



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 12 February 2014

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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The Mayor is the Chair of the General Meeting. The following Portfolios are included in the General Meeting and 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 9.33am and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

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

2 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 – left the meeting at 12.09pm

EXECUTIVE LEADERSHIP GROUP:

Mr B Lyon	Chief Executive Officer
Mr N Clarke	General Manager Organisational Services
Mr G Soutar	General Manager Infrastructure & Operations

Mrs L Rusan General Manager Community & Customer Services
Mr G Holdway Chief Financial Officer

MINUTES:

Mrs E Striplin Corporate Meetings & Registers Team Officer

COUNCILLOR ABSENCES DURING THE MEETING:

Cr Ogilvie left the meeting at 10.41am (during public participation) and returned at 10.43am

Cr Williams left the meeting at 11.15am (during Item 11.5.3) and returned at 11.18am (Cr Beard presided in her absence)

Cr Elliott left the meeting at 11.54am (during Item 13.1.1) and returned at 12.13pm (and the end of Item 13.5.1).

Cr Bishop left the meeting at 12.09pm

3 DEVOTIONAL SEGMENT

Pastor David Busch, Trinity Uniting Church and member of the Ministers' Fellowship I led Council in a brief devotional segment.

4 RECOGNITION OF ACHIEVEMENT**4.1 AUNTY FAY MABB**

Aunty Fay Mabb is a descendant of the Neli Nidgeri family line. Her bloodline is to all three clan groups of the Quandamooka People. She was an active member of the Quandamooka People's Native Title claims and regularly participated in the family members as part of this process.

Aunty Fay was a very active member of the Aboriginal community. She served her community in an official sense as a Board of Director on a number of the organisations including the Quandamooka Land Council, Yulu Burri Ba Aboriginal Health Service, the North Stradbroke Aboriginal and Islander Housing Company and the Minjerribah Moorgumpin Elders in Council. She remained an active member of the Aboriginal organisations and could always be relied upon to help out at meetings, functions and community events.

Aunty Fay will also be remembered as a humble, highly dignified woman who was extremely proud of her ancestry, her culture and her people.

Our thoughts and prayers are with Sonia, her daughter, and Peter her son in their time of much sadness.

We remember Aunty Fay Mabb today.

One minute of silence was offered in remembrance and respect of Aunty Fay Mabb.

5 RECEIPT AND CONFIRMATION OF MINUTES**5.1 GENERAL MEETING MINUTES 29 JANUARY 2014****COUNCIL RESOLUTION**

Moved by: Cr A Beard
Seconded by: Cr P Gleeson

That the minutes of the General Meeting of Council held on 29 January 2014 be confirmed.

[General Meeting Minutes 29 January 2014](#)

CARRIED 11/0

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

There were no matters outstanding.

7 PUBLIC PARTICIPATION**MOTION TO ADJOURN MEETING**

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

That Council adjourn the meeting for a 45 minute public participation segment.

CARRIED 11/0

1. Mr B Green, resident of Coochiemudlo Island, addressed Council in relation to the reopening of Norfolk Beach Road.
2. Ms J Cooper, resident of Point Lookout, addressed Council on Toondah Harbour Proposed Development.
3. Mr D Savage, resident of Cleveland, addressed Council on Toondah Harbour Proposed Development.
4. Mr R Oliver, resident of Cleveland, addressed Council on MCU013138 Smith Street, Cleveland
5. Mr P Turnbull, resident of Cleveland, addressed Council on Toondah Harbour Proposed Development.
6. Ms J Douglass, resident of Cleveland, addressed Council on Toondah Harbour Proposed Development.

MOTION TO EXTEND PUBLIC PARTICIPATION SEGMENT

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

That Council extend the public participation segment for another 15 minutes to allow further speakers.

CARRIED 11/0

7. Dr S Robinson, resident of Cleveland, addressed Council on MCU013138 Smith Street, Cleveland.
8. Mr A Maloney, resident of Mount Cotton, addressed Council on Barrow Quarry / Stanley Road reserve.

MOTION TO EXTEND PUBLIC PARTICIPATION SEGMENT

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

That Council extend the public participation segment for another 15 minutes to allow further speakers.

CARRIED 11/0

9. Ms J Grosvenor, resident of Redland Bay, addressed Council on Weinam Creek PDA.

MOTION TO RESUME MEETING

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

That the meeting proceedings resume.

CARRIED 11/0

8 PETITIONS AND PRESENTATIONS

Nil.

9 MOTION TO ALTER THE ORDER OF BUSINESS

COUNCIL RESOLUTION

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

That Council resolve as follows:

1. That Item 11.5.4 as listed on the Agenda, (Pre-Request Response Notice Removal of Covenants at 34A and 36-44 Hardy Road, Birkdale), be discussed as Item 11.1.1;
2. That Item 11.5.3 as listed on the Agenda, (MCU013138 – 111-115 Smith Street Cleveland), be discussed as Item 11.2.1; and
3. That the Notice of Motion from Cr Ogilvie be discussed as Item 12.1.

CARRIED 11/0

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

Nil.

11 REPORTS TO COUNCIL**11.1 PORTFOLIO 7 (CR JULIE TALTY)****PLANNING & DEVELOPMENT****11.1.1 PRE REQUEST RESPONSE NOTICE REMOVAL OF COVENANTS AT 34A AND 36-44 HARDY ROAD, BIRKDALE**

Datworks Filename: SB005387
Reports to Council – Portfolio 7 Planning and Development

Authorising Officer:



Greg Jensen
Acting General Manager Community & Customer Services

Responsible Officer:

David Jeanes Group Manager City Planning and Assessment Group

Author:

Adam Webb
Senior Planner PA

PURPOSE

This request for a pre-request response notice is referred to the Coordination Committee for determination.

The Applicant is requesting a pre-request response notice from Council under s.368 of the Sustainable Planning Act 2009 (SPA), prior to lodging an originating application to the Planning and Environment Court for a request to change a development approval to remove conditions relating to covenant areas.

The issues relate to the encumbrance that the covenants impose on the land. The applicant's representations advise that:

- The native grasses are a fire hazard and make the land unsuitable for gardening or for children to play in;
- There will be future conflict between the vegetation and urban built form and activities;
- Safety concerns exist regarding falling limbs or trees on persons or property; and
- The above elements have a negative commercial impact which has resulted in the blocks with covenants on them being the only allotments within the estate that they cannot sell.

It is recommended that Council support the applicant's request and a pre-request response be provided to the applicant to lodge with their application to the Court.

BACKGROUND

On 26 February 2010, a decision notice was issued by the Planning and Environment Court (P&E Court) granting a Development Permit for a Reconfiguration of Lot for a three (3) into 10 lot subdivision on land at 34A, 36-40 and 42-44 Hardy Road, Birkdale. It is noted that the decision did not go to trial as agreement was reached between both parties.

At the General Meeting of 18 December 2013 Council deferred the decision on this matter in order to obtain additional information from officers and to enable Councillors to undertake a site inspection.

Additional information regarding an alternative option is provided at the back of this report as attachment A. The alternative option has removed much of the wording and is focused on the core objective of applying covenants that restrict structures and preserve trees over lots 11, 14, 18 and 19.

ISSUES

Process

As noted above, the application was determined by the Courts. Therefore the application needs to return to the Courts for any amendments to conditions. However, under the *Sustainable Planning Act 2009* (SPA) the applicant must refer the proposed changes to Council for consideration. That is the matter for consideration and Council must advise the applicant and the Court whether it objects to the proposed changes to conditions.

The applicant will be able to take the pre-request response notice to the Court as part of the request to amend conditions.

In determining the application the Court is required to assess the request under S374 having regard to:

- (a) The information in the request;
- (b) The matters the responsible entity would have regard to if the application was a development application;
- (c) Any submissions
- (d) Any notice given under S373 – that is any notice given by Council or a Concurrence Agency for the original application; and
- (e) Any pre-request response notice (from Council) about the request given to the entity (the Court).

There were no submissions or Concurrence Agencies for this application. In considering this pre-request response notice Council officers have had regard to the above matters that the Courts will need to consider. In particular Council officers have had regard to the matters that would be identified if the request was a development application.

Requested Changes

The applicant is requesting the following conditions/advice statements be removed from the court order:

- Conditions 2.1, 2.2 and 2.3;
- Conditions 5.2, 5.3 and Post Construction Stage of 5.5;
- Conditions 6.2 and 6.3; and
- Advice clause 9.4.

These conditions/advice statements relate to protection of trees and covenant areas for habitat linkages and are recreated below:

Existing conditions:

- 2.1 The layout indicated on the Landscape, Streetscape & Vegetation Management Plan Proposal Plan drawing number B09342-REHAB Rev. L, prepared by Lambert and Rehbein and dated 5 February 2010 is approved, subject to the conditions contained herein. The development must be carried out generally in accordance with the approved plan.
- 2.2 Before Council is required to assess any application for Operational Works, the covenant areas must be surveyed and a plan provided to Council for approval that demonstrates the survey accurate boundaries of each of the covenant areas.

Each covenant must ultimately be registered with the Final Plan of Survey, which must define the location of the Covenant Areas on the plan.

- 2.3 To the extent of any inconsistencies between any approved documents associated with the proposed development, including the Landscape, Streetscape and Vegetation Management Plan dated 5 February 2010, these Development Permit conditions are to take precedence.

5.2 Landscape, Streetscape & Vegetation Management Plan

Before Council is required to assess any application for Operational Works, the Developer must provide a revised layout plan based on Lambert & Rehbein drawing B09342-REHAB Rev L that was contained in the Landscape, Streetscape and Vegetation Management Plan dated 5 February 2010.

The revised layout must distinguish between the Covenant and Non-Covenant Areas of proposed Lots 11, 14, 18 and 19, and must illustrate areas for vegetation planting on Lots 1 and 14, areas for tree retention on Lots 18 and 19, and areas for landscape treatment on Lots 11, 12 and 13.

Before Council is required to accept the development as On-Maintenance the Developer must:

- Undertake planting and establishment of vegetation in the manner and locations specified in the Landscape, Streetscape and Vegetation Management Plan dated 5 February 2010.
- Monitor newly planted vegetation, replace as necessary, and remove weeds as specified in the Landscape, Streetscape and Vegetation Management Plan.

5.3 Covenant Areas (Lots 11, 14, 18 & 19 only)

- a) Development is permitted within the designated “Non-Covenant Areas” on each of Lots 11, 14, 18 and 19 as indicated on Drawing B09342-REHAB Rev. L dated 5 February 2010, in the Landscape, Streetscape & Vegetation Management Plan.
- b) Development exclusion areas (to be termed “Covenant Areas”) are to be designated for Lots 11, 14, 18 and 19, as indicated on Drawing B09342-REHAB Rev. L dated 5 February 2010, in the Landscape, Streetscape & Vegetation Management Plan. The designated Covenant Areas must be surveyed and pegged on-site prior to plan sealing.
- c) The Developer must register a covenant with the Department of Environment and Resource Management for each of Lots 11, 14, 18 and 19, with Redland City Council being the covenantee. The covenant is to regulate the preservation of the physical and natural features of the area within the designated covenant area of Lots 11, 14, 18 and 19. The covenants are binding on the covenantor and the covenantor’s successors in title. The covenants must indicate all conditions contained in Condition 5.3 of this approval and must be approved by Council before Council is required to sign a Plan of Survey. Each covenant is to be registered with the Plan of Survey which must define the location of the Covenant Area on the plan.
- d) Copies of the approved covenant and plan of survey are to be lodged with Council for retention on the Reconfiguration of Allotment file and the Property file for each new allotment.
- e) Buildings and other improvements (including sheds, tennis courts, pools, barbecues, gazebos, planting of non-native flora other than a grass lawn, planting of native *Ficus* (fig) species, cut and fill batters, retaining walls, and the movement and parking of vehicles), must not be located within the Covenant Areas.
- f) Use of land within the Covenant Areas is limited to the construction of fauna-friendly fencing, walking paths, seating for passive recreational use, gardening and weed management (limited to the use of hand-held motorised gardening aids), passive recreational activities, and maintenance works related to the sewer and water pipeline within the 3-metre wide Area 2 that is indicated on Lambert & Rehbein Drawing B09342-REHAB Rev. L dated 5 February 2010.
- g) Vegetation within the Covenant Area must be established and maintained as specified in the Landscape, Streetscape and Vegetation Management Plan.

5.5 Fauna Management

Operational Works Stage

At least 14 days before commencement of any vegetation removal or earthworks, the Developer must appoint an accredited wildlife spotter to examine the site for wildlife habitat, and to supervise clearing operations.

Wildlife habitat includes trees whether living or dead, other living vegetation, piles of discarded vegetation, demolished structures and disturbed ground surfaces.

During clearing operations, the clearing contractor must:

- liaise with the on-site spotter; and
- ensure that each tree or other feature identified by the spotter as being a risk to wildlife if felled or disturbed, is not damaged or disturbed until the spotter advises that it is appropriate to do so.

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

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

An accredited spotter is a person or company holding a current Rehabilitation Permit issued by the Department of Environment and Resource Management (DERM) under Section 275(d) of the *Nature Conservation Regulation 1994* or under Section 12(d) of the *Nature Conservation (Administration) Regulation 2006*.

Before seeking a pre-start meeting at the Operational Works stage, the Developer must advise Council of the name of the spotter. If the spotter is not known to Council, the Developer will then be required provide a complete copy of the accredited spotter's Rehabilitation Permit. Operational works will not be permitted to commence until Council has sighted this permit. The spotter should attend the pre-start meeting if available.

If the Developer cannot locate persons or companies holding Rehabilitation Permits, advice should be sought from DERM (Customer Service telephone number 1300 130 372).

Post-Construction Stage

The following applies to the proposed lots after reconfiguration and when dwellings are constructed and occupied:

In the event that the future owners of Lots 11, 14, 15, 18 or Lot 19 keeps a dog on their property, an exclusion fence (suitable to retain the dog) must be erected in order to restrict the dog's access into the covenant area. The purpose of the fencing is to restrain a dog within the habitable area of the property so as to prohibit access to the covenant areas. For Lots 11, 14, 15, 18 or Lot 19, all fencing along common boundaries with covenant areas must be of a design that allows koala access into and out of covenant areas.

6.2 Tree Maintenance & Protection

Where existing trees are to be retained within Covenant Areas, ALL dead wood and potentially dangerous tree(s)/tree limbs are to be removed. Where construction works impact on the health of a tree to initiate deterioration and/or death to the whole or part of the tree during the period of construction, the Developer is to attend to the removal of that tree or part thereof under the direction of the Manager Assessment Services or Council's representing officer.

All tree works and the treatment of any damaged limbs of trees identified for retention, must be performed by an experienced and qualified arborist who is a member of the Australian Arborist Association or equivalent professional organisation and in accordance with AS 4373-1996 'Pruning of Amenity Trees'.

This work is to be carried out prior to site construction works being accepted On-Maintenance, in consultation with the Manager Assessment Services.

Details of tree protection measures for all trees to be retained adjacent to construction works. This includes all trees that may be subject to having 20% or greater of their Critical Root Zone damaged or removed. An arborist report will be required to demonstrate and support the effectiveness of the tree protection measures proposed. The report should be prepared for assessment with Operational Works plans and in accordance with provisions concerning arborist technical reports noted under Part 11 - Planning Scheme Policy 9 - Infrastructure Works - Chapter 11 RPS.

6.3 Significant Vegetation Protection Bond

The Developer is also advised that at the time of Operational Works approval, a significant vegetation bond must be applied with respect to:

- The eight (8) trees identified in Zone 1 of proposed Lots 18 and 19, as shown on Lambert & Rehbein drawing B09342-REHAB dated 5 February 2010, as per Clause 3.6.4.3 Significant Vegetation Protection Bonds in Part 11 – Planning Scheme Policy 3 – Contributions and Security Bonding – Chapter 6. In addition, Council may decide to hold this bond beyond Off Maintenance for a minimum period of 2 years. In 2009-2010 figures, this amount will be \$10,000 per tree.
- The six (6) trees minimum to be established and maintained in Zone 2 of proposed Lots 11 and 14, as shown on Lambert & Rehbein drawing B09342-REHAB. In 2009-2010 figures this amount will be \$1000 per tree.

Advice

- 9.4 The Developer is advised to ensure that a copy of Conditions 5.2 and 5.3 of this Decision Notice is given to any subsequent purchaser of Lots 11, 14, 18 and 19, a copy of Condition 5.5 to subsequent purchasers of all lots, and to any agent(s) engaged to sell any of the lots on the Developer's behalf.

Applicant's Representations

The applicant has provided a justification of how the covenant areas do not achieve the Planning Scheme intent of providing either habitat or a wildlife corridor as follows:

- *"Trees are not endemic species;*
- *There are no links to other existing vegetation to allow the safe passage of wildlife;*
- *Future accidental damage to the trees in the construction of dwellings may render the trees unstable;*
- *The trees may pose a threat to residents in the form of falling branches;*
- *The size of the covenant areas as a percentage of block sizes are excessive ie;*
- *Lot 11 1082m² covenant is 253m² or 23.39%*
- *Lot 14 671m² covenant area 284m² or 42.33%*
- *Lot 18 975m² covenant area 389m² or 39.90%*
- *Lot 19 801m² covenant area 384m² or 47.94%;*
- *Restrictive fencing requirements;*
- *Lack of space for children's play area;*
- *Lack of gardening opportunities on these blocks because of the vegetation restrictions;*
- *Extensive native grass plantings have created a potential fire hazard; and*
- *Commercial impact of these covenants makes these four blocks unsaleable."*

Officer's Assessment

Applicant's representations:

The applicant's representations state that the vegetation is not endemic. The vegetation within Lots 18 and 19 are *Eucalyptus grandis* (Flooded Gum) and *Eucalyptus saligna* (Sydney Blue Gum). While these trees are regarded as koala habitat trees and are found along the east coast from southern NSW to Mackay they are not listed as endemic to the locality in the Vegetation Species List of the Redland Planning Scheme or in the Redland Vegetation Enhancement Strategy.

The applicant's comments in relation to there being no vegetation link, is supported for reasons outlined within the overlay assessment below.

The applicant's comments in relation to damage to trees from construction and damage to persons or property from vegetation are supported. Council's policy position in this matter is expressed to an extent within Council's Local Law 6 Protection of Vegetation. This Local Law regulates vegetation clearing within 10m of a dwelling house and 3m of a side boundary fence to alleviate these concerns. Local Law 6 was also a consideration in a recent originating application.

It is agreed that the extent of the covenant areas is a substantial component of the Urban Residential zone land. It is also agreed that the associated native grass

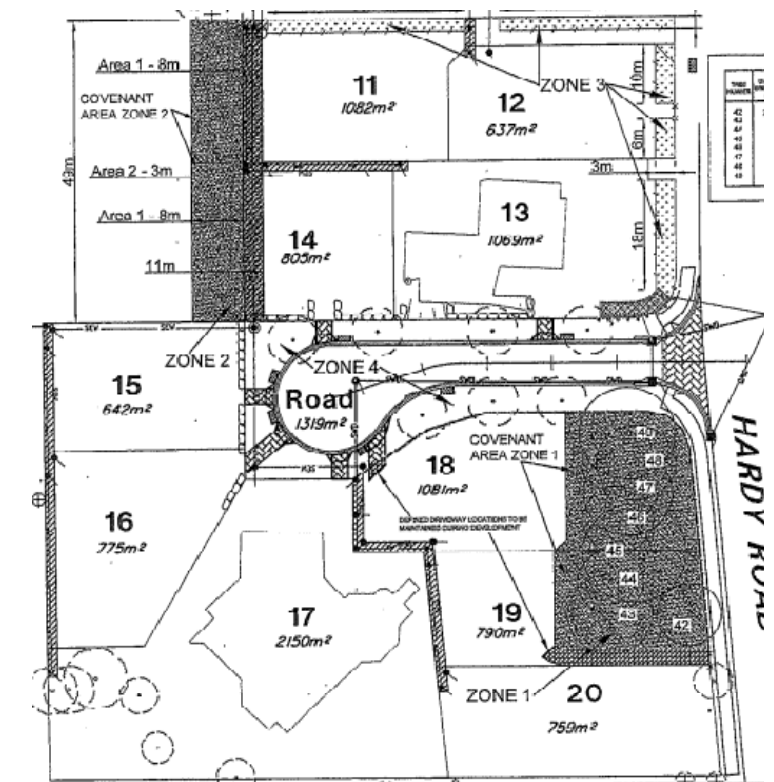
planting and fencing criteria stops the use of the land for children's play area, domestic pet use or domestic gardening generally associated with an Urban Residential land use.

It is acknowledged that the covenant encumbrances on the land do have an impact on the consideration of the allotments by prospective buyers.

Redlands Planning Scheme

As stated above, in considering this pre-request response notice Council officers have had regard to S374 that the Court will need to consider. In particular Council officers have had regard to the matters that would be identified if the request was a development application. These matters are identified below.

The approved layout:



Nature Conservation Plan 2006 / SEQ State Planning Regulatory Provisions (Koala Conservation)

The relevant State Koala Planning Policy at the time of application in 2008 was the Nature (Koala) Conservation Plan 2006. The subject site had no statutory classification under that State conservation plan and therefore there were no related requirements or conditions.

If the application were lodged today in 2013, the South East Queensland Koala Conservation State Planning Regulatory Provisions 2010 (SPRP) would apply. Table 6, Column 2 of the SPRP applies generally to each lot in this subdivision. The subject site straddles two different classifications under the SPRP. These are:

- (1) Medium Value Rehabilitation: Lots 15, 16, 17, part of Lot 20 and the western part of Lot 18. Items 2 and 3 in Column 2 apply specifically –

Item 2 states: *“Site design must avoid clearing non-juvenile koala habitat trees in areas of high value rehabilitation habitat, and medium value rehabilitation habitat, with any unavoidable clearing minimised and offset in accordance with the Offsets for Net Gain of Koala Habitat in South East Queensland Policy at a ratio of five new koala habitat trees for every one non-juvenile koala habitat tree removed or an equivalent cash contribution (that is, \$920 per habitat tree removed).”*

There were no Koala habitat trees within the Medium Value Rehabilitation area and subsequently no offsets are applicable.

The only Koala habitat trees on the site are contained in the eastern half of Lots 18 and 19 where the SPRP classification is High Value Other. In the High Value Other classification these trees can be removed without any requirement to replace them. However, the trees were retained and are now subject of this application for removal. Those parts of the site classified as Medium Value Rehabilitation do not contain any Koala habitat trees.

Item 3 states: *“Site design provides safe Koala movement opportunities as appropriate to the development type and habitat connectivity values of the site”.*

Connectivity is described more fully in Schedule 2 of the SPRP. Essentially, a development will comply with Item 3 provided Koala friendly fencing is used. Therefore, the presence or absence of trees is irrelevant.

- (2) High Value Other incorporates Lots 11, 12, 13, 14, and the eastern part of Lots 18 and 19. Table 6 Column 2 Item 3 applies. High Value Other classification within the SPRP means that these trees could be removed without any requirement to replace them.

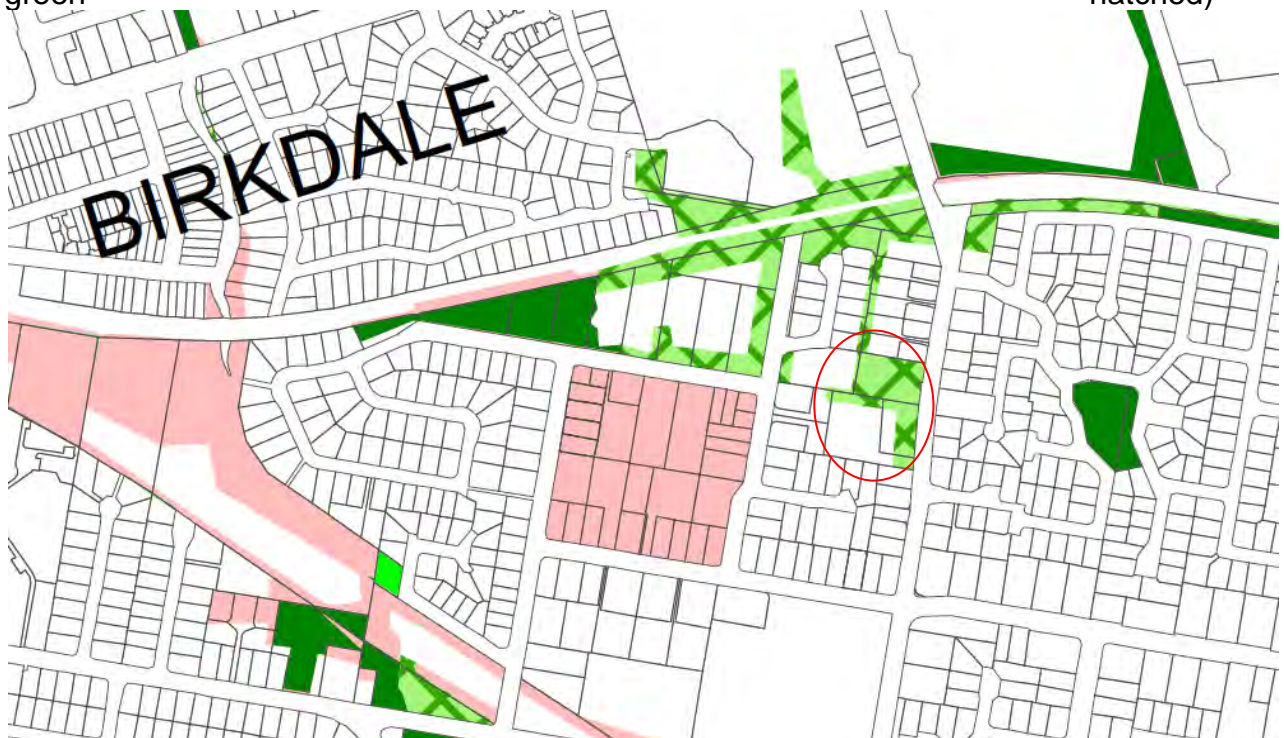
In summary non-juvenile Koala habitat trees within lots 11 and 14 are protected from being removed. However there are no Koala habitat trees within lots 11 and 14 to retain.

Within lots 18 and 19 non-juvenile Koala habitat trees could be removed, however these non-juvenile Koala habitat trees were retained.

Overlays

The application was lodged on 30 June 2008 and was assessed against RPS V1.

Scheme at time of lodgement RPS V1 Habitat Overlay – Enhancement Link (light green)



Current Scheme RPS V6 Habitat Overlay – Enhancement Link (light green hatched).



In RPS V1 the area was classified as Enhancement Link consisting of two distinct vegetation patches:

- (a) the stand of blue gums in current Lots 18 and 19 which is regarded as Koala habitat (however as stated above under the South East Queensland Koala Conservation State Planning Regulatory Provisions 2010 (SPRP) these trees were located in High Value Other classification within the SPRP which meant that these trees could have been removed without any requirement to replace them); and

- (b) a mix of mostly exotic species with several native trees that are not regarded as koala habitat, in current Lots 11, 12, 13 and 14. Association (b) was connected at the north to a line of single trees (non-Koala habitat) that linked to the bushland embankment of the railway corridor further north. Neither patch currently links to any other significant bushland / habitat patch.

Prior to the 1990s, the eastern side of Hardy Road opposite the subject site was a mix of farming and acreage lots. A viable Koala habitat link is likely to have existed at that time, between the farmland and acreage to the east and the railway embankment to the north. Since then, conventional suburban development has occurred on the eastern side of Hardy Road, and other development to the north has reduced open grassland to a single row of non-habitat trees.

In effect, the RPS V1 Enhancement Link areas of the subject site ceased functioning as links from the early 1990s. This was supported by the applicant's ecologist in 2008 who found evidence on site of possums and bird species that thrive in suburban settings, but no evidence of Koalas. The former usually move quickly around suburban areas without the need for direct links whereas Koalas usually prefer continuous habitat links.

The RPS V6 Enhancement Link areas consist of the single row of trees to the north and the separate patch of eucalypts in Lots 18 and 19. The former is the end of a tenuous link to the north and does not consist of conventional Koala habitat itself. The latter is a stand-alone patch of good Koala habitat but cannot be considered as a link.

As the vegetation in Lots 11 and 14 are mostly exotic species with several native trees that are not regarded as Koala habitat the applicant's proposal to remove the vegetation and covenants is supported. As the vegetation in Lots 18 and 19 can not be considered as a link the applicant's proposal to remove the vegetation and covenants is supported.

Zoning

The subject site is zoned Urban Residential. The intent of Urban Residential Zoned land is to "maximise the supply of residential land through infill development" and to "maximise the retention of native plants".

Under the Redlands Planning Scheme V6 the subject allotments through a code assessable application could potentially be further reconfigured into additional allotments with or without the covenants remaining on the site. Version 6 also includes provisions that state that where it is considered that retention of vegetation is not achievable in the long term offsets can be considered. This is discussed below.

Offsets

Under RPS V1, retention of habitat trees was to be maximised. This was done by retaining all habitat trees which were in Lots 18 and 19 only.

Under RPS V6, offset planting would be required for any habitat trees removed. RPS V6 also seeks enhancement plantings at the minimum rate of one habitat tree per 50m² of the Enhancement Link Area, which totals about 1300m². This translates to

48 new habitat trees. It would not have been physically possible for this number of habitat trees to grow to maturity within the 10 lots that comprise the subdivision. Offset planting elsewhere (or equivalent monetary contribution) would have been required in accordance with State Planning Policy 2/10: Koala Conservation in South East Queensland and the Offsets for Net Gain of Koala Habitat in South East Queensland Policy (as amended). This translates to an amount of \$920 per habitat tree removed.

It is considered that the current planning provisions be implemented. The current Redlands Planning Scheme V6 seeks the applicant to pay an off set amount of \$920 per habitat tree removed. For the eight trees this equates to a total of \$7360.00.

Current Council Position

The recommendation of this report is in line with Council's recent decision on an originating application where Council resolved to allow sufficient clearing to reduce the risks to people, property and health impacts associated with the existing vegetation.

Conclusion

The intent of Urban Residential zoned land is to "maximise the supply of residential land through infill development" and to "maximise the retention of native plants". Although there were no Koala habitat trees within Lots 11 and 14 and the (Koala Conservation) SPRP does not require the retention of Koala habitat trees within lots 18 and 19, Council imposed covenants over the allotments to maximise the retention of vegetation.

The current Redlands Planning Scheme V6 includes provisions for offsets where it is considered that the long term preservation of vegetation may not be achieved.

Council officers support the removal of the covenants on this site, which plays no real habitat linkage role, is considered to be overly restrictive and represents potential future problems with safety of people and structures given the lot size. It is further recommended that in accordance with Redlands Planning Scheme V6 that an offset contribution be imposed for re-vegetation by Council of a nearby park.

State Referral Agencies

The application or request for a pre-request response did not trigger any State referral requirements.

Public Consultation

The development is code assessable and did not require public notification. Therefore no submissions were received.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with S374 of the *Sustainable Planning Act 2009* this pre-request has been assessed against the Redlands Planning Scheme V1 (the scheme applying when the original application was made) and weight has been given to the current

policy position being the Redlands Planning Scheme V6. Furthermore, the application has been assessed against the Koala State Planning Regulatory Provisions. The decision does not have a specific due date however a prompt resolution of the matter is sought.

Risk Management

Impact of vegetation on persons or property.

Financial

There are no financial implications if the changes are supported. If the changes are not supported, Council will be required to make representations to the Court as part of a subsequent originating application outlining its reasons for objecting. This will involve legal representations.

People

Not applicable. There are no implications for staff.

Environmental

Environmental implications are detailed within the assessment in the “issues” section of this report.

Social

Social implications are detailed within the assessment in the “issues” section of this report.

Alignment with Council's Policy and Plans

The assessment and officer’s recommendation align with Council’s policies and plans as described within the “issues” section of this report.

CONSULTATION

The assessment manager has consulted with other internal assessment teams where appropriate, specifically the Engineering and Environment Unit. Advice supporting the representations has been received from relevant teams and forms part of the officer’s assessment to the applicant’s representations above.

OPTIONS

1. Adopt the officer’s recommendation to support the changes, subject to conditions that include offsets.
2. Support the changes, subject to different or amended conditions (see simplified covenant option in attachment A).
3. Object to the changes.

OFFICER'S RECOMMENDATION

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

That Council resolve to support the applicant's request to:

1. Delete conditions 2.2, 2.3, 5.2, 5.3, 6.2, 6.3 and advice statement 9.4;
2. Amend condition 2.1 to read:
 - 2.1 The layout indicated on the Landscape, Streetscape & Vegetation Management Plan Proposal Plan drawing number B09342-REHAB Rev. L, prepared by Lambert and Rehbein and dated 5 February 2010 is approved, subject to no covenants on the land and the conditions contained herein. The development must be carried out generally in accordance with the approved plan;
3. Insert new condition 2.2 to read:
 - 2.2 Pay a contribution to Council of \$920 per non-juvenile Koala habitat tree removed prior to Council being required to sign a release of covenant form.

8 trees X \$920

Total contribution required to be paid = \$7360
4. Amend condition 5.5 Fauna Management to read:

5.5 Fauna Management

Operational Works Stage

At least 14 days before commencement of any vegetation removal or earthworks, the Developer must appoint an accredited wildlife spotter to examine the site for wildlife habitat, and to supervise clearing operations.

Wildlife habitat includes trees whether living or dead, other living vegetation, piles of discarded vegetation, demolished structures and disturbed ground surfaces.

During clearing operations, the clearing contractor must:

- liaise with the on-site spotter; and
- ensure that each tree or other feature identified by the spotter as being a risk to wildlife if felled or disturbed, is not damaged or disturbed until the spotter advises that it is appropriate to do so.

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

- be present at the site of clearing, dewatering, and other operations;

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

An accredited spotter is a person or company holding a current Rehabilitation Permit issued by the Department of Environment and Resource Management (DERM) under Section 275(d) of the *Nature Conservation Regulation 1994* or under Section 12(d) of the *Nature Conservation (Administration) Regulation 2006*.

Before seeking a pre-start meeting at the Operational Works stage, the Developer must advise Council of the name of the spotter. If the spotter is not known to Council, the Developer will then be required provide a complete copy of the accredited spotter's Rehabilitation Permit. Operational works will not be permitted to commence until Council has sighted this permit. The spotter should attend the pre-start meeting if available.

If the Developer cannot locate persons or companies holding Rehabilitation Permits, advice should be sought from DERM (Customer Service telephone number 1300 130 372).

Post-Construction Stage

~~The following applies to the proposed lots after reconfiguration and when dwellings are constructed and occupied:~~

~~In the event that the future owners of Lots 11, 14, 15, 18 or Lot 19 keeps a dog on their property, an exclusion fence (suitable to retain the dog) must be erected in order to restrict the dog's access into the covenant area. The purpose of the fencing is to restrain a dog within the habitable area of the property so as to prohibit access to the covenant areas. For Lots 11, 14, 15, 18 or Lot 19, all fencing along common boundaries with covenant areas must be of a design that allows koala access into and out of covenant areas.;~~

and

5. That a pre-request response be provided to the applicant on this basis.

ATTACHMENT A

Simplified covenants option

1. Delete conditions 2.2, 2.3, 5.2, 6.2, 6.3 and advice statement 9.4;
2. Amend condition 2.1 to read:
 - 2.1 ~~The layout indicated on the Landscape, Streetscape & Vegetation Management Plan Proposal Plan drawing number B09342-REHAB Rev. L, prepared by Lambert and Rehbein and dated 5 February 2010 is approved in general, subject to the conditions contained herein. The development must be carried out generally in accordance with the approved plan.~~

The development must be carried out generally in accordance with the Survey Plan SP239397.

3. Amend condition 5.3 Covenant Areas (Lots 11, 14, 18 & 19) to read:

5.3 Covenant Areas (Lots 11, 14, 18 & 19 only)

- a) Development is permitted within the designated "Non-Covenant Areas" on each of Lots 11, 14, 18 and 19 as indicated on ~~Drawing B09342-REHAB Rev. L dated 5 February 2010, in the Landscape, Streetscape & Vegetation Management Plan~~ Survey Plan SP239397.
- b) ~~Development exclusion areas (to be termed "Covenant Areas") are to be designated for Lots 11, 14, 18 and 19, as indicated on Drawing B09342-REHAB Rev. L dated 5 February 2010, in the Landscape, Streetscape & Vegetation Management Plan. The designated Covenant Areas must be surveyed and pegged on-site prior to plan sealing.~~
- c) The Developer must register a covenant with the Department of Environment and Resource Management for each of Lots 11, 14, 18 and 19, with Redland City Council being the covenantee. ~~The covenant is to regulate the preservation of the physical and natural features of the area within the designated covenant area of Lots 11, 14, 18 and 19. The covenants are binding on the covenantor and the covenantor's successors in title. The covenants must indicate all conditions contained in Condition 5.3 of this approval and must be approved by Council before Council is required to sign a Plan of Survey. Each covenant is to be registered with the Plan of Survey which must define the location of the Covenant Area on the plan.~~
- d) Copies of the approved covenant and plan of survey are to be lodged with Council for retention on the Reconfiguration of Allotment file and the Property file for each new allotment.
- e) Buildings and other improvements (including sheds, tennis courts, pools, barbecues, gazebos, ~~planting of non-native flora other than a grass lawn, planting of native *Ficus* (fig) species,~~ cut and fill batters, retaining walls, and the movement and parking of vehicles), must not be located within the Covenant Areas.
- f) ~~Use of land within the Covenant Areas is limited to the construction of fauna-friendly fencing, walking paths, seating for passive recreational use, gardening and weed management (limited to the use of hand-held motorised gardening aids), passive recreational activities, and maintenance works related to the sewer and water pipeline within the 3-metre wide Area 2 that is indicated on Lambert & Rehbein Drawing B09342-REHAB Rev. L dated 5 February 2010.~~
- f) Realignment of the covenant boundary on lot 19 to allow for the removal of tree number 43 shown on the approved plan

gb) ~~Vegetation~~ Non-juvenile Koala Habitat trees within the Covenant Area must be ~~established and maintained as specified in the Landscape, Streetscape and Vegetation Management Plan~~ retained and preserved.

4. Amend condition 5.5 Fauna Management to read:

5.5 Fauna Management

Operational Works Stage

At least 14 days before commencement of any vegetation removal or earthworks, the Developer must appoint an accredited wildlife spotter to examine the site for wildlife habitat, and to supervise clearing operations.

Wildlife habitat includes trees whether living or dead, other living vegetation, piles of discarded vegetation, demolished structures and disturbed ground surfaces.

During clearing operations, the clearing contractor must:

- liaise with the on-site spotter; and
- ensure that each tree or other feature identified by the spotter as being a risk to wildlife if felled or disturbed, is not damaged or disturbed until the spotter advises that it is appropriate to do so.

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

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

An accredited spotter is a person or company holding a current Rehabilitation Permit issued by the Department of Environment and Resource Management (DERM) under Section 275(d) of the *Nature Conservation Regulation 1994* or under Section 12(d) of the *Nature Conservation (Administration) Regulation 2006*.

Before seeking a pre-start meeting at the Operational Works stage, the Developer must advise Council of the name of the spotter. If the spotter is not known to Council, the Developer will then be required provide a complete copy of the accredited spotter's Rehabilitation Permit. Operational works will not be permitted to commence until Council has sighted this permit. The spotter should attend the pre-start meeting if available.

If the Developer cannot locate persons or companies holding Rehabilitation Permits, advice should be sought from DERM (Customer Service telephone number 1300 130 372).

Post-Construction Stage

~~The following applies to the proposed lots after reconfiguration and when dwellings are constructed and occupied:~~

~~In the event that the future owners of Lots 11, 14, 15, 18 or Lot 19 keeps a dog on their property, an exclusion fence (suitable to retain the dog) must be erected in order to restrict the dog's access into the covenant area. The purpose of the fencing is to restrain a dog within the habitable area of the property so as to prohibit access to the covenant areas. For Lots 11, 14, 15, 18 or Lot 19, all fencing along common boundaries with covenant areas must be of a design that allows koala access into and out of covenant areas.;~~

and

5. That a pre-request response be provided to the applicant on this basis.

On being put to the vote the motion was LOST 2/9

Crs Boglary, Ogilvie, Hardman, Hewlett, Edwards, Elliott, Beard, Gleeson and Bishop voted against the Officer's Recommendation.

COUNCIL RESOLUTION

Moved by: Cr P Bishop
Seconded by: Cr K Hardman

That Council resolve to adopt Option 2 provided in the report, subject to the amended conditions provided in attachment A and the realignment of the covenant boundary on lot 19 to allow for the removal of tree number 43 shown on the approved plan.

1. Delete conditions 2.2, 2.3, 5.2, 5.3, 6.2, 6.3 and advice statement 9.4;
2. Amend condition 2.1 to read:

2.1 The layout indicated on the Landscape, Streetscape & Vegetation Management Plan Proposal Plan drawing number B09342-REHAB Rev. L, prepared by Lambert and Rehbein and dated 5 February 2010 is approved, subject to no covenants on the land and the conditions contained herein. The development must be carried out generally in accordance with the approved plan;

- ~~3. Insert new condition 2.2 to read:~~

~~2.2 Pay a contribution to Council of \$920 per non-juvenile Koala habitat tree removed prior to Council being required to sign a release of covenant form.~~

~~8 trees X \$920~~

~~Total contribution required to be paid = \$7360~~

4. Amend condition 5.5 Fauna Management to read:

5.5 Fauna Management

Operational Works Stage

At least 14 days before commencement of any vegetation removal or earthworks, the Developer must appoint an accredited wildlife spotter to examine the site for wildlife habitat, and to supervise clearing operations.

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- liaise with the on-site spotter; and
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- be present at the site of clearing, dewatering, and other operations;
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If the Developer cannot locate persons or companies holding Rehabilitation Permits, advice should be sought from DERM (Customer Service telephone number 1300 130 372).

Post-Construction Stage

~~The following applies to the proposed lots after reconfiguration and when dwellings are constructed and occupied:~~

~~In the event that the future owners of Lots 11, 14, 15, 18 or Lot 19 keeps a dog on their property, an exclusion fence (suitable to retain the dog) must be erected in order to restrict the dog's access into the covenant area. The purpose of the fencing is to restrain a dog within the habitable area of the property so as to prohibit access to the covenant areas. For Lots 11, 14, 15, 18 or Lot 19, all fencing along common boundaries with covenant areas must be of a design that allows koala access into and out of covenant areas.;~~

and

5. That a pre-request response be provided to the applicant on this basis.

ATTACHMENT A

Simplified covenants option

1. Delete conditions 2.2, 2.3, 5.2, 6.2, 6.3 and advice statement 9.4;
-

2. Amend condition 2.1 to read:

~~2.1 The layout indicated on the Landscape, Streetscape & Vegetation Management Plan Proposal Plan drawing number B09342-REHAB Rev. L, prepared by Lambert and Rehbein and dated 5 February 2010 is approved in general, subject to the conditions contained herein. The development must be carried out generally in accordance with the approved plan.~~

The development must be carried out generally in accordance with the Survey Plan SP239397.

3. Amend condition 5.3 Covenant Areas (Lots 11, 14, 18 & 19) to read:

5.3 Covenant Areas (Lots 11, 14, 18 & 19 only)

- a) Development is permitted within the designated “Non-Covenant Areas” on each of Lots 11, 14, 18 and 19 as indicated on Drawing B09342-REHAB Rev. L dated 5 February 2010, in the Landscape, Streetscape & Vegetation Management Plan Survey Plan SP239397.
 - ~~b) Development exclusion areas (to be termed “Covenant Areas”) are to be designated for Lots 11, 14, 18 and 19, as indicated on Drawing B09342-REHAB Rev. L dated 5 February 2010, in the Landscape, Streetscape & Vegetation Management Plan. The designated Covenant Areas must be surveyed and pegged on-site prior to plan sealing.~~
 - c) The Developer must register a covenant with the Department of Environment and Resource Management for each of Lots 11, 14, 18 and 19, with Redland City Council being the covenantee. The covenant is to regulate the preservation of the physical and natural features of the area within the designated covenant area of Lots 11, 14, 18 and 19. The covenants are binding on the covenantor and the covenantor’s successors in title. The covenants must indicate all conditions contained in Condition 5.3 of this approval and must be approved by Council before Council is required to sign a Plan of Survey. Each covenant is to be registered with the Plan of Survey which must define the location of the Covenant Area on the plan.
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 - e) Buildings and other improvements (including sheds, tennis courts, pools, barbecues, gazebos, planting of non-native flora other than a grass lawn, planting of native *Ficus* (fig) species, cut and fill batters, retaining walls, and the movement and parking of vehicles), must not be located within the Covenant Areas.
 - ~~f) Use of land within the Covenant Areas is limited to the construction of fauna-friendly fencing, walking paths, seating for passive recreational use, gardening and weed management (limited to the~~
-

~~use of hand-held motorised gardening aids), passive recreational activities, and maintenance works related to the sewer and water pipeline within the 3-metre wide Area 2 that is indicated on Lambert & Rehbein Drawing B09342-REHAB Rev. L dated 5 February 2010.~~

- f) Realignment of the covenant boundary on lot 19 to allow for the removal of tree number 43 shown on the approved plan
- gb) ~~Vegetation-Non-juvenile Koala Habitat trees within the Covenant Area must be established and maintained as specified in the Landscape, Streetscape and Vegetation Management Plan retained and preserved.~~

4. Amend condition 5.5 Fauna Management to read:

5.5 Fauna Management

Operational Works Stage

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- ensure that each tree or other feature identified by the spotter as being a risk to wildlife if felled or disturbed, is not damaged or disturbed until the spotter advises that it is appropriate to do so.

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

- be present at the site of clearing, dewatering, and other operations;
- identify any tree or feature with wildlife present, as well as any tree that has a crown which is intermeshed or overlapping with such a tree;
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Before seeking a pre-start meeting at the Operational Works stage, the Developer must advise Council of the name of the spotter. If the spotter is not known to Council, the Developer will then be required provide a complete copy of the accredited spotter's Rehabilitation Permit. Operational works will not be permitted to commence until Council has sighted this permit. The spotter should attend the pre-start meeting if available.

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Post-Construction Stage

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~~In the event that the future owners of Lots 11, 14, 15, 18 or Lot 19 keeps a dog on their property, an exclusion fence (suitable to retain the dog) must be erected in order to restrict the dog's access into the covenant area. The purpose of the fencing is to restrain a dog within the habitable area of the property so as to prohibit access to the covenant areas. For Lots 11, 14, 15, 18 or Lot 19, all fencing along common boundaries with covenant areas must be of a design that allows koala access into and out of covenant areas.;~~

and

5. That a pre-request response be provided to the applicant on this basis.

CARRIED 11/0

11.1.2 MCU013138 - 111-115 SMITH STREET CLEVELAND

Datworks Filename: Reports to Council - Portfolio 7 Planning and Development

Authorising Officer: 
Greg Jensen
 Acting General Manager Community and Customer Services

Responsible Officer: David Jeanes
 Group Manager City Planning and Assessment

Author: Scott Pearson
 Planner, City Planning and Assessment

PURPOSE

Application type:	Impact Assessment
Proposed Use:	Aged Persons & Special Needs Housing
Property description:	Lot 2 on RP 75617
Location:	111-115 Smith Street, Cleveland
Land area:	10820.4m ²
Zoning:	UR - Urban Residential
Overlays:	None
Applicant:	Planning Initiatives
Landowner:	Mrs N D Letchford
Number of public submissions:	Four (4)
Properly made date:	25/10/2013
Decision stage start date:	17/12/2013
Decision due date:	20/02/2014
Decision period extended:	21/01/2014
Assessment manager:	Scott Pearson
Delegate:	Council Committee
Officer's recommendation:	Development Permit (subject to conditions)

This category 4 Impact Assessment application is referred to the Coordination Committee, at the request of the Divisional Councillor, for determination.

Council has received an application seeking a Development Permit for Material Change of Use on land at 111-115 Smith Street, Cleveland for the purpose of Aged Persons & Special Needs Housing.

The application has been assessed against the relevant provisions of the Redlands Planning Scheme. The key issues identified in the assessment are:

- Whether the use is acceptable given the zone code identifies it as inconsistent;
- The building height and density; and
- The provision of a turnaround to Marc Place.

The application was publically advertised during which time four (4) properly made submissions were received. The application was also referred to the Department of Transport and Main Roads whom indicated that they had no objection to the proposal.

Overall, it is recommended that the application be granted a Development Permit subject to conditions identified in the Officer's Recommendation.

BACKGROUND

There are no previous planning applications over the site that is relevant to the assessment of the current proposal.

The development application was properly made on 25/10/2013. The statutory timeframes prescribed under the *Sustainable Planning Act 2009* stipulate that a decision is due by 20/02/2014. The application has been referred to Committee for determination at the request of the Divisional Councillor.

ISSUES

Development Proposal & Site Description

Proposal

The application is for a Material Change of Use for Aged Persons & Special Needs Housing. The proposal is for a two-four storey building including 123 'dependant' beds. The building footprint is 3495m² or 32% of the site. It will include a kitchen, laundry and plant area on the lower ground floor. The ground floor plan includes the main entrance, dining area, multi-purpose room and 58 beds. The level 1 floor plan includes a similar layout and 65 rooms. The level 2 floor plan includes a staff room and training room.

The use will operate 24 hours a day and will include on site doctors and nurses working in shifts to cater to residents. All beds are dependent, as the focus is on providing high care and therefore residents are not likely to be very mobile. There will be a maximum of 1 manager and 34 nursing staff on site at any one time.

Landscaping is proposed around the building and a central communal open space area. There are a few scattered trees across the site and some will be retained in the north-east corner.

The main access will be from Bay Street and service vehicles will gain access from a separate driveway on Smith Street. A loading area has been included on the lower ground level for waste collection. A total of 72 parking spaces are available around the aged care building.

Site & Locality

The site has an area of 10,823m² and is currently improved by just a single detached dwelling. The site contains some scattered vegetation and the land slopes towards both Bay & Smith Streets. All necessary urban services including wastewater, water, stormwater, electricity and telecommunications are available to the site.

The site is surrounded by existing residential development, which is primarily zoned Urban Residential. The Mandalay Aged Care Facility is approximately 100m to the west. The Aveo retirement village is approximately 220m to the south. The Redlands hospital precinct is also 300m away on Weippin Street. There is a bus route that travels along Smith Street. Overall, the area is a typical suburban neighbourhood with close access to medical facilities.

Application Assessment

Sustainable Planning Act 2009

The application has been made in accordance with the *Sustainable Planning Act 2009* (SPA) Chapter 6 – Integrated Development Assessment System (IDAS) and constitutes an application for Material Change Of Use under the Redlands Planning Scheme.

SEQ Regional Plan 2009-2031

The site is located within the Urban Footprint in the SEQ Regional Plan 2009-2031.

State Planning Policies & Regulatory Provisions

State Planning Policy/Regulatory Provision	Applicability to Application
SEQ Koala Conservation SPRP	The development is within the priority koala assessable development area and is flagged as part medium and part high value rehabilitation habitat. The applicant has demonstrated compliance with Table 6 – Column 2 – item 2 by submitting an arborist report, which details all of the vegetation on the site. It identifies three (3) Eucalyptus species and one Melaleuca species which are required to be assessed as part of the Koala SPRP – South East Queensland Conservation State Planning Regulatory Provision, given they are the only non-juvenile koala habitat trees on site. The site plan shows that development does not allow for the retention of these four non-juvenile koala habitat trees. Consequently a condition has been applied for the applicant to pay contributions to compensate for the removal of those four koala habitat trees in accordance with the SPRP.
SPRP (Adopted Charges)	The development is subject to infrastructure charges in accordance with the SPRP (adopted charges) and Council's adopted infrastructure charges resolution. Details of the charges applicable have been provided under the Infrastructure Charges heading of this report.

Redlands Planning Scheme

The application has been assessed under the Redlands Planning Scheme (RPS) version 5.3. The application has been assessed against the relevant Codes under the RPS and the following issues have been considered:

Inconsistent Use

Specific Outcome S1.1 of the Urban Residential (UR) Zone Code states that inconsistent uses are not to be established in the zone, and there is therefore a conflict with the Code. Section 326 of SPA states, in part, that the assessment manager's decision must not conflict with a relevant instrument unless:

- (a) there are sufficient grounds to justify the decision; or
- (b) the conflict arises because of a conflict between 2 or more aspects of any 1 relevant instrument (i.e. between 2 codes in a planning scheme), and the decision best achieves the purpose of the instrument.

In this instance, there is considered to be a conflict between the UR Zone Code and the Aged Persons and Special Needs Housing (APSNH) Code. While the use is listed as an inconsistent in the UR Zone, the APSNH Code encourages this type of development on land that is within close proximity to centres, community services and facilities and public transport. The land meets these locational requirements; in particular:

- There is a bus stop located on the Smith Street frontage of the site, which provides public transport links to commercial centres and facilities; and
- The Redlands Hospital and medical precinct (which includes a pharmacy, medical centres and cafe) is located within 300 metres of the site.

In accordance with s326 of SPA, the decision must best achieve the purpose of the planning scheme. The purpose of the scheme is reflected in its Desired Environment Outcomes (DEOs). Of relevance to this conflict, are:

- DEO No. 3 Community Health and Wellbeing – This DEO seeks to achieve a mixture of dwelling types, sizes and styles which meet the needs of the City into the future. It seeks to ensure that housing to meet the special needs of youth, older people and people with disabilities is integrated in residential areas and located in proximity to essential services and public transport.
- DEO No. 4 – This DEO seeks to encourage increased residential density within walking distance to public transport and result in a compact urban form that encourages the use of that public transport.

The outcomes, in no way, discourage aged care uses locating within residential areas. In fact, this type of integration is encouraged, providing it is well serviced by public transport and community services.

It is considered that the APSNH Code best reflects the purpose of the planning scheme, and that a decision to approve the development best achieves the purpose of the planning scheme.

Density

Probable Solution P2.4(3)(c) of the Urban Residential Zone Code states that the density for dependent units is to be 1 bed per 100m². The site is 10,820m² which equates to 108 units. However, 123 beds are proposed (1 bed per 88m²). Notwithstanding, the proposal is considered to comply with Specific Outcome S2.4(3) which states that for Aged Persons & Special Needs Housing, density increases depending on the type of accommodation provided.

The proposed use is for dependant beds, which as explained previously are in a desirable location close to similar facilities and medical services. Furthermore, the design of the building meets the site coverage provisions (the 32% proposed is below the maximum 50% allowed), the setbacks generally exceed the minimum 6m front and 1.5m side boundary setback provisions, more than the minimum 20% open space has been provided on site and car parking (in accordance with the probable solutions of the Access & Parking Code - discussed below) has been accommodated on site. Consequently, the increase in density is considered to meet S2.4(3).

Building Form & Height

The Urban Residential Zone Code Probable Solution P2.1(1) states the overall building height as 8.5m. Part of the building exceeds this nominated height. The highest point is approximately 11.5m above natural ground level, which is the 3rd level staff and training rooms. The roofline facing Smith Street also projects above the 8.5m height by approximately 2m.

Specific Outcome S2.1 states that structures are to maintain a low rise built form and where a use is higher than an adjoining building, the design minimises any potential impacts of overshadowing and loss of privacy. The proposed building will predominantly be two stories when viewed from Smith Street. It is only the roofline which is higher than 8.5m given the basement level storage area will be excavated below street level. This excess height will not cause any privacy issues because it is setback 13m from the Smith Street frontage and does not adjoin any existing residential dwellings, hence it will not cause any overshadowing.

Similarly, the frontage to Bay Street will appear as a predominantly two storey building. The third storey staff and training room is only 16m wide (out of a street frontage that is 90m wide) and it is setback approximately 20m from the front and 20m from the rear site boundary. A fourth level will also be constructed underground for storage purposes, but this will not be viewed from the streetscape. Consequently, the proposal will not cause any overshadowing or loss of privacy to nearby dwellings.

While the development is not low-rise (1 to 2 stories), the built form is considered to be consistent with the Overall Outcomes of Urban Residential Zone Code. As discussed above, the height is similar to that of a low-rise building. Furthermore, the building is of a scale that is suited to the large lot it is on. The design has incorporated larger than normal setbacks to help to ensure the building does not dominate the street frontage. The front setback is predominantly 15m on both Smith and Bay Streets (typically 6m) and 5-12m to the rear boundary, where normally a 1.5m-2m setback would be permitted. The site coverage is also below the probable solution of 50%, which will reduce the bulk appearance of the building. Finally, the building design includes balconies to break up the built form, broken wall length and variance in colours and materials to create interest in the building. Overall, the design will integrate with the surrounding urban residential built form.

Use Code

The proposal is considered to comply with the Specific Outcomes of the Aged Persons and Special Needs Housing Code. More specifically, the site is located close to public transport and medical facilities. Building height, density, site coverage and setbacks have been discussed above. There are no habitable room windows within 6m of an adjoining dwelling unit, therefore privacy is maintained. There will also be landscaping and fencing to help protect privacy between the new use and existing residences to the north and west. A condition will be placed on the developer to undertake a noise impact assessment to ensure that any noise generated by the use is adequately mitigated on site. Open space has been provided on site in accordance with Probable Solution P7. A standard condition will also be placed in the recommendation to ensure external lighting is managed where facing adjoining residences. Finally, a traffic impact assessment was submitted with the proposal. The applicant has demonstrated that the existing road network can adequately handle the additional traffic on and off site (discussed under Access & Parking below). Overall, the urban residential amenity of the area will not be detrimentally affected by the proposal.

Overlays

There are no Overlays affecting the site.

Other Codes and Policies

Infrastructure Works Code -Turnaround

Specific Outcome S7 of the Infrastructure Works Code states that uses that require the upgrading of a public road reserve maintain or improve the safe and efficient operation of roads having regard to (i) the functional classification of the road from which it gains access and (iv) the potential for conflict between vehicles, pedestrians and cyclists. The site does not access Marc Place but does not involve finishing off the cul-de-sac head either. This is considered to be unsafe. A temporary turnaround for a waste collection vehicle was placed over 11 Marc Place at the time of subdivision. The easement document states that it is to be removed once the subject site is developed and a complete turnaround is provided. Consequently, a condition has been included to ensure vehicles can turn around, via a formal turn-around (i.e completion of the cul-de-sac head) at the end of Marc Place.

This condition will impact on the proposed layout but is still considered to be reasonable and relevant as it would have been expected to occur on site to finish off Marc Place (i.e by providing a turn-around instead of a dead end and temporary access easement arrangement). This condition may impact on the design of the north-west staff car parking area and result in the loss of approximately 9 parking spaces. There is however adequate space to realign the internal road, even if it requires the removal of several pecan trees, which are not required to be protected under the scheme or Koala SPRP. Furthermore, additional car parking spaces can be accommodated in the north-west corner as tandem staff car parking, whilst still maintaining an adequate setback and landscaping to the existing residence at 138-142 Bay Street.

Access and Parking Code - Car Parking & Traffic

The proposal exceeds the Probable Solution number of car parking spaces. A total 72 spaces have been provided and only 66 spaces (at a rate of 1 space per 4 beds,

1 space per employee and manger) are sought under the Access & Parking Code probable solution. It is noted that if the condition to complete Marc Place requires the removal of 9 car parking spaces then the proposal will only be short 2 parking spaces, which could be accommodated in the northwest corner and therefore still meet the Access & Parking Code provisions.

Both Bay & Smith Streets are collector roads that are capable of handling up to 3000 vehicle movements per day. The applicant submitted a traffic assessment with the proposal and has demonstrated that the proposed use will have minimal impact on the road network. It is expected that the development will result in an additional 13-25 vehicle movements in the road network peak hour and 130-250 trips per day. It is considered that this can be accommodated onto the road without interrupting the network.

Stormwater

The proposed Stormwater Management plan demonstrates the capacity to control roof and surface run-off and any excess flows from the land or upstream land in accordance with the Stormwater Management Code. The site falls away from adjoining residential dwellings located along the northern boundary and back into the subject site. The water on site will be directed into stormwater grates and then into the proposed on-site drainage network and then into the bio retention basin located within the Bay Street frontage of the site to the South being discharged to a lawful point.

Overall, the proposal is considered to comply with all other relevant Council Codes and Policies as discussed above.

Infrastructure Charges

If approved, the proposed development is subject to infrastructure charges in accordance with the State Planning Regulatory Provision (adopted charges). The infrastructure charge applicable to this development is **\$934,713.74**.

This charge has been calculated as follows in accordance with Council's Adopted Infrastructure Charges Resolution (amendment 1.3) July 2012, which states that the pre-SPRP charge applies to Aged Care & Special Needs Housing – dependant beds:

Water supply – trunk	\$153,673.74
Water supply – other	\$169,706.79
Sewerage – transport and treatment	\$353,376.54
Transport	\$142,273.12
Cycleways	\$15,673.15
Land for Community Facilities	\$7,088.24
Stormwater	\$120,922.16
	= \$962,713.74
Minus \$28,000 credit for 1 existing residential dwelling	
Total	<u>\$934,713.74</u>

State Referral Agencies

The Department of Transport and Main Roads (DTMR) via the Department of State Development Infrastructure & Planning provided a referral agency response dated 19 November 2013. The Department indicated no objection to the proposed development and made no requirements. The Department's referral response will be attached to Council's Decision Notice.

Public Consultation

The proposed development is impact assessable and required public notification. The application was publicly notified for 15 business days from 22/11/2013 to 16/12/2013. A notice of compliance for public notification was received on 17 December 2013.

Submissions

There were four (4) properly made submissions received during the notification period. The matters raised within these submissions are outlined below.

1.	<p>Issue</p> <p>The development is listed as an Inconsistent use in the Urban Residential Zone and the applicant has not provided a needs analysis to justify the proposal.</p>
	<p>Applicant Response</p> <p>As noted, the subject site is recognised as being included within the Urban Residential Zone of the Redlands City Planning Scheme. The proposed development for Aged Care and Special Needs housing is considered a reasonable expectation as a use within this zone.</p> <p>The proposed Aged Care Facility will be owned and operated by Mackenzie Health Care. It is intended to provide a fully dependent level of care unlike other facilities of this nature within the locality. The other two (2) existing Aged Care Facilities (Forest Place Retirement Village & Mandalay Retreat Retirement Village) which are approved as Accommodation Units, Motel and Aged Care Uses in the surrounding areas, represent a use with a greater intensity than that of the proposed due to their capacity and operations that provide for non-dependent care and short term stays.</p> <p>It is also considered that the built form of the proposed development is of an appropriate scale for the Urban Residential Precinct, with a maximum height of 3 storeys (with the East and West wing having a maximum height of two storeys) and the building footprint of only approximately 32% of the subject site area with a significant amount of landscaping on the site. The building will be constructed of similar materials and design to that of surrounding residential dwellings that complement the surrounding residential amenity.</p> <p>Furthermore, the perceived scale and bulk of the development will be mitigated through the use of these materials, considerate setbacks, and level differentiation whilst also incorporating balconies. Significant consideration has been given to landscaping to which 3,437m² which is incorporated into the proposal's design to positively contribute to the predominate residential land forms of the surrounding area and the immediate streetscapes supporting the immediate adjoining residential development in Bay Street, Smith Street and Marc Place.</p>

	<p>Furthermore, it is envisaged that the proposed Aged Care Facility will not have any adverse impacts on the surrounding locality. Although being designated an Urban Residential Zone, the locality does not consist solely of single detached residential dwellings. Within the immediate surrounding area, non-residential land uses including the following;</p> <p>Mater Private Hospital Redlands;</p> <p>Distance from Subject Site (approx.): 300m</p> <p>Height: 5 storeys</p> <p>Forest Place Retirement Village;</p> <p>Distance from Subject Site (approx.): 275m</p> <p>Height: 2 storeys</p> <p>From the above, it is considered that there is already an expectation from both Council and the community for developments other than strictly detached housing in this locality.</p> <p>Although previously noted, it is pertinent to note that the subject site is in the vicinity of existing Aged Care Facilities. However, these Aged Care Facilities offer a different level of care than the level that will be provided by the proposed development. The proposal is for an Aged Care Facility of that offers fully dependent care, as opposed to the two existing Aged Care Facilities in the locality which are approved as Accommodation Units, Motel and Aged Care Uses.</p> <p>The Development Assessment Report prepared by Planning Initiatives has identified a community need for this type of development based on increasing population statistics for the area combined with a higher proportion of the total population entering retirement age. This development proposal will in fact benefit the residents of Redlands City in providing a fully dependant Age Care Facility (Class 9c Fully Dependant Care) along with being in close proximity to the existing Private Hospital whereby it will be a complementary use.</p> <p>Officer's Comment</p> <p>A needs analysis was not required by Council to address the relevant Codes. As discussed in the report, it is considered that there are sufficient grounds to justify the conflict with the Zone Code to support the proposed use in this instance.</p>
2.	<p>Issue</p> <p>The proposal will conflict with adjoining dwellings to the north. More specifically, excessive noise and lighting will come from the car park and from cars (running all hours). There is an inadequate setback between development and existing houses and no landscaping or fencing has been proposed to buffer to residential properties and filling in the north-eastern corner will result in overlooking onto the adjoining residence.</p> <p>Applicant Response</p> <p>The proposal mitigates impacts on neighbouring residential property associated with light, noise, air and traffic through multiple design techniques;</p>

	<ul style="list-style-type: none"> • Maintaining significant vegetation buffers, along common boundaries or where such buffers create screen fencing. • Separation of noise creating activities onto the lower ground floor (kitchen, laundry, delivery bay, main switchboard, plant etc.), and location in south eastern corner a significant distance away from bordering neighbours. • Retention of mature trees and vegetation. • Substantial side, rear and front setbacks to mitigate noise impacts as well as potential privacy and overshadowing issues. • Establishment of Ground Level at RL34.45m AHD which is between 1-1.5m below natural ground level at the northern residential common boundary allowing the building to present at 1.5 storeys at this residential interface.
	<p>Officer's Comment</p> <p>Conditions have been included to ensure lighting impacts are mitigated so as to not cause nuisance to neighbours. The setbacks of the development meet the minimum sought under the Planning Scheme Codes. Landscaping is being provided between the car park and the adjoining dwellings to the north, further details of which will be determined at the operational works stage. A noise report has also been conditioned to be provided during operational works and if there is a conflict then attenuation measures will be required to be provided by the developer. The level of the land will not be increased along the northern boundary either. Given all the above points, the interface between the proposal and residences to the north is considered to meet the planning scheme provisions.</p>
3.	<p>Issue</p> <p>The built form is bulky and not detached or domestic in scale as expected in the Urban Residential zone. The building height is also over 8.5m high and contains unarticulated roof lines.</p> <p>Applicant Response</p> <p>As previously stated the proposed development is considered to be of an appropriate scale for the Urban Residential Precinct, with a maximum height of 3 storeys (with the east and west wing having a maximum height of two storeys) and the building footprint equating to approximately 32% of the subject site area. The majority of the building will be two storeys in height, with a minor third level proposed in the centre of the building, which forms the main entry and provides a focal point for the development.</p> <p>The proposed development will have a low-rise appearance from Bay Street, with the majority of the proposed development consisting of a height of 2 storeys, particularly when viewed from the East and West orientations. The proposed third storey component of the development will be significantly smaller than the proposed lower levels with a total Gross Floor Area of only 394m² and will be located centrally within the building footprint. Therefore, the perceivable impacts of the third storey section of the development are considered to have a negligible impact in the representation of the bulk and scale of the development giving consideration to the residential nature of the adjoining land uses.</p>

	<p>Furthermore the proposed built form of the buildings will seek to use similar materials and design to that of the surrounding residential dwellings, therefore allowing the development to again complement the existing streetscape and adjoining land uses.</p>
	<p>Officer's Comment</p> <p>As discussed in the assessment under the issue of inconsistent use, the proposed building is considered to meet the Overall Outcomes of the Zone Code considering it is predominantly low-rise, contains design elements similar to typical residential uses and includes articulation with increased front setbacks and areas of vegetation retention.</p>
4.	<p>Issue</p> <p>The proposal does not comply with the density provisions.</p>
	<p>Applicant Response</p> <p>Not provided.</p>
	<p>Officer's Comment</p> <p>The proposed density is considered to meet the Specific Outcomes under the Zone Code as discussed above.</p>
5.	<p>Issue</p> <p>No public open space land is being provided.</p>
	<p>Applicant Response</p> <p>Due to the capacity of the residents of the facility requiring fully dependent care and limited in movement, open space areas for this development have been facilitated through the proposed landscaping design to allow for more passive recreation.</p>
	<p>Officer's Comment</p> <p>The Redlands Planning Scheme does not require the provision of open space on the subject site. Instead a contribution is required in lieu of an open space dedication.</p>
6.	<p>Issue</p> <p>Traffic Engineering – The cul-de-sac head for Marc Place should be completed by the developer, the Smith Street entry/exit should be altered to meet the relevant Australian standard and there is a concern that a HRV cannot turnaround on site.</p>
	<p>Applicant Response</p> <p>It should be noted that the land to the North of the site in Marc Place is not part of the land proposing to be developed as a part of current development application for Aged Persons and Special Needs Housing (Fully Dependant Care).</p> <p>The completion of the cul-de-sac as a part of adjoining development to the North is considered not warranted in this instance. The subject cul-de-sac does not form part of this development, nor is it sought to be utilised by the proposed development. It was part of a previous subdivision approval supported by Council and is considered</p>

	<p>to be not applicable to the assessment of this application.</p> <p>The servicing arrangements for the proposed development on the subject site are to be from a private access road via Smith Street. Therefore any other requirements for the completion or future construction of the cul-de-sac so that it is of a circular shape as preferred by the submitters in Marc Place for the purposes of refuse vehicle manoeuvring area not considered relevant to the proposal.</p> <p>The proposed development includes two (2) proposed vehicle access locations. A crossover for only service vehicles in proposed in Smith Street. The second crossover to the main car park and porte cochere will be via Bay Street. The access points to the subject site are not identified as being a trunk collector, sub-arterial or arterial road.</p> <p>The Traffic Impact Assessment report provided denotes that both of the proposed frontage roads are identified as collector Roads and that the access locations meet the requirements of the Access and Parking Schedule, Table 2 in that accesses are located more than:</p> <ul style="list-style-type: none"> • 20m from the kerb tangent point of major intersections and; • 3m along kerb from adjacent driveways. <p>The report also notes that the sight distances requirements for car parking accesses as per the Australian Standard are noted at 83m (desirable) and 65m (absolute minimum). The desirable sight distance requirements of 83m are achieved at both the Bay Street and Smith Street crossover locations as part of the proposed development.</p> <p>The proposed development is considered compliant with the internal movement system stipulated within the Redlands Planning Scheme and demonstrates the following features:</p> <ul style="list-style-type: none"> • circulation road; • parking aisle; • parking spaces. <p>Service areas are not proposed to be accessed through the car parking areas and proposed to be accessed via a private access road in Smith Street.</p> <p>The development proposal will allow all vehicles to enter and leave the premises in a forward direction.</p>
	<p>Officer’s Comment</p> <p>A condition has been included requiring the developer to complete the Marc Place cul-de-sac. Conditions have also been included requiring the developer to submit further engineering plans for the driveway, which will be required to meet the relevant Australian Standard. The applicant submitted a traffic assessment with the application which demonstrated how the necessary vehicles required on site can manoeuvre. This was assessed by Council’s engineering assessment unit and has been conditioned accordingly within the recommendation.</p>
<p>7.</p>	<p>Issue</p> <p>The number of cars for staff is expected to be higher than assumed by the traffic</p>

	<p>report submitted by the applicant, which will result in a loss of on-street car parking.</p> <p>Applicant Response</p> <p>Reference to the Department of Transport and Main Roads' Road Planning and Design Manual which indicates that retirement / aged care homes can potentially generate in the order of 1 - 2 trips per dwelling per day or some 0.1 – 0.2 trips per dwelling per hour. The application of these rates to the proposed 123 rooms equates to an anticipated 13 - 25 trips in the road network peak hour.</p> <p>This level of traffic, which represents on average one vehicle every two – four minutes in the road network peak hour, is not expected to impact adversely on the safety or operation of the surrounding road system which is also re-iterated in the findings of the submitted traffic report.</p> <p>Therefore the level of traffic which is generated by the development represents on average, one vehicle every two – four minutes in the road network peak hour as stated and is not expected to impact adversely on the safety or operation of the surrounding road system.</p> <p>Within the Redlands Planning Scheme, Aged Persons and Special Needs Housing - Dependent, RCC's Schedule 1: Access and Parking stipulates the following provision for car parking:</p> <ul style="list-style-type: none"> • 1 space per 4 beds, plus • 1 space for the manager, plus • 1 space per employee, based on the maximum number of employees on site at one time. <p>It is the intention of the facility that the staffing requirements for this site will be a maximum of 35 employees on site at any one time. On this basis, the overall development is required to provide 67 car parking spaces. The proposed development includes the provision of 71 car parking spaces and therefore meets Council's car parking requirements.</p> <p>As demonstrated there has been sufficient on-site car parking required. No formal on street parking is provided as part of this development and with kerbs unformed in this location, no existing on-street car parking is lost.</p> <p>Officer's Comment</p> <p>The number of car parking spaces being provided on site complies with Council's Access & Parking Code. Consequently, no additional car parking is required to minimise any potential increase to on-street parking.</p>
8.	<p>Issue</p> <p>Stormwater will cause a nuisance to adjoining properties and stormwater treatment under the LPG tank is unlikely to operate effectively.</p> <p>Applicant Response</p> <p>Reference is made to Drawing number 3084/TP01 Site works and Stormwater Drainage Concept Plan – Sheet 1 of 2 Prepared by Windward that was lodged as a supporting document to the subject Development Application.</p> <p>This plan details the proposed stormwater drainage design that demonstrates</p>

	<p>compliance with the flow capacity requirements to Council's relevant modelled storm event and demonstrates means other than direct piping of stormwater through the use of bio-retention basins as shown.</p> <p>The proposed Stormwater Management plan has the capacity to control roof and surface run-off and any excess flows from the land or upstream land to prevent stormwater flows from entering buildings and to mitigate the future risk of flooding.</p> <p>The Site works and Stormwater Drainage Concept Plan also shows that any water falling across the sites actually falls away from any adjoining residential dwellings located along the northern boundary, and actually falls back into the subject site to the South. The water on site is directed into strategically placed stormwater grates to capture flows into the proposed on site drainage network and then into bio retention basin located within the Bay Street frontage of the site to the South.</p>
	<p>Officer's Comment</p> <p>A condition has been included to ensure stormwater runoff does not cause a nuisance to adjoining properties. A concept plan for stormwater treatment has been provided at this stage and it has been determined that there will be adequate space to treat runoff with the final details to be submitted for compliance assessment.</p>
9.	<p>Issue</p> <p>The level of fill at the western end of the site will impact on existing infrastructure in terms of minimum coverage.</p>
	<p>Applicant Response</p> <p>Not provided.</p>
	<p>Officer's Comment</p> <p>There is a sewer main that traverses the site along the western boundary. The proposed car park will be located close to the infrastructure. Council's engineering unit has assessed the proposal and a condition has been placed in the recommendation for compliance assessment of excavation and fill, before the development can proceed.</p>
10.	<p>Issue</p> <p>Is there adequate sewerage capacity considering the existing single detached dwelling is on a septic system?</p>
	<p>Applicant Response</p> <p>Not provided.</p>
	<p>Officer's Comment</p> <p>Council's engineer has assessed the proposal and no upgrades to existing sewerage infrastructure are required by the development. A standard condition has been included to ensure the development is connected to Council wastewater infrastructure, which has adequate capacity to handle the development.</p>
11.	<p>Issue</p>

	<p>The LPG gas storage tank should be relocated in accordance with Australian standards (AS1596, AS1678 and AS5601) as there is a concern it could interfere with access to the site, should not be located near a public place and can't be co-located with the bio-retention area.</p>
	<p>Applicant Response</p> <p>Not provided.</p>
	<p>Officer's Comment</p> <p>The LPG tank should not prohibit access to the site as emergency vehicles can still use Smith Street to access the site. The tank is not located near a public place given the aged care centre is on private property. Finally, as per the stormwater management plan, the bio-retention basin will be located adjacent to the tank area and not under it. Consequently, there should be no conflict with the proposal and the relevant Australian Standards. However, it is noted that this is not a Planning Scheme matter and will be up to the developer to ensure compliance.</p>
12.	<p>Issue</p> <p>The development should avoid removal of native trees and the pecan trees in the northwest corner should be removed.</p>
	<p>Applicant Response</p> <p>The subject site does not presently contain a significant amount of vegetation as a large proportion of the site has previously been cleared for the erection of a detached house. Notwithstanding this, mature vegetation will be retained where possible in car park and landscape areas and will be reinstated throughout the proposed landscaped area of the development, which will reduce the impacts of run-off and decrease erosion on site once the proposed age car facility has been constructed. The discharge of sediment laden stormwater from the premises will be controlled through the implementation of erosion and sedimentation control measures.</p> <p>The proposed landscaping for the Age Care Facility will be of a subtropical design, in keeping with the surrounding locality and will utilise native vegetation where possible. The incorporation of hardy native plant species as the preferred vegetation species for the proposed landscaping will ensure prolonged life expectancy and minimal litter drop, pruning, watering and fertilising requirements. No weeds are to be included in the plant species used for the developments proposed landscaping. The arborist report also recommends the removal of vegetation where necessary.</p>
	<p>Officer's Comment</p> <p>It is noted that the site does not contain any habitat overlay constraints and therefore is not required to retain specific trees under the Planning Scheme. The Koala SPRP does apply to the site. However, this only affects four existing trees on site (as previously discussed). As per the Site Survey Plan, the north-eastern corner contains the most vegetation. The development avoids the removal of native trees where possible and has been designed to retain trees in the open space area close to Smith Street. A condition has been included requiring the developer to pay a monetary cost for the removal of 4 koala habitat trees as allowed for under the SPRP. There is no requirement under the RPS or the SPRP to specifically remove the pecan trees in the north-western corner.</p>

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Redlands Planning Scheme V5.3 and other relevant planning instruments. The decision is due on 20/02/2014.

Risk Management

Standard development application risks apply. In accordance with the *Sustainable Planning Act 2009* the applicant may appeal to the Planning and Environment Court against a condition of approval or against a decision to refuse. A submitter also has appeal rights.

Financial

If approved, Council will collect infrastructure contributions in accordance with the State Planning Regulatory Provisions (adopted charges) and Council's Adopted Infrastructure Charges Resolution.

If the development is refused, there is potential that an appeal will be lodged and subsequent legal costs may apply.

People

Not applicable. There are no implications for staff.

Environmental

Environmental implications are detailed within the assessment in the "issues" section of this report.

Social

Social implications are detailed within the assessment in the "issues" section of this report.

Alignment with Council's Policy and Plans

The assessment and officer's recommendation align with Council's policies and plans as described within the "issues" section of this report.

CONSULTATION

A copy of the original proposal was provided to Councillor Ogilvie. The Councillor has requested that the application be determined by Council Committee.

The assessment manager has consulted with other internal assessment teams where appropriate. Advice has been received from relevant officers and forms part of the assessment of the application.

CONCLUSION

The Assessment Manager considers that the decision conflicts with part of the Redlands Planning Scheme. However, in accordance with Section 326 of the *Sustainable Planning Act*, the conflict arises because of a conflict between 2 codes within the planning scheme. The decision to approve the application is considered to best achieve the purposes of the instrument, which encourages Aged Persons and Special Needs Housing to be integrated into residential areas that are well serviced by public transport and located within close proximity to community services, including the Redlands Hospital and medical precinct.

OPTIONS

The development application has been assessed against the Redlands Planning Scheme and relevant State planning instruments. The development is considered to comply with the instruments and it is therefore recommended that the application be approved subject to conditions.

Council's options are to either:

1. Adopt the officer's recommendation to approve the application subject to conditions.
2. Resolve to approve the application, without conditions or subject to different or amended conditions.
3. Resolve to refuse the application.

OFFICER'S RECOMMENDATION

That Council resolve that a Development Permit Approval be issued for the Material Change of Use application for Aged Persons & Special Needs Housing on land described as Lot 2 on RP 75617 and situated at 111-115 Smith Street, Cleveland, subject to the following conditions:

<u>ASSESSMENT MANAGER CONDITIONS</u>			<u>TIMING</u>
1. Comply with all conditions of this approval, at no cost to Council, at the timing periods specified in the right-hand column. Where the column indicates that the condition is an ongoing condition, that condition must be complied with for the life of the development.			
<u>Approved Plans and Documents</u>			
2. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval and any notations by Council on the plans.			Prior to the use commencing and ongoing.
Plan/Document Title	Ref No.	Prepared By	Plan/Doc. Date
Site Survey Plan	TP002	Fender Katsalidis Architects	18/06/13
Site Plan & Design Response	TP003	Fender Katsalidis Architects	18/06/13
Lower Ground Plan	TP004	Fender Katsalidis Architects	18/06/13
Ground Floor Plan	TP005	Fender Katsalidis Architects	18/06/13

Level 1 Floor Plan	TP006	Fender Katsalidis Architects	18/06/13
Level 2 Floor Plan	TP007	Fender Katsalidis Architects	18/06/13
Roof Plan	TP008	Fender Katsalidis Architects	18/06/13
Elevations	TP009	Fender Katsalidis Architects	18/06/13
Sections	TP010	Fender Katsalidis Architects	18/06/13
Typical Unit Plan	TP011	Fender Katsalidis Architects	18/06/13
Open Space & Landscape Area	TP012	Fender Katsalidis Architects	18/06/13
Existing Trees Legend	TP013	Fender Katsalidis Architects	18/06/13
Landscape Design	TP014	Fender Katsalidis Architects	18/06/13
Site works and stormwater drainage concept plan sheet 1 of 2 (only for stormwater)	3084/TP01 Issue P1	Winward Consulting	27/09/2013
Site works and stormwater drainage concept plan sheet 2 of 2 (only for stormwater)	3084/TP02 Issue P1	Winward Consulting	27/09/2013
Traffic engineering assessment report	BMC13037	BMC traffic consulting engineers	18/09/2013
Arborist report	111 Smith St Cleveland	Able Tree Services	22/08/2013

Table 1: Approved Plans and Documents

<u>Land Dedication and Design</u>		
3.	Demolish or relocate/remove all existing structures on site in accordance with the approved plan(s) and cap all services prior to demolition commencing.	Prior to the use commencing.
4.	Locate, design and install outdoor lighting, where required, to minimise the potential for light spillage to cause nuisance to neighbours.	Prior to the use commencing and ongoing.
5.	Design and construct front fences and walls to: <ul style="list-style-type: none"> a) Provide a maximum height of 1.2m where the fence is solid; b) Provide a maximum height of 1.8m where the fence has openings or material that makes it greater than 30% transparent in appearance; c) Prevent flow paths from being blocked or interrupted; d) Provide articulation every 10m and planted recesses of a minimum 1m depth. 	Prior to the use commencing and ongoing.
6.	Dedicate land to the State with Council as trustee, in accordance with the engineering design to be submitted at operational works, for the following purposes: <ul style="list-style-type: none"> a) Road dedication for the Cul-de-sac at the end of Marc Place; and b) Corner truncation on Bay and Smith Streets as per condition 8. 	Prior to the use commencing.
<u>Access, Roadworks and Parking</u>		
7.	Provide a minimum 66 car parking spaces in accordance with the approved Traffic engineering assessment report BMC13037. The total number of car parks must include 4 disability parking spaces. Access to car parking spaces, bicycle spaces, bin bays and driveways must remain unobstructed and available for their intended purpose.	Prior to the use commencing and ongoing.

<p>8. Submit to Council for approval, engineering plans and details showing the following frontage works are in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval:</p> <ul style="list-style-type: none"> a) Road construction including concrete kerb and channel and road pavement; b) Footpath earthworks, topsoiling and turfing of all disturbed footpath areas; c) Reinstatement of concrete kerb and channel where required; d) Removal of all redundant vehicle crossovers; e) Entry treatment/access to the site; f) A minimum 2m wide concrete shared use footpath at an alignment of 1.5m from the property boundary, or in alignment with the existing footpath, along both Smith and Bay Street frontages; g) Adjustment and relocations necessary to public utility services resulting from these works; h) A minimum 6m wide type R-RSC-3 permanent vehicular crossover to the Bay street frontage of the site; i) A minimum 4m wide type R-RSC-3 permanent vehicular crossover to the Smith street frontage of the site; j) A minimum 6m X 3 chord truncation; and k) A cul-de-sac head (with a radius of 13m) at the end of Marc Place. 	<p>As part of request for compliance assessment.</p>
<p>9. Remove all redundant vehicle crossovers and reinstate kerb and channel, road pavement, service and footpaths in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works.</p>	<p>Prior to the use commencing.</p>
<p><u>Compliance Assessment</u></p>	
<p>10. Submit to Council, and receive approval for, Compliance Assessment for the documents and works referred to in Table 2:</p>	<p>Prior to site works commencing.</p>

Document or Works Item	Compliance Assessor	Assessment Criteria
Landscape Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 8 – Landscape Code • Redlands Planning Scheme Part 6 Division 1 – Aged Persons and Special Needs Housing • Redlands Planning Scheme Part 9 Schedule 9 – Street Trees • Redlands Planning Scheme Part 11 Policy 3 Chapter 3 – Landscaping and Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions Chapter 11 – Landscaping • Redlands Planning Scheme Part 11 Policy 16 – Safer by Design
Noise Report	Redland City Council	<ul style="list-style-type: none"> • Probable Solution P3.8 of Council’s Urban Residential Zone Code.
Stormwater assessment	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 9 – Stormwater Management Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 6 – Stormwater Management

			<ul style="list-style-type: none"> • Redlands Planning Scheme Part 9 Schedule 11 – Water Quality Objectives • Water Sensitive Urban Design Technical Guidelines for South East Queensland • State Planning Policy 4/10 – Healthy Waters • State Planning Policy Guideline for Healthy Waters • Queensland Urban Drainage Manual • Australian Standard 3500.3:2003 – Plumbing and Drainage – Stormwater Drainage.
Water and wastewater supply and reticulation	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 7 – Water Reticulation and Chapter 8 – Sewerage Reticulation.
Access and parking plans	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 1 – Access and Parking Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 15 – Access and Parking • Australian Standard 2890.1:2004 – Parking Facilities – Off-street car parking • Australian/New Zealand Standard 2890.6:2009 – Parking Facilities – Off-street parking for people with disabilities.
Road and footpath works	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 7 Division 4 – Domestic Driveway Crossover Code • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 5 – Road and Path Design.
Sediment and erosion control	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 6 – Erosion Prevention and Sediment Control Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 4 – Erosion Prevention and Sediment Control • Institution of Engineers Australia Erosion and Sediment Control Guidelines.
Earthworks	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 7 Division 6 – Excavation and Fill Code • Redlands Planning Scheme Part 8 Division 5 – Development Near Underground Infrastructure Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 12 – Excavation and Fill and Chapter 13 – Development Near Underground Infrastructure

		<ul style="list-style-type: none"> • Australian Standard 2870:2011 – Residential Slabs and Footings • Australian Standard 4678:2002 – Earth-retaining Structures • Australian Standard 3798:2007 – Guidelines on Earthworks for Commercial and Residential Development.
Electricity reticulation	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 9 – Electrical Reticulation and Street Lighting
Construction Management Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding.

Table 2: Compliance Assessment

<u>Stormwater Management</u>		
11.	Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management to: <ul style="list-style-type: none"> • A lawful point of discharge being the Gully Pit located at the eastern side of Bay street frontage as per approved stormwater management plans. 	Prior to the use commencing and ongoing.
12.	Manage stormwater discharge from the site in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, so as to not cause an actionable nuisance to adjoining properties.	Prior to the use commencing and ongoing.
13.	Submit to Council, and receive Compliance Assessment approval for, a stormwater assessment that is generally in accordance with the Site Works and Stormwater Drainage Concept Plan, Project 3084 Sheets 1 & 2 by Winward Consultants, dated 27/09/13, and addresses both quality and quantity in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, and the following: <ol style="list-style-type: none"> Modelling results; Name and version of software package; Full details of the modelling assumptions; Review of model calibration; Copy of the model's errors' output file; Detailed drawings of the proposed stormwater quality treatment systems and any associated works. The drawings must include longitudinal and cross sections. Details of treatment media. Internal configurations of each device and any associated vegetation; and Include Maintenance plans for each proposed device. 	As part of request for compliance assessment.

<u>Infrastructure and Utility Services</u>	
14. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval. Any cost incurred by Council must be paid at the time the works occur in accordance with the terms of any cost estimate provided to perform the works, or prior to plumbing final or the use commencing, whichever is the sooner.	At the time of works occurring.
15. Connect the development to external reticulated sewer, external reticulated water and underground electricity supply in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval.	Prior to the use commencing.
16. Remove any redundant sewerage connections within the site or servicing the development and provide documentary evidence to Council or its delegate that this has occurred.	Prior to site works commencing.
<u>Construction</u>	
17. Undertake any required excavation and fill works in accordance with the following: <ul style="list-style-type: none"> a) Design retaining walls/structures to have a minimum design life of 60 years and to be in accordance with Australian Standard 4678:2002 – Earth Retaining Structures (as amended). b) Undertake compaction in accordance with Australian Standard 3798:2007 – Guidelines on earthworks for commercial and residential developments (as amended) and Australian Standard 2870:2011 – Residential Slabs and Footings (as amended). c) Comply with the relevant requirements of the Building Regulations 2006 (as amended) where involving gradients or embankments. d) No single retaining wall is to exceed 1m in height without being stepped. 	During construction.
18. Provide temporary drainage during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM) Section 3.02 'Lawful Point of Discharge'. Maintain the temporary system for the duration of the building works.	During construction.
19. Rectify any damage done to the road verge during construction, including topsoiling and re-turfing.	Prior to the use commencing.
<u>Waste Management</u>	
20. Submit to Council a copy of a written agreement with a waste services provider to provide and maintain a bulk bin collection service to the development.	Prior to the use commencing and ongoing.
21. Install a screened refuse storage area, located at the top of the proposed service ramp, for the storage of a minimum of Two (2), 1.5m ³ bins. The storage area must be impervious, well drained, provided with a hose cock, enclosed and illuminated for night time use. A constructed screen and landscaping must also be provided between the road and the generator and substation on Smith Street and the LPG tank on Bay Street.	Prior to the use commencing and ongoing.
<u>Landscape Works</u>	

<p>22. Submit landscape plans to Council for Compliance Assessment in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval. Include the following items:</p> <ul style="list-style-type: none"> • Designs that are generally in accordance with the Ground Floor Plan TP005, Open Space & Landscape Area TP012, Site Survey Plan TP002, Existing Trees Legend TP013 by Fender Katsalidis Architects. • Species chosen from Council's Vegetation Enhancement Strategy and Policy (VES) November 2007. Note: You can access the VES at: http://www.redland.qld.gov.au/EnvironmentWaste/EnvironmentPlans/Pages/VES.aspx • Details of street tree planting in accordance with the Redlands Planning Scheme Landscape Code with species selected from Schedule 9 of the Redlands Planning Scheme, unless otherwise approved as part of the compliance assessment approval. • A maintenance plan for the entire landscaping component of the development. • Details of lighting to communal open space, driveways, public car parks and footpaths within the site. • Details of landscaping provided to screen the LPG tank on Bay Street. • A tree management plan prepared in accordance with Section 9.11.6.3 of the Redlands Planning Scheme Policy 9. • A plan showing the tree protection zones (TPZs) around existing trees identified for retention on the approved plans. The TPZs must be determined in accordance with Australian Standard A.S.4970-2009 – Protection of Trees on Development Sites. 	<p>As part of request for compliance assessment.</p>
<p>23. Pay to Council a monetary contribution for the removal of four non juvenile koala habitat trees. These trees are described as T7, T11, T12 and T34 of the Arboriculture Report dated 23rd August 2013 conducted by Able Tree Services. The contribution must be calculated in accordance with the Offsets for Net Gain of Koala Habitat in South East Queensland Policy and must be paid at the rate current at the time of payment under Council's Fees and Charges Schedule. The current rate is \$920 per tree (2013/2014 Financial Year).</p>	<p>As part of request for compliance assessment.</p>

ADDITIONAL DEVELOPMENT PERMITS AND COMPLIANCE PERMITS

The following further Development Permits and/or Compliance Permits are necessary to allow the development to be carried out. Please be aware that details of any further approvals, other than a Development Permit or Compliance Permit, are provided in the 'Advice' section of this decision.

- Building Works approval.
- Building works – demolition:
 - Provide evidence to Council that a Demolition Permit has been issued for structures that are required to be removed and/or demolished from the site in association with this development. Referral Agency Assessment through Redland City Council is required to undertake the removal works.

REFERRAL AGENCY CONDITIONS

- Queensland Department of Transport and Main Roads (DTMR)
Refer to the attached correspondence from the DTMR dated 19/11/13 (DTMR reference SDA-1113-005990).

ASSESSMENT MANAGER ADVICE

- Other Approvals
Please be aware that other approvals may be required for your development. This includes, but is not limited to, the following:
 - Compliance assessment as detailed in Table 2 of the conditions.
 - Plumbing and drainage works.
 - Capping of Sewer – for demolition of existing buildings on site.
 - Road Opening Permit – for any works proposed within an existing road reserve.
 - Food Business Licence – for any development proposing to conduct a food business under the *Food Act 2006*.
 - Advertising device/sign licence.
-

- Infrastructure Charges
Infrastructure charges apply to the development in accordance with the State Planning Regulatory Provisions (adopted charges) levied by way of an Infrastructure Charges Notice. The infrastructure charges are contained in the attached Redland City Council Infrastructure Charges Notice.
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- Live Connections
Redland Water is responsible for all live water and wastewater connections. Contact *must* be made with Redland Water to arrange live works associated with the development.

Further information can be obtained from Redland Water on 1300 015 561.

- Sea Level Rise
The Queensland Coastal Plan (QCP) commenced on 3 February 2012. The QCP predicts sea level rise in the future. The projections in the QCP should be taken into account in the planning and development of the site in order to protect the safety of people and property. Further to this, the State Government has published the Draft Coastal Protection State Planning Regulatory Provision. This planning instrument took effect on 26 April 2013 and suspends the operation of the QCP relevant to development assessment.

Development Permits issued by Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on sea level rise. Independent advice about this issue should be sought.

- Hours of Construction
Please be aware that you are required to comply with the *Environmental Protection Act* in regards to noise standards and hours of construction.
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- Survey and As-constructed Information
Upon request, the following information can be supplied by Council to assist survey and engineering consultants to meet the survey requirements:
 - a) A map detailing coordinated and/or levelled PSMs adjacent to the site.
 - b) A listing of Council (RCC) coordinates for some adjacent coordinated PSMs.
 - c) An extract from Department of Natural Resources and Mines SCDM database for each PSM.
 - d) Permanent Survey Mark sketch plan copies.

This information can be supplied without charge once Council received a signed declaration from the consultant agreeing to Council's terms and conditions in relation to the use of the

supplied information.

Where specific areas within a lot are being set aside for a special purpose, such as building sites or environmental areas, these areas should be defined by covenants. Covenants are registered against the title as per Division 4A of the *Land Title Act 1994*.

- Services Installation

It is recommended that where the installation of services and infrastructure will impact on the location of existing vegetation identified for retention, an experienced and qualified arborist that is a member of the Australian Arborist Association or equivalent association, be commissioned to provide impact reports and on site supervision for these works.

- Fire Ants

Areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). It is recommended that you seek advice from the Department of Agriculture, Fisheries and Forestry (DAFF) RIFA Movement Controls in regards to the movement of extracted or waste soil, retaining soil, turf, pot plants, plant material, baled hay/straw, mulch or green waste/fuel into, within and/or out of the City from a property inside a restricted area. Further information can be obtained from the DAFF website www.daff.qld.gov.au

- Cultural Heritage

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during the course or construction or operation of the development, the *Aboriginal and Cultural Heritage Act 2003* requires all activities to cease. For indigenous cultural heritage, contact the Department of Environment and Heritage Protection.

- Fauna Protection

It is recommended an accurate inspection of all potential wildlife habitats be undertaken prior to removal of any vegetation on site. Wildlife habitat includes trees (canopies and lower trunk) whether living or dead, other living vegetation, piles of discarded vegetation, boulders, disturbed ground surfaces, etc. It is recommended that you seek advice from the Queensland Parks and Wildlife Service if evidence of wildlife is found.

- Environment Protection and Biodiversity Conservation Act

Under the Commonwealth Government's Environment Protection and Biodiversity Conservation Act (the EPBC Act), a person must not take an action that is likely to have a significant impact on a matter of national environmental significance without Commonwealth approval. Please be aware that the listing of the Koala as vulnerable under this Act may affect your proposal. Penalties for taking such an action without approval are significant. If you think your proposal may have a significant impact on a matter of national environmental significance, or if you are unsure, please contact Environment Australia on 1800 803 772. Further information is available from Environment Australia's website at www.ea.gov.au/epbc

Please note that Commonwealth approval under the EPBC Act is independent of, and will not affect, your application to Council.

- Food Business

Please be aware that where the proposed development will conduct a licensable food business under the Food Act 2006, a Food Business Application must be made prior to construction and following the steps below. Below is a brief description of the steps required for Food Business Application and how to attain a Food Business Licence:

1. *Pre lodgement Meeting* – a meeting designed to provide information before submitting any application forms.
 2. *Food Business Application* – Forms and Fees with plans submitted for approval
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3. *Food Business Preliminary Approval* – with approved stamped plans issued and Licence Application Form to be submitted. (May take approximately 2 to 3 weeks to approve)
4. *Final Inspection of Premise/Kitchen* – inspecting of the completed kitchen.
5. *Licence approved and issued* – a Food Business Licence issued to operator. (May take 30 to 90 days to approve before food business permitted to operate)

Detailed floor plans of the kitchen area are to be provided; plans are to include 2 copies of: floor plans; layout; and sectional views. Full details of surface finishes, construction detail and fit out are required. Details must include provision of hand wash basin, hot water, liquid soap, paper towel dispenser and exhaust canopy plans.

Please provide details of type of food which will be prepared (i.e pre packaged/cooked).

For final approval of the Food Business Shop, application forms must be accompanied with fees and any other applicable charges.

COUNCIL RESOLUTION

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

That Council resolve that a Development Permit Approval be issued for the Material Change of Use application for Aged Persons & Special Needs Housing on land described as Lot 2 on RP 75617 and situated at 111-115 Smith Street, Cleveland, subject to the following conditions:

<u>ASSESSMENT MANAGER CONDITIONS</u>		<u>TIMING</u>	
1. Comply with all conditions of this approval, at no cost to Council, at the timing periods specified in the right-hand column. Where the column indicates that the condition is an ongoing condition, that condition must be complied with for the life of the development.			
<u>Approved Plans and Documents</u>			
2. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval and any notations by Council on the plans.		Prior to the use and commencing	
Plan/Document Title	Ref No.	Prepared By	Plan/Doc. Date
Site Survey Plan	TP002	Fender Katsalidis Architects	18/06/13
Site Plan & Design Response	TP003	Fender Katsalidis Architects	18/06/13
Lower Ground Plan	TP004	Fender Katsalidis Architects	18/06/13
Ground Floor Plan	TP005	Fender Katsalidis Architects	18/06/13
Level 1 Floor Plan	TP006	Fender Katsalidis Architects	18/06/13
Level 2 Floor Plan	TP007	Fender Katsalidis Architects	18/06/13

Roof Plan	TP008	Fender Katsalidis Architects	18/06/13
Elevations	TP009	Fender Katsalidis Architects	18/06/13
Sections	TP010	Fender Katsalidis Architects	18/06/13
Typical Unit Plan	TP011	Fender Katsalidis Architects	18/06/13
Open Space & Landscape Area	TP012	Fender Katsalidis Architects	18/06/13
Existing Trees Legend	TP013	Fender Katsalidis Architects	18/06/13
Landscape Design	TP014	Fender Katsalidis Architects	18/06/13
Site works and stormwater drainage concept plan sheet 1 of 2 (only for stormwater)	3084/TP01 Issue P1	Winward Consulting	27/09/2013
Site works and stormwater drainage concept plan sheet 2 of 2 (only for stormwater)	3084/TP02 Issue P1	Winward Consulting	27/09/2013
Traffic engineering assessment report	BMC13037	BMC traffic consulting engineers	18/09/2013
Arborist report	111 Smith St Cleveland	Able Tree Services	22/08/2013

Table 1: Approved Plans and Documents

Land Dedication and Design	
3. Demolish or relocate/remove all existing structures on site in accordance with the approved plan(s) and cap all services prior to demolition commencing.	Prior to the use commencing.
4. Locate, design and install outdoor lighting, where required, to minimise the potential for light spillage to cause nuisance to neighbours.	Prior to the use commencing and ongoing.
5. Design and construct front fences and walls to: e) Provide a maximum height of 1.2m where the fence is solid; f) Provide a maximum height of 1.8m where the fence has openings or material that makes it greater than 30% transparent in appearance; g) Prevent flow paths from being blocked or interrupted; h) Provide articulation every 10m and planted recesses of a minimum 1m depth.	Prior to the use commencing and ongoing.
6. Dedicate land to the State with Council as trustee, in accordance with the engineering design to be submitted at operational works, for the following purposes: a) Road dedication if required as part of condition 8k; and b) Corner truncation on Bay and Smith Streets as per condition 8.	Prior to the commencing.
Access, Roadworks and Parking	
7. Provide a minimum 66 car parking spaces in accordance with the approved Traffic engineering assessment report BMC13037. The total	Prior to the use commencing and

<p>number of car parks must include 4 disability parking spaces.</p> <p>Access to car parking spaces, bicycle spaces, bin bays and driveways must remain unobstructed and available for their intended purpose.</p>	<p>ongoing.</p>
<p>8. Submit to Council for approval, engineering plans and details showing the following frontage works are in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval:</p> <ol style="list-style-type: none"> a) Road construction including concrete kerb and channel and road pavement; b) Footpath earthworks, topsoiling and turfing of all disturbed footpath areas; c) Reinstatement of concrete kerb and channel where required; d) Removal of all redundant vehicle crossovers; e) Entry treatment/access to the site; f) A minimum 2m wide concrete shared use footpath at an alignment of 1.5m from the property boundary, or in alignment with the existing footpath, along both Smith and Bay Street frontages; g) Adjustment and relocations necessary to public utility services resulting from these works; h) A minimum 6m wide type R-RSC-3 permanent vehicular crossover to the Bay street frontage of the site; i) A minimum 4m wide type R-RSC-3 permanent vehicular crossover to the Smith street frontage of the site; j) A minimum 6m X 3 chord truncation; and k) A refuse vehicle turn around at the end of Marc Place. The ultimate design for the refuse vehicle turn-around is to be agreed with Redland City Council and may involve either the dedication of land and/or granting easements in favour of Redlands City Council, as required to effect the provision of a refuse vehicle to turn around at the end of Marc Place. 	<p>As part of request for compliance assessment.</p>
<p>9. Remove all redundant vehicle crossovers and reinstate kerb and channel, road pavement, service and footpaths in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works.</p>	<p>Prior to the use commencing.</p>
<p>Compliance Assessment</p>	
<p>10. Submit to Council, and receive approval for, Compliance Assessment for the documents and works referred to in Table 2:</p>	<p>Prior to site works commencing.</p>

Document or Works Item	Compliance Assessor	Assessment Criteria
Landscape Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 8 – Landscape Code • Redlands Planning Scheme Part 6 Division 1 – Aged Persons and Special Needs Housing • Redlands Planning Scheme Part 9 Schedule 9 – Street Trees • Redlands Planning Scheme Part 11 Policy 3 Chapter 3 – Landscaping and Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions Chapter 11 – Landscaping • Redlands Planning Scheme Part 11 Policy 16 – Safer by Design

Noise Report	Redland Council	City	<ul style="list-style-type: none"> • Probable Solution P3.8 of Council's Urban Residential Zone Code.
Stormwater assessment	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 9 – Stormwater Management Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 6 – Stormwater Management • Redlands Planning Scheme Part 9 Schedule 11 – Water Quality Objectives • Water Sensitive Urban Design Technical Guidelines for South East Queensland • State Planning Policy 4/10 – Healthy Waters • State Planning Policy Guideline for Healthy Waters • Queensland Urban Drainage Manual • Australian Standard 3500.3:2003 – Plumbing and Drainage – Stormwater Drainage.
Water and wastewater supply and reticulation	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 7 – Water Reticulation and Chapter 8 – Sewerage Reticulation.
Access and parking plans	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 1 – Access and Parking Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 15 – Access and Parking • Australian Standard 2890.1:2004 – Parking Facilities – Off-street car parking • Australian/New Zealand Standard 2890.6:2009 – Parking Facilities – Off-street parking for people with disabilities.
Road and footpath works	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 7 Division 4 – Domestic Driveway Crossover Code • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 5 – Road and Path Design.
Sediment and erosion control	Redland Council	City	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 6 – Erosion Prevention and Sediment Control Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 4 – Erosion Prevention and Sediment Control • Institution of Engineers Australia Erosion and Sediment

		Control Guidelines.
Earthworks	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 7 Division 6 – Excavation and Fill Code • Redlands Planning Scheme Part 8 Division 5 – Development Near Underground Infrastructure Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 12 – Excavation and Fill and Chapter 13 – Development Near Underground Infrastructure • Australian Standard 2870:2011 – Residential Slabs and Footings • Australian Standard 4678:2002 – Earth-retaining Structures • Australian Standard 3798:2007 – Guidelines on Earthworks for Commercial and Residential Development.
Electricity reticulation	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 9 – Electrical Reticulation and Street Lighting
Construction Management Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding.

Table 2: Compliance Assessment

Stormwater Management		
11.	Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management to: <ul style="list-style-type: none"> • A lawful point of discharge being the Gully Pit located at the eastern side of Bay street frontage as per approved stormwater management plans. 	Prior to the use commencing and ongoing.
12.	Manage stormwater discharge from the site in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, so as to not cause an actionable nuisance to adjoining properties.	Prior to the use commencing and ongoing.
13.	Submit to Council, and receive Compliance Assessment approval for, a stormwater assessment that is generally in accordance with the Site Works and Stormwater Drainage Concept Plan, Project 3084 Sheets 1 & 2 by Winward Consultants, dated 27/09/13, and addresses both quality and quantity in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, and the following: <ul style="list-style-type: none"> h) Modelling results; i) Name and version of software package; j) Full details of the modelling assumptions; k) Review of model calibration; l) Copy of the model's errors' output file; m) Detailed drawings of the proposed stormwater quality treatment 	As part of request for compliance assessment.

<p>systems and any associated works. The drawings must include longitudinal and cross sections. Details of treatment media. Internal configurations of each device and any associated vegetation; and</p> <p>n) Include Maintenance plans for each proposed device.</p>	
<u>Infrastructure and Utility Services</u>	
<p>14. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval. Any cost incurred by Council must be paid at the time the works occur in accordance with the terms of any cost estimate provided to perform the works, or prior to plumbing final or the use commencing, whichever is the sooner.</p>	<p>At the time of works occurring.</p>
<p>15. Connect the development to external reticulated sewer, external reticulated water and underground electricity supply in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval.</p>	<p>Prior to the use commencing.</p>
<p>16. Remove any redundant sewerage connections within the site or servicing the development and provide documentary evidence to Council or its delegate that this has occurred.</p>	<p>Prior to site works commencing.</p>
<u>Construction</u>	
<p>17. Undertake any required excavation and fill works in accordance with the following:</p> <ul style="list-style-type: none"> e) Design retaining walls/structures to have a minimum design life of 60 years and to be in accordance with Australian Standard 4678:2002 – Earth Retaining Structures (as amended). f) Undertake compaction in accordance with Australian Standard 3798:2007 – Guidelines on earthworks for commercial and residential developments (as amended) and Australian Standard 2870:2011 – Residential Slabs and Footings (as amended). g) Comply with the relevant requirements of the Building Regulations 2006 (as amended) where involving gradients or embankments. h) No single retaining wall is to exceed 1m in height without being stepped. 	<p>During construction.</p>
<p>18. Provide temporary drainage during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM) Section 3.02 'Lawful Point of Discharge'. Maintain the temporary system for the duration of the building works.</p>	<p>During construction.</p>
<p>19. Rectify any damage done to the road verge during construction, including topsoiling and re-turfing.</p>	<p>Prior to the use commencing.</p>
<u>Waste Management</u>	
<p>20. Submit to Council a copy of a written agreement with a waste services provider to provide and maintain a bulk bin collection service to the development.</p>	<p>Prior to the use commencing and ongoing.</p>

<p>21. Install a screened refuse storage area, located at the top of the proposed service ramp, for the storage of a minimum of Two (2), 1.5m³ bins. The storage area must be impervious, well drained, provided with a hose cock, enclosed and illuminated for night time use. A constructed screen and landscaping must also be provided between the road and the generator and substation on Smith Street and the LPG tank on Bay Street.</p>	<p>Prior to the use commencing and ongoing.</p>
<u>Landscape Works</u>	
<p>22. Submit landscape plans to Council for Compliance Assessment in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval. Include the following items:</p> <ul style="list-style-type: none"> • Designs that are generally in accordance with the Ground Floor Plan TP005, Open Space & Landscape Area TP012, Site Survey Plan TP002, Existing Trees Legend TP013 by Fender Katsalidis Architects. • Species chosen from Council's Vegetation Enhancement Strategy and Policy (VES) November 2007. Note: You can access the VES at: http://www.redland.qld.gov.au/EnvironmentWaste/EnvironmentPlans/Pages/VES.aspx • Details of street tree planting in accordance with the Redlands Planning Scheme Landscape Code with species selected from Schedule 9 of the Redlands Planning Scheme, unless otherwise approved as part of the compliance assessment approval. • A maintenance plan for the entire landscaping component of the development. • Details of lighting to communal open space, driveways, public car parks and footpaths within the site. • Details of landscaping provided to screen the LPG tank on Bay Street. • A tree management plan prepared in accordance with Section 9.11.6.3 of the Redlands Planning Scheme Policy 9. • A plan showing the tree protection zones (TPZs) around existing trees identified for retention on the approved plans. The TPZs must be determined in accordance with Australian Standard A.S.4970-2009 – Protection of Trees on Development Sites. 	<p>As part of request for compliance assessment.</p>
<p>23. Pay to Council a monetary contribution for the removal of four non juvenile koala habitat trees. These trees are described as T7, T11, T12 and T34 of the Arboriculture Report dated 23rd August 2013 conducted by Able Tree Services. The contribution must be calculated in accordance with the Offsets for Net Gain of Koala Habitat in South East Queensland Policy and must be paid at the rate current at the time of payment under Council's Fees and Charges Schedule. The current rate is \$920 per tree (2013/2014 Financial Year).</p>	<p>As part of request for compliance assessment.</p>

ADDITIONAL DEVELOPMENT PERMITS AND COMPLIANCE PERMITS

The following further Development Permits and/or Compliance Permits are necessary to allow the development to be carried out. Please be aware that details of any further approvals, other than a Development Permit or Compliance Permit, are provided in the 'Advice' section of this decision.

- Building Works approval.
- Building works – demolition:
 - Provide evidence to Council that a Demolition Permit has been issued for structures that are required to be removed and/or demolished from the site in association with this development.

Referral Agency Assessment through Redland City Council is required to undertake the removal works.

REFERRAL AGENCY CONDITIONS

- Queensland Department of Transport and Main Roads (DTMR)
Refer to the attached correspondence from the DTMR dated 19/11/13 (DTMR reference SDA-1113-005990).

ASSESSMENT MANAGER ADVICE

- **Other Approvals**
Please be aware that other approvals may be required for your development. This includes, but is not limited to, the following:
 - Compliance assessment as detailed in Table 2 of the conditions.
 - Plumbing and drainage works.
 - Capping of Sewer – for demolition of existing buildings on site.
 - Road Opening Permit – for any works proposed within an existing road reserve.
 - Food Business Licence – for any development proposing to conduct a food business under the *Food Act 2006*.
 - Advertising device/sign licence.

-
- **Infrastructure Charges**
Infrastructure charges apply to the development in accordance with the State Planning Regulatory Provisions (adopted charges) levied by way of an Infrastructure Charges Notice. The infrastructure charges are contained in the attached Redland City Council Infrastructure Charges Notice.

-
- **Live Connections**
Redland Water is responsible for all live water and wastewater connections. Contact *must* be made with Redland Water to arrange live works associated with the development.

Further information can be obtained from Redland Water on 1300 015 561.

-
- **Sea Level Rise**
The Queensland Coastal Plan (QCP) commenced on 3 February 2012. The QCP predicts sea level rise in the future. The projections in the QCP should be taken into account in the planning and development of the site in order to protect the safety of people and property. Further to this, the State Government has published the Draft Coastal Protection State Planning Regulatory Provision. This planning instrument took effect on 26 April 2013 and suspends the operation of the QCP relevant to development assessment.

Development Permits issued by Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on sea level rise. Independent advice about this issue should be sought.

-
- **Hours of Construction**
Please be aware that you are required to comply with the *Environmental Protection Act* in regards to noise standards and hours of construction.

-
- **Survey and As-constructed Information**
Upon request, the following information can be supplied by Council to assist survey and

engineering consultants to meet the survey requirements:

- e) A map detailing coordinated and/or levelled PSMs adjacent to the site.
- f) A listing of Council (RCC) coordinates for some adjacent coordinated PSMs.
- g) An extract from Department of Natural Resources and Mines SCDM database for each PSM.
- h) Permanent Survey Mark sketch plan copies.

This information can be supplied without charge once Council received a signed declaration from the consultant agreeing to Council's terms and conditions in relation to the use of the supplied information.

Where specific areas within a lot are being set aside for a special purpose, such as building sites or environmental areas, these areas should be defined by covenants. Covenants are registered against the title as per Division 4A of the *Land Title Act 1994*.

- **Services Installation**

It is recommended that where the installation of services and infrastructure will impact on the location of existing vegetation identified for retention, an experienced and qualified arborist that is a member of the Australian Arborist Association or equivalent association, be commissioned to provide impact reports and on site supervision for these works.

- **Fire Ants**

Areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). It is recommended that you seek advice from the Department of Agriculture, Fisheries and Forestry (DAFF) RIFA Movement Controls in regards to the movement of extracted or waste soil, retaining soil, turf, pot plants, plant material, baled hay/straw, mulch or green waste/fuel into, within and/or out of the City from a property inside a restricted area. Further information can be obtained from the DAFF website www.daff.qld.gov.au

- **Cultural Heritage**

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during the course or construction or operation of the development, the *Aboriginal and Cultural Heritage Act 2003* requires all activities to cease. For indigenous cultural heritage, contact the Department of Environment and Heritage Protection.

- **Fauna Protection**

It is recommended an accurate inspection of all potential wildlife habitats be undertaken prior to removal of any vegetation on site. Wildlife habitat includes trees (canopies and lower trunk) whether living or dead, other living vegetation, piles of discarded vegetation, boulders, disturbed ground surfaces, etc. It is recommended that you seek advice from the Queensland Parks and Wildlife Service if evidence of wildlife is found.

- **Environment Protection and Biodiversity Conservation Act**

Under the Commonwealth Government's Environment Protection and Biodiversity Conservation Act (the EPBC Act), a person must not take an action that is likely to have a significant impact on a matter of national environmental significance without Commonwealth approval. Please be aware that the listing of the Koala as vulnerable under this Act may affect your proposal. Penalties for taking such an action without approval are significant. If you think your proposal may have a significant impact on a matter of national environmental significance, or if you are unsure, please contact Environment Australia on 1800 803 772. Further information is available from Environment Australia's website at www.ea.gov.au/epbc

Please note that Commonwealth approval under the EPBC Act is independent of, and will not affect, your application to Council.

- **Food Business**

Please be aware that where the proposed development will conduct a licensable food business under the Food Act 2006, a Food Business Application must be made prior to construction and following the steps below. Below is a brief description of the steps required for Food Business Application and how to attain a Food Business Licence:

1. *Pre Lodgement Meeting* – a meeting designed to provide information before submitting any application forms.
2. *Food Business Application* – Forms and Fees with plans submitted for approval
3. *Food Business Preliminary Approval* – with approved stamped plans issued and Licence Application Form to be submitted. (May take approximately 2 to 3 weeks to approve)
4. *Final Inspection of Premise/Kitchen* – inspecting of the completed kitchen.
5. *Licence approved and issued* – a Food Business Licence issued to operator. (May take 30 to 90 days to approve before food business permitted to operate)

Detailed floor plans of the kitchen area are to be provided; plans are to include 2 copies of: floor plans; layout; and sectional views. Full details of surface finishes, construction detail and fit out are required. Details must include provision of hand wash basin, hot water, liquid soap, paper towel dispenser and exhaust canopy plans.

Please provide details of type of food which will be prepared (i.e pre packaged/cooked).

For final approval of the Food Business Shop, application forms must be accompanied with fees and any other applicable charges.

CARRIED 9/2

Crs Hewlett and Gleeson voted against the Council Resolution.

12 NOTICE OF MOTION**12.1 CR OGILVIE – TOONDAH HARBOUR PDA****COUNCIL RESOLUTION**

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

That Council resolve to write to the Minister Economic Development Queensland to seek a four week extension of time, prior to the EDQ board's consideration of Toondah Harbour PDA draft development scheme, for Council and EDQ to conduct further community consultation, after the initial assessment of community feedback and revision of the draft plan.

CARRIED 11/0

13 REPORTS TO COUNCIL (CONTINUED)**13.1 PORTFOLIO 2 (MAYOR KAREN WILLIAMS)
(SUPPORTED BY DEPUTY MAYOR CR BEARD)****ECONOMIC DEVELOPMENT, GOVERNANCE, SERVICE DELIVERY,
REGULATIONS AND EMERGENCY MANAGEMENT****13.1.1 QUARTERLY CORPORATE PERFORMANCE REPORT**

Datworks Filename: GOV Corporate Performance Reporting

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

Responsible/Authorising Officer:



Nick Clarke
General Manager Organisational Services

Author:

Jo Jones
**Service Manager Corporate Planning and
Performance**

PURPOSE

The purpose of this report is to present Council and the community with an update on progress with the implementation of the Operational Plan 2013/14.

BACKGROUND

The *Local Government Act 2009* (LG Act) requires the CEO to present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of Council, at least quarterly.

This report provides a progress report against the Operational Plan 2013/14 for the second quarter, for the period from 1 October to 31 December 2013. The report provides a status update for each project, together with a comment outlining progress for the first quarter.

The information in the attached report has been provided by the Council officers responsible for the particular project. The report aims to provide clear information about progress, in accordance with the LG Act and Council's Corporate Plan 2010-2015.

ISSUES

The attached report provides details about the implementation of the Operational Plan 2013/14. It also provides an update on projects which were carried forward from the Operational Plan 2012/13 and which were not complete as at 30 September 2013.

The report includes the status of each project together with comments from the relevant area of Council. Each project is categorised as follows:

Completed	The project has been fully completed
On track	The project is progressing on time and on budget and is on track for delivery by 30 June 2014
Monitor	There are issues with timeframes and/or budget but it is still expected that the close monitoring the project can be delivered by 30 June
Concern	There are significant delays or budget issues and it is unlikely that the project will be delivered by 30 June 2014
Cancelled	The project has been cancelled or is recommended for cancellation

There are 50 projects in the Operational Plan 2013/14. Overall, the report shows good progress with implementation of the plan, with four projects already completed and 39 projects (78%) being on track for completion by 30 June 2014. The seven projects from the Operational Plan 2012/13 remain incomplete and will continue to be monitored. A further update will be provided as part of the next quarterly report.

A summary of the status of all the projects is shown below:

Status	Operational Plan 2013/14	Carried forward 2012/13	Total
Completed	4	0	4
On track	39	3	42
Monitor	7	4	11
Concern	0	0	0
Cancelled	0	0	0
Total	50	7	57

STRATEGIC IMPLICATIONS

Council's Operational Plan 2013/14 is an important statutory plan which sets out Council's plans to deliver the Corporate Plan 2010-2015 and to achieve the vision, outcomes and goals of the Redlands 2030 Community Plan. The Operational Plan 2013/14 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 2013/14 is funded from the annual budget.

People

Projects within the Operational Plan 2013/14 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.

Environmental

Some projects within the Operational Plan 2013/14 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 2013/14 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 2013/14 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 2013/14.

OPTIONS

1. That Council notes the quarterly corporate performance report.
2. That Council notes the quarterly corporate performance report but requests additional information to be provided after this meeting.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve to note the quarterly corporate performance report.

CARRIED 10/0

Cr Elliott was not present when the motion was put.



Redland City Council

Operational Plan

Quarterly Performance Report

December 2013



Summary

Outcome	Complete	On Track	Monitor	Concern	Cancelled	Total
1 Healthy natural environment	0	6	1	0	0	7
2 Green living	1	3	1	0	0	5
3 Embracing the bay	0	4	0	0	0	4
4 Quandamooka Country	0	3	1	0	0	4
5 Wise planning and design	1	8	1	0	0	10
6 Supportive and vibrant economy	1	3	1	0	0	5
7 Strong and connected communities	0	5	2	0	0	7
8 Inclusive and ethical governance	1	3	2	0	0	6
9 An efficient and effective organisation	0	7	2	0	0	9
Total:	4	42	11	0	0	57

- On Track:** The project is progressing on time and on budget and is on track for delivery by 30 June.
- Monitor:** There are issues with timeframes and/or budget but it is still expected that with close monitoring the project can be delivered by 30 June.
- Concern:** There are significant delays or budget issues and it is unlikely that the project will be delivered by 30 June.

1. Healthy natural environment

Strategies

- 1.1 *Increase biodiversity by taking informed action to protect, enhance and manage our local ecosystems*
- 1.2 *Stop the decline in population of the koala and other species at risk through advocacy, protecting and restoring vital habitat and increasing community engagement and action*
- 1.3 *Protect our natural environment by restoring degraded landscapes, contaminated land and managing fire, pests and other hazards*
- 1.4 *Improve residents' understanding, respect and enjoyment of the local environment through stewardship and partnerships*
- 1.5 *Coordinate effective management of the conservation estate on all (private and public) lands in Redlands, through a combination of incentives and various tenure and management arrangements to restore, maintain and plant new habitat*
- 1.6 *Address the decline in the health of Redlands waterways and improve water quality, aquatic populations and their biodiversity*

Project	Op Plan Ref	Lead	Status	Comment
S Manage and improve Redland waterways through a range of measures including removal of water weeds, planting of waterway buffers in riparian areas and treatment of erosion sites across the catchment	6	City Spaces	On Track	Water weed maintenance, including chemical, biological and physical removal is undertaken monthly across 41 sites. Reduced riparian plantings across the city due to lower rainfall. Overall increase in numbers planted due to completion of Judy Holt landfill project. Erosion control is undertaken within Hilliard's and Eprapah Creek catchments through revegetation. Waste collection runs have been undertaken in October and December across 106 sites with 18.15 metres of waste removed and disposed of.
S Protect and enhance local ecosystems through production of a Conservation Policy Map and Healthy Natural Environment Report	1	Environment & Regulation	On Track	Scoping of new format for distribution underway.
S Manage the koala population and other threatened species through a range of measures including increased habitat, community education and partnerships	2	Environment & Regulation	On Track	Koala phone-in survey and North Stradbroke Island koala survey completed. \$11,640 grant obtained for koala habitat restoration through bushcare program for this financial year. 74 koala food trees planted. Trained volunteers in koala habitat tree survey methods.
S Implement Council's Pest Management Plan	4	Environment & Regulation	On Track	Working group met on 26 November 2013 and work is ongoing.

1. Healthy natural environment

Project	Op Plan Ref	Lead	Status	Comment
S Manage the conservation estate by completing a review of Council's land holdings and making recommendations regarding acquisitions or disposals, through the development of a consolidated Healthy Natural Environment Policy and by developing a natural environment decision support system that integrates environmental data into Council's planning and decision making	5	Environment & Regulation	On Track	Consolidated Environment Policies report to Council - January 2014 meeting. 2013-2014 acquisition list adopted by Council in December 2013. Ongoing work on environmental data processes and protocols.
S Actively engage the community in the local environment through ongoing development of Council/private partnerships to improve environmental outcomes and work with volunteers to deliver programs that enhance community access, respect and enjoyment of the natural environment	7	Environment & Regulation	On Track	Trees for Weeds event held on mainland, Coochiemudlo and Macleay Islands in October 2013. One new land for wildlife property, four new Koala Conservation Agreement properties, one new Waterways Extension Program property and three Your Backyard Garden properties registered. One new Bushcare Group started in Mount Cotton. Grevillea Street Bushcare Group Community Planting. Four community talks presented, 19 schools engaged (1170 children). Nine workshops presented.
S Restore and enhance the environment through various means including Birkdale and Giles Road landfill capping, the installation of gas and groundwater wells at selected sites, a city wide risk rating review and funding prioritisation of all closed landfills	3	Water & Waste Infrastructure	Monitor	The final design for the capping at Birkdale landfill is not projected to occur until April 2015 and no construction will commence this year. Giles Road capping nearing completion. Risk assessment has commenced.

2. Green living

Strategies

- 2.1 *Achieve sustainability through strong leadership and innovation, and by effective planning and managing our services, assets and resources*
- 2.2 *Promote, support and encourage commitment to green living in our community by improving residents' understanding of climate change and achieving greater water, energy and waste conservation and efficiency*
- 2.3 *Promote a 'go local' attitude towards working, socialising, shopping, playing and supporting local production of food*
- 2.4 *Provide and maintain safe and attractive routes for people to walk and cycle throughout the city and to connect to nearby regional centres*
- 2.5 *Achieve greater use of public transport by advocating for improved access to innovative and high quality services*
- 2.6 *Conserve energy and water, improve efficiency and reduce greenhouse gas emissions resulting from Council's energy consumption*
- 2.7 *Keep Redlands clean and green through programs that increase community participation in practical and positive local action to build a sense of ownership and an increasing pride in our city*
- 2.8 *Implement Council's waste management strategy by applying best practice principles in pricing, public awareness, resource management, recycling and recovery*
- 2.9 *Protect our community and the natural environment by managing environmental harm and nuisance caused by industry, business and development from past and present activities*

Project	Op Plan Ref	Lead	Status	Comment
S Promote public transport use through coordination of the Southern Moreton Bay Islands network integration with Translink, ongoing upgrades to bus stops across the city to improve disabled access and by commencing implementation of the Redlands Integrated Local Transport Plan Review	10	City Infrastructure	On Track	2013/14 Bus Shelter tender completed and construction commenced. 2013/14 Bus Stop upgrade designs completed - out to tender in Q.3. DDA compliance audit of City wide bus stops commenced.
S Encourage opportunities for walking and cycling throughout the city through a range of programs including Cycling and Pedestrian (Active Transport) Strategy, Moreton Bay Cycleway, Parks and Trails Program and Redlands Cycling and Walking Guide	9	City Infrastructure	On Track	Review and update of Redlands Cycling and Pedestrian Strategy underway. To be completed by end of 2014/15. Hilliards Creek MBC construction completed. Design complete for MBC Victoria Point to Point O'Halloran and Masthead Drive to Wharf Street. Redland Bay foreshore link construction complete. Project documents and functional scopes for 2014/15 path projects underway. Cycling and Walking Guide still under review. Print projected for February.
S Organise Redlands 'Good Gardening Expo' to promote residents growing their own food and encourage residents to grow their own food	8	Environment & Regulation	On Track	Promotional material developed. Invites and registration information sent to potential stall holders, presenters and participants. On track for April 2014.

2. Green living

Project	Op Plan Ref	Lead	Status	Comment
S Evaluate and report on the feasibility of establishing a supply of compressed natural gas (CNG) to Council's South Street depot for fuelling vehicles.	11	Fleet Services	Completed	Completed Q1.
S Deliver Council's Waste Management Strategy by investigating and reporting on the feasibility of a regional waste transfer station, investigating and reporting on the feasibility of an upgrade of Birkdale transfer station and by completing a new Solid Waste Strategy	12	Water & Waste Infrastructure	Monitor	The State has extended the timeframe until 30 June 2015 for completion of the waste strategy so this will be deferred to next year. Transfer station feasibilities progressing.

3. Embracing the bay

Strategies

- 3.1 *Address the social, cultural and economic needs of island communities by partnering with residents and other tiers of government to deliver infrastructure, facilities and services*
- 3.2 *Better manage our foreshores through coordinated planning with a special focus on resilience to the impacts of flooding and storm tides*
- 3.3 *Ensure the ongoing health of the bay by managing creeks, wetlands and storm water and by protecting natural areas surrounding the bay*
- 3.4 *Promote enjoyment of the bay by improving access for environmentally sensitive recreation activities, education, economic opportunities and ecotourism*
- 3.5 *Build partnerships with marine research, education institutions and the private sector to develop future research projects and education programs that will improve the health of the bay*
- 3.6 *Support management of the marine park and advocate for a new national park covering a substantial area of North Stradbroke Island*

Project	Op Plan Ref	Lead	Status	Comment
S Protect and manage foreshores through completion of a city wide coastal process study and development of a shoreline erosion management plan for Norfolk Beach, Coochiemudlo Island and Thorneside Esplanade	14	City Infrastructure	On Track	City Wide Coastal Process Study postponed to future year. Norfolk Beach draft report received. Council Workshop scheduled for 28/01/14. Thorneside Esplanade project postponed to future year.
S Maintain and enhance access to the bay through the finalisation of pre-planning for the Macleay Island car park and the maintenance of cross-bay transport links	15	City Infrastructure	On Track	Project Delivery Group in the process of completing detailed design. Council proceeding with the preferred development option of Mean High Water Springs as per Resolution 06/11/13.
S Deliver key projects identified in the SMBI 2030 Community Plan (including SMBI Information and Communication Strategy, SMBI Land Exchange and SMBI Disaster Resilience Centre) and provide an annual progress report to the community	13	Community & Cultural Services	On Track	Projects delivering on SMBI 2030 outcomes are ongoing, including a Red Tape to Red Carpet workshop completed in November and an update newsletter in December. Tourism Strategy workshops are being planned for 2014.
S Implement the land exchange program and use other mechanisms including zoning, land acquisition and voluntary transfers to achieve more sustainable land use on Southern Moreton Bay Islands (carried forward 2012/13)	C/F	Environment & Regulation	On Track	Finalising land exchanges and voluntary land exchanges. Project progressing and is on track.

4. Quandamooka Country

Strategies

- 4.1 *Improve community understanding and promote respect for the Quandamooka peoples' relationship with the land and waters of Redlands*
- 4.2 *Negotiate Council's rights and interests with respect to Native Title land with the Traditional Owners of the land through an Indigenous Land Use Agreement*
- 4.3 *Strengthen partnerships in natural and cultural resource management with local Aboriginal organisations, in particular management of the North Stradbroke Island holiday parks*
- 4.4 *Advocate for the application of Indigenous landscape values in state planning in line with DRO7 the SEQ Regional Plan and work with the local Aboriginal community to protect sites and landscapes of significance to their heritage and wellbeing*
- 4.5 *Work with local Traditional Owners and Elders and apply creative and educational techniques to improve employees', residents' and visitors' understanding of the heritage, achievements and aspirations of local Aboriginal people*
- 4.6 *Build on Council's partnership with local Aboriginal organisations to strengthen shared planning, service delivery, advocacy and decision making, using the Quandamooka Aboriginal Community Plan to guide our management of assets and services*
- 4.7 *Support the Quandamooka Forum in its negotiations with Queensland and Commonwealth Government*
- 4.8 *Acknowledge the living culture of local Aboriginal people by formally recognising Traditional Owners in Council ceremonies by observing cultural protocols, promoting traditional knowledge and increasing the profile of Aboriginal heritage through signage, cultural, tourism and community events*
- 4.9 *Work with Traditional Owners of North Stradbroke Island / Minjerribah to establish an Indigenous-focused knowledge centre in Dunwich to encourage local cultural and economic development opportunities and educate the wider community*

Project	Op Plan Ref	Lead	Status	Comment
§ Support community education and awareness through a range of programs including: review of communication material to ensure community have access to information about Quandamooka Country; and development and delivering a program of cultural awareness for Council staff, in consultation with the local Aboriginal community	19	Communications	On Track	Large article on Oodgeroo Noonuccal in October 'Our Redlands'. Communication materials including website copy are being rewritten and will be approved by Quandamooka. October's Quandamooka Form was not held. Communication, Engagement and Tourism are invited to speak at next forum, date to be confirmed by Quandamooka. Cultural Awareness program comes under HR.
§ Provide coordination and governance over implementation of Council's Indigenous Land Use Agreement in partnership with the Quandamooka people	16	Corporate Governance	On Track	There has been significant progress on a number of commitments within the ILUA. The Consultative Committee and the Capital Works Forum are established and progressing business as per the ILUA commitments. The Minjerribah Knowledge Centre, the Recognition Statement and the Employment Strategy are all high priorities and have commenced.

4. Quandamooka Country

Project	Op Plan Ref	Lead	Status	Comment
§ Develop a Cultural Heritage Policy and Guideline	17	Corporate Governance	Monitor	Council has reviewed draft Cultural Heritage Management Plan from QYAC. This issue is currently with General Counsel pending legal advice.
§ Partner with local Aboriginal organisations through participation in the Quandamooka Forum, coordination of partnership activities with Council and other levels of government and monitoring progress of the new Quandamooka Aboriginal Community Plan	18	Corporate Governance	On Track	RCC regularly attends the Quandamooka Forum and a number of RCC groups have presented work plans to the Forum in recent months. The Aboriginal Community Plan was launched in September 2013 and progress can be monitored against the new plan.

5. Wise planning and design

Strategies

- 5.1 *Prepare and put in place a new planning scheme for the Redlands that reflects the aspirations and expectations outlined in the Community Plan and Corporate Plans, state interests, recognised in the SEQ Regional Plan and the legal obligations of the Sustainable Planning Act 2009*
- 5.2 *Manage population growth in a compact settlement pattern, having defined the sustainable carrying capacity of the city and limits to population growth*
- 5.3 *Advocate strongly to all levels of government about the impacts of an increased population on the city and the region's liveability and natural systems*
- 5.4 *Review Council's and the community's climate change preparedness, ensuring all risks are understood and plans are activated to deal with expected outcomes*
- 5.5 *Plan and develop a network of accessible centres that provide a wide range of retail, commercial and community services along with local employment opportunities*
- 5.6 *Manage the built environment in a way that creates accessible and user-friendly spaces and maintains our local character and identity, ensuring all new developments use high quality design that reflects our sub-tropical climate, promotes health, community, harmony and wellbeing*
- 5.7 *Support a sustainable future for rural areas by developing and implementing a rural strategy that recognises the city's heritage, economic, environmental and scenic values and promotes sustainable rural industries and activities*
- 5.8 *Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport*
- 5.9 *Promote housing diversity, choice and affordability to address the city's current and future needs, incorporating medium density housing within and around the city's centres and transport nodes*
- 5.10 *Maintain the quality and liveability of residential areas and protect natural resources*
- 5.11 *Provide for 'place making' throughout the city through creative and inclusive master planning, local area planning, public art and heritage planning and precinct character planning processes to manage development at a local level*
- 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 current service standards are maintained or improved*
- 5.13 *Enhance the city's liveability and enable people to enjoy outdoor activities, social gatherings and community events through planning, providing and managing high quality parks and open spaces*

Project	Op Plan Ref	Lead	Status	Comment
5 Progress the review of the Redlands Transport Plan	23	City Infrastructure	Completed	Review completed by PSA Consulting and the outcomes will be incorporated into a new Transport Plan 2016.

5. Wise planning and design

Project	Op Plan Ref	Lead	Status	Comment
S Review Infrastructure Asset Management Plans for transport, marine and stormwater and review Council's Priority Infrastructure Plan	24	City Infrastructure	On Track	2013/14 Asset Management Plans completed. 2014/15 review substantially underway - 3 completed, 6 underway.
S Support 'place making' via a range of measures including: investigations of the Native Title 'land bank'; advocacy for a coordinated plan for North Stradbroke Island; review and incorporation of European cultural heritage into planning scheme; finalisation of local areas plans, structure plans and master plans; and support local entrepreneurs delivering place making	22	City Planning & Assessment	On Track	Preliminary investigations of native title land bank completed by consultants appointed by the State Government . Review of European cultural heritage completed , further reporting to Council to address options to include into new planning scheme . Ongoing program of translating existing masterplans and strategies into suitable format for inclusion into new scheme . Program of future local area plans to be presented to Council
S Undertake site assessments on 52 specific mainland parcels to consider conversion to commercial use as outlined in Council's Open Space Strategy	26	City Spaces	On Track	Parcels of public open space have been identified and are currently being assessed against the Redlands Planning Scheme.
S Continue to implement Council's Open Space Strategy and undertake an assessment of existing open space for possible land use re-assignment	27	City Spaces	On Track	Assessments are being undertaken with a report being developed for Council.
S Develop strategic and heritage master plans for North Stradbroke Island cemeteries in partnership with the Community (carried forward 2012/13)	C/F	City Spaces	Monitor	Family plots may not be viable at Dunwich due to the heritage listing and the new focus has changed to finding a new site. This will be a new project.
S Align the priorities, implementation and funding of the community facilities program with the CAPEX and Long Term Asset Management Plans (carried forward 2012/13)	C/F	Community & Cultural Services	On Track	Project on hold because there is no community facilities projects in the immediate future.
S Prepare a new planning scheme compliant with the Sustainable Planning Act 2009 for first state interest review	20	Planning Scheme Review	On Track	Council resolved to prepare new planning scheme and request to Minister for State Planning Interests. Project Management Plan revised for new project timelines. Internal and external stakeholder workshops held. Councillor engagement program commenced with one-on-one meetings and workshops to continue throughout project. Budget revision and rephrasing completed. Recruitment to planning scheme drafting team to commence February 2014. Project on track. State planning reforms may impact timeline.

5. Wise planning and design

Project	Op Plan Ref	Lead	Status	Comment
S Promote accessible centres through a range of measures including: Cleveland CBD Revitalisation Strategy; priority development areas of Toondah Harbour, Weinam Creek and incorporation of Cleveland and Capalaba Master Plans into the draft Redlands Planning Scheme	21	Priority Development Area	On Track	Priority development areas public notification period commenced 10 January 2014 and closes 24 February 2014. CBD project group formed. Council accommodation investigation progressing.
S Improve sewerage services at Dunwich and Victoria Point through a program to reline problem sewer mains	25	Water & Waste Operations	On Track	Dunwich manhole refurbishment complete. sewer lining under review dependent on rainfall. 1st phase of Vic Pt lining complete. Additional work package in preparation pending panel award due 1 Feb.

6. Supportive and vibrant economy

Strategies

- 6.1 *Bolster the local economy and local employment by providing business support to local companies, promoting social enterprise and providing opportunities for creativity, diversity and entrepreneurial activity*
- 6.2 *Market the distinctive image of the Redlands by encouraging low impact businesses that are knowledge-based and creative to establish in the city*
- 6.3 *Promote significant redevelopment of Cleveland and Capalaba as principal regional activity centres delivering mixed-use centres that provide opportunities for economic investment and local employment*
- 6.4 *Bring new business to the Redlands by promoting the city as a sustainable business locale, promoting Redland's advantages and advocating for the relocation of a major state government department*
- 6.5 *Develop partnerships with TAFE and other education providers to promote more tertiary education courses in the Redlands and training that supports local business needs*
- 6.6 *Promote Redlands as a high quality tourism destination and encourage the development of sustainable nature-based, heritage and eco tourism*

Project	Op Plan Ref	Lead	Status	Comment
S Engage with business leaders, the community and other stakeholders to review Council's Economic Development Strategy 2008-2012, deliver outcomes from the Council of Mayor's SEQ Economic Development Strategy in partnership with other SEQ Councils and finalise and commence implementation of the SMBI Community Economic Development Strategy	29	City Planning & Assessment	On Track	The Economic Development Strategy will be completed in draft form by February 2014. It will then go out for community engagement and input. This input will then be added to the strategy where appropriate with the final document being taken to Council after amendments are made. RCC contribution to the COMSEQ has been made and awaiting the final document from COMSEQ.
S Promote Cleveland and Capalaba as principal regional activity centres by commencing activation of the Capalaba Central Business District (CBD) Master Plan and implementing the Cleveland Central Business District (CBD) Activation Work Plan under the management of the Cleveland CBD Revitalisation Committee	30	City Planning & Assessment	On Track	The work relating to the Cleveland CBD Activation Work Plan is now with the Priority Development Area (Peter Kelley). Capalaba will require attention through the Economic Development Plan.
S Investigate and report on Smart Work Centre options	31	City Planning & Assessment	Completed	Completed Q1.
S Develop and implement a tourism development action plan	33	Community & Cultural Services	On Track	Economic Development Strategy review being undertaken in February 2014. Outcomes and focus will formulate the tourism action plan which will be incorporated into and as a component of the economic action plan.

6. Supportive and vibrant economy

Project	Op Plan Ref	Lead	Status	Comment
S Monitor and report on local procurement spending by Council	32	General Counsel	Monitor	Local spend for Q2 was 20.4% down by 9% when compared to Q1 (29.5%) .

7. Strong and connected communities

Strategies

- 7.1 *Promote festivals, events and activities for people to come together, developing connections and networks to improve community spirit and enhance 'sense of place'*
- 7.2 *Provide access to quality services, facilities and information that meet the needs of all age groups and communities, especially disadvantaged and vulnerable people*
- 7.3 *Increase community safety, health and wellbeing by planning and delivering programs, services, partnerships, regulations and education*
- 7.4 *Increase the participation of people from all age groups and backgrounds in local heritage, the arts and cultural expression*
- 7.5 *Increase the physical activity participation of residents and deliver programs and incentives that strengthen opportunities for sport and recreation*
- 7.6 *Provide practical programs, support and guidance to the community sector in its delivery of highly valued support services and community projects*
- 7.7 *Increase children and young people's active participation in community life and support their social, cultural and physical development*
- 7.8 *Support the Ageing Well in the Redlands Program, to enable active participation in all aspects of community life*
- 7.9 *Actively participate in multi-agency forums to support the health and wellbeing of Indigenous residents of the Redlands and work with Aboriginal and Torres Strait Island communities in the Redlands to develop initiatives that respond to their aspirations*
- 7.10 *Minimise the impact of disasters by improving community preparedness and our capacity to respond effectively to support the community when disasters occur*

Project	Op Plan Ref	Lead	Status	Comment
S Undertake business planning for cemeteries and report on outcomes	28	City Spaces	Monitor	Brief written and submitted to the CEO regarding possibility of private management of cemeteries. Direction from ELG required on the progress of this approach.
S Provide access to quality services by implementing the recommendations from the community halls review (e.g. booking and promotional efficiency program)	34	City Spaces	On Track	The report was accepted and Council is on track for continuous improvement in the management of halls. Recruitment is underway for a Community Venue Coordinator to start February 2014.
S Increase community participation in recreational and other events by reviewing the operation of Redlands Showgrounds and implementing improvements and by facilitating increased community access to school facilities (e.g. pools, playing fields and halls)	38	City Spaces	On Track	This project is on track for completion by February/March 2014, in time for the Easter Festival.

7. Strong and connected communities

Project	Op Plan Ref	Lead	Status	Comment
§ Facilitate the Redlands Domestic Violence Consortium to advocate for a domestic violence service for the Redlands	36	Community & Cultural Services	On Track	Meeting was held with Mayor and Minister Tracey Davis on 31 October 2013 advocating for increased domestic violence services. Stakeholder workshop has been held and as a result service integration is improving in the Redlands.
§ Complete community and state government consultation and adopt local laws in accordance with the model local laws framework	35	Corporate Governance	Monitor	In Q2 the laws were presented to Council. The Project has since been deferred twice at the Coordination Committees and once at workshop. Next workshop is scheduled for February 2014.
§ Improve the preparedness and safety of the Redlands community, particularly those most vulnerable, by developing and commencing implementation of a Redlands Community Resilience Program	39	Emergency Management	On Track	The Disaster Management Plan Part 2 Islands of Moreton Bay was developed within reported timeframes, endorsed by Council and delivered to the community. Parts 3 and 4 of the Disaster Management Plan, along with community consultation will take place through February and March 2014. Additionally, recruitment for a Resilience Officer will commence within the coming months.
§ Develop an environmental health report, policy and strategy to assess the state of community and environmental health in Redlands, establish a strategic approach to environmental health and target resources where they are most needed	37	Environment & Regulation	On Track	Environmental Health Report is underway with good progress and is on track for completion this financial year.

8. Inclusive and ethical governance

Strategies

- 8.1 *Embed the visions and goals of the Redlands 2030 Community Plan into our planning, operations and culture and develop effective reporting and monitoring arrangements to show how we are progressing on implementation of the Community Plan and this Corporate Plan*
- 8.2 *Provide accessible information through different media to let residents know about local issues and how to get involved in programs and make a positive contribution to their community*
- 8.3 *Establish and maintain effective partnerships with local, regional and national organisations and governments to deliver the visions and goals of the community*
- 8.4 *Deliver broad, rich and deep engagement that reaches residents of all ages, backgrounds and locations, enabling them to contribute their views about plans and decisions affecting them and developing community leadership*
- 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*
- 8.6 *Implement a comprehensive enterprise approach to risk management across the organisation*
- 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*

Project	Op Plan Ref	Lead	Status	Comment
§ Produce and publish an updated quarterly Council magazine and undertake planning for a comprehensive review of Council's websites	40	Communications	On Track	The second quarterly magazine "Our Redlands" was produced in October 2013. Planning to overhaul the website is underway. A submission is planned for 2014-15.
§ Develop a communication plan for the Federal referendum on the constitutional recognition of local government and support Councillors with community engagement and awareness	41	Communications	Completed	Completed Q1.
§ Review council strategies and report to executive management and Council on the status and progress of all corporate strategies to ensure appropriate resource allocation and satisfactory monitoring and reporting arrangements	42	Corporate Governance	Monitor	Although a brief had been prepared, there have been issues with resourcing this project. Options are being considered and it may be possible to incorporate this project into the review of the Corporate Plan, which is currently scheduled for 2014/15.

8. Inclusive and ethical governance

Project	Op Plan Ref	Lead	Status	Comment
S Complete a review of the CEO's delegations and prepare a report for Council to endorse delegations that are still necessary and/or propose new approaches to support robust and decisive decision making in the organisation that removes red tape and ensures legislative compliance	44	Corporate Governance	On Track	A report has been taken to Council, with Council approving delegations to the CEO and appropriate officers. Delegation documents to officers is currently being finalised.
S Complete a review of Council's strategic risk register incorporating input from councillors and management (carried forward 2012/13)	C/F	Corporate Governance	Monitor	A Councillor workshop was held in December 2013. A further workshop has been arranged for 11 February 2014. The register will be finalised at this workshop and it is anticipated that this project will be completed Q3.
S Deliver the internal audit plan focusing on significant operational risks of Council and report on progress	43	Internal Audit	On Track	Reasonably on track to deliver plan. Two audits postponed due to timing issues, while one unplanned review has been performed.

9. An efficient and effective organisation

Strategies

- 9.1 *Deliver excellent leadership throughout the organisation for the benefit of the community*
- 9.2 *Recruit and retain high quality staff and promote the organisation as an employer of choice*
- 9.3 *Actively promote diversity in the workforce and ensure flexibility is incorporated into work practices to support staff in achieving a healthy work/life balance*
- 9.4 *Provide a safe place for staff to work in and support the health and wellbeing of our people*
- 9.5 *Ensure robust long term financial planning is in place to protect the financial sustainability of Council*
- 9.6 *Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels*
- 9.7 *Develop our procurement practices to increase value for money within an effective governance framework*
- 9.8 *Work 'smarter' across departments, in multi-disciplinary teams to achieve continuous improvement and effective co-ordination*
- 9.9 *Manage security of and access to Council information*
- 9.10 *Use information management, mapping and communication technology to meet Council and community expectations*
- 9.11 *Develop and improve systems to support modern and flexible delivery of services*

Project	Op Plan Ref	Lead	Status	Comment
S Deliver phase one of the Integrated Customer Contact Centre and prepare for the implementation of phase two	48	Community & Cultural Services	On Track	Phase one has been completed with the exception of the procurement of the telephony software. Preparation for phase two is underway for the delivery of more complex products and services.
S Integrate asset management plans into the ten year financial strategy so that asset management drivers are fully reflected in Council's financial planning	47	Corporate Governance	On Track	The individual Asset & Service Management Plans (ASMP) are nearing completion and the development of the overarching long term ASMP will provide direct input to the ten year financial strategy. This is expected to be completed for 2014/15 capex development.
S Review Council's property portfolio and identify potential development projects, acquisition and disposal opportunities (carried forward 2012/13)	C/F	Environment & Regulation	On Track	Initial list completed and presented to Councillors on 5 November 2013.

9. An efficient and effective organisation

Project	Op Plan Ref	Lead	Status	Comment
§ Develop a social enterprise procurement policy, strategy, guidelines and standards (carried forward 2012/13)	C/F	Financial Services	Monitor	Procurement operations has now transitioned to the General Counsel Group who will incorporate a social strategy as part of a new procurement manual to be delivered by July 2014.
§ Implement a new individual performance management system	45	Human Resources	On Track	New performance agreement process (MyGoals) will be undertaken in March 2014. System and forms in development. Communications to organisation has commenced.
§ Deliver project to reduce hazards of work	46	Human Resources	On Track	The Hazards of Work project is progressing ahead of schedule. The Safety and Wellbeing Unit has received the Top ten risk lists and related controls from 95% of Groups and over 90% of the risks and controls have been entered into the Vault, with the balance expected to be completed by mid January 2014.
§ Negotiate and deliver a Certified Agreement (carried forward 2012/13)	C/F	Human Resources	Monitor	Officers' Agreement CA/2013/191 and Employees' Agreement CA/2013/192 were lodged and certified by QIRC on 7 November 2013. Amendment made to Employees live server allowance - now aligned to Employee State Award. However, retrospective legislation is being considered regarding the certification date of both certified agreements.
§ Implement the Information Management Strategy	49	Information Management	On Track	The EDRMS Project is on schedule. The Property and Rates Project has been postponed go-live until March 2014 due to UAT testing results. Windows 7 upgrade, replacement activity - server, storage and network, consolidation and standardisation (software and database) are slightly behind schedule due to resources being prioritised onto priority projects.
§ Improve project tracking to enable accurate and timely reporting of progress against project milestones and benefits realisation	50	Project Management	On Track	Ten Year Capital Program refined and draft delivered to ELG November 2013, with Finance. Operational Project intake ready for January/February 2014. PMO re-establishment plan in draft, due to ELG early 2014.

13.2 PORTFOLIO 4 (CR KIM-MAREE HARDMAN)**COMMERCIAL ENTERPRISES (WATER, WASTE, RPAC ETC)****13.2.1 TO SEEK A PUBLIC UTILITY EASEMENT (WATER SUPPLY) OVER LOT 32 SL12751 AND LOT 36 SP221103**

Datworks Filename: WS Building & Dev Apps - General

Attachments: [Weippin Street Fire Flow Augmentation Overview](#)
[QLCAC Consent Weippin Street](#)

Responsible/Authorising Officer:



Gary Soutar
General Manager Infrastructure and Operations

Author:

Herbert David
Infrastructure Project Officer

PURPOSE

To seek Council approval to acquire a public utility easement (water supply purpose) over Lot 32 SL12751 and Lot 36 SP221103 Weippin Street, Cleveland in accordance with the *Land Act 1994* and the *Land Title Act 1994*.

The acquisition of the easement will allow access to Council's asset and protection for the asset during any future allocation of State Land.

BACKGROUND

The network modelling of our water mains indicates that the fire flow provision at the end of Weippin Street does not meet our designed service standard of 30L/S at 12m residual pressure. In order to improve the fire flow provision, an augmentation is planned whereby a loop between the trunk water mains in Weippin and Enterprise Streets is constructed.

Advice from the Principal Land Officer in the Land Management of the Department of Natural Resources & Mines (DNRM) indicated that 2 separate applications are required for easements over State Land.

ISSUES

The line of the proposed water main crosses Lot 36 SP221103 which is held in trust by Redland City Council (RCC) and Lot 32 SL12751 which is currently held in trust by Quandamooka Land Council (QLC). It is understood through discussions, that in time, this lease may be passed on to Quandamooka Yooloobarrabee Aboriginal Corporation (QYAC) as trustees (refer to the attached drawing WEIP-FFAUG-01 for an overview of the proposed area).

QLC and QYAC representatives have already met with Council officers on site on 2 occasions to discuss this project. Consent in principle (also attached) to the creation of an easement for the proposed water main dated 4 December 2013 was received from the QLC chairperson.

To allow works to proceed, including finalisation of the easement documents, it is proposed that Council seek a permit from DNRM to access for construction. This will ensure that the construction works remain on schedule.

STRATEGIC IMPLICATIONS

Legislative Requirements

This proposal is in alignment with the *Water Supply (Safety and Reliability) Act 2008* providing a secure water source for the community.

Financial

This project has been budgeted in the 13/14 financial year - fire flow augmentation capital expenditure budget 62029.

Environmental

The existing pre-cleared corridor shall be used for this project, thus, no tree clearance is required.

Social

Given the cultural heritage significance of the area, consultation has taken place with QYAC and QLC. Consent in principle was provided by QLC for the creation of an easement over Lot 32 SL12751.

Alignment with Council's Policy and Plans

This recommendation supports Council's operational plan in its commitment to deliver high quality water safely and reliably to Redland City.

CONSULTATION

Consultation with the following people/organisation has taken place:-

- Parks and Conservation, RCC;
- Senior Property Officer, RCC;
- Property Services Manager, RCC;
- QLC (Quandamooka Land Council);
- QYAC (Quandamooka Yoolooburabee Aboriginal Corporation); and
- DNRM (Department of Natural Resources & Mines).

OPTIONS

1. To acquire a public easement for water supply over these lots and to delegate authority to the Chief Executive Officer to sign documentation for the acquisition of easements over state land.

2. To not acquire the public easement which would result in our service not meeting design standards and the mains water having insufficient water pressure for fire fighting capability.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr K Hardman

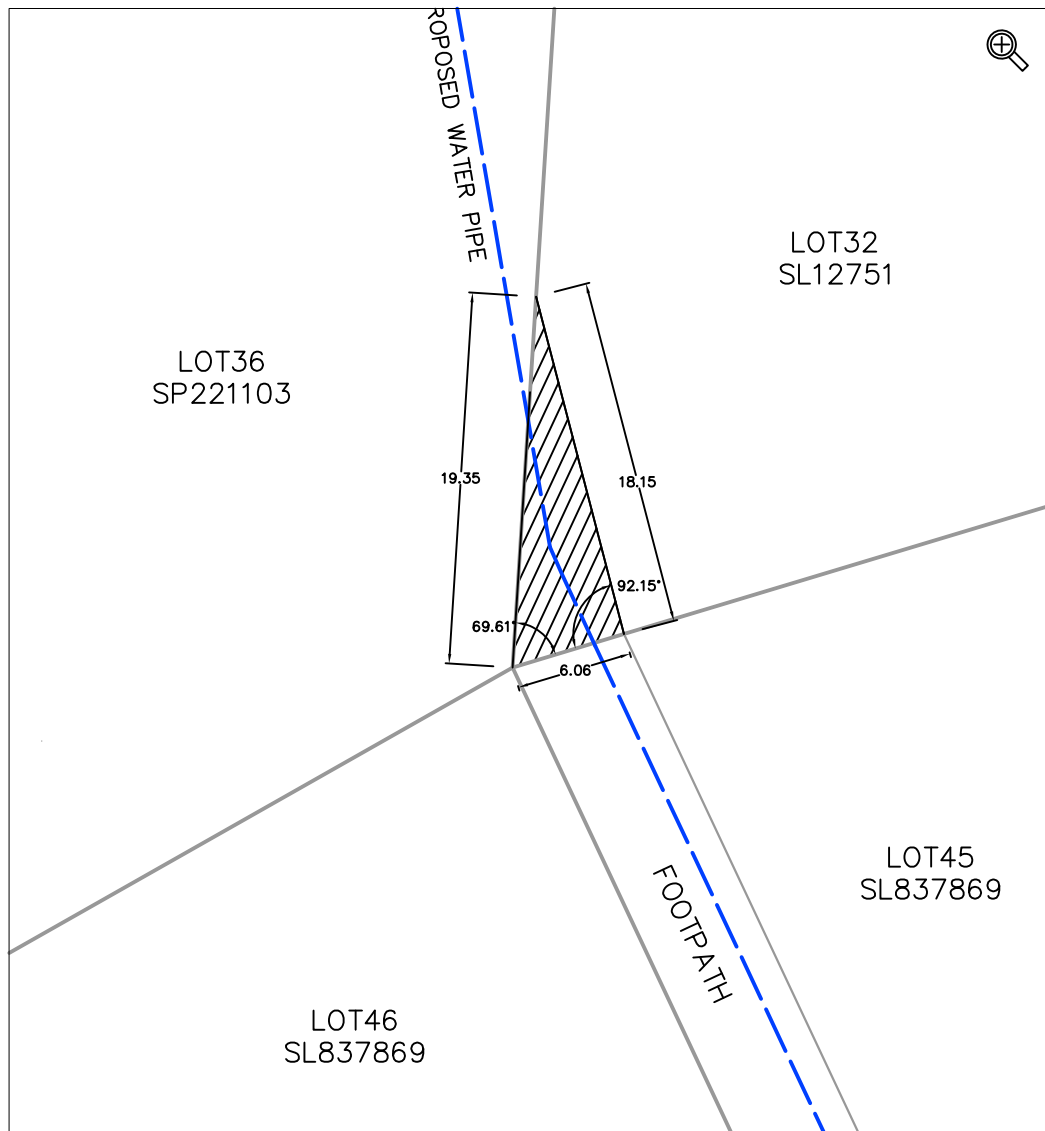
Seconded by: Cr P Gleeson

That Council resolve as follows:

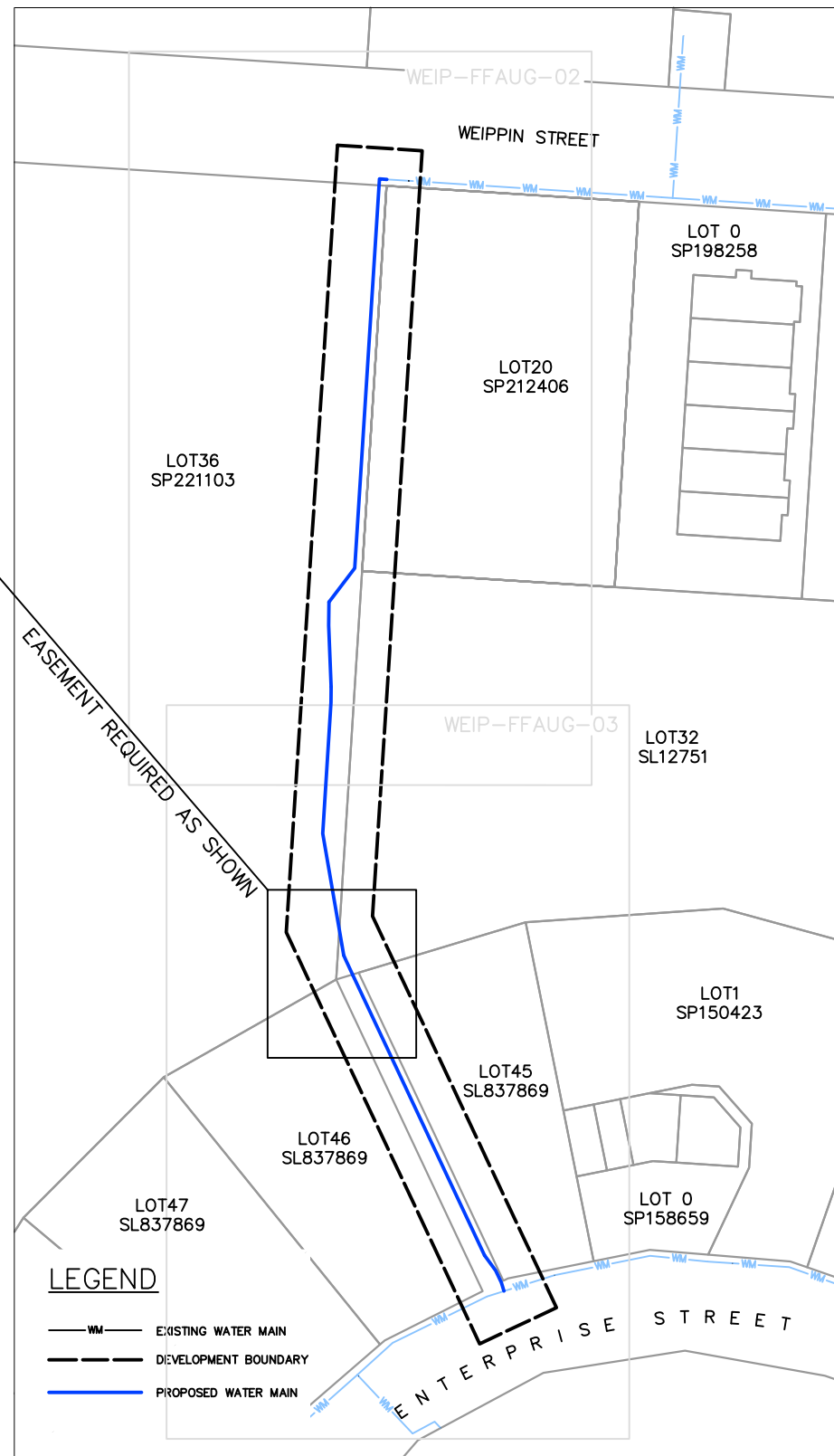
1. To acquire a public utility easement (Water Supply) over Lot 32 SL12751 and Lot 36 SP 221103;
2. That the Chief Executive Officer be delegated authority (under s.257(1)(b) of the *Local Government Act 2009*) to negotiate, make, vary, discharge the agreement and sign all necessary documentation associated with acquisition of the public utility easement; and
3. That a permit to access the land be sought from DNRM to construct the works whilst the easement documentation is being finalised and registered.

CARRIED 10/0

Cr Elliott was not present when the motion was put.

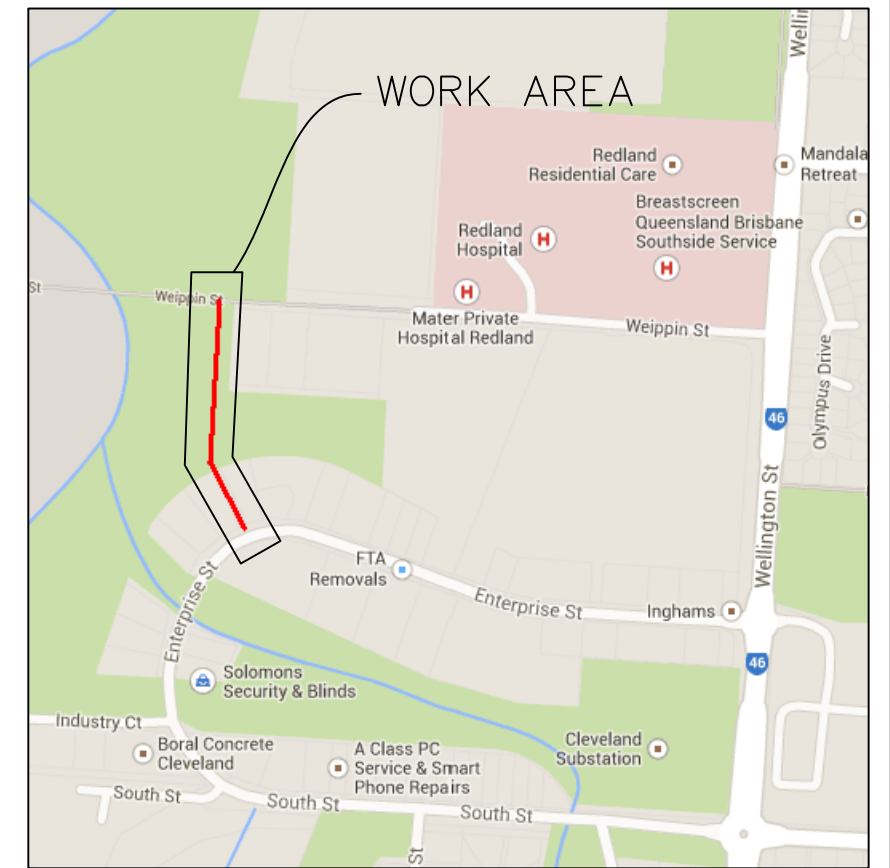
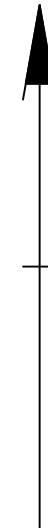


EASEMENT OVERVIEW



LEGEND

- WM — EXISTING WATER MAIN
- - - - DEVELOPMENT BOUNDARY
- PROPOSED WATER MAIN



DRAFT COPY

REDLAND WATER
 PART OF REDLAND CITY COUNCIL Phone: (07) 3829 8999
 233 MIDDLE STREET Facsimile: (07) 3829 8765
 CLEVELAND, QLD, 4163
 rcc@redland.qld.gov.au www.redland.qld.gov.au

Information:	
Surveyor:	N/A
Date:	N/A
Contour Interval:	N/A
Datum:	N/A
Origin:	N/A
Meridian:	N/A
AutoCAD File:	INGHAM_WM_SITE_PLAN.dwg

Notes:
 The information shown on this plan and contained in the associated data files has been calculated from design, field visit and records deposited in the Redland City Council and Dial Before You Dig service. The location and dimensions of boundaries which may be derived from the above is subject to registration by the above authorities.
 The boundaries may change subject to survey or engineering design.
 This data should not be used for construction purposes without confirmation by Redland Water.

Scales:
 0 0.25 0.5 1.0
 m
 SCALE: 1 : 40 A3
 SCALE: 1 : 1 CAD

Drawing Title:
 WEIPPIN ST FIRE FLOW AUGMENTATION OVERVIEW
 31-51 WEIPPIN ST, CLEVELAND

Drawn: NH	Date: 11/10/13
Checked: MI	Date: 22/10/13
Approved: BT	Date: 22/10/13
Amended: NH	Date: -
Drawing Number:	WEIP-FFAUG-01

Quandamooka Lands Council

Aboriginal Corporation



4 December 2013

Hebert David
Infrastructure Project Officer
Redland Water
Redland City Council

By email: Herbert.david@redland.qld.gov.au

Dear Mr David

Easement for Water Main, Lot 30, SL12751 Weippen Rd Fire Flow Augmentation

We refer to our recent discussions and onsite meeting to review the proposed water easement and construction of an upgrade to the water main along Weippen Road.

The Quandamooka Lands Council (QLC) is the Trustee of Lot 30, SL12751, and we consent in principle to the creation of an easement for the proposed water main which forms a part of the Weippen Road Fire Flow Augmentation project. As Trustee, QLC expects that Council will maintain the infrastructure according to law, and there will be no duty, or liability upon QLC to maintain the water main under the provisions of the Land Act 1994 (Qld).

QLC requests that the proposed terms of the easement be provided to QLC for review.

QLC notes that RCC is liaising with Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) regarding the requirements of the *Aboriginal Cultural Heritage Act 2003* (Qld) and supports the project proceeding in accordance with the Aboriginal Cultural Heritage Interim arrangements provided to RCC.

Yours Sincerely

Darren Burns
Chairperson
Quandamooka Lands Council

13.3 PORTFOLIO 5 (CR LANCE HEWLETT)**OPEN SPACE, SPORT AND RECREATION****13.3.1 REDLANDS MEMORIAL PRECINCT****Datworks Filename:** CR War Memorials**Attachment:** [Redlands Memorial Precinct](#)**Authorising/Responsible Officer:****Gary Soutar**
General Manager Infrastructure and
Operations**Author:** **Cameron Mackay**
Landscape Architect**PURPOSE**

The purpose of this report is to seek approval for the proposed Redlands RSL Memorial Precinct. This report will provide the background information regarding the purpose of memorial precinct, required funding and endorsements, community engagement, and site planning and design objectives.

BACKGROUND

The Redlands RSL and National Servicemen Association of Australia – Queensland (NSAAQ) joint committee have proposed to construct a new memorial precinct within parkland located at 17 Kinsail Court (Lot 537 SL 12771), Cleveland (see Figure 1).

As such, a site meeting attended by the Group Manager - City Spaces, Landscape Architect - Public Place Projects Unit, President of Redlands RSL, Redlands NSAAQ Representative, and Project Architect was held 21 January 2014 to discuss the purpose and extent of the proposed memorial precinct.

The purpose of the proposed memorial precinct is to provide an accessible public space for the acknowledgement of those currently serving in the armed forces, those that have fought in battles, and those that have fallen. It is envisaged that the memorial precinct will include tree-lined avenues/walkways, ornamental structures, seating, and strong connections to existing war memorial (opposite Redlands RSL) and surrounding landscape.

The RSL and NSAAQ are currently in the process of completing grant applications to receive required project funding. Council endorsement in principal for proposed memorial precinct is required as part of the grant application process, hence this report.

ISSUES

- Dawn service parades and similar events held at existing war memorial attract on average 8,000 to 10,000 people and are growing every year.
- Limited seating, shade, parking and open space within existing war memorial.

- Community consultation with nearby residents will be required as part of the design / site planning process.
- Council does not have an allocated budget for the construction of a new memorial precinct.
- The existing war memorial will likely be under increased pressure for upcoming WW1 Centenary Ceremonies.
- The proposed site for the memorial precinct currently has limited park infrastructure, recreational facilities and public open space activation nodes or features.

STRATEGIC IMPLICATIONS

Legislative Requirements

The proposed memorial precinct would need to be designed in accordance with the Building Code of Australia, relevant Australian Standards, Council Standards and the Disability Discrimination Act.

Risk Management

Risks:

- Following community consultation - surrounding community members reject design proposal.
- Managing community expectations, especially if grant funding is unsuccessful this round.
- Existing war memorial site may not effectively sustain anticipated visitor numbers.
- Council needs to allocate budgetary resources to assist in delivering memorial precinct .

Opportunities:

- Increased recreation value within park.
- Creation of 'journey' between existing memorial structure site and proposed memorial precinct located within parklands.
- Increased seating, shade and connectivity within parkland.
- Develop new public/private partnerships that aim to further enrich the urban fabric of Redland City Council (RCC).

Financial

The project budget is dependent upon the successful completion of grant applications by the RSL and NSSAQ.

People

Landscape architects from RCC's Public Place Projects Unit will fulfil an advisory role throughout the conceptual development of proposed memorial precinct. The advisory role will typically involve assistance in undertaking community consultation (i.e. letter drops, participation in workshop etc), and ongoing liaison with the Project

Architect regarding design, i.e. preferred materials, planting species, council standards and so on).

Environmental

The proposed site for the memorial precinct is zoned as 'Open Space' parkland and currently grassed, with limited to no native/remnant vegetation. Overlays triggered under the current planning scheme include: acid sulphate soils, road and rail noise, and waterways and wetlands.

Social

Council endorsement of proposed memorial precinct will allow community consultation with the wider community to commence. Following the completion of community consultation, Council should be better positioned to assess the appropriateness of such a precinct.

Alignment with Council's Policy and Plans

The Open Space Plan does specify a desired recreational activity within parkland surrounding proposed memorial precinct site. As previously mentioned, the park is also zoned as 'Open Space' recreation.

CONSULTATION

- Group Manager City Spaces
- Service Manager Public Place Projects Unit

OPTIONS

1. That Council resolve to provide support in principle for the proposed memorial precinct.
2. That council resolve NOT to adopt the Officer's recommendation.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve to provide support in principle for the proposed memorial precinct.

CARRIED 9/1

Cr Gleeson voted against the Council Resolution.

Cr Elliott was not present when the motion was put.



FIGURE 1 - SITE CONTEXT PLAN

13.4 PORTFOLIO 6 (CR MARK EDWARDS)**CORPORATE SERVICES****13.4.1 NEW LEASE TO TELSTRA AT LAURIE BURNS SPORTS FIELDS,
COOCHIEMUDLO ISLAND**

Datworks Filename: Property No. 219310

Attachment: [Site Plan for Telstra Tower Lease at Laurie Burns Sports Field - Coochiemudlo Island](#)

Authorising Officer:



Greg Jensen
Acting General Manager Community & Customer Services

Responsible Officer:

Gary Photinos
Group Manager Environment and Regulation

Author:

Merv Elliott
Property Services Manager

PURPOSE

The purpose of this report is to recommend that Council grant a lease to Telstra Corporation Ltd for a mobile phone facility at the Laurie Burns Sports Fields on Coochiemudlo Island described as part of Lot 4 on SP115493 as shown on site plan attached.

BACKGROUND

Telstra Corporation Ltd has negotiated with Council officers a potential site for a mobile phone tower facility at Laurie Burns Sports Fields on Coochiemudlo Island. The facility includes a monopole and equipment shelter of approximately 60m² as shown on the attached Site Plan.

Development approval for a Material Change Of Use (Impact Assessment) was issued by Council on 18th December 2013 including conditions regarding landscape screening, electromagnetic radiation, etc. Various submissions were received from members of the public during the Public Notification phase however there has been no appeal of the decision lodged in the Planning & Environment Court, and execution of the proposed lease will not be actioned until the submitter appeal rights have closed.

ISSUES

To allow construction of the facility to proceed, Council approval of a lease to Telstra Corporation Ltd is required.

Telstra have requested a 20 year lease. Given the terms including rent revenue which will be received by Council, a 20 year lease is recommended with terms and conditions to be negotiated by the Chief Executive Officer.

The proposed location of the facility has been planned to avoid conflict with activities at the sports field and Telstra will need to survey the lease area to Council's satisfaction. The location is consistent with Council's approved master plan for the site.

STRATEGIC IMPLICATIONS

No strategic implications identified.

Legislative Requirements

S.236 of the *Local Government Regulation 2012* allows a Local Government to dispose of land or an interest in land for the purpose of a lease for a telecommunication tower by resolution. The Regulation also states that disposal must be equal to or more than market value of the interest in land as determined by an external registered valuer. It is the belief of Council officers that rent charged by Redland City Council for new mobile phone leases is equal to or above market value, however an independent valuation will be obtained to ensure compliance with the Regulation.

Risk Management

Issues such as electromagnetic radiation and proximity to playing fields were addressed through the Material Change of Use approval. In addition, Telstra Corporation Ltd will be required to maintain public liability insurance in relation to the mobile phone facility.

Financial

Council will not incur any costs with the proposed facility as Telstra shall be required to construct and maintain the facility and pay for lease preparation and registration in Titles Office. Council will receive considerable rent for the duration of the lease.

People

There are no staff implications.

Environmental

Environmental impacts of the proposed facility were assessed and conditioned as part of the Material Change of Use.

Periodic electromagnetic radiation testing and compliance is the responsibility of Telstra Corporation Ltd.

Social

Objections from the public to the proposed facility were addressed through the Material Change of Use process whether the objectors take the matter further through litigation is still an option and execution of the lease will not proceed until these matters are resolved.

Alignment with Council's Policy and Plans

The proposed lease is in line with previous commercial telecommunication leases over Council land and the anticipated revenue will support Council's financial sustainability.

CONSULTATION

The Property Services manager has consulted with the Service Manager Sports & Community Venues, Divisional Councillor, Parks & Conservation Services Manager and Telstra Corporation Ltd's consultants.

OPTIONS

1. That Council resolve to:
 1. Approve a lease to Telstra Corporation Ltd within Laurie Burns Sports Fields described as Lot 4 on SP115493 as shown on the attached Site Plan for a term of 20 years on terms and conditions satisfactory to the Chief Executive Officer;
 2. Agree that S.236(2) of the Local Government Regulation 2012 applies allowing the lease to be entered without prior auction or tender; and
 3. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to sign all documents in regard to this matter.
2. That Council refuse a lease to Telstra Corporation Ltd.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

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

That Council resolve to:

1. Approve a lease to Telstra Corporation Ltd within Laurie Burns Sports Fields described as Lot 4 on SP115493 as shown on the attached Site Plan for a term of 20 years on terms and conditions satisfactory to the Chief Executive Officer;
2. Agree that S.236(2) of the Local Government Regulation 2012 applies allowing the lease to be entered without prior auction or tender; and
3. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to negotiate, make, vary, discharge the agreement and to sign all documents in regard to this matter.

CARRIED 9/0

Crs Elliott and Bishop were not present when the motion was put.

Site Plan – New Telstra Tower Lease at Laurie Burns Sports Field, Coochiemudlo Island



**13.4.2 NEW LEASE TO TELSTRA AT E G W WOOD SPORTSFIELD,
WELLINGTON POINT****Dataworks Filename:** L.104177**Attachment:** [Site Plan for Telstra Tower Lease at EGW Wood Sports Field](#)**Authorising Officer:****Greg Jensen
Acting General Manager Community & Customer
Services****Responsible Officer:****Gary Photinos
Group Manager Environment and Regulation****Author:****Merv Elliott
Property Services Manager**

PURPOSE

The purpose of this report is to recommend that Council grant a lease to Telstra Corporation Ltd for a mobile phone facility at the EGW Wood Sportsfield described as part of Lot 2 RP14192 and situated at 347-371 Birkdale Road, Wellington Point.

BACKGROUND

Telstra Corporation Ltd has negotiated with Council officers a potential site for a mobile phone tower facility at EGW Wood Sportsfield. The facility includes a monopole and equipment shelter of approximately 60m² as shown on the attached Site Plan.

Development approval for a Material Change Of Use (Impact Assessment) was issued by Council on 23 September 2013 including conditions regarding landscape screening, electromagnetic radiation, etc. Various submissions were received from members of the public during the Public Notification phase however there has been no appeal of the decision lodged in the Planning & Environment Court.

ISSUES

To allow construction of the facility to proceed, Council approval of a lease to Telstra Corporation Ltd is required.

Telstra have requested a 20 year lease. Given the terms including rent revenue which will be received by Council, a 20 year lease is recommended with terms and conditions to be negotiated by the Chief Executive Officer.

The proposed location of the facility has been planned to avoid conflict with activities at the sportsfield and Telstra will need to survey the lease area to Council's satisfaction.

STRATEGIC IMPLICATIONS

No strategic implications identified.

Legislative Requirements

S.236 of the *Local Government Regulation 2012* allows a Local Government to dispose of land or an interest in land for the purpose of a lease for a telecommunication tower by resolution. The Regulation also states that disposal must be equal to or more than market value of the interest in land as determined by an external registered valuer. It is the belief of Council officers that rent charged by Redland City Council for new mobile phone leases is equal to or above market value, however an independent valuation will be obtained to ensure compliance with the Regulation.

Risk Management

Issues such as electromagnetic radiation and proximity to playing fields were addressed through the Material Change of Use approval. In addition, Telstra Corporation Ltd will be required to maintain public liability insurance in relation to the mobile phone facility.

Financial

Council will not incur any costs with the proposed facility as Telstra shall be required construct and maintain the facility and pay for lease preparation and registration in Titles Office. Council will receive considerable rent for the duration of the lease.

People

There are no staff implications.

Environmental

Environmental impacts of the proposed facility were assessed and conditioned as part of the Material Change of Use.

Periodic electromagnetic radiation testing and compliance is the responsibility of Telstra Corporation Ltd.

Social

Objections from the public to the proposed facility were addressed through the Material Change of Use process.

Alignment with Council's Policy and Plans

The proposed lease is in line with previous commercial telecommunication leases over Council land and the anticipated revenue will support Council's financial sustainability.

CONSULTATION

The Property Services manager has consulted with the Service Manager Sports & Community Venues, Divisional Councillor, Parks & Conservation Services Manager and Telstra Corporation Ltd's consultants.

OPTIONS

1. That Council resolve to:

1. Approve a lease to Telstra Corporation Ltd within EGW Wood Sportsfield Lot 2 RP14192, situated at 347-371 Birkdale Road, Wellington Point as shown on the attached Site Plan for a term of 20 years on terms and conditions satisfactory to the Chief Executive Officer;
2. Agree that S.236(2) of the Local Government Regulation 2012 applies allowing the lease to be entered without prior auction or tender;
3. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to sign all documents in regard to this matter.

2. That Council refuse a lease to Telstra Corporation Ltd.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

That Council resolve to:

1. Approve a lease to Telstra Corporation Ltd within EGW Wood Sportsfield Lot 2 RP14192, situated at 347-371 Birkdale Road, Wellington Point as shown on the attached Site Plan for a term of 20 years on terms and conditions satisfactory to the Chief Executive Officer;
2. Agree that S.236(2) of the Local Government Regulation 2012 applies allowing the lease to be entered without prior auction or tender; and
3. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to negotiate, make, vary, discharge the agreement and to sign all documents in regard to this matter.

CARRIED 9/0

Crs Elliott and Bishop were not present when the motion was put.



13.4.3 JANUARY 2014 MONTHLY FINANCIAL REPORTS**Dataworks Filename:** FM Monthly Financial Reports to Committee**Attachment:** [Monthly Financial Report January 2014](#)**Authorising Officer:****Bill Lyon**
Chief Executive Officer**Responsible Officer:****Gavin Holdway**
Chief Financial Officer**Author:****Deborah Corbett-Hall**
Service Manager Corporate Finance

PURPOSE

The purpose is to present the January 2014 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 on a monthly basis.

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

Council is currently conducting a second quarter budget review following the close of financials at the December half year point. Following the first quarter review, Council continues to forecast a small operating surplus at 30 June 2014 in line with original budget expectations through frequent financial monitoring and management undertaken by Council departmental officers, Financial Services Group Officers and the Executive Leadership Group.

STRATEGIC IMPLICATIONS

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

The following adopted 2013-14 Key Financial Stability and Sustainability Ratios were either achieved or favourably exceeded by Council as at the end of January 2014:

- 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;
-

- Operating surplus ratio;
- Net financial liabilities;
- Interest cover ratio; and
- Asset consumption ratio.

The following ratios were outside the target range at the end of January 2014:

- Level of dependence on general rate revenue; and
- Operating performance; and
- Asset sustainability ratio.

Of note, the 'Level of dependence on general rate revenue ratio' narrowly missed the upper threshold in a month where rates were levied. The 'Operating performance ratio' is a cash measure and is anticipated to move in a favourable direction during the next period when rates are due for payment. The 'Asset sustainability ratio' continues to be challenging for Council although the target is 'on average over the long-term' and Council's long term financial strategy includes risks for mitigation as well as opportunities to move closer to the long-term target.

Legislative Requirements

The January 2014 financials are presented in accordance with the legislative requirement of section 204(2) of the *Local Government Regulation 2012*, requiring the Chief Executive Officer to present the financial report to a monthly Council meeting.

Risk Management

January 2014 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. During the second quarter budget review Council will consider any necessary budget movements over the remaining months of the 2013-14 financial year.

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 January 2014 and will further support the second quarter budget deliberations that commenced following the December 2013 period close.

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.

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 resolves to note the End of Month Financial Reports for January 2014 and explanations as presented in the attached Monthly Financial Performance Report.
2. Council requests additional information.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Edwards

Seconded by: Cr P Gleeson

That Council resolve to note the End of Month Financial Reports for January 2014 and explanations as presented in the attached Monthly Financial Performance Report.

CARRIED 9/0

Crs Elliott and Bishop were not present when the motion was put.



Redland
CITY COUNCIL

**January
2014**

*Monthly Financial
Performance Report*

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1. HIGHLIGHTS AND RATIOS

KEY FINANCIAL INFORMATION

Financial Stability Ratios	Target	Revised Budget 2013/14	Jan 2014
Level of Dependence on General Rate Revenue (%)	Target less than 37.5%	33.40%	39.26%
Ability to Pay Our Bills - Current Ratio	Target between 1.1 and 4.1	3.64	3.10
Ability to Repay Our Debt - Debt Servicing Ratio (%)	Target less than or equal to 10%	3.53%	3.30%
Cash Balance \$M		\$75.311M	\$77.123M
Cash Balances - Cash Capacity in Months	Target 3 to 4 months	5.03	5.00
Longer Term Financial Stability - Debt to Asset Ratio (%)	Target less than or equal to 10%	3.29%	2.86%
Operating Performance (%)	Target greater than or equal to 20%	18.10%	11.87%
Financial Sustainability Ratios	Target	Revised Budget 2013/14	Jan 2014
Operating Surplus Ratio (%)	Target between 0% and 10% (on average over the long-term)	0.14%	6.16%
Net Financial Liabilities (%)	Target less than 60% (on average over the long-term)	17.05%	8.18%
Interest Cover Ratio (%)	Target between 0% and 5%	-0.14%	0.06%
Asset Sustainability Ratio (%)	Target greater then 90% (on average over the long-term)	89.10%	48.54%
Asset Consumption Ratio (%)	Target between 40% and 80%	66.10%	65.67%



KEY FINANCIAL INFORMATION

Operating Income and Expenditure	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000
Operating Revenue	224,328	143,504	141,024
Operating Expenses	173,434	99,337	101,304
EBITD	50,894	44,167	39,720
Operating Surplus/(Deficit)	300	14,652	8,694

Capex YTD	\$000
Actuals YTD	27,472
Original Budget YTD	31,804
Revised Budget YTD	29,906
YTD Movements	
Actuals V Original Budget	-4,332 -13.62%
Actuals V Revised Budget	-2,434 -8.14%

KEY NON-FINANCIAL INFORMATION

Total Council Full Time Equivalents	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14
Elected Members	11	11	11	11	11	11	11
Administration and indoor staff (Officer's Award)	691	685	680	675	676	691	687
Outdoor staff (Employee's Award)	187	187	187	193	195	201	205
Total	889	884	878	879	882	903	902

Workforce reporting - January 2014: Headcount - Agency	Employee Type						
	Casual	Contract of Service	Perm Full	Perm Part	Temp Full	Temp Part	Grand Total
Office of CEO	2	5	78	11	15	2	113
Organisational Services	5	6	104	7	10	2	134
Community and Customer Service	36	5	246	48	22	5	362
Infrastructure and Operations	10	6	314	8	28	1	367
Total	53	22	742	74	75	10	976

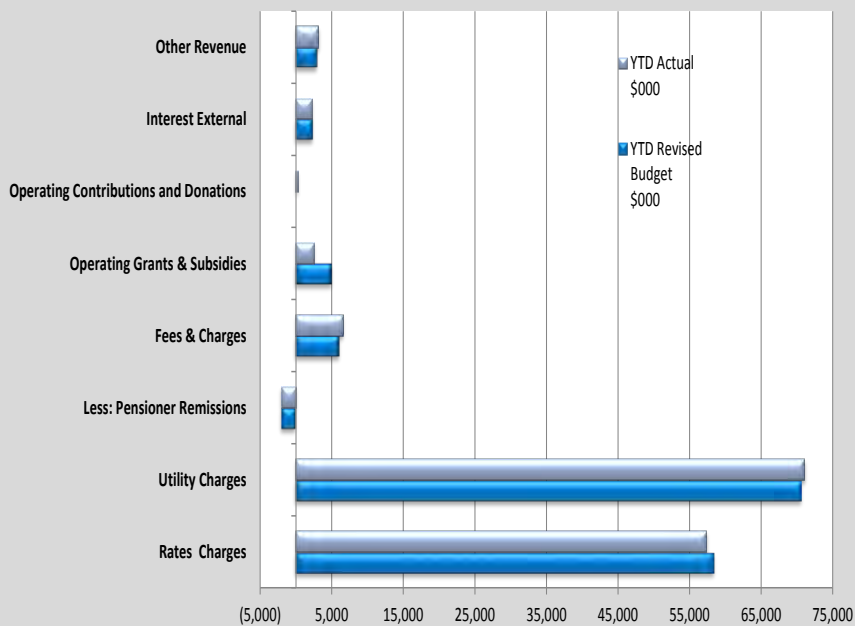
Note: table 1 calculates the Full Time Equivalent Employees which includes all full time employees at a value of 1 and all other employees, at a value less than 1. Table 2 is purely a headcount by department and does not include a workload weighting as in table 1 above.

2. SUMMARY OPERATING STATEMENT

SUMMARY OPERATING STATEMENT For the period ending 31 January 2014

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Operating Revenue	221,718	224,328	143,504	141,024	(2,480)
Operating Expenses	170,809	173,434	99,337	101,304	1,967
Earnings Before Interest, Tax and Depreciation (EBITD)	50,909	50,894	44,167	39,720	(4,447)
Interest Expense	3,798	3,798	2,216	2,291	75
Depreciation	46,794	46,796	27,299	28,735	1,436
Operating Surplus/(Deficit)	317	300	14,652	8,694	(5,958)

YTD Operating Income



Earnings Before Interest, Tax and Depreciation (EBITD)

Council's year to date EBITD is \$39.72M with a \$4.45M (10%) variance to budget. This is as a result of operating revenue lower than budget by \$2.48M and operating expenses exceeding budget by \$1.97M. Some of these variances are due to timing differences which will be addressed if required during the second quarter budget review.

Operating Revenue

The shortage of \$ 2.48M is largely due to Rates Charges behind budget by \$1.02M, and Operating Grants & Subsidies behind budget by \$2.54M. These variances are offset by Utility charges & Fees & charges exceeding budget by \$468k and \$ 446k respectively.

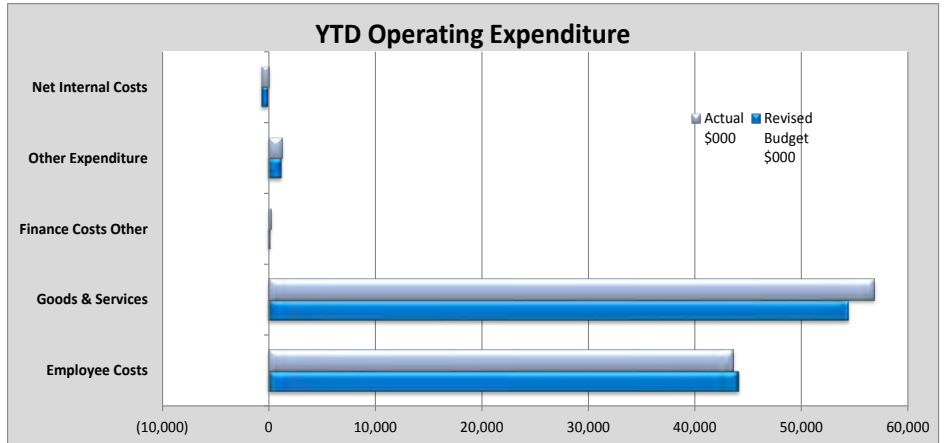
Utility Charges Breakup For the period ending 31 January 2014

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Utility Charges					
Refuse Charges	18,453	18,453	10,754	10,520	(234)
Special Charges	3,166	3,166	2,333	2,417	84
Environment Levy	4,273	4,273	3,205	3,221	16
Landfill Remediation Charge	3,839	3,839	2,239	2,311	72
Wastewater Charges	37,466	37,466	21,855	21,735	(121)
Water Access Charges	17,474	17,509	10,228	9,886	(342)
Water Consumption Charges	34,517	33,936	19,958	20,949	991
Total Utility Charges Revenue	119,189	118,642	70,572	71,039	467

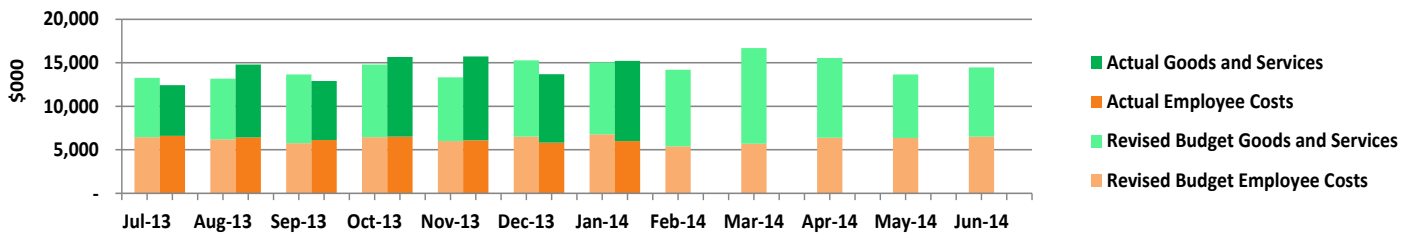
Operating Expenditure

Operating expenditure exceeded budget by \$1.97M. This 1.98% variance mainly consists of goods and services which exceeded budget by \$2.45M and employee costs behind the budget by \$564k.

Total future commitments (where budget is approved) at the end of January was \$3.81M.



Monthly Operating Expenditure Analysis



REDLAND WATER SUMMARY OPERATING STATEMENT For the Period Ending 31 January 2014

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Total Revenue	91,235	90,956	53,099	53,837	738
Total Expenses	42,425	42,081	24,868	27,892	3,024
Earnings before Interest, Tax and Depreciation (EBITD)	48,810	48,875	28,231	25,945	(2,286)
Interest Expense External	0	0	0	0	0
Interest Internal	21,681	21,681	12,647	12,647	0
Depreciation	16,895	16,895	9,855	9,615	(240)
Operating Surplus/(Deficit)	10,234	10,299	5,729	3,683	(2,046)

REDWASTE OPERATING STATEMENT For the Period Ending 31 January 2014

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Total Revenue	21,707	19,765	11,535	11,349	(186)
Total Expenses	16,719	16,628	9,765	9,482	(283)
Earnings before Interest, Tax and Depreciation (EBITD)	4,988	3,137	1,770	1,867	97
Interest Expense External	29	29	17	28	11
Interest Internal	342	342	199	199	0
Depreciation	530	530	309	311	2
Operating Surplus/(Deficit)	4,087	2,236	1,245	1,329	84

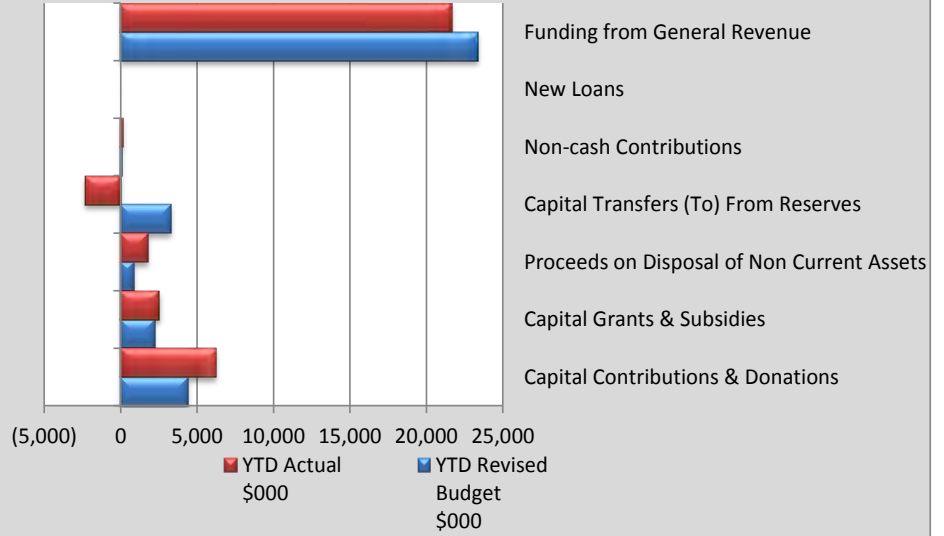
3. SUMMARY CAPITAL EXPENDITURE AND FUNDING

Sources of Capital Funding

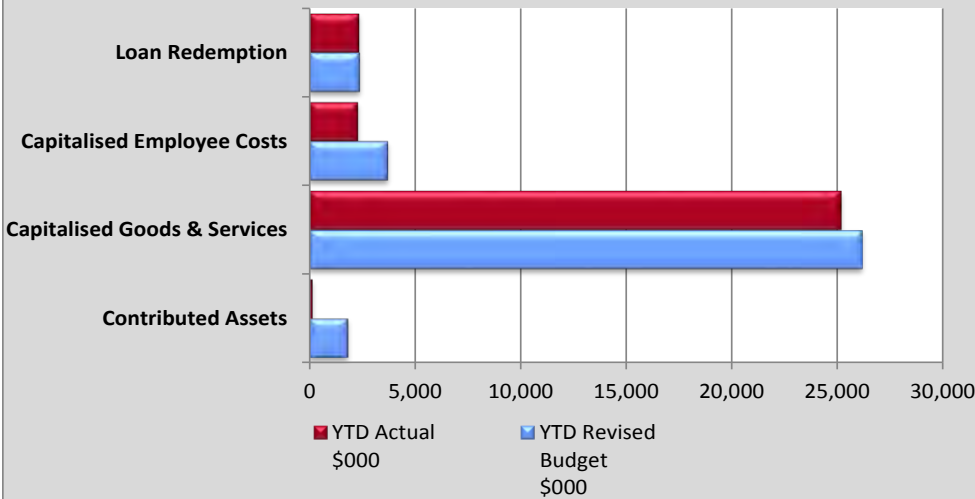
Transfers to reserves show a significant variance mainly due to the transfer of the additional developer cash contributions received, as well as capital grants & subsidies received, to reserves in order to ring-fence those funds.

During the month of December 2013, Council refunded \$1M of contributions received in 2007.

Sources of Capital Funds



Applications of Capital Funding



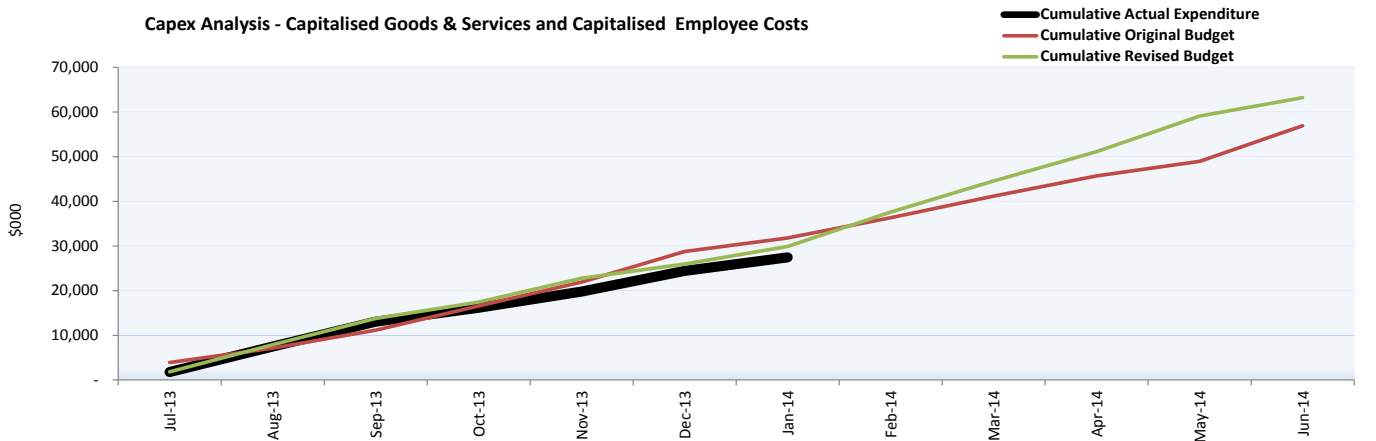
Applications of Capital Funds

Total capital expenditure is underspent by \$4.15M mainly due to the timing of capital acquisitions.

The budget for Contributed Assets is based purely on estimates and the actual outcome is outside of Council's control. This variance will continue to be monitored on a monthly basis.

Total commitments at the end of January (where budget is approved) was \$3.77M.

Capex Analysis - Capitalised Goods & Services and Capitalised Employee Costs

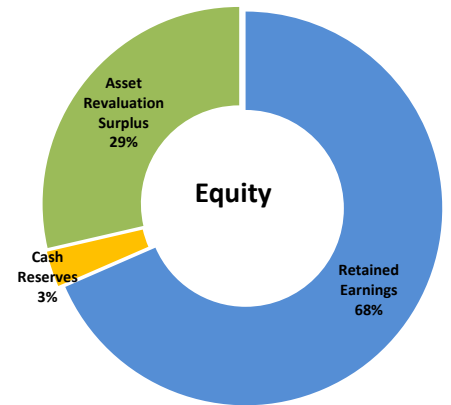


4. SUMMARY STATEMENT OF FINANCIAL POSITION

SUMMARY STATEMENT OF FINANCIAL POSITION

As at 31 January 2014

	Annual	Annual	YTD
	Original	Revised	Actual
	Budget	Budget	Balance
	\$000	\$000	\$000
Total Current Assets	97,027	98,933	134,296
Total Non-Current Assets	1,820,687	2,012,784	1,989,125
TOTAL ASSETS	1,917,714	2,111,717	2,123,421
Total Current Liabilities	38,608	27,180	43,372
Total Non-Current Liabilities	104,623	110,012	102,455
TOTAL LIABILITIES	143,231	137,191	145,827
NET ASSETS	1,774,483	1,974,526	1,977,594
COMMUNITY EQUITY			
Retained Earnings	1,728,791	1,929,235	1,919,780
Cash Reserves	45,692	45,291	57,814
TOTAL COMMUNITY EQUITY	1,774,483	1,974,526	1,977,594



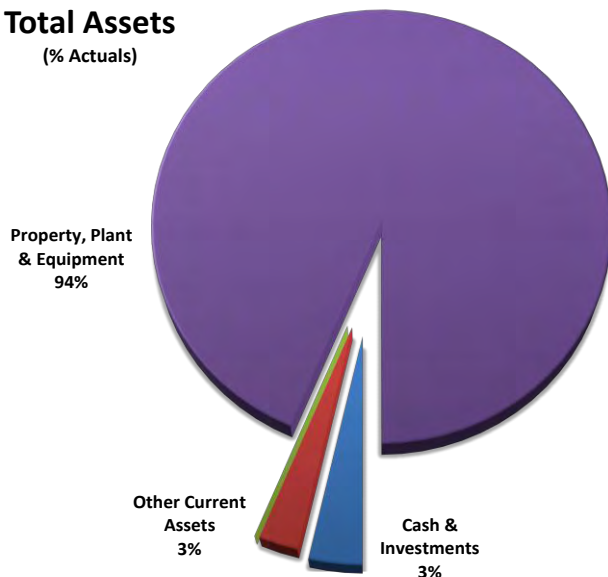
EQUITY	YTD
	Actual
	Balance
	\$000
Retained Earnings	1,354,162
Cash Reserves	57,814
Asset Revaluation Surplus	565,618
TOTAL EQUITY	1,977,594

	YTD
TOTAL ASSETS	Actual
	Balance
	\$000
Cash & Investments	77,123
Other Current Assets	57,173
Financial Assets	73
Property, Plant & Equipment	1,989,052
TOTAL ASSETS	2,123,421

	YTD
TOTAL LIABILITIES	Actual
	Balance
	\$000
Accounts Payable	13,435
Employee Provisions	15,866
Loans	60,739
Quarry & Landfill Rehabilitation Provisions	37,049
Other Liabilities	18,738
TOTAL LIABILITIES	145,827

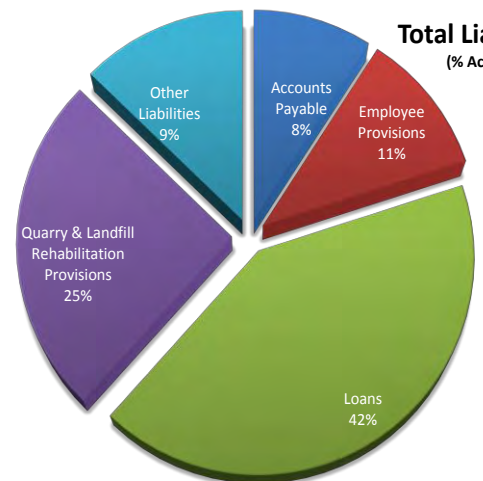
Total Assets

(% Actuals)



Total Liabilities

(% Actuals)



5. SUMMARY STATEMENT OF CASH FLOWS

SUMMARY CASH FLOW STATEMENT For the period ending 31 January 2014

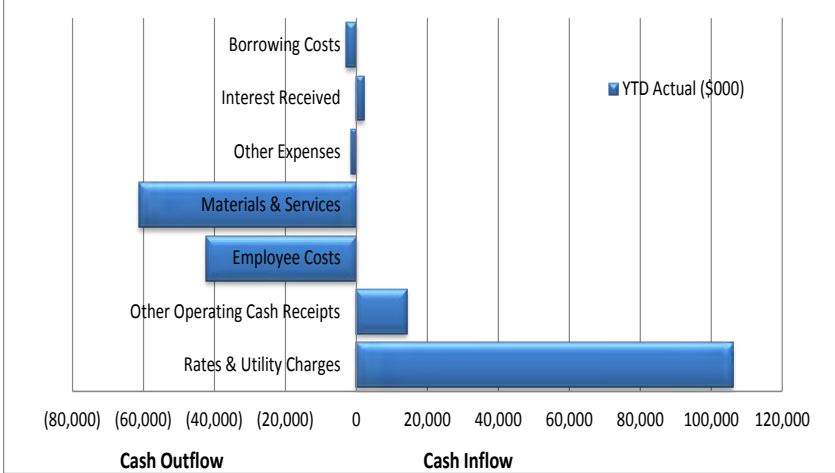
	Annual	Annual	YTD
	Original Budget \$000	Revised Budget \$000	Actual \$000
Receipts from Customers	212,516	215,217	120,228
Payments to Suppliers & Employees	(173,303)	(175,927)	(104,990)
Interest Received	4,104	4,104	2,205
Borrowing Costs	(3,798)	(3,798)	(2,908)
Net Cash Inflow from Operating Activities	39,519	39,596	14,535
Net Cash Outflow from Investing Activities	(46,336)	(53,343)	(16,946)
Net Cash Outflow from Financing Activities	6,463	6,463	(3,061)
Net Increase / (Decrease) in Cash Held	(353)	(7,284)	(5,472)
Cash at Beginning of Year	80,492	82,595	82,595
Cash at End of Financial Year / Period	80,139	75,311	77,123

Cash on hand at the end of January 2014 was \$77.12M. It represents cash capacity of 5 months.

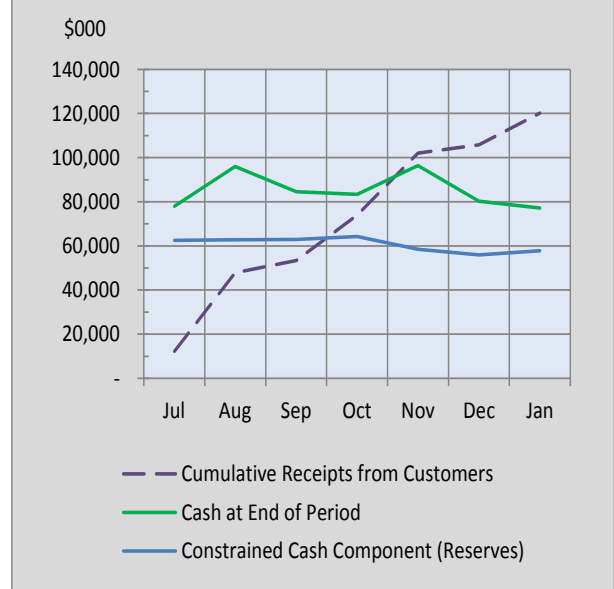
\$57.81M of the cash balance represents cash reserves.

The graph below shows the trending of year to date Receipts from Customers versus Cash Balance at Period End versus Reserve Balances. The sharp increases in receipts coincide with rate runs in July, October, January and April and rates due dates in August, November, February and May.

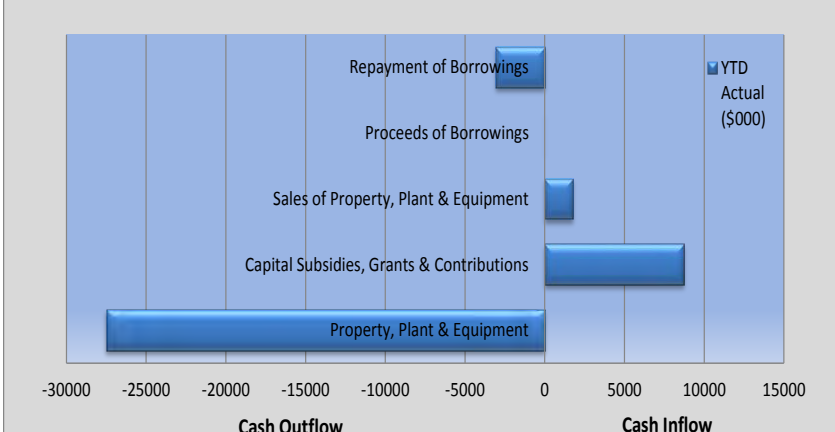
Cash Flow from Operating Activities



Monthly Cash Movements



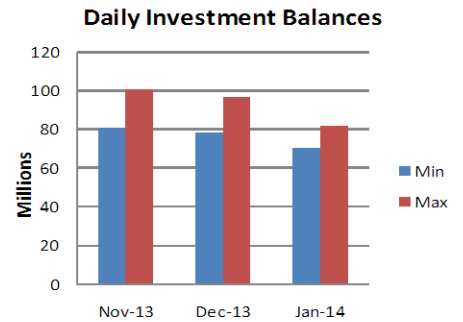
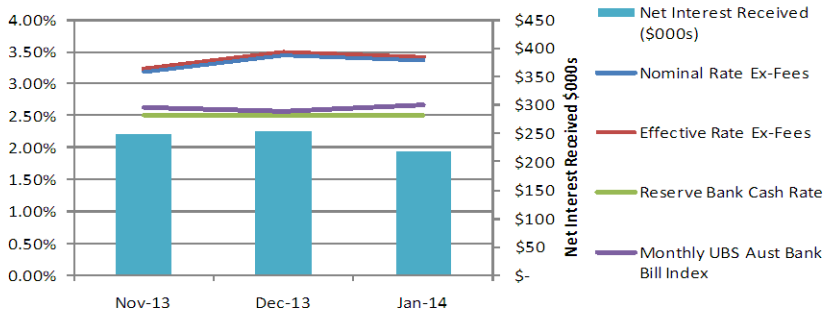
Cash Flow from Investing & Financing Activities



6. INVESTMENTS AND BORROWINGS REPORT

Period Ending 31 January 2014

INVESTMENT RETURNS



Total Investment at End of Month was \$76.70M

Current Position

All Council investments are currently held in the Capital Guaranteed Cash Fund which is a fund operated by the Queensland Treasury Corporation (QTC).

The movement in interest earned is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by business cash flow requirements on a monthly basis.

Council's budgeted interest revenue is being analysed during the 2013/2014 second quarterly budget review.

QTC Cash Fund YTD Return 3.57% Benchmark UBS Aust Bank Bill Index 2.69% Reserve Bank Cash Rate at EOM 2.50%

****This is the 43rd consecutive month that the QTC Fund has outperformed the benchmark (Jul 10 - Jan 14)****

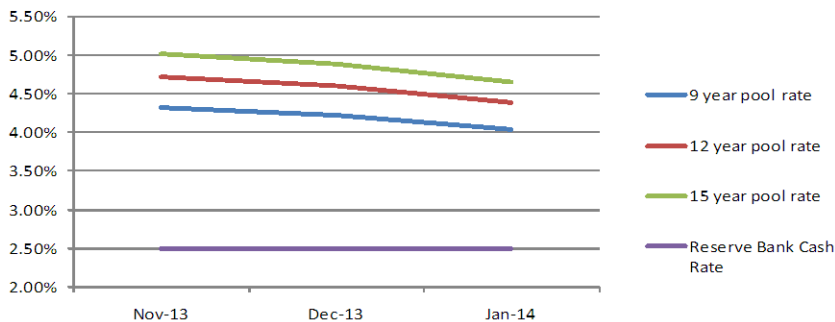
The UBS rates are draft rates provided by QTC as final rates were not available at the time of this report

Future Strategy

The Tax and Treasury Team has recommended that Council diversify its investments outside of QTC to maximise returns. Currently, the short term term-deposit rates offered by the larger financial institutions exceed the QTC rate by approximately 20 - 50 basis points - which converts to an extra \$20k - \$50k pa for each \$10M invested. In the meantime the Taxation and Treasury Team ensures Council maximises its interest on a *daily* basis by depositing surplus funds at QTC for a higher rate than is achieved from the bank transaction account.

Council will review its Investment of Surplus Funds Policy in the coming months as part of the 2014-15 budget development process

BORROWING COSTS

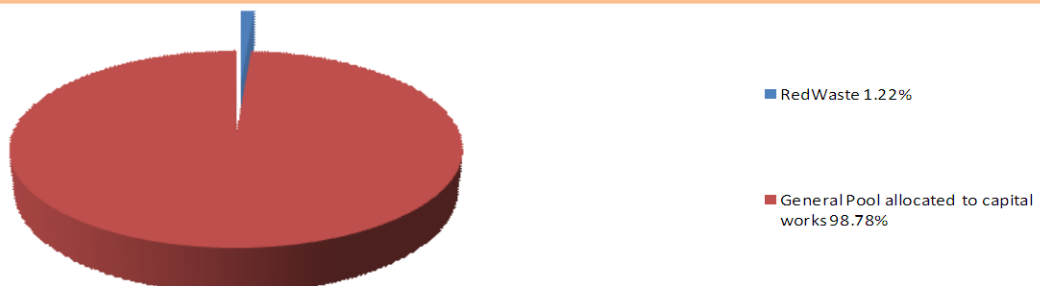


Current Position

Debt is split into 9, 12, and 15 year pools with repayment made *quarterly* in advance. The rates shown are for any new borrowings. The movements in borrowing rates relate to the yield on QTC bonds which are its principal source of funding.

A book rate review was conducted on 1 July 2013 which did not warrant a change at that time. A review has been undertaken again in January following which Tax and Treasury will be making further recommendations to management in the following months.

Total Borrowings at End of Month was \$60.74M



Future Strategy

Preliminary analysis was conducted in December 2013 by Tax and Treasury and QTC as to whether debt repayment, offsetting the loans or investment of surplus funds (or a blend) would have the best net gain without exposing Council to significant risk as interest rates decrease. Tax and Treasury is currently reviewing the implications of this analysis with a view to presenting management with any options available for minimising debt. Based on discussions with QTC, Tax and Treasury will be seeking further analysis to be conducted to maximise opportunities available for debt minimisation.

Council will review its Debt Policy in the coming months as part of the 2014-15 budget development process



7. CASH RESERVES

Reserves as at 31 January 2014	Opening Balance	To Reserve	From Reserve	Closing Balance
	\$000	\$000	\$000	\$000
Special Projects Reserve:				
Cemetery Reserve	399	0	-354	45
State Emergency Service Reserve *	20	0	-20	0
Weinam Creek Reserve	2,335	261	-13	2,584
Road Maintenance Reserve *	155	0	-155	0
Redland Work Cover Reserve	5,147	305	-379	5,073
Contribution Raby Bay Land Sales *	278	0	-278	0
Red Art Gallery Commissions & Donations Res	14	0	0	14
Interest Free Loans Reserve *	487	0	-487	0
Halls Reserve *	2	0	-2	0
Raby Bay Maintenance Reserve ***	336	5	-9	332
Aquatic Paradise Maintenance Reserve ***	936	13	0	950
Sovereign Waters Maintenance Reserve ***	118	2	0	120
	10,228	586	-1,696	9,118
Special Capital Projects Reserve:				
SMBI Capital Reserve	3,317	0	-142	3,175
	3,317	0	-142	3,175
Cleansing Reserve:				
RedWaste Reserve	2,497	460	-86	2,871
	2,497	460	-86	2,871
Constrained Works Capital Reserve:				
Tree Planting Reserve	50	28	0	78
Parks Reserve	254	1,329	-355	1,228
SP1 Wellington Pt Rd Infra Reserve	463	0	0	463
Redland Bay Sth Rd Infra Reserve	443	0	0	443
East Thornlands Road Infra Reserve	674	0	0	674
Contributions to Car Parking Reserve	340	0	0	340
Contributions to Street Lighting Reserve *	13	0	-13	0
Quarry Reserve *	358	0	-358	0
Contrib to R/Wks Infrastructure Reserve **	2,030	-2,030	0	0
Community Facility Infrastructure Reserve	148	106	0	254
Retail Water Renewal & Purchase Reserve	4,385	1,155	-648	4,892
Sewerage Renewal & Purchase Reserve	5,641	1,259	-1,270	5,630
Constrained Works Res-Cap Grants & Contribs	3,743	0	-659	3,084
Transport Trunk Infrastructure Reserve	1,316	3,671	-638	4,350
Cycling Trunk Infrastructure Reserve	407	319	-441	285
Stormwater Infrastructure Reserve	1,072	371	0	1,443
	21,336	6,210	-4,383	23,163
Separate Charge Reserve - Environment:				
Environment Charge Acquisition Reserve	7,036	0	-50	6,986
Environment Charge Maintenance Reserve	1,254	3,222	-2,104	2,371
Landfill Remediation Charge Reserve *	5,738	0	-5,738	0
	14,027	3,222	-7,892	9,357
Special Charge Reserve - Other:				
Bay Island Rural Fire Levy Reserve	0	33	-29	4
SMBI Translink Reserve	0	693	-460	233
	0	725	-489	236
Special Charge Reserve - Canals:				
Raby Bay Canal Reserve	0	0	0	0
Aquatic paradise Canal Reserve	559	452	-4	1,008
Sovereign Waters Lake Reserve	386	40	-20	406
Raby Bay Tidal Works Non CTS Reserve ***	2,882	1,503	-375	4,009
Raby Bay Tidal Works CTS Reserve ***	246	128	-30	344
Raby Bay Marina Reserve ***	210	95	-26	279
Aquatic Paradise Marina Reserve ***	64	26	0	90
	4,347	2,244	-456	6,135
Constrained Works Recurrent Reserve:				
Constrained Works Res-Opr Grants & Contribs	4,005	0	-248	3,757
	4,005	0	-248	3,757
TOTALS	59,757	13,447	-15,390	57,814

* These reserves have been closed during the 2013-14 financial year.

** This reserve has been closed during 2013-14 and funds transferred into the Transport Trunk Infrastructure Reserve.

*** These reserves will be amalgamated into the 3 existing canal & lake reserves during the 2013-14 financial year.

8. OVERDUE RATES DEBTORS

Comparison January 2013 to January 2014

In comparison to January 2013 the graph shows a marked improvement in debt level for properties less than 180 days overdue, but a clear increase in the level of debt overdue greater than 180 days. This reflects there is not enough revenue being collected in the mid-range between 90 and 180 days.

In terms of the percentage of debt overdue the variance is minor with an overall reduction of 0.1% from 3% at the end of January 2013 to 2.9% at the end of January 2014.

The majority of the growth in debt greater than 180 days is on the Southern Moreton Bay Islands with 67% of that on vacant land.

The January rate notice issued 10 January for a total value of \$55.3M and is due for payment 10 February. In the month of January we received \$14.5M, which is 26% of the total value issued. This compares favourably to the January 2013 rate notice, which issued for a total value of \$49.2M with \$12.2M (25%) being received in the month of issue.

Overall Trend December 2013 to January 2014

The total outstanding rates debt decreased by \$1.2M over the month of January, with the percentage overdue at month end coming in at 2.9%.

In light of the rising position of debt >180 days, the current collection strategy is being re-evaluated and consideration given to how we use the present staff resources in that strategy in order to reduce the level of debt aging.

Comparison January 2013 to January 2014

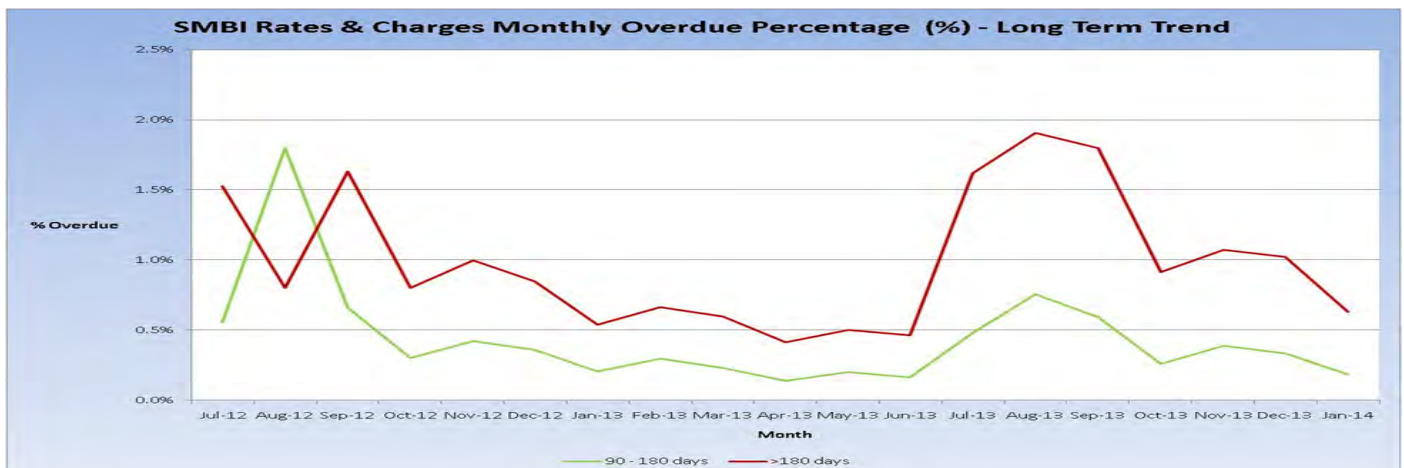
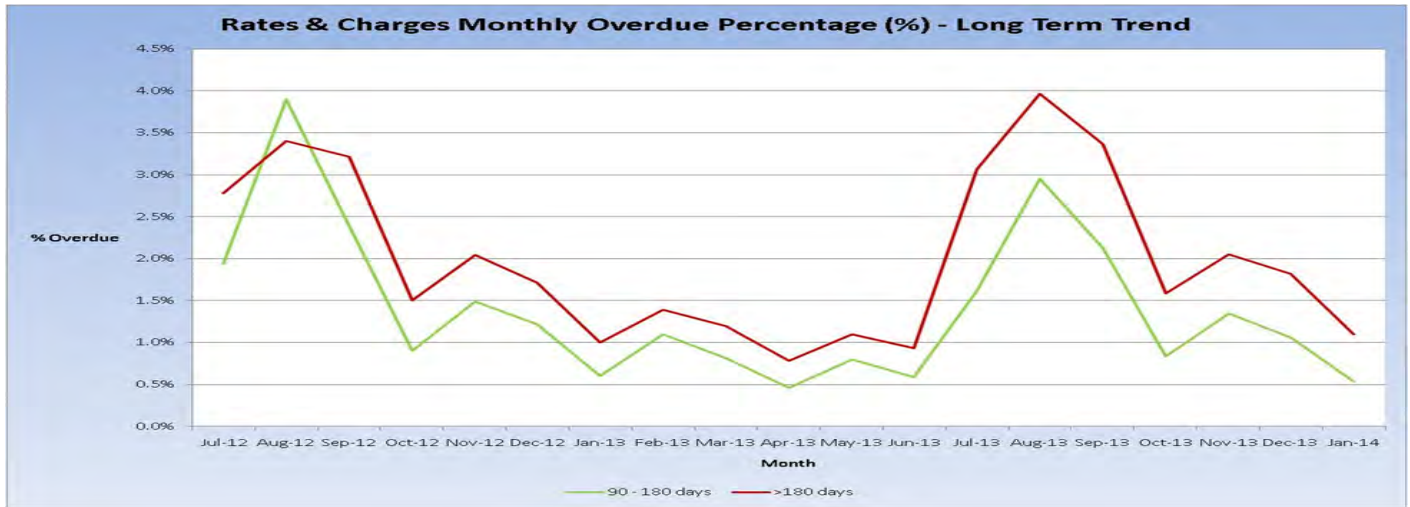
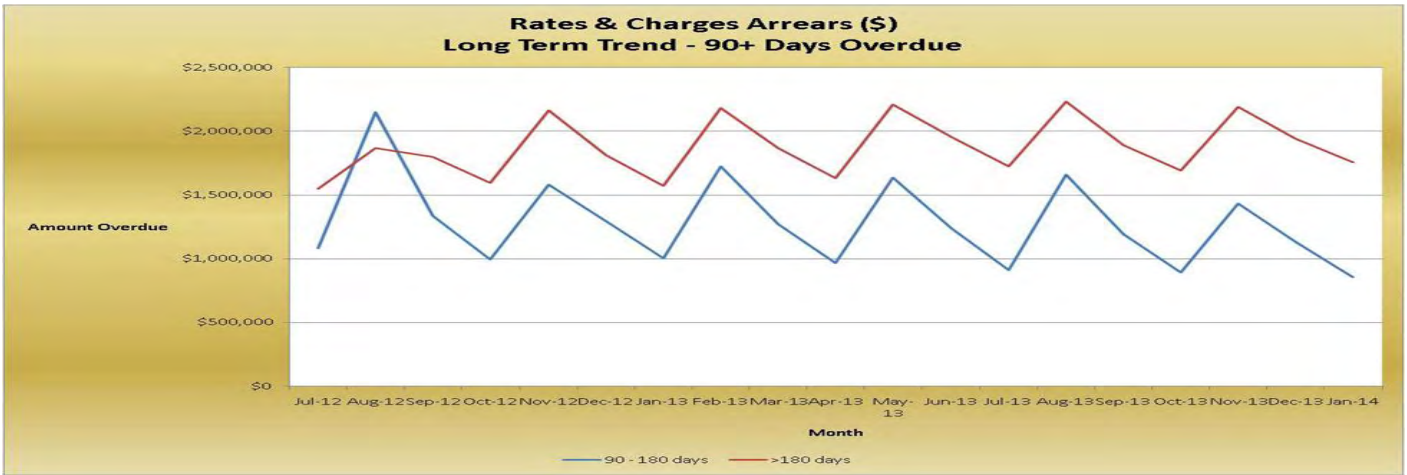
Total							Mainland						
Days Overdue	Jan-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase	Days Overdue	Jan-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase
<90	\$2,200,332	1.4%	\$2,018,610	1.3%	-\$181,722	-0.1%	<90	\$1,572,236	1.0%	\$1,415,925	0.9%	-\$156,311	-0.1%
90 - 180 days	\$1,005,893	0.6%	\$854,396	0.5%	-\$151,497	-0.1%	90 - 180 days	\$649,647	0.4%	\$539,819	0.3%	-\$109,828	-0.1%
>180 days	\$1,570,265	1.0%	\$1,755,106	1.1%	\$184,841	0.1%	>180 days	\$675,367	0.4%	\$713,742	0.4%	\$38,375	0.0%
Total	\$4,776,490	3.0%	\$4,628,112	2.9%	-\$148,379	-0.2%	Total	\$2,897,251	1.85%	\$2,669,486	1.67%	-\$227,765	-0.18%

Nth Stradbroke Is / Coochiemudlo Is / Garden Is							SMBI						
Days Overdue	Jan-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase	Days Overdue	Jan-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase
<90	\$76,179	0.0%	\$52,626	0.0%	-\$23,554	0.0%	<90	\$551,917	0.4%	\$550,060	0.3%	-\$1,857	0.0%
90 - 180 days	\$35,917	0.0%	\$18,159	0.0%	-\$17,758	0.0%	90 - 180 days	\$320,328	0.2%	\$296,418	0.2%	-\$23,910	0.0%
>180 days	\$48,900	0.0%	\$31,385	0.0%	-\$17,515	0.0%	>180 days	\$845,999	0.5%	\$1,009,979	0.6%	\$163,981	0.1%
Total	\$160,996	0.1%	\$102,169	0.1%	-\$58,827	0.0%	Total	\$1,718,244	1.1%	\$1,856,457	1.2%	\$138,213	0.1%

Trend - December 2013 to January 2014

Total							Mainland						
Days Overdue	Dec-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase	Days Overdue	Dec-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase
<90	\$2,766,368	2.6%	\$2,018,610	1.3%	-\$747,758	-1.3%	<90	\$1,996,288	1.9%	\$1,415,925	0.9%	-\$580,364	-1.0%
90 - 180 days	\$1,134,962	1.1%	\$854,396	0.5%	-\$280,566	-0.5%	90 - 180 days	\$742,337	0.7%	\$539,819	0.3%	-\$202,518	-0.4%
>180 days	\$1,941,406	1.8%	\$1,755,106	1.1%	-\$186,300	-0.7%	>180 days	\$810,047	0.8%	\$713,742	0.4%	-\$96,305	-0.3%
Total	\$5,842,737	5.5%	\$4,628,112	2.9%	-\$1,214,625	-2.6%	Total	\$3,548,672	3.32%	\$2,669,486	1.67%	-\$879,187	-1.66%

Nth Stradbroke Is / Coochiemudlo Is / Garden Is							SMBI						
Days Overdue	Dec-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase	Days Overdue	Dec-13	% Overdue	Jan-14	% Overdue	\$ Variance	% Increase
<90	\$92,238	0.1%	\$52,626	0.0%	-\$39,613	-0.1%	<90	\$677,842	0.6%	\$550,060	0.3%	-\$127,782	-0.3%
90 - 180 days	\$35,438	0.0%	\$18,159	0.0%	-\$17,279	0.0%	90 - 180 days	\$357,188	0.3%	\$296,418	0.2%	-\$60,769	-0.1%
>180 days	\$40,266	0.0%	\$31,385	0.0%	-\$8,881	0.0%	>180 days	\$1,091,094	1.0%	\$1,009,979	0.6%	-\$81,114	-0.4%
Total	\$167,942	0.2%	\$102,169	0.1%	-\$65,772	-0.1%	Total	\$2,126,123	2.0%	\$1,856,457	1.2%	-\$269,666	-0.8%



9. STATEMENT OF COMPREHENSIVE INCOME

For the period ending 31 January 2014

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Recurrent Revenue					
Rates Charges	77,623	77,623	58,385	57,362	(1,023)
Levies & Charges	119,189	118,642	70,571	71,039	468
<i>Less: Pensioner Remissions</i>	(2,670)	(2,670)	(1,986)	(1,996)	(10)
Fees & Charges	9,775	9,890	6,104	6,550	446
Operating Grants & Subsidies	10,016	10,515	5,038	2,498	(2,540)
Operating Contributions and Donations	0	1,139	0	238	238
Interest External	4,104	4,104	2,394	2,205	(189)
Other Revenue	3,681	5,085	2,998	3,128	130
Total Recurrent Revenue	221,718	224,328	143,504	141,024	(2,480)
Capital revenue					
Grants, Subsidies and Contributions	9,157	9,406	6,566	8,744	2,177
Non-cash Contributions	3,154	3,154	90	160	70
Increase/(Decrease) in Investment Property	0	0	0	0	0
Total Capital Revenue	12,311	12,560	6,656	8,904	2,247
TOTAL REVENUE	234,029	236,887	150,160	149,928	(233)
Recurrent Expenses					
Employee Costs	74,422	74,509	44,132	43,568	(564)
Goods & Services	96,076	98,611	55,023	57,500	2,476
Finance Costs	4,109	4,111	2,398	2,528	130
Depreciation and Amortisation	46,794	46,796	27,299	28,735	1,436
Total Recurrent Expenses	221,401	224,028	128,852	132,331	3,479
Capital Expenses					
(Gain)/Loss on Disposal of Non-current Assets	(1,120)	(1,120)	(789)	990	1,779
Total Capital Expenses	(1,120)	(1,120)	(789)	990	1,779
TOTAL EXPENSES	220,281	222,908	128,063	133,321	5,258
NET RESULT	13,748	13,980	22,098	16,607	(5,491)
Other Comprehensive Income/(Loss)					
Increase/(decrease) in asset revaluation surplus	0	0	0	42	0
TOTAL COMPREHENSIVE INCOME	13,748	13,980	22,098	16,649	(5,491)

10. OPERATING STATEMENT

OPERATING STATEMENT For the period ending 31 January 2014

	Annual	Annual	YTD	YTD	YTD
	Original	Revised	Revised	Actual	Variance
	Budget	Budget	Budget	\$000	\$000
	\$000	\$000	\$000		
Revenue					
Rates Charges	77,623	77,623	58,385	57,362	(1,023)
Utility Charges	119,189	118,642	70,571	71,039	468
<i>Less: Pensioner Remissions</i>	(2,670)	(2,670)	(1,986)	(1,996)	(10)
Fees & Charges	9,775	9,890	6,104	6,550	446
Operating Grants & Subsidies	10,016	10,515	5,038	2,498	(2,540)
Operating Contributions and Donations	0	1,139	0	238	238
Interest External	4,104	4,104	2,394	2,205	(189)
Other Revenue	3,681	5,085	2,998	3,128	130
Total Revenue	221,718	224,328	143,504	141,024	(2,480)
Expenses					
Employee Costs	74,422	74,509	44,132	43,568	(564)
Goods & Services	96,879	98,349	54,416	56,863	2,447
Finance Costs Other	311	313	182	237	55
Other Expenditure	293	1,358	1,244	1,259	15
Net Internal Costs	(1,096)	(1,096)	(637)	(623)	14
Total Expenses	170,809	173,434	99,337	101,304	1,967
Earnings Before Interest, Tax and Depreciation (EBITD)	50,909	50,894	44,167	39,720	(4,447)
Interest Expense	3,798	3,798	2,216	2,291	75
Depreciation	46,794	46,796	27,299	28,735	1,436
Operating Surplus/(Deficit)	317	300	14,652	8,694	(5,958)
Transfers to Constrained Operating Reserves	(13,639)	(10,321)	(6,239)	(7,237)	(998)
Transfer from Constrained Operating Reserves	11,128	18,486	12,092	11,522	(570)

11. CAPITAL FUNDING STATEMENT

CAPITAL FUNDING STATEMENT For the period ending 31 January 2014

	Annual	Annual	YTD	YTD	YTD
	Original	Revised	Revised	Actual	Variance
	Budget	Budget	Budget	\$000	\$000
	\$000	\$000	\$000		
Sources of Capital Funding					
Capital Contributions & Donations	4,896	4,916	4,368	6,213	1,845
Capital Grants & Subsidies	4,261	4,490	2,198	2,530	332
Proceeds on Disposal of Non Current Assets	1,424	1,424	831	1,783	952
Capital Transfers (To) From Reserves	3,975	6,301	3,282	(2,341)	(5,623)
Non-cash Contributions	3,154	3,154	90	160	70
New Loans	10,581	10,581	0	0	0
Funding from General Revenue	35,897	40,579	23,378	21,651	(1,727)
Total Sources of Capital Funding	64,188	71,445	34,147	29,996	(4,151)
Applications of Capital Funds					
Contributed Assets	3,154	3,154	1,840	160	(1,680)
Capitalised Goods & Services	48,623	58,495	26,173	25,157	(1,015)
Capitalised Employee Costs	8,294	5,678	3,733	2,315	(1,418)
Loan Redemption	4,118	4,118	2,402	2,364	(38)
Total Applications of Capital Funds	64,188	71,445	34,147	29,996	(4,151)
Other Budgeted Items					
WDV of Assets Disposed	(304)	(304)	(42)	(2,773)	(2,731)
Tax and Dividends	0	0	0	0	0
Internal Capital Structure Financing	0	0	0	0	0

12. STATEMENT OF FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITION

As at 31 January 2014

	Annual	Annual	YTD
	Original Budget \$000	Revised Budget \$000	Actual Balance \$000
CURRENT ASSETS			
Cash & Investments	80,139	75,311	77,123
Accounts Receivable	14,832	20,932	52,484
Inventories	991	943	921
Prepaid Expenses	1,035	1,280	3,301
Assets - Held for Sale	29	467	467
Total Current Assets	97,027	98,933	134,296
NON-CURRENT ASSETS			
Property, Plant and Equipment	1,820,678	2,012,711	1,989,052
Accounts Receivable	9	0	0
Financial Assets	0	73	73
Total Non-Current Assets	1,820,687	2,012,784	1,989,125
TOTAL ASSETS	1,917,714	2,111,717	2,123,421
CURRENT LIABILITIES			
Accounts Payable	24,209	13,518	12,742
Current Employee Provisions	6,510	6,410	5,374
Current Loans	5,979	4,124	4,124
Current Landfill Rehabilitation Provisions	435	1,773	2,394
Other Liabilities	1,474	1,356	18,738
Total Current Liabilities	38,608	27,180	43,372
NON-CURRENT LIABILITIES			
Non-Current Loans	65,284	65,442	56,615
Non-Current Employee Provisions	9,754	10,722	10,492
Non-Current Landfill Rehabilitation Provisions	28,558	33,155	34,655
Non-Current Trade & Other Payables	1,027	693	693
Total Non-Current Liabilities	104,623	110,012	102,455
TOTAL LIABILITIES	143,231	137,191	145,827
NET ASSETS	1,774,483	1,974,526	1,977,594
COMMUNITY EQUITY			
Retained Earnings	1,728,791	1,929,235	1,919,780
Cash Reserves	45,692	45,291	57,814
TOTAL COMMUNITY EQUITY	1,774,483	1,974,526	1,977,594

13. STATEMENT OF CASH FLOWS

STATEMENT OF CASH FLOWS For the period ending 31 January 2014

	Annual	Annual	YTD
	Original Budget \$000	Revised Budget \$000	Actual \$000
CASH FLOWS FROM OPERATING ACTIVITIES			
Rates Charges & Utility Charges	194,141	193,595	106,010
Other Operating Cash Flow	18,374	21,622	14,218
Receipts from Customers	212,516	215,217	120,228
Employee costs	(72,412)	(72,499)	(42,311)
Materials & services	(100,287)	(101,757)	(61,183)
Other expenses	(604)	(1,672)	(1,496)
Payments to Suppliers & Employees	(173,303)	(175,927)	(104,990)
Interest Received	4,104	4,104	2,205
Borrowing Costs	(3,798)	(3,798)	(2,908)
Net Cash Inflow from Operating Activities	39,519	39,596	14,535
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments - Property, Plant & Equipment	(56,916)	(64,173)	(27,472)
Proceeds - Capital Subsidies, Grants & Contributions	9,157	9,406	8,744
Proceeds - Sales of Property, Plant & Equipment	1,424	1,424	1,783
Net Cash Outflow from Investing Activities	(46,336)	(53,343)	(16,946)
CASH FLOWS FROM FINANCING ACTIVITIES			
Proceeds of Borrowings	10,581	10,581	0
Repayment of borrowings	(4,118)	(4,118)	(3,061)
Net Cash Outflow from Financing Activities	6,463	6,463	(3,061)
Net Increase / (Decrease) in Cash Held	(353)	(7,284)	(5,472)
Cash at Beginning of Year	80,492	82,595	82,595
Cash at End of Financial Year / Period	80,139	75,311	77,123

14. GLOSSARY

Definition of Ratios


Level of Dependence on General Rate Revenue: Target less than 37.5%	General Rates - Pensioner Remissions Total Operating Revenue - Gain on Sale of Developed Land
Current Ratio: Target between 1.1 and 4.1	Current Assets Current Liabilities
Debt Servicing Ratio: Target less than or equal to 10%	Interest Expense + Loan Redemption Total Operating Revenue - Gain on Sale of Developed Land
Cash Balance - \$M:	Cash Held at Period End
Cash Capacity in Months: Target 3 to 4 Months	Cash Held at Period End [[Cash Operating Costs + Interest Expense] / Period in Year]
Debt to Asset Ratio: Target less than or equal to 10%	Current and Non-current loans Total Assets
Operating Performance: Target greater than or equal to 20%	Net Cash from Operations + Interest Revenue and Expense Cash Operating Revenue + Interest Revenue
Operating Surplus Ratio*: Target between 0% and 10% (on average over the long-term)	Net Operating Surplus Total Operating Revenue
Net Financial Liabilities*: Target less than 60% (on average over the long-term)	Total Liabilities - Current Assets Total Operating Revenue
Interest Cover Ratio: Target between 0% and 5%	Net Interest Expense on Debt Service Total Operating Revenue
Asset Sustainability Ratio*: Target greater than 90% (on average over the long-term)	Capital Expenditure on Replacement of Assets (Renewals) Depreciation Expenditure
Asset Consumption Ratio: Target between 40% and 80%	WDV of Infrastructure Assets Gross Current Replacement Cost of Infrastructure Assets

*These targets are set to be achieved on average over the longer term and therefore are not necessarily expected to be met on a monthly basis.

13.5 PORTFOLIO 7 (CR JULIE TALTY)**PLANNING & DEVELOPMENT****13.5.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS**

Datworks Filename: Reports to Council - Portfolio 7 Planning and Development

Attachment: [Decisions Made under Delegated Authority](#)

Authorising/Responsible Officer: 
Greg Jensen
Acting General Manager Community & Customer Services

Author: **Louise Milligan**
Group Support Officer

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 included in this category. Applications can be referred to Development and Community Standards Committee for a decision.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

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

That Council resolve to note this report.

CARRIED 10/0

Cr Bishop was not present when the motion was put.

	Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division Number
The purpose of this report is for Council to note that the following decisions were made under delegated authority – Category 1 – Minor Complying Code Assessments and associated administrative matters, including correspondence associated with the routine management of all development applications.									
1	BWP002071	Building Over/near relevant infrastructure & Design and Siting - Dwelling House	Category1	Casey Jackson Homes Pty Ltd	123 Spurs Drive Wellington Point QLD 4160	Concurrence Agency Response	10/01/14	Approved	1
2	BWP002094	Design & Siting - Dwelling House	Category1	Henley Properties (Qld) Pty Ltd	21 Poloni Place Wellington Point QLD 4160	Concurrence Agency Response	3/01/14	Approved	1
3	BWP002107	Private Swimming Pool	Category1	Begbie Bentham Pty Ltd	5 Sorrento Close Wellington Point QLD 4160	Code Assessment	20/01/14	Development Permit	1
4	BWP002114	Design & Siting - Domestic Additions	Category1	The Certifier Pty Ltd	12 Allamanda Place Ormiston QLD 4160	Concurrence Agency Response	7/01/14	Approved	1
5	MCU013169	Dwelling House	Category1	Black Watch	20 Matilda Street Wellington Point QLD 4160	Code Assessment	10/01/14	Development Permit	1
6	OPW001581	Landscaping Works - Multiple dwelling x 16	Category1	Fourteen Abode Pty Ltd	10 Bainbridge Street Ormiston QLD 4160	Compliance Assessment	7/01/14	Compliance Certificate	1
7	BWP002108	Design & Siting - Domestic Additions	Category1	Lion North Pty Ltd As Trustee	5 Gindarra Street Point Lookout QLD 4183	Concurrence Agency Response	8/01/14	Approved	2
8	BWP002109	Domestic Additions	Category1	Lion North Pty Ltd As Trustee	5 Gindarra Street Point Lookout QLD 4183	Code Assessment	21/01/14	Development Permit	2
9	BWP002122	Design & Siting - Dwelling House	Category1	Chris Hills Architects Pty Ltd Gregory John Steele	18 Midjimberry Road Point Lookout QLD 4183	Concurrence Agency Response	17/01/14	Approved	2

	Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division Number
10	ROL005720	Standard Format 1 into 2 Lots	Category1	Town Planning Alliance	16 Blake Street Cleveland QLD 4163	Code Assessment	23/01/14	Development Permit	2
11	BWP002099	Combined - Design & Siting and Building Over Relevant Infrastructure - Dwelling	Category1	Bartley Burns Certifiers & Planners	1 Davenport Street Thornlands QLD 4164	Concurrence Agency Response	7/01/14	Approved	3
12	BWP002100	Design & Siting - shed	Category1	Eve Tannahill Harris	1 Melanie Street Thornlands QLD 4164	Concurrence Agency Response	6/01/14	Approved	3
13	BWP002125	Design & Siting - New Dwelling	Category1	Building Code Approval Group Pty Ltd	3 Ocean Street Cleveland QLD 4163	Concurrence Agency Response	17/01/14	Approved	3
14	BWP002101	Design and Siting - Carport	Category1	Freedom Patios	36 Egret Drive Victoria Point QLD 4165	Concurrence Agency Response	7/01/14	Approved	4
15	BWP002115	Design & Siting - Dwelling House	Category1	Bounds Homes	2 Barron Street Victoria Point QLD 4165	Concurrence Agency Response	20/01/14	Approved	4
16	BWP002116	Building Over/near relevant infrastructure - Domestic Additions	Category1	Kym Elaine Galton	3 Yarran Street Victoria Point QLD 4165	Concurrence Agency Response	8/01/14	Approved	4
17	BWP002120	Design & Siting - Shed	Category1	DBR Building Certification	11 Fir Street Victoria Point QLD 4165	Concurrence Agency Response	16/01/14	Approved	4
18	BWP002078	Design and Siting - Garage	Category1	Christopher George Rutherford	221 Main Street Redland Bay QLD 4165	Concurrence Agency Response	21/01/14	Negotiated Decision - Approved	5
19	BWP002102	Design and Siting - Dwelling House	Category1	Antech Constructions Pty Ltd	5 Silky Place Redland Bay QLD 4165	Concurrence Agency Response	3/01/14	Approved	5
20	BWP002110	Design & Siting - Dwelling House	Category1	The Certifier Pty Ltd	26 Huntly Place Redland Bay QLD 4165	Concurrence Agency Response	7/01/14	Approved	5

	Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division Number
21	BWP002111	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	4 Prospect Crescent Victoria Point QLD 4165	Concurrence Agency Response	9/01/14	Approved	5
22	BWP002127	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	3 Willis Close Redland Bay QLD 4165	Concurrence Agency Response	21/01/14	Approved	5
23	MC010925	SMBI Dwelling House	Category1	Benjamin Lynagh	16 Ryde Street Macleay Island QLD 4184	Code Assessment	9/01/14	Permissible Change - Development Permit	5
24	MCU013177	Dwelling House	Category1	Coral Homes (Qld) Pty Ltd	17 Colbet Close Victoria Point QLD 4165	Code Assessment	20/01/14	Development Permit	5
25	OPW001495	Operational Works - Standard Format - 3 Established lots into 9 lots	Category1	Icubed Consulting Pty Ltd	39-41 Park Edge Place Redland Bay QLD 4165	Code Assessment	17/01/14	Development Permit	5
26	ROL005708	Standard Format: 1 into 2 lots	Category1	Wolter Consulting Group	The Boulevards Redland Bay 35 Weinam Street Redland Bay QLD 4165	Code Assessment	16/01/14	Development Permit	5
27	ROL005719	Boundary Realignment 2 into 2 lots	Category1	Ian Davis Surveys Pty Ltd	145-147 Cane Street Redland Bay QLD 4165	Code Assessment	16/01/14	Development Permit	5
28	BWP002059	Combined - Domestic Additions & Domestic Outbuilding	Category1	Ross Collin Cuneo	172-174 Pioneer Road Sheldon QLD 4157	Code Assessment	3/01/14	Development Permit	6
29	BWP002080	Domestic Outbuilding	Category1	Peter John Wilson	36-52 Platres Drive Thornlands QLD 4164	Code Assessment	3/01/14	Development Permit	6

	Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division Number
30	BWP002087	Domestic Outbuilding	Category1	Peter Neville Ryan Tracey Leanne Thompson	1609-1617 Mount Cotton Road Mount Cotton QLD 4165	Code Assessment	7/01/14	Development Permit	6
31	BWP002092	Design & Siting - Shed	Category1	The Certifier Pty Ltd	89 Settlers Circuit Mount Cotton QLD 4165	Concurrence Agency Response	6/01/14	Approved	6
32	MCU013158	Combined - Dwelling House & Domestic Outbuilding	Category1	Evendown Pty Ltd As Trustee	118 Giles Road Redland Bay QLD 4165	Code Assessment	6/01/14	Development Permit	6
33	OPW001590	Landscaping Work - Renaissance Retirement Village - Stage 26	Category1	Renaissance Victoria Point Pty Ltd	36-40 Bunker Road Victoria Point QLD 4165	Compliance Assessment	15/01/14	Approved	6
34	BWP002095	Design & Siting - Carport	Category1	Metropolitan Certification Services Pty Ltd	18 Westcott Place Alexandra Hills QLD 4161	Concurrence Agency Response	7/01/14	Approved	7
35	BWP002097	Combined: Design & Siting and Build Over Sewer	Category1	DBR Building Certification	48 Amaryllis Street Alexandra Hills QLD 4161	Concurrence Agency Response	6/01/14	Approved	8
36	BWP002103	Design and Siting - Patio	Category1	Freedom Patios	4 Lawson Street Capalaba QLD 4157	Concurrence Agency Response	3/01/14	Approved	9
37	OPW001567	Advertising Device	Category1	Programmed Property Services	8-10 Merritt Street Capalaba QLD 4157	Code Assessment	14/01/14	Development Permit	9

	Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division Number
38	BWP002112	Design & Siting - Carport	Category1	Applied Building Approvals	67 Thorne Road Birkdale QLD 4159	Concurrence Agency Response	8/01/14	Approved	10
39	BWP002113	Domestic Outbuilding	Category1	Lawrence Vincent Wex Sandra Lee Wex	60-62 Thorne Road Thorneside QLD 4158	Concurrence Agency Response	10/01/14	Approved	10
40	OPW001288	Operational works ROL 28 lots (relates to ROL005526)	Category1	G W Clegg & Company Wilson Four Pty Ltd	62-70 Birkdale Road Birkdale QLD 4159	Code Assessment	24/01/14	Permissible Change - Development Permit	10
41	OPW001404	Operational Works for ROL - 1 into 5	Category1	Hendriks House Consulting Engineers Pty Ltd	7-15 Baywalk Place Thorneside QLD 4158	Code Assessment	14/01/14	Permissible Change - Development Permit	10
The purpose of this report is for Council to note that the following decisions were made under delegated authority – Category 2 – Complying Code Assessments and Minor Impact Assessments.									
1	OPW001582	Operational Works - ROL x 5 lots (Stage 2)	Category2	Hyder Consulting	18-22 Nelson Road Wellington Point QLD 4160	Code Assessment	14/01/14	Development Permit	1
2	OPW001569	Prescribed Tidal Works - Pontoon	Category2	Prestige Pontoons	13 Marram Court Cleveland QLD 4163	Code Assessment	14/01/14	Development Permit	2
3	OPW001586	Prescribed Tidal Works - Revetment works over 4 lots	Category2	Redland City Council (Project Delivery Group)	4 Mainroyal Court Cleveland QLD 4163	Code Assessment	15/01/14	Development Permit	2
4	OPW001373.3	Operational Works – Kinross Road Ausbuild Stage 3 (25 lots)	Category2	Sheehy & Partners Pty Ltd	23-63 Goddard Road Thornlands QLD 4164	Code Assessment	24/01/14	Development Permit	3

	Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division Number
5	OPW001373.4	Operational works - Kinross Road Ausbuild Stage 4 (28 lots)	Category2	Sheehy & Partners Pty Ltd	23-35 Goddard Road Thornlands QLD 4164	Code Assessment	24/01/14	Development Permit	3
6	MC012024	Multiple Dwellings x 4	Category2	Ashcroft Architects Pty Ltd (Redland Bay)	18 Moore Street Victoria Point QLD 4165	Code Assessment	21/01/14	Permissible Change - Development Permit	4
7	MCU012902	Multiple Dwelling x 8	Category2	Statcorp Pty Ltd	5 Base Street Victoria Point QLD 4165	Code Assessment	7/01/14	Development Permit	4
8	MCU012910	Multiple Dwelling x 8	Category2	Bugeja Superannuation Fund	1 Base Street Victoria Point QLD 4165	Code Assessment	7/01/14	Development Permit	4
9	MCU012574	Dwelling House	Category2	Smith Family Trust	27 Bauhinia Drive Russell Island QLD 4184	Code Assessment	10/01/14	Development Permit	5
10	MCU012926	Preliminary Approval (s242) to override the Planning Scheme (Lot 51 on SP 157199 and Lot 2 on RP 84645); Development Permit for a Material Change of Use for Educational Facility (car parking, on-site vehicle circulation and new access from Taylor Road).	Category2	Jensen Bowers Group	Sheldon College 43-77 Taylor Road Sheldon QLD 4157	Impact Assessment	10/01/14	Preliminary Approval	6
11	OPW001562	Operational Works - (CIVIL) Extension of existing shopping centre	Category2	MPN Consulting	101 Valley Way Mount Cotton QLD 4165	Compliance Assessment	23/01/14	Compliance Certificate	6

	Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division Number
12	OPW001526	Combined Operational and Landscaping Works - Multiple Dwelling x 4	Category2	JDC Designs & Planning	212 Finucane Road Alexandra Hills QLD 4161	Compliance Assessment	8/01/14	Compliance Certificate	7
13	OPW001545	Operational Works - Rol 1 into 2 - SMARTEDA	Category2	Tanzer Civil Designs	5 Parakeet Street Birkdale QLD 4159	Code Assessment	17/01/14	Development Permit	8
14	OPW001551	Landscaping Works - Multiple dwelling x 73	Category2	Heran Building Group Pty Ltd	687-689 Old Cleveland Road East Wellington Point QLD 4160	Compliance Assessment	7/01/14	Compliance Certificate	8
15	OPW001520	Operational Works - ROL 1 into 2	Category2	Paul Michael McManus Morpho Three Pty Ltd As Trustee	8 Myora Crescent Capalaba QLD 4157	Code Assessment	17/01/14	Development Permit	9
16	ROL005635	Standard Format: 2 into 4 Lots	Category2	Black Watch	8 Myora Crescent Capalaba QLD 4157	Code Assessment	10/01/14	Permissible Change - Development Permit	9
17	ROL005658	Standard Format 1 into 2	Category2	Black Watch	8 Myora Crescent Capalaba QLD 4157	Code Assessment	10/01/14	Permissible Change - Development Permit	9
18	OPW001595	Operational Works - ROL 1 into 2	Category2	Sonia Marie Picard	9 Alma Street Thorneside QLD 4158	Code Assessment	24/01/14	Development Permit	10

13.5.2 APPEALS LIST - CURRENT AS AT 07/01/2014

Datworks Filename: Reports to Council - Portfolio 7 Planning and Development

Authorising /Responsible Officer: 
Greg Jensen
Acting General Manager Community & Customer Services

Author: **Chris Vize**
Service Manager Planning Assessment

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. 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.
Current Status:		Directions Order 6 November 2013 sets out dates for experts review, mediation and disclosure of documents.
Hearing Date:		Parties to attend without prejudice meeting by 21 March 2014.

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 6 November 2013 sets out dates for experts review, mediation and disclosure of documents.
Hearing Date:		Parties to attend without prejudice meeting by 21 March 2014.

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 7 February 2014.

4.	File Number:	Appeal 3442 of 2013 (S/3953/1)
Applicant:		D Petersen
Application Details:		Originating application P&E Appeal 1756 of 1998 and 1757 of 1998 – 12 Wisteria Street, Ormiston
Appeal Details:		To remove condition 33 of P&E Appeal 1756/98 and 1757/98 to allow removal of vegetation.
Current Status:		Matter settled by Consent Order dated 27 November 2013.

5.	File Number:	Appeal 4452 of 2013 (C2829 and SB4850)
Applicant:		Yarrum Equities Pty Ltd
Application Details:		Originating application P&E Appeal 101 of 2005 and 4491 of 2012 299-351 Heinemann Road, Mount Cotton
Appeal Details:		<ul style="list-style-type: none"> • To amend Condition 5.3 of C2829 in relation to cut and fill height, retaining wall height and retaining wall distance to property boundaries; • To amend the layout in SB4850 to include additional lots (90 to 97 lots in proposed stages 9, 10 and 11), and changes to increase the number of stages in the development (from 10 Stages to 11 Stages, and sub-staging Stage 5.)
Current Status:		Matter settled by Consent Order dated 29 November 2013.

6.	File Number:	Appeal 4521 of 2013 (MCU012995)
Applicant:		Duilio Polzi and Maria Louise Polzi
Application Details:		Material Change of Use for a Landscape Supply Depot
Appeal Details:		Submitter appeal against development permit approval.
Current Status:		Not yet listed.

7.	File Number:	Appeal 4564 of 2013 (ROL005669)
Applicant:		Ausbuid Projects Pty Ltd
Application Details:		Reconfiguration of Lots (6 into 259) and Material Change of Use (Dwelling Houses)
Appeal Details:		Applicant appeal against refusal.
Current Status:		Not yet listed.

8.	File Number:	Appeal 4753 of 2013 (MCU012971)
Applicant:		G Wood
Application Details:		Material Change of Use for Home Business (seafood cooking) at 31 Drevesen Avenue, Cleveland
Appeal Details:		Applicant appeal against refusal.
Current Status:		Listed for Preliminary Trial on 25 February 2014.

9.	File Number:	Appeal 4797 of 2013 (ROL005695)
Applicant:		Ausbuild Projects Pty Ltd
Application Details:		Reconfiguration of Lots (5 into 244) and Material Change of Use (Dwelling Houses)
Appeal Details:		Applicant appeal against condition 49 (infrastructure charges)
Current Status:		Listed for Review on 7 February 2014.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr J Talty
Seconded by: Cr A Beard

That Council resolve to note the report.

CARRIED 10/0

Cr Bishop was not present when the motion was put.

14 MAYORAL MINUTE**14.1 LOCAL BUY****COUNCIL RESOLUTION**

Moved by: Cr K Williams

That Council resolve as follows:

1. Review its procurement policy to ensure Redland City businesses are not disadvantaged in competing for the supply of goods or services to Council and that the review consider:
 - a) whether the intent of Council's existing 'local buy' policy is being met;
 - b) whether the procurement policy should be strengthened to include a "weightage" percentage for Redland City businesses competing for Council business;
 - c) if guidelines should be amended or any other action taken to encourage more local businesses to be included on preferred supplier panels; and
 - d) whether Council's policy should be broadened or any other action taken to provide other opportunities for businesses to win local government work.
2. That the review be completed and a report provided to Council on 5 March 2014.

CARRIED 10/0

Cr Bishop was not present when the motion was put.

15 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS

Nil.

16 URGENT BUSINESS WITHOUT NOTICE

Nil.

17 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 12.20pm.

Signature of Chairperson: _____

Confirmation date: _____