



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Thursday 27 January 2011

**Council Chambers
1st floor Administration Building
Bloomfield Street Cleveland. Qld 4163**

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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.00pm and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets. The Mayor also paid Council's respect to their elders, past and present, and extend that respect to other indigenous Australians who are present.

2 DEVOTIONAL SEGMENT

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

3 RECOGNITION OF ACHIEVEMENT

- 3.1 The Mayor welcomed the new General Manager Customer Services, Louise Rusan and the new Manager Infrastructure Planning, Murray Erbs.
- 3.2 The Mayor recognised the effort of all Redlanders, both private, community groups and Council staff, in providing assistance to the flood victims and thanked them for all the support they had given and will be giving in the future.

4 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

Cr M Hobson PSM	Mayor
Cr M Elliott	Deputy Mayor and Councillor Division 7 – entered at 4.06pm
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2
Cr D Henry	Councillor Division 3
Cr J Burns	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr T Bowler	Councillor Division 6
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9
Cr H Murray	Councillor Division 10

EXECUTIVE LEADERSHIP GROUP:

Mr G Stevenson PSM	Chief Executive Officer
Mr N Clarke	General Manager Governance
Mrs L Rusan	General Manager Customer Services
Mr M Drydale	General Manager Corporate Services
Mr G Photinos	Manager Environmental Management
Mrs T Averay	General Manager Development & Community Standards

MINUTES:

Mrs J Parfitt

Corporate Meetings & Registers Team Leader

5 RECEIPT AND CONFIRMATION OF MINUTES**5.1 GENERAL MEETING MINUTES 15 DECEMBER 2010**

Moved by: Cr Bowler
Seconded by: Cr Ogilvie

1. That the Minutes of the General Meeting held on 15 December 2010 be confirmed; and
2. That the Chief Executive Officer be directed to check the audio recording for accuracy in relation to item 14.1.1 and report to the next meeting of Council if amendment of minutes is required.

CARRIED

5.2 SPECIAL MEETING MINUTES 16 DECEMBER 2010

Moved by: Cr Elliott
Seconded by: Cr Townsend

That the minutes of the Special Meeting held on 16 December 2010 be confirmed.

CARRIED

6 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES**6.1 REPORT FROM CHIEF EXECUTIVE OFFICER**

The following items were presented to Council for noting.

6.1.1 PETITION (DIVISION 9) MANAGEMENT OF SAFETY ISSUES – CROTONA ROAD EAST, ALEXANDRA HILLS AND CROTONA ROAD, CAPALABA

Datworks Filename: GOV Petitions
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Greg Underwood
General Manager Planning & Policy

EXECUTIVE SUMMARY

At the General Meeting on 25 August 2010 Council resolved that the petition requesting that Council undertake precinct traffic planning to assist with the management of safety issues rat running and dangerous intersections along and

around Crotona Road East, Alexandra Hills and Crotona Road, Capalaba be received and referred to the Planning & Policy department for investigation and a report back to Council.

OFFICER'S RECOMMENDATION

A report addressing this matter will be presented to the 2 March 2011 Planning & Policy Committee meeting.

6.1.2 PETITION (DIVISION 4) STEPS AT 36 ORANA ESPLANADE

Dataworks Filename: GOV Petitions
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Greg Underwood
General Manager Planning & Policy

EXECUTIVE SUMMARY

At the General Meeting on 20 October 2010 Council resolved that the petition requesting that the steps budgeted for in this years budget be put in place in front of No. 36 Orana Esplanade and that the old steps in front of No. 38 Orana Esplanade be made into a ramp, be received and referred to the appropriate area of Council for consideration and a report back to Council.

OFFICER'S RECOMMENDATION

That it be noted that a report addressing this matter will be presented to the 2 March 2011 Planning & Policy Committee meeting.

6.1.3 PETITION (DIVISION 1) SAFETY CONCERNS ON BAINBRIDGE STREET, ORMISTON

Dataworks Filename: GOV Petitions
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Greg Underwood
General Manager Planning & Policy

EXECUTIVE SUMMARY

At the General Meeting on 20 October 2010 Council resolved that the petition requesting that Council:

1. repair the road on Bainbridge Street at Ormiston;
 2. provide/install traffic islands on Bainbridge Street to slow down the continuous speeders up and down our street; and
 3. provide better street lighting for security issues of residences but also driving visibility;
-

be received and referred to the appropriate area of Council for consideration and a report back to Council.

OFFICER'S RECOMMENDATION

That it be noted that a report addressing this matter will be presented to the 2 March 2011 Planning & Policy Committee meeting.

6.1.4 STREET RENAMING – FACCIIO LANE, RAYMOND STREET AND LORAINE STREET, CAPALABA

Dataworks Filename: RTT Naming - Roads
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Greg Underwood
General Manager Planning & Policy

EXECUTIVE SUMMARY

At the General Meeting on 20 October 2010 this item was noted as 'lying on the table' and in accordance with part 3, Division 5, Section 29(7) of Subordinate Local Law No. 5 (Meetings) a procedural motion is required, '*that the item be taken from the table*' before the matter can be considered and concluded.

OFFICER'S RECOMMENDATION

That it be noted that this matter will be presented to the 2 March 2011 Planning & Policy Committee meeting for consideration.

6.1.5 DREDGING AT VICTORIA POINT JETTY

Dataworks Filename: GOV Notice of Business/Urgent Business to
General Meetings
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Greg Underwood
General Manager Planning & Policy

EXECUTIVE SUMMARY

At the General Meeting on 20 October 2010 resolved that a report be prepared on the dredging at Victoria Point jetty affecting the landing of the Coochiemudlo Island ferries as this is affecting more than passenger ferries, it has to do with school children having to get home in a certain time and meet the school's duty of care.

OFFICER'S RECOMMENDATION

That it be noted that a report addressing this matter will be presented to the 2 March 2011 Planning & Policy Committee meeting.

6.1.6 PETITION (DIVISION 5) CHANGE OF STREET NAME – CUPHEA STREET, RUSSELL ISLAND TO ANZAC MEMORIAL DRIVE, RUSSELL ISLAND

Datworks Filename: GOV Petitions
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Greg Underwood
General Manager Planning & Policy

EXECUTIVE SUMMARY

At the General Meeting on 17 November 2010 Council resolved that the petition, requesting that Council give due consideration to and undertake to change the name of Cuphea Street, Russell Island to Anzac Memorial Drive, be received and referred to the appropriate area of Council for consideration and a report back to Council.

OFFICER'S RECOMMENDATION

A report addressing this matter will be presented to the 6 April 2011 Planning & Policy Committee meeting.

6.1.7 STATUS REPORT ON CLOSURE OF REDLAND BAY ROAD, CAPALABA

At the General Meeting on 15 December 2010 Council resolved that the General Manager Planning & Policy bring forward a status report on the closure of Redland Bay Road, Capalaba to include information from discussions with Translink and Department of Main Roads, in relation to major intersections in this area.

OFFICER'S RECOMMENDATION

A report addressing this matter will be presented to the 6 April 2011 Planning & Policy Committee meeting.

6.1.8 PROVISION OF PATHWAYS/FOOTPATHS IN THE REDLAND BAY AREA

At the General Meeting on 15 December 2010, Council resolved that Council officers prepare a report with regard to the provision of funding for pathways/footpaths in the Redland Bay area.

OFFICER'S RECOMMENDATION

A report addressing this matter will be presented to the April 2011 Planning & Policy Committee meeting.

7 PUBLIC PARTICIPATION

Nil.

8 PETITIONS/PRESENTATIONS

8.1 PETITIONS

8.1.1 PETITION (DIVISION 6) STORM WATER DRAINAGE PROBLEM AT PEAR STREET, REDLAND BAY

Moved by: Cr Bowler
Seconded by: Cr Elliott

That the petition, which reads as follows, be received and referred to the appropriate area of Council for consideration and a report back to Council.

“The following is a petition from rate paying residents or tenants of Pear Street, Redland Bay. These present all blocks affected by the hydrography created by the new concrete strip provided for vehicular traffic.

The petition seeks to make known to the Redland City Council (all relevant departments) that the civil works undertaken by the Council is failing to function in any weather conditions, but is obviously worse with inclement seasonal rain. Recent heavy rain has caused ground water contaminated with sewerage from septic disposal systems in the streets above the level of Pear Street to mix with clean run-off and pond in many places.

The present design (or lack thereof) results in standing water along the full length of the eastern landscaped storm water easement, between house number 30 to 22. This water is typically obnoxious to smell and has the appearance of containing sullage.”

CARRIED

8.1.2 PETITION (DIVISION 4) - PRESENTED TO GENERAL MEETING 17.11.2010 – REQUEST TO REMOVE STEEL FENCE FROM ORANA ESPLANADE, VICTORIA POINT

PROPOSED MOTION

Moved by: Cr Burns
Seconded by: Cr Williams

That Council acknowledge the original petition presented on 17 November 2010 was on a different basis to the final decision and that a report be brought back to Council.

On being put to the vote the motion was LOST.

A division was called for.

Crs Burns, Williams and Hobson voted in the affirmative.

Crs Reimers, Murray, Elliott, Bowler, Townsend, Henry, Ogilvie and Boglary voted in the negative.

The motion was declared by the Mayor as LOST.

COUNCIL RESOLUTION

Moved by: Cr Elliott

Seconded by: Cr Burns

That the head petitioner be advised of Council's decision of 15 December 2010.

CARRIED (unanimously)

9 MOTION TO ALTER THE ORDER OF BUSINESS

Nil

10 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEMS OF BUSINESS

Nil

COUNCILLOR ABSENCES FROM MEETING

Cr Elliott left the meeting at 5.15pm and returned at 5.17pm during discussion on item 11.3.1.

11 DIRECT TO COUNCIL REPORTS

11.1 GOVERNANCE

11.1.1 AMENDMENT TO ORGANISATIONAL STRUCTURE – EMERGENCY MANAGEMENT

Dataworks Filename: GOV - Local Disaster Management Group

Responsible Officer Name: Gary Stevenson
Chief Executive Officer

Author Name: Nick Clarke
General Manager Governance

EXECUTIVE SUMMARY

Recent changes to the *Disaster Management Act 2003* and to Council's Executive Leadership Group have resulted in the need to appoint a Local Disaster Coordinator for the Redlands. Following the appointment of Nick Clarke, General Manager Governance, to this role, it is now appropriate to add the emergency management resources and functions of Council to his portfolio of responsibilities.

PURPOSE

The purpose of this report is to recommend the transfer of Council's emergency management resources and functions from the Customer Services Department to the Governance Department.

BACKGROUND

Council has statutory responsibilities under the *Disaster Management Act 2003* (the Act) in relation to the management of emergency situations and events. When the Act was amended in 2010, the role of Executive Officer was removed. This role was held by Mike Hyde, former General Manager, Customer Services; with Nick Clarke, General Manager Governance, as Deputy Executive Officer. This was replaced by a new role of Local Disaster Coordinator.

The Local Disaster Coordinator, Nick Clarke, was appointed in late 2010 by the Mayor (as Chairperson of the Local Disaster Management Group), following consultation with the Director-General, Department of Community Services, as required by section 35 of the Act.

The role of the Local Disaster Coordinator is defined by section 36 of the Act as having the following functions with respect to the Local Disaster Management Group (the local group):

(a) to coordinate disaster operations for the local group;

(b) to report regularly to the local group about disaster operations;

(c) to ensure, as far as practicable, that any strategic decisions of the local group about disaster operations are implemented.

Council also has a dedicated emergency management officer, Mike Morrison (Senior Consultant – Emergency Management). Mr Morrison reported to the General Manager Customer Services when Mike Hyde was Executive Officer. Now that the General Manager Governance is the Local Disaster Coordinator, it is more appropriate for Mr Morrison to report directly to Mr Clarke. This report recommends the transfer of Council's emergency management resources and functions from the Customer Services Department to the Governance Department.

ISSUES

This will require minor modification to the corporate structure which will be quick and easy to facilitate.

RELATIONSHIP TO CORPORATE PLAN

The recommendation is consistent with the Corporate Plan 2010-15 – Outcome 7: Strong and Connected Communities:

Strategy 7.10 - Minimise the impact of disasters by improving community preparedness and our capacity to respond effectively to support the community when disasters occur.

FINANCIAL IMPLICATIONS

The minor costs associated with relocating one staff member will be absorbed within the current budget. The transfer of the emergency management budget between departments will occur at the next quarterly budget review.

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications.

CONSULTATION

Consultation has occurred with the Mayor, Deputy Mayor, General Manager Governance, Acting General Manager Customer Services and the Senior Consultant Emergency Services. All support the recommendation.

OPTIONS

PREFERRED

That Council resolve to amend the corporate structure, by transferring the emergency management resources and functions of Council from the Customer Services Department to the Governance Department, with immediate effect.

ALTERNATIVE

To leave the corporate structure unchanged.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Elliott
Seconded by: Cr Bowler

That Council resolve to amend the corporate structure, by transferring the emergency management resources and functions of Council from the Customer Services Department to the Governance Department, with immediate effect.

CARRIED

11.1.2 SUPPORT FOR VICTIMS OF NATURAL DISASTER - QUEENSLAND FLOODS

Dataworks Filename: G & S Sponsorships and Donations

Responsible Officer Name: Gary Stevenson
Chief Executive Officer

Author Name: Nick Clarke
General Manager Governance

EXECUTIVE SUMMARY

In recent weeks, major areas of Queensland have been affected by substantial and prolonged flooding. This has resulted in unprecedented levels of loss of and damage to property and has caused great distress to many families who have had to abandon their homes due to rising water levels. A financial donation by Council to the Premier's Flood Relief Appeal (the Appeal) is recommended.

PURPOSE

Council is requested to support those affected by the floods with a financial donation.

BACKGROUND

Since late December 2010, the State of Queensland has experienced severe flooding across an affected area larger than the State of New South Wales. Many communities have been very significantly affected by the flooding which has resulted in mass evacuations from towns; hardship caused by damage to homes, businesses and infrastructure, including the closure of many road, rail and some air links.

On 29 December 2010, the Premier of Queensland established the Appeal "to assist those affected by the wide-spread devastating flooding across Queensland." The cost of this disaster is estimated to run into billions of dollars. The Queensland Government launched the appeal with a \$1 million contribution and since then, several million dollars have been donated.

The Australian Red Cross is managing the distribution of the donated funds on behalf of the Queensland Government.

ISSUES

In exceptional circumstances such as this, Council has previously supported victims of natural disasters with a financial donation on behalf of the Redlands community. Examples of this include: Victorian Bushfire Appeal (Red Cross) 2009; the Premier's Flood Victims Appeal for North Queensland floods (Queensland Government) 2009; and the South-East Asian Tsunami 2005.

Many local governments across Australia will be considering financial donations to support the victims of the Queensland floods. Most South East Queensland councils are considering pledging sums of between \$20,000 and \$150,000 toward the Appeal.

It is proposed that Council makes a financial contribution to the Appeal of \$20,000.

Council may also consider providing additional support to other local governments should such assistance be requested and suitable resources be available for deployment elsewhere. This is additional to the support that has been provided to other local government areas by Redlands SES volunteers.

RELATIONSHIP TO CORPORATE PLAN

The proposal is consistent with the values and principles of Outcome 7 – Strong and Connected Communities. It is also consistent with Council's objective 'that the organisation and its people are caring.'

FINANCIAL IMPLICATIONS

The financial donation will be subject to a budget revision at the next quarterly review.

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications.

CONSULTATION

Consultation has been undertaken with several South East Queensland councils.

OPTIONS

PREFERRED

Council donates \$20,000 to the Premier's Flood Relief Appeal.

ALTERNATIVE

Council may wish to vary the amount to be donated.

OFFICER'S RECOMMENDATION

That Council resolve to donate \$20,000 to the Premier's Flood Relief Appeal.

COUNCIL DISCUSSION

Nick Clarke, General Manager Governance, reported that Council had supplied assistance to some of the most flood affected SEQ councils. He informed Council that in excess of 100 staff had been deployed mostly to the Brisbane City Council area, with smaller numbers to Ipswich City Council and support being offered currently to Lockyer Valley Regional Council. The assistance provided to these communities has included major clean-up operations in the streets of Brisbane, environmental health and animal management support at evacuation centres in

Brisbane and Ipswich, mosquito control, the preparation of evacuation centres in the Redlands (although ultimately these were not required) and the coordination of the support effort through Council's Emergency Coordination Centre.

Mr Clarke reported that the cost of support provided to other councils that is not recoverable through the National Disaster Relief and Recovery Arrangements (NDRRA) is likely to exceed \$200,000. The non-recoverable costs include the base salaries of the staff who would otherwise have been working in the Redlands. Costs that would otherwise not have been incurred will be subject of claims for reimbursement under the NDRRA, e.g. staff overtime, contractors, additional hire of plant and equipment and travel costs. It was also noted that whilst many operational staff were away from their normal duties, existing maintenance work and capital projects in the Redlands were delayed.

COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Henry

That Council resolve to:

- 1. Donate \$20,000 to flood relief;**
- 2. Delegate authority to the Planning and Policy Committee, under s.257(1)(c) of the *Local Government Act 2009*, to make a decision on recipients of these funds in order to maximise the benefits to communities; and**
- 3. Endorse the actions of the Chief Executive Officer in deploying staff and equipment to flood response and recovery in other areas and refer to quarterly budget review.**

CARRIED (unanimously)

11.2 CORPORATE SERVICES

11.2.1 DECEMBER 2010 - MONTHLY FINANCIAL REPORTS

Datworks Filename: FM Monthly Financial Reports to Committee

Attachment [EOM Report](#)

Responsible Officer Name: Martin Drydale
General Manager Corporate Services

Author Name: Karen Bahr
Acting Service 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 attachments to this report present the December 2010 financial statement of accounts to Council and provide detailed analytical commentary. Millions are displayed by an M, and thousands are displayed by a K. It should be noted that the property plant & equipment transferred to Allconnex remains in our balance sheet at 31/12/2010. Accounting treatment/entries will be posted to transfer these balances out when negotiations regarding Council's interest in Allconnex are finalised.

The financial statements demonstrate that six of the seven Financial Stability Ratios Key Financial Performance Indicators exceed targets set in the 2010-2011 budget. These are:

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

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

- operating performance

With respect to the five measures of sustainability adopted as part of the 2010-2011 budget, Council is currently meeting three of the five targets. These are:

- net financial liabilities ratio;
 - interest cover ratio; and
-

- asset consumption ratio

Council failed to meet its' operating surplus ratio and Council's system is currently being structured to measure its' asset sustainability ratio.

Council's end of month operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of revised budget by \$2.1M, with operating revenue below budget by \$3.2M & operating expenditure underspent by \$5.3M. Council's operating deficit after depreciation and interest charges was \$3.8M, a favourable variance of \$1.9M on budget.

The cash held at the end of December 2010 is \$66.3M, equal to 5.2 months cash capacity against an original target of three to four months. The YTD cash position is favourable at \$1.5M above the budgeted figure of \$64.7M, primarily influenced by net cash flow from investing activities being \$6.0M under budget, offset by a \$4.4M unfavourable movement in cash flows from operating activities.

PURPOSE

The purpose is to present the December 2010 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

The following elements, shown in the attachments, comprise the End of Month Financial Reports for December 2010:

Dashboard and Key Performance Indicators (A)

- Operating Revenue compared with Budget;
- Operating Expenditure compared with Budget;
- Employee Costs compared with Budget;
- Capital Expenditure compared with Budget;
- Key Performance Indicators – Actuals compared with Budget and Targets.

Operating Statement with headline commentary (B)

This shows the percentage variance of year to date actual results compared with year to date budget by colour indicators. Tolerance levels for the variances differ between operational and capital amounts.

Additionally, a **Cash Flow Statement (C)**; **Statement of Financial Position (D)**; and an **Investment Summary and Graphs (E)** have been included to provide the complete picture of Council's finances. Finally, an **Operating Statement with detailed commentary (F)** shows year to date actual results compared with annual and year to date budgets. This report has a brief commentary on all year to date variances greater than \$20,000 and variances are classified as timing or permanent.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports the following outcomes:

8. Inclusive and ethical governance

- 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

The overall financial result for the period ending December 2010 remains strong with EBITD of \$12.4M (\$2.1M ahead of budget). This result is primarily due to total operating expenditure being \$5.3M below budget, offset by operational revenue being \$3.2 under budget YTD.

Operating Revenue

Rates and Utility Charges are unfavourable against budget by \$221K, influenced by O&M being \$205K below budget YTD.

Pensioner Remissions are \$114K above budget and Fees and Charges are below budget by \$161K primarily due to camping and cabin fees \$182K and four wheel drive permits \$40K below budget due to wet weather and Straddie Holiday Park storage and long-term vans \$33K and school age care \$37K below budget offset by waste fees & charges \$142K above budget.

Operating Grants and Subsidies are below budget by \$1.3M primarily due to the cancelling \$1.47M funding for Raby Bay Eastern Channel Dredging offset by Corporate Services being above budget by \$290K as result of early receipt of Grants Commission grant and Operating Grants.

External interest is favourable by \$475K due to higher than expected investment balances and interest rates.

Other revenue is below budget by \$1.4M primarily due to Allconnex SLA recovery revenue being below budget as a number of invoices for services were not processed in the usual time manner due to less than usual resources over the Christmas/New

Year holiday period. Additionally, Council is awaiting the revenue reimbursement of establishment costs incurred during the course of establishing Allconnex Water, thus, also contributing to the unfavourable variance in this area.

Operating Expenditure

Operational Employee Costs are over budget by \$305K with unfavourable variances across Governance \$111K, Customer Service \$197K, Planning & Policy \$242K, and Corporate Services \$291K (Variance Budget Reduction \$336K), being partially offset by Development & Community Standards \$535K under budget due to vacancies across all groups.

Operational Goods and Services are under year to date budget by \$5.4M with expenditure under budget in Infrastructure Planning Group \$2.8M, O&M \$1.3M, Environmental Management Group \$535K, Community & Social Planning \$305K, and Land Use Planning \$303K.

Capital Revenue

Contributions and Donations are \$155K below budget in total with PDG \$265K under budget due to RPAC finalisation journal not yet completed offset by Infrastructure Planning Group \$116K above budget due to developer contributions being received ahead of budget phasing.

Capital Expenditure

The Capital Expenditure program is 25.5% or \$7.7M below revised budget at the end of December 2010. Main areas behind budget are PDG \$1.1M, Infrastructure Planning Group \$836K, Environmental Management Group \$1.1M, Community & Social Planning \$5.2M, CAFF \$1.2M, Information Mgt \$215K, and Financial Control Group \$78K.

Capitalised Employee Costs are \$36K above budget due to O&M \$88K above budget partially offset by PDG below budget by \$55K.

Cash and Investments

The investment of surplus funds for the month returned a weighted average rate of return of 5.71%, which is ahead of the UBS Aust Bank Bill Index of 5.11%. The cumulative position for the year is a favourable return of 5.40% against the UBS Aust Bank Bill Index of 4.93%. These returns are reported on a monthly weighted average return and Council benchmarks the funds against the UBS Australian Bank Bill Index. Interest return is reported on both an annual effective and nominal rate of return. RBA cash rate remains at 4.75% as at the end of December 2010.

CONSULTATION

Consultation has taken place amongst the Executive Leadership Group.

OPTIONS**PREFERRED**

That Council resolve to note the preliminary End of Month Financial Reports for December 2010 and explanations as presented in the following attachments:

1. Dashboard and Key Performance Indicators (A);
2. Operating Statement with headline commentary (B);
3. Cash Flow Statement (C);
4. Statement of Financial Position (D);
5. Investment Summary and Graphs (E) ; and
6. Operating Statement with detailed commentary (F).

ALTERNATIVE

That Council requests additional information.

OFFICER'S RECOMMENDATION

That Council resolve to note the preliminary End of Month Financial Reports for December 2010 and explanations as presented in the following attachments:

1. Dashboard and Key Performance Indicators (A);
2. Operating Statement with headline commentary (B);
3. Cash Flow Statement (C);
4. Statement of Financial Position (D);
5. Investment Summary and Graphs (E) ; and
6. Operating Statement with detailed commentary (F).

MOTION TO SUSPEND STANDING ORDERS AT 4.43PM

Moved by: Cr Elliott
Seconded by: Cr Williams

That Standing Orders be suspended to allow discussion on this item.

CARRIED

MOTION TO RESUME STANDING ORDERS AT 4.56PM

Moved by: Cr Elliott
Seconded by: Cr Townsend

That Standing Orders be resumed.

CARRIED

COUNCIL RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Boglary

That Council resolve to note the preliminary End of Month Financial Reports for December 2010 and explanations as presented in the following attachments:

- 1. Dashboard and Key Performance Indicators (A);**
- 2. Operating Statement with headline commentary (B);**
- 3. Cash Flow Statement (C);**
- 4. Statement of Financial Position (D);**
- 5. Investment Summary and Graphs (E) ; and**
- 6. Operating Statement with detailed commentary (F).**

CARRIED

11.2.2 LEASE TO B.I.T.S.FOR REFUELING FACILITY, WEINAM CREEK

Dataworks Filename: L.303515
Attachments: [Site Plan A](#)
Responsible Officer Name: Andy Blacklock
Acting Manager Corporate Acquisitions Fleet & Facilities
Author Name: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

At its meeting held on 31 October 2007, Council resolved to grant a lease to Bay Island Transit Systems (BITS) located at Weinam Creek, Redland Bay in a position shown as Lot B SP213660 on Plan A attached.

Material Change of Use approval was subsequently issued by Council on 12 October 2010 for the facility at a new location shown on Plan A attached. Council approval is required for the surrender of the existing lease and execution of a new lease for the new location.

PURPOSE

The purpose of this report is to recommend to Council that the existing lease be cancelled and a new trustee lease be executed over the new location.

BACKGROUND

At its meeting held on 31 October 2007, Council resolved to grant a trustee lease to Bay Island Transit Systems (BITS) located at Weinam Creek, Redland Bay in a position shown as Lot B SP213660.

The purpose of this lease was to allow the decommissioning of the existing refuelling facility which is located some distance from the recently constructed jetty and landing facility. The term of the lease was 10 years and subsequently a lease was executed between the parties.

ISSUES

BITS lodged a Material Change of Use application with Council for the construction of the refuelling facility. This application was considered by Council officers who subsequently negotiated with the applicant an amended site for the facility which was considered to be a better location than the previously approved lease area.

This new site will result in no loss of car parking spaces and was approved by Development & Community Standards Committee on 12 October 2010.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority:

"Wise Planning and Design":

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

FINANCIAL IMPLICATIONS

Council will be responsible for costs of the new lease and associated costs.

CONSULTATION

Property Services Manager has consulted with BITS, Manager Legal Services, Manager Infrastructure Planning, General Manager Development & Community Standards and DERM.

OPTIONS

PREFERRED

That Council resolve to:

1. Grant approval for the surrender of the existing lease to BITS being Lot B on SP213660;
2. Grant approval for the execution of a new lease to BITS over the proposed new location shown on Plan A attached;
3. Agree that terms and conditions of the new lease be consistent with the terms and conditions of the existing lease;
4. Grant approval for the necessary applications being made to DERM and the relevant Minister of the Queensland Government for approval to this proposal; and
5. Authorise the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009* to execute all documents in respect to this resolution.

ALTERNATIVE

There is no practical alternative to that proposed.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve to:

1. **Grant approval for the surrender of the existing lease to BITS being Lot B on SP213660;**

2. Grant approval for the execution of a new lease to BITS over the proposed new location shown on Plan A attached;
3. Agree that terms and conditions of the new lease be consistent with the terms and conditions of the existing lease;
4. Grant approval for the necessary applications being made to DERM and the relevant Minister of the Queensland Government for approval to this proposal; and
5. Authorise the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009* to execute all documents in respect to this resolution.

CARRIED

11.3 CLOSED SESSION

MOTION TO CLOSE MEETING AT 4.59PM

Moved by: Cr Elliott
Seconded by: Cr Townsend

That the meeting be closed to the public under section 72 (1) of the *Local Government (Operations) Regulation 2010* to discuss the following items:

- 11.3.1 *11/11 Investigation Report under Section 268 of the Local Government Act 2009*
- 11.3.2 *Allconnex Water Participation Returns*

The reason that is applicable in this instance is as follows:

“(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

CARRIED

MOTION TO REOPEN MEETING AT 6.02PM

Moved by: Cr Elliott
Seconded by: Cr Townsend

That the meeting be again opened to the public.

CARRIED

11.3.1 11/11 INVESTIGATION REPORT UNDER SECTION 268 OF THE LOCAL GOVERNMENT ACT 2009

Datworks Filename: GOV LGAct2009 s.268 Investigation Reports – Administrative Action Complaints
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Nick Clarke
General Manager Governance

EXECUTIVE SUMMARY

A confidential report from General Manager Governance dated 7 January 2011 was discussed in closed session.

OFFICER'S RECOMMENDATION

That Council resolve to accept the findings and recommendations in the complaint investigation report number 11/11.

COUNCIL RESOLUTION

Moved by: Cr Williams

Seconded by: Cr Ogilvie

1. That Council resolve to accept the findings and recommendations in the complaint investigation report number 11/11; and
2. Should an opportunity arise to assist the families further in the future, Council directs the Chief Executive Officer to indicate its preparedness to consider same.

CARRIED

11.3.2 ALLCONNEX WATER PARTICIPATION RETURNS

Datworks Filename: WS Planning
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Martin Drydale
General Manager Corporate Services

EXECUTIVE SUMMARY

A confidential report from General Manager Corporate Services dated 5 January 2011 was discussed in closed session.

OFFICER'S RECOMMENDATION

That Council resolve to hold a Councillor/ELG workshop at the earliest opportunity to consider financial implications relating to Allconnex Water Participation Rights and Returns.

COUNCIL RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Townsend

That Council resolve to hold a Councillor/ELG workshop at the earliest opportunity to consider financial implications relating to Allconnex Water Participation Rights and Returns and make representations to Allconnex.

CARRIED

12 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 6.05 pm.

Signature of Chairperson: _____

Confirmation date: _____