) of the ED Act states that:

*“MEDQ may delegate any of its functions or powers under this Act to...
...(h) a local government...”*

MEDQ has issued Council with an Instrument of Delegation that gives Council the responsibility to accept, assess and decide development applications under the ED

Act and to carry out enforcement proceedings in the P&E Court under this Act. A copy of the Instrument of Delegation is provided at **Attachment 1**.

Section 169(4) of the ED Act states that:

“A local government may sub-delegate a function or power of MEDQ delegated to it under subsection (1) to an appropriately qualified employee of the local government.”

Section 257 of the Local Government (LG) Act states that:

“A local government may, by resolution, delegate a power under this Act or another Act to...

(b) the chief executive officer...”

The Act does not allow the powers to be delegated by resolution to individual employees of the Council. This must, instead, be done through an instrument of delegation, signed by the CEO, delegating responsibilities to the relevant qualified officer(s). This sub-delegation power is provided for in Section 259 of the LG Act.

This report recommends that the functions and powers under the ED Act be delegated to the CEO of Council to allow further sub-delegation of relevant powers to appropriately qualified officers of Council. It is further recommended that the sub-delegation of powers follow the same principles on which current development assessment delegations are based for applications made under the Sustainable Planning Act (SPA). The current Instrument of Delegation is provided at **Attachment 2**.

It is noted that the Instrument of Delegation provided by MEDQ does not delegate responsibility to Council for plan sealing under Section 104 of the ED Act. This matter has been discussed with the MEDQ, and it is understood that an updated Instrument of Delegation will be finalised in coming weeks. At that point, a separate report will come to Council for delegation of this additional responsibility to the CEO.

Existing Approach to Delegations

It is useful to explore the current mechanisms by which delegations are exercised for the development assessment process. The current approach in respect of decision making associated with development applications is no different to that being proposed in this report.

Decision making powers for SPA development applications reside with the Council, these powers are delegated to the CEO which are then sub-delegated to the appropriate officers. The powers delegated to officers include managing and deciding all aspects of development applications, including issuing information requests and other statutory notices. The level of power conferred to the officers depends on their position within the organisation and is referred to as a Delegation Category Criteria. Councillors will be familiar with the category one, two and three reports, which are reported to Council for noting. These decisions are made under powers delegated by Council.

The existing delegations have built in limitations to the exercise of power, which allow the CEO or Councillors to “call-in” any category of development application.

STRATEGIC IMPLICATIONS

LEGISLATIVE REQUIREMENTS

The purpose of this report is to ensure that Council meets its legislative requirements in relation to the processing of PDA applications under the ED Act through the delegation of powers to the CEO.

Risk Management

Delegating responsibilities for development application decision-making involves a level of risk tolerance. It is considered appropriate to delegate these powers to the CEO to decide the relevant sub-delegations, provided that appropriate “fail safe” mechanisms are built into the process.

The MEDQ Instrument of Delegation includes all matters relating to managing and deciding development applications lodged within the PDAs, including all day to day tasks and activities associated with the development assessment process. There are several negative consequences of not delegating powers to the appropriate officers, including:

- Councillors having to manage and decide all aspects of the development application process;
- Councillors having to manage and decide all aspects of any request to change, withdraw or cancel an application or change or extend the currency period of an approval.
- the creation of significant delays in processing and decision making timeframes;
- increasing, officer work load and red tape; and,
- disincentivising development in the PDAs.

In accordance with current accepted delegated decision making practices, which were adopted by resolution of Council on 27 July 2011, officers propose that “call-in” powers identical to those currently included in Schedule 3 of the Instrument of Delegation at Attachment 2 be adopted by the CEO when conferring sub-delegations to Council Officers.

Financial

Failure to delegate powers to the CEO and appropriately qualified officers will increase officer work load and the demand for resources to manage PDA development applications.

People

The assessment of PDA applications will primarily involve officers from City Planning and Assessment.

Environmental

Nil.

Social

Nil.

Alignment with Council's Policy and Plans

Nil.

CONSULTATION

The following Groups, Units and officers were consulted in the preparation of this report:

- Planning Assessment Unit
- Development Control Unit
- Principal Advisor PDAs
- Corporate Governance Group
- General Counsel

OPTIONS

- 1) That Council resolve:
 - a) to delegate all functions and powers listed in the Instrument of Delegation at Attachment 1 to the Chief Executive Officer in accordance with Section 169(4) of the *Economic Development Act 2012* and Section 257(1)(b) of the *Local Government Act 2009*; and,
 - b) to instruct the Chief Executive Officer, in exercising the functions and powers listed in the Instrument of Delegation at Attachment 1, to prepare an Instrument of Delegation generally in accordance with the Instrument of Delegation at Attachment 2.
- 2) That Council resolve to delegate part of the functions and powers listed in the Instrument of Delegation at Attachment 1 to the Chief Executive Officer in accordance with Section 169(4) of the *Economic Development Act 2012* and Section 257(1)(b) of the *Local Government Act 2009*.
- 3) That Council resolve to delegate none of the functions and powers listed in the Instrument of Delegation at Attachment 1 to the Chief Executive Officer and that all aspects of managing and deciding development applications will be dealt with by Council.

OFFICER'S/COMMITTEE RECOMMENDATION

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

That Council resolve to:

1. Delegate all functions and powers listed in the Instrument of Delegation at Attachment 1 to the Chief Executive Officer in accordance with Section 169(4) of the *Economic Development Act 2012* and Section 257(1)(b) of the *Local Government Act 2009*; and
2. Instruct the Chief Executive Officer, in exercising the functions and powers listed in the Instrument of Delegation at Attachment 1, to prepare an Instrument of Delegation generally in accordance with the Instrument of Delegation at Attachment 2.

CARRIED 11/0

7.1.2 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS

Datworks Filename: Reports to Coordination Committee – Portfolio 7 Planning and Development

Responsible/ Authorising Officer:



Louise Rusan
General Manager Community & Customer Services

Author:

Kerri Lee
Business Support Officer, Development Assessment

PURPOSE

The purpose of this report is for Council to note that the decisions listed below were made under delegated authority for Category 1, 2 and 3 development applications.

This information is provided for public interest.

BACKGROUND

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

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

Category 2 – Complying Code Assessments & Minor Impact Assessments;

Category 3 – Moderately Complex Code & Impact Assessments; and

Category 4 – Major and Significant Assessments.

The applications detailed in this report have been assessed under:-

- Category 1 criteria - defined as complying code assessable applications, including building works assessable against the planning scheme, and other applications of a minor nature.
 - Category 2 criteria - defined as complying code assessable and compliance assessable applications, including operational works, and Impact Assessable applications without submissions of objection. Also includes a number of process related delegations, including issuing planning certificates, approval of works on and off maintenance and the release of bonds, and all other delegations not otherwise listed.
 - Category 3 criteria that are defined as applications of a moderately complex nature, generally mainstream impact assessable applications and code assessable applications of a higher level of complexity. Impact applications may involve submissions objecting to the proposal readily addressable by reasonable and relevant conditions. Both may have minor level aspects outside a stated policy position that are subject to discretionary provisions of the Planning Scheme. Applications seeking approval of a plan of survey are
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included in this category. Applications can be referred to Development and Community Standards Committee for a decision.

CATEGORY 1

1. Concurrence Agency Response issued on 17 July, 2013 for design and siting for a boatport at 16 Piccolo Court, Victoria Point. The Certifier Pty Ltd. (BWP001829)
2. Concurrence Agency Response issued on 17 July, 2013 for design and siting for a carport at 4 Fullerton Street, Birkdale. Applied Building Approvals. (BWP001853)
3. Concurrence Agency Response issued on 22 July, 2013 for design and siting for a carport and patio at 54 Lorikeet Drive, Thornlands. The Certifier Pty Ltd. (BWP001826)
4. Concurrence Agency Response issued on 22 July, 2013 for design and siting for a dwelling house at 11 Yorston Place, Ormiston. All Star Energy. (BWP001856)
5. Concurrence Agency Response issued on 24 July, 2013 for design and siting for a carport at 30 Dawn Crescent, Thornlands. Design Build Regulate Pty Ltd. (BWP001863)
6. Concurrence Agency Response issued on 24 July, 2013 for design and siting for a dwelling house at 2 Bodega Street, Mount Cotton. Antech Constructions Pty Ltd. (BWP001870)
7. Concurrence Agency Response issued on 26 July, 2013 for design and siting for an outbuilding at 22 Voyagers Court, Cleveland. All Star Energy. (BWP001854)
8. Concurrence Agency Response issued on 29 July, 2013 for design and siting for a dwelling house at 10 Gwingarra Street, Wellington Point. Mr Shaun M. Winks. (BWP001847)
9. Concurrence Agency Response issued on 29 July, 2013 for design and siting for a gazebo at 19 Piermont Place, Cleveland. Harmer Property Group Pty Ltd. (BWP001859)
10. Concurrence Agency Response issued on 31 July, 2013 for a dwelling house at 17-19 Magnetic Place, Redland Bay. The Certifier Pty Ltd. (BWP001842)
11. Development Permit issued on 24 July, 2013 for a material change of use for a dwelling house at 7 Burnett Street, Wellington Point. The Certifier Pty Ltd. (MCU013103)
12. Development Permit issued on 29 July, 2013 for a material change of use to construct a dual occupancy at 31-39A King Street, Thornlands. Bartley Burns Certifiers and Planners. (MCU013089)
13. Development Permit issued on 29 July, 2013 for building works approval assessed against the Redlands Planning Scheme for a domestic outbuilding at 72-76 Campbell Road, Sheldon. Oz-Cover. (BWP001845)
14. Development Permit issued on 23 July, 2013 for building works approval assessed against the Redlands Planning Scheme for a domestic outbuilding at 11 Tipuana Drive, Capalaba. Mr S. Lascelles. (BWP001822)

15. Development Permit issued on 22 July, 2013 for building works approval assessed against the Redlands Planning Scheme for a domestic outbuilding at 249-251 Avalon Road, Sheldon. The Certifier Pty Ltd. (BWP001824)
16. Development Permit issued on 30 July, 2013 for reconfiguration (realignment of boundaries) at 24 School Road, Capalaba. Mr T.E. Baker and Mrs J.C. Baker. (ROL005664)
17. Compliance Permit issued on 30 July, 2013 for internal and external civil works in association with operational works for a dual occupancy at 7 Pratt Court, Point Lookout. Evolve Property Services. (OPW001272)
18. Development Permit issued on 17 July, 2013 for operational works for a multiple dwelling x 8 at 55-57 Surman Street, Birkdale. Intelara Pty Ltd. (OPW001478)
19. Development Permit issued on 23 July, 2013 for operational works for reconfiguring a lot (boundary realignment) at 691-693 Old Cleveland Road East, Wellington Point. DEQ Consulting Engineers, Heran Building Group Pty Ltd. (OPW001483)
20. Compliance Certificate issued on 30 July, 2013 in association with landscaping works for a multiple dwelling x 6 at 71-75 Shore Street East, Cleveland. Platinum Design. (LW000638)
21. Negotiated Decision Notice issued on 31 July, 2013 to vary an existing approval for operational works for the construction of a dam at 668-670 Mount Cotton Road, Sheldon. Structerre Consulting Engineers. (OPW001457)

CATEGORY 2

1. Development Permit issued on 29 July, 2013 for a material change of use for a dwelling house at 80 Charles Terrace, Macleay Island. Bay Island Designs. (MCU013093)
 2. Development Permit issued on 25 July, 2013 for a material change of use for a dwelling house at 18 Yarrong Road, Point Lookout. Mr P.W. Bartier. (MCU013081)
 3. Development Permit issued on 29 July, 2013 for a material change of use to construct a dual occupancy at 31-39A King Street, Thornlands. Bartley Burns Certifiers and Planners. (MCU013094)
 4. Development Permit issued on 23 July, 2013 for a material change of use to construct a multiple dwelling (x 4) at 212 Finucane Road, Alexandra Hills. JDC Designs and Planning. (MCU013009)
 5. Development Permit issued on 23 July, 2013 for reconfiguration of lots (one into seventeen lots) at 58-98 Donald Road, Redland Bay. Harridan Pty Ltd. (ROL005647)
 6. Development Permit issued on 22 July, 2013 for reconfiguration of lots (two into twenty three lots) at 41 Bankswood Drive and 21 Maree Place, Redland Bay. Harridan Pty Ltd (Loganholme). (ROL005650)
 7. A Notice agreeing to a change of approval was issued on 22 July, 2013 for a drive through restaurant (Subway) at 194-200 Old Cleveland Road, Capalaba. Arnold Development Consultants. (MCU012419)
 8. A Notice agreeing to extend the relevant period of an existing development approval was issued on 30 July, 2013 for reconfiguration of lots at Bayview
-

Estate, 299-351 Heinemann Road, Mount Cotton. Bennett and Bennett Consulting Surveyors (Gold Coast Office). (SB004850.1-10)

9. A Notice agreeing to extend the relevant period of an existing development approval was issued on 25 July, 2013 for a material change of use for a warehouses (storage sheds), ancillary office and seminar rooms, and a shop (canteen) at 882-892 German Church Road, Redland Bay. Redland Bay Business Park Pty Ltd ATFT, Redland Bay Business Park Unit Trust. (MC009569)
10. A Notice agreeing to extend the relevant period of an existing development approval was issued on 22 July, 2013 for a material change of use for a mixed use (shop, refreshment establishment and multiple dwellings x 24) at 14-16 Masthead Drive, Cleveland. Port Binnli Pty Ltd. (MC006893)

OFFICER'S/COMMITTEE RECOMMENDATION

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

That Council resolve to note this report.

CARRIED 11/0

7.1.3 APPEALS LIST - CURRENT AS AT 31 JULY, 2013

Datworks Filename: Reports to Coordination Committee –
Portfolio 7 Planning and Development

Responsible/Authorising Officer:



Louise Rusan
General Manager Community & Customer
Services

Author:

Daniel Zilli
Service Manager, Operations Works

PURPOSE

The purpose of this report is for Council to note the current appeals.

BACKGROUND

Information on appeals may be found as follows:

1. Planning and Environment Court

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

2. Redland City Council

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

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

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

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

The database contains:

- A consolidated list of all appeals and declarations lodged in the Planning and Environment Courts across Queensland of which the Chief Executive has been notified.
-

- Information about the appeal or declaration, including the appeal number, name and year, the site address and local government.

ISSUES

1.	File Number:	Appeal 1963 of 2009 (MC010715)
	Applicant:	JT George Nominees P/L
	Application Details:	Preliminary Approval for MCU for neighbourhood centre, open space and residential uses (concept master plan). Cnr Taylor Rd & Woodlands Dve, Thornlands.
	Appeal Details:	Applicant appeal against refusal.
	Hearing Date:	Adjourned for further review 7 August 2013.

2.	File Number:	Appeal 2675 of 2009. (MC010624)
	Applicant:	L M Wigan
	Application Details:	Material Change of Use for residential development (Res A & Res B) and preliminary approval for operational works 84-122 Taylor Road, Thornlands
	Appeal Details:	Applicant appeal against refusal.
	Current Status:	Directions Order 1 March 2013 sets out dates for mediation and disclosure of documents.
	Hearing Date:	Listed for review 7 August 2013.

3.	File Number:	Appeal 246 of 2013 (MCU012617)
	Applicant:	Lipoma Pty Ltd
	Application Details:	Material Change of Use for extension to Shopping Centre (Shop and Refreshment Establishment) 2-34 Bunker Road, Victoria Point
	Appeal Details:	Applicant appeal against negotiated adopted infrastructure charges notice.
	Current Status:	Without prejudice meeting held with appellant.
	Hearing Date:	Listed for review 9 October 2013.

4.	File Number:	Appeal 2335 of 2013 (MCU012421)
Applicant:		Barro Group Pty Ltd
Application Details:		Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8, 16 & 21 1513 & 1515-1521 Mount Cotton Road and 163-177 & 195 Gramzow Road, Mount Cotton
Appeal Details:		Applicant appeal against refusal.
Current Status:		No action to date.
Hearing Date:		Not yet listed.

5.	File Number:	Appeal 2532 of 2013
Applicant:		HTC Consulting Pty Ltd and King of Gifts (Qld) Pty Ltd Superannuation Fund
Application Details:		Material Change of Use for Indoor Recreation Facility (Convention Centre), Service Station, Drive Through Restaurant and Refreshment Establishment 604-612 Redland Bay Road, Alexandra Hills
Appeal Details:		That the Applicant's non-compliance with section 278 and section 279 (1)(b) (response to information request) of SPA be excused.
Current Status:		No action to date.
Hearing Date:		8 August, 2013

OFFICER'S/COMMITTEE RECOMMENDATION

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

That Council resolve to note this report.

CARRIED 11/0

8 PORTFOLIO 8 (CR MURRAY ELLIOTT)
INFRASTRUCTURE**8.1 INFRASTRUCTURE & OPERATIONS****8.1.1 PARKING RESTRICTIONS IN CLEVELAND****Datworks Filename:** RTT: Public Response – Parking**Attachments:** [Attachment 1: Plan of 3 Hour Parking Limits in Cleveland CBD](#)
[Attachment 2: Media Release - 16 November 2012](#)
[Attachment 3: Bayside Bulletin Press Release - 20 November 2012](#)**Authorising Officer:****Gary Soutar**
General Manager Infrastructure & Operations**Responsible Officer:****Murray Erbs**
Group Manager City Infrastructure**Author:****Abdish Athwal**
Senior Engineer Traffic & Transport Planning

PURPOSE

The purpose of this report is to provide advice and recommendation to the Council Resolution of 19 September 2012, requesting to carry out a six-month trial to ascertain the effects of extending the 2-hour on-street parking zones to 3 hours along Bloomfield, Middle and Doig Streets, including consultation with stakeholders within the Cleveland CBD.

BACKGROUND

At the General Meeting Minutes of 19 September 2012, Item 17.1.1 - Council resolved ***“to carry out a six-month trial to ascertain the effects of extending the 2-hour on-street parking zones to 3 hours along Bloomfield, Middle and Doig Streets, including consultation with stakeholders within the Cleveland CBD”***.

For the purpose consistency, the trial area was extended to include Shore Street West, Wynyard Street, Queen Street, and Waterloo Street as indicated in Attachment 1.

A media release was given on 16 November 2012, see Attachment 2, which was published in the “Bayside Bulletin” on 20 November 2012 informing the public that the 6 months parking trial for extended 3-hour parking in the Cleveland CBD had commenced on the weekend, see Attachment 3.

The 3-hour Cleveland CBD parking trial commenced on 17 November 2012 and concluded on 17 May 2013, changing 367 2-hour spaces to 3 hours for the 6-month trial. The 3-hour parking limits have been left in place pending the outcome of this report.

ISSUES

Business and public consultation

Council's Business & Tourism Team of the Strengthening Communities Unit, carried out consultation with some of the businesses including Stockland Centres, members of the general public and Council staff. The feedback has not highlighted any impact for or against the introduction of the 3-hour parking.

There was feedback that a minimum 4-hour parking would be more productive for Council and would be appreciated by the local businesses and visitors to Cleveland.

Enforcement issues for 4-hour parking:

The current parking restrictions within the Cleveland CBD are only valid between 8.30am and 5.00pm, Monday to Saturday. Extending the parking period from 3 hours to 4 hours will allow for 1 parking patrol to be undertaken within the Cleveland CBD per day, and may result in vehicles remaining in their location for in excess of the 4-hour period if not captured in the initial parking patrol.

Comparison of infringements relating to the parking trial:

The following information provides a comparison of the infringement notices issued before, during and after the 3-hour parking trial:

1. **BEFORE:** 61 infringements issued in the 2-month period from 15 September to 16 November 2012, 2-hour parking limits; averaging 30.5 infringements per month;
2. **DURING:** 68 infringements issued in the 6-month period from 17 November 2012 to 17 May 2013, 3-hour parking limits, averaging 11.3 per month;
3. **AFTER:** 33 infringements issued in the 2-month period from 18 May to 19 July 2013, 3-hour parking limits, averaging 16.5 per month.

Summary:

Parking time limits increased from 2 hours to 3 hours.

Infringements issued decreased from 61 to 33 for the before and after 2-month periods.

Complaints

Since the commencement of the 3-hour parking trial on 17 November 2012 to the present, Council's City Infrastructure Group and the Local Laws Team of Compliance Services Unit, have not received any complaints from businesses or the general public relating to the parking trial.

STRATEGIC IMPLICATIONS

Legislative Requirements

There are no legislative requirements.

Risk Management

There are no risk implications.

Financial

There are no financial implications.

People

There are no people implications.

Environmental

There are no environment implications.

Social

There are no social implications.

Alignment with Council's Policy and Plans

There is no alignment with Council's Policy and Plans.

CONSULTATION

- Business & Tourism Team, Strengthening Communities;
- Local Laws Team, Compliance Services Unit;
- Councillor for Division 2.

OPTIONS

1. Retain the existing 3-hour parking limits in the Cleveland CBD.
2. Revert back to the 2-hour parking restriction limits in the Cleveland CBD.
3. Increase the current 3-hour parking to 4-hour parking limits in the Cleveland CBD; see Issues - Enforcement issues for 4-hour parking.

OFFICER'S/COMMITTEE RECOMMENDATION

Moved by: Cr M Elliott

Seconded by: Cr J Talty

That Council resolve to retain the existing 3-hour parking restriction limits in the Cleveland CBD.

CARRIED 10/1

Cr Gleeson voted against the Officer's Recommendation.

8.1.2 WEINAM CREEK MARINA BERTHING FEES

Datworks Filename: RTT: Policy - Weinam Creek Marina Facility and Lockup Parking Compound

Attachment: [Attachment 1 - Weinam Creek Marina berthing fees](#)

Authorising Officer:



Gary Soutar
General Manager Infrastructure and Operations

Responsible Officer:

Murray Erbs
Group Manager City Infrastructure

Author:

Benjamin Bruce
Advisor Marine Investigations

PURPOSE

The purpose of this report is to seek Council approval to amend the 2013/2014 Fees and Charges Weinam Creek Marina Fees schedule to include an additional 48-hour mooring fee.

BACKGROUND

The previous 2012/2013 Weinam Creek Marina Fees schedule included a 48-hour mooring fee. This fee allowed the Southern Moreton Bay Islands (SMBI) residents to share a mooring with a maximum of 6 other residents for a fee of \$192.55 including GST.

This fee was reviewed in response to customers wanting more flexibility and to be able stay longer than 48 hours. In the 2013/2014 Fees and Charges Schedule, the 48-hour mooring fee was discontinued and replaced with new fee options including shared single mooring fees for full week, work week and weekend use.

The fees and charges (including this change) were approved by Council on 19 June 2013 and letters were sent to impacted residents soon after this. The letters advised previous permit holders that there was a change to the permit structure and to indicate their preference of new permit types. Following this letter, a number of complaints have been received concerning the new fee.

The matter was subsequently raised at a meeting of Councillors and a request was made to review taking into account:

- the percentage increase and;
- the opportunity for Council to withdraw once the priority development area (PDA) is progressed.

A moratorium and review of the proposed charges (due to take effect from 1 July 2013) is in place to allow Council to consider an amendment to the Fees and Charges Schedule.

Under the previous arrangements used since 2007, boat users were not able to use the mooring every day as users were limited to a maximum stay of 48 hours before needing to vacate for a minimum of 48 hours. The cost for this in 2012-2013 for each user was \$192.55 including GST per annum. This did not suit people (particularly daily commuters) who require more flexibility for frequent use and resulted in people occupying berths for much longer than the designated 48-hour period. The new mooring arrangement supports boat users being able to use the facility every day by obtaining a shared full week, work week or weekend mooring permit.

The new arrangements provide marina users with 3 choices:

- 5 week days (Monday to Friday) for \$227.70 per quarter or \$910.80 per annum;
- 7 days per week for \$319.00 per quarter or \$1276.00 per annum;
- 2 weekend days (Sat-Sun) for \$91.30 per quarter or \$365.20 per annum.

The new arrangements support greater flexibility and allow users to berth for up to 16 hours per day which allows residents commuting to the mainland for work to use the berths regularly, without being excluded for 48 periods as was the case under the previous schedule.

To assist with greater movement to and from SMBI, from 1 July 2013 residents of SMBI also have access to TransLink services, meaning they can use this service to travel to and from the mainland. The TransLink services offer considerable savings to SMBI residents who regularly travel to the mainland including initiatives such as '9 + free' and '1, 2, free' and free inter-island travel.

Analysis of the operating costs showed that the previous mooring fees for shared berth holders were being subsidised by permanent berth holders. The new fees better reflect the cost of maintaining the facility, provide equality amongst users and promote improved use of the facility.

Cost recovery

The cost recovery fee has been determined using the following:

- depreciation value of the marina;
- cleaning/maintenance;
- dredging (this is the single largest expense);
- electricity/water supply;
- lease cost of land from State;
- staff costs.

This reflects an approximate expenditure of \$92,000 on the facility per year without undertaking any capital improvements other than dredging every 4-6 years.

It is expected that the facility will achieve approximately 80% occupancy rates for most permit types.

Table 1 in the attachment shows the predicted revenue using the berthing allocation relevant to each year.

It is not expected that the facility will achieve 100% occupancy. Previous year figures suggest that the 48 Hour mooring Permit received approximately 85% occupancy, the Permanent Single Mooring Permit received approximately 100% occupancy and the Permanent Double Mooring Permit received approximately 60% occupancy. An average occupancy rate of 80% has been determined.

Table 2 in the attachment shows expected revenue based on 80% occupancy.

Due to the previous fee structure being considered inequitable amongst users and not representing appropriate use of the facility, a review of the permit options and fee structure at the facility was undertaken.

Previously, Weinam Creek Marina users could apply for a permit under the categories of Permanent Single, Permanent Double or Shared 48-hour.

Changes adopted under the new fee structure have resulted in the removal of the Shared 48-hour permit with the categories of Permanent Single, Permanent Double, Shared Full Week, Shared Work Week or Shared Weekend being made available.

The following summarises each permit option type:

Permanent single exclusive berth permit

The 'Permanent Single Exclusive Berth Permit' entitles the holder to moor in the allocated single berth defined in the permit at any time. The single berth will be exclusive to a vessel and there are no requirements to vacate so long as your permit is valid. It is anticipated that 21 permanent single exclusive berths will be made available at this stage.

Permanent double exclusive berth permit

The 'Permanent Double Exclusive Berth Permit' entitles the holder to moor in the allocated double berth defined in the permit at any time. The double berth will be exclusive to a vessel and there are no requirements to vacate so long as your permit is valid. It is anticipated that 3 permanent double exclusive berths will be made available at this stage.

Shared 48-hour berth permit

The 'Shared 48-hour Berth Permit' entitles the holder to moor in any of the allocated 'shared single berths' as identified by the '48-hour Mooring Sign' at any time. Available berths are accessible on a first-in, first-served basis. It is anticipated that the number of permits issued amongst all shared categories will be capped at 6 per berth. The holder of this permit can stay at the facility for 48 consecutive hours, but must ensure the vessel vacates the Marina for a minimum period of 48 hours once they have left the Marina.

Shared full week berth permit

The 'Full Week Shared Berth Permit' entitles the holder to moor in any of the allocated 'shared single berths' as identified by the 'Shared Mooring sign' at any time. Available berths are accessible on a first-in, first-served basis. It is anticipated that the number of permits issued amongst all shared categories (excluding 48-hour) will be capped at 3 per berth. The holder of this permit must ensure the vessel vacates the Marina for a minimum period of 8 hours in a 24-hour period.

Shared work week berth permit

The 'Work Week Shared Berth Permit' entitles the holder to moor in any of the allocated 'shared single berths' as identified by the 'Shared Mooring sign' between 12:00am Monday morning and 11:59pm Friday night of the same week. Available berths are accessible on a first-in, first-served basis. It is anticipated that the number of permits issued amongst all shared categories (excluding 48-hour) will be capped at 3 per berth. The holder of this permit is not entitled to have their vessel in any of the berths during the hours of 12:00am Saturday morning and 11:59pm Sunday night. The holder of this permit must ensure the vessel vacates the Marina for a minimum period of 8 hours in a 24-hour period.

Shared weekend berth permit

The 'Weekend Shared Berth Permit' entitles the holder to moor in any of the allocated 'shared single berths' as identified by the 'Shared Mooring sign' between 12:00am Saturday morning and 11:59pm Sunday night of the same weekend. Available berths are accessible on a first-in, first-served basis. It is anticipated that the number of permits issued amongst all shared categories (excluding 48-hour) will be capped at 3 per berth. The holder of this permit is not entitled to have their vessel in any of the berths during the hours of 12:00am Monday morning and 11:59pm Friday night. The holder of this permit must ensure the vessel vacates the Marina for a minimum period of 8 hours in a 24-hour period.

ISSUES**Old fee structure**

Advice from permit holders was received that suggested the 48-hour shared mooring was not meeting the existing needs of many vessel owners, was extremely difficult to regulate and was being exploited by many permit holders.

Cost recovery calculations were undertaken and it was determined that the existing fees were inequitable amongst users. It was determined that the Weinam Creek Marina fees did not represent full cost recovery at the expected 80% occupancy rates.

Permanent berth holders were found to be substantially subsidising the 48-hour permit holders.

The recommendation to remove the option of a 48-hour shared mooring permit was made due to the following reasons:

- many vessels were using their berth daily, the requirements of the mooring was to stay for 48 hours and leave for 48 hours. This is difficult to regulate;
 - the price difference between the 48-hour and permanent mooring was huge, leading to vessel owners purchasing multiple 48-hour mooring licences to 'increase their chances';
 - boat owners who held 2 permits effectively had access to a permanent berth in the Marina at a fraction of the cost paid by permanent berth permit holders;
 - there was not an equal distribution of fees amongst permit holders. This left the permanent berth holders subsidising the 48-hour mooring holders;
 - each berth was shared by 6 vessels, which represents a low level of service for the facility;
-

- to represent cost recovery at this rate, we would need to have 16 vessels sharing a single berth;
- Council has received numerous complaints over recent months regarding vessels not adhering to permit conditions;
- there was no bond fee to assist in the recovery of unpaid fees;
- a lack of incentive to return Marina keys has resulted in a reduced security level at the facility;
- the fees are significantly reduced when compared with neighbouring marinas.

Adopted fee structure

The new mooring options represent the following:

- each berth shared by a maximum of 3 vessels which represents a greater level of service;
- equal distribution of fees amongst permit holders, i.e. a berth shared by 3 vessels is calculated by taking the cost of a permanent berth, and splitting it by 3;
- the permit holder can use the facility daily. They must vacate for a period of 8 hours in 24;
- there is greater flexibility in use of the facility for regular users;
- the facility now reflects cost recovery at 80% occupancy and is no longer subsidised by general revenue/permanent berth holders;
- the fees are very competitive when compared against neighbouring marinas.

Bond fees and penalties

There have been difficulties with enforcement of the 48-hour mooring permits and some users have been found to be not complying with the conditions of use of the facility.

To enable enhanced ability to regulate the marina and recover unpaid fees, a bond fee for the Weinam Creek Marina berthing permits has been introduced in the 2013/2014 Fees and Charges Schedule. The bond fee has been introduced at a rate of one quarter of the annual fee excluding GST for shared moorings and 1/8 of the annual fee excluding GST for permanent moorings.

The penalty for failing to comply with any of the conditions of use of the Weinam Creek facility is liable to an on-the-spot fine being issued with a penalty amount up to \$500 and/or the permit to occupy being terminated without due notice or compensation.

Future solution

A number of previous permit holders appear to access the facility on an irregular basis, for short shopping trips, emergency trips and similar. To cater for this type of ad-hoc use of the marina, it is proposed to re-introduce the '48-hour' shared mooring permits for an annual fee of \$180 excluding GST with a bond fee equal to one quarter of the annual fee (\$45).

This permit will continue to be shared amongst a maximum of 6 permit holders per berth. It is expected that there will be instances where a user will travel and find there are no spaces in which to berth, and will be required to turn back or make alternative arrangements. This is consistent with the previous use of the facility.

The new options allow a user to increase their opportunity of obtaining a space to berth their vessel; they will apply for a berth with increased chances and an increased cost.

STRATEGIC IMPLICATIONS

Legislative Requirements

The fees and charges have been proposed in line with GL-1837-002 External Fees and Charges and Section 97(2) of the *Local Government Act 2009*.

Risk Management

There are no identified changes in risk.

Financial

Table 3 in attachment 1 shows a comparison between 2012/2013 fees and the adopted 2013/2014 fees including GST. It should be noted that the 48-hour permits are split at a ratio of 6 per berth, while the full week, work week and weekend are split at a ratio of 3 per berth. Bond fees equivalent to one quarter of the annual fee excluding GST will also be requested. This is fully refundable on cancellation of the permit on the provision there are no outstanding payments owed to Council.

People

The Weinam Creek Marina is an integral part of the SMBI transport network and allows for transport outside the Ferry Public Transport System. Changes to the fee structure of the marina may impact users of the facility.

Environmental

There are no identified changes in environmental risk.

Social

The Weinam Creek Marina aims to provide equitable access to the bay for the community.

Alignment with Council's Policy and Plans

The recommendation primarily supports Council's Operational Plan strategy 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."

CONSULTATION

Applicants and respondents to the letter issued noting the change in fee structure have been requested to accompany their application with a letter of suggestion addressed to Council. These letters will be used to assess what users believe is lacking at this facility and also what they would like to see implemented at the facility.

Consultation in relation to the permitting changes has so far demonstrated the following issues:

- costs are considered unaffordable and/or unreasonable by many applicants;
- the 48-hour mooring was being used incorrectly as a number respondents suggest they used the facility daily;
- users require an ad-hoc type permit as they travel only in an emergency or on a monthly basis.

OPTIONS

Option 1 – Maintain adopted fee structure & re-introduce 48-hour mooring

Split the moorings to include options for a small number of 48-hour permits alongside the adopted full week, work week and weekend permits. Permanent single and double moorings will be unaffected.

Permanent mooring fees and shared full week, work week and weekend fees will remain as per Fees and Charges Schedule 2013/2014. The shared 48-hour mooring fees will be reintroduced at \$180 per year excluding GST with a \$45 (equivalent to one quarter) bond fee.

The fees will be as follows:

Shared 48-hour:	\$180.00 + \$18.00 GST	= \$198.00 + \$45.00 Bond
Shared full week:	\$1160.00 + \$116.00 GST	= \$1276.00 + \$290.00 Bond
Shared work week:	\$828.00 + \$82.80 GST	= \$910.80 + \$207.00 Bond
Shared weekend:	\$332.00 + \$33.20 GST	= \$365.20 + \$83.00 Bond
Permanent single:	\$2920.00 + \$292.00 GST	= \$3212.00 + \$182.50 Bond
Permanent double:	\$5840.00 + \$584.00 GST	= \$6424.00 + \$365.00 Bond

Option 2 – Return to previous fee structure

Return to the previous fee structure. This will reinstate the 48-hour permits as they were used previously and remove the full week, work week and weekend permits. Permanent single and double moorings will be unaffected.

Permanent mooring fees will remain as per Fees and Charges Schedule 2013/2014. The shared 48-hour mooring fees will be reintroduced at \$180 per year excluding GST with a \$45 (equivalent to one quarter) bond fee.

The fees will be as follows:

Shared 48-hour:	\$180.00 + \$18.00 GST	= \$198.00 + \$45.00 Bond
Permanent Single:	\$2920.00 + \$292.00 GST	= \$3212.00 + \$182.50 Bond
Permanent Double:	\$5840.00 + \$584.00 GST	= \$6424.00 + \$365.00 Bond

Option 3 – Maintain adopted fee structure

Maintain the fee structure as adopted by Council on 19 June 2013. This will remove 48-hour permits entirely and provide shared mooring options for full week, work week or weekend permits. Permanent single and double moorings will be unaffected.

Fees will remain as per Fees and Charges Schedule 2013/2014.

The fees will be as follows:

Shared Full Week:	\$1160.00 + \$116.00 GST	= \$1276.00 + \$290.00 Bond
Shared Work Week:	\$828.00 + \$82.80 GST	= \$910.80 + \$207.00 Bond
Shared Weekend:	\$332.00 + \$33.20 GST	= \$365.20 + \$83.00 Bond
Permanent Single:	\$2920.00 + \$292.00 GST	= \$3212.00 + \$182.50 Bond
Permanent Double:	\$5840.00 + \$584.00 GST	= \$6424.00 + \$365.00 Bond

OFFICER'S/COMMITTEE RECOMMENDATION

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

That Council resolve to:

1. Split the moorings to include options for a small number of 48-hour permits alongside the adopted full week, work week and weekend permits. Permanent single and double moorings will be unaffected; and
2. Retain the permanent mooring fees and shared full week, work week and weekend fees as per Fees and Charges Schedule 2013/2014. The shared 48-hour mooring fees will be reintroduced at \$180 per year excluding GST with a \$45 (equivalent to one quarter) bond fee:

The fees will be as follows:

Shared 48-hour:	\$180.00 + \$18.00 GST	= \$198.00 + \$45.00 Bond
Shared full week:	\$1160.00 + \$116.00 GST	= \$1276.00 + \$290.00 Bond
Shared work week:	\$828.00 + \$82.80 GST	= \$910.80 + \$207.00 Bond
Shared weekend:	\$332.00 + \$33.20 GST	= \$365.20 + \$83.00 Bond
Permanent single:	\$2920.00 + \$292.00 GST	= \$3212.00 + \$182.50 Bond
Permanent double:	\$5840.00 + \$584.00 GST	= \$6424.00 + \$365.00 Bond

CARRIED 11/0

9 MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 11.18am.

Signature of Chairperson: _____

Confirmation date: _____