



Redland
CITY COUNCIL

AGENDA

GENERAL MEETING

**Wednesday, 4 June 2014
commencing at 9.30am**

**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

On establishing there is a quorum, the Mayor will declare the meeting open.

Recognition of the Traditional Owners

Council acknowledges the Quandamooka people who are the traditional custodians of the land on which we meet. Council also pays respect to their elders, past and present, and extend that respect to other indigenous Australians who are present.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Motion is required to approve leave of absence for any Councillor absent from today's meeting.

3 DEVOTIONAL SEGMENT

Member of the Ministers' Fellowship will lead Council in a brief devotional segment.

4 RECOGNITION OF ACHIEVEMENT

Mayor to present any recognition of achievement items.

5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 21 MAY 2014

Motion is required to confirm the Minutes of the General Meeting of Council held on 21 May 2014.

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

6.1 SOLE SUPPLIER – FOLK REDLANDS INC

At the General Meeting of 19 March 2014 (Item 13.2.3 refers) Council moved a procedural motion that this item 'lie on the table'.

This Item will be presented to a future General Meeting for further consideration.

6.2 PETITION (DIVISION 2) REQUEST TO RETAIN LINEAR PARK AND CORTES CANAL PARK

At the General Meeting of 21 May 2014 (Item 8.1.1 refers) Council resolved as follows:

1. That the petition be received and referred to the Chief Executive Officer for consideration and a report to the Local Government; and
2. That the principal petitioner be advised in writing.

"Petition requesting Council retain Linear Park as existing park and Cortes Canal Park as park being land identified as emergency access for canal & revetment repairs and maintenance. We do not support any development that is inconsistent with the purpose for which these park areas are dedicated. This parkland is held in trust by Redland City Council to be used for public use and we specifically object to this open space parkland to be used as a Memorial Park."

A report addressing this matter will be presented to a future General Meeting for consideration.

6.3 CLEVELAND AQUATIC CENTRE LEASE

At the General Meeting of 21 May 2014 (Item 16.1.1 refers) Council resolved "*That this item be deferred*".

This Item will be presented to a future General Meeting for consideration.

7 PUBLIC PARTICIPATION

In accordance with s.42 Redland City Council Meetings – Standing Orders:

1. Council may by resolution set aside a maximum of 15 minutes to permit members of the public to address the local government on matters of public interest relating to local government. The time given to each member of the public for their address will not exceed 5 minutes and the maximum number of speakers will be decided by the Chairperson.
2. A member of the public wishing to attend and address a meeting may either:
 - (a) make a [Written Application](#) to address the meeting, which must be received by the Chief Executive Officer, no later than 4.30pm two days before the meeting; or
 - (b) make a request to the Chairperson at the commencement of the public participation period, when invited to do so by the Chairperson.
3. The right of any member of the public to address the local government is at the absolute discretion of Council. Priority will be given to persons who have made a written application to speak at a meeting, in accordance with Council's Meetings Standing Orders.

4. If any address or comment made by a member of the public addressing a meeting is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease their address.
5. Any person addressing a meeting will -
 - (a) unless they are incapacitated or it is otherwise unreasonable for them to do so, stand; and
 - (b) speak with decorum; and
 - (c) frame any remarks in respectful and courteous language.
6. If a person is considered by the local government, Mayor or Chairperson to be unsuitably dressed, the person may be directed to immediately withdraw from the meeting. Failure to comply with a direction may be considered an act of disorder.

8 PETITIONS AND PRESENTATIONS

Councillors may present petitions or make presentations under this section.

9 MOTION TO ALTER THE ORDER OF BUSINESS

The order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. Any motion to alter the order of business may be moved without notice.

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

Councillors are reminded of their responsibilities in relation to a Councillor's material personal interest and conflict of interest at a meeting (for full details see sections 172 and 173 of the *Local Government Act 2009*). In summary:

If a Councillor has a material personal interest in a matter before the meeting:

The Councillor must—

- *inform the meeting of the Councillor's material personal interest in the matter; and*
- *leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.*

The following information must be recorded in the minutes of the meeting, and on the local government's website—

- *the name of the Councillor who has the material personal interest, or possible material personal interest, in a matter;*
- *the nature of the material personal interest, or possible material personal interest, as described by the Councillor.*

A Councillor has a **material personal interest** in the matter if any of the following persons stands to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting—

- (a) the Councillor;
- (b) a spouse of the Councillor;
- (c) a parent, child or sibling of the Councillor;
- (d) a partner of the Councillor;
- (e) an employer (other than a government entity) of the Councillor;
- (f) an entity (other than a government entity) of which the Councillor is a member;

(g) another person prescribed under a regulation.

If a Councillor has a conflict of interest (a real conflict of interest), or could reasonably be taken to have a conflict of interest (a perceived conflict of interest) in a matter before the meeting:

The Councillor must—

- *deal with the real conflict of interest or perceived conflict of interest in a transparent and accountable way.*
- *Inform the meeting of—*
 - (a) *the Councillor's personal interests in the matter; and*
 - (b) *if the Councillor participates in the meeting in relation to the matter, how the Councillor intends to deal with the real or perceived conflict of interest.*

The following must be recorded in the minutes of the meeting, and on the local government's website—

- (a) *the name of the Councillor who has the real or perceived conflict of interest;*
- (b) *the nature of the personal interest, as described by the Councillor;*
- (c) *how the Councillor dealt with the real or perceived conflict of interest;*
- (d) *if the Councillor voted on the matter—how the Councillor voted on the matter;*
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.*

A conflict of interest is a conflict between—

- (a) *a Councillor's personal interests (including personal interests arising from the Councillor's relationships, for example); and*
- (b) *the public interest;*

that might lead to a decision that is contrary to the public interest.

11 REPORTS TO COUNCIL**11.1 PORTFOLIO 5 (CR LANCE HEWLETT)
OPEN SPACE, SPORT AND RECREATION****11.1.1 SURRENDER OF LEASE FOR REDLANDS DOLPHIN SUPPORT GROUP
INC****Dataworks Filename:** L.143032**Attachment:** [Site Plan](#)**Authorising Officer:****Gary Soutar
General Manager Infrastructure and Operations****Responsible Officer:****Lex Smith
Group Manager City Spaces****Author:****Jillian Jones
Facilities Services Manager**

PURPOSE

The purpose of this report is to obtain Council approval for the surrender of the lease to Redlands Dolphin Support Group Inc.

BACKGROUND

Redlands Dolphin Support Group Inc currently have a lease to 2022 of freehold Council land at 22 Meissner Street, Redland Bay described as Lease A in Lot 1 RP90590.

By letter dated 2 March 2014, the group supplied the minutes of their February meeting closing their group with immediate effect. They have vacated the premises and handed over its keys.

It is therefore appropriate to cancel the lease on title.

ISSUES

A delegation of Council is needed to allow the Chief Executive Officer to sign Titles Office forms to cancel the lease.

Council lost the opportunity to get Dolphins to fix any building issues during their tenure as they disbanded without notice due to lack of funds and numbers. A building condition audit was undertaken by Council's Facilities Services Unit and a number of legislated and safety items are required to make the facility safe. These works have been undertaken by Council at a cost of approximately \$5,000 and were necessary before other groups could occupy the premises.

Tenure at the premises for other groups will only be offered on a temporary basis as the Weinam Creek Priority Development Area includes the subject lease.

Redland Bay South RSL are temporarily occupying the premises and have indicated the desire to occupy and allow shared use of the facilities with TS Diamantine Navy Cadets and the Redland Bay Men's Shed, this is still being negotiated and is not currently formalised.

Legal costs for Council to cancel the lease are anticipated to be approximately \$1,000.

STRATEGIC IMPLICATIONS

Legislative Requirements

Council has the ability under the Power of Attorney provision of the lease (clause 13.1) to apply for cancellation of the lease with the Titles Office.

Risk Management

The condition audit revealed various electrical, fire safety and building issues which were addressed to ensure the premises are compliant prior to a Permit to Occupy being issued to another party.

Any new occupant of the premises will be required to hold public liability insurance, perform maintenance for fair wear and tear and satisfy themselves that the premises are fit for purpose.

Financial

A building condition audit was undertaken by Council's Facility Services Unit and a number of legislated and safety items are required to make the facility safe. These works have been undertaken by Council at a cost of approximately \$5,000 and were necessary before another group can occupy the premises.

Legal costs for Council to cancel the lease are anticipated to be approximately \$1,000.

People

There are no staff implications.

Environmental

None identified.

Social

Reactivating this space will see continued community benefit.

CONSULTATION

Consultation has occurred with Council's Sport & Recreation Service Manager and the local Councillors.

OPTION

Delegate the Chief Executive Officer, under 257(b) of the *Local Government Act 2009*, to sign the surrender documentation for the Titles Office in relation to the cancellation of Lease A in Lot 1 RP90590.

OFFICER'S RECOMMENDATION

That Council resolves to delegate the Chief Executive Officer, under 257(b) of the *Local Government Act 2009*, to sign the surrender documentation for the Titles Office in relation to the cancellation of Lease A in Lot 1 RP90590.

11.1.2 NEW LEASE TO REDLAND BAY TENNIS CLUB INC**Dataworks Filename:** L.327155**Attachment:** [New Proposed Lease Site Plan](#)**Authorising Officer:****Gary Soutar**
General Manager Infrastructure and Operations**Responsible Officer:****Lex Smith**
Group Manager City Spaces**Author:****Jillian Jones**
Facilities Services Manager

PURPOSE

The purpose of this report is to seek Council approval for a new lease to the Redland Bay Tennis Club Inc at 61 Boundary Street, Redland Bay.

BACKGROUND

Redland Bay Tennis Club Inc currently has a 20 year lease from Council at the Charlie Buckler Sportsfield, Redland Bay which expires on 30 June 2024. This lease contains a survey plan of the clubhouse and 6 tennis courts, however a further 2 tennis courts have been constructed necessitating a new lease covering the clubhouse and all 8 tennis courts as shown on the site plan attached to this report.

The club has requested a new 20 year lease including the 2 additional tennis courts.

ISSUES

In accordance with s.67(2)(a) of *the Land Title Act 1994*, a lease footprint may not be increased or decreased by a simple instrument of amendment. Therefore the existing lease needs to be surrendered and a new lease and survey plan prepared for all 8 courts to come under the exclusive use and management of Redland Bay Tennis Club Inc.

Council Policy POL-3071 Leasing of Council Land & Facilities allows for leases to tennis clubs to include the clubhouse and tennis courts. As all 8 tennis courts are managed and maintained by Redland Bay Tennis Club Inc, it is appropriate to include all 8 courts and the clubhouse in a new lease.

The club has requested a new 20 year lease, POL-3071 provides for standard lease term of 10 years, with leases of 20 or 30 years where the lessee invests significant funds into infrastructure. As the club has previously invested significant improvements, a 20 year term is considered to comply with the policy.

Redland Bay Tennis Club Inc currently maintains the premises including courts to a good standard and has worked closely with Council's Facility Services Unit to comply with the recent leased building condition audit.

The Council has playground equipment on the boundary of the lease and should future planned investment by the Club enclose this area, Council and the Club would negotiate a community outcome suitable prior to any approvals being given.

STRATEGIC IMPLICATIONS

This recommendation is consistent with Council's policy of providing leases to community and sporting not for profit organisations.

Legislative Requirements

This recommendation complies with all legislative requirements including the *Local Government Regulation 2012* and Council Policy POL 3071 – Leasing of Council Land and Facilities which both support leases to community not for profit organisations. In accordance with s.67(2)(a) of the Land Title Act 1994 the existing lease needs to be surrendered and a new lease and survey plan prepared.

Risk Management

The new lease will have terms and conditions that satisfy Council's risk management requirements including a requirement for property and public liability insurance.

Financial

Council will not incur any expenses as lease surrender, preparation of the new lease, survey, registration in Titles Office etc will be met by the club.

People

This recommendation does not have Council staff implications.

Environmental

No environmental issues have been identified.

Social

Granting a new lease to the club will provide continued support to this very active and community focussed, sport oriented group within Redlands.

Alignment with Council's Policy and Plans

Granting a new lease aligns with Council's policy POL-3071 - Leasing of Council Land and Facilities which allows community and sporting not for profit groups to lease Council land.

CONSULTATION

The Senior Property Officer has consulted with the Service Manager Sport & Facilities, Local Councillor and the Redland Bay Tennis Club Inc President.

The Facilities Services Manager has consulted with the Service Manager Property Services and Service Manager Sport & Facilities, in relation to the provision of the 20 year lease term.

OPTION

That Council resolves to:

1. Agree to the surrender of the existing lease to Redland Bay Tennis Club Inc described as Lease A on SP171654 and situated at 61 Boundary Street, Redland Bay;
2. Make, vary or discharge a new lease to Redland Bay Tennis Club Inc for a term of 20 years over the area shown on the attached Site Plan on terms and conditions considered satisfactory to the Chief Executive Officer; 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.

OFFICER'S RECOMMENDATION

That Council resolves to:

1. **Agree to the surrender of the existing lease to Redland Bay Tennis Club Inc described as Lease A on SP171654 and situated at 61 Boundary Street, Redland Bay;**
2. **Make, vary or discharge a new lease to Redland Bay Tennis Club Inc for a term of 20 years over the area shown on the attached Site Plan on terms and conditions considered satisfactory to the Chief Executive Officer; 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.**

**11.2 PORTFOLIO 6 (CR MARK EDWARDS)
CORPORATE SERVICES****11.2.1 SALE OF SURPLUS LAND**

Datworks Filename: Faccio Lane, Capalaba (P-335210)

Attachment: [Faccio Lane Locality Map](#)

Authorising Officer:



**Louise Rusan
General Manager Community & Customer
Services**

Responsible Officer:

**Gary Photinos
Group Manager, Environment & Regulation**

Author:

**Merv Elliott
Property Services Manager**

PURPOSE

The purpose of this report is to recommend to Council the sale of surplus Council owned land situated at Faccio Lane, Capalaba.

BACKGROUND

Council are the owners of Lot 101 SP246054 situated at 8 Faccio Lane Capalaba containing 293m2. The site is vacant and is presently used for car parking for adjoining businesses. The site is zoned Major Centres 1(MC1) and has no functional value other than for sale to an adjoining owner.

ISSUES**Surplus to Requirements**

Lot 101 SP246054 is currently vacant land and has a hard standing surface that is not used by Council for any purpose. As it adjoins a shopping strip car park, cars will park on this vacant land from time to time. It will continue to be used for this purpose following sale. The only difference will be in the ownership transferring to a private company rather than in community ownership.

Local Government Regulation 2102 Land Disposal Options

The Local Government Regulation 2012 describes land as “Valuable Non Current Asset” and prescribes a number of options available to enter into a contract to sell the land. Sale by tender or auction is the prescribed method of disposing of land however the Regulation provides for exemptions to this rule if certain conditions are met.

In particular reference is made to *section 236 (1) (c) (iv) of the Local Government Regulation 2012*:

- (A) *the land is not suitable to be offered for disposal by tender or auction for a particular reason, including, for example, the size of the land or the existence of particular infrastructure on the land; and*
- (B) *there is not another person who owns other adjoining land who wishes to acquire the land; and*
- (C) *it is in the public interest to dispose of the land without a tender or auction; and*
- (D) *the disposal is otherwise in accordance with sound contracting principles; or*

The land is surplus to Council requirements and due to its small size, irregularly triangular shape and pocketed between two larger sized parcels makes it impractical to offer the land to anyone other than the adjoining land owner. The sale of the land to adjoining land owner would allow for the better use and future redevelopment of the adjoining lands. Therefore it is in the public interest to exercise the option of selling the land directly to the adjoining land owner without submitting the land to be disposed of by tender or auction.

A resolution of Council is required to excise this disposal option.

STRATEGIC IMPLICATIONS

Legislative Requirements

Section 224 of the Local Government Regulation 2012 explains what a local government must do before it enters into a contract for the disposal of a valuable noncurrent asset (property).

224 What div 2 is about

- (1) This division explains what a local government must do before it enters into—
 - (a) a medium-sized contractual arrangement; or
 - (b) a large-sized contractual arrangement; or
 - (c) a valuable non-current asset contract.
- (5) A **valuable non-current asset contract** is a contract for the disposal of a valuable non-current asset.
- (6) A **valuable non-current asset** is—
 - (a) land; or
 - (b) another non-current asset that has an apparent value that is equal to or more than a limit set by the local government.

227 Valuable non-current asset contract—tenders or auction needed first

- (1) A local government cannot enter into a valuable non-current asset contract unless it first—
 - (a) invites written tenders for the contract under section 228; or
 - (b) offers the non-current asset for sale by auction.

(2) This section is subject to division 4.

Division 4

236 Exceptions for valuable non-current asset contracts

- (1) Subject to subsections (2) to (4), a local government may dispose of a valuable non-current asset other than by tender or auction if—

- (a) the valuable non-current asset—
 - (i) was previously offered for sale by tender or auction but was not sold; and
 - (ii) is sold for more than the highest tender or auction bid that was received; or
- (b) the valuable non-current asset is disposed of to—
 - (i) a government agency; or
 - (ii) a community organisation; or

(c) for the disposal of land or an interest in land—

- (i) the land will not be rateable land after the disposal; or
- (ii) the land is disposed of to a person whose restored enjoyment of the land is consistent with Aboriginal tradition or Island custom; or
- (iii) the disposal is for the purpose of renewing the lease of land to the existing tenant of the land; or

(iv) the land is disposed of to a person who owns adjoining land if—

- (A) the land is not suitable to be offered for disposal by tender or auction for a particular reason, including, for example, the size of the land or the existence of particular infrastructure on the land; and
 - (B) there is not another person who owns other adjoining land who wishes to acquire the land; and
 - (C) it is in the public interest to dispose of the land without a tender or auction; and
 - (D) the disposal is otherwise in accordance with sound contracting principles; or
- (2) An exception mentioned in subsection (1)(a) to (d) applies to a local government disposing of a valuable non-current asset only if, before the disposal, the local government has decided, by resolution, that the exception may apply to the local government on the disposal of a valuable non-current asset other than by tender or auction.
- (3) A local government may only dispose of land or an interest in land under this section if the consideration for the disposal would be equal to, or more than, the market value of the land or the interest in land, including the market value of any improvements on the land.
- (5) For subsection (3), a written report about the market value of land or an interest in land from a valuer registered under the *Valuers Registration Act 1992* who is not an employee of the local government is evidence of the market value of the land or the interest in land.

In summary, Council are permitted to sell the subject allotment to an adjoining owner in accordance with the provisions of *sections 236 (1) (c) (iv) (A to D)* above.

Risk Management

There has been no risk identified with the sale of this land to the adjoining land owner.

Financial

Council will receive Market Value for the land determined by a registered valuer.

People/Environmental/Social

Not applicable.

Alignment with Council's Policy and Plans

Sale of surplus Council land supports Council's policy to obtain the best return socially and economically from Council assets.

CONSULTATION

Property Services Manager has consulted with General Manager Infrastructure and Operations, Group Manager City Infrastructure and Local Councillor.

OPTIONS

1. That Council resolves as follows:
 - a) To dispose of land described as Lot 101 SP246054 situated at 8 Faccio Lane, Capalaba;
 - b) That land is disposed to the adjoining land owner as it is not suitable to be offered for disposal by tender or auction due to its small size, irregular triangular shape, pocketed between two larger adjoining lots and it is in the public interest, and
 - c) That the Chief Executive Officer be authorised to enter into a contract of sale with the adjoining land owner at fair market value as determined by an independent valuation and to execute all documents in respect to the proposed sale.
2. That Council resolves to not sell Lot 101 SP246054 situated at 8 Faccion Lane, Capalaba.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

- 1. To dispose of land described as Lot 101 SP246054 situated at 8 Faccio Lane, Capalaba;**
- 2. That land is disposed to the adjoining land owner as it is not suitable to be offered for disposal by tender or auction due to its small size, irregular triangular shape, pocketed between two larger adjoining lots and it is in the public interest, and**
- 3. That the Chief Executive Officer be delegated, under s.257(1)(b) of the *Local Government Act 2009*, to enter into a contract of sale with the adjoining land owner at fair market value as determined by an independent valuation and to execute all documents in respect to the proposed sale.**

11.2.2 THIRD QUARTER BUDGET REVIEW**Dataworks Filename:** FM Third Quarter Budget Review**Attachment:** [Q3 Budget Review](#)**Authorising Officer:****Bill Lyon**
Chief Executive Officer**Responsible Officer:****Deborah Corbett-Hall**
Acting Chief Financial Officer**Author:****Katharine McCarthy**
Budget and Systems Accountant

PURPOSE

This report outlines the budgeted financial position as at 31 March 2014. It also presents the revised budgeted position of Council including requested budget amendments for 2013/14 and identifies capital works requiring to be carried over to the 2014/15 financial year.

Attached to this report are the following details:

- Revised Key Performance Indicators (KPIs) for 2013/14,
- Revised 2013/14 Statement of Comprehensive Income,
- Revised 2013/14 Budgeted Statement of Cash Flows,
- Revised 2013/14 Budgeted Statement of Financial Position (Balance Sheet),
- Revised 2013/14 Operating Statements, Capital Funding and Other Items, and
- Third Quarter Budget Review Submission summary and detail reports.

It is proposed that Council resolve to adopt the revised budget for 2013/14 at Redland City Council (RCC) consolidated level. In addition to this and in accordance with the *Local Government Regulation 2012*, it is proposed that Council resolve to adopt the Redland Water and RedWaste financial statements that are presented in the attached documentation. The relevant pages are outlined within the Officer's Recommendation in this report.

BACKGROUND

This report presents a review of the 2013/14 revised budget as at 31 March 2014. As part of Council's financial management framework, comprehensive quarterly budget reviews are undertaken across all groups within each department. The third quarter budget review usually builds on the previous reviews of the budget and amends previous forecasts. It also includes new submissions based on previously unknown circumstances or information pertaining to the original budget submissions and identifies projects that will not be completed during the 2013/14 financial year for inclusion in the following year's budget.

Council previously revised the 2013/14 budget on 19 March 2014 to include budget adjustments following the first half year service delivery.

ISSUES

The proposed variations to the 2013/14 budget are outlined in the financial statements included in the attachment.

STRATEGIC IMPLICATIONS

Legislative Requirements

This proposed budget review is in alignment with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

Risk Management

Council reviews its budget regularly during the financial year. Council Officers conduct performance against budget analysis on a monthly basis and adjust permanent variances when applicable.

Financial

This recommendation requires a change to the current year's revised budget and the accompanying attachments outline the major movements surrounding this review as well as the projected financial statements forecast to 30th June 2014.

This proposed budget review indicates that Council will slightly increase the operating deficit to \$2.26m, although the cash position forecast for the end of 2013/14 has increased to \$76.95m due to the identified capital carryovers in the order of \$5m and an increase in the anticipated developer contributions. The planned borrowings for 2013/14 have been given up in this budget review as they have been deemed as not required this financial year. Most of the Key Performance Indicators are minimally affected as a result of this budget review however the debt to asset ratio and net financial liabilities target have reduced with the lesser borrowings required. The Acting Service Manager, Financial Management reviewed the basis of the Asset Sustainability Ratio calculation and this has been amended accordingly.

Additionally, if Council approves to bring forward the 2014/15 proposed capital project 'Business Intelligence and Data Warehouse' into 2013/14 year, increasing the capital expenditure on the attached statements by \$800k. The increase in the 2013/14 year will be completely offset by a reduction in the 2014/15 capital program proposal for Council to adopt as part of the 2014/15 budget.

Alignment with Council's Policy and Plans

9. An efficient and effective organisation Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way
 - 9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council
 - 9.7 Develop our procurement practices to increase value for money within an effective governance framework

CONSULTATION

Group managers in consultation with the Executive Leadership Group (ELG) undertook the development of this budget review. Councillors reviewed the budget amendments in a workshop held with ELG on 19 May 2014.

OPTIONS

Option 1:

1. Adopt the Revised Budget for 2013/14 at Redland City Council consolidated level which refers to the following (refer attachment):
 - a) RCC Statement of Comprehensive Income – page 2;
 - b) RCC Budgeted Statement of Cash flows – page 3;
 - c) RCC Statement of Financial Position (Balance Sheet) – page 4;
 - d) RCC Operating and Capital Funding Statement – page 5; and
 - e) To meet the requirements of the *Local Government Regulation 2012*, adopt the Redland Water and RedWaste Operating and Capital Funding Statements (pages 10 and 11); and
2. Bring forward the 2014/15 proposed capital project “Business Intelligence and Data Warehouse” into the 2013/14 year.

Option 2:

Council does not adopt the revised budget for 2013/14 as presented in the Officer’s Recommendation.

OFFICER’S RECOMMENDATION

That Council resolves to:

1. **Adopt the Revised Budget for 2013/14 at Redland City Council consolidated level which refers to the following (refer attachment):**
 - a) **RCC Statement of Comprehensive Income – page 2;**
 - b) **RCC Budgeted Statement of Cash flows – page 3;**
 - c) **RCC Statement of Financial Position (Balance Sheet) – page 4;**
 - d) **RCC Operating and Capital Funding Statement – page 5; and**
 - e) **To meet the requirements of the *Local Government Regulation 2012*, adopt the Redland Water and RedWaste Operating and Capital Funding Statements (pages 10 and 11); and**
2. **Bring forward the 2014/15 proposed capital project “Business Intelligence and Data Warehouse” into the 2013/14 year.**

11.2.3 REVENUE POLICY 2014-15 – POL-1837**Dataworks Filename:** FM Corporate Budget**Attachment:** [Revenue Policy 2014-2015](#)**Authorising Officer:****Bill Lyon
Chief Executive Officer****Responsible Officer:****Deborah Corbett-Hall
Acting Chief Financial Officer****Author:****Noela Barton
Service Manager Revenue and Collections
Management**

PURPOSE

The purpose of this report is to present the 2014-2015 Revenue Policy to Council for adoption.

BACKGROUND

Section 104(5) of the *Local Government Act 2009* (Qld) requires a Local Government to have a Revenue Policy as part of its financial management system.

Council annually reviews its Revenue Policy as part of the budget development process. Following adoption of the Long Term Financial Strategy on 18 December 2013, Council subsequently reviewed its Revenue Policy for the 2014-15 financial year.

ISSUES

The draft Revenue Policy was workshopped with Councillors and there are no outstanding issues with the attached policy.

STRATEGIC IMPLICATIONS

Council's Revenue Policy outlines its policy position with respect to rates and charges, concessions and recovery of overdue amounts. The policy also provides high level intent on Council's cost recovery methods and the extent of funding by charges for any new development with respect to the associated physical and social infrastructure costs.

Legislative Requirements

Section 104(5) of the *Local Government Act 2009* (Qld) requires a Local Government to have a Revenue Policy as part of its financial management system.

Section 169 of the *Local Government Regulation 2012* requires that a local government's budget for each financial year must contain a revenue policy.

Section 193 of the *Local Government Regulation 2012* requires the revenue policy to be reviewed annually and in sufficient time to allow an annual budget to be adopted for the next financial year and provides the content that must be covered in a revenue policy, namely:

- a) The principles to be applied for:
 - Levying rates and charges;
 - Granting concessions for rates and charges;
 - Recovering overdue rates and charges; and
 - Cost-recovery methods.
- b) The purpose for concessions that are granted.
- c) The guidelines that may be used for preparing the revenue statement.

Risk Management

Council's Long Term Financial Strategy contains risks, issues and mitigation

strategies aligned to revenue and pricing. Additionally, the Financial Services Group annually reviews its risk register to ensure policies and practices are current and responsive to corporate revenue risks.

Financial

There are no direct financial impacts to Council resulting from this report.

People

Nil impact expected as the scope of the attached document is Council's policy position on the making and levying of rates and charges and associated matters.

Environmental

Nil impact expected as the scope of the attached document is Council's policy position on rates and charges and associated matters.

Social

Nil impact expected as the scope of the attached document is Council's policy position on rates and charges and associated matters.

Alignment with Council's Policy and Plans

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

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

- 9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council.
- 9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels.

- 9.7 Develop our procurement practices to increase value for money within an effective governance framework.

CONSULTATION

Council's Long Term Financial Strategy was reviewed between October 2013 and December 2013, outlining Council's revenue policy position as well as potential risks, issues and opportunities. Council subsequently reviewed the draft 2014-15 Revenue Policy, which was approved in principle.

OPTIONS

1. Council resolves to adopt the attached 2014-15 Revenue Policy.
2. Council requests additional information or amends the attached policy prior to adoption.

OFFICER'S RECOMMENDATION

That Council resolves to adopt the attached 2014-15 Revenue Policy – POL-1837.

11.3 PORTFOLIO 7 (CR JULIE TALTY) PLANNING & DEVELOPMENT

11.3.1 MARINE SERVICES - RABY BAY MARINA 14-16 MASTHEAD DRIVE CLEVELAND - MCU013175

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

Attachments: [MCU013175 Layout Draft 2](#)

[MCU013175 Proposal Lease Area](#)

Authorising Officer



Louise Rusan
General Manager Community & Customer Services

Responsible Officer: David Jeanes
Group Manager City Planning Assessment

Author: Adam Webb
Senior Planner City Planning and Assessment

PURPOSE

Application type:	Impact Assessment
Proposed Use:	Marine Services
Property description:	Lot 1 on RP897334 and the water body identified within the draft 6370m ² lease area, within Endeavour Canal that is directly south of Lot 8 on CP895066
Location:	RABY BAY MARINA 14-16 Masthead Drive Cleveland QLD 4163
Zoning:	MC - Major Centre - SubArea MC4
Overlays:	Acid Sulfate Soils Overlay
Applicant:	Port Binnli Pty Ltd C/- Development Evolution
Landowner:	Port Binnli Pty Ltd
Number of public submissions:	137 properly made submissions, 4 petitioners and 67 not properly made submissions
Properly made date:	23/12/2013
Decision stage start date:	27/02/2014
Decision due date:	28/04/2014
Assessment manager:	Adam Webb
Officer's recommendation:	Approval

This category 4 application is referred to the Council for determination.

The development application involves an Impact Assessable application for Marine Services (extension to marina). The application has been assessed against the relevant planning instruments and the proposed development is considered to

comply, as detailed in the assessment under the issues heading of this report. It is therefore recommended that the application be approved.

BACKGROUND

On 9 March 2007 judgment by the Planning and Environment Court for Multiple Dwellings X 24, Refreshment Establishment and commercial premises was issued over the subject site, with reference number MC006893. This application recently received an extension to the relevant period until 9 March 2016.

The proposal does not conflict with this current approval.

ISSUES

Development Proposal & Site Description

Proposal

The proposal is for Marine Services that will incorporate an increase to the existing marina by 16 berths. The proposal is to utilise the existing marina office and parking that exist on the site. The applicant has been granted an in principle approval for the lease area by the State Government, subject to obtaining a use approval from the local authority.

The berths access the land to the east via a single entry for improved security and management purposes. The proposal incorporates larger berths with wider dimensions on the eastern end of the proposal to accommodate larger luxury vessels.

The proposal also involves an extension to the existing public pontoon that will allow the public to moor smaller boats.

Site & Locality

The site incorporates a land based component and a water based component. The land component is currently used for marina parking, fuel storage tanks for vessel refuelling and a small building which incorporates a marina office, yacht brokerage, toilets and showers.

The water body proposed to be utilised by the berth is approximately 6370m² in area and located directly south of the existing lease area.

The site adjoins existing mixed use buildings to the south and south east, composed of restaurants on ground level and residential units above. To the north is mixed use with commercial at ground level and residential above. To the west are residential units that overlook the Endeavour Canal in which the berths are proposed.

The site is located within walking distance to the Cleveland central business district and train station.

Application Assessment

Sustainable Planning Act 2009

The application has been made in accordance with the *Sustainable Planning Act 2009* 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

The following three policies are relevant to the assessment.

State Planning Policy/Regulatory Provision	Applicability to Application
State Planning Policy December 2013	Part E – interim development assessment requirements of the State Planning Policy is applicable. The State interest is the Coastal Environment. The marina is identified as a Coastal Management District. The proposal is considered to comply with item (4) of the State interest – coastal environment as the proposal facilitates coastal-dependent development in areas adjoining the foreshore in preference to other types of development, where there is competition for available land on the coast. As the proposal is located within an existing built marina the proposal is considered to comply.
SEQ Koala Conservation SPRP	The site is within a Priority Koala Assessable Development Area under the SEQ Koala Conservation SPRP. The marina berths are predominantly over water and only attached to the land for access purposes. In this instance there are no requirements under the SPRP.
SPRP (Adopted Charges)	Details of the charges calculation have been provided under the Infrastructure Charges heading of this report.

Redlands Planning Scheme

The application has been assessed under the Redlands Planning Scheme version V6. The applicable codes are:

- Major Centre Zone Code;
- Access and Parking Code;
- Excavation and Fill Code
- Erosion Prevention and Sediment Control Code;
- Infrastructure Works Code;
- Stormwater Management Code; and
- Acid Sulfate Soils Overlay.

The application has been assessed against the relevant codes and is considered to comply. The pertinent parts of this assessment are discussed below.

Consistency of Use

Marine Services is identified as an inconsistent use in the Major Centre Zone and does not comply with specific outcome S1.1 of the Major Centre Zone Code. There is therefore a conflict with this element of the planning scheme. In making a decision on this proposal, section 326(1)(c) (ii) of Sustainable Planning Act states that:

“a decision must not conflict with the relevant instruments unless the conflict arises because of a conflict between two or more aspects of any one relevant instrument, and the decision best achieves the purpose of the instrument”.

The aspect of the relevant instrument is the zone code in this case and the conflict is between the overall outcomes and the inconsistent uses table that lists Marine Services.

Marine Services is defined by the Redlands Planning Scheme as:

“Means the use of premises for any coastal dependent activity on land adjoining Moreton Bay or that part of a waterway subject to tidal influence. The term includes premises used for the launching, berthing, storage, fuelling, servicing and repairing of boats”.

This proposal does not involve the servicing, repairing or launching of boats which have higher impacts in relation to emissions. It is solely related to the berthing of vessels on water with the jetty being attached to land that is zoned Major Centre Sub-area 4. This use attached to the Major Centre zoned land triggers the impact inconsistent level of assessment.

Despite the use definition (which incorporates a number of aspects) being identified as inconsistent, it is considered that the proposed marina in an existing marina is an appropriate use of this limited resource. Furthermore, the proposal is considered to comply with the overall outcomes of the Major Centre Zone identified below as it:

- Enhances the primacy, social vitality and vibrancy of the City’s major centres;
- Services the entertainment and community needs of the City;
- Provides a key source of economic activity and employment;
- Recognises Cleveland as a major tourist centre for events and displays and is considered to add to the social aspect of the residential and entertainment precinct;
- Incorporates Cleveland as a major transport interchange providing public and private transport; and
- Encourages mixed use development that incorporates apartment buildings, commercial activities, retail, tourist shopping and restaurants.

Therefore, under Section 326(1)(c) (ii) of Sustainable Planning Act the proposed marina berths are considered to achieve the purpose of the Planning Scheme and are consequently recommended for approval.

Additionally there is no inconsistency with the State Planning Policy. As detailed earlier in the report, the proposed extension within a marina that has already been constructed, is considered to comply with the environmental and efficiency elements of the State Planning Policy.

Car Parking

The Redland Planning Scheme states that the parking rate is “As determined by the local government”.

In relation to determining an appropriate parking rate, Australian Standard 3962-2001 applies. Australian Standard 3962-2001 identifies 0.3-0.6 parking spaces per wet berth. It notes that

“for commercial facilities the lower number of parking spaces should be considered. For racing clubs, the larger number should be considered”.

As the proposal is for commercial facilities the parking rate of 0.3 is considered appropriate.

Therefore, the proposed 16 berth marina triggers 4.8 car parking spaces under the Australian Standard.

It has been conditioned that the proposal provides 5 car parking spaces on site for the additional 16 berths. There is capacity to provide the 5 required parking spaces on site.

Amenity

Lighting and noise associated with the vessels are considered to be consistent with the existing marina facility.

Concerns have been raised regarding noise from the occupants of the vessels. Council’s Environmental Health Team has confirmed that should this occur, the *Police Powers and Responsibility Act 2000* is the legislation to regulate such activities.

It is considered that facilitating longer and wider berths for luxury vessels on the edge of the marina opposite the restaurant and entertainment precinct will increase the attractiveness of the area by providing a luxury backdrop to the precinct.

It is considered that the visual and other amenity impacts of vessels in this locality is a reasonable expectation for a marina.

Vessel Manoeuvring

Matters of maritime / navigational safety are regulated by the Department of Transport and Main Roads Maritime Safety Queensland agency.

The proposed location of the berths will not conflict with the existing public pontoon that is utilised by the public, commercial operations and community events such as the Raby Bay Triathlon.

Public Offset

The State Planning Policy 2013 – coastal environment section (5) seeks:

“Maintaining or enhancing opportunities for public access and use of the foreshore in a way that protects public safety and coastal resources”.

Foreshore is defined by the Coastal Protection and Management Act 1995, schedule as being:

“The land lying between high water mark and low water mark as is ordinarily covered and uncovered by the flow and ebb of the tide at spring tides”.

It is noted that the foreshore (land between high water and low water mark) is covered by an existing board walk that provides public access to this area. The proposal will not alter this existing situation. Therefore, there is no requirement to offset any loss of public access. However, the applicant has proposed a public pontoon extension to be added to the existing public pontoon. This will enable approximately 2x8m boats to be moored and 8-10 dinghies/tenders.

Infrastructure Charges

The proposed development is subject to the State Planning Regulatory Provision (adopted charges). However, the infrastructure charge applicable to this development is \$0.

This charge has been calculated as follows in accordance with Council’s Adopted Infrastructure Charges Resolution (amendment 1.3) July 2012:

Marine Services = Industry

Industry \$50/m² of GFA + \$10 per impervious m².

Gross Floor Area is defined by the Queensland Planning Provision V3 as.

“The total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall), other than areas used for the following:

- (a) building services, plant and equipment.
- (b) access between levels.
- (c) ground floor public lobby.
- (d) a mall.
- (e) the parking, loading and manoeuvring of motor vehicles.
- (f) unenclosed private balconies whether roofed or not”.

Based on the above definition, the proposed Gross Floor Area of the additional 16 berths is 0m². Therefore the infrastructure charge is calculated as (\$50 + \$10) X 0 GFA = \$0.00.

State Referral Agencies

The application triggered referral to SARA. The trigger for assessment was the Sustainable Planning Act Regulation Schedule 7 Table 3 item 5 Coastal Management District.

On 3 February 2014 the Department of State Development Infrastructure and Planning advised that they had no requirements.

Public Consultation

The proposed development is impact assessable and required public notification. The application was publicly notified for 16 business days from 3 February 2014 to

26 February 2014. A notice of compliance for public notification was received on 26 February 2014.

Submissions

There were 137 properly made submissions were received during the notification period. A further 67 submissions were received which were not properly made but which were accepted under s305(3) of the *Sustainable Planning Act 2009*. The matters raised within these submissions are outlined below.

1.	<p>Issue - Car parking.</p> <p>Expanding the marina from 75 berths to 91 berths and maintaining the existing 24 car parking spaces is not sufficient as there will be insufficient parking available.</p> <p>There is insufficient parking at Easter that is likely to result in persons using car parks in the adjacent Raby Bay Harbour complex.</p> <hr/> <p>Applicant Response</p> <p>No detail has been provided to support the assertion that an increase in berths is likely to result in the owners of the additional berths and their guests using car parks in the adjacent Raby Bay Harbour complex.</p> <p>It is unreasonable to use a one off extreme event such as Easter as an appropriate indicator of car parking demand.</p> <hr/> <p>Officer's Comment</p> <p>As detailed in the body of the report a condition has been included to provide 5 car parking spaces in accordance with the Australian Standard.</p>
2.	<p>Issue – Amenity</p> <p>There will be a negative impact on the locality due to reduction in air quality, increased noise levels and lighting.</p> <p>A photomontage provided by submissions indicates that the view of the marina will be dominated by a wall of boats with their hulls exposed which will alter the character, amenity and experience enjoyed by the residents and patrons of the Raby Bay Harbour residential and alfresco dining precinct.</p> <hr/> <p>Applicant Response</p> <p>The term “wall” is emotive and misleading given the separation that will be achieved between each berth. The moored vessels will allow views to be framed and enhanced by the activity associated with a marina.</p> <hr/> <p>Officer's Comment</p> <p>The air quality, noise levels and lighting impacts from the proposal are considered to be consistent with that expected within a marina. It is considered that the proposal will not have an adverse impact on the</p>

	<p>surrounding locality.</p> <p>It is considered that it is reasonable to view boats in a marina. The vessels will not be touching each other and will be resting at water level below the boardwalk. Furthermore, the jetty and separation distance between the boats will permit water vistas over the jetty and between the boats respectively.</p> <p>In relation to the design, the proposal has located wider and larger berths on the eastern end of the facility opposite the entertainment precinct. Due to the curve of the marina the wider berths will further increase separation distances between the boats opening up vistas. Additionally, the longer berths will encourage the largest luxury vessels in the marina to be located in this area arguably improving the amenity of the area when viewed by the patrons of the dining and entertainment precinct.</p>
3	<p>Issue – Impact of purchase/lease decision</p> <p>If the proposal was known to me, this would have influenced my decision to purchase or lease residential accommodation in the Raby Bay Harbour residential apartments.</p>
	<p>Applicant Response</p> <p>The application acknowledges the outcomes sought by the Major Centre Sub-area 4 zone. The proposal will enhance the vibrancy of the locality and assist in connecting the Endeavour Canal to the Main Street of Cleveland.</p>
	<p>Officer’s Comment</p> <p>It is reasonable to assume that a marina will accommodate the mooring of boats and the extension is logical.</p>
4	<p>Issue – Fishing</p> <p>The proposal removes the opportunity for families with young children to fish from the boardwalk.</p>
	<p>Applicant Response</p> <p>While the opportunity for fishing will be reduced, it will remain available between the boardwalk and the proposed marina structures. This limited angling opportunity would be expected to appease most young children. However for the keener angler, the applicant has offered to extend the existing public pontoon to provide a designated fishing pontoon. This pontoon will allow anglers to “fish on the water” rather than fish from a distance and will move potential fishing away from an established mixed use entertainment precinct.</p>
	<p>Officer’s Comment</p> <p>The applicant’s response is endorsed. Furthermore the applicant has since upgraded their proposed fishing pontoon to a mooring pontoon what will</p>

	facilitate a multi-purpose function.
5	<p>Issue – Operational Works not lodged</p> <p>The berths require Operational Works involving Prescribed Tidal Works for which an application has not been made.</p>
	<p>Applicant Response</p> <p>The application has complied with the requirements of the relevant legislative requirements.</p> <p>The application has provided sufficient justification for Council to approve the proposed development.</p>
	<p>Officer’s Comment</p> <p>The Operational Works application is not required to be lodged concurrently with the Material Change of Use. Operational Works for prescribed tidal works will be identified as a necessary subsequent approval.</p>
6	<p>Issue – Application prevents full disclosure.</p> <p>The application is flawed as it only deals with land based components (being the marina office and car parking) and does not deal with the marina berths. This prevents full disclosure of the proposal to the community. Several errors have been found on the IDAS forms and within the application process that result in the application being poorly made.</p>
	<p>Applicant Response</p> <p>The application has complied with the requirements of the relevant legislative requirements.</p> <p>The application has provided sufficient justification for Council to approve the proposed development.</p>
	<p>Officer’s Comment</p> <p>It is considered that the application is properly made and has provided sufficient information in order for Council and the community to determine the development proposal and provide comment. A revised IDAS form was also provided by the applicant to include the body of water component.</p>
7	<p>Issue – Desired Environmental Outcomes</p> <p>The application conflicts with the Desired Environmental Outcomes.</p>
	<p>Applicant Response</p> <p>The application has complied with the requirements of the relevant legislative requirements.</p>

	The application has provided sufficient justification for Council to approve the proposed development.
	<p>Officer's Comment</p> <p>The proposal is considered to comply with these DEOs as the proposed floating jetty is within an existing constructed canal / marina facility. Therefore, the construction of the proposal is not considered to have an adverse impact on the natural environment. Furthermore, the proposal is considered to enhance economic development, access, community character and the identity of Cleveland.</p>

Deemed Approval

This application has not been deemed approved under Section 331 of the *Sustainable Planning Act 2009*.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Redlands Planning Scheme V6 and other relevant planning instruments. The decision is due on 28 April 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

There is potential that an applicant and/or submitter 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 this report.

CONSULTATION

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.

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:

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

OFFICER'S RECOMMENDATION

That Council resolves that a Development Permit approval be issued subject to conditions for the Material Change of Use for Marine Services on Lot 1 on RP897334 at 14-16 Masthead Drive Cleveland and the water body identified within the draft 6370m² lease area, within Endeavour Canal that is directly south of Lot 8 on CP895066.

<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	Reference Number	Prepared By	Plan/Doc. Date
Layout Draft 2	-JSP-SM-1160 issue DRAFT 1A	Port Binnli Group	29/4/2014
Proposal Lease Area	DWG 11/280 - A	Queensland Government	18/11/2011
Council Right of Entry Terms (as amended by Council)	MCU013175	Queensland Government	18/11/11

Table 1: Approved Plans and Documents

Design		
3.	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.
4.	Provide 5 car parking spaces on the subject site being Lot 1 on RP897334 for the proposed 16 berth facility.	Prior to the use commencing and ongoing.
5.	<p>Grant Right of Entry to Redland City Council to the 6370m² lease area as indicated on Proposal plan DWG11/280-A prepared by Queensland Government dated 18/11/2011 and in accordance with the Council Right of Entry Terms MCU013175 prepared by Queensland Government and as amended by Council, dated 18/11/11 for the purposes of inspection and maintenance of the boardwalk.</p> <p>Provide a minimum 1.5m wide access easement over Lot 1 on RP897334 in favour of Council for access to the lease area from a public road or park.</p>	Prior to the use commencing.
6.	<p>Construct the public mooring pontoon in accordance with the applicant's offer and generally in accordance with Layout Draft 2 Plan with reference number JSP-SM-1160 issue DRAFT 1A prepared by Port Binnli and dated 29/4/2014.</p> <p>Construct the pontoon in accordance with the following design and functionality specifications:</p> <p><u>Design Specification</u></p> <ul style="list-style-type: none"> AS1428 Design for access and mobility. AS4997-2005 Guidelines for the design of maritime 	Prior to the use commencing.

<p>structures.</p> <ul style="list-style-type: none"> • Disability Standards for Accessible Public Transport 2002 (DSAPT). • Disability Discrimination Act 1992 (DDA). • Be designed to comply with RCC GL 3063-001 Design Element 2. <p><u>Functionality Specification</u></p> <ul style="list-style-type: none"> • Design the pontoons to service the vessels up to 15.0M LOL 0.5m Freeboard. • Design the pontoons to be low maintenance (floating concrete pontoon preferred) and to remain in a reasonable condition for the design life as well as consideration of 'whole of life costs'. • Design all walkways, gangways, circulation spaces, handrails, toe rails and so on to be designed to suit the requirements of DSAPT, appropriate Australian Standards and shall be DDA compliant and have non-slip surface free. • Design the pontoons and associated components to be resistant to vandalism. • Design lighting to be in accordance with relevant DDA and Australian Standards with strong preference given to low energy lighting options such as LED's. • Design the lighting layout not to create a glare nuisance for water traffic, adjacent properties or vessels berthing on the pontoon. • Design lighting to be easily accessible for maintenance purposes. • Provide navigational lighting in accordance with Regional Harbour Master's requirements. • Design the pontoons by considering user safety, including minimisation of vandalism. 	
<p>7. Dedicate public mooring pontoon to Redland City Council at no cost to Council.</p>	<p>Prior to the use commencing.</p>
<p>8. Rectify any damage done to the road verge during construction, including top soiling and re-turfing.</p>	<p>Prior to the use commencing.</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.

- Operational Works for Prescribed Tidal Works.

ASSESSMENT MANAGER ADVICE

- **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.

- **Coastal Processes and Sea Level Rise**

Please be aware that development approvals issued by Redland City Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on coastal processes and 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:

- 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.

11.3.2 RECONFIGURATION OF LOTS – 144 LOTS – CLEVELAND REDLAND BAY ROAD, SOUTH EAST THORNLANDS – ROL005726

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

Attachments: [Attachment 1 Locality Plan](#)
[Attachment 2 Zone Plan](#)
[Attachment 3 Aerial Plan](#)
[Attachment 4 - Plan of Reconfiguration](#)

Responsible/Authorising Officer:



Louise Rusan
General Manager Community & Customer Services

Author: **Janice Johnston**
Senior Planner

PURPOSE

Application type:	Code Assessment
Proposed Use:	Standard Format Reconfiguration - 144 lots (Waterline Stage 2 - 7)
Property description:	Lot 500, 501, 502 and 503 on SP 245363 Lot 1 on RP 59490 Lot 1 on RP 64656
Location:	268, 284-286, 296-304, 310A-310B and 310-312 Cleveland Redland Bay Road, Thornlands
Land area:	214,970m ² (21.5 ha)
Zoning:	CP - Community Purposes – Sub Area CP7 OS - Open Space UR - Urban Residential
Overlays:	Acid Sulfate Soils Overlay Bushfire Hazard Overlay Bushland Habitat Overlay Flood Storm and Drainage Constrained Land Overlay Road and Rail Noise Impact Overlay South East Thornlands Overlay Waterways Wetlands and Moreton Bay Overlay
Applicant:	Villa World Developments Pty Ltd
Landowner:	Villa World Redlands Pty Ltd
Number of public submissions:	N/A
Properly made date:	23/12/2013
Decision stage start date:	25/03/2014
Decision due date:	04/06/2014

Assessment Manager:	Janice Johnston David Jeanes, Group Manager, City Planning and Assessment
Officer's recommendation:	Development Permit subject to conditions

This category 4, Code Assessable application is referred to the Council for determination.

The development application involves a Standard Format Reconfiguration for 144 residential lots, being stages 2 to 7 of the Waterline Development in South East Thornlands. The application has been assessed against the relevant planning instruments and the proposed development is considered to comply with these provisions, as detailed in the assessment under the issues heading of this report. It is therefore recommended that the application be approved.

BACKGROUND

The development site is subject to the Planning and Environment Court Judgment, BD1880 of 2008, dated 23 May 2013. The Court Order approves a:

- Material Change of Use for a Preliminary Approval (PA) to Override the Redlands Planning Scheme 2006 (section 3.1.6); and a
- Development Permit for Reconfiguration for Stage 1a (1 into 35 lots and a new road).

The subject application is lodged under the PA overriding the planning scheme approved as part of this Court Order. The development is referred to as 'Waterline'.

ISSUES

Development Proposal & Site Description

Proposal

The PA applying to the land includes a land use area plan which identifies two areas. Area One is intended for residential use and Area Two is intended to be dedicated to the State for conservation purposes, as well as providing facilities for stormwater management. This application is for the reconfiguration of the remaining stages (stages 2-7) within Area One, seeking a development permit for 144 lots over 6 stages. The application also involves dedication of land to the State for open space purposes, construction of the trunk stormwater facility for the catchment, and construction of part of the trunk Moreton Bay Cycleway.

Site & Locality

The site is located within the South East Thornlands Structure Plan area (SETSPA), which has been zoned to allow for accommodation of a significant portion of the expected future population growth within Redland City. As such, the site forms part of an emerging residential community.

The site incorporates 6 individual lots and fronts the State controlled Cleveland-Redland Bay Road. The eastern extent of the site adjoins the Moreton Bay Marine Park. The site and surrounding properties are currently used for rural residential and agricultural purposes. The existing house and sheds on the site will be removed as

part of the approved reconfiguration of Stage 1a. The majority of the site is clear of vegetation; however there are pockets of vegetation to the north and east of the site, as well as around the existing dam. To the north of the site is Pinklands Bushland Refuge and sports fields.

Application Assessment

Sustainable Planning Act 2009

The application has been made in accordance with the *Sustainable Planning Act 2009* Chapter 6 – Integrated Development Assessment System (IDAS) and constitutes an application for Reconfiguring a Lot. The application is code assessable in accordance with the Preliminary Approval overriding the Redlands Planning Scheme which applies to the subject site.

State Planning Policies & Regulatory Provisions

State Planning Policy/Regulatory Provision	Applicability to Application
SEQ Koala Conservation SPRP	The majority of the site is in the assessable area under the SEQ Koala Conservation SPRP and is within a Koala Broad-Hectare Area. The site is predominantly designated as Medium Value Rehabilitation, with smaller areas of Low Value Rehabilitation and Medium Value Bushland. Division 3 of the SPRP applies. This division requires the development design to incorporate movement corridors and food species for koalas. There are no direct requirements for replanting under the SPRP. Schedule 2 acknowledges constraints from development such as subdivision design and its associated infrastructure and edge effects. The proposed layout does not obstruct fauna movement in itself, and it is recognised that any residential subdivision will have some level of impact on Koala movement. There SPRP requirements are considered to be met through proposed rehabilitation required under the PA, in addition to movement corridors via street tree planting.
SPRP (Adopted Charges)	The development is subject to infrastructure charges in accordance with the Infrastructure Agreements signed by Council and the developer. Details of the charges applicable have been provided under the Infrastructure Charges heading of this report.
SEQ Regional Plan SPRP	The site is located within the Urban Footprint in the SEQ Regional Plan 2009-2031.
Single State Planning Policy 2013 (SPP)	Part E of the SPP includes development assessment requirements to ensure that State interests are appropriately considered by local government when assessing development applications. The mapping indicates that the site includes designations under the 'Environment and Heritage' and 'Hazards and Safety' layers as follows: Hazards and Safety – Natural Hazards:

State Planning Policy/Regulatory Provision	Applicability to Application
	<ul style="list-style-type: none"> • Bushfire hazard area (bushfire prone area) • Potential bushfire impact buffer • Coastal Hazard – erosion prone area • Coastal Hazard – medium storm tide <p>Environment and Heritage – Biodiversity:</p> <ul style="list-style-type: none"> • MSES – Wetlands (palustrine, estuarine and lacustrine) • MSES – Regulated vegetation (intersecting a watercourse) • MSES – Regulated vegetation • MSES – Wildlife habitat <p>Environment and Heritage – Coastal Environment:</p> <ul style="list-style-type: none"> • Coastal Management District <p>The requirements of the SPP have been met as follows:</p> <p>Hazards and Safety – Natural Hazards: The natural hazards present on the site were taken into consideration as part of the approval of the PA over the site. The PA includes buffers to bushfire areas and locates 'Area One', which is for residential development, outside of the storm tide and erosion prone areas.</p> <p>Environment and Heritage: The development is considered to manage any potential adverse environmental impacts on Moreton Bay, wetlands, coastal processes and scenic amenity. The development occurs on predominantly cleared land and the developed area is setback significantly from the marine park. Land within Area Two (as identified by the PA) will be revegetated and dedicated to the State for conservation purposes. Public access is provided through the area to be dedicated.</p>

Preliminary Approval Overriding the Planning Scheme

The application has been assessed against the PA overriding the planning scheme which applies to the subject site. The PA indicates that the application is subject to code assessment against the following codes:

- Urban Residential Zone
- Open Space Zone
- South East Thornlands (SET) Structure Plan (as amended by the PA) Overlay
- Acid Sulfate Soils Overlay
- Bushfire Hazard Overlay
- Habitat Protection Overlay
- Flood Prone, Storm Tide and Drainage Constrained Land Overlay
- Road and Rail Noise Impacts Overlay

- Waterways, Wetlands and Moreton Bay Overlay
- Reconfiguration (as amended by the PA)
- Excavation and Fill
- Development Near Underground Infrastructure
- Infrastructure Works
- Stormwater Management

It is considered that the development complies with the applicable codes. The pertinent issues in the assessment are discussed below.

One item to note is that, when compared with the zone and SET overlay code precinct boundaries, the plans approved under the PA allow for encroachment into the eastern open space zoned part of the site. It is noted that the original application (that resulted in the Court Order) was lodged in 2003, prior to the adoption of the SET structure plan overlay code. A larger portion of the now open space zoned area was proposed for development. As part of the Court approval, the boundary of the developable area (Area One of the PA) was negotiated and agreed to as part of the expert review of the proposal. The joint environmental expert report states that a point of agreement is that portions of Lot 1 on RP59490 to the west of the dam may be suitable for development.

Compliance with the Preliminary Approval

The proposed layout is considered to be generally in accordance with the plans approved as part of the PA. The residential lots proposed as part of Stages 2 to 7 are contained within Area One on the PA map, with Area Two being dedicated to the State.

It is noted that the PA approved a road hierarchy plan which indicates a road to be located along the site's southern boundary, common with 320 Cleveland Redland Bay Road. The current proposal amends this road location, proposing lots abutting the boundary rather than the road. The proposed layout for this part of the land is considered to be generally in accordance with the approved plan given:

- The change does not prevent orderly development of the adjoining site from occurring and incorporates the road linkage to this property early in the development (Stage 3); and
- Although the road may have been considered to provide a buffer to the adjoining property to protect the existing agricultural use rights, the lots adjoining this property boundary have been incorporated into the final stage of the development. This achieves S3.2 of the SET overlay code which requires staging plans to minimise potential conflicts with existing agricultural or rural activities.

Reconfiguration Design

In accordance with the intent of the locality and the preliminary approval, a range of lot sizes has been provided, with a variety of lot frontage widths within each streetscape, allowing for a range of housing product and designs to be established. S1.3 of the SET Structure Plan Overlay Code (amended by the PA) has been achieved as the development proposes a net density between 12-17 lots per hectare. The full development (stages 1 to 7) incorporates 179 lots and the intention of S1.3 is for the provision of between 140 and 197 lots. The size of the lots proposed ranges from 345m² to 647m².

Traffic and Access

Access to the subject site will be via Cleveland Redland Bay Road, with the intersection works being constructed as part of the reconfiguration of stage 1A (as approved by the Court Order). A collector road is proposed through the site that is in accordance with the SET Structure Plan and provides future orderly access to the south, eventually connecting to Beveridge Road (subject to development of adjoining land). All internal roads have been designed in accordance with Council's current standards and the Court approved Waterline Road Hierarchy Plan.

It is noted that the SET Structure Plan indicates that the North-South road through the centre of the site is intended to be a 22m wide boulevard road. This PA overriding the planning scheme approves a road hierarchy plan which reduces the width of this road reserve to 18m. This was approved through the Court process, where it was determined that a wider road should be provided at the entry point to the development and along the side of the district park, rather than through the centre of the residential area. As a result, a 27m wide 'boulevard/entry statement road' has been required through the Court approval, where the current SET overlay code has a standard 18m wide collector street.

Services

A new sewerage pumping station has been constructed to service South East Thornlands and is located within Lot 1 on RP59490. Stages 2 to 7 will gravitate to this new pumping station. In addition, Stage 5 includes provision of vehicle access to the sewerage pumping station. Water supply and underground electrical and telecommunications services for Stages 2 to 7 will be extensions of the works constructed in Stage 1a. As proposed by the applicant, the water reticulation and electrical supply through the estate will be designed to service the existing sewerage pumping station on the site. This pumping station is currently serviced from a temporary overhead supply from Rachow Street. Stage 5 will provide the ultimate underground electricity supply to the pumping station, at which time the temporary overhead supply can be decommissioned.

Landscaping, Vegetation Protection, Bushfire Management and Koala Conservation

Landscaping, bushfire management (esplanade roads and buffers) and rehabilitation details have been provided in the approved landscape masterplan and design intent and Environmental Management Plan (EMP). The EMP is considered to sufficiently address bushfire management and revegetation requirements. Rehabilitation of the PA Area Two achieves an average planting density of one plant per square metre as required by condition 10 of the PA.

The section of the EMP dealing with fauna treatment at the clearing stage includes instructions on flushing out fauna which have not been best practice for many years. On the advice of Council's wildlife extension officers, a condition has been included that leaves the decision on such matters to the professional fauna spotter who will be engaged for that part of operational works. It is noted that the amount of clearing that could disturb fauna is minimal.

The proposed residential area is outside the Habitat Protection Overlay designated area. The parts of the site which are in Area Two of the PA are subject to the Bushland Habitat, Enhancement Corridor and Marine Habitat designations of the

overlay. It is noted that in accordance with the PA, these areas are to be landscaped and rehabilitated (at a density of 1 plant per square metre as outlined in the EMP which considers both habitat and bushfire management considerations). The replanting proposed will meet the requirements of the habitat overlay, in particular, S2.1 (2) and (5) which require a net gain in native vegetation and S2.1 (3) given that these areas will be rehabilitated and dedicated to the state for conservation purposes. In relation to S2 (5h), it is noted that offset planting is required by the South East Thornlands Overlay Code which will be conditioned.

Specific Outcome S1.5 (1b-ix) of the SET Structure Plan Overlay Code (as amended by the PA) indicates that where development unavoidably results in the loss of koala habitat trees, offset planting is carried out at the rate of one tree for every one metre of tree height removed. A condition has been included to ensure this is achieved.

Noise Impacts

The front portion of the site is affected by a road noise buffer under the Road and Rail Noise Impacts Overlay. The affected area forms part of Stage 1a of Waterline, and acoustic mitigation measures will be constructed as part of that approval. The land being reconfigured for stages 2-7 is located outside of the affected area.

Stormwater Management

As part of the preparation of the South East Thornlands Structure Plan Area, a stormwater infrastructure concept plan was prepared. This plan identified trunk, regional stormwater facilities required within the structure plan area. The plan, prepared by EnGenY, indicates that this development site, in addition to the properties at 306, 314 and 320 Cleveland Redland Bay Road, form the catchment for Bio-Retention Basin/Wetland B1.

As part of the court approval process and creation of the Infrastructure Agreements signed during that process, concept stormwater plans were approved which indicate two bio-retention/detention basins, one using the existing dam on the eastern side of the development, and one in the parkland to be dedicated to the north of the site.

A Stormwater Management Plan, prepared by Gilbert and Sutherland has been submitted in support of the application. This report proposes two basins in the northern area, in addition to a three cell bioretention basin system adjoining the existing dam. This plan proposes two treatment size options for the bioretention basin adjoining the basin; option A excludes the properties at 306, 314 and 320 Cleveland Redland Bay Road, option B includes these properties in the developed catchment. Option B is preferred, as it results in a final basin design being constructed, while option A would require retrofitting those basins in the future, resulting in a higher capital cost for the infrastructure.

However, in both options, the treatment areas cater for stormwater from 332 and 344 Redland Bay Road, which has a recent approval for multiple dwellings. This development is approved to treat its own stormwater in a separate catchment. In addition, this site was not considered in the EnGenY modelling for the structure plan, nor in the stormwater assessment that formed part of the preliminary approval for the subject development.

Conditions are recommended that require a revised stormwater assessment and management plan at the operational works stage that excludes that catchment from

the modelling. Subject to this condition, the development is considered to comply with the Stormwater Management Code.

Earthworks

The applicant has submitted earthworks layout plans which indicate that retaining walls up to 1.7m are required for the proposed lots. Retaining walls over a metre in height are to be located at the rear of lots so as to have minimal impact on the streetscape. Given the topography of the site and the number of lots required to meet the density provisions of the SET Structure Plan Overlay Code, the extent of cut and fill proposed is considered satisfactory. In order to ensure the development complies with Specific Outcome S1 of the Excavation and Fill Code, a condition of approval will be included, requiring retaining walls exceeding 1.5m in height to be stepped and landscaped, to reduce their visual bulk.

The applicant has considered acid sulfate soils management in the EMP, describing the necessary actions in the event acid sulfate soil is disturbed. Acid sulfate soils presence has not been demonstrated or ruled out. It will be necessary to conduct an initial investigation prior to the operational works stage in those areas where it could occur (within Lot 1 on RP59490 where stormwater management facilities are proposed as part of stage 5).

Infrastructure Charges

Council's Priority Infrastructure Plan (PIP) identifies the site as being outside of the Priority Infrastructure Area (PIA) and within an infrastructure agreement (IA) area. As part of the previous applications and Court approvals over the site, two IAs were signed in relation to infrastructure contributions payable and offsets available. The IAs allow the developer to receive offsets for trunk infrastructure, including the land and works costs for construction of the trunk cycleway and stormwater facilities. The contributions payable under the IAs are based around the charges identified in the PIP, which currently equate to \$37,996 per lot. For the 179 lots proposed (stages 1 to 7), the charge is \$6,573,308.

The applicant has requested that the IAs be renegotiated to:

- Apply Adopted Infrastructure Charges as per the State Planning Regulatory Provisions; and
- Review the trunk infrastructure offsets available.

That request will be considered separate to the decision on this application. A condition requiring compliance with the existing IA is sufficient as part of this approval.

State Referral Agencies

The application was referred to the Department of State Development, Infrastructure and Planning (DSDIP) as a Concurrence agency under the following provisions of the Sustainable Planning Regulation:

- Schedule 7, Table 2, Item 2 – State-Controlled Road;
- Schedule 7, Table 2, Item 4 – Clearing Vegetation; and
- Schedule 7, Table 2, Item 14 – Development in a Coastal Management District.

DSDIP provided its concurrence agency response on 21 March 2014, outlining conditions of approval.

Public Consultation

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

Deemed Approval

This application has not been deemed approved under Section 331 of the *Sustainable Planning Act 2009*.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Preliminary Approval overriding the planning scheme which affects the site and other relevant planning instruments. The decision is due on 4 June 2014. If a decision is not made by this date, the applicant has the opportunity to submit a deemed approval notice, which requires the Council to issue conditions of approval.

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.

Financial

If approved, Council will collect infrastructure contributions. 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

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.

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:

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

OFFICER'S RECOMMENDATION

That Council resolves that a Development Permit be issued subject to conditions for Reconfiguring 6 lots into 144 lots, being stages 2 to 7 of the Waterline Development, at 268, 284-286, 296-304, 310A-310B and 310-312 Cleveland Redland Bay Road, Thornlands.

<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 Council approval of the Survey Plan. All stages.

Plan/Document Title	Reference Number	Prepared By	Plan/Doc. Date
Plan of Development	VLL-18_b Revision D	PLACE Planning Design Environment	27.02.2014
Locality Plan and Overall Layout Plan (as amended by Council)	7494-D Amendment 1	Sheehy & Partners	March 2014
Road Hierarchy Plan	7494-E Amendment 1	Sheehy & Partners	March 2014

Typical Road Cross Sections (as amended by Council)	7494-F	Sheehy & Partners	November 2013
Earthworks Layout Plan Sheet 1 of 2 <i>Note – approved for the purpose of conceptual earthworks design only. Stormwater devices are to be approved at Operational Works.</i>	7494-H Amendment 1	Sheehy & Partners	March 2014
Earthworks Layout Plan Sheet 2 of 4 <i>Note – approved for the purpose of conceptual earthworks design only. Stormwater devices are to be approved at Operational Works.</i>	7494-I Amendment 1	Sheehy & Partners	March 2014
Earthworks Layout Plan Sheet 3 of 4 <i>Note – approved for the purpose of conceptual earthworks design only. Stormwater devices are to be approved at Operational Works.</i>	7494-J Amendment 1	Sheehy & Partners	March 2014
Earthworks Layout Plan Sheet 4 of 4 <i>Note – approved for the purpose of conceptual earthworks design only. Stormwater devices are to be approved at Operational Works.</i>	7494-K Amendment 1	Sheehy & Partners	March 2014
Site Cross-Sections Sheet 1 of 3	7494-L Amendment 1	Sheehy & Partners	March 2014
Site Cross-Sections Sheet 2 of 3	7494-M	Sheehy & Partners	November 2013
Site Cross-Sections Sheet 3 of 3	7494-N Amendment 1	Sheehy & Partners	March 2014
MUSIC Modelling Catchment Boundaries (Scenario B)	Project No. 11304 Dwg No. 1.2B	Gilbert and Sutherland	7 March 2014

<i>Note - Approval is for Scenario B, excluding catchment H</i>			
Environmental Management Plan <i>Note - plan VLL15_RMP_001 has been amended by Council</i>	VLL15_Waterline_EM P_V2.0	PLACE Planning Design Environment	7 March 2014
Landscape Masterplan and Design Intent SK02-SK04, SK06-SK08 and SK15-SK21 <i>Note – SK04 has been amended by Council</i>	Issue C - Preliminary	PLACE Planning Design Environment	March 2014
Permanent Survey Mark Locations	VLL-18_b-A	PLACE Planning Design Environment as amended by Council	N/A

Table 1: Approved Plans and Documents

3. Comply with the infrastructure agreements related to the land.	At the timings set out in the Infrastructure Agreements.
4. Submit to Council a Survey Plan for Compliance Certificate approval for each stage, in accordance with the approved plans, following compliance with all relevant conditions and requirements of this approval.	Prior to expiry of the relevant period for the approved development.
5. Complete construction of the approved development in the order identified by the staging as shown on the approved plans.	Prior to Council approval of the Survey Plan for each stage.
6. Install fencing to the rear of lots 71 to 79, at a maximum height of 1.2m, to allow surveillance into the open space area being dedicated.	Prior to Council approval of the Survey Plan for Stage 5. Ongoing condition.
Existing Structures	
7. Remove any existing fences and/or incidental works that straddle the new boundaries, or alter to realign with the new property boundaries or to be wholly contained within	Prior to Council approval of the Survey Plan for

one of the new properties.	each stage.
Utility Services	
8. Relocate any services (eg water, sewer, electricity, telecommunications and roofwater) that are not wholly located within the lots that are being serviced.	Prior to Council approval of the Survey Plan for each stage.
9. 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 in accordance with the terms of any cost estimate provided to perform the works.	At the time the works occur, or prior to Council approval of the Survey Plan, whichever is the sooner. All stages.
10. Design and install underground electricity and telecommunication conduits to service Lots 36 to 179 in accordance with the requirements of the relevant service providers and the Redlands Planning Scheme Infrastructure Works code and Planning Scheme Policy 9 – Infrastructure Works. Provide Council with written confirmation of the service provider agreements to the supply of electricity and telecommunication services.	Prior to Council approval of the Survey Plan for each stage.
11. Design and install underground electricity to service the existing sewerage pumping station	Prior to Council approval of the Survey Plan for Stage 5.
12. Provide all weather vehicular access from a constructed road to the existing sewerage pumping station.	All stages
Land Dedication and Design	
13. Dedicate all new roads to the State with Council as trustee. Dedicate other land to the State and/or Council, as identified in the Infrastructure Agreements relating to the land, or as otherwise varied and agreed to in writing by all parties of the Infrastructure Agreements.	Prior to Council approval of the Survey Plan (all stages involving land to be dedicated).
14. Grant easements for the following and submit the relevant easement documentation to Council for approval. Once approved by Council, register the easements on the property title. <ul style="list-style-type: none"> a. Drainage and/or access purposes, as required to preserve the rights of upstream properties in favour of Redland City Council. b. Sewerage and water supply purposes in favour of 	As part of the request for compliance assessment of the Survey Plan for each relevant stage.

<p>Redland City Council over sewerage rising mains, trunk sewer mains or water mains where located in private property or open space.</p> <p>c. Turning areas for refuse service vehicle turn-around, where such area is located over private property, in favour of Redland City Council and its agents.</p>	
Split Valuation	
<p>15. Pay a contribution to Council for the purposes of paying the State Government Split Valuation Fees. The current value of the contribution is \$31.85 per allotment (2013/2014 Financial Year). The amount of contribution must be paid at the rate applicable at the time of payment. A Split Valuation Fee is required for each allotment contained on the Plan(s) of Survey, including balance lots.</p>	<p>Prior to Council approval of the Survey Plan for each stage.</p>
Access and Roadworks	
<p>16. Design all roads in accordance with the provisions of Complete Streets, the Redlands Planning Scheme Infrastructure Works Code, Planning Scheme Policy 9 – Infrastructure Works and Schedule 6 – Movement Network and Road Design, unless otherwise stated as part of a specific condition of this approval, or shown on the approved plans.</p>	<p>Prior to Council approval of the Survey Plan. All stages.</p>
<p>17. Provide traffic calming consistent with the provisions of Complete Streets, the Redlands Planning Scheme Infrastructure Works Code, Planning Scheme Policy 9 – Infrastructure Works and Schedule 6 – Movement Network and Road Design.</p>	<p>Prior to Council approval of the Survey Plan. All stages.</p>
<p>18. Construct pedestrian and cycle paths in accordance with plan SK04 'Circulation Plan' (as amended by Council) within the approved Landscape Masterplan and Design Intent.</p>	<p>Prior to Council approval of the Survey Plan for each relevant stage.</p>
<p>19. Remove all redundant vehicle crossovers and reinstate kerb and channel, road pavement, service and footpaths as specified in accordance with the standards in the Redlands Planning Scheme Policy 9 – Infrastructure Works.</p>	<p>Prior to Council approval of the Survey Plan for each stage.</p>
<p>20. Submit to Council, and gain approval for, a road naming plan, in accordance with Council's road naming guidelines, detailing specific road names and designations for all existing and proposed new public roads within the site. Use original road names on all new roads to avoid</p>	<p>Prior to preparing your Survey Plan for each stage.</p>

duplication of any existing road names in the City.	
Stormwater Management	
<p>21. 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.</p>	<p>Prior to on maintenance or Council approval of the Survey Plan, whichever is the sooner. All stages.</p> <p>Ongoing condition.</p>
<p>22. Submit to Council, and receive Operational Works approval for, a site based stormwater assessment and management plan that addresses both quality and quantity in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, and the following:</p> <ul style="list-style-type: none"> • Amend the stormwater assessment to exclude Catchment H from the modelling and to model Catchments F and G as urban, in accordance with Scenario B, as shown on the approved catchment boundaries plan; and • Provides detail of the interim solutions for stormwater management which will be in place prior to the regional facility being constructed. 	<p>As part of the application for Operational Works or prior to Council approval of the Survey Plan, whichever is the sooner. Stage 2.</p>
<p>23. Submit to Council, and receive Operational Works approval for, a site based stormwater assessment and management plan that addresses both quality and quantity in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, and the following:</p> <ul style="list-style-type: none"> • Design of allotment drainage; • Detailed drawings of the proposed stormwater quality treatment systems and any associated works. The drawings must include longitudinal and cross sections as well as details of treatment media and any associated vegetation; • An electronic copy of the MUSIC model; • A maintenance plan including estimates of asset and maintenance costs; • Detention/ retention systems; and • Provision of maintenance access to service the stormwater treatment devices (in accordance with the Water by Design Bioretention Technical Design Guidelines). 	<p>As part of the application for Operational Works or prior to Council approval of the Survey Plan, whichever is the sooner. All stages.</p>

Water and Wastewater	
24. Connect all lots to the existing reticulated sewerage and reticulated water systems. Submit to Council for approval an application for Operational Works showing the proposed works are in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works.	Prior to Council approval of the Survey Plan for each stage.
25. 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 Council approval of the Survey Plan for each stage.
Excavation and Fill	
26. Apply to Council and obtain Operational Works approval for earthworks associated with the reconfiguration. Design and construct all retaining structures in accordance with Australian Standard 4678-2002 Earth-retaining Structures, in particular the minimum 60 year design life requirements. Ensure retaining walls greater than 1.5m in height are stepped/terraced with the terrace being a minimum of 0.75 metres wide. The terraced area is to be landscaped.	As part of the application for Operational Works for each stage.
Sediment and Erosion Control	
27. Install erosion and sediment control measures to minimise the export of silts, sediment, soils and associated pollutants from the site. Design, install and maintain the above measures in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works, Chapter 4 and the Institute of Engineers' Erosion and Sediment Control Guidelines.	Prior to commencement of civil works, earthworks and construction phases of the development for each stage.
Survey Control Information	
28. Submit Survey Plan(s) that include connections to at least two separate corners from two RCC control marks with a valid Department of Natural Resources and Mines Order or RCC Accuracy. These must be shown on the face of the Survey Plan(s) within the Reference Mark or Permanent Survey Mark tables. List the mark number and coordinate in the cover letter.	As part of the request for compliance assessment of the Survey Plan for each relevant stage.
29. Survey and present all asset infrastructure in accordance with the Redlands Planning Scheme Part 11 Policy 9 – Infrastructure Works. The horizontal datum for all work must be Redland City Council Coordinates (RCC) and the vertical datum must be Australian Height Datum (AHD).	As part of the request for compliance assessment of the Survey Plan for each stage.
30. Place three (3) new Permanent Survey Marks (PSMs) in the approximate locations as indicated on the approved	As part of the request for

<p>plan titled 'Permanent Survey Mark Locations', to ensure that appropriate PSMs are provided. The exact locations are to be determined by the developer's survey consultant, with the sites being secure from works and suitable for GPS observations. PSMs placed shall be a standard brass plaque set in concrete to a minimum depth of 600mm. Each PSM placed is to be levelled to a minimum 4th Order standard.</p>	<p>compliance assessment of the Survey Plan for each stage.</p>
<p>31. Supply a Permanent Survey Mark (PSM) Sketch with the Survey Plan for any new PSMs placed. Include the following on the PSM Sketch:</p> <ul style="list-style-type: none"> • the mark's AHD Reduced Level; • the datum origin mark number; and • the datum RL adopted. <p>Comply with the requirements of the <i>Survey and Mapping Infrastructure Act 2003</i>.</p>	<p>As part of the request for compliance assessment of the Survey Plan for each relevant stage.</p>
Acid Sulfate Soils	
<p>32. Provide a professional assessment of the acid sulfate risk of those areas to be excavated or reworked for the Bioretention basin B stormwater treatment zone (that is, where the existing surface is at 5 metres AHD or less), in accordance with Section 3.11 of the Amended Environmental Management Plan. If acid sulfate presence is determined, include a management plan for use at the relevant operational works stage.</p>	<p>As part of the application for Operational Works for the stage which includes the construction of any of the Bioretention Basin B components.</p>
Environmental Management	
<p>33. Amend Section 3.2.2 (Fauna Clearing Surveys), item 1 (Clearing Protocols) of the approved Environmental Management Plan to delete sentences 3, 4 and 5 and replace with "All decisions about detection and removal of fauna from individual trees to be made by the spotter catcher prior to use of machinery".</p>	<p>As part of the application for Operational Works for any stage that requires tree clearing.</p>
<p>34. Confirm details of koala habitat trees to be removed and location of offset trees to be planted in accordance with Specific Outcome S1.5 (1b-ix) of the SET Structure Plan Overlay Code (as amended by the PA). Replace all koala habitat trees to be removed at a rate of one (1) tree for every one (1) metre of tree height removed, by either:</p> <ul style="list-style-type: none"> • replanting the applicable number of koala habitat trees; or • paying an equivalent Koala tree off-set monetary contribution prior to plan signing to Council (as per the Council's schedule of fees and charges which is current 	<p>As part of the application for Operational Works for any stage that requires tree clearing.</p>

<p>at the time of payment, or, as agreed by Council in writing); or</p> <ul style="list-style-type: none"> • implementing a combination of both planting and payment of the contribution that is to be equivalent to the total number of trees to be replaced. <p>Where replanting is proposed, as part of operational works and compliance:</p> <ul style="list-style-type: none"> • Confirm details to Council of the recipient sites, to be dedicated as open space to Council on completion of the development. Replant Koala habitat trees only on approved recipient sites; and • Provide details of the location, species, soil and mulch treatment with a maintenance plan for the trees to achieve non-juvenile koala habitat tree status, where replanting is proposed. 	
<p>Landscaping Works</p>	
<p>35. Submit a Landscape Plan, prepared in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works Chapters 2, 10 and 11, to Council for Operational Works approval. Include the following items in addition to the requirements of the Policy:</p> <ol style="list-style-type: none"> a) Designs that are generally in accordance with the approved Landscape Masterplan and Design Intent Plan; b) Details of street tree planting in accordance with the Landscape Code with species selected from Schedule 9 of the Redlands Planning Scheme, unless otherwise approved as part of the Operational Works approval; c) Details of all rehabilitation planting to the open space area; d) Details of measures used to discourage vehicle entry into parkland areas, other than where access by maintenance vehicles is needed. Where access is required, provide details of how this will be achieved (e.g. folding/removable bollards, metal slide rails). e) 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. Unless otherwise agreed to in writing by Council. f) Details of all planting within the proposed bioretention basins and the areas surrounding the basins, in those areas labelled as “Stormwater Treatment Zones (Refer to the Gilbert & Sutherland SWMP)”. 	<p>As part of the application for Operational Works for all stages.</p>
<p>36. Submit to Council for Operational Works approval a Parks</p>	<p>As part of the</p>

<p>Maintenance Plan (PMP) identifying how all landscaping will be maintained for the entire On-Maintenance period (minimum 12 months). The Plan must be prepared in accordance with the following work sections in the AUS-SPEC Urban and Open Spaces package:</p> <ul style="list-style-type: none"> • Classification No. TG401 – Guide to Parks and Recreation Areas Maintenance Management Model and Documentation; • Classification No. TG402 – Guide to Adapting Asset Delivery Documentation to Parks and Recreation Areas Maintenance; and • Classification No. 0164 – Parks and Recreation Area Management Plan. 	<p>application for Operational Works for stages that include open space areas.</p>
<p>37. Remove all weed species, as identified in Part B of Council's Pest Management Plan 2012-2016.</p>	<p>Prior to on maintenance or Council approval of the Survey Plan, (whichever is the sooner) for each stage.</p>
<p>Contaminated Land</p>	
<p>38. Submit further investigations including a Stage 2 Detailed Site Investigation and Stage 3 Health and Environmental Assessment and Determination of Remediation Plan to Council. Provide a Stage 4 Implementation of Remediation Plan and Validation Sampling plan where remediation of the site is required.</p>	<p>As part of a request for compliance assessment for Stage 2.</p>
<p>Compliance Assessment</p>	
<p>39. Apply 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
<p>Contaminated Land Report including a Stage 2 Detailed Site Investigation and a Stage 3 Health and Environmental Assessment and Determination of Remediation Plan. Provide a Stage 4 Implementation of Remediation Plan and Validation Sampling plan where remediation of the site is required.</p>	<p>Redland City Council</p>	<ul style="list-style-type: none"> • S1.1 (1c) of the Reconfiguration Code forming part of the Preliminary Approval overriding the planning scheme affecting the subject site.

Table 2: Compliance Assessment

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.

Operational Works approval is required for the following works as detailed in the conditions of this approval:

- Earthworks;
- Stormwater Management;
- Access and Parking;
- Landscaping;
- Erosion and sediment control; and
- Infrastructure works (Roads, Water, Sewer, Electricity, Telecommunications).

REFERRAL AGENCY CONDITIONS

Queensland Department of State Development, Infrastructure and Planning (DSDIP)

Refer to the attached correspondence from the DSDIP dated 21 March 2014 (DSDIP reference SDA-0114-007410).

ASSESSMENT MANAGER ADVICE

Infrastructure Charges

Infrastructure charges apply to the development in accordance with the Infrastructure Agreements applying to the land.

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.

Other Approvals

Please be aware that other approvals may be required for your development. This includes, but is not limited to, the following:

- Road Opening Permit – for any works proposed within an existing road reserve.
- Compliance assessment as detailed in Table 2 of the conditions.

Coastal Processes and Sea Level Rise

Please be aware that development approvals issued by Redland City Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on coastal processes and 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.

Performance Bonding

Security bonds may be required in accordance with the Redlands Planning Scheme Policy 3 Chapter 4 – Security Bonding. Bond amounts are determined as part of an Operational Works approvals and will be required to be paid prior to the pre-start meeting or the development works commencing, whichever is the sooner.

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 map detailing coordinated and/or levelled PSMs adjacent to the site.
- A listing of Council (RCC) coordinates for some adjacent coordinated PSMs.
- An extract from Department of Natural Resources and Mines SCDM database for each PSM.
- 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](http://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.

11.3.3 TELECOMMUNICATIONS FACILITY – 132 FINUCANE ROAD, ALEXANDRA HILLS – MCU012841

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

Attachments: [Attachment 1 - Previous and Current Proposals](#)
[Attachment 2 - ROL005604 Plan](#)
[Attachment 3 - ROL005629 Plan](#)
[Attachment 4 - Proposal Plan](#)
[Attachment 5 - Zone Plan](#)
[Attachment 6 - Locality Plan](#)
[Attachment 7 - Area Plan](#)

Authorising Officer:



Louise Rusan
 General Manager Community & Customer Services

Responsible Officer: David Jeanes
 Group Manager City Planning and Assessment

Author: Eskinder Ukubamichael
 Acting Senior Planner

PURPOSE

Application type:	Impact Assessment
Proposed Use:	Telecommunication Facility
Property description:	Lot 30 on RP215752
Location:	132 Finucane Road Alexandra Hills QLD 4161
Land area:	29520.0 Square Metres
Zoning:	MDR - Medium Density Residential OS - Open Space UR - Urban Residential - SubArea UR1
Overlays:	Flood Storm and Drainage Constrained Land Overlay Road and Rail Noise Impact Overlay
Applicant:	Telstra Corporation Limited
Landowner:	Mr R Tomaszewski, Mr R H Tomaszewski
Number of public submissions:	One (1)
Properly made date:	25/11/2013
Decision stage start date:	08/04/2014
Decision due date:	08/05/2014
Decision period extended:	05/06/2014
Assessment manager:	Eskinder Ukubamichael
Manager:	David Jeanes
Officer's recommendation:	Development Permit

This category 4 Impact Assessment application is referred to the Council for determination.

The development application involves an Impact Assessable application for Telecommunication Facility. The application has been assessed against the relevant planning instruments and the proposed development is considered to comply, as detailed in the assessment under the issues heading of this report. It is therefore recommended that the application be approved.

BACKGROUND

There is an existing Telecommunication Facility 60m to the north of the current proposal location. No approval documents are held by Council.

The applicant originally submitted a proposal on 14 May 2012 to relocate the facility to the south eastern part of the lot along St Anthony Drive, approximately 70m from the corner of St Anthony Drive and Finucane Road (see attachment 1). It was considered that the proposed location resulted in a conflict with the planning scheme with regard to streetscape and amenity. The major concerns were discussed with the applicant. At the decision stage of this proposal the applicant gave Council written notice of a change to the application in accordance with Section 351 of the *Sustainable Planning Act (SPA)*.

The proposed change involves locating the facility on the western side of the existing flower farm shed, 55m directly south of existing facility and 6.0m from an alignment of Armando Road (see attachment 1).

The proposed change was determined not to be a minor change in accordance with Section 350 of SPA. Consequently the proposal restarted from the start of the acknowledgement period of IDAS.

A reconfiguration application for 2 lots into 4 (ROL005604) was granted approval on 24 January 2013. The proposed telecommunication facility is proposed on Lot 2 of this approval (see attachment 2).

A further reconfiguration application for 2 lots into 35 (ROL005629) on approved lot 1 and 4 was granted approval on 30 August 2013 (see attachment 3).

ISSUES

Development Proposal & Site Description

Proposal

The proposed Telecommunication Facility is on an allotment zoned Medium Density Residential, Open Space and Urban Residential – Sub Area UR1, on land at 132 Finucane Road, Alexandra Hills. The part of the lot on which the facility is proposed is zoned MDR.

The proposed Telecommunication Facility is located on the western side of the existing flower farm shed, 55m directly south of the existing facility and 6.0m from an alignment of Armando Road (see attachment 4). The tower is located approximately 1.0m from the western property boundary. Proposed construction access is from the lot (Lot 28 on RP79330) located to the west of the subject site. The proposal involves:

- A 25m high monopole;
- Six panel antennas attached with a headframe at the top of the pole;

- Three antennas mounted on the pole at a height of 20m; and
- Equipment units located within the existing flower farm shed.

Site & Locality

The site has a total area of 2.952ha. Currently the lot contains a dwelling house (with associated domestic use structures) and a flower farm with associated structures and two dams, which also operates on adjacent lot (Lot 25 on RP215751). The subject site is located on the northern side of Finucane Road, Alexandra Hills. The site is zoned Urban Residential (UR1) towards the northern part of the lots, Open Space (OS) towards the middle of the lot and Medium Density Residential (MDR) towards the Finucane Road frontage of the property. The lots are sparsely vegetated. Adjacent and nearby allotments are zoned Urban Residential, Medium Density Residential and Open Space. More specifically, surrounding the site is:

- North side – Urban Residential lots with dwelling houses across Babiana Street;
- East side – Community Purpose (CP3) education facility and Medium Residential lots with detached single dwellings.
- South side – Urban residential lots with dwelling houses across Finucane Road with the Metropolitan TAFE and sporting grounds located further to the south.
- West side – Urban Residential with dwelling houses.

Application Assessment

Sustainable Planning Act 2009

The application has been made in accordance with the *Sustainable Planning Act 2009* 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 site is within a priority koala assessable development area. This proposal does not involve the removal of any existing koala habitat tree.
SPRP (Adopted Charges)	The proposal is a minor use with no charges under Council's adopted resolution.
State Planning Policy December 2013	In accordance with Part E: Interim Development Assessment Requirements of the SPP, no assessment against the SPP is required for this development.

Redlands Planning Scheme

The application has been assessed under the Redlands Planning Scheme version 4. The applicable codes are:

- Medium Density Residential Zone Code;
- Telecommunication Facilities Code;
- Flood Prone Storm Tide and Drainage Constrained Land Overlay; and
- Road and Rail Noise Impact Overlay.

The application has been assessed against the relevant codes and is considered to comply. The pertinent parts of this assessment are discussed below.

Consistency of Use

The proposed telecommunication facility is located on the Medium Density Residential (MDR) part of the lot and is not an inconsistent use. Since the proposed telecommunication facility has a height of more than 25m and is a permanent structure, the proposal is impact assessable development (Table 4.14.4 of the Medium Density Zone Code).

Visual Impact and Amenity

The current proposal is considered to now comply with Specific Outcome S2.3 (1) (a) of the MDR zone code and Specific Outcomes S1 (1) and S2 (1) of Telecommunication Facility Code with regard to streetscape and visual amenity. The opportunity for co-location on the existing Optus facility, approximately 250m south east of the existing facility, was investigated. The site is approximately 5m AHD lower than the existing site and located further south of the target area. The applicant identified that this location would result in significant interference with other existing Telstra facilities within the existing established network, resulting in significant areas of coverage deficiency ('black spots'). Considering that the proposal seeks replacement of an existing facility; a new facility is required to be located within the immediate proximity to the existing facility to maintain the existing level of coverage and performance. Council must assess the current proposal on its merits.

A comparison of the impact of the current and previous proposals is included below.

Previous Proposal - The proposal would result in a fenced enclosure (2.34m high) directly on the road boundary. The tower would be located approximately 2.0m and the headframe approximately 0.95m from road boundary. This form of development in such proximity to the boundary would not complement existing setbacks to the street and would not promote an attractive streetscape. The facility would be overbearing and prominent to pedestrians and motorists. The proposal would not be able to provide reasonable landscaping to minimise the impact on the street. Future extension of Armando Street to St Anthony drive with a pedestrian link will place the proposed location at a junction point for pedestrian movement.

Current Proposal - The current proposal is located approximately 18m from St Anthony drive with the tower located behind the existing flower farm shed and the equipment units enclosed within the existing flower farm shed. This location will be screened by the existing shed that minimises the visual impact of the facility as seen from St Anthony Drive. Towers are an expected feature in the urban landscape; comparative with electric light poles and power lines in urban areas and in this direct

locality. The adverse visual impact of a Telecommunication Facility is from the enclosure of equipment units, which can be bulky and overbearing.

The proposed telecommunication facility will not result in removal of vegetation. The proposed structures are similar in scale and bulk to the existing ones. Materials used on the new structures are non-reflective materials. The proposal is located 6.0m away from a future continuation of Armando Street. This is consistent with a future front setback requirement for structures. The proposal is designed with a head frame that will allow future co-location and capacity upgrade, if required.

Impact on Future Development

RPS anticipates a residential use of a higher density on this lot and surrounding lots. The lot is located within 500m of Alexandra Hills Shopping Centre, adjacent to a school and public transport along Finucane Road. Lot 2 of ROL005604 approval has an area of 1680m² and a width of 20.17m. It is acknowledged that the relocation of the existing Telecommunication Facility will allow development potential of the subject lot. In particular the relocation will free up the northern part of the lot for the purpose intended by the RPS. A comparison of the impact of the current and previous proposals on part of the lot that the facility is proposed to be relocated is included below.

Previous Proposal - The proposed telecommunication facility had a lease area of 4.9m width by 10m long. The facility would take part of the lot that is anticipated to be used as a higher density residential use. Importantly, it will interrupt the streetscape and result in a less than favourable developed residential streetscape.

Current Proposal – The proposed facility is located towards the North-West corner of the lot. The location has improved the availability of the majority of part of the lot (Lot 2 of ROL005604) for a residential use of a higher density as compared to the previous proposal. The current location will offer more opportunity to design a layout around the tower on the balance lot, as it unlocks the critical streetscape to present dwelling unit frontages. That portion of the property has sufficient depth to accommodate dwelling units.

Public Health and Safety

The proposal is well below the maximum mandated electromagnetic exposure levels; being 0.67% of the maximum level. Condition of approval will require continued compliance with the Maximum Exposure Levels to Radiofrequency Fields – 3KHz to 300GHz. The proposal includes secure enclosure of all structures to restrict unauthorised access.

Infrastructure Charges

The proposal is a minor use with no charges under Council's adopted resolution.

State Referral Agencies

Department of Transport and Main Roads (Concurrence)

The Department of Transport and Main Roads (DTMR) provided a referral agency response dated 25 October 2012. DTMR provided an amended concurrence agency response on 27 November 2013 for the applicant's request to amend the

concurrence agency response. The Department indicated no objection to the proposed changes. 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 previous proposal was publicly notified for 15 business days from 08 October 2012 to 26 October 2012. During this time, no properly made submissions were received.

The current proposal was publicly notified for 15 business days from 14 March 2014 to 05 April 2014. A notice of compliance for public notification was received on 08 April 2014.

Submissions

There was one (1) properly made submissions received during the current proposal notification period. The matters raised within this submission are outlined below.

3.	<p>Issue The proposal does not take into consideration the amenity of the surrounding area, does not minimise overshadowing to the submitter's property and is not screened from view.</p> <p>Applicant Response The proposed facility seeks replacement of an existing facility onsite, to allow the landowner of the site at 132 Finucane Road greater flexibility in terms of future development of the site. The proposed facility relocation is considered the most appropriate location onsite to maximise reconfiguration and development potential whilst maintaining appropriate separation from surrounding residential and/or sensitive land uses.</p> <p>Officer's Comment The existing dwelling on the adjacent lot is located approximately 30m to the south west of the proposed facility. Considering the distance and the character of a shadow from the tower it is considered that the shadowing impact on adjacent uses is minimal. Solar access to habitable rooms and private open space of adjoining dwelling units will not be reduced to less than 3 hours between 9am and 3pm on June 21, which the planning scheme uses as a measurement of adequate solar access for residential development.</p> <p>Visual impact of the facility is minimal. It will appear as another pole in the skyline, and will blend with existing power poles and the like. The impact of the equipment shelter is mitigated by locating it within the existing shed.</p>
4.	<p>Issue The proposal is considered to have an undue impact on the residential amenity of the department's property.</p> <p>Applicant Response The consideration of visual impacts and amenity is a key part of the criteria for site selection. The minimal visual impacts on the area and concealment of the</p>

	<p>facility can be attributed to the following factors:</p> <ul style="list-style-type: none"> • The proposed facility will integrate with the built form on the site and will be offset by the presence of surrounding light poles and power lines; • The proposed facility encompasses a slimline pole design with attached antennas via a headframe arrangement. Installation will incorporate non-reflective materials, textures and finishes. The style and finish of the proposed facility is considered to result in less dominance facility compared to the existing aged facility.
	<p>Officer's Comment</p> <p>Telecommunication Facility is not an inconsistent use in the MDR zone. The proposal is to relocate a telecommunication facility of similar scale and design that is located approximately 55m south of the current location. The tower is not the issue; this is visible wherever it is located. Towers are an expected feature in the urban landscape comparative with electric light poles and power lines in urban areas. The adverse visual impact of a Telecommunication facility is from the enclosure of equipment units. The equipment units are enclosed within the existing flower farm shed.</p>

Deemed Approval

This application has not been deemed approved under Section 331 of the *Sustainable Planning Act 2009*.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Redlands Planning Scheme V6 and other relevant planning instruments.

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

There is potential that an applicant and/or submitter 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 this report.

CONSULTATION

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.

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.

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

OFFICER’S RECOMMENDATION

That Council resolves that a Development Permit Approval be issued for the Material Change of Use application for a Telecommunication Facility on land described as Lot 30 on RP215752 and situated at 132 Finucane Road, Alexandra Hills subject to the following conditions:

<u>ASSESSMENT MANAGER CONDITIONS</u>	<u>TIMING</u>
<p>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.</p>	
<u>Approved Plans and Documents</u>	
<p>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.</p>	<p>Prior to the use commencing and ongoing.</p>

Plan/Document Title	Reference Number	Prepared By	Date Received by Council
Site access and Locality Plan	Dwg Q101912 - S1 Issue 6 (dated 04.11.13)	Kordia	25 February 2013
Site Plan	Dwg Q101912 S1-1 Issue 5 (dated 04.11.13)	Kordia	25 February 2013
Eastern Elevation	Dwg Q101912 – S3 Issue 6 (dated 04.11.13)	Kordia	25 February 2013

Table 1: Approved Plans and Documents

<u>Design</u>	
3. Remove the existing Telecommunication Facility from the site, upon cessation of the use, and restore the development area to its original condition, including reinstatement of the ground cover, at no cost to Council.	After commencing use for the new Telecommunication Facility.
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.
<u>Maximum Exposure to Radiofrequency Fields</u>	
5. Ensure that the operator of the facility constructs and operates the facility in compliance with the ARPANSA Radiation Protection Standard <i>Maximum Exposure Levels to Radiofrequency Fields - 3kHz to 300GHz</i> .	Prior to the use commencing and ongoing.
<u>Access and Public Safety</u>	
6. Provide access in accordance with the approved plans.	Prior to the use commencing and ongoing.
7. Install safety measures to ensure public safety.	Prior to the use commencing and ongoing.
8. Ensure that the telecommunication facility is enclosed by secure enclosure to restrict unauthorised access.	Prior to the use commencing and ongoing.

	ongoing.
9. Incorporate safety and warning signage to discourage unauthorised access.	Prior to the use commencing and ongoing.
<u>Infrastructure and Utility Services</u>	
10. 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.
<u>Infrastructure</u>	
11. 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.

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 27 November 2013 (DTMR reference TMR12-002738).

ASSESSMENT MANAGER ADVICE

- **Live Connections**
Redland Water is responsible for all live water and wastewater connections. It is recommended that contact 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.

-
- **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:
 - 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.

- **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.

11.3.4 CEMETERY – 156 WOODLANDS DRIVE THORNLANDS – NEGOTIATED DECISION – MCU012906

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

Authorising Officer:



Louise Rusan
General Manager Community & Customer Services

Responsible Officer:

David Jeanes
Group Manager City Planning & Assessment

Author:

Brett Dibden
Planning Officer

PURPOSE

Application type: Proposed Use: Property description: Location: Land area:	Material Change of Use – Negotiated Decision Cemetery Lot 3 RP 118985 156 Woodlands Drive Thornlands QLD 4164 106,330m ²
Zoning: Overlays:	RN - Rural Non-Urban Bushfire Hazard Overlay Habitat Protection Overlay Flood Storm and Drainage Constrained Land Overlay Landslide Hazard Overlay Protection of Poultry Industry Overlay Road and Rail Noise Impact Overlay Waterways Wetlands and Moreton Bay Overlay
Applicant: Landowner: Number of public submissions:	Alex Gow Pty Ltd, Mr P R Aitkenhead Alex Gow Pty Ltd Originally 929 properly made submissions
Date Representations Made:	17/01/2014, 4/02/2014 & 9/04/2014
Assessment Manager: Manager:	Brett Dibden David Jeanes - Group Manager, City Planning and Assessment
Officer's recommendation:	Approval

This Category 4 application is referred to the Council for determination given it is a significant development which has attracted public interest.

The proposal consists of a central cluster of buildings (administration and chapel in one building plus a refreshments building) around a car park on a ridge towards the rear of the site, with landscaped areas throughout to be used for Interment of ashes/memorial gardens. A tree lined approach road will provide access. The existing residence fronting Woodlands Drive will be used as a caretakers dwelling. There will be no mortuary onsite with this preparation being undertaken offsite.

The applicant has lodged representations requesting a negotiated decision in regards to several conditions of the approval. The requested changes have been reviewed by Council officers, and it is recommended that a negotiated decision be issued, with changes to all of the requested conditions.

BACKGROUND

A Decision Notice granting approval of the application, subject to conditions, was issued on 23 December 2013.

The applicant suspended their appeal period on 14 January 2014 and made representations on 17 January, 4 February and 9 April 2014.

ISSUES

Representations

The applicant has requested changes to Conditions 2, 14 and 26. These conditions relate to the approved plans and documents, hours of operation and landscaping. The changes are summarised as:

- Condition 2 – Approved Plans and Documents. Replacing DWG. No. 10744-DD10 Issue D – Cross Section Compound and Long Section Compound with a later version (Issue G);
- Condition 14 – Hours of Operation. The application proposes to amend the condition to facilitate public access from Monday to Sunday, and funeral services to be extended to Saturdays for a trial period of 2 years; and
- Condition 27 – Landscaping. The applicant requests that the offset condition be amended to clarify that revegetation is not required to be undertaken across the entire site.

Site & Locality

The site has an area of 156,330m² and is currently improved by a single detached dwelling located close to the front boundary. The site has an undulating topography ranging from 66m AHD at the western front boundary to 39.5m AHD adjacent to the larger of the two dams on site. The building platform will be located on a ridge towards the rear of the lot at approximately 58m AHD. The land has been extensively cleared for previous rural purposes and is currently used for horse grazing. There are some isolated stands of mature eucalypts with some clustering in the front eastern corner and towards the rear of the site. A significant patch of remnant vegetation is located on the adjoining poultry farm to the south.

The predominant rural activity is poultry farming with farms located mostly to the south and east of the lot. The other dominant land use is for large lots containing single detached dwellings. Sirromet Winery is located approximately 1km to the south/ south-west. The land adjoins environmental protection zoned properties to the south and other rural zoned properties to the north and east.

Assessment of Request

The applicant is contesting several conditions of the approval. Each condition is addressed in turn.

Condition 2

<u>Approved Plans and Documents</u>	<u>Timing</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	Reference Number	Prepared By	Plan/Doc. Date
Cross Section Compound Long Section Compound	10744-DD10 Issue D	Architects Black & Wilson Pty Ltd	10.12

Table 1: Approved Plans and Documents**Applicant's Representations**

The applicant proposes to replace the above approved plan with a later version which includes the outline of the chapel and an engineering note for the cut bank adjacent to the car park to be engineered. The amended plan may assist with the assessment of the applicant's representations relating to Condition 14 given sightlines to the chapel roof are shown relative to the acoustic mound and the adjoining use to the north.

Council comments

The updated plan does not change the original assessment of the application; it merely shows the chapel outline on the plan. There are no concerns with including Issue G as an amended plan.

Recommendation

To support the applicant's representations to amend Condition 2 - Approved Plans and Documents to replace DWG. No. 10744-DD10 Issue D with Issue G.

Condition 14

<u>Hours of Operation</u>	<u>Timing</u>
14. Operate the approved use in accordance with the approved Noise Management Plan by MWA Environmental dated April 2013 and subject to the following operating hours: <ul style="list-style-type: none"> • Funeral services and viewings occur between 7am and 6pm Monday to Saturday; and • The cremator must not operate during the 10pm to 7am period unless required by authorities in response to a substantial epidemic or similar. 	Ongoing

Applicant's Representations

The applicant has raised concerns that Condition 14 will, *“severely limit our ability to meet the reasonable needs of clients... We are only seeking to carry out our business on the same basis as other crematoria. We do not consider that our proposed hours of operation would have any noticeable impacts on other members of the community”*. The applicant provided initial representations on 17 January and 17 April, 2014 requesting the above condition be amended as follows:

a. Amend the first dot point to read as follows: -

“ All public access to the site, including but not limited to walking the grounds must only occur between 7am to 6pm Monday to Sunday, except that public access may occur outside these hours in the following circumstances:

(i) *By appointment only;*

(ii) *Visitation for the purposes of arranging funerals, casket vigils and viewings of the deceased may occur at any time”*

b. Amend the second dot point to read as follows: –

“ Funeral services must only occur between 7am and 6pm Monday to Friday with a two year trial period to include the same period on Saturday. The initial period may be extended by written agreement of Council following the completion of the trial period.

c. Include a further dot point:-

“ Memorial services must occur between 7am and 9pm Monday to Friday”.

To support the above changes the applicant provided supporting information, including:

- The two components of the death care industry include funeral directors who deal with bereaved clients and organise services, and the crematoria/cemetery which services the needs of the funeral director. Funeral directors can operate 24 hours per day to undertake their client's wishes. Most crematoria operate a 24 hour booking service to funeral directors who then use their facilities to meet the needs of their clients.
- Most funerals are held in the chapel on week days. On weekends most are held on Saturday mornings. Alex Gow Funerals have conducted 6 Saturday services out of 1660 funerals in the previous 18 months, and with 160 funerals per year anticipated at the Thornlands site initially, this averages out at less than 1 Saturday service per year.
- Copies of price lists from crematoria in the surrounding area (Brisbane City Council; Albany Creek Memorial Park; Allambe Memorial Park; Mt Thompson Memorial Gardens; Great Southern Memorial Park; Eco Memorial Park) which all include fees for Sunday funeral services, with the exception of the

Great Southern Memorial Park at Carbrook, whom recently removed Sundays' from their price list. The applicant is not proposing Sunday funeral services.

- Given all cemeteries are open for visitation 7 days per week, the applicant argues that memorial gardens also need to be open to relatives of the deceased 7 days per week. Weekends usually experience higher rates of visitation as would be expected. Public holidays also result in higher visitation as relatives pay respects at these significant times (these include Mother's Day, father's Day, Christmas day, Easter time, Birthdays, Anniversaries etc).
- Occasionally families want to hold an intimate ceremony at the place where ashes are interred, with this usually involving a small ceremony under 30 minutes involving the immediate family and a celebrant, and can happen any day of the week.
- Memorial services are usually held on Mother's Day, Father's Day, Christmas and Anzac Day services, plus the occasional public open day for the public to inspect the facility. The memorial services are held in the chapel, and any music played in the chapel is subdued. Christmas, Mother's Day and Father's Day services are normally held on a Friday, commencing at 6.30pm and are completed by about 7.00pm - 7.15pm. The rest of the time is taken up with refreshments and clean-up so it is all done by 9.00pm.
- The applicant advises that Great Northern cremations are 800 to 900 per year with about 60 to 80 people attending remembrance services. Centenary cremations are 1000 to 1100 per year with about 100 to 120 people attending. With expected cremations at 160 per year at Thornlands it will be many years before the attendance levels approach those at Great Northern and Centenary.

Council comments

Council engaged an acoustic consultant (ASK Consulting Engineers) to review the applicant's acoustic reports prepared by MWA Environmental. ASK found that the MWA report was based on noise limits which could be imposed for a 7 day week, and provided sufficient justification to support such operation from the perspective of noise impact.

MWA included two monitoring sites:

1. The eastern monitoring location adjacent to the main building cluster; and
2. The western monitoring location adjacent to Woodlands Drive.

ASK noted that the MWA noise monitoring was conducted during the cooler months which would indicate a lower background noise level than would be the case in the warmer months when insect noise adds to background noise. This means that in the warmer months, noise emissions would be less audible than in the cooler months. ASK confirmed that the background noise levels were similar on most days but slightly elevated on weekends. This could be attributed to more people at home on weekends. Background noise at the western site was similar for all days but slightly less on Sundays. This most likely reflects reduced traffic on Sundays.

ASK concluded that a 7 day operation would comply with the Environment Protection (Noise) Policy, and therefore comply from a noise impact perspective. Therefore it is considered reasonable to support the applicant’s representations for a two year trial period for Saturday funeral services, in addition to extending public access to 7 days. It is noted that visitation rates will be initially low given the number of funeral services forecast and the likely variable rate of those who will be interred onsite, as opposed to those whose family will choose to take ashes home. In any case, visitation rates will be gradual as the site establishes, which will also allow for landscaping to mature and further screen the development visually in addition to the noise mitigation methods which will be employed.

The applicant also refers to memorial services (as described above) and has suggested additional wording to amend Condition 14 to cater for these services. Given the relatively low frequency of these events, as described by the applicant, and the noise limits enshrined within the approved noise management plan, the applicant’s representations are considered reasonable.

Recommendation

To support the applicant’s representations to amend Condition 14 – Hours of Operation – with the wording as per the officer’s recommendation.

Condition 27

<u>Landscape Works</u>	<u>Timing</u>
<p>27. 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 Landscape Concept Plan, Drawing No: LC01, prepared by Cardno Chenoweth, dated Jul 2012. • Amend the location of offset plantings to be relocated away from the site boundaries and planted over the site to improve the existing habitat condition and function and to promote movement of native animals through the lot. • 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 driveways, public car parks and 	<p>As part of request for compliance assessment.</p>

footpaths within the site.

- Any trees to be located within 10 metres of a building or structure within the Medium Bushfire Hazard designation area must be selected from Table 2 – Low Flammability Species in the Bushfire Hazard Overlay.

Applicant's Representations

The applicant sought clarification as to whether the intent of the condition was to require replanting scattered across the extent of the site. Council officers clarified that the intent was merely to ensure that some of the replanting occurred within the enhancement links that traverse the site. Subsequently, the applicant submitted representations on 9 April 2014 to state that, on this basis, they have no objection to the condition.

Council comments

Overall Outcome 5.7.4(e) of the Habitat Protection Overlay for an Enhancement Link requires, *'The rehabilitation or re-vegetation of significantly cleared or degraded areas to link areas of remnant and non-remnant vegetation.'* The enhancement link mapped across the middle of the site is anticipated to join a mosaic of habitat links on adjoining properties to the north and south. Council does support boundary planting to improve the enhancement corridor mapped at the rear of the site, but not to the detriment of the linkage across the drainage area in the middle of the site. The condition could be easily reworded to clarify that the intent is not to require replanting across the entire site; but rather to direct some of the replanting within the enhancement links.

Recommendation

To amend Condition 27 – Landscape Works to include wording to make the condition more clear.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Redlands Planning Scheme and other relevant planning instruments.

Risk Management

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

Financial

Potential legal costs associated with an appeal, whether the representations are agreed or not.

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

There are no additional social implications as a result of this negotiated decision that were not detailed within the assessment in the “issues” section of the original report.

Alignment with Council's Policy and Plans

The assessment and officer's recommendation align with Council's policies and plans.

CONSULTATION

The Planning Assessment Unit has consulted with other assessment teams where appropriate. A copy of the representations was provided to Councillor Julie Talty of Division 6.

OPTIONS

The request for a negotiated decision notice has been assessed against the Redlands Planning Scheme and relevant State planning instruments. It is recommended that the representations be supported.

1. Issue a negotiated decision notice in accordance with the Officer's Recommendation; or
2. Support some, but not all of the representations, and issue a negotiated decision notice;
3. Not support any of the representations and issue a refusal letter to the applicant on that basis.

OFFICER'S RECOMMENDATION

That Council resolves that a Negotiated Decision Notice be issued for the Material Change of Use for a Cemetery (crematorium, chapel, refreshment building and internment gardens) and Caretakers Dwelling at 156 Woodlands Drive, Thornlands, amending conditions 2, 14 and 27 as outlined below.

ASSESSMENT MANAGER CONDITIONS	TIMING
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.	
Approved Plans and Documents	
2. Undertake the development in accordance with the approved	Prior to the use

plans and documents referred to in Table 1, subject to the conditions of this approval and any notations by Council on the plans.

commencing and ongoing.

Plan/Document Title	Reference Number	Prepared By	Plan/Doc. Date
Locality Plan	10744-DD01 Issue N	Architects Black & Wilson Pty Ltd	06.13
Site Plan	10744-DD02 Issue E	Architects Black & Wilson Pty Ltd	06.13
Compound Plan	10744-DD03 Issue C	Architects Black & Wilson Pty Ltd	11.11
Floor Plan Crematorium Administration	10744-DD04 Issue B	Architects Black & Wilson Pty Ltd	03.11
Floor Plan Refreshments Building	10744-DD05 Issue B	Architects Black & Wilson Pty Ltd	03.11
North, South & East Elevations	10744-DD06 Issue C	Architects Black & Wilson Pty Ltd	10.12
West Elevation & Sections A-A & B-B	10744-DD07 Issue C	Architects Black & Wilson Pty Ltd	10.12
Sections C-C, D-D & E-E	10744-DD08 Issue C	Architects Black & Wilson Pty Ltd	10.12
Sections 1-1 & 2-2 & Construction Sections	10744-DD09 Issue D	Architects Black & Wilson Pty Ltd	13.06
Cross Section Compound Long Section Compound	10744-DD10 Issue D	Architects Black & Wilson Pty Ltd	10.12
Cross Section Compound Long Section Compound	10744-DD10 Issue G	Architects Black & Wilson Pty Ltd	06.13
Preliminary Woodlands Drive Intersection Plan	SKC005 Rev. C	Bornhorst & Ward Consulting Engineers	21.06.13
Preliminary Earthworks Volumes (as amended in red)	SKC001 Rev. E	Bornhorst & Ward Consulting Engineers	16.07.13
Road 1 Longitudinal Section	SKC002 Rev. B	Bornhorst & Ward Consulting Engineers	16.07.13
Road 1 Typical Cross Sections	SKC003 Rev. A	Bornhorst & Ward Consulting Engineers	08.07.13
Centre of Allotment Wildlife Enhancement	10744-WC03 Issue	Architects Black &	13.06

Link	C	Wilson Pty Ltd	
Stormwater and Wastewater Management Plan (as amended in red)	Job No 10-054, Final Report Version 4	MWA Environmental	18/07/2012
RFI Response – Stormwater and Wastewater (as amended in red)	Job No 10-054	MWA Environmental	14/01/2013
Additional RFI Response - Stormwater and Wastewater (as amended in red)	10-054 Draft 2	MWA Environmental	23/05/13
Report on Geotechnical Investigation	Project 80066.00	Douglas and Partners Pty Ltd	27 November 2012
Summary of Permeability Testing (refer Attachment 1 in RFI Response – Stormwater and Wastewater by MWA Environmental dated 14/01/2013)	Project 80066.01	Douglas and Partners Pty Ltd	27 November 2012
Noise & Air Quality Assessment Proposed Crematorium 156 Woodlands Drive Thornlands	10-054	MWA Environmental	18 July 2012
Noise Management Plan (as amended in red)	NMP 1 of 1 (as amended in red)	MWA Environmental	April 2013
Air Quality Management Plan (as amended in red)	AQMP 1 of 1 (as amended in red)	MWA Environmental	April 2013
Car Parking Management Plan (as amended in red)	CPMP 1 of 1 (as amended in red)	Applicant	Received by Council 01/10/2013
Landscape Concept Plan	LC01	Cardno Chenoweth	Jul 2012

Table 1: Approved Plans and Documents

Use and Operation	
3. Burial of non-cremated bodies on-site is not permitted under this approval.	Ongoing
4. This approval does not include a mortuary.	Ongoing

5. Remove all metal items from cremated remains before skeletal remains are processed into a granulated form. Metal objects are to be disposed of in accordance with the approved waste management system.	Ongoing
6. Operate the refreshment building in association with the approved use. The refreshment building is not to operate as a stand-alone use.	Ongoing
7. Operate the cremator in accordance with the manufacturer's specifications.	Ongoing
8. Schedule funeral services no earlier than 90 minutes from the commencement of the proceeding service where it is likely that more than 15 cars will be attending the service. The likely number of attendees (and cars) will be determined when scheduling a funeral service at the site.	Ongoing
9. Undertake a maximum of six (6) funeral services per day.	Ongoing
<u>Design</u>	
10. 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.
<u>Access, Roadworks and Parking</u>	
11. Provide detailed design of the internal road and car parking areas to Council generally in accordance with approved 'Site Plan' 10744-DD02 Issue E, prepared by Architects Black and Wilson Pty Ltd, dated November 2010. The design must address the requirements of Redlands Planning Scheme and relevant Australian Standards.	As part of request for compliance assessment.
12. Access to car parking spaces, bicycle spaces, bin bays, vehicle loading and manoeuvring areas and driveways must remain unobstructed and available during the approved hours of operation. Loading and unloading operations must be conducted wholly within the site.	Ongoing
13. 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: a) Road construction including drainage and road pavement; b) Verge earthworks, topsoiling and turfing of all disturbed	As part of request for compliance assessment.

- footpath areas;
- c) Reinstatement of existing pavement and verge works where required;
 - d) Removal of all redundant vehicle crossovers;
 - e) Entry treatment/access to the site;
 - f) Adjustment and relocations necessary to public utility services resulting from these works;
 - g) Permanent vehicular crossover to the Woodlands Drive frontage of the site, generally in accordance with the approved Woodlands Drive Intersection Plan SKC005 Rev. C, prepared by Bornhorst and Ward Consulting Engineers, dated 21/06/13;
 - h) Intersection works at the Woodlands Drive frontage design to include:
 - Bicycle lane provision in accordance with the Austroads 2011;
 - Sufficient Raised Reflective Pavement Markings (RRPMs);
 - Sufficient line marking, guide posts and intersection lighting in accordance with the requirements of Redlands Planning Scheme, Australian Standards and Austroads 2011 ; and
 - Site identification signs to inform the general public about the location of the crematorium.

Hours of Operation

14. Operate the approved use in accordance with the approved Noise Management Plan by MWA Environmental dated April 2013 and subject to the following operating hours:

- ~~All public access to the site, including, but not limited to, walking the grounds, must only occur between 7am and 6pm Monday to Saturday;~~
- All public access to the site, including, but not limited to, walking the grounds, must only occur between 7am and 6pm Monday to Sunday, except that;
 - i. Visitation for the purposes of arranging funerals, casket vigils and viewings of the deceased, may take place at any time;
 - ii. Memorial services must only occur between 7am and 9pm Monday to Friday;
- ~~Funeral services must only occur between 7am and 6pm Monday to Friday; and~~
- Funeral services must only occur between 7am and 6pm Monday to Friday with a 2 year trial period to include the same period on Saturday. This initial trial period may be extended by the written agreement of Council following the completion of the trial period; and
- The cremator must not operate during the 10pm to 7am period unless required by authorities in response to a substantial epidemic or similar.

Ongoing

Compliance Assessment

15. Submit to Council, and receive approval for, Compliance Assessment for the documents and works referred to in Table 2: Prior to site works commencing.

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 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 10 – Parks and Open Space and Chapter 11 – Landscaping • Redlands Planning Scheme Part 11 Policy 16 – Safer by Design.
Arborist Report	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 11 Policy 9 Chapter 11 – Landscaping • Australian Standard 4373:2007 – Pruning of Amenity Trees • Australian Standard 4970:2009 – Protection of Trees on Development Sites.
Stormwater assessment or Stormwater Management Plan	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 • 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

		<p>Manual</p> <ul style="list-style-type: none"> • Australian Standard 3500.3:2003 – Plumbing and Drainage – Stormwater Drainage.
Water Supply and Reticulation	Redland City Council	<ul style="list-style-type: none"> • SEQ Water Supply and Sewerage Design and Construction 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, Chapter 7 – Water Reticulation.
Access and Parking Plans	Redland City Council	<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 • Ausroads 2011 • Australian/New Zealand Standard 2890.6:2009 – Parking Facilities – Off-street parking for people with disabilities.
Road and Footpath Works	Redland City Council	<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 Plan	Redland City Council	<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

		<p>Bonding</p> <ul style="list-style-type: none"> • 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 Plans	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.
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.
Electricity Reticulation Plan	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

Table 2: Compliance Assessment

<u>Stormwater Management</u>	
16. Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, to a legal point of discharge as identified in 10-054-SWMP1 by MWA Environmental dated 17/05/13	Prior to the use commencing and ongoing.
17. 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.
18. Submit to Council, and receive Compliance Assessment approval for, a stormwater assessment that is generally in accordance with 10-054-SWMP1 prepared by MWA Environmental dated 17/05/13, 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"> Detailed drawings of the proposed stormwater quality treatment systems and any associated works. The drawings must include longitudinal and cross sections as well as details of treatment media and any associated vegetation. Treatment systems are to be designed in accordance with WSUD – Technical Design Guidelines for South East Queensland. 	As part of request for compliance assessment.
<u>Flood Prone Land</u>	
19. Locate all permanent structures above the Q100 defined flood event. Interment or scattering of ashes is not permitted below the Q100 defined flood event.	Prior to the use commencing and ongoing.
<u>Infrastructure and Utility Services</u>	
20. 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.
21. Connect the development to external reticulated water and overhead electricity supply in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval.	Prior to the use commencing.

<u>Construction</u>	
<p>22. Install erosion and sediment control measures prior to commencement of the civil works, earthworks and construction phases of the development to minimise the export of silts, sediment, soils and associated pollutants from the site. Design, install and maintain the above measures in accordance with the Redlands Planning Scheme Policy 9, Chapter 4 Erosion Prevention and Sediment Control and the Institute of Engineers' Erosion and Sediment Control Guidelines.</p>	Prior to site works commencing.
<p>23. Undertake any required excavation and fill works in accordance with the following:</p> <ol 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. 	During construction.
<p>24. 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>	During construction.
<p>25. Rectify any damage done to the road verge during construction, including topsoiling and re-turfing.</p>	Prior to the use commencing.
<u>Waste Management</u>	
<p>26. Install a screened refuse storage area, located in an easily accessible place adjacent to the main cemetery (crematorium) buildings, and designed for access by a rigid waste collecting truck. Sufficient bins must be provided to cater for the waste generated.</p>	Prior to the use commencing and ongoing.
<u>Landscape Works</u>	
<p>27. 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 	As part of request for compliance assessment.

<p>Landscape Concept Plan, Drawing No: LC01, prepared by Cardno Chenoweth, dated Jul 2012.</p> <ul style="list-style-type: none"> • Amend the location of offset plantings to be relocated away from the site boundaries and planted over the site to improve the existing habitat condition and function and to promote movement of native animals through the lot. • Amend the location of offset plantings to include replanting in both the Enhancement Link areas to improve the existing habitat condition and function and to promote movement of native animals through the lot. • 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 driveways, public car parks and footpaths within the site. • Any trees to be located within 10 metres of a building or structure within the Medium Bushfire Hazard designation area must be selected from Table 2 – Low Flammability Species in the Bushfire Hazard Overlay. 	
<p>Vegetation Management</p>	
<p>28. Submit an Arborist Report which details how the construction of cut and fill may impact vegetation which is marked for retention over the site. The report is to include:</p> <ul style="list-style-type: none"> • Construction methods and tree protection methods to ensure trees can be successfully retained within the cut/fill footprint of the development. • Details related to construction and post construction protection and maintenance of trees to be retained in accordance with AS4970-2007 ‘Protection of Trees on Development Sites’ and AS4373-2007 ‘Pruning of Amenity Trees’. • A tree protection plan (drawing) showing the Tree Protection Zones (TPZ) for trees to be retained and other protection measures. This plan is to be located on all civil and landscape drawings. 	<p>As part of request for compliance assessment.</p>
<p>29. Provide details of tree protection fencing for trees/vegetation which is earmarked for retention over the site. Fences are to be in line with the specifications detailed in AS4687:2007. Temporary star picket and three strand wire fencing is not accepted.</p>	<p>As part of request for compliance assessment.</p>
<p>30. Appoint an accredited Fauna Spotter to conduct an accurate inspection of all potential wildlife habitats be undertaken prior to removal of any vegetation on site. The spotter is to be present onsite during the clearing of vegetation. The Fauna Spotter is to hold a current Rehabilitation Permit issued by</p>	<p>Prior to any site works or vegetation clearing commencing and ongoing.</p>

<p>the Environmental Protection Agency under Section 275(d) of the <i>Nature Conservation Regulation 1994</i> or under Section 12(d) of the <i>Nature Conservation (Administration) Regulation 2006</i>.</p>	
<u>Acoustics</u>	
<p>31. Implement the noise management plan, titled <i>Alex Gow Pty Ltd, 156 Woodlands Drive, Thornlands: Noise Management Plan</i> on site. Review the plan annually and notify Council of any intended amendments. Amendments to the noise management plan must <u>not</u> be implemented before gaining Council approval.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>32. Construct a 3.0 metre high acoustic barrier to the north of the carpark, as per section 4.0/Figure 5 of the noise report titled <i>Noise & Air Quality Assessment, Proposed Crematorium – 156 Woodlands Drive Thornlands. Prepared for Alex Gow Pty Ltd by MWA Environmental</i>, dated 18 July 2012.</p> <p>Construct the acoustic barrier to achieve a minimum standard that attains a superficial mass of not less than 12.5kg/m² and total leakage of less than 1% of the total area. Guidance on the design of the barriers is provided in <i>Noise & Air Quality Assessment, Proposed Crematorium – 156 Woodlands Drive Thornlands. Prepared for Alex Gow Pty Ltd by MWA Environmental</i>.</p> <p>The barriers must be a fence/mound combination and constructed in accordance with <i>Diagrams 4 – of Redland Planning Scheme Policy 5 - Environmental Emissions</i>.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>33. Submit post construction certification for the acoustic barrier to Council. The certification must be provided by a suitably qualified acoustic consultant and must demonstrate that the conditions of this development approval relating to noise are achieved and (where not otherwise specified) confirm that the predicted noise levels <i>Noise & Air Quality Assessment, Proposed Crematorium – 156 Woodlands Drive Thornlands</i>, prepared for <i>Alex Gow Pty Ltd by MWA Environmental</i>, have been achieved.</p>	<p>Prior to the use commencing.</p>
<u>Air Quality</u>	
<p>34. Implement the air quality management plan <i>Alex Gow Pty Ltd, 156 Woodlands Drive, Thornlands: Air Quality Management Plan</i>, dated <i>February 2013</i> on site. Review this plan annually and notify Council for approval of any intended amendments. Amendments to the odour management plan must <u>not</u> be implemented before gaining Council approval.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>35. The use must not discharge visible emissions from the cremator exhaust with an opacity in excess of 20 percent for</p>	<p>Ongoing</p>

an aggregate of more than 5 minutes in any 1 hour period or more than 20 minutes in any 24 hour period.

Chemical Storage

36. Locate all liquid chemicals and fuel in a covered and bunded area. The storage area must be constructed of an impervious material with a minimum holding capacity of 110% of the largest container stored within it. Maintain the minimum holding capacity at all times.

Prior to the use commencing and ongoing.

BOUNDARY FENCING

37. Ensure that fencing along the northern, eastern and southern boundaries clearly identifies the boundaries of the land and restricts access to the adjoining land. Include signage at intervals along the southern and eastern boundaries of the site to identify that the adjoining site is subject to biosecurity restrictions.

Prior to the use commencing and ongoing.

11.3.5 THIRD PARTY VEGETATION PROTECTION ORDER REVIEW – VPO09, VPO10, VPO17 & VPO21

Dataworks Filename: EM Vegetation Protection Orders (Local Law 6) LG11.67

Attachments: [Attachment 1: Submission Evaluation.V1](#)

[Attachment 2: Tree assessment 10 - 12 Somerset Street](#)

[Attachment 3: Tree assessment 3, 7, 9, 11 Main Road](#)

[Attachment 4: Tree assessment 49 Bates Drive Birkdale](#)

[Attachment 5: 10 Main Road - Confirmed Order](#)

[Attachment 6: 17 - 12 Somerset Street - Confirmed Order](#)

[Attachment 7: 21 - 10 Somerset Street-Confirmed Order](#)

[Attachment 8: 9 - 49 Bates Drive - Confirmed Order](#)

Authorising Officer: Louise Rusan
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Group Manager City Planning & Assessment

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PURPOSE

This report is referred to the Coordination Committee to consider whether a resolution is made to revoke four Vegetation Protection Orders (VPOs) in accordance with the provisions of Local Law No. 6 - Protection of Vegetation (LL6).

BACKGROUND

In 2013, following complaints from several residents regarding the imposition created by the third-party VPO on their property, Councillors requested that Council officers undertake a review of all third-party VPOs to determine whether or not the VPOs should be revoked. At the time, five VPOs were identified for review.

On 7 August 2013 Council resolved to propose to revoke all five identified third-party VPOs in accordance with the procedures mandated by Local Law 6 Protection of Vegetation, Part 2, Division 2, Section 16 – Revocation of Order. That resolution was not the final decision on the revocation of the orders, but was necessary to initiate the public notification and assessment process.

At its meeting on the 18th December 2013, Council considered and resolved not to revoke VPO 03 in respect of the Cook Island Pine at 62 Beachcrest Road, Wellington Point. The remaining VPOs are now referred to Council for consideration, being:

- VPO 09 49 Bates Drive, Birkdale QLD 4159.
- VPO 10 3, 5, 9, 11 Main Road, Wellington Point QLD 4160.
- VPO 17 12 Somerset Street, Alexandra Hills QLD 4161.
- VPO 21 10 Somerset Street, Alexandra Hills QLD 4161.

Two of the identified VPOs (VPOs 9 and 17) are not third party VPOs as originally determined, as they were initiated by the property owners at the time and not by a third party. However, LL6 allows the owner of a property subject to a VPO to request Council to revoke the VPO. Since the current owners of these properties have expressed their support for the revocation of the VPOs on their properties, they are being considered for revocation in accordance with LL6 procedures, with a final determination made based on the outcome of the review. It is also noted that VPO10 and VPO21 were initiated by Council officers.

Local Law 6 Assessment Process

Local Law 6 - Protection of Vegetation, Part 2 - Division 2 requires the following four steps be undertaken by Council to revoke a confirmed order:

- Give public notice of the proposed revocation by advertisement in a newspaper circulating in the area;
- Receive and consider all properly made submissions;
- Obtain an expert report on the proposed revocation from a person with appropriate qualifications and experience to assess the significance of the vegetation to which the order proposed to be revoked relates; and,
- After considering the expert report and the submissions made in response to the notice of the proposed revocation of the order, the local government may, by resolution, revoke the order.

On 13 September 2013 a notice was published in the Redland Times and a notice was also published on Council's internet site. A 21 day submission period was provided with the closing date for submissions being close of business 14 October 2013.

The process for revoking a confirmed order as set out in Division 2, section 16 of LL6, has now been completed but for the final decision on whether or not to revoke any or all of the orders. Submissions have been received in accordance with section 17 and officers have considered these submissions in line with section 18 of LL6.

An expert report covering the significant criteria assessment, tree health and safety and other issues, has been prepared for each of the VPOs, in accordance with section 19 of the LL6.

This Committee report outlines the results of the properly made submissions received, expert reports and discussion of other sufficient grounds such as social factors and tree health considered important in the deciding whether to revoke the VPOs.

This report will include a conclusion of the assessment for each of the VPOs which will summarise;

- If the grounds upon which the VPOs were created are still relevant;
- The matters raised by the properly made submissions;
- If there are sufficient grounds that may warrant the revocation of the VPO's; and
- If the VPOs are worthy of retention or, if they should be revoked.

Assessment of Submissions

According to the provisions of LL6 the consideration of submissions by Council may be against the objects of the local law generally. On that basis Council officers have considered all the matters raised by the properly made submissions. A summary of the main issues raised by the submitters in respect to each of the VPOs is included as an attachment.

Sufficient Grounds

After assessing the relevancy of the VPO against the significant criteria under the LL6 and considering the matters raised in the submissions received, consideration must also be given to whether there are sufficient grounds which may warrant the revocation of the VPO notwithstanding the outcome of the significance assessment. An assessment of relevant grounds, where required, relating to each particular VPO is included as part of the consideration for revoking the VPO.

ISSUES

VPO09 - 49 Bates Drive, Birkdale

There are two Eucalypts located in the rear garden of 49 Bates Drive, Birkdale which are protected under VPO09; a *Eucalyptus tereticornis* (Blue Gum), which is located in the south-eastern corner of the property, adjacent to 51 Bates Drive and a hybrid *Eucalyptus species* which is on the north-eastern boundary, adjacent to 47 Bates Drive. Both trees are located within 1 metre of the property boundaries.

Background

As previously noted this is not a third party VPO in that it was the then owners of 49 Bates Drive who made the request for an Interim VPO over the two trees on the property back in 1998 and not a third party.

There were three criteria under the LL6 for which the trees were originally identified as significant and formed the grounds upon which the VPO was confirmed on 12 August 1998. These criteria were d) the importance of the tree as a source of

propagating stock, h) the significant habitat for native animals it provides and m) for its contribution to the amenity of the area.

Local Law 6 Significance Assessment

Horticultural Value

In respect of the trees significance relating to criteria *d) a valuable source of propagating stock or of other horticultural value*; the expert report has identified the following.

The report to Council on the proposed VPO noted that the Eucalyptus hybrid does not produce seed, therefore this criterion relates solely to the Blue Gum. The current expert arborist report states that the Blue Gum is possibly not considered significant in respect to this criterion and would not serve as a valuable source of propagating stock, nor does either of the trees contribute to any other horticultural value.

Significant Habitat

In respect of the trees significance relating to criteria h) a significant habitat for native animals (including native or migratory birds) or part of a flora and fauna corridor; the expert report has identified the following.

The trees provide habitat value within the urban setting for flora and fauna. The trees with their broad canopy and height are certainly utilised by arboreal birds during transitory flight, migration or, as a nesting site. During the visual assessment, the Council's Arborist noted that lorikeet and several other bird species were sighted in the canopy.

With the loss of many large Eucalypts in urban areas occurring, the tree corridor effect has become very fragmented, with only isolated trees like these remaining. These trees can form an important link in maintaining adequate transitory trees for wildlife. Within the urban setting there remain a number of mature trees which contribute to the habitat for native animals however few are protected by way of a VPO.

Contribution to Amenity

In respect of the trees significance relating to criteria *item: m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated*; the expert report has identified the following.

The trees are of a height and have a canopy spread which provides a definite landscape amenity to the area and when viewed from a distance contribute to the amenity of the locality, by providing a vegetated backdrop to the dwelling houses. As with most tall trees within the urban environment, these trees serve to soften the appearance of the urban structures and form.

Submissions

There were a total of five properly made submissions received in respect of the proposal to revoke VPO09. Of these, two were in support of the revocation and three submissions were opposed.

Tree Health and Risk

Concerns were raised by both the property owner and immediate neighbour in respect to the trees safety and liability, especially in light of previous instances of fallen limbs. The Blue Gum is situated within 10 metres of the adjoining dwelling house at 51 Bates Drive.

In respect to the Eucalyptus hybrid, the arborist report noted that there had been several limb failures in the past. This is evident from the various wounds and the tree owner's advice that a large limb snapped off and landed in the adjoining property. The tree has been poorly pruned over the years and has grown multiple poorly attached limbs, subject to unpredictable failure. The report concluded that although not at high risk in terms of safety, the trees form and growth as a consequence of past poor pruning make the tree more unstable and at a high probability of indiscriminate limb failure, Although this tree may be worthy of protection in terms of amenity and habitat value, there exists sufficient grounds to warrant the damage to this tree. Irrespective of whether the VPO is revoked, it is considered that the hybrid eucalyptus could be removed at the property owner's discretion.

In respect to the E. tereticornis (Blue Gum), the arborist report noted that there were no root issues identified and the trunk and canopy appeared sound and healthy. Although there has been past limb failures on this tree, it is still considered to be in good order, with a long S.U.L.E (Safe Useful Life Expectancy). This semi-mature Blue Gum is protected from the wind by similarly large trees on the neighbouring properties. Although there have been reported loss of limbs, unlike the hybrid this has not altered the form or integrity of the tree.

As a normal routine maintenance practice the tree does require removal of deadwood, some poorly-formed limbs and a general upper canopy arboreal inspection to identify and reduce identified risks to an acceptable level.

Altruistic Motives

As previously noted and confirmed through the submissions, this VPO was initiated by the then property owner. The submitter suggested that Council should support the act of placing a VPO on trees on one's own property as it was an attempt by the property owner to protect and preserve significant trees and that in doing so the landowner will generally sacrifice in the sale price when they sell their property. This VPO has been in existence since confirmed in August 1998 and the property has since that time changed hands at least twice.

Whilst this VPO was requested by the landowner and not by a third party, nothing in LL6 stops the current landowner from requesting that a VPO be revoked. Such requests are then subject to rigorous assessment against both the original criteria for which the VPO was originally imposed as well as any submissions received as a result of the public notification of the proposed revocation. The conditions and circumstances relating to individual trees change over time and this can result in a genuine need to review and possibly revoke a VPO.

Amenity Value

Amenity Value of the trees is discussed under the significance considerations above.

Sufficient Grounds

Liability

The owner of the land has raised the issue of liability in respect to potential damage to property or persons as a result of the trees falling or from falling branches.

Council's General Counsel has previously advised in respect to this matter, that the common law principles of negligence and nuisance apply to the issue of liability regardless of the presence of a VPO. That is, where Council have exercised proper duty of care and professional assessment to determine the safety of the tree, and this assessment has shown that the tree is safe then negligence issues can be mitigated.

The Arborist expert report concluded that the Hybrid could be removed due to health and structure integrity concerns. In respect to the Blue Gum, the tree assessment has demonstrated that the risk is low provided that appropriate pruning maintenance works are undertaken to the branches the risk from falling branches can be reduced to an acceptable level. Accordingly, this criterion is not considered a sufficient ground to warrant revocation of the VPO in respect of the Blue Gum.

Vegetation Management and Mitigation

As with all trees a degree of maintenance will be required to ensure that the tree grows appropriately and risks are minimised. The expert report concludes that the Blue Gum is structurally sound and that certain arboricultural works are required to ensure that risks associated with the tree are managed and that a maintenance regime would be required with works carried out every 5 years.

It is considered that the Blue Gum and the associated circumstances cannot be reasonably compared to those of the Cook Island Pine protected by VPO 03 for which Council previously agreed to provide funding for maintenance works. For this reason a funding proposal for maintenance works has not been recommended.

Accordingly, this criterion is not considered a sufficient ground to warrant revocation of the VPO in respect to the Blue Gum.

Conclusion

Having considered the submissions and expert report, it is concluded that one of the trees (the *E. tereticornis* or Blue Gum) included in VPO09 is worthy of continued protection as it remains significant in terms of its amenity and habitat value and that with proper maintenance the tree would represent an acceptable level of risk for a tree within the urban setting.

The hybrid *Eucalyptus species*, whilst still providing a degree of amenity value and habitat, is not worthy of retention on the grounds that poor arboricultural practices have resulted in the tree being considered unstable and un-predictable. In accordance with LL6 provisions this tree can be removed by the owner.

VPO10 - 3, 5, 9, 11 Main Road, Wellington Point

VPO10 protects all vegetation locally native to Redlands and covers the whole of the following lots:

- Lot 2 RP51510 (3 Main Road, Wellington Point);
- Lot 3 RP92039 (3-7 Main Road, Wellington Point);
- Lot 2 RP92039 (9 Main Road, Wellington Point);
- Lot 1 RP92039 (11 Main Road, Wellington Point).

These properties are situated at the northern end of Main Road on the headland of Wellington Point. All the lots are elevated above the road level and have frontage to two roads, Main Road and the cul-de-sac at the rear. Dwelling houses occupy 9 and 11 Main Road whilst 3-7 Main Road remains vacant.

This VPO specifically excludes the following exemptions under Local Law 6:

- (iv) within 3 metres of the boundary between land under separate ownership and is reasonably necessary for erecting or maintaining a dividing fences;
- (v) within three metres of the boundary between land under separate ownership and is necessary for a survey of the boundary by a registered surveyor;
- (vi) within three metres of the boundary between land under separate ownership and is reasonably necessary to establish or maintain a fire break.

Background

VPO10 was placed over private land at the northern tip of Wellington Point to specifically exclude exemptions under LL6 preventing significant native vegetation situated within three metres of the boundaries from being an automatic exemption and cleared without any Council approval. The vegetation was deemed significant as a valuable part of the area's natural heritage, for its support of soils, for its aesthetic values and for its contribution to the landscape of Wellington Point. The interim VPO was confirmed at the Council Meeting of the 14 December 2001.

Around May 2002, following an investigation, it was noted that the property at 3 Main Road had been filled and that the existing vegetation was holding the filled earth in place and concerns that removal of the established trees and other vegetation from the site was likely to facilitate collapse of the banks.

At its meeting on the 12 June 2002, Council resolved to confirm the interim VPO with amendments. The modified VPO was published in the Redland Times and came into effect on the 21 June 2002. The confirmed VPO covers all native vegetation on the properties and excludes exemptions (iv), (v) and (vi) under section 27 (b) of the Local Law Policy. This means that damage to locally native vegetation is also not permitted within 3 metres of the property boundary without a permit to damage.

Much of the protected vegetation on Lot 2 on RP51510 (3 Main Road) has been removed and was done so in association with the construction of a retaining wall which surrounds the property. The wall extends along the northern boundary, most of the eastern boundary with a part return on the western boundary. A high "Criblock" retaining wall was approved by the Planning and Environment (P&E) Court on 7 December 2007 following an appeal on a deemed refusal by a private certifier of a building application for the wall. The Criblock walls were constructed in 2008. The western boundary of Lot 3 and part of the western boundary of Lot 2 is formed by an older rock wall (not forming part of the new retaining wall).

The site has been subject to a number of development applications and compliance actions prior to the approval granted by the Court for the retaining wall. Council refused a number of applications for a retaining wall (OP000669, OP000619 and OP000564), the first being lodged in 2000. A series of show cause and enforcement notices were issued for unlawful filling on the property during these initial attempts to build a retaining wall on the property.

An MCU application (reference MC011692) for a dwelling house was lodged in June 2009 and the subsequent inspection in relation to this application raised concerns as to whether the retaining wall met engineering and building standards and would be structurally sound to withstand the construction of the proposed dwelling. The retaining wall and associated filling were regarded as potential risks based on external observations.

An Enforcement Notice was issued on 20 October 2009 requiring that faults with the wall be rectified to eliminate risks in the medium to long term and to ensure all relevant information is presented and examined by Council's Engineers. The enforcement Notice was appealed on 17 November 2009.

Preliminary Approval for the Dwelling house was issued on 1 April 2010. The matters of retention of vegetation, the wall being fit for purpose to accommodate a dwelling house, driveway location and the consequences of the driveway construction and associated cut required were identified as preliminary approval requirements. The matters required in the preliminary approval were not fully addressed and the application was eventually withdrawn.

In January 2011 a portion of the western wall collapsed. An Enforcement Notice was issued to rectify the wall, which was subsequently appealed to the Planning and Environment Court. Following court directions and expert technical analysis of the wall, additional portions of the western and northern wall were removed after further soil was excavated behind the embankment and the Criblock wall was repaired.

On the 2 May 2012, the P&E Court issued an order in respect to allowing a change to the development approval given by the Court in 2007 for a development Permit for the construction of a retaining wall. This aligned the development permit and conditions with the wall repairs.

Local Law 6 Significance Assessment

Part of the Natural Heritage

In respect of the trees significance relating to criteria *a) a valuable part of the natural heritage of the area* of LL6, the expert report has identified the following.

The trees and vegetation along the Wellington Point peninsula date back to the 1800s and the period of early settlement of the area. Many of the trees that were protected by this VPO have since been cleared, with only a scattering of significant trees remaining on the lots. The remaining trees do, however, continue to provide a valuable contribution to the natural appearance and heritage of the area.

When the VPO was initially confirmed the report stated in respect to this criteria that vegetation contributed to the natural heritage of the area in that it provides habitat for

wildlife and a representation of native species that exist in Redland shire and at Wellington Point.

The significance of the whole of the Wellington Point peninsula was reflected when it was classified as Greenspace (Dominant Landscape and Visual Values) in the 1998 Strategic Plan. The Greenspace concept was essentially split between Habitat Protection and Heritage Place and Character under the current planning scheme. All four properties are included in the Character Precinct of the Heritage Place and Character Precinct Overlay under the Redlands Planning Scheme.

The remaining native vegetation protected under VPO10 is still considered to be a valuable part of the natural heritage of the area.

Supports natural or artificial landforms

In respect of the trees significance relating to criteria *l) important for its support for natural or artificial landforms such as drainage lines, watercourses, bodies of water, foreshores, slopes or unstable and erodible soils* the expert report has identified the following.

The location of these trees and vegetation on a steep embankment adjacent to the road verge and along the eastern property boundaries, provide soil stability to the fragile and unstable soil. The importance of this is reiterated by the fact that when the trees were removed several years ago an eventual landslip occurred, blocking the road for a period of time.

All four properties are identified in the Redlands Planning Scheme on the Landslide Hazard Overlay as being part medium and part low hazard risk. All of 3 Main Road (lot 2) and most of 5 Main Road (lot 3) together with the eastern half of 9 and 11 Main Road are identified under Council's overlay maps as having a medium landslide hazard risk. Part of Lot 3 along the western boundary is identified as low landslide hazard risk.

Council's Sediment and Erosion Control Officer has assessed the current situation and prepared a report entitled *Stabilising Function of Protected Vegetation*. The report recommends that in the absence of further investigation by a Registered Professional Engineer of Queensland (RPEQ) - Geotechnical Engineer, with significant experience in the relationship of vegetation removal and slope stability that the VPO should remain in place on the properties protecting the tree in the vicinity of the slopes.

The report concludes that continuing protection of the remaining vegetation and trees is important to ensure no further instability, erosion or movement of sediment runoff to waterways.

It was considered that this ground for the VPO continues to be valid for the remaining trees on the site.

Contribution to Amenity

In respect of the trees significance relating to criteria *m), important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated*, the expert report has identified the following.

The vegetation within the road reserve and along the Main Road frontage of the site contributes to the destination setting of the Wellington Point headland. The aesthetic value of the existing trees collectively provides a linked canopy effect that contributes to the urban forest in the immediate locality. This canopy effect provides a lush green entrance to the popular public foreshore and recreational reserve. The trees also create a visual buffer against buildings.

The existing vegetation contribution to the amenity of the locality is still considered to be valid criteria for this VPO.

Contribution to Landscape

In respect of the trees significance relating to criteria *o) important for its unique contribution to the landscape*, the expert report has identified the following.

The area in which the properties are located is dominated by the Bay and the parklands around Wellington Point headland. When viewed from the Bay and from the northern part of Wellington Point the native vegetation that was on these properties had landscape value important to the character of Wellington Point. Although much of this vegetation has been removed, the remaining vegetation, particularly that along the eastern boundaries of 9 and 11 Main Road, still contributes to the character of Wellington Point by providing a green backdrop to the highly visited location. The vegetation that still exists along the western boundary also contributes to forming the green canopy entrance to the headland.

The remaining protected vegetation contributes to the unique setting of the Moreton Bay headland. If the remaining protected vegetation were to be removed it would have a dramatic and devastating impact on both the amenity and character of the area and therefore are considered to make a unique contribution to the landscape. It is therefore considered that this ground is still valid.

Submissions

There were a total of six properly made submissions received in respect of the proposal to revoke VPO10. All of the submissions were opposed to the revocation with comments generally relating to loss of amenity, soil stability and importance to wildlife. Significantly, there were no submissions received supporting the revocation.

Loss of Amenity

Many of the submissions expressed the view that the vegetation along Main Road, within private property and around the headland contributed towards the amenity and character of the area. Comments above relating to the significance assessment regarding contribution to landscape address this concern.

Significant Habitat

The vegetation's significance in respect to providing habitat for native fauna was not a criterion under which the VPO was initially made. Many of the submissions, however, identified this as grounds for not revoking the VPO and made reference to the area being a known koala corridor and the importance of the trees as providing habitat both for koalas and other native animals.

The Redlands Planning Scheme maps most of the perimeter of the properties as Bushland Habitat which links to an adjoining Vegetation Enhancement Corridor along the Moreton Bay foreshore. Whilst much of the vegetation within the Bushland Habitat has been removed the trees which remain provide valuable habitat for native wildlife and maintain the connectivity link between surrounding vegetation.

Sufficient Grounds

Tree Health and Risk

The expert arborist report states that the trees subject to VPO10 consist of various species including both native and exotic, in varying condition, age and size. This VPO specifically protects trees locally native to Redland City. None of the trees in question were considered as hazardous, although no maintenance appears to have been carried out on any of the trees as evident from the amount of deadwood and other limb faults that would have been removed through routine arboricultural maintenance.

In summary, the trees and other vegetation subject to this VPO present no issues other than the requirement for minor arboricultural maintenance.

Due to the narrow and restrictive area surrounding where a Poinciana (*Delonix regia*) is located on lot 7 and adjacent to the boundary of lot 9, it is considered that it will require removal at a later stage due to tree/development conflicts should a future dwelling house be constructed. Approval should be given for this to occur.

Conclusion

Despite the loss of a large majority of the trees that were protected by this VPO, there is still a quantity of mature trees on the sites that warrant protection.

With the exception of the Poinciana on lot 7, the existing vegetation on the lots are still considered significant in respect to providing amenity value, contributing to the landscape and natural heritage of the area and important for its support for natural or artificial landforms such as slopes or unstable and erodible soil. The vegetation is considered significant under LL6 and there are no sufficient grounds to warrant the revocation of VPO10.

The loss of this VPO, which specifically excludes certain LL6 exemptions, could result in a further loss of vegetation along the property boundaries. This loss of vegetation will result in the area being compromised, raising concerns over public safety, especially given the prominent location of the site and the surrounding public areas.

VPO 17 - 12 Somerset Street, Alexandra Hills

VPO 17 provides protection over five (5) Eucalyptus trees located in the rear of 12 Somerset Street, Alexandra Hills. These trees include *Eucalyptus tereticornis* (commonly known as a Blue Gum), *E. saligna* x 2, *E. grandis*, and *E. robusta*. The VPO was confirmed on the 28 September 2011.

Background

As previously noted this was not a third party VPO. The then owners of 12 Somerset Street made the request for an Interim VPO over a number of trees on the property on the 20 April 2010.

An arborist report was prepared on 4 April 2011 by Landzone in respect to two trees; the *E. grandis* at 10 Somerset Street (the subject of VPO21), and an *E. tereticornis* at 12 Somerset Street (which was originally included in the VPO request). The report concluded that the *E. tereticornis* should be removed to ground level as the tree had declined to the point of mortality but that the *E. grandis* should be protected.

At the general meeting on 29 June 2011, Council resolved to make the interim VPO on the identified Eucalypts as described in the applications VPO17 and VPO21 and notice of these interim VPOs was published in the Redland Times on 15 July 2011.

When the interim VPO was published in the Redland times on July 2011 two significant criteria under the LL6 were identified that being h) the significance in respect to providing habitat for native animals and r) important in the context of State or Local Government environmental management policies. The subsequent expert report dated 2 August 2011, by Biodiversity Assessment and Management Pty Ltd (BAAM), entitled Vegetation Protection Order Assessment Report identified another criteria importance of the trees for their aesthetic and amenity value.

VPO17 together with VPO21 (10 Somerset Street) was confirmed at Council's meeting of the 28 September 2011.

Local Law 6 Significance Assessment

Significant Habitat

In respect of the trees significance relating to criteria h) of LL6, *a significant habitat for native animals (including native or migratory birds) or part of a flora and fauna corridor*; the expert report has identified the following.

BAAM's report of August 2011 cited the importance of the retention of individual Koala habitat trees for the long-term viability of local koala populations, although it is also noted that until recent times, koalas were regularly seen within the subject trees.

The current expert report, finds that the trees are considered to have a low habitat value to transitory ground-based wildlife including koala, due to the number of large dogs roaming around in surrounding backyards, the use of fauna-unfriendly boundary fencing and the lack of connectivity between other mature Eucalypts in the area that attract such native wildlife and provide a safe transitory corridor. These mature trees have a high habitat value for other native wildlife including arboreal wildlife such as native and migratory birds. Due to the lack of connectivity between other mature Eucalypts in the area, it is considered that the trees do not form part of a productive flora and fauna corridor. However, on balance there is habitat value to the trees principally in respect to bird life.

Contribution to Amenity

In respect of the trees significance relating to criteria m) of LL6, *important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated*, the expert report has identified the following.

BAAM's report of August 2011 observed that the five trees towered over the dwelling houses and that their presence was highly visible upon entering Somerset Street. It concluded that removal of the trees would lessen the aesthetic appeal of this section of Somerset Street as there were no other similar trees in the immediate location.

The current expert report notes that the trees location in the rear yards of the properties, their dominating heights and canopy spread and the topography of the surrounding area does provide an urban forest canopy effect to the area when viewed from close by, although it was considered marginal.

The trees are a feature of the surrounding landscape which does however also benefit from similar large trees creating forest canopies. The loss of these trees would not adversely impact on the aesthetic value or character of the area which retains a very leafy appearance.

The five trees are all situated within close proximity to the property boundaries and have a canopy that spread over most of the rear garden of 12 Somerset Street and overshadows that of adjacent properties. In respect to providing a beneficial effect on amenity of the locality in which they are situated, the trees do have amenity value by providing shade for those residing within close proximity to them however; the landowners have expressed concerns as to the dominating and threatening nature and nuisance factor they create, rather than an aesthetic and amenity benefit.

It was determined that the trees still provide amenity value to the broader area, although not uniquely or significantly so, such that the broader amenity value would not outweigh the adverse impact the trees have on the residential amenity of immediate neighbouring properties.

State or Local Government Planning Policies

In respect of the trees significance relating to criteria r) *important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives*, the expert report has identified the following.

The property is 764m² in size, zoned Urban Residential and not captured in the Habitat Protection overlay under the Redlands Planning Scheme. If the VPO is revoked, the trees can be legally removed without a permit as they will be within the permissible exemptions under sub-section 27 of LL6 and no other legislative protection exists.

As part of the VPO assessment report prepared by BAAM and considered when the interim VPO was confirmed, reference was made to the Council's adopted Koala Policy and Implementation Strategy 2008. This Policy was adopted at Council's General Meeting in January 2008 and was in response to the listing of the koala as 'vulnerable' in the south east Queensland bioregion under the Nature Conservation Act 1992 and Council's recognition of the koala as 'endangered' within the Koala

Coast Region. One of the actions identified in the strategy in response to stopping the loss of koala habitat included the use of VPOs. This Policy still applies.

At the State level, legislation exists to address impacts from development in areas where koala populations and habitats are under threat. The State Planning Policy 2/10 - Koala Conservation in South East biodiversity Queensland was repealed on the 2 December 2013. The new single State Planning Policy (SPP) is a single whole-of-government document that expresses the state's interests in land use planning and development. The SPP does not offer any protection to the trees on this property.

There still remains both local and state planning policy and regulations that aim to protect koalas and koala habitats. The tree may have some environmental value in providing a stepping stone within the urban landscape for a variety of wildlife. However, its value in terms of providing koala habitat is diminished given the fauna un-friendly surroundings. The need to protect against the continued loss of koala habitat trees needs to be balanced against the circumstances associated with a particular tree or group of trees.

Submissions

There were a total of 18 submissions received in respect of the proposal to revoke VPO17, of which 3 were considered not properly made. Of the properly made submissions, 14 supported the revocation and 1 opposed. The main grounds cited in the submissions were safety concerns and habitat value.

Tree Health and Risk

The overwhelming majority of the submissions raised concern in respect to safety both to persons and property, with some citing actual damage to property which has been attributed to the trees. The submissions attributed the trees height, form and proximity to residential houses as contributing to their concerns over the safety of the trees. The debris and leaf litter associated with Eucalyptus trees was also cited as a common nuisance experienced by a number of the surrounding properties. The concerns raised are certainly valid and especially true where these trees are not properly maintained.

At the time of the initial assessment the BAAM report noted that all the trees at 12 Somerset appeared in very healthy condition. The recent assessment by Council's arborist found that all trees were well-established with structurally sound trunks and were in good condition for their age, height and showed typical species characteristics common to trees that have grown and matured within the confines of a restricted urban environment.

The trees have a combined canopy height of approximately 20-30 metres with each trees canopy spread to similar proportions. The canopies and limbs extend substantially into all affected properties presenting a level of risk to the property owners which need to be managed by appropriate arboricultural management. There does not appear to have been any arboreal maintenance works carried out to the trees in the past and the tree owner acknowledged that work to the trees had generally occurred only in response to limb drop after storm events.

The arborist report did note in respect to the Blue Gum that due to the length and small diameter of many of the upper canopy limbs, the limbs tend to move around in the wind more so than a mature Blue Gum of natural growth and form such as may be seen in a large paddock tree. This exaggerated limb movement during high winds may tend to cause smaller limbs to snap off, further exacerbating the fear factor that the property owners have in respect to these trees.

In summary, the trees were considered as in good order and, with appropriate arboreal management, were considered to have a medium S.U.L.E (Safe Useful Life Expectancy). As a normal routine maintenance practice the trees require removal of deadwood, some poorly-formed limbs and general upper canopy arboreal inspection to identify and reduce risks to an acceptable level. There is no visible evidence of any remedial maintenance that has been carried out in the past few years.

Fauna Habitat

The submission identified the contribution that existing Eucalypts play in providing fauna habitat especially in respect to koalas. The assessment of the trees contribution to providing significant fauna habitat is dealt with above under the assessment of the significance of the vegetation.

Sufficient Grounds

The assessment against the provisions of LL6 suggests that at least to some degree the grounds upon which VPO17 was confirmed are still relevant; consideration must also be given to whether there are sufficient grounds which may warrant the revocation of the VPO notwithstanding the outcome of the above assessment.

Vegetation Management and Mitigation

There has been a degree of opposition to the VPO expressed from both the property owner and the residents of the properties immediately surrounding on the grounds of safety and social concerns.

The resolution of 28 September 2011 in respect to VPO17 included;

“That a vegetation management guideline is prepared and implemented for the properties listed in Vegetation Protection Order application VPO17 (and 19) under Section 21 of Local Law No. 6 (Protection of Vegetation).”

The preparation of a Vegetation Management document is not mandatory under LL6 but was identified as part of the resolution which confirmed VPO17, in order to address the concerns raised in the submissions received in response to the advertised proposed interim VPO.

The owners of the property who initiated the application for a VPO were part of the Your Backyard Garden Program and had also subsequently signed up to the Koala Conservation Agreement Program (KCAP). The KCAP is a partnership between a landholder and Council to protect and reinstate koala habitat, manage dogs and improve koala movement on private property. The program is voluntary and free to join. There is no current management plan in place in respect to the trees and the current owners of the property have chosen not to sign up to the KCAP program.

As with all trees a degree of maintenance will be required to ensure that the tree grows appropriately and risks are minimised. The expert report concludes that the trees are structurally sound and physically worthy of protection but that they require a considerable up-front maintenance regime to minimise risks. To ensure that the risks are then managed, this maintenance regime would need to be carried out approximately every 5 years with additional audits of the trees carried out following severe storms, or after any notable physical changes in the trees. An audit of the trees is also recommended on an annual basis.

However, the maintenance costs would be significant and this must be weighed against the value provided by the trees and impacts associated with these.

Tree Suitability

When assessing whether to remove or retain a tree, consideration must be given to the suitability of the species in relation to its characteristics versus location. The impact of a number of Eucalypts situated within a single urban residential allotment which have not had the benefit of proper and regular maintenance can, as evident in the submissions received, contribute to a socially unacceptable situation.

Conclusion

The significance criteria upon which the Order was made are still relevant, being habitable value and planning policies. However, the on-going financial burden required in maintaining these trees at an acceptable level of risk, the level of constant fear of the trees causing harm that has been communicated to Council by the tree-owner and immediate neighbours, are all considered sufficient grounds for revocation of VPO17.

Overwhelming expression of community concerns in respect to the safety of these trees and the nuisance factor as a result of the compact residential development support the revocation.

VPO21 - 10 Somerset Street, Alexandra Hills

VPO21 and VPO17 relate to trees on adjacent properties. VPO21 is in respect of a *Eucalyptus grandis* located in the rear garden of 10 Somerset Street.

Background

In response to a proposed extension at 3 Avon Court, Council engaged the services of Landzone to carry out a Tree Assessment of the Eucalyptus situated at 10 Somerset Street which overhung the boundary with 3 Avon Court. The report dated 4 April 2011 included comments on the significant criteria under LL6 for the tree as being, h) significant in respect to providing habitat for native animals, n) important for age, height etc and r) important in the context of State and Local Government planning.

At the general meeting on 29 June 2011 Council resolved to make the interim VPO. As with VPO17, when VPO21 was advertised in the Redland Times on 15 July 2011, only two significant criteria under LL6 were identified which reflected those identified on the application form.

VPO21 together with VPO17 (12 Somerset Street) was confirmed at Council's meeting of the 28 September 2011.

Local Law 6 Significance Assessment

Significant Habitat

In respect of the trees significance relating to criteria h) of LL6, *a significant habitat for native animals (including native or migratory birds) or part of a flora and fauna corridor; the expert report has identified the following.*

Similar considerations and assessment applies to the tree at 10 Somerset Street as they do to the trees at 12 Somerset Street, covered by VPO17 which are outlined above.

Important for Age etc.

In respect of the trees significance relating to criteria n) of LL6, *important for its age, height, trunk circumference, or canopy spread*, the expert report has identified the following.

Landzone's report of April 2011 noted that the 40-45 year old specimen displayed excellent vigour and had an S.U.L.E of 50+. According to report the *Eucalyptus grandis* is an emergent forest tree growing to 50 metres in height and in its nature setting it has proven historical growth behaviour of shedding limbs. Pruning of this tree would be required to contain the canopy over the years.

The current arborist expert report emphasised that mature Eucalyptus species of these dimensions and habitat value are a valuable contribution to the urban forest but are fast disappearing across the Redlands. Such loss is attributed to urban pressure, smaller development sizes, fear of the trees and, importantly, inadequate and intermittent tree protection laws. This tree at around 30-35 metres high can still be considered important with regards to its height, canopy spread and age.

State or Local Government Planning policies

In respect of the trees significance relating to criteria r) *important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives*, the expert report has identified the following.

This criterion was also identified in respect to the trees at 12 Somerset Street and therefore earlier comments are also applicable to this tree in respect to this criterion.

Submissions

There were a total of nine properly made submissions received in respect of the proposal to revoke VPO21. Of these submissions eight supported the revocation and one submission was opposed to the revocation.

Safety Concerns

The tree is situated in the eastern corner of the rear garden and situated within 10 metres of the dwelling house at 3 Avon Court. Similar comments and concerns were

made in respect to the Eucalyptus at 10 Somerset Street were made in respect to those at 12 Somerset Street.

Conclusion

Although the tree is still considered significant on the grounds of Order to warrant retention of the VPO, the same issues as described in VPO17 exist.

The large *Eucalyptus grandis* protected by VPO21 forms an integrated component of the five other trees identified in VPO17, all sharing the same boundary. The Arborist expert report determined that if VPO17 is revoked and all the trees subsequently removed, the single large Eucalyptus protected by VPO21 will be compromised and left exposed to a greater probability of failure from increased wind-load due to removal of the protective buffer provided by all the trees collectively. This applies in reverse – if VPO21 is revoked, the removal of this tree and its protective buffer, will compromise the 5 trees covered by VPO17.

Based on the above discussion it has been determined that there are sufficient grounds to warrant revocation of both VPO21 and VPO17.

STRATEGIC IMPLICATIONS

Legislative Requirements

Refer to Local Law 6 Significance Assessments above.

Risk Management

Refer to Tree Health and Risk assessment above.

Financial

There will be no financial implications if Council resolves to revoke or retain the VPOs.

People

There are no implications on staff.

Environmental

Refer to assessments above.

Social

Refer to Assessment of Submissions above.

Alignment with Council's Policy and Plans

This proposal aligns with Local Law No. 6 Protection of Vegetation.

CONSULTATION

A public notification and submission period was undertaken in accordance with Local Law No. 6. Consultation with the following parties has also been carried out:

- Environmental Assessment.
- Environmental and Education Unit – Environment Senior Adviser.

- Sediment and Erosion Control Officer.

CONCLUSION

After considering the expert reports, the health and safety of the trees and all properly made submissions received for the four identified VPOs, officers conclude that sufficient grounds are warranted for the options recommended below.

OPTIONS

Option 1

That Council:

1. Revoke Vegetation Protection Orders 21 and 17 (VPO21 & VPO17) in respect of the Eucalypt trees located at 10 & 12 Somerset Street, Alexandra Hills (Lots 718 and 764 on RP118114);
2. Not revoke Vegetation Protection Order 9 (VPO9) in respect of the trees located on 49 Bates Drive, Birkdale (Lot 53 on RP93909);
3. Exclude the Eucalyptus hybrid from VPO 9;
4. Not revoke Vegetation Protection Order 10 (VPO10) in respect of the trees located on 3, 5, 9, 11 Main Road Wellington Point; and
5. Exclude the Poiciana (*Delonix regia*) from VPO 10.

Option 2

That Council resolves to revoke some or all of the VPOs under consideration.

Option 3

That Council resolves to not revoke some or all of the VPOs under consideration.

OFFICER'S RECOMMENDATION

That Council resolves to:

1. **Revoke Vegetation Protection Orders 21 and 17 (VPO21 & VPO17) in respect of the Eucalyptus trees located at 10 & 12 Somerset Street, Alexandra Hills (Lots 718 and 764 on RP118114);**
2. **Not revoke Vegetation Protection Order 9 (VPO9) in respect of the *Eucalyptus tereticornis* (Blue Gum) located on 49 Bates Drive, Birkdale (Lot 53 on RP93909);**
3. **Exclude the *Eucalyptus hybrid* from VPO9;**
4. **Not revoke Vegetation Protection Order 10 (VPO10) in respect of the trees located on 3, 5, 9, 11 Main Road Wellington Point; and**
5. **Exclude the Poinciana (*Delonix regia*) from VPO 10.**

11.3.6 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 & 3 DEVELOPMENT APPLICATIONS

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

Attachment: [Decisions Made under Delegated Authority 04 05 14 to 17 05 14](#)

Authorising Officer:



Louise Rusan
General Manager Community & Customer Services

Responsible Officer:

David Jeanes
Group Manager City Planning & Assessment

Author:

Debra Weeks
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 and Compliance Assessments and associated administrative matters, including correspondence associated with the routine management of all development applications;

Category 2 – Complying Code Assessments and Compliance Assessments and 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 and compliance assessable applications, including building works assessable against the planning scheme, and other applications of a minor nature, including all accelerated applications.
 - 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

That Council resolves to note this report.

11.3.7 APPEALS LIST CURRENT AS AT 22 MAY 2014

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

Authorising Officer:



Louise Rusan
General Manager Community & Customer Services

Responsible Officer: David Jeanes
Group Manager City Planning & Assessment

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:		The appellant has submitted amended plans to all parties. Council and co-respondents are considering the amended plans.
Hearing Date:		Listed for review 30 July 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:		Council has filed an application in pending proceeding seeking a declaration that the development application was not correctly applied for, and therefore the appeal should be struck out.
Hearing Date:		Matter was heard on 9 May 2014 and is now adjourned awaiting Judgment on the declaration.

3.	File Number:	Appeal 4521 of 2013 (MCU012995)
Applicant:		D Polzi and ML Polzi
Application Details:		Material Change of Use for a Landscape Supply Depot
Appeal Details:		Submitter appeal against development permit approval.
Current Status:		Mediation held 10 April 2014. A confidential report was presented to the 21 May 2014 General Meeting that outlines options for resolving the appeal.

4.	File Number:	Appeal 4564 of 2013 (ROL005669)
	Applicant:	Ausbuild 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:	Listed for review on 5 May 2014. Adjourned for two months. Amended review date set for 4 July 2014.

5.	File Number:	Appeal 1586 of 2014 (SB005387)
	Applicant:	AN & BA Wills
	Application Details:	Reconfiguring a Lot (3 into 10 lots)
	Appeal Details:	Originating Application for a permissible change to the development approval.
	Current Status:	Court order approving change given on 15 May 2014.

OFFICER'S RECOMMENDATION

That Council resolves to note this report.

12 MAYORAL MINUTE

In accordance with s.35 *Redland City Council Meetings – Standing Orders*, the Mayor may put to the meeting a written motion called a 'Mayoral Minute', on any matter. Such motion may be put to the meeting without being seconded, may be put at that stage in the meeting considered appropriate by the Mayor and once passed becomes a resolution of Council.

13 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS

In accordance with s.262 *Local Government Regulation 2012*.

14 NOTICES OF MOTION

14.1 NOTICE OF MOTION – CR BOGLARY (DIVISION 1)

14.1.1 REQUEST FOR COMMUNICATION STRATEGY

On 26 May 2014, in accordance with s.7(3) *Redland City Council Meetings – Standing Orders*, Cr Boglary gave notice that she intends to move as follows:

That Council resolves to develop a communication strategy for the community regarding water pricing and future financial implications.

15 URGENT BUSINESS WITHOUT NOTICE

A Councillor may bring forward an item of urgent business if the meeting resolves that the matter is urgent.

16 CLOSED SESSION**16.1 ORGANISATIONAL SERVICES****16.1.1 SPONSORSHIP APPLICATIONS - 2014 REDFEST - REDLAND SPRING FESTIVAL, REEF CHECK FOUNDATION AND BAYSIDE OUTRIGGER CANOE CLUB**

Datworks Filename: CR – Sponsorship – Outgoing
CR – Redland Spring Festival (Redfest)

Responsible/Authorising Officer:



Nick Clarke
General Manager Organisational Services

Author:

Tracey Walker
Group Manager Communication,
Engagement and Tourism

EXECUTIVE SUMMARY

Council or Committee has a broad power under Section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

OFFICER RECOMMENDATION

That the meeting be closed to the public to discuss this matter pursuant to Section 275(1) of the *Local Government Regulation 2012*.

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

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

17 MEETING CLOSURE





Site of carpark - Lot 101 SP246054 (Faccio Lane, Capalaba)





Redland
CITY COUNCIL

Third Quarter Budget Review 2013/14

Financial Stability and Sustainability Ratios	Original Budget 2013/14	Revised Budget 2013/14	Proposed Third Quarter Budget Review 2013/14
Level of dependence on General Rate Revenue Threshold set < 37.5%	33.8%	32.9%	32.9%
Ability to pay our bills - Current Ratio Target between 1.1 and 4.1	2.51	3.63	3.56
Ability to repay our debt - Debt Servicing Ratio (%) Target less than or equal to 10%	3.57%	3.50%	3.50%
Cash Balance \$M Target greater than or equal to \$40m	80.139	75.019	76.950
Cash Balances - cash capacity in months Target 3 to 4 months	5.43	4.90	5.04
Longer term financial stability - debt to asset ratio (%) Target less than or equal to 10%	3.72%	3.29%	2.80%
Operating Performance Target greater than or equal to 20%	18.2%	17.5%	17.8%
Operating Surplus Ratio Target between 0% and 10%	0.14%	-0.92%	-0.99%
Net Financial Liabilities Target less than 60%	20.84%	16.93%	12.54%
Interest Coverage Ratio Target between 0% and 5%	-0.14%	-0.08%	-0.09%
Asset Sustainability Ratio Target greater than 90% (Infrastructure Assets Only)	65.0%	87.7%	48.6%
Asset Consumption Ratio Target between 40% and 80% (Infrastructure Assets Only)	66.0%	65.7%	65.4%

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
Recurrent revenue				
Rates	77,623	77,623	0	77,623
Levies and charges	119,189	121,592	0	121,592
<i>Less: Pensioner Remissions</i>	(2,670)	(2,670)	0	(2,670)
Fees and charges	9,775	10,176	168	10,344
Operating grants and subsidies	10,016	10,522	8	10,530
Operating contributions and donations	0	1,139	0	1,139
Interest received	4,104	4,024	18	4,042
Other income	3,681	5,227	(57)	5,170
Total recurrent revenue	221,718	227,633	137	227,770
Capital revenue				
Grants, subsidies and contributions	9,157	11,134	3,882	15,016
Non-cash contributions	3,154	3,154	0	3,154
Increase/(decrease) in investment property	0	0	0	0
Total capital revenue	12,311	14,288	3,882	18,170
TOTAL REVENUE	234,029	241,920	4,019	245,940
Recurrent expenses				
Employee benefits	74,422	74,510	478	74,988
Goods and services	96,076	102,561	(180)	102,381
Finance costs	4,109	4,156	8	4,164
Depreciation and amortisation	46,794	48,498	0	48,498
Total recurrent expenses	221,401	229,725	306	230,031
Capital expenses				
(Gain)/Loss on disposal of non-current assets	(1,120)	(1,120)	(797)	(1,917)
Total capital expenses	(1,120)	(1,120)	(797)	(1,917)
TOTAL EXPENSES	220,281	228,605	(491)	228,114
NET RESULT	13,748	13,315	4,510	17,826
Other Comprehensive Income/(Loss)				
Increase/(decrease) in asset revaluation surplus	0	0	81	81
TOTAL COMPREHENSIVE INCOME	13,748	13,315	4,591	17,907

	Original Budgeted Cash Flow 2013/14 (\$000s)	Revised Budget Adj. Cash Opening Bal from 2012/13 (\$000s)	Proposed Movement Q3 Budget Review (\$000s)	Proposed Budget 2013/14 (\$000s)
CASH FLOWS FROM OPERATING ACTIVITIES				
Rates Charges (net)	74,953	74,953	-	74,953
Utility Charges	119,189	121,592	-	121,592
Fees & Charges	10,177	10,578	168	10,746
Grants & Subsidies	4,516	5,114	8	5,122
Contributions	-	1,139	-	1,139
Sale of Developed Land	-	-	-	-
Other Revenue	3,681	5,227	(57)	5,170
Receipts from customers	212,516	218,602	119	218,722
Employee Costs	(72,412)	(72,500)	(359)	(72,859)
Materials & Services	(100,287)	(105,416)	1,050	(104,365)
Other Expenses	(604)	(1,957)	(8)	(1,965)
Payments to Suppliers and Employees	(173,303)	(179,873)	683	(179,190)
Interest Received	4,104	4,024	18	4,042
Borrowing Costs	(3,798)	(3,848)	-	(3,848)
Net Cash Inflow from Operating Activities	39,519	38,905	820	39,725
CASH FLOWS FROM INVESTING ACTIVITIES				
Payments - Property, Plant & Equipment	(56,916)	(65,502)	5,467	(60,035)
Proceeds - Capital Subsidies & Grants and Contributions	9,157	11,134	5,428	16,562
Proceeds - Sales of Property, Plant & Equipment	1,424	1,424	797	2,221
Net Cash Inflow from Investing Activities	(46,336)	(52,944)	11,692	(41,252)
CASH FLOWS FROM FINANCING ACTIVITIES				
Proceeds of Borrowings	10,581	10,581	(10,581)	-
Repayment of Borrowings	(4,118)	(4,118)	-	(4,118)
Net Cash Inflow from Financing Activities	6,463	6,463	(10,581)	(4,118)
Net Increase / (Decrease) in Cash Held	(353)	(7,575)	1,930	(5,645)
Cash at Beginning of Year	80,492	82,595		82,595
Cash at End of Financial Year	80,139	75,019	1,930	76,950

	Actual Opening Balance 2013/14 (\$000s)	Budgeted Movement 2013/14 (\$000s)	Q3 Budget Review Proposed Movements (\$000s)	Proposed Revised Budget 2013/14 (\$000s)
CURRENT ASSETS				
Cash & Investments	82,595	(7,575)	1,930	76,950
Accounts Receivable	20,932	-	-	20,932
Inventories	943	-	-	943
Land Held for Resale	-	-	-	-
Prepaid Expenses	1,235	45	-	1,280
Assets - Held for Sale	467	-	-	467
Total Current Assets	106,172	(7,530)	1,930	100,572
NON CURRENT ASSETS				
Accounts Receivable	-	-	-	-
Financial Assets	73	-	-	73
Property, Plant and Equipment *	1,993,098	19,854	(5,386)	2,007,565
Total Non Current Assets	1,993,171	19,854	(5,386)	2,007,638
TOTAL ASSETS	2,099,343	12,323	(3,456)	2,108,210
CURRENT LIABILITIES				
Accounts Payable	11,608	1,910	119	13,637
Current Employee Provisions	6,410	-	-	6,410
Current Loans	4,124	-	-	4,124
Current Landfill Rehabilitation Provisions	5,837	(4,065)	(630)	1,143
Other Liabilities	6,362	(5,007)	1,545	2,901
Total Current Liabilities	34,341	(7,161)	1,035	28,214
NON CURRENT LIABILITIES				
Non Current Loans	58,978	6,463	(10,581)	54,860
Non Current Employee Provisions	9,516	1,206	-	10,722
Non Current Landfill Rehabilitation Provisions	34,655	(1,500)	1,500	34,655
Other Liabilities	693	-	-	693
Total Non Current Liabilities	103,842	6,169	(9,081)	100,930
TOTAL LIABILITIES	138,183	(992)	(8,047)	129,144
NET ASSETS	1,961,159	13,315	4,591	1,979,066
COMMUNITY EQUITY				
Retained Earnings Account	1,901,402	26,797	1,286	1,929,485
Cash Reserves	59,757	(13,481)	3,305	49,580
TOTAL COMMUNITY EQUITY	1,961,159	13,315	4,591	1,979,066

*Note: The movement between the 2012/13 closing balances and the 2013/14 opening balances is attributable to the net impact of realigning traffic signal ownership between RCC and the State Government along with some adjustments to depreciation.



Redland City Council

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	77,623	77,623	0	77,623
Other Rates & Utility Charges	119,189	121,592	0	121,592
Less: Pensioner Remissions	-2,670	-2,670	0	-2,670
Fees & Charges	9,775	10,176	168	10,344
Operating Grants & Subsidies	10,016	10,522	8	10,530
Operating Contributions & Donations	0	1,139	0	1,139
Interest External	4,104	4,024	18	4,042
Other Revenue	3,681	5,227	-57	5,170
Total Revenue	221,718	227,633	137	227,770
EXPENSES				
Employee Costs	74,422	74,510	478	74,988
Goods & Services	96,879	102,008	-180	101,828
Finance Costs Other	311	308	8	316
Other Expenditure	293	1,649	0	1,649
Net Internal Costs	-1,096	-1,096	0	-1,096
Total Expenses	170,809	177,379	306	177,686
Earnings before Interest, Tax and Depreciation (EBITD)	50,909	50,253	-169	50,084
Interest expense	3,798	3,848	0	3,848
Depreciation	46,794	48,498	0	48,498
OPERATING SURPLUS/(DEFICIT)	317	-2,092	-169	-2,261
Transfers to Constrained Operating Reserves	-13,639	-10,300	194	-10,105
Transfers from Constrained Operating Reserves	11,128	19,067	-76	18,991



Redland City Council

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	4,896	6,644	3,346	9,990
Capital Grants & Subsidies	4,261	4,490	536	5,026
Proceeds on Disposal of Non Current Assets	1,424	1,424	797	2,221
Capital Transfers (to) From Reserves	3,975	4,714	-3,422	1,291
Non Cash Contributions	3,154	3,154	0	3,154
New Loans	10,581	10,581	-10,581	0
Funding from General Revenue	35,897	41,767	3,858	45,625
Total Sources of Capital Funding	64,188	72,774	-5,467	67,307
PROPOSED APPLICATION OF CAPITAL FUNDS				
Contributed Assets	3,154	3,154	0	3,154
Capitalised Goods & Services	48,623	59,701	-5,432	54,269
Capitalised Employee Costs	8,294	5,800	-34	5,766
Loan Redemption	4,118	4,118	0	4,118
Total Application of Capital Funds	64,188	72,774	-5,467	67,307
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	-304	-304	0	-304
Tax and Dividends	0	0	0	0
Internal Capital Structure Financing	0	0	0	0



CEO Group

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	77,623	77,623	0	77,623
Other Rates & Utility Charges	110	110	0	110
Less: Pensioner Remissions	-2,670	-2,670	0	-2,670
Fees & Charges	689	760	0	760
Operating Grants & Subsidies	2,897	2,678	0	2,678
Operating Contributions & Donations	0	1,039	0	1,039
Interest External	3,745	3,245	0	3,245
Other Revenue	361	361	0	361
Total Revenue	82,754	83,145	0	83,145
EXPENSES				
Employee Costs	9,780	10,415	0	10,415
Goods & Services	807	3,472	0	3,472
Finance Costs Other	306	301	0	301
Other Expenditure	135	135	0	135
Net Internal Costs	-1,323	-1,170	-194	-1,364
Total Expenses	9,705	13,153	-194	12,959
Earnings before Interest, Tax and Depreciation (EBITD)	73,049	69,992	194	70,186
Interest expense	3,769	3,819	0	3,819
Depreciation	13	7	0	7
OPERATING SURPLUS/(DEFICIT)	69,267	66,167	194	66,360
Transfers to Constrained Operating Reserves	-842	-842	42	-800
Transfers from Constrained Operating Reserves	110	9,939	-140	9,798



CEO Group

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	0	0	0	0
Capital Grants & Subsidies	0	0	0	0
Proceeds on Disposal of Non Current Assets	0	0	0	0
Capital Transfers (to) From Reserves	0	340	305	645
Non Cash Contributions	0	0	0	0
New Loans	7,526	7,526	-7,526	0
Funding from General Revenue	-3,453	-3,823	7,313	3,490
Total Sources of Capital Funding	4,073	4,043	93	4,136
PROPOSED APPLICATIONS OF CAPITAL FUNDS				
Contributed Assets	0	0	0	0
Capitalised Goods & Services	30	0	93	93
Capitalised Employee Costs	0	0	0	0
Loan Redemption	4,043	4,043	0	4,043
Total Application of Capital Funds	4,073	4,043	93	4,136
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	0	0	0	0
Tax and Dividends	-11,326	-11,393	-529	-11,922
Internal Capital Structure Financing	-22,255	-22,255	89	-22,166



Organisational Services

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	0	0	0	0
Other Rates & Utility Charges	0	0	0	0
<i>Less: Pensioner Remissions</i>	0	0	0	0
Fees & Charges	18	18	0	18
Operating Grants & Subsidies	16	70	0	70
Operating Contributions & Donations	0	100	0	100
Interest External	0	0	0	0
Other Revenue	47	78	0	78
Total Revenue	81	265	0	265
EXPENSES				
Employee Costs	12,553	12,361	15	12,375
Goods & Services	7,180	8,332	-737	7,595
Finance Costs Other	0	0	10	10
Other Expenditure	35	35	0	35
Net Internal Costs	-12,077	-11,990	10	-11,980
Total Expenses	7,691	8,738	-702	8,036
Earnings before Interest, Tax and Depreciation (EBITD)	-7,611	-8,472	702	-7,771
Interest expense	0	0	0	0
Depreciation	2,966	3,531	0	3,531
OPERATING SURPLUS/(DEFICIT)	-10,577	-12,003	702	-11,301
Transfers to Constrained Operating Reserves	0	0	0	0
Transfers from Constrained Operating Reserves	700	738	-31	706



Organisational Services

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	0	0	0	0
Capital Grants & Subsidies	0	50	0	50
Proceeds on Disposal of Non Current Assets	1,424	1,424	-135	1,289
Capital Transfers (to) From Reserves	0	0	0	0
Non Cash Contributions	0	0	0	0
New Loans	0	0	0	0
Funding from General Revenue	5,938	6,924	227	7,151
Total Sources of Capital Funding	7,362	8,398	92	8,490
PROPOSED APPLICATIONS OF CAPITAL FUNDS				
Contributed Assets	0	0	0	0
Capitalised Goods & Services	7,362	8,398	92	8,490
Capitalised Employee Costs	0	0	0	0
Loan Redemption	0	0	0	0
Total Application of Capital Funds	7,362	8,398	92	8,490
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	0	0	0	0
Tax and Dividends	0	0	0	0
Internal Capital Structure Financing	0	0	0	0



Customer & Community Services

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	0	0	0	0
Other Rates & Utility Charges	0	0	0	0
<i>Less: Pensioner Remissions</i>	0	0	0	0
Fees & Charges	7,570	6,953	200	7,153
Operating Grants & Subsidies	1,457	1,469	8	1,477
Operating Contributions & Donations	0	0	0	0
Interest External	0	0	18	18
Other Revenue	726	722	9	731
Total Revenue	9,753	9,144	235	9,379
EXPENSES				
Employee Costs	26,206	26,310	33	26,342
Goods and Services	7,251	6,466	-3	6,464
Finance Costs Other	3	3	0	3
Other Expenditure	123	127	0	127
Net Internal Costs	5,067	4,930	183	5,113
Total Expenses	38,651	37,836	213	38,049
Earnings before Interest, tax and depreciation (EBITD)	-28,897	-28,692	22	-28,670
Interest expense	0	0	0	0
Depreciation	1,671	1,826	0	1,826
OPERATING SURPLUS/(DEFICIT)	-30,568	-30,517	22	-30,496
Transfers to Constrained Operating Reserves	0	-2	-22	-24
Transfers from Constrained Operating Reserves	149	445	62	508



Customer & Community Services

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	35	55	104	159
Capital Grants & Subsidies	642	610	0	610
Proceeds on Disposal of Non Current Assets	0	0	932	932
Capital Transfers (to) From Reserves	-35	45	-104	-59
Non Cash Contributions	0	0	0	0
New Loans	0	0	0	0
Funding from General Revenue	1,243	1,447	-139	1,308
Total Sources of Capital Funding	1,885	2,157	793	2,950
PROPOSED APPLICATIONS OF CAPITAL FUNDS				
Contributed Assets	0	0	0	0
Capitalised Goods & Services	1,885	2,157	793	2,950
Capitalised Employee Costs	0	0	0	0
Loan Redemption	0	0	0	0
Total Application of Capital Funds	1,885	2,157	793	2,950
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	0	0	0	0
Tax and Dividends	0	0	0	0
Internal Capital Structure Financing	0	0	0	0



Infrastructure & Operations

(excl Redland Water & RedWaste)

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	0	0	0	0
Other Rates & Utility Charges	11,168	11,168	0	11,168
<i>Less: Pensioner Remissions</i>	0	0	0	0
Fees & Charges	896	1,874	-32	1,842
Operating Grants & Subsidies	5,646	6,305	0	6,305
Operating Contributions & Donations	0	0	0	0
Interest External	24	24	0	24
Other Revenue	698	1,591	-66	1,526
Total Revenue	18,432	20,963	-98	20,865
EXPENSES				
Employee Costs	16,385	16,969	429	17,399
Goods and Services	32,793	32,998	747	33,745
Finance Costs Other	0	2	-2	0
Other Expenditure	0	0	0	0
Net Internal Costs	6,441	6,156	0	6,156
Total Expenses	55,619	56,126	1,175	57,300
Earnings before Interest, Tax and Depreciation (EBITD)	-37,187	-35,162	-1,272	-36,435
Interest expense	0	0	0	0
Depreciation	24,719	26,270	0	26,270
OPERATING SURPLUS/(DEFICIT)	-61,906	-61,432	-1,272	-62,705
Transfers to Constrained Operating Reserves	-11,836	-8,495	0	-8,495
Transfers from Constrained Operating Reserves	10,169	6,575	-35	6,540



Infrastructure & Operations

(excl Redland Water & RedWaste)

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	2,513	2,590	2,742	5,331
Capital Grants & Subsidies	3,618	3,830	536	4,366
Proceeds on Disposal of Non Current Assets	0	0	0	0
Capital Transfers (to) From Reserves	23	1,303	-441	863
Non Cash Contributions	154	154	0	154
New Loans	3,056	3,056	-3,056	0
Funding from General Revenue	27,564	31,133	-3,675	27,458
Total Sources of Capital Funding	36,928	42,065	-3,893	38,172
PROPOSED APPLICATION OF CAPITAL FUNDS				
Contributed Assets	154	154	0	154
Capitalised Goods & Services	28,700	36,331	-3,864	32,467
Capitalised Employee Costs	8,074	5,581	-30	5,551
Loan Redemption	0	0	0	0
Total Application of Capital Funds	36,928	42,065	-3,893	38,172
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	-304	-304	0	-304
Tax and Dividends	69	55	1	56
Internal Capital Structure Financing	232	232	-89	143



Redland Water

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	0	0	0	0
Other Rates & Utility Charges	89,458	91,861	0	91,861
<i>Less: Pensioner Remissions</i>	0	0	0	0
Fees & Charges	169	265	0	265
Operating Grants & Subsidies	0	0	0	0
Operating Contributions & Donations	0	0	0	0
Interest External	200	613	0	613
Other Revenue	1,029	1,580	0	1,580
Total Revenue	90,856	94,319	0	94,319
EXPENSES				
Employee Costs	8,327	7,288	2	7,289
Goods & Services	31,835	33,811	10	33,821
Finance Costs Other	0	0	0	0
Other Expenditure	0	1,352	0	1,352
Net Internal Costs	2,263	2,428	0	2,428
Total Expenses	42,425	44,879	11	44,890
Earnings before Interest, Tax and Depreciation (EBITD)	48,431	49,440	-11	49,428
Interest expense	0	0	0	0
Depreciation	16,895	16,344	0	16,344
OPERATING SURPLUS/(DEFICIT)	31,536	33,096	-11	33,085
Transfers to Constrained Operating Reserves	0	0	0	0
Transfers from Constrained Operating Reserves	0	1,361	0	1,361



Redland Water

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	2,348	3,999	500	4,499
Capital Grants & Subsidies	0	0	0	0
Proceeds on Disposal of Non Current Assets	0	0	0	0
Capital Transfers (to) From Reserves	3,761	2,800	-3,143	-343
Non Cash Contributions	3,000	3,000	0	3,000
New Loans	0	0	0	0
Funding from General Revenue	4,458	5,938	142	6,080
Total Sources of Capital Funding	13,567	15,738	-2,501	13,236
PROPOSED APPLICATION OF CAPITAL FUNDS				
Contributed Assets	3,000	3,000	0	3,000
Capitalised Goods & Services	10,347	12,518	-2,497	10,021
Capitalised Employee Costs	220	220	-5	215
Loan Redemption	0	0	0	0
Total Application of Capital Funds	13,567	15,738	-2,501	13,236
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	0	0	0	0
Tax and Dividends	9,835	10,071	566	10,637
Internal Capital Structure Financing	21,681	21,681	0	21,681



RedWaste

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	0	0	0	0
Other Rates & Utility Charges	18,453	18,453	0	18,453
Less: Pensioner Remissions	0	0	0	0
Fees & Charges	434	306	0	306
Operating Grants & Subsidies	0	0	0	0
Operating Contributions & Donations	0	0	0	0
Interest External	135	142	0	142
Other Revenue	820	896	0	896
Total Revenue	19,842	19,796	0	19,796
EXPENSES				
Employee Costs	1,170	1,167	0	1,167
Goods & Services	17,013	16,929	-198	16,731
Finance Costs Other	3	3	0	3
Other Expenditure	0	0	0	0
Net Internal Costs	-1,466	-1,450	0	-1,450
Total Expenses	16,719	16,649	-198	16,451
Earnings before Interest, Tax and Depreciation (EBITD)	3,123	3,148	198	3,345
Interest expense	29	29	0	29
Depreciation	530	521	0	521
OPERATING SURPLUS/(DEFICIT)	2,564	2,598	198	2,795
Transfers to Constrained Operating Reserves	-961	-961	174	-786
Transfers from Constrained Operating Reserves	0	9	68	77



RedWaste

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	0	0	0	0
Capital Grants & Subsidies	0	0	0	0
Proceeds on Disposal of Non Current Assets	0	0	0	0
Capital Transfers (to) From Reserves	226	226	-40	186
Non Cash Contributions	0	0	0	0
New Loans	0	0	0	0
Funding from General Revenue	148	148	-10	138
Total Sources of Capital Funding	373	373	-50	323
PROPOSED APPLICATION OF CAPITAL FUNDS				
Contributed Assets	0	0	0	0
Capitalised Goods & Services	298	298	-50	248
Capitalised Employee Costs	0	0	0	0
Loan Redemption	75	75	0	75
Total Application of Capital Funds	373	373	-50	323
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	0	0	0	0
Tax and Dividends	1,422	1,267	-38	1,229
Internal Capital Structure Financing	342	342	0	342



Infrastructure & Operations (incl Redland Water & RedWaste)

Operating Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
REVENUE				
Rates Charges	0	0	0	0
Other Rates & Utility Charges	119,079	121,482	0	121,482
Less: Pensioner Remissions	0	0	0	0
Fees & Charges	1,499	2,445	-32	2,413
Operating Grants & Subsidies	5,646	6,305	0	6,305
Operating Contributions & Donations	0	0	0	0
Interest External	359	779	0	779
Other Revenue	2,547	4,067	-66	4,001
Total Revenue	129,130	135,079	-98	134,981
EXPENSES				
Employee Costs	25,882	25,425	431	25,856
Goods and Services	81,640	83,738	559	84,297
Finance Costs Other	3	5	-2	3
Other Expenditure	0	1,352	0	1,352
Net Internal Costs	7,237	7,134	0	7,134
Total Expenses	114,763	117,654	989	118,642
Earnings before Interest, Tax and Depreciation (EBITD)	14,368	17,425	-1,086	16,339
Interest expense	29	29	0	29
Depreciation	42,144	43,134	0	43,134
OPERATING SURPLUS/(DEFICIT)	-27,805	-25,738	-1,086	-26,824
Transfers to Constrained Operating Reserves	-12,797	-9,456	174	-9,282
Transfers from Constrained Operating Reserves	10,169	7,945	33	7,979



Infrastructure & Operations (incl Redland Water & RedWaste)

Capital Funding Statement

Forecast for the year ending 30 June 2014

	Original Budget (\$000s)	Revised Budget as Adopted (\$000s)	Proposed Changes Q3 Budget Review (\$000s)	Proposed Revised Budget (\$000s)
PROPOSED SOURCES OF CAPITAL FUNDING				
Capital Contributions & Donations	4,861	6,589	3,242	9,831
Capital Grants & Subsidies	3,618	3,830	536	4,366
Proceeds on Disposal of Non Current Assets	0	0	0	0
Capital Transfers (to) From Reserves	4,010	4,329	-3,623	705
Non Cash Contributions	3,154	3,154	0	3,154
New Loans	3,056	3,056	-3,056	0
Funding from General Revenue	32,169	37,219	-3,543	33,676
Total Sources of Capital Funding	50,868	58,176	-6,445	51,731
PROPOSED APPLICATION OF CAPITAL FUNDS				
Contributed Assets	3,154	3,154	0	3,154
Capitalised Goods & Services	39,346	49,147	-6,410	42,736
Capitalised Employee Costs	8,294	5,800	-34	5,766
Loan Redemption	75	75	0	75
Total Application of Capital Funds	50,868	58,176	-6,445	51,731
OTHER BUDGETED ITEMS				
WDV of Assets Disposed	-304	-304	0	-304
Tax and Dividends	11,326	11,393	529	11,922
Internal Capital Structure Financing	22,255	22,255	-89	22,166



Redland City Council
2013/2014 Third Quarter Budget Review
Summary Submissions

	No of Submissions	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdowns	Reserves	Operating Surplus/ Deficit	Cash Impact
OPERATING & CAPITAL											
CEO Group											
Project Submissions	0	0	0	0	0	0	0	0	0	0	0
Councillor Requests	0	0	0	0	0	0	0	0	0	0	0
Activity Submissions	10	0	-1,500,709	118,951	0	92,584	-118,951	7,525,653	1,457,774	7,575,303	6,117,529
	10	0	-1,500,709	118,951	0	92,584	-118,951	7,525,653	1,457,774	7,575,303	6,117,529
Organisational Services											
Project Submissions	1	0	0	-30,919	0	0	0	0	30,919	0	-30,919
Councillor Requests	0	0	0	0	0	0	0	0	0	0	0
Activity Submissions	10	0	134,800	0	290,445	-716,772	0	0	0	-581,972	-581,972
	11	0	134,800	-30,919	290,445	-716,772	0	0	30,919	-581,972	-612,891
Community & Customer Services											
Project Submissions	5	0	-932,097	59,155	33,800	932,097	0	0	0	59,155	59,155
Councillor Requests	0	0	0	0	0	0	0	0	0	0	0
Activity Submissions	21	0	-234,902	-80,312	154,208	-70,000	0	0	-42,213	-427,427	-385,214
	26	0	-1,166,999	-21,157	188,008	862,097	0	0	-42,213	-368,272	-326,059
Infrastructure & Operations											
Project Submissions	59	16	-897,143	-321,846	82,780	-5,967,002	-1,590,455	3,055,787	949,637	-4,771,007	-5,720,643
Councillor Requests	6	0	0	0	40,000	15,000	0	0	0	15,000	15,000
Activity Submissions	45	0	-1,389,710	894,863	174,059	-236,624	-825,116	0	908,503	-648,085	-1,556,587
	110	16	-2,286,853	573,017	296,839	-6,188,626	-2,415,571	3,055,787	1,858,139	-5,404,091	-7,262,231
TOTAL SUBMISSIONS	157	16	-4,819,761	639,892	775,292	-5,950,717	-2,534,522	10,581,440	3,304,620	1,220,968	-2,083,652
TRANSFERS											
CEO Group	0	0	0	0	0	0	0	0	0	0	0
Organisational Services	5	0	0	-800,000	0	800,000	0	0	0	0	0
Community & Customer Serv	5	0	0	34,845	0	-34,845	0	0	0	0	0
Infrastructure & Operations	13	9	2,990	431,513	0	-281,101	0	0	0	153,410	153,410
TOTAL TRANSFERS	23	9	2,990	-333,642	0	484,054	0	0	0	153,410	153,410
BUDGET REVIEW TOTAL	180	24	-4,816,771	306,250	775,292	-5,466,663	-2,534,522	10,581,440	3,304,620	1,374,378	-1,930,242



Redland City Council

2013/2014 Third Quarter Budget Review

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
Chief Executive Officer Groups												
Activity Submissions												
0000-402	10119 - Information Management. Ask for budget plus provision for termination payment with a present obligation which will be paid in July 2014.	Activity Ask	0	0	118,951	0	0	-118,951	0	0	0	0
0000-200	10467 - Procurement Services. Ask for budget for the implementation and license costs for the TechOne Contracts Module to meet audit recommendations.	Activity Ask	0	0	0	0	92,584	0	0	0	92,584	92,584
0000-400	Ask for budget to align to current Land Revaluation Adjustments actuals.	Activity Ask	0	0	0	0	0	0	0	0	0	0
0000-403	99109 - Corporate Fund. Give up borrowings budget per CEO. Borrowings not required.	Activity Give-Up	0	0	0	0	0	0	7,525,653	0	7,525,653	7,525,653
0000-404	81147 - Cycleway Infrastructure Charge - Increase appropriation to reserve, in line with actual Developers Cash Contributions received year to date.	Reserves Adjustment	0	-328,601	0	0	0	0	0	328,601	0	-328,601
0000-405	Transfer to Special Project Reserve. Reduce interest appropriation to reserve. Current budget overstated.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-22,015	-22,015	0
0000-406	Transfer to Raby Bay Tidal Works Non CTS Reserve. Reduce interest appropriation to reserve. Current budget overstated.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-20,000	-20,000	0
0000-407	45589 - Open Space Infrastructure Charge. Increase appropriation to reserve, in line with actual Developer Cash Contributions received year to date.	Reserves Adjustment / Re-alignment	0	-1,067,788	0	0	0	0	0	1,067,788	0	-1,067,788
0000-408	45581 - Community Facility Infrastructure Charge. Increase appropriation to reserve, in line with actual Developer Cash Contributions received year to date.	Reserves Adjustment / Re-alignment	0	-104,320	0	0	0	0	0	104,320	0	-104,320
0000-409	30478 - Koala Habitat Restoration. Drawdown unexpended contribution from 2012/13 year. Refer expenditure on job 30478.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-920	-920	0
			0	-1,500,709	118,951	0	92,584	-118,951	7,525,653	1,457,774	7,575,303	6,117,529
CEO GROUPS TOTAL SUBMISSIONS			0	-1,500,709	118,951	0	92,584	-118,951	7,525,653	1,457,774	7,575,303	6,117,529
Organisational Services												
Project Submissions												
1000-100	30081 - Local Government Flood Response Subsidy. Give-up budget and return funds to reserves. These costs will be rolled over to be spent in the 14/15 budget to purchase laptops for the LDCC as approved by the Dept Local Government.	Project Carryover	0	0	-30,919	0	0	0	0	30,919	0	-30,919
			0	0	-30,919	0	0	0	0	30,919	0	-30,919

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
Activity Submissions												
1000-101	30512 - North Stradbroke Island 2014 Fires. Asking for budget in line with operational spending for the 2014 NSI fire response. There is a claim to the NDRRA for \$197,668.66 which represents the full costs less wages. The claim will not be paid this financial year.	Activity Ask	0	0	0	208,037	0	0	0	0	0	0
1000-600	10119 - Printer Maintenance Contract. Ask for budget. Budget not set for Mail Service when distributing the postage service budget for 2013-2014 to individual cost centres. The incoming mail service was not budgeted.	Activity Ask	0	0	0	82,408	0	0	0	0	0	0
1000-105	40653 - SES Shed Russell Island. Increase capital contractors budget align reduced scope quote to finish building the SES shed on Russell Island.	Project Give-Up	0	0	0	0	25,041	0	0	0	25,041	25,041
1000-700	Fleet Replacement Program. Give up no longer required. Items identified in the current replacement program that don't require replacing & have been given up - attrition, no longer needed etc - list available.	Project Give-Up	0	0	0	0	-104,515	0	0	0	-104,515	-104,515
1000-701	Fleet Replacement Program - Give Up - Underspend / Budget Saving. This year's replacement program of \$5.9M underspend of 1.2%. Actuals v's Budget Forecast to EOY.	Project Give-Up	0	0	0	0	-72,764	0	0	0	-72,764	-72,764
1000-201	Division 1 to 10 Councillor and Mayor Expenses. Give up of funds for the Community infrastructure Fund minor capital works in parks - \$100k will be in Job 20056 capital program for the 2014-15 Financial Year.	Project Carryover	0	0	0	0	-110,000	0	0	0	-110,000	-110,000
1000-703	Fleet Replacement Program. Transfer Funds to outer years following condition based assessments - these items lives have been extended to future years.	Deferred / Brought Forward Project	0	0	0	0	-129,053	0	0	0	-129,053	-129,053
1000-702	Fleet Replacement Program - Transfer funds to next year's replacement program. Due to existing vacancies and other replacement strategies, these vehicles will be required when positions are filled. Advice from stakeholders in new financial year.	Project Carryover	0	0	0	0	-325,481	0	0	0	-325,481	-325,481
1000-704	Fleet Proceeds from Disposal - Proceed expectations to be moved to outer years. Retained in service vehicles covering temp positions/fleet pool/projects etc.	Deferred / Brought Forward Project	0	62,050	0	0	0	0	0	0	62,050	62,050
1000-705	Fleet Proceeds from Disposal - Proceed expectations to be moved to outer years. Following condition based assessments - these items lives have been extended to future years therefore disposal will not occur this financial year.	Deferred / Brought Forward Project	0	72,750	0	0	0	0	0	0	72,750	72,750
			0	134,800	0	290,445	-716,772	0	0	0	-581,972	-581,972
ORGANISATIONAL SERVICES TOTAL SUBMISSIONS			0	134,800	-30,919	290,445	-716,772	0	0	30,919	-581,972	-612,891

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
Community & Customer Services												
Project Submissions												
2000-102	70603 - Redlands Planning Scheme. Ask for budget. RPS Review - Website Development and Bang the Table online engagement tools.	Project Ask	0	0	26,600	0	0	0	0	0	26,600	26,600
2000-400	70040 - Economic Development. Ask for budget. UQ Survey ED plan baseline assessment. Mayor, CEO, Chamber of Commerce involved. Invoice has been paid Part of QLD Govt Innovation Agenda.	Project Ask	0	0	0	33,800	0	0	0	0	0	0
2000-100	70603 - Redlands Planning Scheme. Ask for budget As per briefing note recommendations. Approved by GM 25/3/14. Approved by CEO 26/3/14 DWKS# 7879728.	Project Ask	0	0	23,254	0	0	0	0	0	23,254	23,254
2000-101	70603 - Redlands Planning Scheme. Ask for budget. As per briefing note recommendations. Approved by GM 25/3/14. Approved by CEO 26/3/14 DWKS# 7879728.	Project Ask	0	0	9,301	0	0	0	0	0	9,301	9,301
2000-506	81151 - SMBI Land Exchange Program. Increase revenue and expense budget to match 39 SMBI land exchanges for 13/14 to date. The costs represents the value of the land RCC has received as part of the land exchange and is offset with the sale proceeds.	Project Ask	0	-932,097	0	0	932,097	0	0	0	0	0
			0	-932,097	59,155	33,800	932,097	0	0	0	59,155	59,155
Activity Submissions												
2000-503	11027 - Local Laws Increased debt collection costs, resulting from increase in infringements. More infringements sent to SPER.	Activity Ask	0	0	0	55,000	0	0	0	0	0	0
2000-312	11247 RPAC Operations. Increase revenue & associated goods and services - zero effect.	Change in Activity Revenue	0	-35,000	35,000	0	0	0	0	0	0	0
2000-507	11025 - Development Control. Ask for contractor budget to perform remedial works at two properties as a result of legal action.	Activity Ask	0	0	0	35,000	0	0	0	0	0	0
2000-504	11027 - Local Laws Increase in In-house printing, resulting from increase in Infringements more letters required to be issued/sent.	Activity Ask	0	0	0	25,000	0	0	0	0	0	0
2000-500	11028 - Env Health Services Team. Environmental consultants required to provide environmental monitoring to resolve an issue at Smith St Capalaba. Original Budget had \$20,000, but was an efficiency give up.	Activity Ask	0	0	0	18,117	0	0	0	0	0	0
2000-304	11089 RAG Cleveland Exhibitions. Increase external printing budget. Publications funded by grant income.	Activity Ask	0	0	0	9,091	0	0	0	0	0	0
2000-401	10293 - Infrastructure Charges Unit. Ask for budget. New Infrastructure Charges Unit. Costs for Scoping.	Activity Ask	0	0	0	6,000	0	0	0	0	0	0
2000-402	10293 - Infrastructure Charges Unit. Ask for budget. New Infrastructure Charges Unit. Costs for Implementation.	Activity Ask	0	0	0	6,000	0	0	0	0	0	0
2000-302	30147 Home Maintenance (HACC). Draw-down from reserves transition funds carried forward from 12/13 to be spent on larger/dual monitors for the HACC program as per the funding agreement.	Reserves Adjustment / Re-alignment	0	0	4,219	0	0	0	0	-4,219	0	4,219

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
2000-300	10848 Allied Health Services. Return reserve balance to retained earnings. Funds were relinquished as at 30 June 2013 by the funding body. Reserve balance was set aside to replace Community Care vehicles which are no longer required due to the termination of the service by Council - this is now managed by an external supplier.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-2,394	-2,394	0
2000-301	11022 Admin Respite. Return reserve balance to retained earnings. Funds were relinquished as at 30 June 2013 by the funding body. Reserve balance was set aside to replace Community Care vehicles which are no longer required due to the termination of the service by Council - this is now managed by an external supplier.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-57,911	-57,911	0
2000-501	10234 - KAG Grant. Transfer to reserves. An external grant was received late in this FY and only partly expended, remainder to be transferred into 14/15 budget.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	4,500	4,500	0
2000-303	10130 Public Art & Acquisitions - (RAG). Increase miscellaneous income budget. Unbudgeted 13/14 exhibition grant income received for exhibition publications.	Change in Activity Revenue	0	-9,091	0	0	0	0	0	0	-9,091	-9,091
2000-305	30146 Home Assist Secure. Transfer to Reserves. Accrued 11/12 and 12/13 interest to be retained at request Dept Housing.	Reserves Adjustment / Re-alignment	0	-17,811	0	0	0	0	0	17,811	0	-17,811
2000-310	10340 Customer Contact Centre Implement. Give up Budget. Budget not required for telephony capital budget.	Activity Give-Up	0	0	0	0	-70,000	0	0	0	-70,000	-70,000
2000-403	11421 - Development Coordination. Request to amend revenue budget. Incorrectly entered as a debit value during 13/14 budget development.	Change in Activity Revenue	0	-8,000	0	0	0	0	0	0	-8,000	-8,000
2000-502	11027 - Local Laws Increase in revenue, increased enforcement action, additional patrols and parking officer.	Change in Activity Revenue	0	-165,000	0	0	0	0	0	0	-165,000	-165,000
2000-505	10263 - Fauna Management. Decrease in budget efficiency savings throughout year.	Activity Give-Up	0	0	-2,500	0	0	0	0	0	-2,500	-2,500
2000-314	30487 Koala Strategy Education Grants. Budget give up. Undersubscribed conservation grant round. Funds not required.	Activity Give-Up	0	0	-32,887	0	0	0	0	0	-32,887	-32,887
2000-313	11431 Capital Infrastructure Grant. Budget give up. Undersubscribed capital grant round. Funds not required.	Activity Give-Up	0	0	-34,144	0	0	0	0	0	-34,144	-34,144
2000-306	10138 Museums. Give up Budget. 12/13 actuals not bought forward to 13/14. 1st quarter 13/14 paid in June 13.	Activity Give-Up	0	0	-50,000	0	0	0	0	0	-50,000	-50,000
			0	-234,902	-80,312	154,208	-70,000	0	0	-42,213	-427,427	-385,214
CUSTOMER AND COMMUNITY SERVICES TOTAL SUBMISSIONS			0	-1,166,999	-21,157	188,008	862,097	0	0	-42,213	-368,272	-326,059

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
Infrastructure and Operations												
Project Submissions												
3000-240	30228 Norfolk Beach Rectification. Ask for Budget. Installation of geotextile sand bags and reinstatement of sand to beach area. Aligning budget to current actuals.	Project Ask	0	0	0	54,020	0	0	0	0	0	0
3000-243	70047 Redland Speed Limit Reviews. Ask for budget for speed limit review currently underway to be completed in 13/14.	Project Ask	0	0	0	28,760	0	0	0	0	0	0
3000-208	40014 MBC Thornlands Tindapah to Beveridge. Give up budget. Design deferred due to ongoing community consultation. Budget will be resubmitted during a quarterly review for inclusion in 14/15.	Project Give-Up	0	46,580	0	0	0	0	0	0	46,580	46,580
3000-209	20116 Old Cleveland Road East, Birkdale. Ask for grants budget. Increase revenue/grants budget to align with current actuals as received from TMR - Road Alliance funding.	Project Ask	0	-143,101	0	0	0	0	0	0	-143,101	-143,101
3000-210	20259 Old Cleveland Road East, Wellington Point. Ask for grants budget. Increase revenue/grants budget to align with current actuals as received from TMR - Road Alliance funding.	Project Ask	0	-130,000	0	0	0	0	0	0	-130,000	-130,000
3000-211	40398 King Street Roundabout and land contribution - EC005208. Anderson Trust Infrastructure Agreement. Payment for works completed. Contingency included in original budget allocation. Give up of additional budget not required.	Project Give-Up	0	0	-1,000	0	-319,618	0	0	179,714	-140,905	-320,618
3000-212	40533 Rosewood Street Intersection Upgrade. Give up budget. Project budget removed at Q2, some funds still remain - accounting adjustment.	Project Give-Up	0	0	-200	0	200	0	0	0	0	0
3000-213	40587 Bicycle Route Signage Capalaba to Cleveland. Adjustment of grants and ask for budget. Grants funding revised down to match actuals and budget increase required to meet commitments for approved variation.	Project Ask	0	9,000	0	0	3,794	0	0	0	12,794	12,794
3000-215	40758 Kinross Road Construction Contribution. Ask for budget in line with current actuals. Payment was approved and actioned prior to quarterly adjustment.	Project Ask	0	0	0	0	505,240	0	0	0	505,240	505,240
3000-216	40760 Kinross Road Land Contribution. Ask for Budget in line with current actuals. Payment was approved and actioned prior to quarterly adjustment.	Project Ask	0	0	0	0	107,500	0	0	0	107,500	107,500
3000-217	41614 Waterways Infrastructure Give Up Budget. Ongoing program budget has been removed pending future priority works.	Activity Give-Up	0	0	0	0	-183,240	0	0	0	-183,240	-183,240
3000-218	41634 Asphalt Overlays Give Up Budget/Adjustment of Grants. Adjust grants revenue in line with current actuals.	Project Give-Up	0	39,130	0	0	0	0	0	0	39,130	39,130
3000-219	41144 Dalpura Street Drainage Extension. Give up budget. Full design now required for works to proceed and increased budget will be requested via quarterly review in 14/15.	Project Give-Up	0	0	0	0	-5,000	0	0	0	-5,000	-5,000
3000-221	81156 Stormwater Trunk Infrastructure Charges. Ask for budget (revenue) to align with current actuals.	Activity Ask	0	-360,816	0	0	0	0	0	356,112	-4,704	-360,816
3000-222	81160 Seal Gravel Design. Give up budget. All programmed works are now completed, excess budget to be given up.	Activity Give-Up	0	0	0	0	-85,202	0	0	0	-85,202	-85,202

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
3000-226	40057 Boat Ramp Upgrade Toe Planks High Street Russell Island External Funding Approval received. Funding to be acquitted from DTMR before EoFY.	Project Ask	0	-100,000	0	0	0	0	0	0	-100,000	-100,000
3000-227	40058 Upgrade Boat Ramp Toe Planks Macleay Island. Give up grant revenue. Funding to be received in 14/15 - remove funding from this financial year.	Project Carryover	0	137,500	0	0	0	0	0	0	137,500	137,500
3000-228	40392 Boat Ramp Toe Planks Yabby Street NSI. Adjustment of contractors budget from capital to operating budget and addition of TMR grant funding.	Project Ask	0	-250,000	232,760	0	-232,760	0	0	0	-250,000	-250,000
3000-229	40573 William Street Southern Ramp Floating Walkway. Give up of budget. Design deferred to 14/15 as design and construct. Design funds in 13/14 no longer required.	Project Carryover	0	75,000	0	0	-75,000	0	0	0	0	0
3000-230	40663 William Street Northern Ramp Floating Walkway. Give up of budget. Design deferred to 14/15 as design and construct. Design funds in 13/14 no longer required.	Project Carryover	0	75,000	0	0	-75,000	0	0	0	0	0
3000-232	40420 Voyagers Court Raby Bay Revetment Wall upgrade. Removal of loan draw-down as job will not be funded by reserves as per ELG direction.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	995,000	-1,125,000	-130,000	995,000
3000-233	42092 Mainroyal Ct Raby Bay Revetment Wall upgrade. Removal of loan draw-down as job will not be funded by reserves as per ELG direction.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	2,060,787	-112,716	1,948,071	2,060,787
3000-234	40032 Coochiemudlo Island Jetty DDA Compliance. Adjustment of grants expenditure budget to align with project costs.	Project Give-Up	0	0	-97,690	0	-1,305,915	0	0	-444,085	-1,847,690	-1,403,605
3000-235	42352 Victoria Point Jetty DDA Compliance. Adjustment of grants expenditure budget to align with project costs.	Project Give-Up	0	-214,163	0	0	214,163	-1,545,455	0	0	-1,545,455	-1,545,455
3000-236	41140 Bay and Smith Street Roundabout. Adjust grants budgets. Adjust grants revenue in line with current actuals.	Project Give-Up	0	20,517	0	0	0	0	0	0	20,517	20,517
3000-237	40601/40584/40636/40638 School Safe Projects - Adjust grants budgets to align with TMR funding, variances and current actuals.	Project Ask	0	38,210	0	0	0	0	0	0	38,210	38,210
3000-244	42318 William Street Southern Ramp. Ask for budget - Adjustment of Reserves funding.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-547,288	-547,288	0
3000-300	62225 Kinross Rd MPA Network Expansion. Increase to budget to award all 3 stages of the contract for construction. Whole job completed more efficiently.	Project Ask	0	0	0	0	243,835	0	0	0	243,835	243,835
3000-310	62225 Kinross Rd MPA Network Expansion. Increase budget to provide funds for refund of developer contributed asset.	Project Ask	0	0	0	0	56,611	0	0	0	56,611	56,611
3000-311	62029 Redland Mainland WSS Network. Reduction in budget. Works expected to be delivered for less than original estimate.	Project Give-Up	0	0	0	0	-213,921	0	0	0	-213,921	-213,921
3000-312	62226 - Pt Lookout WSS Network Expansion. Reduction in budget. Works expected to be delivered for less than original estimate.	Project Give-Up	0	0	0	0	-28,318	0	0	0	-28,318	-28,318
3000-313	63085 - Pump Station Number 67 Reduction in budget.	Project Give-Up	0	0	0	0	-14,000	0	0	14,000	0	-14,000
3000-315	63120 - Switchboards Increase in budget.	Project Ask	0	0	0	0	30,000	0	0	0	30,000	30,000
3000-316	64006 - Sewerage Pump Stn #6. Carry over capital expenditure into next financial year.	Project Carryover	0	0	0	0	-2,500,000	0	0	2,500,000	0	-2,500,000

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
3000-317	63067 - Pumps - Increase in budget.	Project Ask	0	0	0	0	165,000	0	0	0	165,000	165,000
3000-319	63132 - Vic Pt WWTP Belt Filter Press Remove budget.	Project Give-Up	16	0	0	0	-23,900	0	0	23,900	16	-23,884
3000-320	63133 - Thorneside WWTP Inlet Works - Reduction in budget.	Project Give-Up	0	0	0	0	-50,000	0	0	50,000	0	-50,000
3000-321	63135 - Mt Cotton WWTP Inlet Works	Project Give-Up	0	0	0	0	-10,000	0	0	10,000	0	-10,000
3000-323	63117 - Security Gates WWTP - Reduction in budget.	Project Give-Up	0	0	0	0	-45,000	0	0	45,000	0	-45,000
3000-328	63045 Pipe Work & Valves - Reduction in budget.	Project Give-Up	0	0	0	0	-45,000	0	0	0	-45,000	-45,000
3000-333	63050 - Mains Relining - Increase in budget.	Project Ask	0	0	0	0	40,000	0	0	0	40,000	40,000
3000-508	40826 Raby Bay Liberty Swing. Ask for budget. Request from Variety Children's Charity for partnership to install a liberty swing at Raby Bay. Request approved by Mayor & CEO.	New Project	0	0	0	0	33,300	0	0	0	33,300	33,300
3000-509	40827 - Capalaba Entry Statement. Operational budget for landscaping works for the Entry Statement at Capalaba.	New Project	0	-140,000	52,820	0	87,180	0	0	0	0	0
3000-600	40513 Nelson & Main Rds Roundabout. Give up and reallocate to 2014/15. Delays due to amendments to developer design documents.	Project Carryover	0	0	0	0	-1,100,000	0	0	0	-1,100,000	-1,100,000
3000-601	55068 Giles Road Remediation. Return surplus funds to the provision account due to project efficiencies.	Project Give-Up	0	0	0	0	0	-45,000	0	0	-45,000	-45,000
3000-603	40057 Upgrade Boat Ramp (Toe Plank) Russell Island. Give up and reallocate to 2014/15. Works will commence in mid June.	Project Carryover	0	0	0	0	-350,000	0	0	0	-350,000	-350,000
3000-606	41710 Moreton Bay Cycleway Hilliards Creek Crossing. Savings achieved through use of alternative decking product of similar specifications.	Project Give-Up	0	0	0	0	-229,037	0	0	0	-229,037	-229,037
3000-607	40009 MBC Raby Bay Espl (Masthead to Wharf). Savings achieved through project management effectiveness.	Project Give-Up	0	0	0	0	-100,000	0	0	0	-100,000	-100,000
3000-608	40058 Upgrade Boat Ramp, Macleay Island. This project will be delivered as a design and construct in 2014/15 therefore design budget not required. Need to give up and reallocate to 2014/15.	Project Carryover	0	0	0	0	-50,000	0	0	0	-50,000	-50,000
3000-611	JN 80332 Bus Stops Lay Bys. Savings achieved through Project Management effectiveness.	Project Give-Up	0	0	0	0	-20,000	0	0	0	-20,000	-20,000
3000-612	JN 40638 Mary MacKillop Catholic Primary School SafeST. Savings achieved through Project Management effectiveness.	Project Give-Up	0	0	0	0	-62,914	0	0	0	-62,914	-62,914
3000-613	40371 Russell Tce, Macleay Island Sea Wall & Asbestos Capping. Give up and reallocate design budget to 2014/15 as scope not finalised.	Project Carryover	0	0	0	0	-330,000	0	0	0	-330,000	-330,000
3000-614	46229 Russell Island Sport & Recreation. Correction to reserves.		0	0	0	0	0	0	0	45,274	45,274	0
	Corresponding Entry	Reserves Adjustment	0	0	0	0	0	0	0	-45,274	-45,274	0
3000-204	30154 Bridge and Major Culvert Inspections. Give Up Budget. Quotation now confirmed for inspections, remainder of budget to be given up.	Project Give-Up	0	0	-10,000	0	0	0	0	0	-10,000	-10,000
3000-308	55073 Birkdale landfill remediation capping. Give up budget return uncommitted funds.	Project Carryover	0	0	-43,832	0	0	0	0	0	-43,832	-43,832

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
3000-304	55077 Redland Bay Transfer Station upgrade give up budget and transfer back to reserve project direction pending Councillor workshop.	Deferred / Brought Forward Project	0	0	-49,645	0	0	0	0	0	-49,645	-49,645
3000-302	55068 Giles Road remediation give up budget - unspent design funds.	Project Give-Up	0	0	-78,824	0	0	0	0	0	-78,824	-78,824
3000-205	30155 Planning Scheme Infrastructure Manual. Work has been deferred and portion is now to be undertaken internally, budget will be resubmitted in 14/15 once any external costs are known.	Project Give-Up	0	0	-110,000	0	0	0	0	0	-110,000	-110,000
3000-301	55067 Birkdale Transfer Station Upgrade - give up budget project direction pending Councillor workshop.	Deferred / Brought Forward Project	0	0	-216,235	0	0	0	0	0	-216,235	-216,235
			16	-897,143	-321,846	82,780	-5,967,002	-1,590,455	3,055,787	949,637	-4,771,007	-5,720,643
Councillor Submissions												
3000-503	30382 Mainland Conservation Asset. Ask for budget for removal & replacement of boardwalk Victoria Pt Pt Halloran project removed from CAPEX to operational.	Activity Ask	0	0	0	40,000	0	0	0	0	0	0
3000-512	40466 Replacement cold room Dunwich Community Hall as requested by CEO and GM	Activity Ask	0	0	0	0	15,000	0	0	0	15,000	15,000
			0	0	0	40,000	15,000	0	0	0	15,000	15,000
Activity Submissions												
3000-411	55005 - Birkdale Sanitary Landfill - Ask for budget to fund asbestos contaminated hardfill stockpile disposal from Redland Bay WTS (Days Road) from RedWaste reserve.	Activity Ask	0	0	39,067	0	0	0	0	-39,067	0	39,067
3000-242	30144 Traffic Signal Operations - Ongoing Transmax and Telstra payments for signal software and works.	Activity Ask	0	0	0	34,516	0	0	0	0	0	0
3000-511	10319 NSI Surf Life Saving Patrols - GM give up at Q1 funding part of 3 year operational contract with SLSQ	Activity Ask	0	0	0	33,773	0	0	0	0	0	0
3000-410	55006 - Redland Bay Transfer Station - Ask for budget fund asbestos contaminated hardfill stockpile disposal from Redland Bay WTS (Days Road) from RedWaste reserve.	Activity Ask	0	0	29,301	0	0	0	0	-29,301	0	29,301
3000-224	70818 PIP/ICS Ask for Additional Budget. Required to cover an existing commitment for modelling to be completed in 13/14.	Activity Ask	0	0	0	29,150	0	0	0	0	0	0
3000-207	70650 Road Construction Administration - Ask for Budget in line with current commitments for Pinklands Intersection works by Department of Transport and Main Roads.	Activity Ask	0	0	0	26,000	0	0	0	0	0	0
3000-500	30384 Bay Islands Park Tree Services - Ask for budget for tree works on 9 blocks of Council owned land on SMBI. No budget allocated for these works.	Activity Ask	0	0	0	22,435	0	0	0	0	0	0
3000-244	30369 Beach Erosion Rectification - Ask for Budget. Safety Issue. Immediate rectification required for western beach area. Wellington Point Access.	Project Ask	0	0	0	14,000	0	0	0	0	0	0
3000-501	30116 Conservation Support Project Officer. Ask for budget. Removal of declared weeds from recently acquired land at Station St Wellington Pt 8.5 HA site.	Activity Ask	0	0	0	10,185	0	0	0	0	0	0

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
3000-225	30015 Aquatic Paradise Hydrosurvey - Tender for project came in over budget with only one tenderer for the works. Increase in funding required.	Project Ask	0	0	9,350	0	0	0	0	-9,350	0	9,350
3000-336	54000 - Pump Stations Increase in budget. For carbon at pump stations.	Activity Ask	0	0	6,300	0	0	0	0	0	6,300	6,300
3000-101	52019 - Financial Management. Revised developer contributions as per officer request.	Change in Activity Revenue	0	-500,000	0	0	0	0	0	500,000	0	-500,000
3000-202	10220 Como Street Land Dedication. Ask for Budget in line with current actuals. Payment was approved and actioned prior to quarterly adjustment. Reserve adjustment included.	Project Ask	0	0	0	0	0	0	0	-180,000	-180,000	0
3000-214	40668 Como Street Trunk Footpath. Ask for budget in line with current actuals. Payment was approved and actioned prior to quarterly adjustment. Reserve adjustment included.	Project Ask	0	0	0	0	26,942	0	0	-26,942	0	26,942
3000-220	81146 Transport Infrastructure Charge. Ask for Budget (Revenue) to align with current actuals.	Activity Ask	0	-984,451	0	0	0	0	0	970,003	-14,448	-984,451
3000-223	30165 Bus Shelter Advertising. Revision of expected revenue in line with new projections due to changes in the pricing structure approved in December 2013.	Activity Give-Up	0	28,910	0	0	0	0	0	0	28,910	28,910
3000-314	63118 - Civil Reduction in budget.	Activity Give-Up	0	0	0	0	-27,000	0	0	0	-27,000	-27,000
3000-318	63068 - Pipes Valves Reduction in budget.	Activity Give-Up	0	0	0	0	-30,000	0	0	0	-30,000	-30,000
3000-322	63047 - Generators Increase in budget.	Activity Ask	0	0	0	0	30,000	0	0	0	30,000	30,000
3000-324	63024 - Clarifiers Reduction in budget.	Activity Give-Up	0	0	0	0	-25,000	0	0	0	-25,000	-25,000
3000-325	63025 - Control Systems Increase in budget.	Activity Ask	0	0	0	0	15,000	0	0	0	15,000	15,000
3000-326	63026 - Switchboards Increase in budget.	Activity Ask	0	0	0	0	25,000	0	0	0	25,000	25,000
3000-327	63027 - Cranes & Hoists Reduction in budget.	Activity Give-Up	0	0	0	0	-14,000	0	0	0	-14,000	-14,000
3000-329	63002 - Cleveland WWTP Increase in budget.	Activity Ask	0	0	0	0	96,000	0	0	0	96,000	96,000
3000-330	63006 - Pt Lookout WWTP Reduction in budget.	Activity Give-Up	0	0	0	0	-100,000	0	0	0	-100,000	-100,000
3000-331	63013 - Aerators & Mixers Increase in budget.	Activity Ask	0	0	0	0	16,000	0	0	0	16,000	16,000
3000-332	63019 - Blowers & Compressors Reduction in budget.	Activity Give-Up	0	0	0	0	-10,000	0	0	0	-10,000	-10,000
3000-334	63046 - Flow Meters Reduction in budget.	Activity Give-Up	0	0	0	0	-52,000	0	0	0	-52,000	-52,000
3000-400	65000 - Mobile Garbage Bins Give Up Budget. Reduced expenditure as per YTD actuals due to removal of bin exchange incentive.	Activity Give-Up	0	0	0	0	-50,000	0	0	40,000	-10,000	-50,000
3000-409	55001 - Financial Management Correction of transfer to reserves as per S Carseldine	Business Unit Adjustment	0	0	0	0	0	0	0	-174,419	-174,419	0
3000-506	30307 Stradbroke Island Turf Services no longer receive revenue from Allconnex should be received via an internal transfer.	Activity Give-Up	0	17,649	0	0	0	0	0	0	17,649	17,649

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Funded Internally	Capital Expenditure	Balance Sheet Adjustments	Redemption / Drawdown	Reserves	Operating Surplus/Deficit	Cash Impact
3000-513	41615 - Sportsfield Irrigation, 41100 - Unscheduled Capital Works for Other Depts, 20458 - Security Systems, 45545 - Bay Islands Cap Infra Fund - Create budgets for WIP write-offs offsetting entry to Q2BR submission 3000-529.	Activity Ask	0	0	0	0	-22,566	0	0	0	-22,566	-22,566
3000-514	40635 - Public Place Projects Design. Give up surplus budget due to savings from a fixed term contract that was budgeted for a full year.	Activity Give-Up	0	0	0	0	-15,000	0	0	0	-15,000	-15,000
3000-231	70036 Sovereign Waters Lake Planning. Give Up of surplus balance and transfer of funds for Water Quality Monitoring proposed project stormwater seals in 13/14.	Project Give-Up	0	0	-9,329	4,000	0	0	0	45,329	36,000	-9,329
3000-203	30135 Land Resumption Costs. Give up budget. Only a portion of existing budget is required for potential land resumptions for the remainder of 13/14.	Activity Give-Up	0	0	-15,160	0	-100,000	0	0	0	-115,160	-115,160
3000-239	10224 Toondah Harbour Marine Terminal Admin. Give Up Budget. Incorrect Rent and Lease payments amounts entered. Revision required.	Change in Activity Revenue	0	48,182	-18,182	0	0	0	0	0	30,000	30,000
3000-305	70851 Landfill site invest program - give up budget, landfill advisor conducted extra gas monitoring.	Activity Give-Up	0	0	-20,000	0	0	0	0	0	-20,000	-20,000
3000-100	53019 - Financial Management. Give up electricity budget for Toondah building for Water as this is now an SLA through FSU. FSU made budget ask at Q2BR submission 3000-513.	Activity Give-Up	0	0	-25,600	0	0	0	0	0	-25,600	-25,600
3000-507	30445 Conservation Declared/Invasive Weeds. Annual fee payable to Dept. Agriculture Fisheries & Forestry has already been paid by Environment & Regulation Group.	Activity Give-Up	0	0	-38,000	0	0	0	0	0	-38,000	-38,000
3000-309	55080 Birkdale Landfill Remediation - give up budget return uncommitted funds.	Activity Give-Up	0	0	-58,000	0	0	0	0	0	-58,000	-58,000
3000-307	55501 Judy Holt park testing leachate, give up budget leachate savings.	Activity Give-Up	0	0	-80,000	0	0	0	0	0	-80,000	-80,000
3000-306	55013 Remediation Redland Bay, give up budget leachate savings.	Activity Give-Up	0	0	-100,000	0	0	0	0	0	-100,000	-100,000
3000-337	Closed landfill remediation recalculation of provision.	Business Unit Adjustment	0	0	1,175,116	0	0	-825,116	0	0	350,000	350,000
3000-515	Move reserves to retained earnings as these projects were expended in previous years from general funds.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-162,500	-162,500	0
3000-516	Adjust reserves for multiple jobs.	Reserves Adjustment / Re-alignment	0	0	0	0	0	0	0	-25,250	-25,250	0
			0	-1,389,710	894,863	174,059	-236,624	-825,116	0	908,503	-648,085	-1,556,587
INFRASTRUCTURE AND OPERATIONS TOTAL SUBMISSIONS			16	-2,286,853	573,017	296,839	-6,188,626	-2,415,571	3,055,787	1,858,139	-5,404,091	-7,262,231
TOTAL SUBMISSIONS			16	-4,819,761	639,892	775,292	-5,950,717	-2,534,522	10,581,440	3,304,620	1,220,968	-2,083,652



Redland City Council

2013/2014 Third Quarter Budget Review

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Capital Expenditure	Reserves	Operating Surplus/Deficit	Cash Impact
TRANSFERS									
Organisational Services									
1000-300	11053 - Admin - Internal Audit transfer budget for Temp Staff from Contractors as agreed with Nick Clarke (R Kong) requested by Siggy Covill	Activity Ask	0	0	10,000	0	0	10,000	10,000
	Corresponding entry	Activity Give-Up	0	0	-10,000	0	0	-10,000	-10,000
1000-400	Various jobs Organisational Services - Transfer costs between jobs to cover over/under spends. PMO S&W, Redland Workcover. Transfer costs to 10936 PPM Enterprise Transfer to cover Contractors. Contractor covered normal labour. Transfer costs from 813011 permanent impairment payments. No payments in 13/14. Balance transferred to Communications Employee costs; high workload.	Activity Ask	0	0	90,050	0	0	90,050	90,050
	Corresponding entry	Activity Give-Up	0	0	-90,050	0	0	-90,050	-90,050
1000-406	70039 Strategic Planning. Transfer Salaries and Wages to contractors in Local Laws. Underspend - Maternity Leave not filled. To cover labour; LL project, PMO etc. Shortfall balance left - cover Mat Leave	Activity Give-Up	0	0	-8,000	0	0	-8,000	-8,000
	Corresponding entry	Activity Ask	0	0	8,000	0	0	8,000	8,000
1000-409	Organisation Services Various Jobs. Transfer budget from employee costs across multiple jobs to contractors. Budget required to cover the engagement of a contractor for the preparation of the Corporate Plan.	Activity Give-Up	0	0	-45,000	0	0	-45,000	-45,000
	Corresponding entry	Activity Ask	0	0	45,000	0	0	45,000	45,000
1000-601	20041 - EDRMS Project Operating to Capital Budget Transfer	Movement between Capital & Operational	0	0	0	800,000	0	800,000	800,000
	Corresponding entry		0	0	-800,000	0	0	-800,000	-800,000
ORGANISATIONAL SERVICES TOTAL TRANSFER SUBMISSIONS			0	0	-800,000	800,000	0	0	0

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Capital Expenditure	Reserves	Operating Surplus/Deficit	Cash Impact
<u>Community and Customer Services</u>									
2000-308	11008 Admin Customer Service Operations. Increase Telephone / Facsimile Job 11008 for IPscape Phone System Trial Costs. Transfer from capital budget to operational.		0	0	74,845	0	0	74,845	74,845
	Corresponding entry		0	0	0	-74,845	0	-74,845	-74,845
2000-311	70607 Community Futures Administration. Budget transferred from Community and Social Planning, due to redundancy of Group Manager.	Internals Adjustment	10,345	0	0	0	0	10,345	10,345
	Corresponding entry		-10,345	0	0	0	0	-10,345	-10,345
2000-315	10340 Customer Contact Centre Implement. Transfer from Capital to Operational. New technology for Contact Centre from Telstra. This is a hosted Cloud Service not an asset.	Movement between Capital & Operational	0	0	30,000	0	0	30,000	30,000
	Corresponding entry		0	0	0	-30,000	0	-30,000	-30,000
2000-330	10376 - Library Technical Services. Transfer budget from operational to capital natural account to capitalise the purchase of Library eBooks.	Movement between Capital & Operational	0	0	-70,000	0	0	-70,000	-70,000
	Corresponding entry		0	0	0	70,000	0	70,000	70,000
2000-508	20012 Pest Management Quad Bike Transfer budget to 41005 Fleet Replacement Program for the purchase of 2 Quad Bikes to be used in mosquito management.	Project Ask	0	0	0	-34,021	0	-34,021	-34,021
	Corresponding entry		0	0	0	34,021	0	34,021	34,021
COMMUNITY AND CUSTOMER SERVICES TOTAL TRANSFER SUBMISSIONS			0	0	34,845	-34,845	0	0	0
<u>Infrastructure and Operations</u>									
3000-102	Financial Management Business Units Adjustment to Tax and dividend as per Q3 adjustments	Business Unit Adjustment	566,213	0	0	0	0	566,213	566,213
	Corresponding entry		-566,213	0	0	0	0	-566,213	-566,213
3000-238	30166 Bus Shelter Advertising Expenses. Adjustment of existing budget in account to align with actuals and remaining commitments.	Activity Ask	0	0	-2,990	0	0	-2,990	-2,990
	Corresponding entry		0	2,990	0	0	0	2,990	2,990
3000-241	42351 Mobile Asset and Work Order Management. Transfer of Budget. Transferring portion of budget to operational costs due to hardware portion falling under capitalisation threshold.	Movement between Capital & Operational	0	0	0	-222,500	0	-222,500	-222,500
	Corresponding entry		0	0	222,500	0	0	222,500	222,500
3000-303	55079 Site investigation at Sharks club. Transfer from Redland Bay to Sharks Club unspent funds following consultancy proposal	Project Give-Up	0	0	-17,370	0	0	-17,370	-17,370
	Corresponding entry	Project Ask	0	0	17,370	0	0	17,370	17,370

Submission Number	Submission Description	Reason	Internals	Revenue	Operating Expenditure	Capital Expenditure	Reserves	Operating Surplus/Deficit	Cash Impact
3000-335	63123 - Odour Control Transfer capex to opex for carbon which is a consumable, not a capex item Corresponding entry	Movement between Capital & Operational	9 0	0 0	30,691 0	0 -30,700	0 0	30,700 -30,700	30,700 -30,700
3000-504	30214 Degen BMX Safety Upgrade Transfer funds from contractors to employee costs to capture design costs for capitalisation Corresponding entry	Internals Adjustment	0 0	0 0	2,029 -2,029	0 0	0 0	2,029 -2,029	2,029 -2,029
3000-505	Transfer from 20141,40635,40606 to cover part of 40826 Raby Bay Liberty Swing Request from Variety Children's Charity for partnership to install a liberty swing at Raby Bay. Request approved by Mayor & CEO Corresponding entry	New Project	0 0	0 0	0 0	-21,697 21,697	0 0	-21,697 21,697	-21,697 21,697
3000-508	Coochiemudlo Is Jetty (DDA Compliance) Transfer funds from contractors to employee costs to capture design costs for capitalisation Corresponding entry	Internals Adjustment	0 0	0 0	0 0	42 -42	0 0	42 -42	42 -42
3000-520	Type 3 phasing alignment for adjustments in quarter review. Corresponding entry	Internals Adjustment	-194,652 194,652	0 0	0 0	0 0	0 0	-194,652 194,652	-194,652 194,652
3000-602	55068 Giles Road Remediation - correction to budget allocation - internal staff doing the work instead of contractors. Corresponding entry	Change in Service Expectations	0 0	0 0	350,670 -350,670	0 0	0 0	350,670 -350,670	350,670 -350,670
3000-605	70006 Eastern Landfill Batter Remediation Associated Works. Correction to budget allocation. Internal staff doing the work instead of contractors. Corresponding entry	Change in Service Expectations	0 0	0 0	62,073 -62,073	0 0	0 0	62,073 -62,073	62,073 -62,073
3000-609	WIP write-off over numerous PDG jobs This will enable Reflector Score Card reporting to show accurately Corresponding entry	Movement between Capital & Operational	0 0	0 0	0 181,311	-181,311 0	0 0	-181,311 181,311	-181,311 181,311
3000-610	PDG corporate allocation adjustment. Transfer of \$153,410.44 between Goods & Services and Employee Costs to reflect jobs confirmed after original budget. Corresponding entry Corresponding entry	Movement between Capital & Operational	0 0 0	0 0 0	-14,598 0 14,598	153,410 153,410 -153,410	0 0 0	138,813 153,410 -138,813	138,813 153,410 -138,813
INFRASTRUCTURE AND OPERATIONS TOTAL TRANSFER SUBMISSIONS			9	2,990	431,513	-281,101	0	153,410	153,410
TOTAL TRANSFERS			9	2,990	-333,642	484,054	0	153,410	153,410

Revenue Policy

[Version Information](#)

Head of Power

Section 169(2) of the *Local Government Regulation 2012 (Regulation)* requires a local government to include in its financial budget a revenue policy. Section 170 of the *Regulation* requires a local government to adopt a budget each financial year.

Section 193(3) of the *Regulation* requires a local government to review its revenue policy annually in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.

Policy Objective

The purpose of this Revenue Policy is to set out the principles used by Council for:

- The making and levying of rates and charges;
- Recovery of overdue rates and charges;
- Exercising of concession powers in relation to rates and charges;
- Community Service Obligations;
- Application of user pays models;
- Revenue from commercial activities;
- Revenue from other external sources; and
- Setting cost-recovery fees.

Policy Statement

Council will be guided by the following principles:

Accountability — Council will be accountable to the providers of funds to ensure those funds are applied efficiently and effectively to satisfy the objective for which the funds were raised.

Transparency — Council will be transparent in its revenue raising activities and will endeavour to use systems and practices able to be understood by the community.

Representation — Council will act in the interests of the whole community in making decisions about rates and charges.

Sustainable financial management — Council will ensure it manages revenue diligently and that the application of funds is founded on sustainable strategic objectives which result in timely and optimal investment in identified priorities.

Fairness — While the rating legislation requires Council to use property valuations as the basis for raising rate revenue, Council will monitor the impact of valuation changes and moderate increases where possible.

CMR Team use only

Department: Office of CEO
Group: Financial Services
Approved by:
Date of Approval:

Effective date: 1/7/2014
Version: 14
Review date: 30/6/2015
Page: 1 of 6

Differentiation of categories — Council will apply different rates to various categories of property that will reflect the particular circumstances of the categories and Council's policy objectives related to those categories.

Special needs and user pays — Council will draw from various revenue sources to fund special needs including (but not necessarily limited to):

- separate rates or charges for whole of community programmes;
- special rates or charges for recovery of costs from beneficiaries;
- utility charges for specific services based generally on usage;
- statutory fees and charges in accordance with legislation, regulation or local laws;
- commercial fees and charges where users can clearly be identified.

Social conscience — Council will apply a range of concessions (e.g. for pensioners and institutions) and will accommodate special circumstances where hardship can be demonstrated.

Making and Levying of Rates and Charges

In levying rates and charges, Council will schedule the issue of rate notices quarterly in the months of July, October, January and April.

Differential General Rates

General Rate revenue provides essential whole of community services not funded through subsidies, grants, contributions or donations received from other entities, or not provided for by other levies or charges.

Council will consider full cost recovery options before calculating the differential general rate.

Rating legislation requires the general rate to be calculated on the Value of the land, however Council recognises that various segments of the community impact on and use services, activities, and facilities differently.

When determining the differential rating categories the ongoing changes to community characteristics will be considered along with revaluations, which can have a significant impact on properties.

Due to the socio-economic diversity and the large differences in land valuations with the Redland City area Council will monitor the distribution of rate payers within the Residential rating categories of 1a and 1b to ensure that an appropriate majority are within reasonable boundary levels of the Minimum General Rate of rating category 1a.

Separate and Special Charges

Where it is appropriate, Council will utilise separate and special charges to programmes that benefit the whole community equally or benefit specific groups within the community respectively.

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Date of Approval:

Effective date: 1/7/2014
Version: 14
Review date: 30/6/2015
Page: 2 of 6

Utility Charges

In setting Utility charges, Council will take into consideration factors such as:

- Legislative requirements, including National Competition policy;
- Council Policy objectives;
- Recovery of sufficient revenue to cover costs and a return on assets;
- Other sources of revenue where appropriate

Recovery of Overdue Rates and Charges

Council will continue to provide flexibility to rate payers and debtors suffering demonstrated financial difficulty in 2014/2015 by entering into short to long term arrangements.

Interest will be charged on rates and charges outstanding past the due date unless a mutually agreed arrangement is in place and is honored. If an arrangement defaults, it will be cancelled and interest charged

Cost effective processes will be applied in the recovery of overdue rates and charges.

Exercise of Concession Powers in Relation to Rates and Charges

Chapter 4, Part 10 of the *Local Government Regulation 2012* provides Council with the powers to grant concessions to individuals and classes of land owners. Council has determined that pensioners (owner occupiers) as defined by the *Local Government Regulation 2012* are entitled to receive concessions on rates and various other services that Council provides to the community. Other charitable organisations, community groups, sporting associations and independent schools may also be entitled to concessions.

Pursuant to section 120 of the *Local Government Regulation 2012* Council will provide a concession to property owners whose land is being exclusively used for the business of farming (primary production) to assist and encourage endurance in their particular industry, which will benefit the economic development of the City as a whole.

Community Service Obligations

In accordance with Corporate Policy-2658 Community Service Obligation Policy Council may subsidise the operations of commercialised business units or activities in order to achieve social, economic, environmental or other objectives associated with, or incidental to, the delivery of services by those business units or activities.

Council may charge for such activities at a rate less than the full cost price of a service. The difference between the full cost price and the actual charge will be treated as a Community Service Obligation (CSO). CSOs must be transparent, fully costed, and funded. Each CSO will be funded from an identified budget.

Council will continue to support existing community service obligations for Water and Wastewater charges provided for under:

- Corporate Policy POL-3028 — Application of Water Charges

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- Corporate Policy POL-3027 — Wastewater Services – Application of Charges
- Statutory Policy POL-1234 — Trade Waste Policy

These community service obligations will be reviewed regularly to ensure they continue to form part of Council's strategic objectives.

In addition Council will provide the following Water Charge Remission Policies:

- POL-2592 Water Charge Remissions for Concealed Leaks
- POL-0027 Water Charge Remissions for Home Dialysis Machine Users

Application of User Pays Models

Council supports the principle that there is an increased focus on user pays models and that these will be developed where they are considered appropriate and in accordance with policy.

Council has adopted the policy of a conservative approach to increases in fees and charges with a view to minimising excessive impacts on user pays groups. There is also need to consider Community Service Obligations (CSOs) when considering this principle.

Revenue from Commercial Activities

In order to minimise price increases on residents through the General Rate, Council is committed to exploring additional or alternative revenue streams through the establishment of business activities under the National Competition Policy framework where this is appropriate and in accordance with policy.

In doing this the following principles will be considered:

The adoption of a business activity is to ensure that the creation of a competitive environment will encourage Council to better identify and specify what it actually does and why.

The determination of the standard and quality of each business activity required based upon community/customer expectations and achieving best value for money irrespective of whether the service is delivered by an internal or external provider.

By concentrating upon outcomes rather than processes, service specification is likely to encourage innovation and new solutions to meeting the needs and expectations of the community and customers.

Revenue from Other External Sources

Where possible, Council will seek to supplement revenue through application for external grants and subsidies. Every opportunity will be taken to maximise revenue in support of capital and operational spending. External funding, however, must be strategically targeted and in alignment with community and corporate objectives.

Cost-recovery fees

Section 97 of the *Local Government Act 2009* allows Council to set cost-recovery fees.

The Council recognises the validity of fully imposing the user pays principle for its cost-recovery fees, unless the imposition of the fee is contrary to its express social, economic, environmental and other corporate goals (such as, for example, the community service obligations outlined above) . This is considered to be the most equitable and effective revenue approach, and is founded on the basis that the City's revenue base cannot subsidise the specific users or clients of Council's regulatory products and services.

However, in setting its cost-recovery fees, Council will be mindful of the requirement that such a fee must not be more than the cost to Council of providing the service or taking the action to which the fee applies.

Infrastructure Charges

Infrastructure charges for new developments are currently regulated by the State Government and are subject to annual change. The breakup of the charge is as follows:

Stormwater	5.6%
Roads	17.2%
Cycleway	6.9%
Parks	37.0%
Community	2.3%
Water and Wastewater	31%

Infrastructure charges for a new development will fund approximately 50-60% of the trunk infrastructure and 100% of non-trunk infrastructure (i.e. residential streets, drainage etc).

Version Information

Version number	Date	Key Changes
12	December 2012	<p>Page 3 – Exercise of Concession Powers in Relation to Rates and Charges. Addition of the words ‘Owner Occupiers’ regarding concessions on rates and various other services that Council provides for pensioners</p> <p>Page 4 – Community Service Obligations. Removal of Remission Policy for Concealed Leaks, Home Dialysis Machine Users & Remission Policy for Genuine Fire Emergencies. Addition of POL-2592 Water Charge Remission Policy for Concealed Leaks and POL-0027 Water Charge Remissions for Home Dialysis Machine Users</p>
13	June 2013	<p>Update for new references to <i>Local Government Regulation 2012</i></p> <p>Page 5 – Infrastructure Charges. Change to 100% of non-trunk infrastructure (i.e. residential streets, drainage, etc).</p>
14	June 2014	<ul style="list-style-type: none"> • Remove first paragraph of Policy Objective. • Wording change to principal of ‘Fairness’ to remove reference to convergence and land that cannot be developed. • Replace the word ‘special’ with ‘whole of’ in the first bullet point of the principal ‘Special needs and user pays’. • Restructure the section ‘Making and Levying of General Rates and Charges’ to include sub-headings and wording to support the making of Utility charges. • Add the months that rates and charges are levied in the sentence under the section headed ‘Making and Levying of Rates and Charges’ • Remove the word ‘all’ from the second sentence in the section sub-headed ‘Differential General Rates’. • Replace the fifth sentence with reference to convergence in the sub-section headed ‘Differential General Rates’. • Add the sub-heading of ‘Utility Charges’ and wording. • Update the financial year in the section headed ‘Recovery of Overdue Rates and Charges’. • Add the word ‘exclusively’ in the 2nd paragraph of the section headed ‘Exercise of Concession Powers in Relation to Rates and Charges’ as per section 120(f) of the Local Government Regulation 2012. • Delete reference to Corporate Policy POL-3045 Application of Water Charges for Nursing Homes and Retirement Villages, which is obsolete. • Delete the section headed ‘Reserves’ as the legislative requirement to include the funding of reserves is obsolete.

[Back to Top](#)

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 Date of Approval:

Effective date: 1/7/2014
 Version: 14
 Review date: 30/6/2015
 Page: 6 of 6



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REV	DATE	AMENDMENT	REQD

THE MARINA SPECIALIST

TRADING AS **THE JETTY SPECIALIST** ACN 010633119
 2 INDUSTRIAL AVE
 CALOUNDRA
 QLD. AUSTRALIA 4551
 PHONE (07)5492 5925
 FAX (07) 5492 6699

Cardno ACN: 051 074 992
 Cardno (Qld) Pty Ltd
 Level 1, 5 Gardner Close, Milton 4064
 P.O. Box 388, Toowong 4066.
 Ph (07) 3369 9822
 Fax (07) 3369 9722
 Email: cardno@cardno.com.au

CHECKED: _____ R.P.E.Q. _____ DATE: _____

CLIENT: PORT BINNLI P/L

PROJECT: PROPOSED MARINA DEVELOPMENT PROJECT

TITLE: LAYOUT DRAFT 2

SCALE: 1:500

DATE: 29/4/14

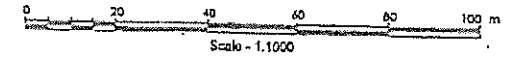
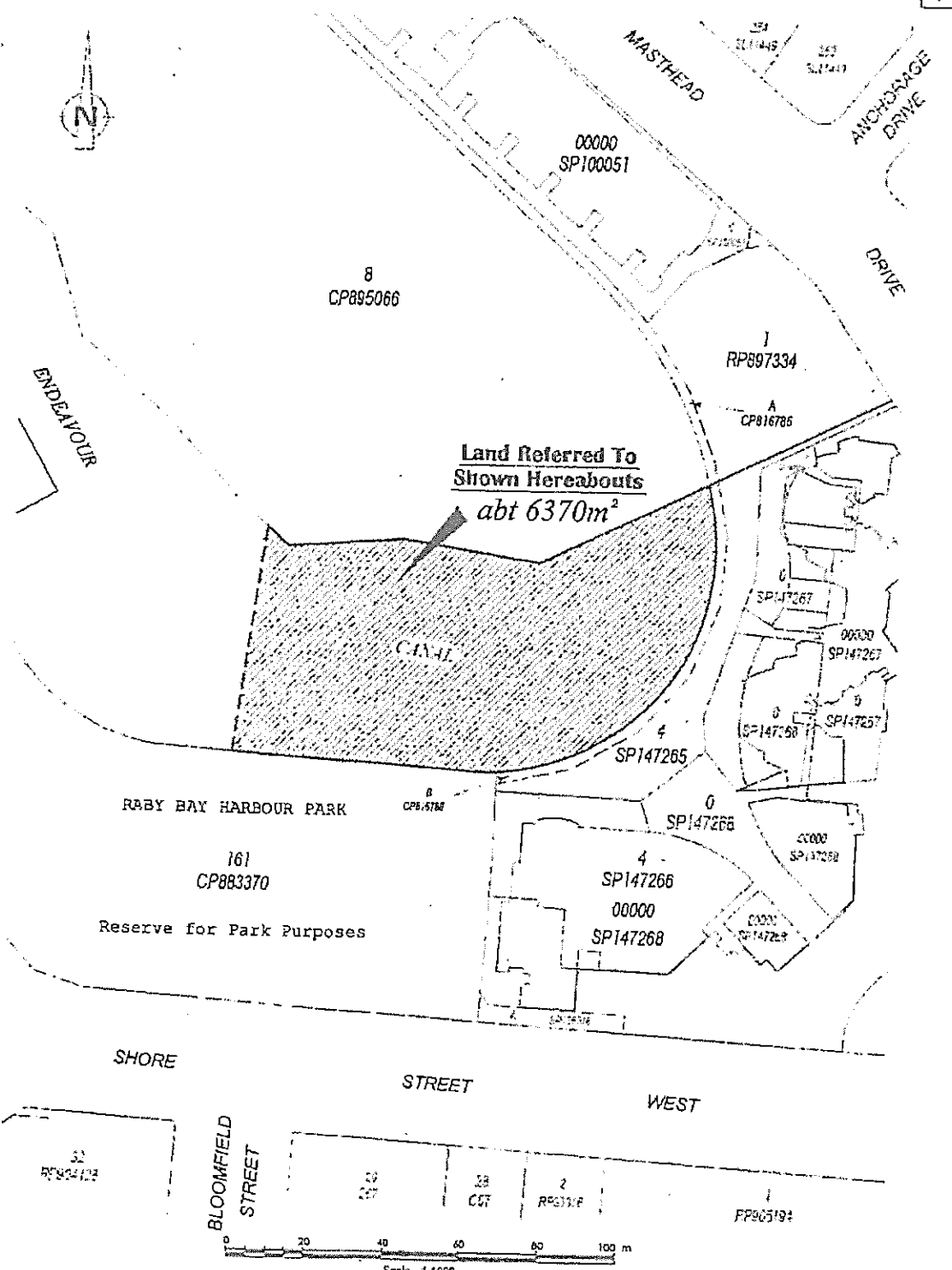
DRAWN M.A. CHECKED _____ DIMENSIONS MILLIMETRES


DRAWING NO: JSP-SM-1160


ISSUE: DRAFT 1A A3

DRAWING

Sheet 1 of 1




 Prepared by
 IPSWICH OFFICE
 PLANNING & ASSESSMENT
 SOUTH EAST REGION
 DEPT OF ENVIRONMENT and
 RESOURCE MANAGEMENT
 LEVEL 1
 TOWER CENTRAL
 IPSWICH Q 4305

LAND REFERRED TO SHOWN 
 PARISH: CLEVELAND COUNTY: STANLEY
 LOCALITY: CLEVELAND LOCAL AUTH: CITY OF REDLAND

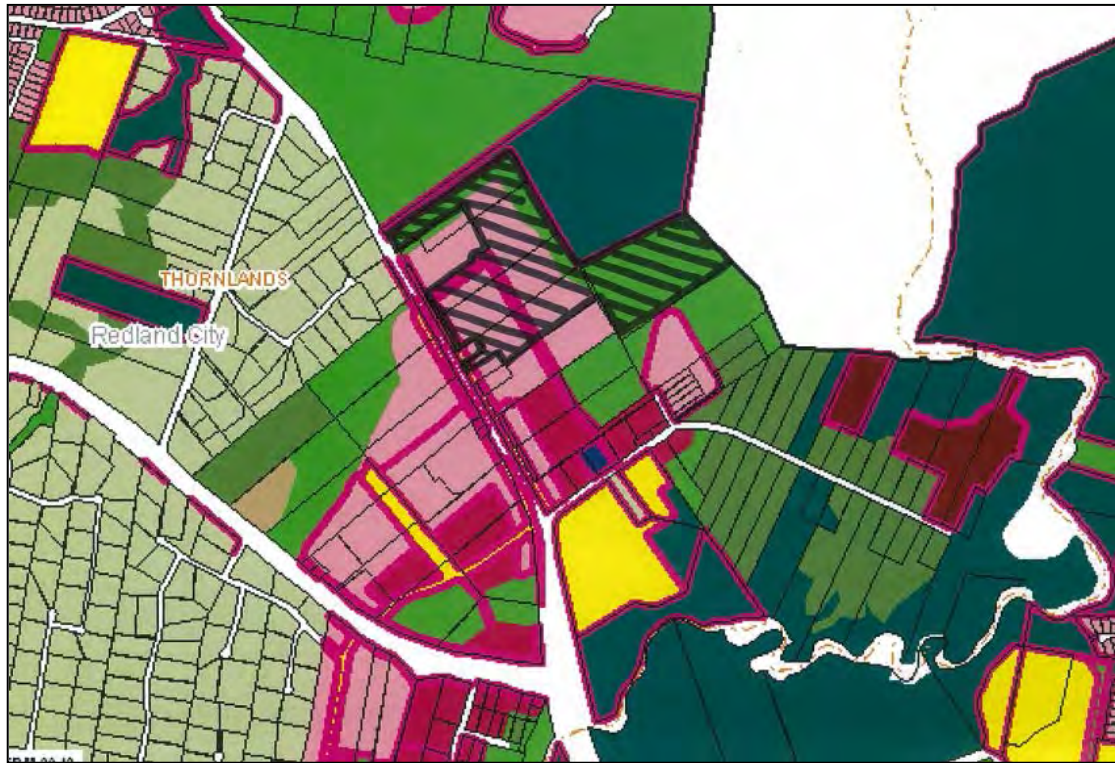
PROPOSAL
 Scale: 1 : 1000
 NOTE: A4 copy is reduced

DWG 11/280

©The State of Queensland (Dept of Environment & Resource Management)
 Base data extracted from the Digital Cadastral Database on the 15/11/2011

Compiled from DCDB & Sketch on File
 Drawn by JKN
 File Ref: Case Id 2011/006548
 Map Ref: 89-42 - 14-43
 Date: 15/11/2011

ATTACHMENT 1 – Locality Plan



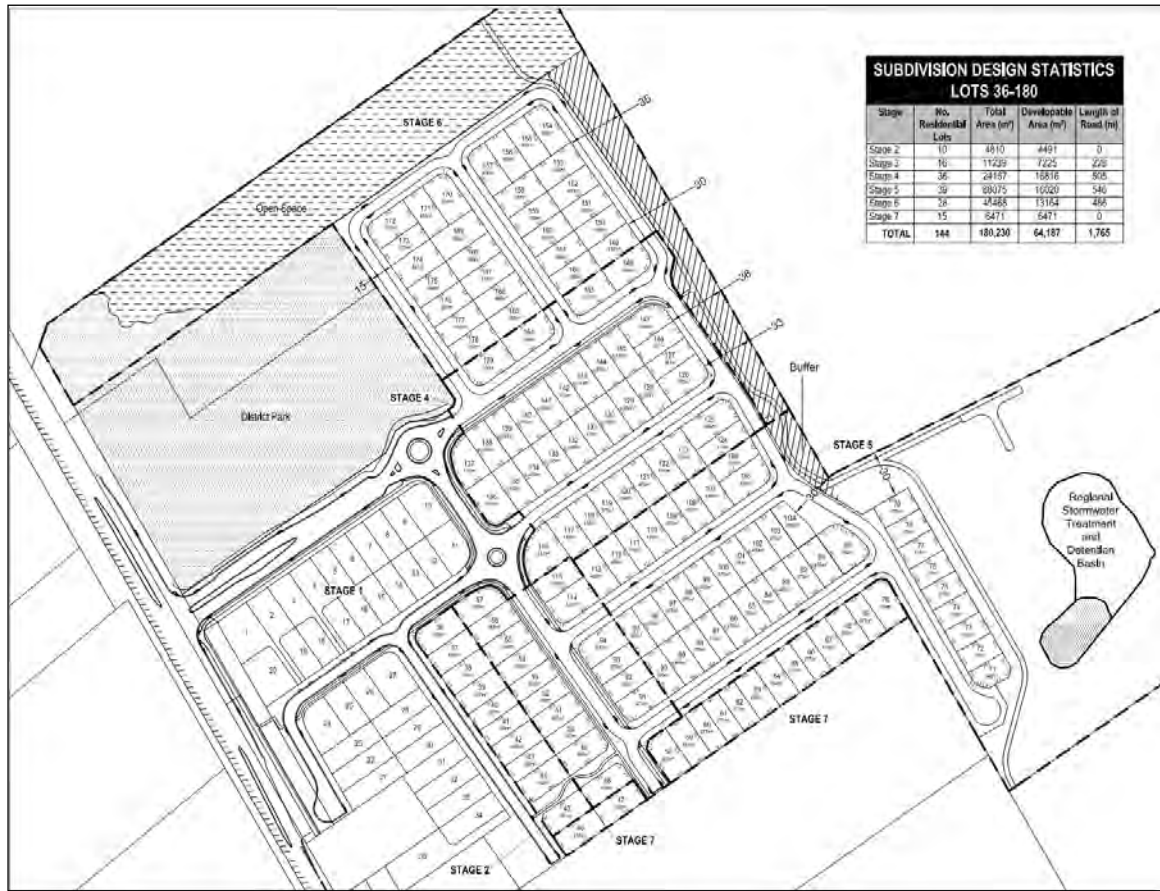
ATTACHMENT 2 – Zone Plan



ATTACHMENT 3 – Aerial Plan



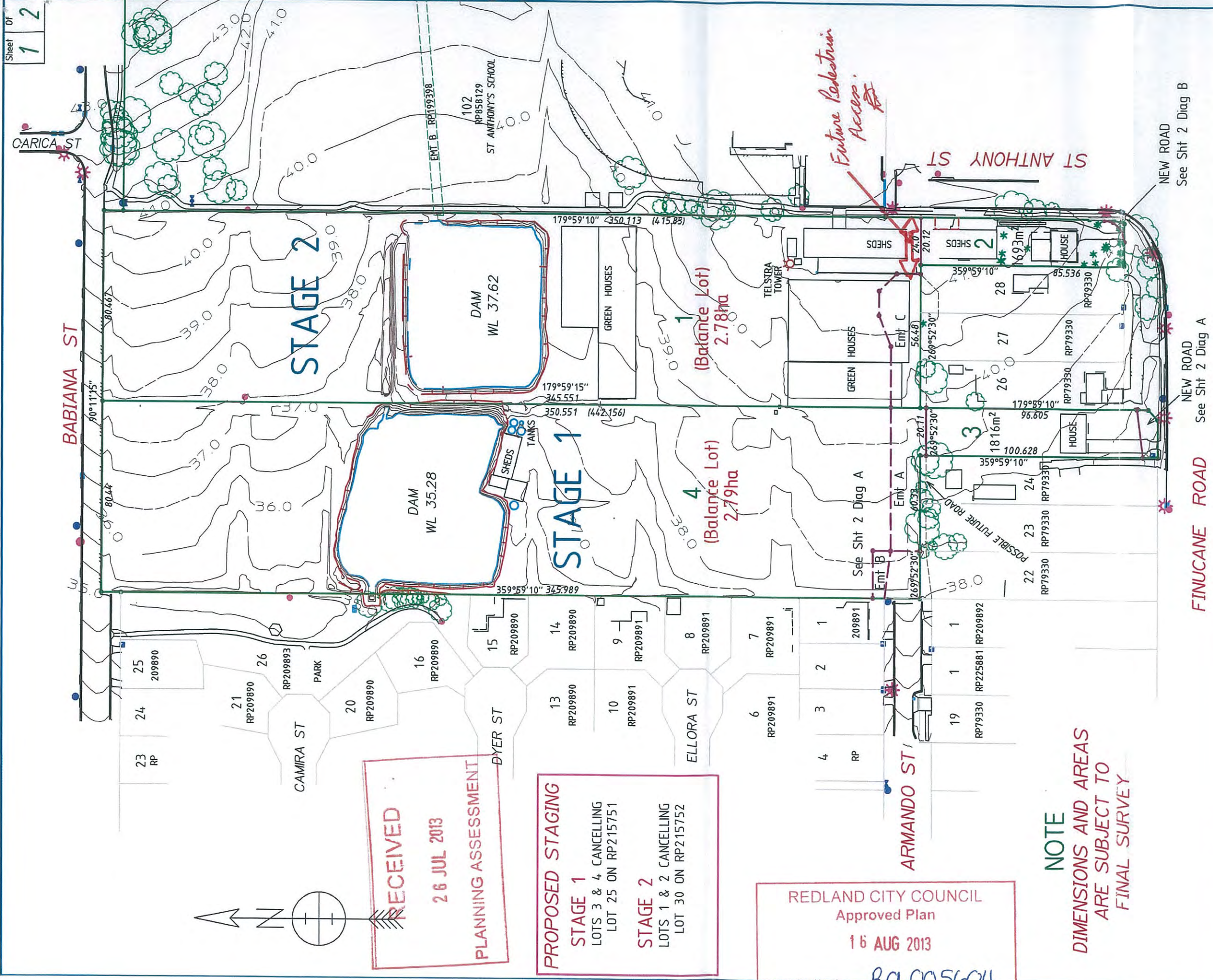
ATTACHMENT 4 – Plan of Reconfiguration



Stage	No. Reconfigurable Lots	Total Area (m ²)	Developable Area (m ²)	Length of Road (m)
Stage 2	10	4510	4491	0
Stage 3	16	11239	7225	225
Stage 4	36	28197	18616	805
Stage 5	39	28075	15529	140
Stage 6	28	17258	13124	484
Stage 7	15	5471	5471	0
TOTAL	144	180,230	64,187	1,765

Proposed Telecommunication Facility – 132 Finucane Road, Alexandra Hills





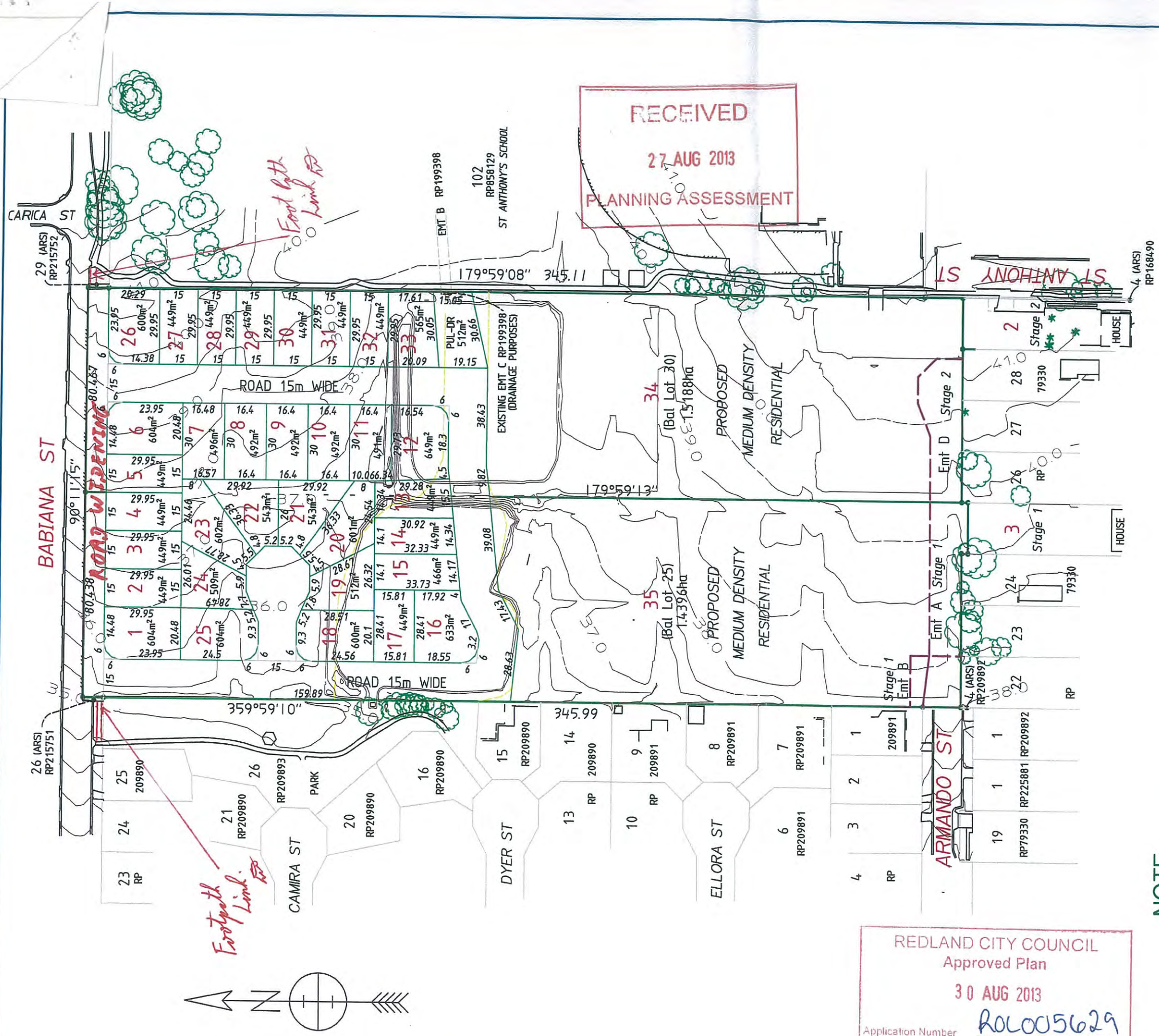
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PROPOSED STAGING
STAGE 1
LOTS 3 & 4 CANCELLING
LOT 25 ON RP215751
STAGE 2
LOTS 1 & 2 CANCELLING
LOT 30 ON RP215752

REDLAND CITY COUNCIL
Approved Plan
16 AUG 2013
Application Number **RL005604**
See Decision Notice for conditions of approval

NOTE
DIMENSIONS AND AREAS
ARE SUBJECT TO
FINAL SURVEY

REGISTERED PROPRIETORS Richard, Robert & Rose TOMASZEWSKI	SCALE 1:1500 @A3 FORMAT STANDARD
28/06/13 EMT C ALTERED, EMT D DELETED 21/02/13 EASEMENT CONFIGURATION ALTERED 19/12/12 RCC AMENDMENTS OF 7/09/2012 25/06/12 NEW RD, EMTS & SHEET 2 DIAGRAMS 23/02/12 REDRAWN AS 2 INTO 4 RECONFIGURATION 21/02/12 REDRAWN AS 2 INTO 3 RECONFIGURATION	PROPOSED LOT RECONFIGURATION SHEET 1 OF 2 (SEE ALSO SHEET 2)
AMENDMENTS DATE 23/08/2011 DRAWN PF	PHILIP VASSALLO PTY LTD CONSULTING SURVEYORS 172 REDLAND BAY ROAD CAPALABA PO BOX 94 CAPALABA 4157 Phone 07 3390 1831 Fax 07 3390 1325 Email mail@vassallo.net.au
PROPOSED LOTS 1-4, Emts A - C And New Road Cancelling Lot 25 On RP215751 And Lot 30 On RP215752 Original Portion: 114 Parish Of: CAPALABA County Of: Stanley Locality: Alexandra Hills Local Authority: REDLAND CC MERIDIAN: RP215751	Dwg 3776-R-1-B



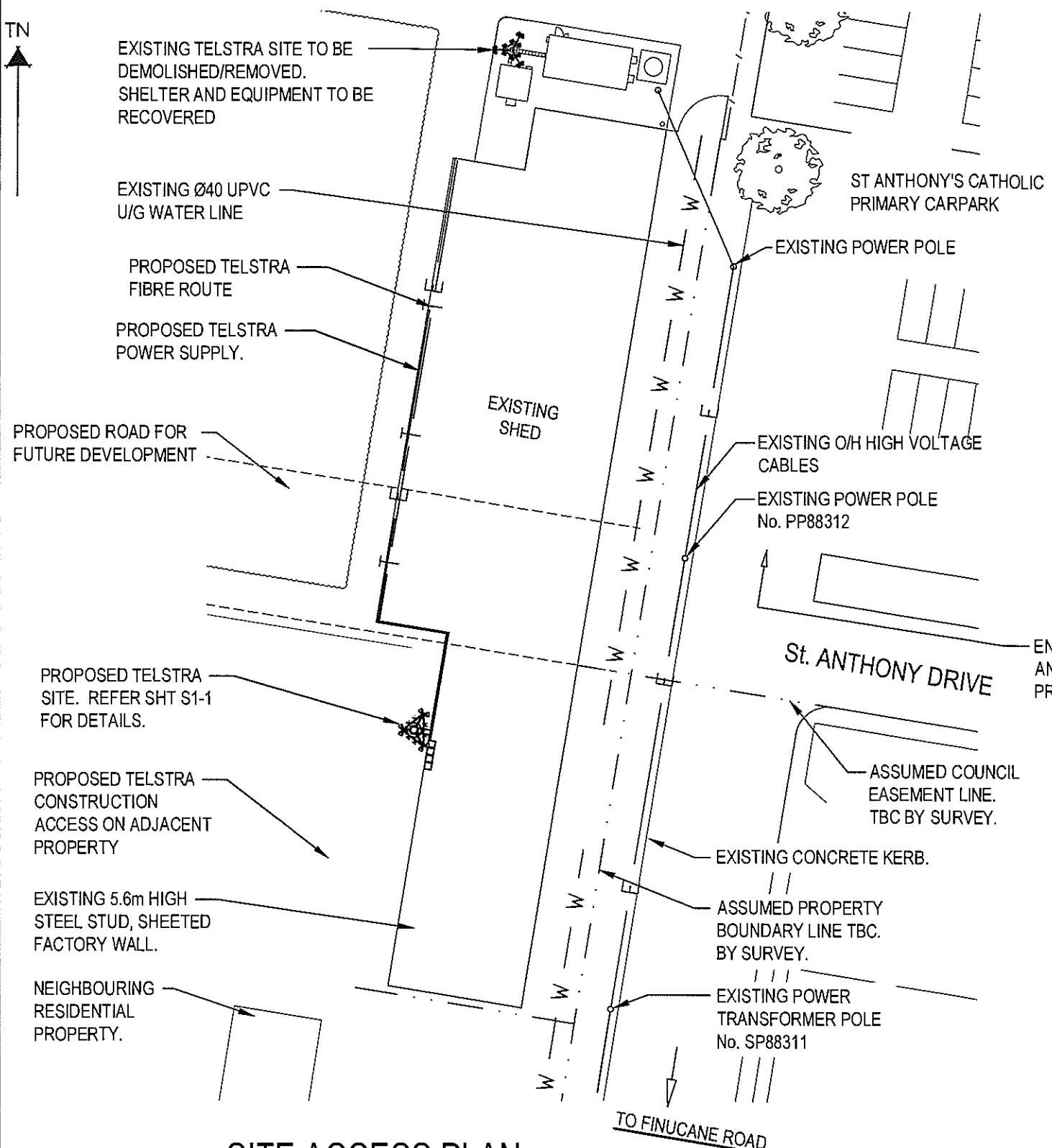
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REDLAND CITY COUNCIL
Approved Plan
30 AUG 2013
Application Number R0L005629
See Decision Notice for conditions of approval

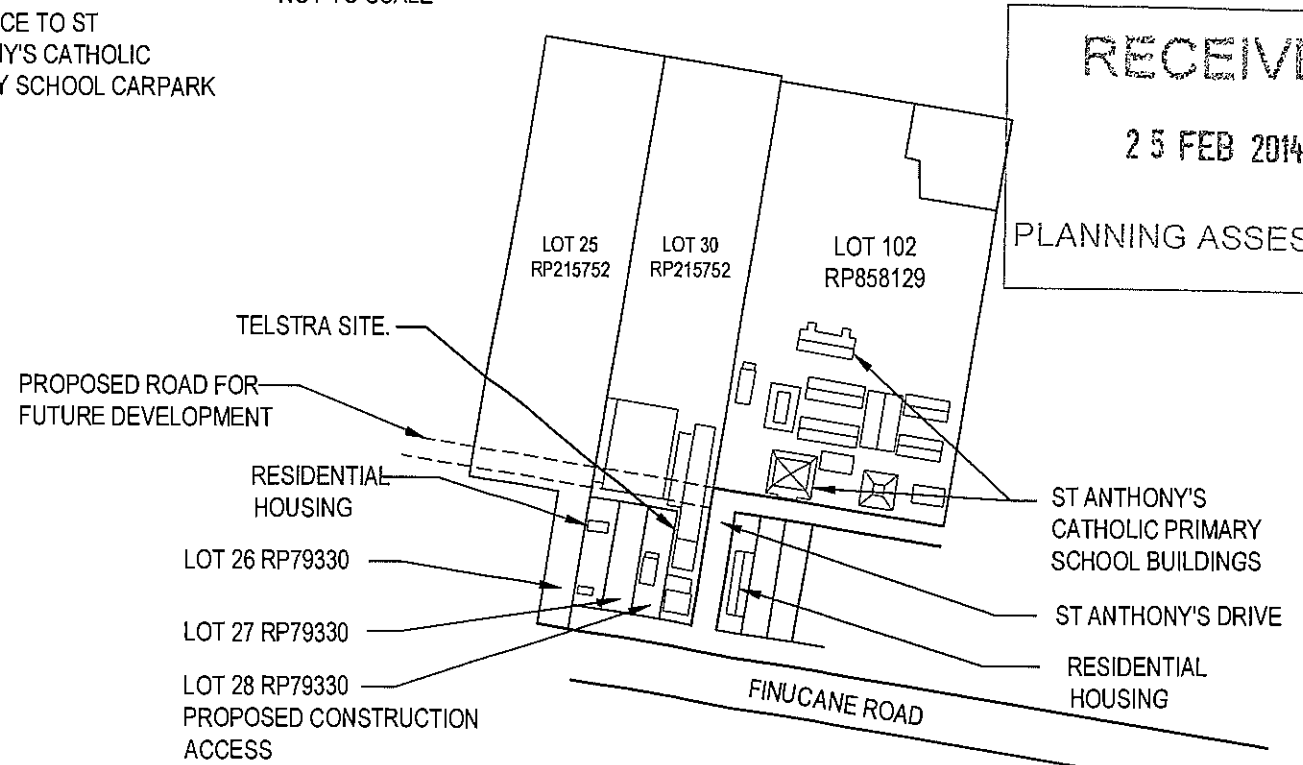
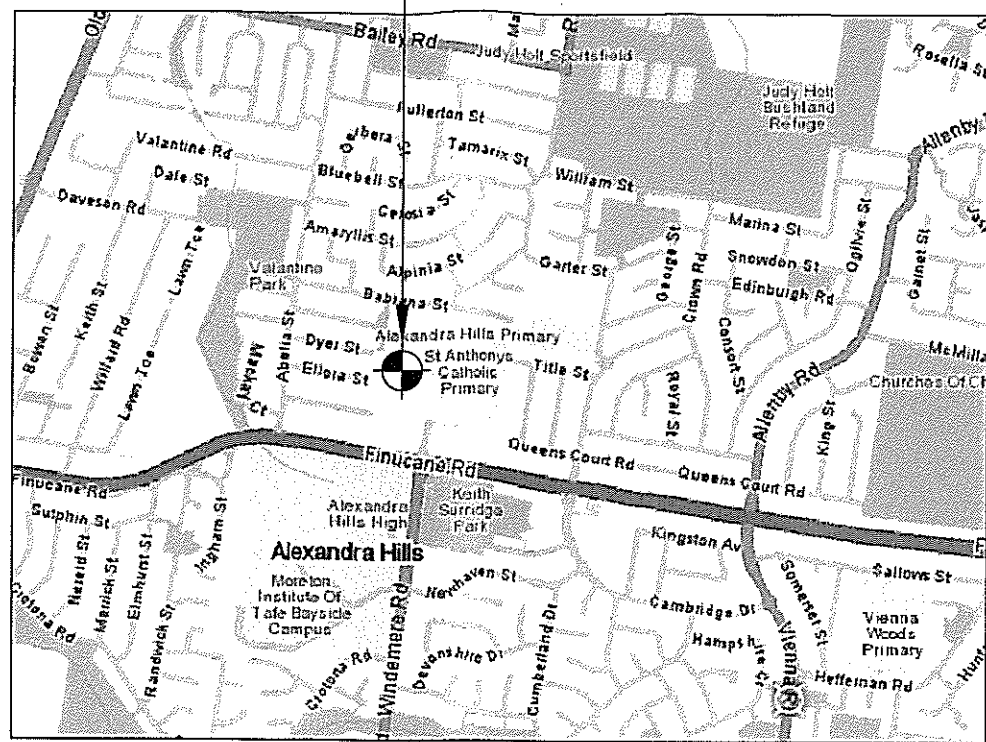
NOTE
DIMENSIONS AND AREAS
ARE SUBJECT TO
FINAL SURVEY

SEE ALSO Dwg 3776-R (Stage 1 & 2)

REGISTERED PROPRIETORS Richard, Robert & Rose TOMASZEWSKI	SCALE 1:1500 @A3 FORMAT STANDARD
	PROPOSED LOT RECONFIGURATION (Stage 3) Dwg 3776-R2 - A
PROPOSED LOTS 1-35 P.U.L. And New Road Cancelling Lot 26 (ARS) & Bal Lot 25 On RP215751 And Lot 29 (ARS) & Bal Lot 30 On RP215752 Original Portion: 114 Parish Of: CAPALABA County Of: Stanley Locality: Alexandra Hills Local Authority: REDLAND CC MERIDIAN. RP215751	PHILIP VASSALLO PTY LTD CONSULTING SURVEYORS 172 REDLAND BAY ROAD CAPALABA PO BOX 94 CAPALABA 4157 Phone 07 3390 1831 Fax 07 3390 1325 Email mail@vassallo.net.au
27/08/13 EMT D, STAGE 2 DETAILS PER DP261301 21/02/13 NEW LAYOUT, EMTS A-D PER DWG 3776-R 14/01/13 CANCELLATION CLAUSE AMENDED 24/07/12 TITLE BLOCK CHANGES	AMENDMENTS DATE 27/06/2012 DRAWN PF



SITE ACCESS PLAN
SCALE 1:500



SITE LOCALITY PLAN
NOT TO SCALE

PRELIMINARY-WCDMA850

PROPERTY DESCRIPTION

DO NOT SCALE
PART OF LOT 30 ON RP215752
PARISH OF CAPALABA
COUNTY OF STANLEY

SITE STRUCTURE CO-ORDINATES
GPS READING ACCURACY: ±10m
CENTRE OF POLE

LATITUDE	-27.521093° (GDA 94)
LONGITUDE	153.215897° (GDA 94)

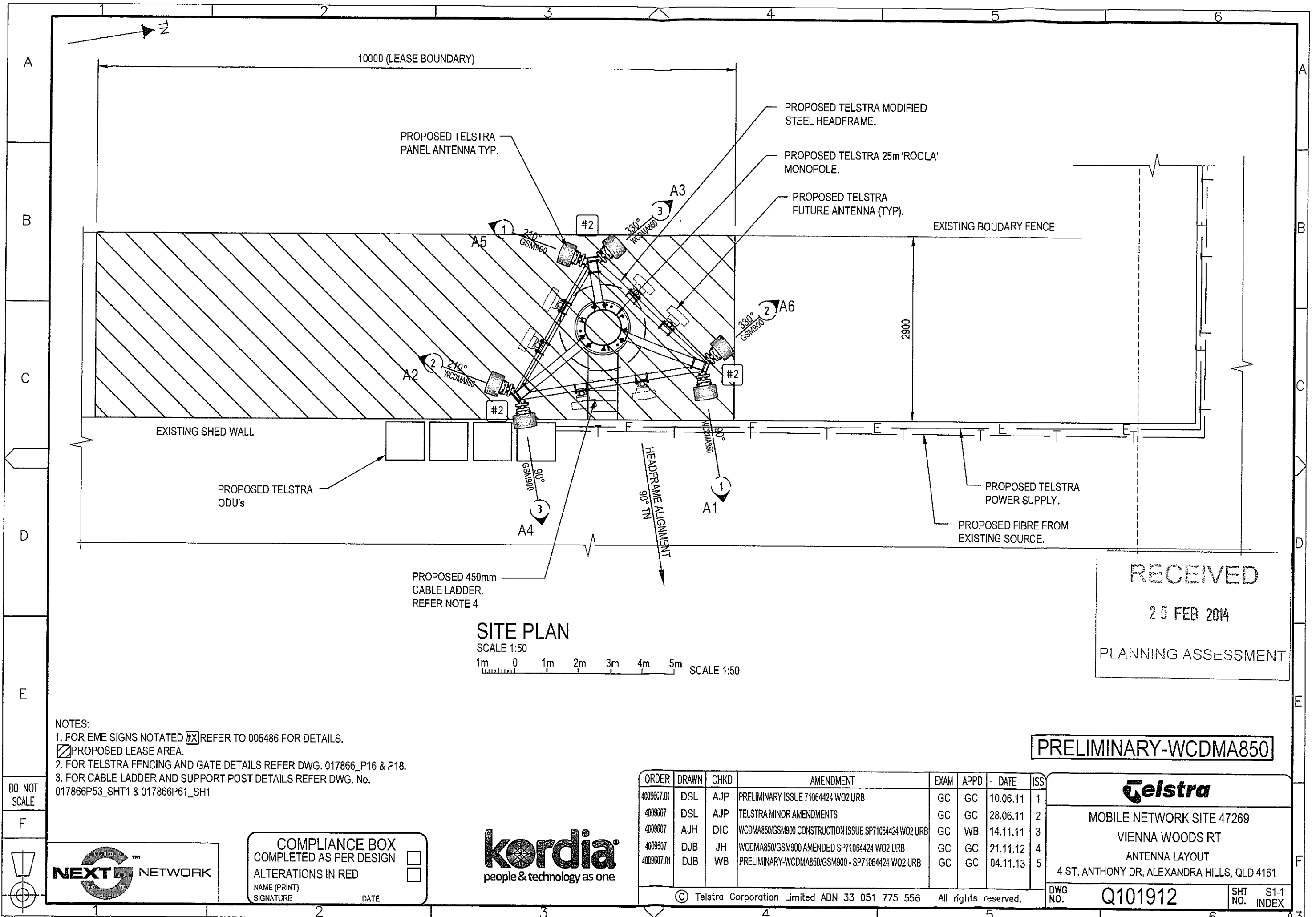
COMPLIANCE BOX
COMPLETED AS PER DESIGN
ALTERATIONS IN RED

NAME (PRINT) _____
SIGNATURE _____ DATE _____



ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4009607.01	KK	KK	DBOR TYPE 1 PROJECT CP052232VNWD	KK	BA	11.09.08	1
4009607	DSL	AJP	PRELIMINARY ISSUE 71064424 WO2 URB	GC	GC	10.06.11	2
4009607	DSL	AJP	TELSTRA MINOR AMENDMENTS	GC	GC	28.06.11	3
4009607	AJH	DIC	WCDMA850/GSM900 CONSTRUCTION ISSUE SP71064424 WO2 URB	GC	WB	14.11.11	4
4009607	DJB	JH	WCDMA850/GSM900 AMENDED SP71064424 WO2 URB	GC	GC	21.11.12	5
4009607.01	DJB	WB	PRELIMINARY-WCDMA850/GSM900 - SP71064424 WO2 URB	GC	GC	04.11.13	6





SITE PLAN
SCALE 1:50
1m 0 1m 2m 3m 4m 5m SCALE 1:50

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- NOTES:
 1. FOR EME SIGNS NOTATED #X REFER TO 005486 FOR DETAILS.
 2. FOR TELSTRA FENCING AND GATE DETAILS REFER DWG. 017866_P16 & P18.
 3. FOR CABLE LADDER AND SUPPORT POST DETAILS REFER DWG. No. 017866P53_SHT1 & 017866P61_SH1

PRELIMINARY-WCDMA850

DO NOT SCALE

F



COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____



ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4009607.01	DSL	AJP	PRELIMINARY ISSUE 71064424 W02 URB	GC	GC	10.06.11	1
4009607	DSL	AJP	TELSTRA MINOR AMENDMENTS	GC	GC	28.06.11	2
4009607	AJH	DIC	WCDMA850/GSM900 CONSTRUCTION ISSUE SP71064424 W02 URB	GC	WB	14.11.11	3
4009607	DJB	JH	WCDMA850/GSM900 AMENDED SP71064424 W02 URB	GC	GC	21.11.12	4
4009607.01	DJB	WB	PRELIMINARY-WCDMA850/GSM900 - SP71064424 W02 URB	GC	GC	04.11.13	5

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Telstra
 MOBILE NETWORK SITE 47269
 VIENNA WOODS RT
 ANTENNA LAYOUT
 4 ST. ANTHONY DR, ALEXANDRA HILLS, QLD 4161

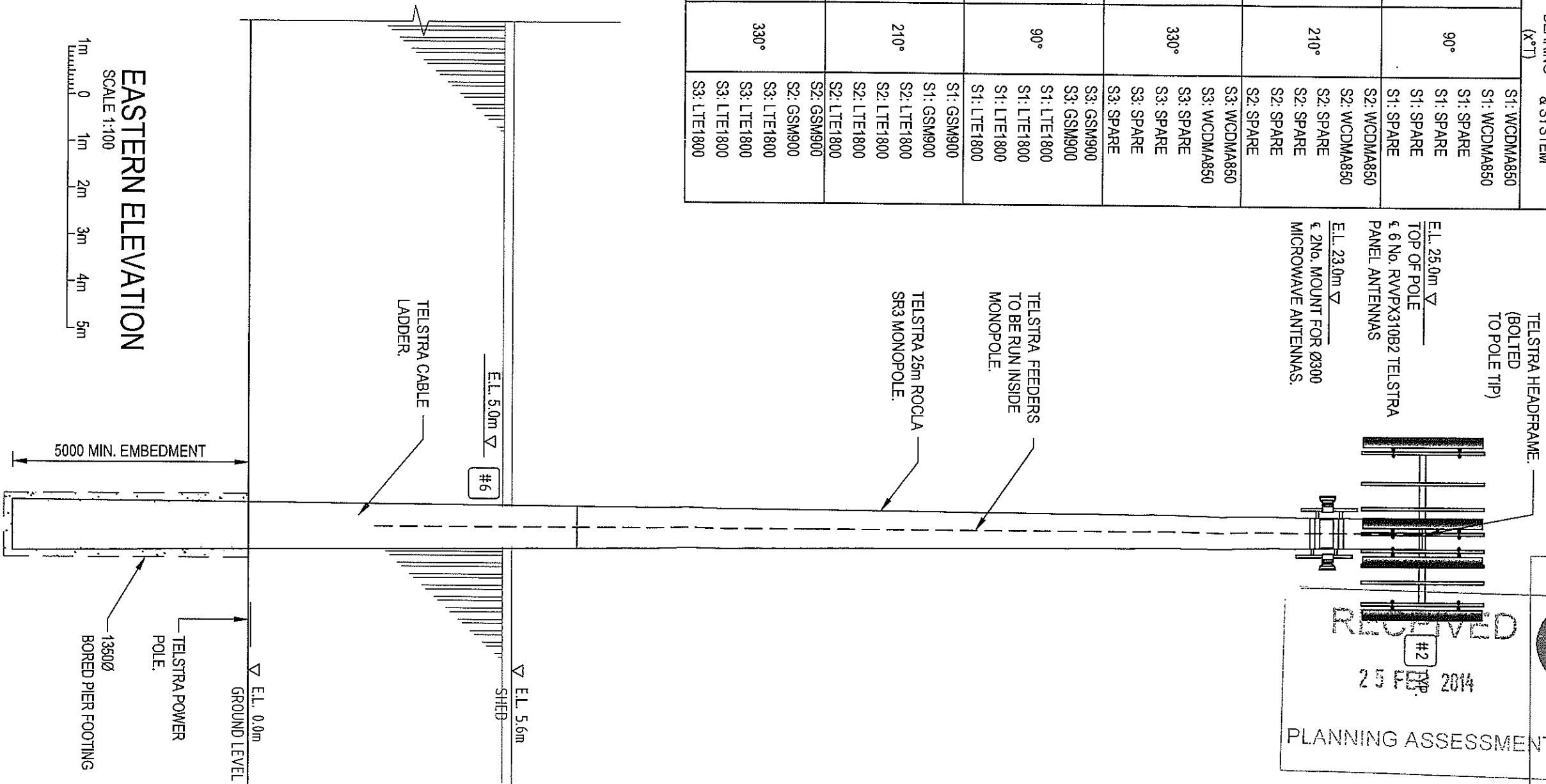
DWG NO. **Q101912** SHT NO. S1-1 INDEX

TELSTRA ANTENNA CONFIGURATION TABLE

ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA STATUS	ANTENNA HEIGHT C/L A.G.L.	ANTENNA BEARING (x°T)	SECTOR NO. & SYSTEM
A1	ARGUS RVVPX310B2 PANEL 2533 x 353 x 209	PROPOSED	25.0m	90°	S1: WCDMA850 S1: SPARE S1: SPARE S1: SPARE
A2	ARGUS RVVPX310B2 PANEL 2533 x 353 x 209	PROPOSED	25.0m	210°	S2: WCDMA850 S2: SPARE S2: SPARE S2: SPARE
A3	ARGUS RVVPX310B2 PANEL 2533 x 353 x 209	PROPOSED	25.0m	330°	S3: WCDMA850 S3: WCDMA850 S3: SPARE S3: SPARE S3: SPARE
A4	ARGUS RVVPX310B2 PANEL 2533 x 353 x 209	PROPOSED	25.0m	90°	S3: GSM900 S3: GSM900 S1: LTE1800 S1: LTE1800 S1: LTE1800
A5	ARGUS RVVPX310B2 PANEL 2533 x 353 x 209	PROPOSED	25.0m	210°	S1: GSM900 S1: GSM900 S2: LTE1800 S2: LTE1800 S2: LTE1800
A6	ARGUS RVVPX310B2 PANEL 2533 x 353 x 209	PROPOSED	25.0m	330°	S2: GSM900 S2: GSM900 S3: LTE1800 S3: LTE1800 S3: LTE1800

- NOTES:-**
1. ALL ACCESS POINTS ON THE STRUCTURE TO BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
 2. FOR SITE SPECIFIC NOTES REFER TO SHEET S0.
 3. FOR EME SIGNS NOTATED REFER TO 005486 FOR DETAILS.

EASTERN ELEVATION
SCALE 1:100



TELSTRA HEADFRAME (BOLTED TO POLE TIP)
E.L. 25.0m
TOP OF POLE
6 No. RVVPX310B2 TELSTRA PANEL ANTENNAS
E.L. 23.0m
2 No. MOUNT FOR Ø300 MICROWAVE ANTENNAS.

NEXT NETWORK

RECEIVED
#2
25 FEB 2014
PLANNING ASSESSMENT



ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4009807/01	KK	KK	DBOR TYPE 1 PROJECT CP952232/WHD	KK	LRS	11.09.08	1
4009807	DSL	AJP	PRELIMINARY ISSUE 7/08/424 W02 URB	GC	GC	10.06.11	2
4009807	AHJ	AJP	TELSTRA MINOR AMENDMENTS	GC	GC	28.06.11	3
4009807	VK	DIC	WCDMA850/SMA90 CONSTRUCTION ISSUE SPT/08/424 W02 URB	GC	GC	14.11.11	4
4009807/01	DJB	WB	AS BUILT 3/9/13 DECISION SPT/13/9/03/W022855/NC PRELIMINARY-WCDMA850/SMA90 - SPT/08/424 W02 URB	PK	ARB	23.11.12	5
				GC	GC	04.11.13	6

PRELIMINARY-WCDMA850

Telstra

MOBILE NETWORK SITE 47269
VIENNA WOODS RT
SITE ELEVATION
4 ST. ANTHONY DR, ALEXANDRA HILLS, QLD 4161

DWG NO. **Q101912** SHT NO. INDEX

Zone Plan



Area Plan



Assessment of Submissions Received – in Respect to Revocation of VPO 9, VPO 10, VPO17 & VPO 21

Evaluated by Ken Folkes – Technical Adviser Arboriculture – 7 March 2014

Local Law 6	VPO No.	VPO 9
Legal description	Lot 53 RP93909 – 49 Bates Drive BIRKDALE QLD 4159	
Confirmation Date	12/08/98	
Description	2 Eucalyptus species	
Significance Criteria under Local Law 6 Part 1 Section 3	<p>d) a valuable source of propagating stock or of other horticultural value</p> <p>h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor</p> <p>m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated</p>	
Submissions received	5 (total)	
Supporting revocation	2	
Issues and points raised by submitters	Trees are dangerous, and tree has been 'topped' by previous owner leaving new growth dangerous, no Koalas sighted in over 10 years following development of the area.	
Comments	The 2 submissions were technically not a 'grounds for Order' submission and could have been declared 'not properly made'. However, as concerns were raised about the safety issues, it was accepted. The expert report and tree assessment showed that one of the trees – the <i>Eucalyptus</i> hybrid was not of good form or integrity. The other tree – a <i>Eucalyptus tereticornis</i> was healthy, of good form and structural integrity.	
Opposing revocation	3	
Issues and points raised by submitters	Loss of Koala food tree, Koala and native wildlife corridor, shade and amenity	
Comments	The submissions had valid points and the assessment did demonstrate that the loss of the trees would impact the overall food source for Koala. It was also demonstrated that the trees did contribute to the enhancement of the amenity in both the local and broader area.	
Conclusion	Tree 1 was declared non-significant due to its poor form and unpredictable structural integrity. Tree 2 was declared as significant with regards to 2 of the 3 grounds of Order and, the tree was assessed as a physically worthy tree for protection in the long-term.	

Local Law 6	VPO No.	VPO 10
Legal description	Lot 2 RP51510, Lot 1, 2, 3 RP92039 3, 7, 9, 11 Main Rd WELLINGTON POINT QLD 4160	
Confirmation Date	21/06/2002	
Description	Mix of native and exotic species over subject lots	
Significance Criteria under Local Law 6 Part 1 Section 3	a) a valuable part of the natural heritage of the area; l) important for its support for natural or artificial landforms such as drainage lines, watercourses, bodies of water, foreshores, slopes or unstable and erodible soils m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated o) important for its unique contribution to the landscape	
Submissions received	6 (total)	
Supporting revocation	Nil	
Issues and points raised by submitters	Nil	
Comments	Not applicable	
Opposing revocation	6	
Issues and points raised by submitters	The trees provide an integral part of the arrival at the point. The area is a Koala corridor. The trees contribute to the visual amenity of the area. The trees provide stability to the steep banks and soil on the point and help prevent drainage lines from eroding. The trees have catchment value.	
Comments	The mixed shrubs and trees over the subject properties were assessed as in good condition and significant with regards to the 4 grounds of Order cited above. The trees were considered as safe and structurally acceptable. The area is known as a Koala corridor and the subject trees provide an important habitat link around the point to other food and habitat trees. The trees are an important component of the landscape for soil stability, water catchment and visual amenity. The natural heritage of the area holistically, includes the Koala and other wildlife (raptors) inhabitancy and movement around the point and the historically old urban forest and canopy effect of the more mature and significant trees along the road verges and within private properties.	
Conclusion	Given that extensive damage has already occurred to the soil and stability of the embankments from the removal of a large proportion of the trees that were protected by the VPO, there is no logical reason to revoke this VPO. No submissions were received supporting the revocation and, all submissions against the revocation were valid in their content. The trees and vegetation subject to the VPO are in good order and easily maintained without a large financial cost. It is important to ensure that no further clearing of the remaining trees and vegetation subject to this VPO is undertaken.	

Local Law	6	Application No.	VPO17
Legal description	Lot 718 RP118114 – 10 Somerset Street ALEXANDRA HILLS QLD 4161		
Confirmation Date	28/09/2011		
Description	<i>Eucalyptus tereticornis</i>		
Significance Criteria under Local Law 6 Part 1 Section 3	<p>h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor</p> <p>n) important for its age, height, trunk circumference, or canopy spread</p> <p>r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives</p>		
Submissions received	9 (total)		
Supporting revocation	8		
Issues and points raised by submitters	Trees are dangerous; concerned for safety of children and pets and personal safety; no Koalas sighted in over 10 years following development of the area; very little bird and wildlife seen in tree; number of dogs roaming around backyards in vicinity of tree; lack of maintenance carried out.		
Comments	The points raised are valid arguments and worthy of consideration in assessing the validity of the VPO. The tree on number 10 Somerset was assessed by an independent Arborist and Councils Arborist. The tree was found to be both significant and healthy and, providing appropriate arboreal maintenance and management is undertaken, is worthy of VPO protection for the long-term. The negative social aspects as demonstrated by the submissions and previous contact with Council shows that the trees are not wanted, are loathed and the submitters have shown little regard to the broader issues presented by the trees such as Koala habitat or the amenity they provide to the area.		
Opposing revocation	1		
Issues and points raised by submitters	Loss of Koala food tree, Koala and native wildlife corridor, shade and amenity		
Comments	The points raised in the one submission were valid and consistent with the grounds of Order. Removal of the tree will result in the loss of a Koala food tree, further fragment the mature tree/canopy corridor, and also affect the visual amenity of the area.		
Conclusion	The tree is significant in terms of the grounds of Order; the tree is healthy, structurally sound, with no validating reasons for its destruction other than a dislike for the tree and the cost of maintaining the tree.		

Local Law	VPO No.	VPO21
Legal description	Lot 764 RP118114 – 12 Somerset Street Alexandra Hills QLD 4161	
Confirmation Date	28/09/2011	
Description	<i>Eucalyptus tereticornis, Eucalyptus saligna, Eucalyptus grandis, Eucalyptus robusta,</i>	
Significance Criteria under Local Law 6 Part 1 Section 3	m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; n) important for its age, height, trunk circumference, or canopy spread; r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives	
Submissions received	18 (total) including 3 not properly made	
Supporting revocation	14	
Issues and points raised by submitters	Trees are dangerous, lack of maintenance of trees; trees swaying 3-4 mts in wind; limbs and branches snapping and narrowly missing people, limb breaking and hitting clothesline; no Koalas sighted. Fire and vermin risks associated with debris.	
Comments	All of the submissions cited their concerns about the danger posed by the trees to them, visitors, children, pets and property. Comments relating to no Koalas seen could be valid due to the number of pet dogs roaming around the backyards surrounding the trees and the inhospitable fencing that impedes free movement to Koala.	
Opposing revocation	1	
Issues and points raised by submitters	Loss of Koala food tree, Koala and native wildlife corridor, shade and amenity.	
Comments	Points raised were valid and consistent with grounds of Order. (see comments under VPO 17 above)	
Conclusion	<p>Significantly and from a health and structural integrity perspective, the trees are worthy of protection. The trees are obviously hated and not wanted by the tree owners, surrounding neighbours and visitors. In considering an outcome, it is highly likely that the substantial negative social aspects may need to be the determining factor in the fate of these trees.</p> <p>If these trees are ultimately removed, it is advisable from an arboricultural aspect, to remove the tree associated with number 10 as it will be affected by increased wind-load if the trees on number 12 are ultimately removed.</p>	

Aboricultural (expert) Report

6 Eucalypt species

Located at: 10 & 12 Somerset Street ALEXANDRA HILLS QLD 4161



Report Prepared for Redland City Council

Ken Folkes

Technical Adviser *Arboriculture*, Redland City Council

16 January 2014

Reference Number VPO17 & VPO21

Contents

1. Introduction
2. Arboricultural Assessment
3. VPO 'Grounds for Order' Assessment
4. Submissions Review
5. Discussion, Conclusion, and Arboricultural Recommendations
6. Appendix A – Photographs
7. Appendix B – SPRP Koala Habitat Values map
8. Appendix C – S.U.L.E categories and sub-categories

1 Introduction

Council is currently reviewing VPO17 and VPO21 to determine if the subject trees are worthy of protection, or whether the Order should be revoked.

The VPO review is a result of several requests over the past 3 years from the owners and neighbours of both number 10 and 12 Somerset St Alexandra Hills, to remove the trees as they believed them to be physically dangerous to them and their property.

This assessment was commissioned to determine;

- The physical integrity and health of the trees;
- Landholder social issues presented by the trees;
- The feasibility and cost of maintaining the trees;
- Whether the significant grounds for the orders under *Local Law 6 Protection of Vegetation* are still relevant to the orders.

2 Arboricultural Assessment

The trees were assessed using recognised VTA (visual tree assessment) methodology (Mattheck C and Breloer H (1994) *The Body Language of Trees A handbook for Failure Analysis* HMSO London and (Pokorny D Jill) *Urban Tree Risk Management: Guide to Program Design and Implementation* USDA Forest Service

Assessment of the trees was from the ground only and did not involve any root mapping, aerial or invasive investigation as it was not warranted at that stage. The assessment was intended only to obtain sufficient information to determine the general health and structural integrity of the trees and, to determine if the significant grounds of Order were still relevant, so that Council

could make a determination as to whether revocation of the VPOs were justified or not. In conjunction with the property owners, several site inspections of both properties have been undertaken to assess the subject trees over the past two years.

- The Physical Integrity and Health of the Trees

The trees on 12 Somerset Street subject to VPO17 consist of 5 trees - 1 *Eucalyptus tereticornis*, 2 *Eucalyptus saligna*, 1 *Eucalyptus grandis*, and 1 *Eucalyptus robusta*. A fifth tree was originally nominated on the Interim VPO application, but the expert report determined that the tree – a semi-mature *Araucaria bidwillii*, was not significant and was therefore not included in the confirmed VPO. On recommendation from an independent Arborist Report commissioned by Council, a sixth tree that was nominated, a mature *Eucalyptus tereticornis*, was also removed prior to confirmation due to it being unstable and not physically worthy of retention.

The single tree at 10 Somerset Street subject to VPO21 is a mature *Eucalyptus grandis* of approximately 35 metres high.

At the time of assessment, all the trees were noted as in good condition for their age and height, and showed typical species characteristics common to these trees in urban situations. There did not appear to be any past arboreal maintenance works having been carried out to remove deadwood, redundant limbs and other identified minor growth faults that may predispose the trees to premature and unpredictable limb drop. The tree owners agreed that very little maintenance had been undertaken in the past and was generally done only in response to limb drop after storm events.

All the trees are considered as mature and were an average of 20-30 metres high, with *atypical*¹ open and sparse canopies of similar proportion to their heights. The canopies contained an abundance of smaller than normal limbs that can be prone to sudden wind-whip, torsional and tensional stresses. As a result, a lack of arboricultural maintenance can promote such growth and, subsequently increase a trees potential for limb failure during storm events. Although atypical when compared with open-paddock and naturally grown Blue Gums as seen on large rural properties and within bushland, the growth and form of these trees is synonymous with urban Blue Gums that have grown matured within the confines of a restricted environment, as is the case with these trees.

Collectively, the trees protect each other to a degree from this wind factor by their intertwining canopies and combined buffer effect against wind-gusts. Removal of one or more trees, or excessive canopy modification, may predispose the remaining trees to a high probability of limb-failure from the increased wind-loading on the canopies. At the time of assessment all the trees had well-established and structurally sound trunks and root zones. No issues were identified with these zones that required further investigation.

¹*Atypical – Growth and form of a tree not representative of naturally grown species*

In summary, the trees were considered as in good order and, with appropriate arboreal management, were considered to have a medium S.U.L.E (Safe Useful Life Expectancy) of 2B (see *appendix C for further details on S.U.L.E*).

As a normal routine maintenance practice the trees require removal of deadwood, some poorly-formed limbs and general upper canopy arboreal inspection to identify and reduce risks to an acceptable level. There is no visible evidence of any remedial maintenance that has been carried out in the past few years.

- Potential social issues presented by the trees:

The tree owners and immediate neighbours are genuinely concerned about the proximity to their living spaces, their height and spatial dominance and the constant threat these large trees present to them every day. Due to the absence of any maintenance having been carried out on the trees in the past, some limbs have inevitably dropped following storm events, increasing the fear factor. The trees have a combined canopy height of approximately 20-30 metres with each trees canopy spread to similar proportions. The canopies and limbs extend substantially into all affected properties presenting a level of risk to the property owners which need to be managed by appropriate arboricultural management.

Due to the length and small diameter of many of the upper canopy limbs as described previously, the limbs tend to move around in the wind more so than a large mature Blue Gum of natural growth and form such as may be seen in a large paddock tree. This exaggerated limb movement during high winds may tend to cause smaller limbs to regularly snap off, further exacerbating the fear factor amongst the property owners.

Fear of large Eucalyptus trees is common in urban areas, with the perception of them being 'widow-makers'. In most cases, Eucalyptus trees inevitably fail or drop limbs simply due to a lack of arboricultural maintenance and a lack of regular inspections.

In this particular case, the tree-owners and surrounding neighbours have all expressed a genuine fear and dislike of these trees and this factor needs to be considered in determining the final decision whether to revoke or retain the VPO's.

- The feasibility and cost of maintaining the trees:

Although the trees are in good order, and physically worthy of retention, they require a considerable up-front maintenance regime to minimise risks that have manifested over the years through lack of arboreal maintenance. The estimated cost to carry out this work would be in the vicinity of \$3500.00 per tree. The high cost is mainly due to lack of access for machinery, the canopy height and the unusual thinness of the limbs that will make trimming of the canopy difficult by non-spike climbing techniques – required for this type of work. To ensure the risks are managed, this maintenance regime would be

required approximately every 5 years, with additional audits of the trees carried out following severe storms, or after any notable physical changes in the trees. An audit of the trees is also recommended on an annual basis.

3 VPO 'Grounds for Order' Assessment

The grounds for which the trees were selected for protection on both 10 and 12 Somerset Street as detailed in the Local Law and contained within the Orders are;

- *h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or*
- *m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or*
- *n) important for its age, height, trunk circumference, or canopy spread;*
- *r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives.*

In assessing the trees for their habitat value, the location – both immediate and surrounding – were considered. There is no question that the trees with their broad canopies and dominating height would be utilised by arboreal birds during transitory flight, migration or as a nest site. During the visual assessment, lorikeet, and several other bird species were noted in the canopies. With the loss of many large Eucalypts in urban areas occurring, the tree corridor effect has become very fragmented, with only isolated trees like these, remaining. These trees do form an important link in maintaining adequate transitory trees for wildlife. The SPRP Koala Habitat Values map (appendix B) shows the fragmentation of the Koala habitat within the urban area and the importance of in preserving significant Koala trees in these fragmented areas. There were no listed migratory birds or Raptor species present during the assessments.

From a ground-accessed perspective, the trees cannot be utilised effectively by wildlife such as Koala, Possum, Goanna, and others, due to the isolation of these trees from other large native trees in the area. High timber fences surround the trees, with dogs present in the backyards of the properties around the trees. With the exception of agile and fast moving Possums, it is highly unlikely that Koala could safely navigate through these properties to access the trees.

In summary, the trees have high habitat value for arboreal birds and a very low value for transitory ground-based wildlife.

Amenity value can be defined in many ways - *a sense of place, a defined visual landmark, a dynamic focal attribute to an existing landscape, or a living contribution to the history of the area it is located, or simply because it is admired by people for no particular reason.*

Due to the trees location tucked in behind the houses, they did not present as high value in terms of visual amenity. From a different perspective, when viewed from the rear yards, it can be considered that the trees are visually dominant and threatening to those nearby as has been expressed by the tree owners. The trees have no cultural or historical value and can be considered more as ornamental plantings with low amenity value.

When viewed from a distance, it was considered that the trees do contribute to the amenity of the immediate area and do provide aesthetic value and a beneficial effect to the amenity of the wider area due to the contribution to the urban forest canopy. Any mature tree with a significant canopy is an asset to the enhancement of the urban forest and should be preserved where it is feasible to do so.

With regards to criteria 'r', it is recognised scientifically and well-documented that the *Eucalyptus tereticornis* (blue gum) is the primary food source and transitory tree species utilised by Koala²

The following policies and other documents are an example of the level of recognition given to the value of retention, enhancement and management of Koala habitat trees in the Redlands.

- Redland City Councils Vegetation Enhancement Strategy 2007;
- Redlands Koala Policy and Implementation Strategy 2008;
- Redlands Planning Scheme Policy 4 – Ecological Impacts;
- Local Law 6 Protection of Vegetation.

- South East Queensland Koala Conservation State Planning Regulatory Provisions (SPRP)
- Offsets for Net Gain of Koala Habitat in South East Queensland Policy (offsets policy)
- State Government Supported Community Infrastructure Koala Conservation Policy (community infrastructure policy)
- Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 (koala plan)
- Koala-sensitive Design Guideline: A guide to koala-sensitive design measures for planning and development activities

²The CSIRO paper (*Ecology and Movement of Urban Koalas Adjacent to Linear Infrastructure in Coastal south-east Queensland 2013*) states that habitat loss and removal of individual *Eucalyptus tereticornis* in urban situations is a key factor in the rapid decline in Koala population within this area. Without suitable large trees to provide safe transition between habitats, Koala is susceptible to animal attack and road kill.

Based on these facts, it is considered that grounds h) and m) are valid.

4 Submissions Review

There were a total of 18 submissions received – 1 against revocation, 14 supporting revocation and, 3 submissions not ‘properly made’ and therefore not accepted.

All the submissions supporting revocation cited the trees as being dangerous, dropping limbs, causing actual property damage from falling limbs, fear of the trees falling in storms, close proximity to houses and threat to houses from potential tree collapse and the constant mess created by the trees.

The 1 submission received that opposed revocation cited habitat value as reason for not revoking the VPO.

Although none of the submissions received that supported revocation of the VPO based their submissions on the ‘significant’ grounds of order, the submissions did highlight the subject of safety issues where the trees are involved. Fear and intimidation from the trees was also a strong topic.

5 Discussion, Conclusion & Arboricultural Recommendations

- **Discussion**

The trees do have high habitat value to arboreal birds, insects and wildlife, but a low value to Koala and other ground-based wildlife due mainly to the restrictive fencing and presence of dogs roaming in backyards of all the properties surrounding the trees.

It was considered that although the trees do have aesthetic value, it is of limited value to the general population due to the location of the trees in the backyards where they provided more of a benefit to the immediate landholders surrounding the trees.

The amenity value is only provided by viewing the trees from an aerial perspective where they may visually link to other large trees in the area.

As expressed by the tree owners and neighbours, the trees are considered as dominating and threatening, rather than pleasing, so it was considered that the aesthetic value should not be considered as a factor in assessing this VPO. There is limited landscape value provided by the trees due to their isolation from other significant trees within the wider area.

From a safety perspective, although *‘atypical’* in form, the trees were representative of the trees growth in urban situations and considered as normal. With a program of appropriate arboricultural maintenance, the trees will be acceptable in terms of risk and should maintain a satisfactory S.U.L.E. (safe useful life expectancy)

- **Conclusion**

The trees are unquestionably significant, however, the negative social and on-going financial implications that are presented by the trees to their owners and immediate neighbours should be an important factor in determining whether or not to revoke the VPO's and will ultimately be the value and significance of the trees weighed against the identified social impacts.

Due to the trees combined growth characteristics and overall form (spindly and not typical of these trees in their natural environment) and that the trees provide a protective buffer for each other from wind and storm events, it will increase the risk-factor of the remaining trees if one or more are removed.

It is considered that in assessing the significant criteria, a low value has been given. In assessing the social aspects, it is considered that the trees are not socially acceptable.

From a health and structural integrity perspective, the trees are physically worthy of retention in the long-term.

- **Arboricultural Recommendations**

Due to the absence of previous maintenance, all the trees relating to VPO 17 and 21 require general arboricultural maintenance to remove deadwood, redundant limbs and to further assess the canopy for possible structural faults that are not visible from a ground assessment. An inspection of the trees will be required after every major storm event and at least annually to ensure the trees kept in a safe condition.

Appendix A – photographs



Photograph 1 showing the 6 trees applicable to VPO17 and VPO21



Photograph 2 showing the *Eucalyptus grandis* (VPO21) on 10 Somerset St



Photograph 3 shows the trunk and root zone of the *Eucalyptus grandis* on 10 Somerset St. No issues were identified.



Photograph 4 – Shows the *Eucalyptus saligna* on 12 Somerset St (VPO17). There were no issues identified. The retaining wall is close to trunk, but there is no evidence of construction or root damage. No investigative root mapping was undertaken as part of this survey.



Photograph 5 – The Eucalyptus grandis on 10 Somerset St overhangs into the backyard of the adjoining neighbour.



Photograph 6 – Aerial showing the location of the trees within the broader urban forest of the area.

Aboricultural (expert) Report

Various Eucalypt species and other tree species

Located at: 3, 5, 9, 11 Main Rd WELLINGTON POINT QLD 4160



Report Prepared for Redland City Council

Ken Folkes

Technical Adviser *Arboriculture*, Redland City Council

16 January 2014

Reference Number VPO10

Contents

1. Introduction
2. Arboricultural Assessment
3. VPO 'Grounds for Order' Assessment
4. Submissions Evaluation
5. Discussion, Conclusion & recommendations
6. Photographs
7. Appendix - SEQ SPRP Koala Conservation/Habitat Value map

1 Introduction

Council is currently reviewing VPO10 to determine if the subject trees are worthy of protection, or whether the Order should be revoked.

The properties subject to this VPO are;

- Lot 2 RP51510 (3-7 Main Rd WELLINGTON POINT QLD 4160)
- Lot 3 RP92039 (3-7 Main Rd WELLINGTON POINT QLD 4160)
- Lot 2 RP92039 (9 Main Rd WELLINGTON POINT QLD 4160)
- Lot 1 RP92039 (11 Main Rd WELLINGTON POINT QLD 4160)

VPO10 protects all vegetation locally native to Redlands, over the whole of the lots.

This arboricultural assessment is to determine;

- The physical integrity and health of the trees;
- Potential landholder social issues presented by the trees;
- The feasibility and financial costs of maintaining the trees;
- Whether the significant grounds for the orders under *Local Law 6 Protection of Vegetation* are still relevant to the orders.

2 Arboricultural Assessment

The subject trees were assessed using recognised VTA (visual tree assessment) methodology (Mattheck C and Breloer H (1994) *"The Body Language of Trees A handbook for Failure Analysis"* HMSO London and (Pokorny D Jill) *"Urban Tree Risk Management: Guide to Program Design and Implementation"* USDA Forest Service

Assessment of the trees was from the ground only and did not involve any root mapping, aerial or invasive investigation as it was not warranted at that

stage. The assessment was intended only to obtain sufficient information to determine the general health and structural integrity of the trees and, to determine if the significant grounds of Order were still relevant, so that Council could make a determination as to whether revocation of the VPOs were justified or not.

Several site inspections of the properties involved have been undertaken to assess the subject trees over the past two years as part of the VPO review. This VPO was instigated by in 2001 by Council Officers and formally adopted by Council on 12/6/02 as there were concerns major tree and vegetation clearing was about to occur from proposed development of the site. At that time (2002) the property had not been cleared and consisted of a good coverage of natural, mature trees and vegetation that preserved the integrity and character of the Wellington Point locality. The following aerial photographs show the property from 1998 to 2013 and the activities that have occurred since then.

Many of the remaining trees visible in the photographs are on the road verge along Main Rd. These will be affected if the remaining trees on the subject lots, particularly numbers 3-7 Main Rd, are removed. Numerous significant Eucalyptus trees are located on the eastern boundary of Number 9 Main Rd. These trees are worthy of ensuing VPO protection.



Photograph 1

The 1998 photo above shows the subject properties highlighted. The original dwelling is still situated on number 3-7 Main Rd, with substantial vegetation surrounding the property. No clearing appears to have occurred at this stage.



Photograph 2

The 2002 photo above shows that the dwelling on number 3-7 has been demolished. The vegetation is still intact on all lots. It was at this point that the VPO was instigated as a mechanism to try and protect significant vegetation from destruction from the proposed development of the site.



Photograph 3

In the 2006 photo above the dwelling on number 9 has been demolished. Vegetation has been damaged on this lot as a result. The vegetation on number 3-7 is still largely intact.



Photograph 4

The above 2008 photo clearly shows significant destruction of vegetation on numbers 3-7 including unauthorised retaining walls and bulk earthworks and filling. The visual damage to the landscape amenity and the loss of ecological integrity is obvious. A new dwelling has also been constructed on number 9.



Photograph 5

Photograph 5 above shows very little of the original vegetation on these properties remaining today (outlined in yellow)

- The Physical Integrity and Health of the Trees

The trees subject to VPO10 consist of various species including both native and exotic, in varying condition, age and size.

This VPO specifically protects trees locally native to Redland shire. None of the trees in question were considered as hazardous, although no maintenance appears to have been carried out on any of the trees as evident from the amount of deadwood and other limb faults that would have been removed through routine arboricultural maintenance.

In summary, the trees and other vegetation subject to this VPO present no issues other than the requirement for minor arboricultural maintenance.

- The social issues presented by the trees;

The submissions received from the public included comments that the trees and vegetation on these properties provided an important wildlife/Koala corridor link and also provided amenity and ambience to the point as one drives down to the public areas. The trees were also considered as an integral part of the overall landscape of the area by contributing to the urban forest and also stabilising the steep embankment along Main Rd.

There were no responses supporting the revocation received, and no submissions were received from the property owners concerned.

- The feasibility and cost of maintaining the trees;

The cost to carry out maintenance on these trees would be minimal. Access is good and the trees are not large enough to be an issue where arboreal climbing or other specialised arboricultural practices are required.

3 VPO 'Grounds for Order' Assessment

The grounds for which the trees were selected for protection as detailed in the Local Law and contained within the Orders are;

- *a) a valuable part of the natural heritage of the area; or*

The natural heritage of this particular area of Wellington Point dates back to the 1800's during the time of settlement of Wellington Point. The trees surrounding the end of the point, both native and exotic have always been an integral part of the historical urban forest and form part of the natural heritage. There is ample historical documentation available in archives that demonstrate this value and virtue.

Most of the significant vegetation has been removed from number 3-7 during the past construction of the retaining wall, although there is still a number of significant trees on the site that warrant ensuing VPO protection.

Under the Redlands Planning Scheme, there is a planning overlay, *heritage place and character precinct*, that includes the Wellington Point area around the peninsula where the properties are located (Redimap image shown in figure 2 below)

Based on these facts, it is considered that these trees are important in providing an integral part of the overall heritage of the area.

- *l) important for its support for natural or artificial landforms such as drainage lines, watercourses, bodies of water, foreshores, slopes or unstable and erodible soils; or*

Although many of the original boundary trees have been removed already, the remaining trees along the steep embankments surrounding the property provide natural stability to the soil against slip and erosion. The groundcover vegetation also provides a filtering and slowing effect to surface water run-off, helping to prevent movement of silt and sediment into the waterway.

- *m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or*

The trees collectively, including those located on the road verge adjacent to the subject properties provide a dense canopy to the approach into the public foreshore area, a popular local and tourist destination. This canopy effect provides shade, landscape ambience and gives the area a natural, forest ambience. Although this ambience is still present when driving down the hill on Main Rd into the foreshore area, the large number of trees already illegally removed, has been replaced by the harsh retaining wall surrounding the property and has unfortunately destroyed part of this ambience.

- *o) important for its unique contribution to the landscape.*

The trees unique contribution to the landscape is in the collective value of the large canopies contributing to the urban forest and subsequent ambience and visual aesthetics to the approach into the foreshore area – a highly-frequented public recreational area. When viewed from the bay and the northern part of Wellington Point along the foreshore of the recreation area, the trees help to soften the harshness of the dwellings and other structures present. In the original VPO submission, the trees were identified in the previous Strategic Plan Green-space Map as having high landscape and scenic value. This fact, although much of the original vegetation has been cleared, is still a valid consideration.

4 Submission Evaluation

6 submissions were received, all opposing revocation of the VPO. The submissions were properly made and were consistent with the grounds of Order (significant criteria) outlined above. Although not nominated as a ground for Order, some of the submissions also outlined the value of the vegetation in terms of habitat value, particularly for Koala.

There were 3 main issues cited in the submissions;

1. Landscape amenity

All 6 submissions cited the importance of the vegetation as providing a visual amenity to the area and the importance of maintaining a green space around the Wellington Point peninsula. Also cited was the 'sense of place' the trees provided as one entered the Wellington Point peninsula and parkland.

As can be seen in photographs 1,2 and 3 below, the visual amenity provided is evident from the canopy effect, softening of the road and other infrastructure, shade potential, and the general ambience, or sense of place imparted.

2. Soil stability

The submissions referred to the importance of retaining the trees with regard to preventing soil erosion of the steep embankments and helping to prevent ground water further destabilising the embankments.

3. Koala/Wildlife Corridor

Although not a specific ground for Order, some of the submissions cited the importance of retaining the trees as they were part of a koala corridor and also an important habitat for other wildlife. The Redlands Planning Scheme maps the properties as Bushland Habitat which links to an adjoining Vegetation Enhancement Corridor along the Moreton Bay foreshore (Redimap image shown in figure 1 below)

This map demonstrates the importance of retaining significant vegetation to maintain the connectivity link between the bushland habitat and vegetation enhancement corridor around the foreshore. It is well known that this corridor is frequented by Koala. Removal of the remaining vegetation will break this connectivity and diminish the habitat value.

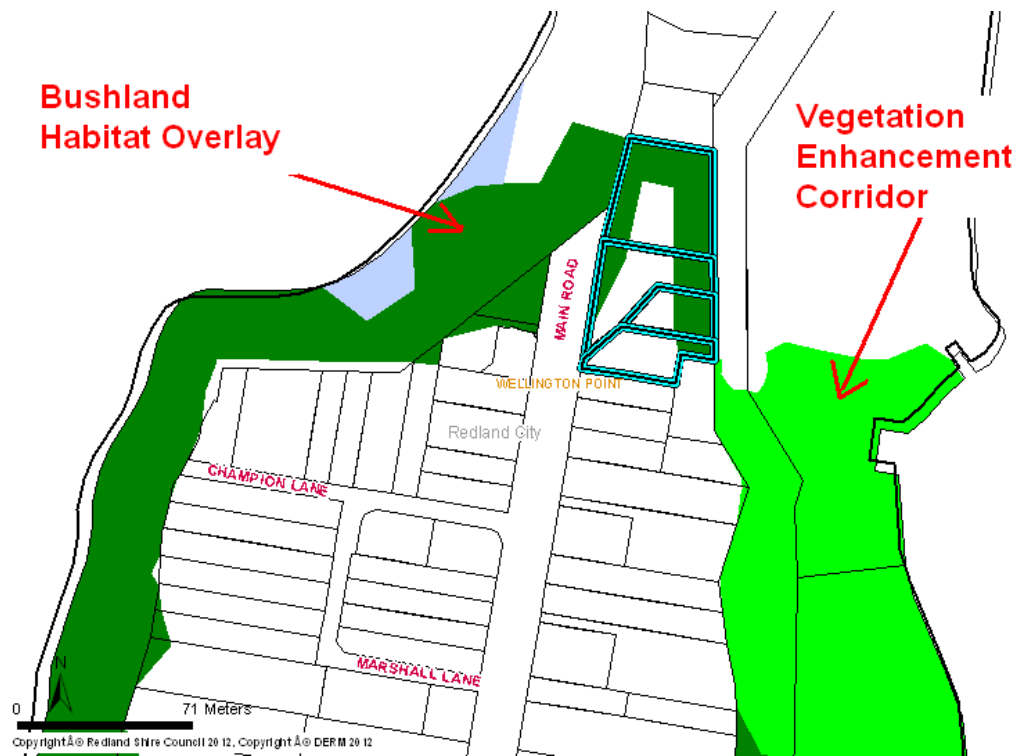


Figure 1 – Redlands Planning Scheme Overlays showing properties outlined in blue

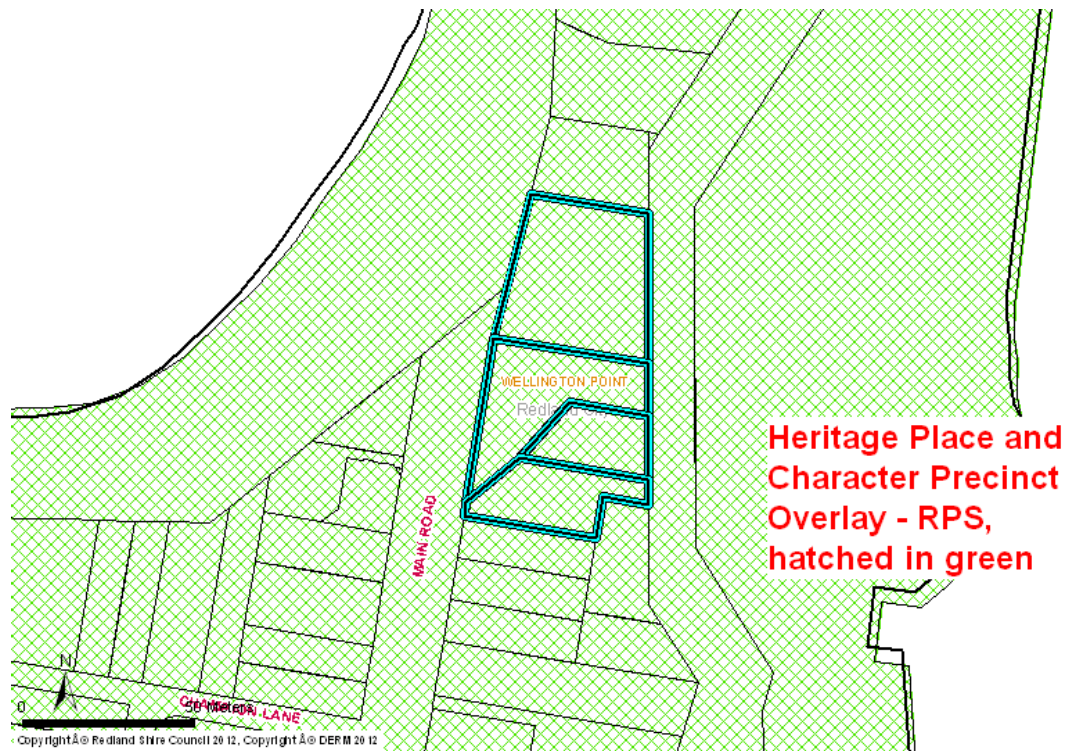


Figure 2 – Redlands Planning Scheme Overlay – *Heritage Place and Character Precinct*

Discussion, Conclusion & Arboricultural Recommendations

- **Discussion**

The VPO was placed over the properties for valid reasons as a pre-emptive measure against proposed development of the subject properties. Despite the VPO, and for reasons beyond Councils control, a large proportion of this protected vegetation was removed several years ago. Earthworks following that clearing had caused severe land damage and rendered the site with unstable soil conditions that resulted in a landslide, completely blocking Main Rd for a period of time.

It is important to retain the remaining vegetation with regards to soil and bank stability.

The remaining trees and vegetation still provide the landscape ambience and canopied effect to the entrance into the foreshore area. This canopy links up with the historical Ficus (fig) in the public park across Main Rd. It is this localised canopied effect (urban forest) that is important to maintain. The Eucalypts and Corymbia species present are important Koala trees, and crucial for transitory purposes to other habitat trees in the area. The immediate area is known and mapped as a Koala corridor.

- **Conclusion**

Ensuing VPO protection of the remaining vegetation and trees is important to ensure no further instability or erosion issues are caused to the disturbed soil and steep embankments and sediment movement through water runoff and, that the integrity of the Koala/wildlife corridor and, the landscape amenity/urban forest is maintained and enhanced.

- **Arboricultural Recommendations**

The trees subject to this VPO consist of a mixture of exotic and native species in varying condition and health. If the VPO is retained, it is recommended that steps be undertaken by the relevant tree-owners to have these trees assessed by a qualified Arborist to determine whether or not remedial works are required to ensure the trees are safe and healthy. It would be expected as a minimum, that removal of dead wood and general maintenance on the trees is undertaken where required, in accordance with AS4373-2007 *Amenity Tree Pruning*.

Photographs – all taken 22nd April 2013



Photograph 1 - showing the trees on lot 3 looking northeast across Moreton Bay



Photograph 2 – Looking west towards number 9 Main Rd from carpark on foreshore. Visible trees in yard are included in this VPO.



Photograph 3 – Showing the urban forest, canopy and ambience provided by the trees at the Main Rd approach and exit to the foreshore area. Most of these trees are on the Council verge but include several intermeshed trees on the upper embankment of number 3.

Arboricultural (expert) Report

1 Eucalyptus tereticornis and 1 Eucalyptus hybrid

Located at: 49 Bates Drive BIRKDALE QLD 4159



Report Prepared for Redland City Council

Ken Folkes

Technical Adviser *Arboriculture*, Redland City Council

16 January 2014

Reference Number VPO9

Contents

1. Introduction
2. Arboricultural Assessment
3. VPO 'Grounds for Order' Assessment
4. Submissions Review
5. Discussion, Conclusion, and Arboricultural Recommendations
6. Attachment A – SPRP Koala Habitat Values map
7. Attachment B - S.U.L.E Categories and Sub-Categories

1 Introduction

Council is currently reviewing VPO9 to determine if the subject trees are worthy of protection, or whether the Order should be revoked.

The VPO review of is a result of both a request from the property owner in 2009 (CRID501388) to investigate the removal of the trees as they believed them to be physically dangerous to them and their property and, a request from Council to undertake a review of third-party VPO applications.

This assessment was commissioned to determine the following;

- The physical integrity and health of the trees;
- Perceived landholder social issues presented by the trees;
- The feasibility and cost of maintaining the trees;
- Whether the significant grounds for the orders outlined under *Local Law 6 Protection of Vegetation* are still relevant to the orders.

2 Arboricultural Assessment

The trees were assessed using recognised VTA (visual tree assessment) methodology (Mattheck C and Breloer H (1994) *"The Body Language of Trees A handbook for Failure Analysis"* HMSO London and (Pokorny D Jill) *"Urban Tree Risk Management: Guide to Program Design and Implementation"* USDA Forest Service

Assessment of the trees was from the ground only and did not involve any root mapping, aerial or invasive investigation as it was not warranted at that stage. The assessment was intended only to obtain sufficient information to determine the general health and structural integrity of the trees and, to

determine if the significant grounds of Order were still relevant, so that Council could make a determination as to whether revocation of the VPOs were justified or not. Verbal advice was given to the property owners to obtain their own independent advice from a qualified Arborist if they were not happy with Councils assessment. They suggested they would do this.

- The Physical Integrity and Health of the Trees

A tree inspection was undertaken on Thursday 27th February 2014. The property owners were present.

2 trees, a *Eucalyptus tereticornis* (Blue Gum) located on the south-eastern corner of the property and a hybrid *Eucalyptus spp.* on the north-eastern boundary were assessed.

Tree 1 *Eucalyptus hybrid*

This tree (photograph 1) has had several limb failures in the past as evident from the various wounds and of the tree owner's testimony who stated that a large limb snapped off and landed in the adjoining property. The tree has been poorly pruned over the years and has grown multiple poorly attached limbs, subject to unpredictable failure.



Photograph 1 – viewed from the street, tree 1 appears well-balanced and okay.



Photograph 2 – tree 1 has poor form, weakly attached limbs and a large canopy, predisposing the tree to unpredictable limb failure. It appears that the tree may have been pollarded in the past, destroying the natural form of the tree. The large canopy is not structurally in proportion with the trunk form and limb attachments.



Photograph 3 -Tree 1 where previous limb removal is visible, with incorrect finished cut, rendering the wounds susceptible to poor healing and subsequent decay and pathogen infection.

In general, Eucalypts do not respond well to constant pruning and limb removal. Once a trees natural form and balance is altered as has been done to this tree, it will be unstable and unpredictable due to the tree not being able to cope mechanically with environmental stresses such as constant wind, gusts, or heavy rain, that place considerable stresses on the unbalanced tree. From an arboricultural perspective, these trees cannot be quantified or rated as structurally acceptable or safe.



Photograph 4 – Tree 1 - poor form, clustered limbs and previous limb removal.



Photograph 5 – From all angles, tree 1 is of poor structural integrity and form.



Photograph 6 – Due to its form and history of poor pruning, tree 1 now presents a high-probability of indiscriminate limb failure and cannot be quantified as safe or as being of acceptable risk.



Photograph 7 – when viewed from the street, the 2 trees and the surrounding large trees provide a definite landscape amenity. The combined canopy effect contributes to the broader urban forest. Trees with large, high canopies like these are important for wildlife, particularly birds as habitat and transitory resting places, safe from predators such as domestic cats and dogs.

In conclusion, the assessment of this tree determined that although the tree contributed to the aesthetic and amenity value of the area, it was not of good form, health, structural integrity and for this reason could not be considered as significant in regards to the grounds of Order of the VPO.

Therefore, it will be recommended that this tree be removed from the VPO. The tree, if removed from the VPO, will then be subject to the permissible exemptions of Local Law 6. As the tree is within 10 metres of the dwelling, it will be able to be removed at the owner's discretion without Council approval.

Tree 2 *Eucalyptus tereticornis:*

At the time of assessment, the tree was noted as in good condition for its semi-mature age and height and it showed typical species characteristics common to these trees in urban situations. There was evidence of past arboreal works having been carried out and the owner advised this was undertaken in response to a large co-dominant trunk splitting and collapsing. No photographic evidence of this limb-failure was produced. The tree owner agreed that very little maintenance had been undertaken in the past and was generally done only in response to limb drop after storm events.

The tree is approximately 20-30 metres high, with *atypical*¹ open and sparse canopy, containing smaller diameter than average limbs that can be prone to sudden wind whip, torsional and tensional stresses. As a result, a lack of arboricultural maintenance can promote such growth and, subsequently increase a trees potential for limb failure during storm events. Although *atypical* when compared to open- paddock, naturally grown Blue Gums as seen on rural properties and within bushland areas, the growth and form of these trees is synonymous with urban Blue Gums that have grown and matured within the confines of a restricted environment, as is the case with this tree.

The tree is protected from the wind by similarly large trees on the neighbouring property and would protect each other to a degree from wind by their close-knit canopies and combined buffer effect against wind gusts. At the time of assessment the tree had a well-established and structurally sound trunk, limb and root zones. No issues were identified that required further investigation. The upper-canopy did show some old Mistletoe growth, minor Canker lesions, deadwood and some epicormic growth. These however, are common to mature Blue Gums and are not indicative of a structurally unsound or unhealthy tree.

The property owner discussed how the roots of this tree had invaded his sewer and stormwater pipes and he was concerned that they will do so again. I suggested that if the pipes had been repaired properly, root invasion should not reoccur as roots generally only entered pipes through a breach such as a crack or poorly glued fitting. I did not see any evidence of roots along the surface or in the vicinity of the pipes where I was shown. There were no issues identified with the root zone or the trunk zone.

The property owner showed me the limb-wound on the tree where a large co-dominant limb had allegedly split and collapsed. I did not see any evidence or photos of failed limb to be able to comment. The loss of this limb has not altered the form or integrity of the tree.

During the assessment, the tree was being utilised by a number of bird species including Lorikeet.

In summary, this tree was considered as in good order and, with appropriate arboreal management was considered to have a long S.U.L.E (Safe Useful Life Expectancy) of 1B (*see appendix for further details on S.U.L.E*)

As a normal routine maintenance practice the tree does require removal of deadwood, some poorly-formed limbs and, a general upper canopy arboreal inspection to identify and reduce identified risks to an acceptable level. There is no visible evidence of any remedial maintenance that has been carried out in the past few years and the tree owners did not present any verbal evidence of such.

¹*Atypical – Growth and form of tree not representative of naturally grown species*

- Potential social issues presented by the trees;

The tree owner and immediate neighbours have raised concerns to Council in the past about the tree and the threat of limbs dropping onto their houses.

Due to the absence of any maintenance having been carried out on the trees in the past, various limbs have dropped unexpectedly. The tree has a canopy height of approximately 20-30 metres with a spread of similar dimensions. The canopy and limbs of this tree extend into the tree-owners and immediate neighbours property presenting a level of risk to the property owners. This risk can be managed at an acceptable level by appropriate arboricultural management.

Due to the length and small diameter of many of the upper canopy limbs as described previously, the limbs tend to move around in the wind more so than a more mature Blue Gum of natural growth and form such as may be seen in a large paddock tree. This exaggerated limb movement during high winds may tend to cause smaller limbs to snap off, further exacerbating the fear factor amongst the property owners within the target zone.

Fear of large Eucalyptus trees is common in urban areas, with the perception of them being 'widow-makers'. In most cases, these trees inevitably fail or drop limbs simply due to a lack of arboreal maintenance and regular inspection.

In this particular case, the tree-owner and surrounding neighbour have expressed a genuine fear and dislike of this tree and this factor needs to be considered and value-weighed in determining the final decision whether to revoke or retain the VPO.

- The feasibility and potential cost of maintaining the tree;

The tree is in good order and physically worthy of retention and does not require a considerable arboricultural work to minimise risks that have manifested over the years through lack of arboreal maintenance. The estimated cost to carry out the required work would be around \$2,000.00.

Access for appropriate machinery is good, and the form of the tree allows for adequate access up into the tree using non-spike climbing techniques – required for this type of work. To ensure the risks are managed, a maintenance regime would be required perhaps every 5 years, with additional audits of the trees carried out following severe storms, any notable physical changes in the trees. An inexpensive audit of the trees should be undertaken at least on an annual basis to ensure the integrity of the tree has not changed.

3 VPO 'Grounds for Order' Assessment

The grounds for which the trees were selected for protection as detailed in the Local Law and contained within the Orders are;

- *a) a valuable source of propagating stock or other horticultural value;*
- *h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or*
- *m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or*

With regards to criteria a), it was not considered that the tree would be used as propagating stock and there is no evidence that this tree provides any other horticultural value in terms of the criteria – as propagating stock.

In assessing the tree for its habitat value, the immediate and surrounding location was considered with regards to connectivity to other Koala habitat trees and larger bush-land areas. There is no question that the tree with its broad canopy and height would be utilised by arboreal birds during transitory flight, migration or, as a nesting site. During the visual assessment, lorikeet, and several other bird species were noted in the canopy. With the loss of many large Eucalypts in urban areas occurring, the tree corridor effect has become very fragmented, with only isolated trees like these, remaining. These trees do form an important link in maintaining adequate transitory trees for wildlife. The SPRP Koala Habitat Values map (Appendix B) shows the fragmentation of Koala habitat areas in the urban area and the importance in preserving significant Koala trees in these fragmented areas. There were no listed migratory birds or Raptor species present during the assessments.

From a ground-accessed perspective, the tree can be utilised effectively by wildlife such as Koala, Possum, Goanna, and others, as the current access to the tree from other large native trees in the area is quite good.

In summary, the tree has high habitat value for arboreal birds and a high value for transitory ground-based wildlife including Koala.

Amenity and aesthetic value can be defined in many ways - a sense of place, a defined visual landmark, a dynamic focal attribute to an existing landscape, or a living contribution to the history of the area it is located, or simply because it is admired by people for no particular reason.

The tree did present as high value in terms of visual amenity both from the immediate vicinity and the broader urban forest. As is always the case where large Eucalypts are involved, when viewed from the rear yards where the tree is situated, it can be considered that the tree is dominant and threatening to those nearby as has been expressed by the tree owners and neighbours.

When viewed from a distance, it was considered that the tree does contribute to the amenity of the immediate area and does provide aesthetic value and a beneficial effect to the amenity of the wider area due to the contribution to the urban forest canopy. Any mature tree with a significant canopy is an asset to the enhancement of the urban forest and should be preserved where feasible.

The following policies and other documents are an example of the level of recognition given to the value of retention, enhancement and management of Koala habitat trees in the Redlands.

- Redland City Councils Vegetation Enhancement Strategy 2007;
- Redlands Koala Policy and Implementation Strategy 2008;
- Redlands Planning Scheme Policy 4 – Ecological Impacts;
- Local Law 6 Protection of Vegetation.
- South East Queensland Koala Conservation State Planning Regulatory Provisions (SPRP)
- Offsets for Net Gain of Koala Habitat in South East Queensland Policy (offsets policy)
- State Government Supported Community Infrastructure Koala Conservation Policy (community infrastructure policy)
- Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 (koala plan)
- Koala-sensitive Design Guideline: A guide to koala-sensitive design measures for planning and development activities

The CSIRO paper (*Ecology and Movement of Urban Koalas Adjacent to Linear Infrastructure in Coastal south-east Queensland 2013*) states that habitat loss and removal of individual *Eucalyptus tereticornis* in urban situations is a key factor in the rapid decline in Koala population within this area. Without suitable large trees to provide safe transition between habitats, Koala is susceptible to animal attack and road kill.

Based on these facts, it is considered that grounds h) and m) are valid.

4 Submissions Review

There were a total of 5 submissions received – 2 supporting revocation and 3 against revocation.

The 2 submissions supporting revocation cited the trees as being dangerous, dropping limbs, causing actual property damage from falling limbs, limbs hanging over the fence, fear of the trees falling in storms, close proximity to houses and threat to houses from potential tree collapse.

The 3 submissions received that opposed revocation cited habitat value, particularly Koala usage, shade and amenity benefits to the area, and the collective protective measure the trees provide to the other trees in close proximity, as reason for not revoking the VPO.

Although none of the submissions received that supported revocation of the VPO based their submissions on the 'significant' grounds of order, the submissions did highlight the subject of safety issues where the trees are involved. The fact that both of the subject trees have had limb failure in the past exacerbates the property owner's fear of these trees.

5 Discussion, Conclusion & Arboricultural Recommendations

- **Discussion**

The subject *Eucalyptus tereticornis* has a high habitat value to all arboreal wildlife including birds, insects and Koala. It was considered that the access to the tree by ground-based wildlife including Koala was feasible and relatively unimpeded. The property owner did not have a dog at the time of assessment.

As pointed out in the submission, the tree is part of a wider Koala habitat corridor that extends through Birkdale, Thorneside and further. Its location in a habitat fragmented urban environment gives the tree a high value in maintaining the integrity of the non-juvenile Koala food trees – important for the animals continued survival in urban areas.

It was considered that the tree has aesthetic value to the local landscape and also the wider area.

From a safety perspective, the tree is in good order, with a long S.U.L.E. The tree was typical in its growth for an urban specimen. It was obvious that little past maintenance has been carried out on the tree, only in response to limb failure events.

Overall, it was considered that with appropriate minor arboreal maintenance, the tree is worthy of retention and ensuing VPO protection for the long-term.

- **Conclusion**

The tree is unquestionably significant and, in determining whether or not to revoke the VPO it will ultimately be the value and significance of the tree weighed against the identified social impacts to the property owners and immediate neighbours.

In assessing the significant aspects, a high value has been given.

In assessing the social aspects, tree 1 was not included in the assessment as it is not recommended to be retained. It is also important to note that this was the tree subject to the previous concerns from the tree-owner and neighbour in their request to Council in 2009 (CRID501388) and the submission lodged supporting the revocation of the VPO.

With tree 2, consideration was given to the fact that there has been no documented or verbal concern about this tree raised by the tree-owner or immediate neighbour prior to the VPO review. In consideration of the social aspects, it is recognised that there be a genuine concern about this tree causing damage to property and people, however, this concern was considered a normal response from any property owner with a Eucalypt on their property and was not considered grounds enough to warrant destruction of the tree if based on that aspect alone.

From a health and structural integrity perspective, the trees are physically worthy of retention in the long term.

- **Arboricultural Recommendations**

Tree 1 – Eucalyptus hybrid

It is recommended that this tree be removed from the VPO. Although the tree is not considered as high-risk, it is of poor form and has a history of past limb failure and poor pruning practice. Removal of this tree should be at the property owner's discretion.

Tree 2 – Eucalyptus tereticornis

Due to the absence of previous maintenance, this tree requires general arboricultural maintenance to remove deadwood, redundant limbs and to aerially assess the canopy for presence of structural faults that may not be visible from the ground. An inspection of the tree is recommended after every major storm event and at least annually to ensure the tree is monitored and maintained in a safe condition.



Photograph 8 – shows tree 2 and its overall form and structure. Past pruning of 2 major limbs has occurred, allegedly as a result of a co-dominant trunk failure. Although in effect, half the tree has been removed, the remaining structure is well-balanced and structurally sound. There were no root issues identified and the trunk and canopy appeared sound and healthy.



Photograph 9 – A section of old Mistletoe was evident in the canopy of tree 2. This was not considered an issue.



Photograph 10 – some Canker lesions were evident in the canopy of tree 2. Although many limb failures occur around the site of Canker lesions, it was not considered an issue at this stage. They should be monitored through routine arboricultural maintenance.



Photograph 11 – This recent limb failure in the canopy of tree 2 may have been a result of a growth defect or Canker lesion around shear point. The limb is affected by fasciation so may be infected with Canker or other pathogens. Epicormic growth around the fracture site is a normal response from tree after limb loss. This limb will require closer inspection and possible removal during aerial assessment of the canopy when done during routine maintenance.



Photograph 12 – showing aerial photograph of 49 Bates Drive and the 2 trees protected under VPO9

**BUILDING ENVELOPE AND VEGETATION
PROTECTION REGISTER**

CHECKLIST

PROPERTY ADDRESS	3 Main Road, Wellington Point 5 Main Road, Wellington Point 9 Main Road, Wellington Point 11 Main Road, Wellington Point	
LOT ON PLAN	Lot 2 on RP51510 Lot 3 on RP92039 Lot 2 on RP92039 Lot 1 on RP92039.	
FILE REFERENCES	190/006/004 s/284/1.	
EP&D or DA MEETING DATE: AA	_____	
GENERAL MEETING DATE	12/6/02. (straight to general).	
BUILDING ENVELOPE AMENDMENT		
REVOCATION DATE		
THEME ID ON PROCLAIM	BE: only	VP: 598.

This Vegetation Protection Order protects vegetation that is locally native to Redland Shire. The Order excludes exemptions (iv), (v) & (vi) under section 27(b) of Local Law Policy No. 6.

1/11/04



COMMITTEE REPORTS:

ADMINISTRATIVE APPROVALS COMMITTEE: 04/06/02

The Administrative Approvals Committee Report of 4 June 2002 is submitted for Council's consideration.

COMMUNITY PLANNING COMMITTEE: 05/06/02

The Community Planning Committee Report of 5 June 2002 is submitted for Council's consideration.

CORPORATE & FINANCIAL MANAGEMENT COMMITTEE: 05/06/02

The Corporate & Financial Management Committee Report of 5 June 2002 is submitted for Council's consideration.

OFFICERS' REPORTS:

1. PLANNING AND POLICY:

1.1 *Confirmation of Vegetation Protection Order, Wellington Point*

(P-101391;P-101393;P-101395;P101397;S/284/1)

Report from Manager Environmental Management

↖ MAIN FILE

Executive Summary

This Vegetation Protection Order needs to be confirmed by Council prior to 14 June 2002 for it to remain in operation.

In late 2001 a land-owner at Main Road, Wellington Point indicated to Council's Assessment Services Group that they wished to remove the eucalypts and other vegetation on their land to construct a retaining wall and fill the land. The land was shown as Greenspace on the Strategic Plan and was thus automatically covered by Local Law No 6 – Protection of Vegetation. However in these cases an exemption in Local Law No 6 allows vegetation to be cleared within three metres of property boundaries. This was perceived by Council to be a problem on this site and neighbouring properties as this exemption would have meant that most of the significant vegetation on private land at the northern tip of Wellington Point could be removed.

The only way to avoid removal of this vegetation was to declare a Vegetation Protection Order specifically for this location, and for the Vegetation Protection Order to say that the three metre exemption along boundaries did not apply. This process began with the declaration of an Interim Vegetation Protection Order on 14 December 2001, and was followed by a period for submissions and preparation of an expert report. All vegetation was protected. An Interim Vegetation Protection Order runs for six months, after which it lapses. This particular Interim Vegetation Protection Order lapses on 14 June 2002.

Purpose

To refine and finalise the declaration of the Vegetation Protection Order to keep it in place, following consideration of the submissions and expert report. This is in line with the requirements of Local Law No 6 – Protection of Vegetation. This report is required to declare a finalised Vegetation Protection Order.

Background

- February 1998 - Strategic Plan shows the land at the tip of Wellington Point as Greenspace and automatic coverage commences by Local Law No 6 – Protection of Vegetation.
- Late 2001 – a threat to the vegetation at the northern tip of Wellington Point becomes apparent.
- 14 December 2001 – an Interim Vegetation Protection Order is declared by Council.
- 14 December 2001 – period for public submissions commences (longer due to Christmas).
- 4 February 2002 – closure of period for public submission – three submissions received.
- 6 February 2002 – late submission received.
- February 2002 to May 2002 – expert advice sought on various issues raised in submissions.
- 14 June 2002 – Interim Vegetation Protection Order will cease to have effect.

Issues

The vegetation at the northern tip of Wellington Point receives the automatic general protection of Local Law No 6 – Protection of Vegetation under Section 24(b) as it is shown as Greenspace on the Redland Shire Strategic Plan. The Strategic Plan also shows this area as having dominant landscape and visual values. However in these cases where properties are automatically covered there is an exemption in Local Law No 6 that allows vegetation to be cleared within three metres of property boundaries. This means that significant vegetation on private land at the northern tip of Wellington Point could be removed without any Council approvals or input as it is within three metres of the boundary.

To cope with this problem, the Interim Vegetation Protection Order specifically excluded exemptions (iv), (v) and (vi) under Section 27(b) of Local Law Policy No 6. This prevented the significant native vegetation situated within three metres of the boundaries from being given an automatic exemption and cleared without any Council approval.

Attachment 1 is a map showing the properties that are subject to this confirmation of a Vegetation Protection Order. These are the same properties that were involved in the Interim Vegetation Protection Order.

Attachment 2 is a summary of the 3 submissions and the late submission, along with comments on the submissions.

Briefly, the 3 submissions received within the submission period were in favour of the Vegetation Protection Order, providing modifications were made to the Order. These modifications included the removal of weeds and the lopping of limbs to be allowed without a permit from Council. These issues can be accommodated whilst still achieving the desired outcomes. Although the weeds on these properties are helping to prevent soil erosion, it is considered that, for practical reasons of maintenance by landowners, the Vegetation Protection Order should only relate to vegetation that is locally native to Redland Shire, so as to allow for control of weeds and garden ornamentals. Vegetation that is locally native to Redland Shire is any species of vegetation that occurs in Redland Shire within its historically known natural range and forms part of the natural biodiversity of the place.

Regarding tree limbs, the Local Law Policy No 6 allows for removal of any vegetation within 10 metres of a dwelling, and for removal of limbs that are likely to cause damage or injury to people or an approved building. It is also considered also that limbs and the like that have fallen to the ground should be allowed for removal.

The late submission opposed the Interim Vegetation Protection Order on the grounds that the reasons for the protection of the vegetation had not been proven. The proof of the reasons for protection of the vegetation was not required at the stage of creating an Interim Vegetation Order, as this is done in the report that either confirms or revokes a Vegetation Protection Order (this report).

Attachment 3 is an Expert Report that concludes that a Vegetation Protection Order over the properties listed in Attachment 1 is consistent with, and justified in light of, the objects of the Local Law. The vegetation is valuable as part of the area's natural heritage, for its support of soils, for its aesthetic values and for its contribution to the landscape of Wellington Point.

Attachment 4 is a report on the Engineering aspects of bank stability for the area. This report supports the vegetation's value for supporting the soils and preventing land slips. The embankment soil on these properties is held in place by the vegetation comprising trees, shrubs and grasses - removal of which is likely to facilitate collapse of the banks on these properties.

A letter will be sent to each submitter and landowner to advise them of Council's decision and of the responses to their submission. Public advertising of Council's decision will also be undertaken as required by Local Law No 6. If Council approves the confirmation of this Vegetation Protection Area, then a person who is an owner or occupier of land on which protected vegetation is situated may appeal to the Court against a Vegetation Protection Order within 40 days after the Order's confirmation, (or longer if the Court allows). This is allowed under Section 37, Part 6 of Local Law No 6,

Relationship to Corporate Plan

The recommendation supports Council's strategic priority to – ensure the enhancement of koala & wildlife habitat including bushland, greenspace, waterways, catchments, air & coastal ecosystems.

Financial Implications

There will be some costs to advertising any confirmation of the Vegetation Protection Order. There may also be costs in prosecuting any court actions if illegal tree removal occurs. Protecting the vegetation will result in reduced risk of costs resulting from erosion/land slip.

Consultation

Environmental Management Group has consulted with Assessment Services and Infrastructure Development Groups. Assessment Services advised of the possibility of the vegetation being removed, and Infrastructure Development advised regarding soil stability. Refer to main body of this report regarding the former, and Attachment 4 for the latter.

Options

There was an option of allowing the protection of the vegetation to lapse. However this was considered contrary to the Corporate Plan and to officers' understanding of Council's attitude towards this vegetation.

Alternatively, all of the vegetation could have been protected, however, this was considered impractical on this particular site for land owners in terms of weed control, and any fire risk perceived by the land owners would be reduced by allowing the removal of dead vegetation that had fallen to the ground.

Recommendation

That Council confirms a permanent Vegetation Protection Order over vegetation on the land shown in Attachment 1 with the exclusion of:

1. exemptions (iv), (v) and (vi) under Section 27(b) of Local Law Policy No 6;
2. vegetation that is not locally native to Redland Shire;
3. dead vegetation that has fallen to the ground.

MOTION BY MAYOR:

No items have been submitted for inclusion on the agenda.

NOTICE OF MOTION TO RESCIND:

No items have been submitted for inclusion on the agenda.

Local Law Policy No 5 – Meetings, Part 3 refers:

- 13.1 *A resolution of Council may not be altered or rescinded unless notice of motion is given in accordance with the requirements of these Standing Orders.*

S/284/1



Redland
SHIRE COUNCIL

**Notice of Confirmation
of Vegetation Protection Order
Wellington Point.**

On 12 June 2002, Redland Shire Council confirmed a Vegetation Protection Order under Local Law No.6 - Protection of Vegetation over selected properties at Wellington Point. Affected landowners have been notified by mail.

This Order has been modified and now only applies to all vegetation locally native to Redland Shire. A permit issued by Redland Shire Council is required to damage vegetation that is locally native to Redland Shire. The order also excludes exemptions (iv), (v) & (vi) under Section 27(b) of Council's Local Law Policy - Protection of Vegetation. This means that damage to locally native vegetation is also not permitted within 3 metres of the property boundary without a permit to damage vegetation issued by Redland Shire Council.

Fines may be issued to anyone damaging protected vegetation without a permit.

If you wish to damage protected vegetation you will need to apply to Council for a permit that approves damage to vegetation. Application forms can be obtained from Council's Capalaba and Cleveland Customer Service Centres, or by telephone (07) 3829 8704.

An owner or occupier of land on which protected vegetation is situated has the right to appeal against the Vegetation Protection Order to the Planning and Environment Court. The appeal must be started within 40 days of confirmation of the Order or a longer period if the Court allows.

Loren Leader
Chief Executive Officer

PO Box 21
Cleveland Q 4163

Redland Times 21/6/02

1. *Changes in Fees and Charges Due to Repealed Legislation Involving Premises Storing Dangerous Goods*

(S/564;S/1654)

Officer/Committee Recommendation

That Council resolves to introduce a new administration fee of \$40.00 per application for short term licensing. All other fees are to remain unchanged.

Moved by Cr Newton, Seconded by Cr Elliott

THAT THE COMMITTEE RECOMMENDATION BE ADOPTED.

CARRIED.

Adoption of Balance of Committee Report:

There were no further items for adoption in this report.

REPORTS:

1.1 *Confirmation of Vegetation Protection Order, Wellington point*

(P-101391;P-101393;P-101395;P101397;S/284/1)

Report from Manager Environmental Management was presented by the Chief Executive Officer:

Executive Summary

This Vegetation Protection Order needs to be confirmed by Council prior to 14 June 2002 for it to remain in operation.

In late 2001 a land-owner at Main Road, Wellington Point indicated to Council's Assessment Services Group that they wished to remove the eucalypts and other vegetation on their land to construct a retaining wall and fill the land. The land was shown as Greenspace on the Strategic Plan and was thus automatically covered by Local Law No 6 – Protection of Vegetation. However in these cases an exemption in Local Law No 6 allows vegetation to be cleared within three metres of property boundaries. This was perceived by Council to be a problem on this site and neighbouring properties as this exemption would have meant that most of the significant vegetation on private land at the northern tip of Wellington Point could be removed.

The only way to avoid removal of this vegetation was to declare a Vegetation Protection Order specifically for this location, and for the Vegetation Protection Order to say that the three metre exemption along boundaries did not apply. This process began with the declaration of an Interim Vegetation Protection Order on 14 December 2001, and was followed by a period for submissions and preparation of an expert report. All vegetation was protected. An Interim Vegetation Protection Order runs for six months, after which it lapses. This particular Interim Vegetation Protection Order lapses on 14 June 2002.

Purpose

To refine and finalise the declaration of the Vegetation Protection Order to keep it in place, following consideration of the submissions and expert report. This is in line with the requirements of Local Law No 6 – Protection of Vegetation. This report is required to declare a finalised Vegetation Protection Order.

Background

- February 1998 - Strategic Plan shows the land at the tip of Wellington Point as Greenspace and automatic coverage commences by Local Law No 6 – Protection of Vegetation.
- Late 2001 – a threat to the vegetation at the northern tip of Wellington Point becomes apparent.
- 14 December 2001 – an Interim Vegetation Protection Order is declared by Council.
- 14 December 2001 – period for public submissions commences (longer due to Christmas).
- 4 February 2002 – closure of period for public submission – three submissions received.
- 6 February 2002 – late submission received.
- February 2002 to May 2002 – expert advice sought on various issues raised in submissions.
- 14 June 2002 – Interim Vegetation Protection Order will cease to have effect.

Issues

The vegetation at the northern tip of Wellington Point receives the automatic general protection of Local Law No 6 – Protection of Vegetation under Section 24(b) as it is shown as Greenspace on the Redland Shire Strategic Plan. The Strategic Plan also shows this area as having dominant landscape and visual values. However in these cases where properties are automatically covered there is an exemption in Local Law No 6 that allows vegetation to be cleared within three metres of property boundaries. This means that significant vegetation on private land at the northern tip of Wellington Point could be removed without any Council approvals or input as it is within three metres of the boundary.

To cope with this problem, the Interim Vegetation Protection Order specifically excluded exemptions (iv), (v) and (vi) under Section 27(b) of Local Law Policy No 6. This prevented the significant native vegetation situated within three metres of the boundaries from being given an automatic exemption and cleared without any Council approval.

Attachment 1 is a map showing the properties that are subject to this confirmation of a Vegetation Protection Order. These are the same properties that were involved in the Interim Vegetation Protection Order.

Attachment 2 is a summary of the 3 submissions and the late submission, along with comments on the submissions.

Briefly, the 3 submissions received within the submission period were in favour of the Vegetation Protection Order, providing modifications were made to the Order. These modifications included the removal of weeds and the lopping of limbs to be allowed without a permit from Council. These issues can be accommodated whilst still achieving the desired outcomes.

Options

There was an option of allowing the protection of the vegetation to lapse. However this was considered contrary to the Corporate Plan and to officers' understanding of Council's attitude towards this vegetation.

Alternatively, all of the vegetation could have been protected, however, this was considered impractical on this particular site for land owners in terms of weed control, and any fire risk perceived by the land owners would be reduced by allowing the removal of dead vegetation that had fallen to the ground.

Recommendation

That Council confirms a permanent Vegetation Protection Order over vegetation on the land shown in Attachment 1 with the exclusion of:

1. exemptions (iv), (v) and (vi) under Section 27(b) of Local Law Policy No 6;
2. vegetation that is not locally native to Redland Shire;
3. dead vegetation that has fallen to the ground.

Moved by Cr Newton, Seconded by Cr Bradley

THAT THE RECOMMENDATION BE ADOPTED.

CARRIED.

MAYORAL MINUTE:**1. *Trial Strategy for Koalas Killed by Cars in Redland Shire***

(200/003/007)

Moved by Cr Seccombe

That for a trial period of six months, some koalas killed by cars within the Redland Shire be allowed to remain in a safe but visible place near the roadside for a period of up to 24 hours, conditional upon the following:

1. **The koala must be confirmed dead and any live young removed for hand raising by a ranger or authorised volunteer.**
2. **The koala must be placed where no further vehicles or cycles can pass over it.**
3. **The koala must be marked with a clearly visible coloured cross to indicate it has been checked. The paint is to be recognisable both day and night.**
4. **The koala should be removed within 24 hours by a ranger or authorised volunteer and taken in due course to the Koala Hospital at Moggill for autopsy and burial.**
5. **The locations of koalas so located will be passed on by authorised personnel to the Manager Environmental Management on a daily basis.**
6. **The purpose of this exercise is to help with public education of koalas crossing roads to reduce the number of koalas being killed by motor vehicles and to reveal "hot spots" as part of the new Koala Policy.**

- 7. Council advertise this strategy so that people understand why the action is being taken.
- 8. The decision as to whether to leave the koala near the site of the incident be ultimately made by the volunteer.
- 9. The Memorandum of Understanding with QPWS be amended accordingly for the trial period.
- 10. The Manager Environmental Management, Redland Shire Council, be directed to co-ordinate the trial and bring back a report to Council at the end of the trial period.

Cr Elliott moved that the motion be put, Seconded by Cr Murray

On being put to the vote the motion to put the motion was LOST.

After debate, the Mayor's motion was put to the vote and **CARRIED**.

A division was called for.

Crs Bradley, Ross, Townsend, Murray, Dowling, Bowler, Newton, Elliott and Seccombe voted in the **AFFIRMATIVE**.

Crs Bucknall and Beard voted in the **NEGATIVE**.

The motion was declared by the Mayor as **CARRIED**.

The meeting closed at 5.09pm.

Confirmed

Date

memorandum



Redland
SHIRE COUNCIL

To Manager Environmental Management
From Manager Community Development
Date 12 December 2001
File 190/006/004; P101391; P101393; P101395; P101397...scw
Subject INTERIM VEGETATION PROTECTION ORDER

FILE COPY

At the Administrative Approvals Committee meeting held on 12 December 2001, Minute 36 refers, consideration was given to your report of 30 November 2001 in relation to the above matter.

At the General Meeting of 14 December 2001, it was resolved that the Committee Recommendation be adopted, as follows:

Officer's Recommendation

That Council declare an Interim Vegetation Protection Order under Local Law No. 6 – Protection of Vegetation (excluding exemptions (iv), (v) and (vi) under Section 27(b) of Local Law Policy No. 6) over land listed in the confidential report dated 30 November 2001.

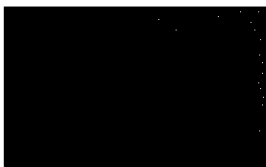
Committee Discussion

The Chairperson reported that this matter was dealt with in a closed meeting due to the fact that public discussion on the confidential report dated 30 November 2001 was likely to prejudice the interests of Council and others.

Committee Recommendation

That the Officer's Recommendation be adopted.

The attached Committee Minute and relevant documentation are now referred to you for action in accordance with the resolution.



Manager Community Development

Attch.

*Noted by Env. Management Mgt.
19/12/01
DeQua*

36. INTERIM VEGETATION PROTECTION ORDER

(190/006/004)

Report from Manager Environmental Protection

Background

Vegetation on land identified within the Strategic Plan Greenspace Map is protected under Section 24(b) of Council's Local Law No. 6 – Protection of Vegetation. However, there are exemptions listed in Local Law Policy No. 6 that permit damage to vegetation in certain circumstances.

Development Control Officers have recently identified a number of allotments where it is considered that some of these exemptions are not appropriate. It is therefore recommended that an Interim Vegetation Protection Order be declared over these allotments which specifically excludes the relevant exemptions.

Purpose

To seek Council support for declaration of an Interim Vegetation Protection Order over land listed in the confidential report dated 30 November 2001.

Consultation

Environmental Management has consulted with representatives from Assessment Services.

Discussion and Conclusion

Full detail of the proposed Interim Vegetation Protection Order is provided in the confidential report dated 30 November 2001, details of which remain confidential so as to prevent clearing prior to the declaration of the Interim Vegetation Protection Order.

(a) Corporate/Program Plan Implications

The declaration of this Interim Vegetation Protection Order is in line with Goal 4 of the Corporate Plan being to "Preserve, protect, conserve and enhance the Shire's natural environmental qualities".

(b) Financial Implications

No financial implications have been identified.

(c) Policy Implications

This Interim Vegetation Protection Order declaration is to be undertaken in accordance with the provisions of Local Law No. 6 – Protection of Vegetation.

Officer's Recommendation

That Council declare an Interim Vegetation Protection Order under Local Law No. 6 – Protection of Vegetation (excluding exemptions (iv), (v) and (vi) under Section 27(b) of Local Law Policy No. 6) over land listed in the confidential report dated 30 November 2001.

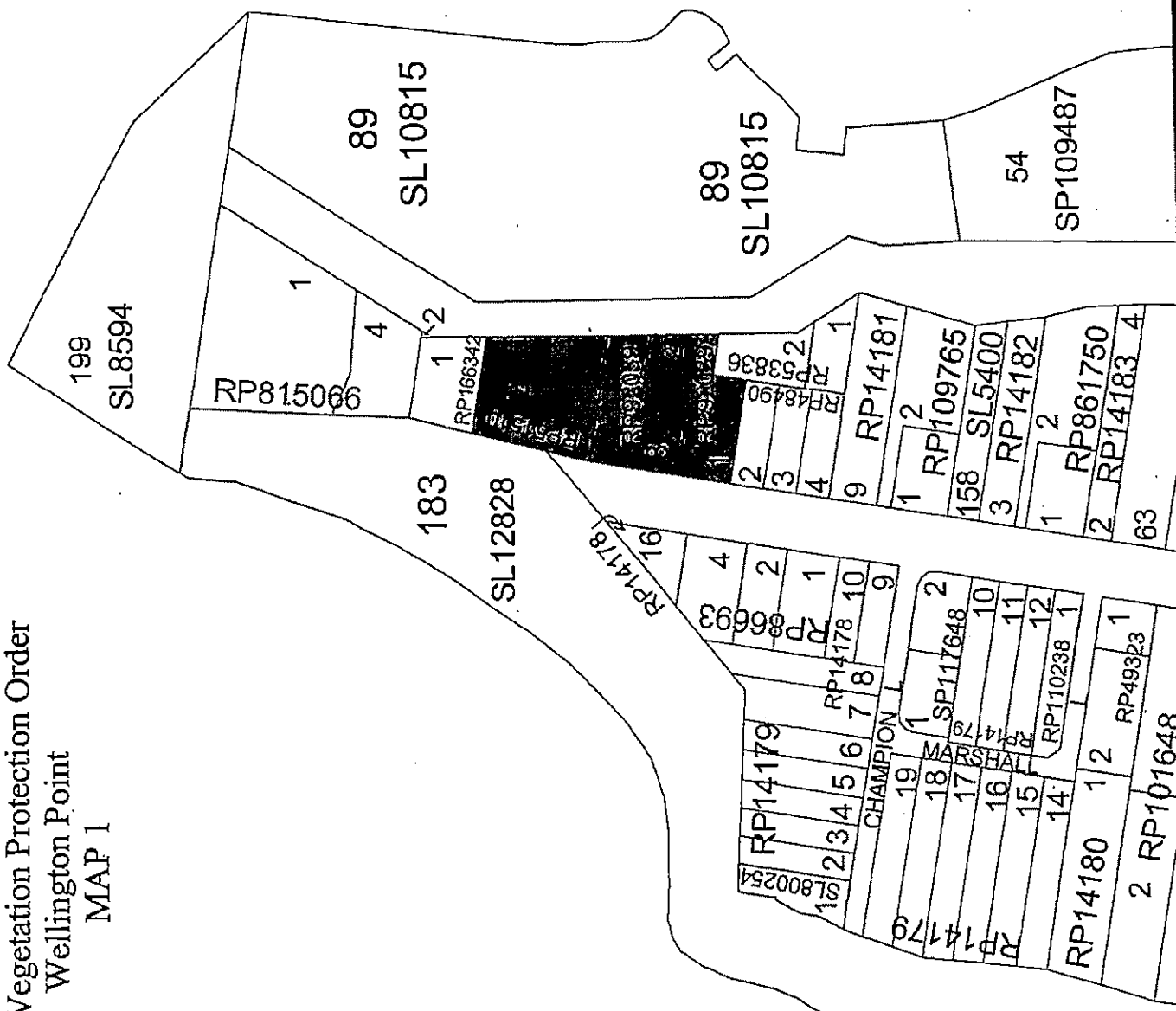
Committee Discussion

The Chairperson reported that this matter was dealt with in a closed meeting due to the fact that public discussion on the confidential report dated 30 November 2001 was likely to prejudice the interests of Council and others.


Committee Recommendation


That the Officer's Recommendation be adopted.

Interim Vegetation Protection Order
Wellington Point
MAP 1



LEGEND

 Interim Vegetation Protection Order

 N

20 0 20 40 60 Meters

Produced by:
Spatial & Property Information
22 November 2001

Redland
CITY COUNCIL

©Redland Shire Council 2001
©Department of Natural Resources 2001

F:\Documents\Internal\From\subcontractors\pfa\end\pfa\pfa

DISCLAIMER
Some information shown on this drawing may be inaccurate. Users should take appropriate measures to verify any information obtained from this drawing. The Council is not liable for any errors or omissions in this drawing without Redland Shire Council approval.

**ATTACHMENT 3 – GENERAL MEETING MINUTES 12/06/02
EXPERT REPORT ON VEGETATION PROTECTION ORDER, WELLINGTON POINT**

This report fulfils Section 11, Part 2 of Local Law No. 6 – Protection of Vegetation which requires an expert report to be produced assessing whether a proposed Vegetation Protection Order is consistent with, and justified in light of, the objects of the Local Law.

This report is to be considered by Council when making a decision to confirm (with or without modification) or revoke an Interim Vegetation Protection Order. This expert report also includes Attachment 4 of this Item.

Significance of Vegetation

Vegetation that is locally native to Redland Shire is considered to be “significant vegetation” on the grounds stated below:

Criteria for 'significant vegetation' as per Local Law No. 6 – Protection of Vegetation	Grounds on which the Interim Vegetation Protection Order for Wellington Point is made
A valuable part of the natural heritage of the area	<ul style="list-style-type: none"> Vegetation in this area is locally native to Redland Shire and contributes to the natural heritage of the area in that it provides habitat for wildlife, and a representation of native species that exist in Redland Shire and at Wellington Point.
Important for it's support for natural or artificial landforms such as drainage lines, watercourses, bodies of water, foreshores, slopes or unstable and erodible soils	<ul style="list-style-type: none"> The vegetation is situated on and adjacent to slopes that are prone to erosion and land slip. The vegetation is helping to prevent land slip and erosion from occurring removed. The vegetation on these properties is crucial to the support of the easily erodible soils.
Important for it's aesthetic value or its beneficial effect on the amenity of the locality in which it is situated	<ul style="list-style-type: none"> The native vegetation provides shade and assists in screening housing development from the reserve and kiosk to the north. The trees on these properties at Wellington Point have provided a pleasant green backdrop to this highly visited location for a number of decades.
Important for it's unique contribution to the landscape	<ul style="list-style-type: none"> When viewed from the Bay and from the northern part of Wellington Point (particularly the Reserve) the native vegetation on these properties has landscape value important to the character of Wellington Point. The large trees on the protected properties at Wellington Point have provided a green backdrop to the highly visited location for a number of decades. Additionally, the area including the properties on which protected vegetation is situated has been identified by the Strategic Plan Greenspace Map as having high landscape and scenic value important to the character of the Shire

Although the presence of weed species and fallen dead vegetation on the declared properties is assisting in providing stability to the steep banks and large trees, it is considered that the owners of these properties must be able to undertake normal gardening activities to remove or control vegetation that is not locally native to Redland Shire.



**ATTACHMENT 3 – GENERAL MEETING MINUTES 12/06/02
EXPERT REPORT ON VEGETATION PROTECTION ORDER, WELLINGTON POINT**

The vegetation to be protected is vegetation that is locally native to Redland Shire, with the exception of dead vegetation that has fallen to the ground. Vegetation that is locally native to Redland Shire is any species of vegetation that occurs in Redland Shire within its historically known natural range and forms part of the natural biodiversity of the place.

Consistency with Objects of Local Law

Declaration of a Vegetation Protection Order over the properties listed in Appendix 1 is considered to be consistent with, and justified in light of, the objects of the Local Law as it:

- provides appropriate protection for significant vegetation; and
- provides for the management of protected vegetation; and
- provides the necessary powers to enforce vegetation protection orders; and
- provides the necessary powers to require appropriate action to reinstate vegetation damaged in contravention of the local law

ATTACHMENT 4 – GENERAL MEETING MINUTES 12/06/02
ENGINEERING REPORT ON STABILISING FUNCTION OF PROTECTED
VEGETATION

memorandum



Redland
SHIRE COUNCIL

To



From Christopher Dee

Date 28 May 2002

File Wellington Point, Main Road

Subject Removal Of Vegetation on Banks – Properties adjoining the Reserve: Lots1, 2 and 3 of RP92039 and Lot2 of RP51510

The earth banks on the western and northern sides of the above listed properties appear to have been filled from the top of the bank by pushing earth past the edge of the natural bank. This is evident in the soil level partially covering the trunk of trees on the bank slopes. The slope of these banks is steeper than the natural angle of repose of the soil and therefore the banks are not stable. The filled earth is being held in place by the vegetation comprising trees, shrubs and grasses. The predominant soil stabiliser is the root network of the large established trees, which are growing in the natural earth. Removal of these established trees and other vegetation is likely to facilitate collapse of the banks on both western and northern faces of these properties. The trees are in good condition and not showing signs of deterioration from filling around the trunks.

My recommendation is that the existing vegetation comprising large trees and various shrubs should be retained in its entirety for the purpose of providing stability to the earth filling and the natural bank. Weed species and ground covers may be removed and bare earth should be revegetated with grasses to reduce erosion. These slopes should remain stable for normal rainfall and climatic conditions, however management of stormwater runoff from the properties listed is essential to provide long term stability for these banks.

Christopher Dee RPEQ 6075
Senior Advisor – Design Development
Redland Shire Council



Vegetation Protection Register



Redland
CITY COUNCIL

VP 17

VEGETATION PROTECTION REGISTER

Property address	12 Somerset Street Alexandra Hills Qld 4161	
Lot on plan	Lot 764 RP 118114	
File references		
Planning & Policy Meeting date	8 June, 2011 (Interim) 7 September, 2011 (Full)	
General Meeting date	29 June, 2011 (Interim) 28 September, 2011 (Full)	
Revocation date		
Dataworks number		
Attribute ID on Proclaim	PIEnviron	EV02

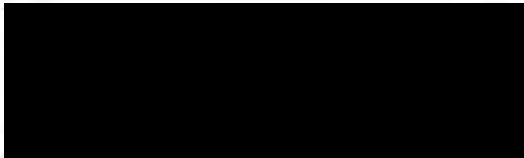


Redland
CITY COUNCIL

Redland City Council
ABN 86 058 929 428
Cnr Bloomfield & Middle Sts,
Cleveland Qld 4163
PO Box 21,
Cleveland Qld 4163
Telephone 07 3829 8999
Facsimile 07 3829 8765
Email rcc@redland.qld.gov.au
www.redland.qld.gov.au

7 October, 2011

Our Ref: VPO 17
File No: Protected Vegetation
Contact: City Planning & Environment



Dear 

Full Vegetation Protection Order confirmation

Thank you for your application to place a Vegetation Protection Order on the various Eucalyptus trees on your property.

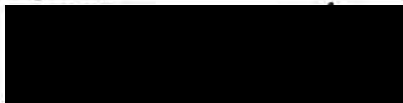
This letter is to notify you that Council resolved on the 28th of September, 2011 to confirm the protection order on the various identified trees on your property. As such, the trees are now protected and any works to be undertaken on the trees require approval by Council.

As part of the conditions of the Vegetation Protection Order, it is a requirement that a vegetation management guideline is prepared and implemented for these trees. As you are currently a participant of Council's Habitat Protection program, it is recommended that you contact the extension officers for further advice into the preparation and implementation of this guideline. A copy of this vegetation management guideline will be required to be submitted for Council records.

Please find enclosed a brochure which details information about the services Council can provide to assist you with the management of your protected tree.

If you require any further information, please do not hesitate to contact me.

Regards,



Candy Daunt
Advisor – Habitat Protection



Resolution Memo

To Gary Photinos – Manager City Planning & Environment

From Office of Chief Executive Officer

Date 30 September 2011

Dataworks File EM Vegetation Protection Orders (Local Law 6)

Subject **VEGETATION PROTECTION ORDERS VPO 16, 17, 19 & 21**

General Meeting Minutes of 28 September 2011, Item No. 13.3.3 refers.

The following is the resolution on this item.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION


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

That Council resolve as follows:

- 1. To confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011);**
- 2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”; and**
- 3. That a vegetation management guideline is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).**

CARRIED (en bloc)

This is now forwarded to you for action in accordance with the resolution.



Gary Stevenson
Chief Executive Officer

3.3 VEGETATION PROTECTION ORDERS VPO 16, 17, 19, 21

Datworks Filename:	EM Vegetation Protection Orders (Local Law 6)
Attachments:	<u>Summary of submissions and reports: VPO 16,17,19,21</u> [PDF 30KB] <u>VP 16 79 Main Rd Wellington Point (BAAM)</u> [PDF 460KB] <u>VP 17 12 Somerset St, Alexandra Hills (BAAM)</u> [PDF 350KB] <u>VP 19 2 Macquarie St, Capalaba (BAAM)</u> [PDF 450KB] <u>VP 21 10 Somerset St, Alex Hills (Landzone)</u> [PDF 1.5MB]
Responsible Officer:	Gary Photinos Manager Environmental Management
Authors:	Candy Daunt Advisor Habitat Protection Ken Folkes Aborist

EXECUTIVE SUMMARY

The owners of the properties situated at 79 Main Road, Wellington Point (VPO 16); 12 Somerset Street, Alexandra Hills (VPO 17) and 2 Macquarie Street, Capalaba (VPO 19) had applied for a Vegetation Protection Order (VPO) for various gum trees located on their properties.

A Council officer had applied for a Vegetation Protection Order VPO 21 for one *Eucalyptus Tereticornis* located at 10 Somerset Street, Alexandra Hills.

Council resolved on the 29th of June, 2011 to make an interim VPO under the provision of Local Law 6 – Protection of Vegetation.

This report outlines the outcomes of the expert report, public submissions and the officer recommendation that the VPO for the various gum trees as identified in the expert reports should be confirmed by Council.

PURPOSE

That Council resolve to confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011).

BACKGROUND

- Local Law 6 “Protection of Vegetation” was passed in 1998.
- Council resolved on the 29th of June, 2011 to make an Interim Vegetation Protection Order under the provisions of Local Law 6 ‘Protection of Vegetation’ on the identified Eucalyptus trees as described in application

VPO 16, VPO 17, VPO 19 and VPO 21; and to make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation', on the identified significant trees on the south east property adjacent to VP17, subject to site inspection.

- All identified property owners were notified by registered mail on 8th July, 2011 that the gum trees were now protected by an interim vegetation protection order. Follow up telephone calls were also made to property owners to confirm that they had received and understood the information contained within the letter.
- An expert report for the various gum trees has been undertaken by Biodiversity Assessment and Management Pty Ltd (BAAM), and Landzone has been received and assessed by Council.
- Public Notification of the Vegetation Protection Order was advertised in the Redland Times on Friday the 15th of July, 2011. A period of at least 21 days had been allocated to receive public submissions for and against the VPO, with the close date of public submission being Friday, 5th of August, 2011. This has occurred as per provisions of Local Law 6. Submissions were received for VPO 17 and VPO 19. No submissions were received for VPO 16 and VPO 21.

ISSUES

Making of an Interim Vegetation Protection Order Under Local Law 6 (Protection of Vegetation)

Council has resolved to apply an interim vegetation protection order; however, it only remains in place for six months, while the requirements for establishing a vegetation protection order can be undertaken. These include public notification, including the calling of public submissions and the commissioning of an expert report. The interim order ensures that the vegetation is protected during this time. Once Council has considered all the necessary information it may at a subsequent meeting confirm or revoke the Vegetation Protection Order.

Site Inspection

As per Council's resolution to investigate the inclusion of any significant trees worthy for protection under the provisions of Local Law 6 'Protection of Vegetation', on the south east property adjacent to VP17; it has been confirmed that there are no significant trees on this site and therefore the vegetation protection order process on this property will not progress.

Expert Report

The expert reports for the gum trees were commissioned and are attached. The consultants have assessed the gum trees against the grounds of order as nominated in the vegetation protection order application forms.

The expert reports strongly conclude that the identified vegetation is significant using the criteria in Local Law 6 and recommends that the retention and protection of the trees identified in the attached reports prepared by Biodiversity Assessment and Management Pty Ltd, and Landzone.

Submissions

The summary attachment identifies the submissions and officer response in relation to submissions received for applications VPO 17 and 19. The issues generally relate to the maintenance of the trees, for example leaf and branch drop. It is recommended that a vegetation management guideline for the appropriate management of the protected vegetation is prepared and implemented for these properties to ensure issues of tree maintenance are addressed on a regular basis.

Confirming the Vegetation Protection Order

These trees are strong candidates for protection based on the outcomes of the expert report, and in line with Council's current strategic approach of broader protection of urban trees within the City. Taking into account the importance of these trees in a local and state context and submission were received, it can be recommended that Council confirm the Vegetation Protection Order.

It would be a condition under a Vegetation Protection Order that a vegetation management guideline is prepared and implemented for the properties identified in the application VPO 17 and 19. It would also be a condition under the Vegetation Protection Order that damage to the vegetation can only occur where Council has issued a permit for such works.

RELATIONSHIP TO CORPORATE PLAN

1. Healthy natural environment

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

- 1.1 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

FINANCIAL IMPLICATIONS

Redland City Council

There are minor financial implications with this application associated with in-kind (advice) to the owners when required.

Owner

There are costs to owners and/or applicants of \$157 application fee associated for a permit to damage protected vegetation.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has been undertaken with the owners of the properties and adjoining neighbours where appropriate.

Consultation was also undertaken with Environmental Management; Environmental Education (Habitat Protection Extension Team); Development and Community Standards; Landzone and BAAM (external consultants) and the general public, through the public notification process.

OPTIONS

Preferred

That Council resolve

1. To confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011);
2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”; and
3. That a vegetation management guideline is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).

Alternative

That Council resolve not to confirm the Vegetation Protection Order Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011).


OFFICER’S RECOMMENDATION

That Council resolve as follows:


1. **To confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011);**
2. **That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”; and**
3. **That a vegetation management guideline is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).**

Summary Attachment for Report

Vegetation Protection Order (VPO 16)

Property Description	79 Main Road, Wellington Point Lot 1 RP 166473
Owner	
Zoning	Urban Residential
Trigger for Application	owner
Description	<i>Eucalyptus tereticornis</i>
Expert Report	Biodiversity Assessment and Management Pty Ltd Site visit 20 July, 2011
Significance	<p>h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or</p> <p>m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or</p> <p>r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;</p>
Notes	That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	No submissions received at COB Friday 5 th August, 2011

Vegetation Protection Order (VPO 17)

Property Description	12 Somerset Street, Alexandra Hills Lot 764 RP 118114
Owner	
Zoning	Urban Residential
Trigger for Application	owner
Description	<i>Eucalyptus tereticornis, Eucalyptus saligna, Eucalyptus grandis, Eucalyptus robusta, Araucaria bidwillii</i>
Expert Report	Biodiversity Assessment and Management Pty Ltd Site visit 20 July, 2011
Significance	<p>h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or</p> <p>m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or</p> <p>r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;</p>
Notes	<p>That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.</p> <p>That a vegetation management plan is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).</p>
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	<p>One submissions received at COB Friday 5th August, 2011</p> <p>- submission in relation to the branches dropping on the roof and land</p>

Vegetation Protection Order (VPO 19)

Property Description	2 Macquarie Street, Capalaba Lot 358 RP 145348
Owner	██████████
Zoning	Urban Residential
Trigger for Application	owner
Description	<i>Eucalyptus tereticornis, Eucalyptus saligna, Eucalyptus grandis, Eucalyptus robusta, Eucalyptus seeana</i>
Expert Report	Biodiversity Assessment and Management Pty Ltd Site visit 20 July, 2011
Significance	h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;
Notes	That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'. That a vegetation management plan is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	One submissions received at COB Friday 5 th August, 2011 - submission in relation to the trees being old and dangerous, offensive and a nuisance; only birds using the trees; leaf and branches dropping on their land Response: Vegetation Management Plan has been

	<p>Response: Vegetation Management Plan has been conditioned to be prepared for the maintenance of the trees which will include the removal of dead wood from the trees.</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	conditioned to be prepared for the maintenance of the trees which will include the removal of dead wood from the trees.
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Vegetation Protection Order (VPO 21)

Property Description	10 Somerset Street, Alexandra Hills Lot 718 RP 118114
Owner	[REDACTED]
Zoning	Urban Residential
Trigger for Application	Council officer
Description	<i>Eucalyptus grandis</i>
Expert Report	Landzone Site visit 30 November, 2010
Significance	<p>h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or</p> <p>n) important for its age, height, trunk circumference, or canopy spread; or</p> <p>r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;</p>
Notes	That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	No submissions received at COB Friday 5 th August, 2011



VEGETATION PROTECTION ORDER ASSESSMENT

12 Somerset Street,
Alexandra Hills

Report prepared
for
Redland City Council



**Biodiversity
Assessment**

AND MANAGEMENT PTY LTD

FAUNA AND HABITAT SPECIALISTS



Document Control Sheet

File Number: 0015-055

Project Manager: Dr [REDACTED]

Client: Redland City Council

Project Title: Vegetation Protection Order Assessment: 12 Somerset Street, Alexandra Hills.

Project Author/s: Dr [REDACTED]

Project Summary: This report provides the results of a Vegetation Protection Order assessment of various mature trees, located at 12 Somerset Street, Alexandra Hills.

Draft Preparation History

Version	Date of Issue	Checked by	Issued by
0015-055 Draft A	02/08/11	[REDACTED]	[REDACTED]

Revision/ Checking History Track

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INTRODUCTION

This report has been prepared for Redland City Council (RCC) for the purpose of providing a Vegetation Protection Order (VPO) assessment on a property described as Lot 764 on RP118114, situated at 12 Somerset Street, Alexandra Hills (subject site).

Before Council confirms a Vegetation Protection Order, it must obtain an expert report to assess the significance of the vegetation to which the order relates. Accordingly, our report has been designed to assist Council with their decision process for the VPO application.

The subject site was inspected on 26th July, 2011. The trees targeted for the assessment included five Eucalypt species and one Bunya Pine, *Araucaria bidwillii* (subject trees).

RESULTS OF VEGETATION ASSESSMENT

Current Condition

The subject trees consist of four different species of Eucalypt and one Bunya Pine (**Table 1**). All trees appeared to be in a very healthy condition. The GPS location of the trees, together with measurements of tree height, trunk circumference and canopy spread are provided in **Table 1**. GPS datum is in WGS 84.

Table 1. GPS location and dimensions of the subject tree

Tree 1 <i>Eucalyptus saligna</i>	
GPS Location	S27.52544 E153.22772
Tree Height	~25 m
Circumference	198
Canopy Spread	20 m
Tree 2 <i>Eucalyptus grandis</i>	
GPS Location	S27.52546 E153.22771
Tree Height	~20 m
Circumference	141 cm
Canopy Spread	~10 m
Tree 3 <i>Eucalyptus robusta</i>	
GPS Location	S27.52548 E153.22774
Tree Height	~15 m
Circumference	88 cm
Canopy Spread	~6 m
Tree 4 <i>Eucalyptus tereticornis</i>	
GPS Location	S27.52539 E153.22781
Tree Height	~ 20m
Circumference	207 cm
Canopy Spread	10 m
Tree 5 <i>Araucaria bidwillii</i>	
GPS Location	S27.52551 E153.22785
Tree Height	~ 15 m
Circumference	116 cm
Canopy Spread	15 m
Tree 6 <i>Eucalyptus saligna</i>	

GPS Location	S27.52546 E153.22771
Tree Height	~25 m
Circumference	213 cm
Canopy Spread	~10 m

Local Significance of the Vegetation

As requested by RCC, the subject trees were assessed against the following criteria as prescribed under Local Law 6 - Protection of Vegetation:

(h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor

The five Eucalypts provide significant habitats for native fauna. BAAM was advised by the current resident, that until recent times, Koalas were regularly seen within the subject trees. When in flower, these trees would also provide food for other arboreal mammals and a suite of nectar-feeding birds. It is expected that the subject trees provide a stepping-stone for fauna movement throughout this locality.

Surveys conducted within the Koala Coast (an area of approximately 375 km² encompassing Redland City) showed that Koala populations within urban areas in Redland City had declined by 62% since the 2005- 2006 surveys (EPA 2009). The most recent report found that the greatest decline in Koala numbers occurred within bushland habitats, in comparison to previous surveys which found that the greatest declines occurred within urban habitats (EPA 2007). It was inferred from the recent results that lack of Koala migration from urban areas, a process considered necessary for the maintenance of population viability, was the reason for the decline in bushland habitats (EPA 2009). Individual tree removal over time can lead to further fragmentation of habitat and a reduction in habitat linkages. This could force Koalas to travel further to find suitable food trees, thereby increasing exposure of koalas to threats in the landscape, such as dog attacks and vehicle strikes. The results of the Koala Coast Koala surveys indicate that vegetation such as the subject tree is of high significance for Koala conservation and retention of individual Koala habitat trees is very important to ensure the long-term viability of the local Koala populations.

The five Eucalypts satisfy the definition of this criterion. However, although native mammals are known to eat Bunya Nuts, the Bunya Pine

is not known to provide habitat or food source for any significant local fauna species.

(m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated

Figure 1 shows the five Eucalypt trees towering over the houses within this section of the street, and their presence is highly visible as you enter Somerset Street. It is considered that removal of the subject trees would lessen the aesthetic appeal of this section of Somerset Street as there are no other, similar trees in the immediate location. It is therefore considered that the subject trees comply with this criterion.

(r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives

The subject trees comply with this criterion as the RCC Vegetation Enhancement Strategy 2007 recognises the importance of retaining mature native trees wherever practical and states: *Landscaping (including street trees and habitat restoration) contributes significantly to the environmental functioning and visual amenity of the City.* The five Eucalypt trees are

also subject to Local and State Government policies and strategies (e.g. The Redlands **Koala Policy** and Implementation Strategy 2008, SEQ Koala Conservation State Planning Regulatory Provisions 2010) which recognise the importance of retaining mature Koala habitat trees wherever practical.

CONCLUSION

The five Eucalypts fulfill three of the criteria (h, m and r) under RCC Local Law 6 - Protection of Vegetation and as such a Vegetation Protection Order is warranted for these five trees. It is considered that the Bunya Pine does not fulfill any of the definitions of significant vegetation; therefore a VPO is not warranted for the Bunya Pine.

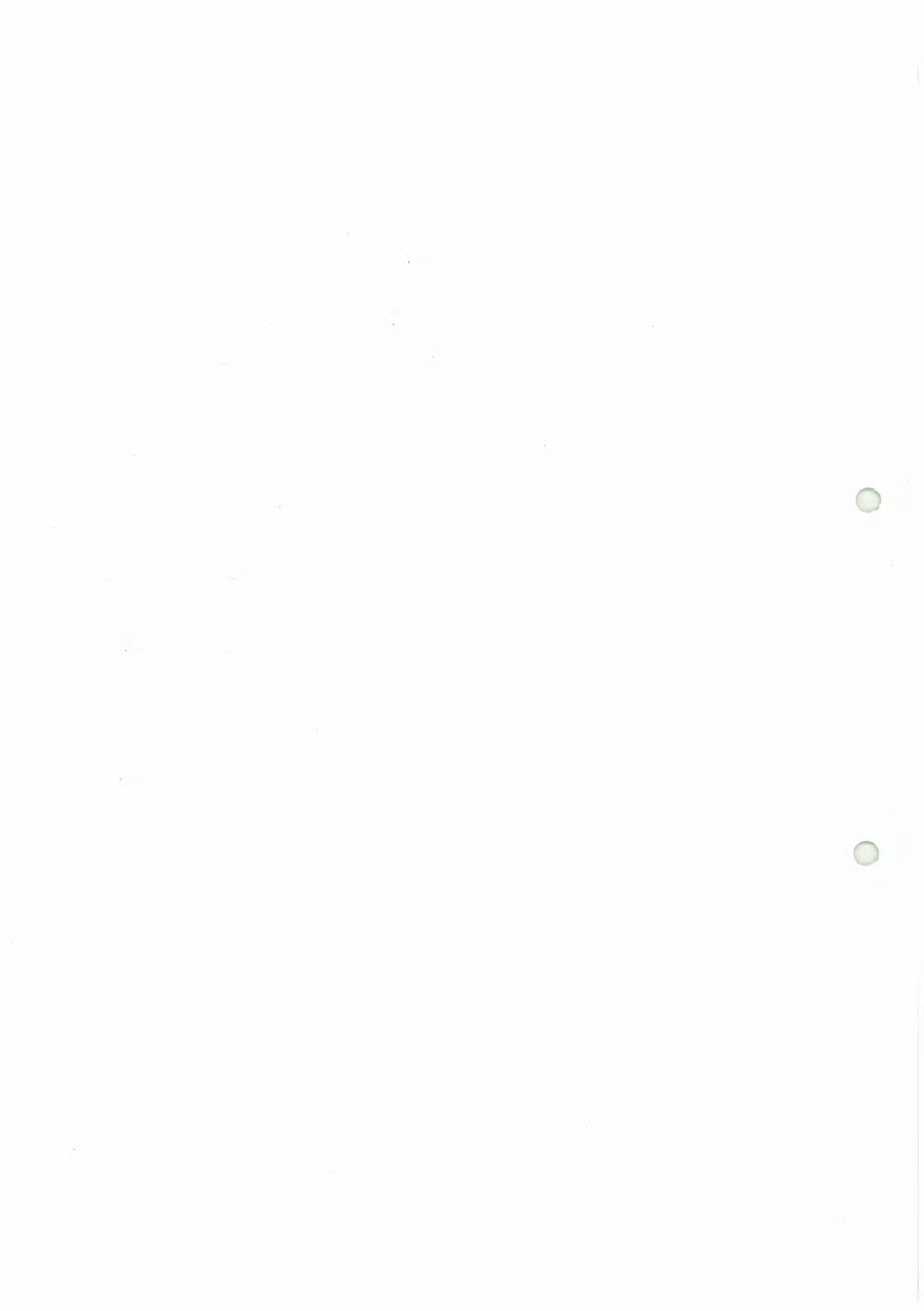
REFERENCES

EPA (2007). *Report on Koala Coast Koala Surveys 2005-2006.* Environment Protection Agency. August 2007.

EPA (2009). *Decline of the Koala Coast Koala Population: Population Status in 2008.* Environment Protection Agency. April 2009.



Figure 1. The subject Eucalypts can be seen towering above the houses at this section of Somerset Street, Alexandra Hills.



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ALEXANDRA HILLS 3 Greenwich Cr, Sat 8-3 Kids & adult clothes & shoes under \$3.50. Assrt items, king single beds, books, electric mower etc asst prices
BIRKDALE 30 Agnes St. Sat/Sun 7-12noon. Furniture, toys, games, bikes, kitchenware + more
CAPALABA 203 Vienna Rd from 7am ladies brand name clothing/shoes quality furniture & lots more

massive eps
 W 15.0
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CAPALABA 20 Callaghan Way, Sat 7am. 2 houses into 1. Plenty of hhold items, furn, tupperware, toys
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THORNESIDE 1271 Railway Pde, Sat 8am. Pot plants, books, radios, shoes, clothes, toys, paintings & more

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THORNESIDE 61 Mooroondu Rd. Sat 7-11 H/hold items, bedroom furn, artwork, crockery, clothes, bookcases, baby stuff, cot, kids toys, electrical & much more. All must go!
THORNLANDS 2 Heather St. Sat from 7am. Furn, toys, books, clothes, bric a brac, elec, camping gear + more everything
THORNLANDS 11 Hawkins Pl, Sat 7am -1pm, bits of everything
THORNLANDS 18 Hermitage Cr Sat not before 7am, household furniture, toys, clothes (moving overseas)
THORNLANDS 2/1 Primrose Drv, Sat 7am. Close of business electrical sale!!! Excess elec stock! P/points, cable, conduit, switches etc. Couch, table, bits & pieces.
THORNLANDS 23 Acheron Cr. Sat 7am, records, books, fridge, twin tub w/machine, wooden lounge, desks, tv wall unit, deco mirrors, camping toilet etc

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VICTORIA PT 17 Sunshine St. Sat 7am. Furniture, books, ceramic ect. Down sizing everything must go!
VICTORIA PT 27 School Rd, Sat & Sun from 7 - 12, washing mach, fishing & more, kitchenware, handbags, shoes, tools, 4 x 4 straps & rolls of strapping & bricabrac

Monster Sale
VICTORIA PT 5 Torello Cres. Sat 7-12noon. Moving interstate sale. Furniture, kitch goods, beds, baby/kids goods, s/s fridge, wash mach, everything must go
VICTORIA PT Cnr Lookout & Bayswater Dr. Sat 7am. Variety of household goods, treadmill, books & more.

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NOTICES-PUBLIC



Public Notification of Interim Vegetation Protection Order

The Redland City Council has made a Vegetation Protection Order ("VPO") under Local Law 6, Protection of Vegetation. The VPO has been made to protect significant vegetation, namely various eucalyptus trees.

- A) The eucalyptus trees are considered significant vegetation and that it is eucalyptus to protect them under a VFO because they provide:
 h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
 i) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;
 B) It is an offence under Local Law 6 to damage vegetation protected by a VPO, unless the damage is specifically permitted by the Local Law or Redland City Council. Damage to vegetation includes destruction of the vegetation or interference with its natural growth including, cutting, lopping, poisoning, injuring, maiming or destroying. This supports Council's vision to protect, maintain and rehabilitate environmental values and biodiversity.
 C) Any person is invited to make a written submission for or against the Vegetation Protection Order to Redland City Council. Submissions must be related to whether the order is justified and consistent with this law.
 D) Submissions must:
 • detail the grounds on which the order is supported or opposed
 • be signed by, and contain the name and address of the person making the submission.
 E) Submissions can be made via the online submission form found at www.redland.qld.gov.au or in writing to Council at PO Box 21, Cleveland, Qld 4163. All submissions must be received by or no later than the close of business on Friday 5 August, 2011.

An interim Vegetation Protection Order has been placed on the eucalyptus trees and remains in force for 6 months pending Council resolution to confirm, modify or revoke the Vegetation Protection Order.

Local Law	6	Application No.	VPO000017
Owner	[REDACTED]		
Legal Description	Lot 764 RP 118114		
Primary Property Address	12 Somerset Street Alexandra Hills Qld 4161		
Adjoining Owner and Property	[REDACTED]		
Adjoining Owner and Property	14 Somerset Street Alexandra Hills Qld 4161		
Adjoining Owner and Property	[REDACTED]		
Adjoining Owner and Property	10 Somerset Street Alexandra Hills Qld 4161		
Adjoining Owner and Property	[REDACTED]		
Adjoining Owner and Property	3 Avon Court Alexandra Hills Qld 4161		
Trigger for Application	Owner Request		
Effective (meeting) date of VPO	29/06/2011	Expiry date of Interim VPO	29/12/2011
Description	Various eucalyptus trees located on 12 Somerset Street Alexandra Hills		
Significance	Local Law 6 Part 1 Section 3 h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or i) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives; or		
Notes	Exemptions under Subordinate Local Law Policy No.6 Section B (eg 3 and 10 metre rules), do not apply. Permits are required.		

PO Box 21, Cleveland Qld 4163
 Tel 07 3829 8999 Fax 07 3829 8765
www.redland.qld.gov.au
Redland CITY COUNCIL

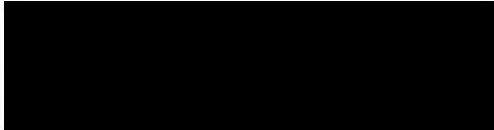


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Cleveland Qld 4163
Telephone 07 3829 8999
Facsimile 07 3829 8765
Email rcc@redland.qld.gov.au
www.redland.qld.gov.au

08/07/2011

Your Ref:
Our Ref: VPO000017
File No: 13075
Contact: Environmental Management



Re- Interim Vegetation Protection Order

Dear [REDACTED]

Thank you for your application to place a vegetation protection order on the Eucalyptus trees on your property.

This is to advise you that the interim vegetation protection order has been successful and now applies to the trees identified above. As such, the trees are now protected for a period of 6 months. During this time, public submissions and an expert report and will be sought before a report is brought before Council to confirm/ not confirm the VPO.

A permit will be required to damage vegetation under the provisions of Local Law No. 6 and Local Law Policy No.6 - Protection of Vegetation and that the exemption provisions of Local Law No. 6 may not apply.

If you need any further information please contact me.

Regards



Candy Daunt
Advisor – Habitat Protection
Environmental Management

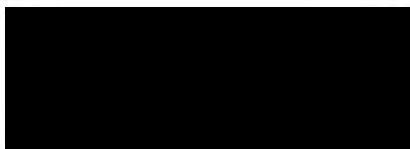


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08/07/2011

Your Ref: 12 Somerset Street Alexandra Hills
Our Ref: VPO000017
File No: 7710
Contact: Environmental Management



Dear [REDACTED]

Interim Vegetation Protection Order over the various eucalyptus trees located at 12 Somerset Street Alexandra Hills

This is to notify you that various eucalyptus trees located on the property of 12 Somerset Street Alexandra Hills has been placed with an interim vegetation protection order by Council. On the 29th of June 2011, Council voted to place an interim VPO on these eucalyptus trees, which means that any further trimming of the tree will require a permit from Council.

The tree has been selected for protection for the following reasons. It is:

- h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;

Council has a requirement that when a Vegetation Protection Order is placed on a tree, the community is notified and are given the opportunity to provide a submission on the listing of the tree.

As per Local Law 6, submissions may be made for or against the Vegetation Protection Order in relation to whether the order is justified and consistent with this law. The submission must detail the grounds on which the order is supported or opposed, be signed by and contain the name and address of the person making the submission and be received by Council at PO Box 21, Cleveland, Qld 4163, or alternately you can access the online submission form found at www.redland.qld.gov.au no later than the close of business on Friday 5 August, 2011.

The interim Vegetation Protection Order on the tree remains in force for 6 months, pending Council resolution to confirm, modify or revoke the Vegetation Protection Order in light of public submissions and expert report on the tree.

If the Vegetation Protection Order is confirmed, its location, species, and details of its management requirements will be recorded and details will be publicly available. It also means that this valuable part of the City's natural heritage is protected for posterity.

If you wish to discuss any matters in related to the vegetation protection order, please call me on 3829 8761.

Regards

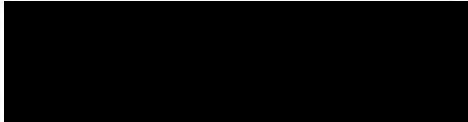


Candy Daunt
Advisor – Habitat Protection
Environmental Management



08/07/2011

Your Ref: 12 Somerset Street Alexandra Hills
Our Ref: VPO000017
File No: 7710
Contact: Environmental Management



Dear [REDACTED],

Interim Vegetation Protection Order over the various eucalyptus trees located at 12 Somerset Street Alexandra Hills

This is to notify you that various eucalyptus trees located on the property of 12 Somerset Street Alexandra Hills has been placed with an interim vegetation protection order by Council. On the 29th of June 2011, Council voted to place an interim VPO on these eucalyptus trees, which means that any further trimming of the tree will require a permit from Council.

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If you wish to discuss any matters in related to the vegetation protection order, please call me on 3829 8761.

Regards



Candy Daunt
Advisor – Habitat Protection
Environmental Management



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Cnr Bloomfield & Middle Sts.
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PO Box 21,
Cleveland Qld 4163

Telephone 07 3829 8999
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Email rcc@redland.qld.gov.au
www.redland.qld.gov.au

08/07/2011

Your Ref: 12 Somerset Street Alexandra Hills
Our Ref: VPO000017
File No: 7710
Contact: Environmental Management



Dear [REDACTED]

Interim Vegetation Protection Order over the various eucalyptus trees located at 12 Somerset Street Alexandra Hills

This is to notify you that various eucalyptus trees located on the property of 12 Somerset Street Alexandra Hills has been placed with an interim vegetation protection order by Council. On the 29th of June 2011, Council voted to place an interim VPO on these eucalyptus trees, which means that any further trimming of the tree will require a permit from Council.

The tree has been selected for protection for the following reasons. It is:

- h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;

Council has a requirement that when a Vegetation Protection Order is placed on a tree, the community is notified and are given the opportunity to provide a submission on the listing of the tree.

As per Local Law 6, submissions may be made for or against the Vegetation Protection Order in relation to whether the order is justified and consistent with this law. The submission must detail the grounds on which the order is supported or opposed, be signed by and contain the name and address of the person making the submission and be received by Council at PO Box 21, Cleveland, Qld 4163, or alternately you can access the online submission form found at www.redland.qld.gov.au no later than the close of business on Friday 5 August, 2011.

The interim Vegetation Protection Order on the tree remains in force for 6 months, pending Council resolution to confirm, modify or revoke the Vegetation Protection Order in light of public submissions and expert report on the tree.

If the Vegetation Protection Order is confirmed, its location, species, and details of its management requirements will be recorded and details will be publicly available. It also means that this valuable part of the City's natural heritage is protected for posterity.

If you wish to discuss any matters in related to the vegetation protection order, please call me on 3829 8761.

Regards



Candy Daunt
Advisor – Habitat Protection
Environmental Management

Resolution Memo

To Daniel Carter – Senior Advisor, Natural Environment

From Office of Chief Executive Officer

Date 1 July 2011

Dataworks File L & E Local Law No 06 – Vegetation Protection

Subject **ECONOMIC DEVELOPMENT CONTRACTS**

General Meeting Minutes of 29 June 2011, Item No. 13.3.1 refers.

The following is the resolution on this item.

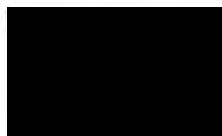
COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

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

- 1. To make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation' on the identified Eucalyptus trees as described in application VPO 16, VPO 17, VPO 19 and VPO 21;**
- 2. To make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation', on the identified significant trees on the south east property adjacent to VP17, subject to site inspection; and**
- 3. That damage to the vegetation is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.**

CARRIED (en bloc)

This is now forwarded to you for action in accordance with the resolution.



Gary Stevenson
Chief Executive Officer

**Interim Vegetation Protection Order
Extract of Minutes
Planning and Policy Committee 08 June 2011
General Committee 29 June, 2011**

VPO Application: VPO000017

VEGETATION PROTECTION ORDER VPO 16, 17, 19 AND 21

Dataworks Filename: L&E Local Law No 06 - Vegetation Protection

Attachments: [Attachment 1 VP 16 17 19 21](#)
[Attachment 2 VP 16 RedEmap Location Map](#)
[Attachment 3 VP 17 and VP 21 RedEmap Location Map](#)
[Attachment 4 VP 19 RedEmap Location Map](#)

Responsible Officer: Daniel Carter
Senior Advisor Natural Environment

Author: Candy Daunt
Advisor Habitat Protection

EXECUTIVE SUMMARY

The owners of the property identified in VPO 16, VPO 17 and VPO 19 have applied for a Vegetation Protection Order for:

VPO 16 – one *Eucalyptus*
VPO 17 – various *Eucalyptus*
VPO 19 – various *Eucalyptus*

A Council officer has applied for a Vegetation Protection Order VPO 21 for one *Eucalyptus Tereticornis*.

This report outlines the rationale and considerations for the proposed Interim Vegetation Protection Orders for the identified trees.

PURPOSE

That Council resolve to make an Interim Vegetation Protection Order under the provision of Local Law 6 “Protection of Vegetation” on the *Eucalyptus* species identified VPO 16, VPO 17, VPO 19 and VPO 21.

BACKGROUND

- Redland City Council’s Local Law 6 (Protection of Vegetation) provides for the protection of vegetation through Vegetation Protection Orders.
- The owner of the property lodged an application for a VPO (17) on the 20th of April, 2010

- The owner of the property lodged an application for a VPO (16) on the 24th of April, 2010
- The owner of the property lodged an application for a VPO (19) on the 15th of July, 2010
- A Council Officer lodged an application for a VPO 21 on the 30th of September, 2010

ISSUES

Any person may apply to have a Vegetation Protection Order (VPO) placed on vegetation on private land. Local Law 6, 'Protection of Vegetation' provides the power for Local Government to make VPOs for 'significant vegetation', (as defined by Local Law 6) on private land. This request is assessed by Council and by resolution an interim VPO is placed upon the vegetation for a period of six months. Within this period, the requirements for establishing a VPO can be undertaken. This includes public notification and the consideration of submissions and an expert report. Council may then confirm the VPO.

GROUNDINGS FOR THE VEGETATION PROTECTION ORDER (VPO 16)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The owners in their application (VPO 16) have stated the grounds for the application are:

- b) a significant part of a vegetation system or other ecological system; or
- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- i) a significant part of a vegetation system or other ecological system; or
- m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives.

GROUNDINGS FOR THE VEGETATION PROTECTION ORDER (VPO 17)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The owner in her application (VPO 17) has stated the grounds for the application are:

- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives.

GROUNDINGS FOR THE VEGETATION PROTECTION ORDER (VPO 19)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The owner, in his application (VPO 19) has stated the grounds for the application are:

- a) a valuable part of the natural heritage of the area; or
- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- n) important for its age, height, trunk circumference, or canopy spread; or
- q) important as a buffer zone adjacent to areas of conservation significance.

GROUNDS FOR THE VEGETATION PROTECTION ORDER (VPO 21)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The Council officer in her application (VPO 21) has stated the grounds for the application are:

- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- n) important for its age, height, trunk circumference, or canopy spread;.

Subordinate Local Law No. 6 permits damage to protected vegetation under the following circumstances:

- if the damage is:
 - within ten (10) metres of a constructed dwelling house lawfully in existence at the date of commencement of this Local Law;
 - within three (3) metres of a building or structure (other than a dwelling or fence) or the foundations of a building or structure (other than a dwelling or fence) lawfully in existence at the date of commencement of this Local Law;
 - within three (3) metres of the site of a proposed building or structure (other than fence) in respect to which a development permit or preliminary approval has been granted under the provisions of the Integrated Planning Act 1997 (as amended from time to time) to the carrying out of work pursuant to the provisions of the Building Act 1975 and Standard Building Local Laws as amended from time to time;
 - within three (3) metres of the boundary between land under separate ownership and is reasonably necessary for erecting or maintaining a dividing fence;
 - within three (3) metres of the boundary between land under separate ownership and is reasonably necessary for a survey of the boundary by a registered surveyor;
 - within three (3) metres of the boundary between land under separate ownership and is reasonably necessary to establish or maintain a fire break;

except where a vegetation protection order has been declared for the express purpose of protecting such vegetation.

Therefore, it would be a condition under the Vegetation Protection Order that damage to the trees is only permitted under Section 27 (J) "if the damage is allowed under a permit issued by Council under the provisions of this Local Law".

Strategic Approach

The vegetation protection order applications are not inconsistent with Council's current strategic approach of broader protection of urban trees within the City.

It should also be noted that Development and Community Standards arborist will be processing all new vegetation protection order applications.

Notice of Order

If Council resolve to begin action to protect the vegetation, the owner of the land and adjacent land owner if applicable, will need to be given written notice of the Order. In addition, public notice of the Order must be advertised in the local newspaper. One requirement of the notice is to invite submissions for or against the Order.

Expert Report

An expert report must be undertaken within the six month interim VPO period. This report will assess the vegetation against the criteria as well clearly identifying and locating, via GPS, the vegetation to be protected.

RELATIONSHIP TO CORPORATE PLAN

1. Healthy natural environment

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

- 1.1 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

5. Wise planning and design

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

- 5.10 Maintain the quality and liveability of residential areas and protect natural resources

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated to account number [REDACTED]

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has been undertaken with Environmental Management, Environmental Assessment and the property owners for VPO 16, 17 and 19. All parties are supportive of the recommendation.

OPTIONS

Preferred

1. To make an Interim Vegetation Protection Order under the provisions of *Local Law 6 'Protection of Vegetation'* on the identified *Eucalyptus* trees as described in applications VPO 16, VPO 17, VPO 19 and VPO 21 ; and
2. That damage to the vegetation is only permitted under *Section 27 (J)* 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.

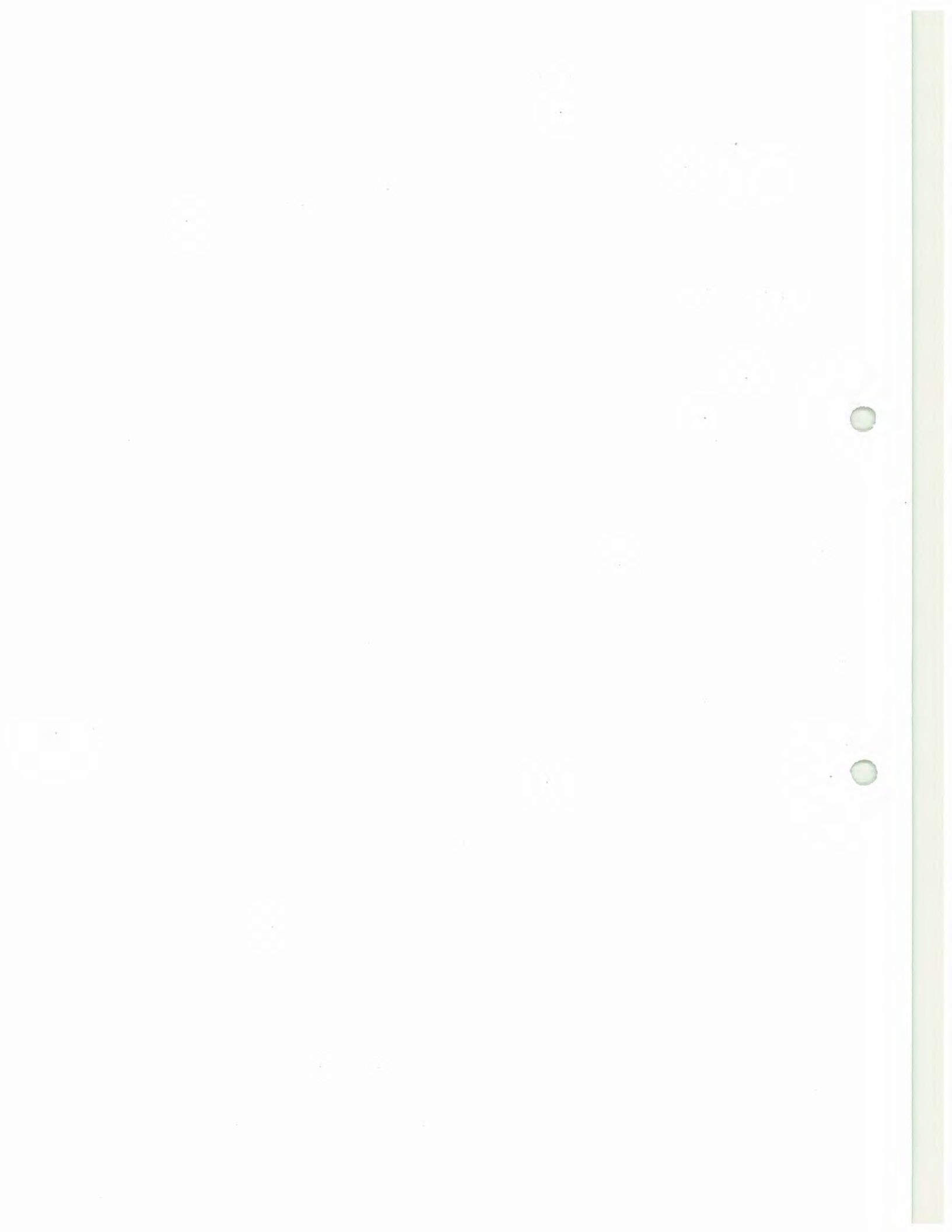
Alternative

That Council resolve **not** to make an Interim Vegetation Protection Order under the provisions of *Local Law 6 'Protection of Vegetation'* on the identified *Eucalyptus* trees as described in applications VPO 16, VPO 17, VPO 19 and VPO 21.

OFFICER'S RECOMMENDATION

That Council resolve:

1. To make an Interim Vegetation Protection Order under the provisions of *Local Law 6 'Protection of Vegetation'* on the identified *Eucalyptus* trees as described in application VPO 16, VPO 17, VPO 19 and VPO 21 ; and
2. That damage to the vegetation is only permitted under *Section 27 (J)* 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.



VP16

Interim Vegetation Protection Order



Is the vegetation presently protected by

Vegetation Protection Order Interim
 Tree Protection Order



If the vegetation is protected by any of the above, contact Environmental Management Officer

Information

Interim vegetation protection orders can be made under Section 14 of Local Law No. 6 'Protection of Vegetation'. To do this, information must be gathered which identifies the person making the application, the vegetation to be protected and its whereabouts and the grounds on which the vegetation protection order is to be made. The vegetation may be a single tree, a group of trees or a larger wooded area.

Applicant Details

Title (Mr) (Mrs) (Ms) (Miss) Surname: [REDACTED] Given name: [REDACTED]
 Residential address: [REDACTED] Postcode: [REDACTED]
 Phone (H): [REDACTED] Phone (W): — Phone (M): —
 E-mail address: [REDACTED]
 Signature: [REDACTED]
 Are you the owner? Yes No

Property Details

Property number: 13075 Land number: 117694
 Property address: 12 SOMERSET STREET, ALEX HILLS 4161
 Lot number: 764 Plan number: RP118114

The Vegetation

Is the vegetation a single tree or a group of trees that are of the same species? Yes No

What is the common name of the vegetation? (scientific name if known.) _____

What is the height of the vegetation? (metres) _____

What is the diameter of the vegetation at breast height? (cm) _____

Does the vegetation have habitat values? (does it provide food through flowers, leaves or fruit/provide shelter particularly hollows?) Yes No

Is the vegetation used by koalas for food or shelter? Yes No

Does the vegetation show signs of stress or disease? Yes No

Is the vegetation a group of trees of more than one species or a larger wooded area? Yes No

What is the common name of the vegetation? (scientific name if known) E. GRANDIS, E. ROBUSTA, E. TERETICORNIS

What is the height of the vegetation? (metres) 20-30 M

What is the typical diameter of the vegetation at breast height? (cm) 60-90 CM

Does the vegetation have habitat values? (does it provide food through flowers, leaves or fruit and does provide shelter particularly hollows?) Yes No

Grounds for Protection of the Vegetation

The grounds on which a vegetation protection order is made must be stated in the Vegetation Protection Order. (VPO)

The grounds must be consistent with the objects of Local Law No.6 Protection of Vegetation. In particular, the Vegetation Protection Order must protect significant vegetation. Significant vegetation is described in s3 (a-s) **Definitions**.

Please indicate applicable definition:

- a) a valuable part of the natural heritage of the area; or
- b) an example of a rare or threatened species or a species that may be, or may be about to become, a rare or threatened species; or
- c) a valuable scientific resource; or
- d) a valuable source of propagating stock or of other horticultural value; or
- e) of historic significance because of its association with an important historical event or the commemoration of an important historical event, whether of local, regional, state or national significance; or
- f) of cultural significance because of its significance in Aboriginal rituals, religious observance or legend;
- g) a valuable educational or recreational resource; or
- h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
- i) a significant part of a vegetation system or other ecological system; or
- j) important for maintaining the life-supporting capacities of ecological systems for present and future generations; or
- k) important for protecting a water catchment area; or
- l) important for its support for natural or artificial landforms such as drainage lines, watercourses, bodies of water, foreshores, slopes or unstable and erodible soils; or
- m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or
- n) important for its age, height, trunk circumference, or canopy spread; or
- o) important for its unique contribution to the landscape; or
- p) a visual buffer against unsightly objects or a buffer against pollutants, light spillage, noise or other factors that have an adverse effect on the environment; or
- q) important as a buffer zone adjacent to areas of conservation significance; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives; or
- s) significant for such other reason as may be prescribed by local law policy.

Additional Information - if applicable

PRIMARY FOOD SOURCE FOR KOALAS, WITH
REGULAR SIGHTINGS

Applicant Checklist - provide photographs of the vegetation and attach to this document.

- Attach a site plan of the property showing street names, suburb and location of vegetation to be protected.
- Attach an aerial photograph of the property showing buildings adjacent to the vegetation.
- Attach most recent development approvals and subdivision plans. Reference number: _____

How is the property zoned in the Redlands Planning Scheme? URBAN RESIDENTIAL

Which Council division is the property in and what is the name of the Councillor?

Division: 7 Councillor: MURRAY ELLIOTT

Site Plan of Property – Please provide a sketch showing the map direction, street name, location of the vegetation to be protected in relation to other features such as buildings, fences, adjoining properties, driveways etc.

P.T.O.

Office Use Only

Name of Council officer : _____

Position: _____

Phone (W) _____ Phone (M): _____

Email _____

Did you identify other affected blocks? Yes

No

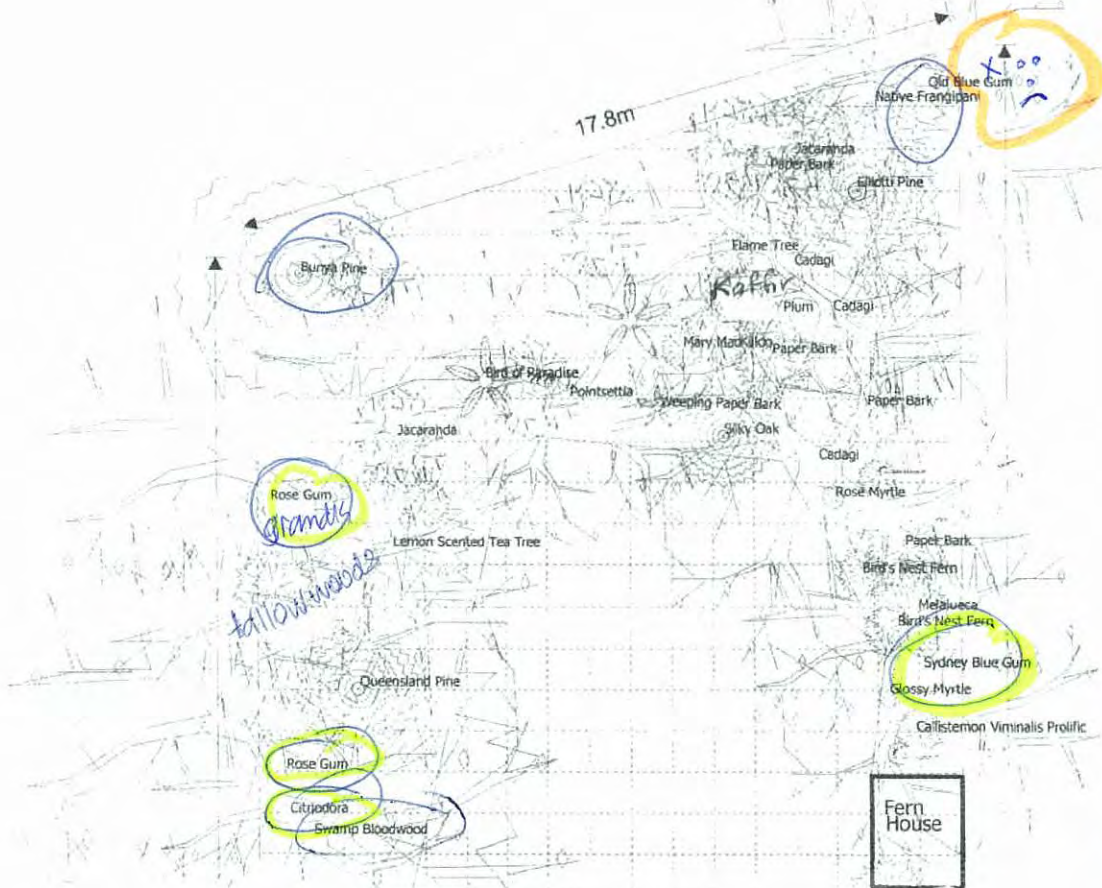
Is the applicant the property owner? Yes

No

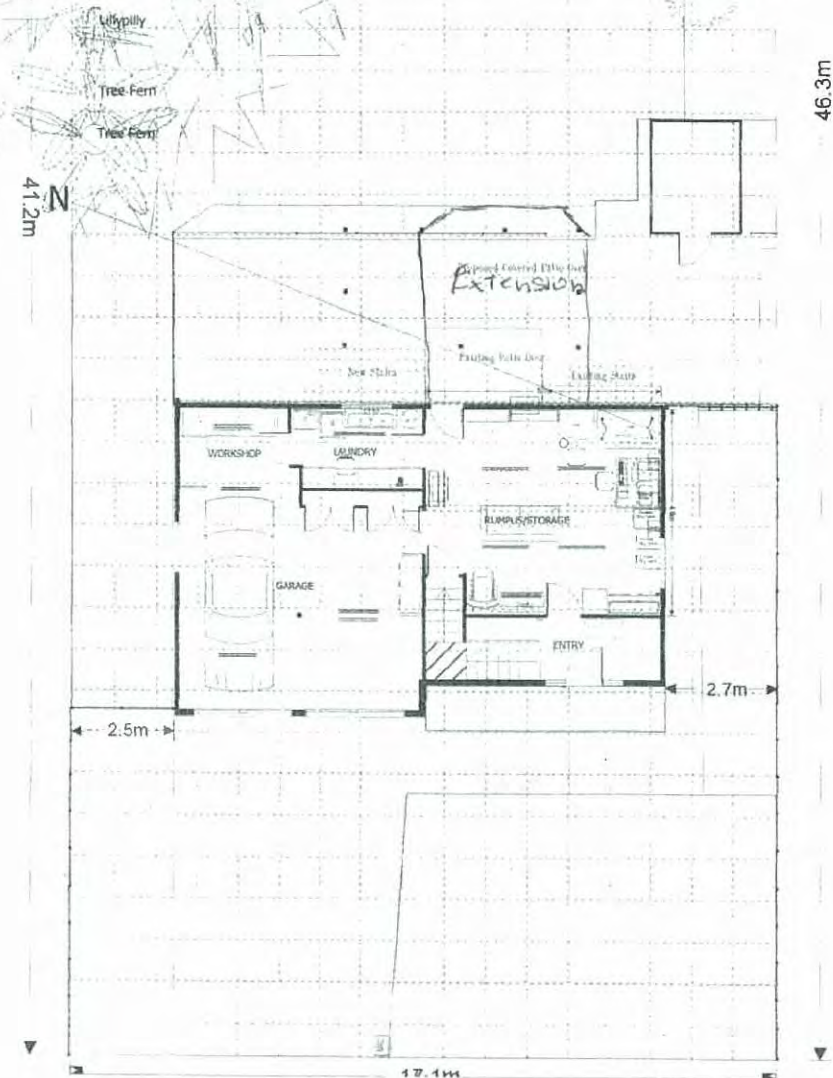
Application number: _____

Date: _____

Natural Area Management



6 all together





Westmaster Avenue

Somerset Street

Ave Xandra Hills

10

12

14

20 Meters





Vegetation Protection Register



Redland
CITY COUNCIL

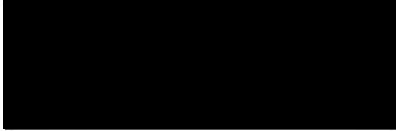
VP 21

VEGETATION PROTECTION REGISTER

Property address	10 Somerset Street Alexandra Hills Qld 4161	
Lot on plan	Lot 718 RP 118114	
File references		
Planning & Policy Meeting date	8 June, 2011 (Interim) 7 September, 2011 (Full)	
General Meeting date	29 June, 2011 (Interim) 28 September, 2011 (Full)	
Revocation date		
Dataworks number		
Attribute ID on Proclaim	PIEnviron	EV02

7 October, 2011

Our Ref: VPO 21
File No: Protected Vegetation
Contact: City Planning & Environment



Dear 

Full Vegetation Protection Order confirmation

This letter is to notify you that Council resolved on the 28th of September, 2011 to confirm the protection order on the mature *Eucalyptus tereticornis* on your property. As such, the tree is now protected and any works to be undertaken on the tree requires approval by Council.

Please find enclosed a brochure which details information about the services Council can provide to assist you with the management of your protected tree.

If you require any further information, please do not hesitate to contact me.

Regards,



Candy Daunt
Advisor – Habitat Protection



Resolution Memo

To Gary Photinos – Manager City Planning & Environment

From Office of Chief Executive Officer

Date 30 September 2011

Dataworks File EM Vegetation Protection Orders (Local Law 6)

Subject **VEGETATION PROTECTION ORDERS VPO 16, 17, 19 & 21**

General Meeting Minutes of 28 September 2011, Item No. 13.3.3 refers.

The following is the resolution on this item.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION


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

That Council resolve as follows:

- 1. To confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011);**
- 2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”; and**
- 3. That a vegetation management guideline is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).**

CARRIED (en bloc)

This is now forwarded to you for action in accordance with the resolution.



Gary Stevenson
Chief Executive Officer

VEGETATION PROTECTION ORDERS VPO 16, 17, 19, 21

Datworks Filename: EM Vegetation Protection Orders (Local Law 6)

Responsible Officer: Gary Photinos
Manager Environmental Management

Author: Candy Daunt
Advisor Habitat Protection

Ken Folkes, Aborist

EXECUTIVE SUMMARY

The owners of the properties situated at 79 Main Road, Wellington Point (VPO 16); 12 Somerset Street, Alexandra Hills (VPO 17) and 2 Macquarie Street, Capalaba (VPO 19) had applied for a Vegetation Protection Order (VPO) for various gum trees located on their properties.

A Council officer had applied for a Vegetation Protection Order VPO 21 for one *Eucalyptus Tereticornis* located at 10 Somerset Street, Alexandra Hills.

Council resolved on the 29th of June, 2011 to make an interim VPO under the provision of Local Law 6 – Protection of Vegetation.

This report outlines the outcomes of the expert report, public submissions and the officer recommendation that the VPO for the various gum trees as identified in the expert reports should be confirmed by Council.

PURPOSE

That Council resolve to confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011).

BACKGROUND

- Local Law 6 “Protection of Vegetation” was passed in 1998
 - Council resolved on the 29th of June, 2011 to make an Interim Vegetation Protection Order under the provisions of Local Law 6 ‘Protection of Vegetation’ on the identified Eucalyptus trees as described in application VPO 16, VPO 17, VPO 19 and VPO 21; and to make an Interim Vegetation Protection Order under the provisions of Local Law 6 ‘Protection of Vegetation’, on the identified significant trees on the south east property adjacent to VP17, subject to site inspection;
 - All identified property owners were notified by registered mail on 8th July, 2011 that the gum trees were now protected by an interim vegetation protection order. Follow up telephone calls were also made to property owners to confirm that they had received and understood the information contained within the letter.
-

- An expert report for the various gum trees has been undertaken by Biodiversity Assessment and Management Pty Ltd (BAAM), and Landzone has been received and assessed by Council.
- Public Notification of the Vegetation Protection Order was advertised in the Redland Times on Friday the 15th of July, 2011. A period of at least 21 days had been allocated to receive public submissions for and against the VPO, with the close date of public submission being Friday, 5th of August, 2011. This has occurred as per provisions of Local Law 6. Submissions were received for VPO 17 and VPO 19. No submissions were received for VPO 16 and VPO 21.

ISSUES

Making of an Interim Vegetation Protection Order Under Local Law 6 (Protection of Vegetation)

Council has resolved to apply an interim vegetation protection order; however, it only remains in place for six months, while the requirements for establishing a vegetation protection order can be undertaken. These include public notification, including the calling of public submissions and the commissioning of an expert report. The interim order ensures that the vegetation is protected during this time. Once Council has considered all the necessary information it may at a subsequent meeting confirm or revoke the Vegetation Protection Order.

Site Inspection

As per Council's resolution to investigate the inclusion of any significant trees worthy for protection under the provisions of Local Law 6 'Protection of Vegetation', on the on the south east property adjacent to VP17; it has been confirmed that there are no significant trees on this site and therefore the vegetation protection order process on this property will not progress.

Expert Report

The expert reports for the gum trees were commissioned and are attached. The consultants have assessed the gum trees against the grounds of order as nominated in the vegetation protection order application forms.

The expert reports strongly conclude that the identified vegetation is significant using the criteria in Local Law 6 and recommends that the retention and protection of the trees identified in the attached reports prepared by Biodiversity Assessment and Management Pty Ltd, and Landzone.

Submissions

The summary attachment identifies the submissions and officer response in relation to submissions received for applications VPO 17 and 19. The issues generally relate to the maintenance of the trees, for example leaf and branch drop. It is recommended that a vegetation management guideline for the appropriate management of the protected vegetation is prepared and implemented for these properties to ensure issues of tree maintenance are addressed on a regular basis.

Confirming the Vegetation Protection Order

These trees are strong candidates for protection based on the outcomes of the expert report, and in line with Council's current strategic approach of broader protection of urban trees within the City. Taking into account the importance of these trees in a local and state

context and submission were received, it can be recommended that Council confirm the Vegetation Protection Order.

It would be a condition under a Vegetation Protection Order that a vegetation management guideline is prepared and implemented for the properties identified in the application VPO 17 and 19. It would also be a condition under the Vegetation Protection Order that damage to the vegetation can only occur where Council has issued a permit for such works.

RELATIONSHIP TO CORPORATE PLAN

1. Healthy natural environment

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

- **1.1 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**

FINANCIAL IMPLICATIONS

Redland City Council

There are minor financial implications with this application associated with in-kind (advice) to the owners when required.

Owner

There are costs to owners and/or applicants of \$157 application fee associated for a permit to damage protected vegetation.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has been undertaken with the owners of the properties and adjoining neighbours where appropriate.

Consultation was also undertaken with Environmental Management; Environmental Education (Habitat Protection Extension Team); Development and Community Standards; Landzone and BAAM (external consultants) and the general public, through the public notification process.

OPTIONS

Preferred

That Council resolve

- 1 To confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011).
- 2 That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”.
- 3 That a vegetation management guideline is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).

Alternative

That Council resolve **not** to confirm the Vegetation Protection Order Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011).

OFFICER’S RECOMMENDATION

That Council resolve as follows:

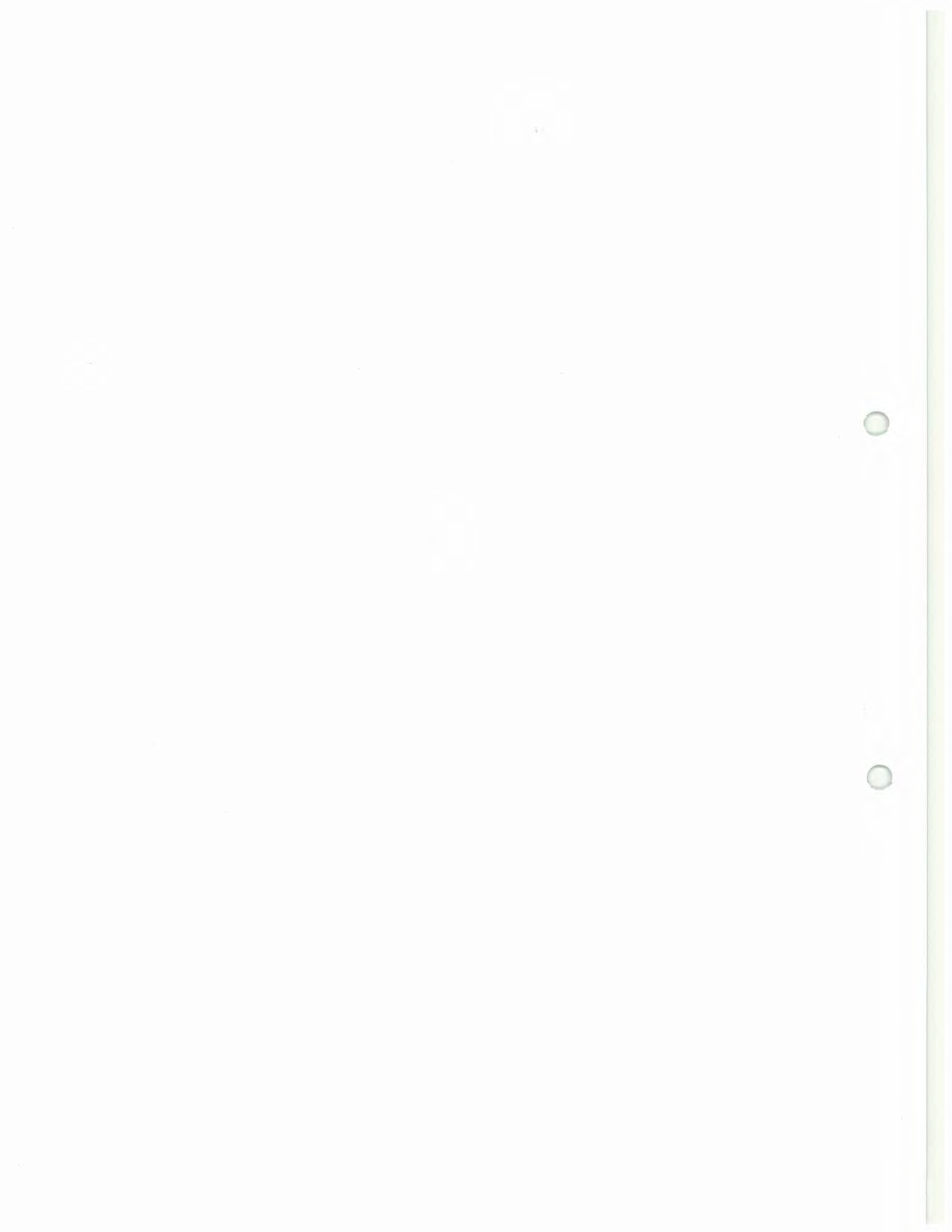
1. **To confirm the Vegetation Protection Orders under the provision of Local Law 6 – Protection of Vegetation on the gum trees identified in the reports prepared by Biodiversity Assessment and Management Pty Ltd (03 August, 2011) and Landzone (dated 04 April, 2011).**
2. **That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”.**
3. **That a vegetation management guideline is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).**

Author: _____

Group Manager:

General Manager/
Chief Executive Officer:

Date:



Summary Attachment for Report

Vegetation Protection Order (VPO 16)

Property Description	79 Main Road, Wellington Point Lot 1 RP 166473
Owner	[REDACTED]
Zoning	Urban Residential
Trigger for Application	owner
Description	<i>Eucalyptus tereticornis</i>
Expert Report	Biodiversity Assessment and Management Pty Ltd Site visit 20 July, 2011
Significance	<p>h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or</p> <p>m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or</p> <p>r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;</p>
Notes	That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	No submissions received at COB Friday 5 th August, 2011

Vegetation Protection Order (VPO 17)

Property Description	12 Somerset Street, Alexandra Hills Lot 764 RP 118114
Owner	[REDACTED]
Zoning	Urban Residential
Trigger for Application	owner
Description	<i>Eucalyptus tereticornis, Eucalyptus saligna, Eucalyptus grandis, Eucalyptus robusta, Araucaria bidwillii</i>
Expert Report	Biodiversity Assessment and Management Pty Ltd Site visit 20 July, 2011
Significance	<p>h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or</p> <p>m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or</p> <p>r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;</p>
Notes	<p>That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.</p> <p>That a vegetation management plan is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).</p>
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	<p>One submissions received at COB Friday 5th August, 2011 - submission in relation to the branches dropping on the roof and land</p> <p>Response: Vegetation Management Plan has been conditioned to be prepared for the maintenance of the trees which will include the removal of dead wood from the trees.</p>

Vegetation Protection Order (VPO 19)

Property Description	2 Macquarie Street, Capalaba Lot 358 RP 145348
Owner	██████████
Zoning	Urban Residential
Trigger for Application	Owner
Description	<i>Eucalyptus tereticornis, Eucalyptus saligna, Eucalyptus grandis, Eucalyptus robusta, Eucalyptus seeana</i>
Expert Report	Biodiversity Assessment and Management Pty Ltd Site visit 20 July, 2011
Significance	h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;
Notes	That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'. That a vegetation management plan is prepared and implemented for the properties listed in Vegetation Protection Order application VPO 17 and 19 under Section 21 of Local Law No. 6 (Protection of Vegetation).
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	One submissions received at COB Friday 5 th August, 2011 - submission in relation to the trees being old and dangerous, offensive and a nuisance; only birds using the trees; leaf and branches dropping on their land Response: Vegetation Management Plan has been conditioned to be prepared for the maintenance of the trees which will include the removal of dead wood from the trees.

Vegetation Protection Order (VPO 21)

Property Description	10 Somerset Street, Alexandra Hills Lot 718 RP 118114
Owner	[REDACTED]
Zoning	Urban Residential
Trigger for Application	Council officer
Description	<i>Eucalyptus grandis</i>
Expert Report	Landzone Site visit 30 November, 2010
Significance	h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or n) important for its age, height, trunk circumference, or canopy spread; or r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives;
Notes	That damage to the tree is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.
Public Notification	Redland Times Friday 15 th of July, 2011
Submissions	No submissions received at COB Friday 5 th August, 2011

Arborist Report

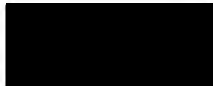
10-12 Somerset Street
Alexandra Hills

Client
Redland City Council

Version.....01

Date..... 4/04/2011




Consulting Arborists

P.O. Box 7177
Redland Bay 4165 QLD


T: 07 3820 7512
F: 07 3206 9722


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1. Introduction

Landzone Regional Ecosystem Services Pty Ltd has been commissioned by Redland City Council to undertake an assessment of two trees, one located at 10 Somerset Street Alexandra Hills and the second tree located at 12 Somerset Street Alexandra Hills.

2. Scope of request

Objectives of the Arborist report include:

- Assessment of tree characteristics, current health and defects.
- Evidence of any disease or defect.
- Estimation of SULE, potential future growth expectancy and assessment of relative risk to human safety or property.
- Assessment of the significance of the tree/s in relation to the Council's policy for Vegetation Protection Orders.

3.0 Tree Survey

3.1 Methodology

Landzone Arborists follow industry best practice in the assessment of trees. The combined methodologies of VTA (Mattheck and Breloer 1994), S.U.L.E. (Barrell) and the Quantified Tree Risk Assessment system have been adopted to complete this survey.

VTA

The internationally recognised approach of Visual Tree Assessment as formulated by Mattheck & Breloer (1994) has been adopted by other internationally recognised arborists and has been incorporated into the essential arboricultural texts including those by Harris, Clark & Matheny (2004) and Lonsdale (1999).

Essentially, VTA proceeds in three phases:

1. Visual inspection for defect symptoms and vitality. If there is no sign of a problem then the investigation is concluded.
2. If a defect is suspected on the basis of symptoms, its presence or absence must be confirmed by a thorough examination.

3. If a defect is confirmed and appears to be a cause for concern, it must be measured and the strength of the remaining part of the tree evaluated.

A tree is a self-optimising mechanical structure (Mattheck and Breloer 1994) - a generating system which reacts to mechanical and physiological stresses by growing more vigorously to re-enforce weak areas, while depriving less stressed parts. This precept is described by Claus Mattheck as the axiom of uniform stress. An understanding of the axiom of uniform stress allows an Arborist to make informed judgements about the condition of a tree. Claus Mattheck introduced a biomechanical based system of visual tree assessment (VTA), which uses the reactive nature of tree growth. The basis behind VTA is the identification of symptoms, which the tree produces in reaction to a weak spot, or area of mechanical stress.

Although, Claus Mattheck stresses the limitations of this system by saying; "We can use VTA to state to what extent a defective tree is at greater risk of breaking, compared with a completely sound one. However, since nature's principle of lightweight structures allows a natural failure rate to occur even without defects, there can be no absolute guarantee of safety." It is essential that any arborist using VTA has a broad range of experience of different tree species, as individuals and in groups, to enable them to make informed and reasoned decisions about 'tree safety'.

S.U.L.E

Safe. Useful. Life. Expectancy. (S.U.L.E).

In a planning context, the time a tree can expect to be usefully retained is the most important long-term consideration. S.U.L.E is a system designed to classify trees into a number of defined categories so that information regarding tree retention can be concisely communicated in a non technical manner.

S.U.L.E. categories are easily verifiable by experienced personnel without great disparity.

A tree's S.U.L.E category is the life expectancy of the tree modified first by its age, health, condition, safety and location (to give safe life expectancy), then by economics (ie: cost of maintenance; retaining trees at an excessive management cost is not normally acceptable), effects on better trees, and sustained amenity (ie: establishing a range of age classes in a local population).

S.U.L.E. assessments are not static but may be modified as dictated by changes in tree health and environment.

Trees with low S.U.L.E. may at present be making a contribution to the landscape but their value to the local amenity will decrease rapidly towards the end of this S.U.L.E., prior to their being removed for safety or aesthetic reasons.

(Adapted from Barrell (1993 and 1995).

QTRA

Quantified Tree Risk Assessment (QTRA)

Tree safety management is a matter of limiting the risk of significant harm from tree failure whilst maintaining the benefits conferred by trees.

The Quantified Tree Risk Assessment (QTRA) system applies established and accepted risk management principles to tree safety management. Firstly, the targets (people and property) upon which trees could fail are assessed and quantified, thus enabling tree managers to determine whether or not and to what degree of rigour a survey or inspection of the trees is required. Where necessary, the tree or branch is then considered in terms of both impact potential (size) and probability of failure. Values derived from the assessment of these three components (target, impact potential and probability of failure) are combined to calculate the probability of significant harm occurring.

3.2 Site Visit

A site visit was conducted on 30 November 2010.

The Tree located at 10 Somerset Street (a mature *Eucalyptus grandis*) was inspected from adjoining neighbour's property as permission to enter the property had not been granted. This tree is situated at the rear north eastern boundary of the property approximately one metre from both boundary lines. Inspection viewpoints from 10 Somerset Street and 3 Avon Court enabled a complete view of the trunk and base.

The second tree inspected is located at 12 Somerset Street and is at the rear north eastern boundary of the property approximately one metre from both boundary lines.

All observations were from ground level.

3.3 Findings

Tree 1.

Mature *Eucalyptus grandis* located at 10 Somerset Ct

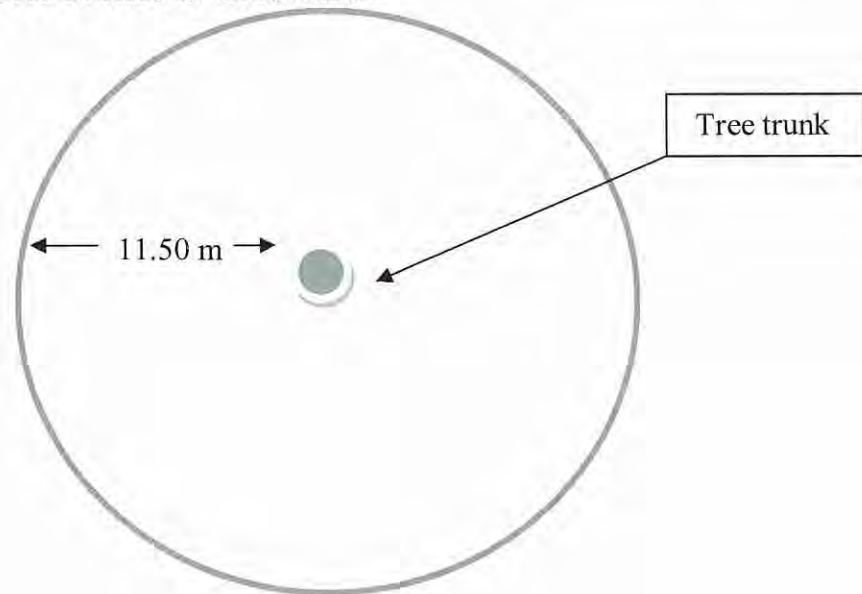
40 -45 year old specimen displaying excellent vigour as evident in leaf percentage, colour and size - with consistent new wood throughout the crown. No exaggerated soil heave around the base. Trunk displaying consistent tapering with no signs of wind checking. Displaying normal sequenced limb shedding with good callusing at past limb attachment points. No problems identified with limb unions.

No visible evidence of longicorn beetle or viral lesions.

Erect and spreading crown with 80/20 % distribution of limbs on the north south axis respectively (see Photo in Annexure). This situation has been caused from phototropism with shading out from neighbouring trees.

DBH	960mm
Height	28m
Spread	18m
Shape	Vertical canopy
Leaf %	100%, size and shape normal
Trunk irregularities	Good taper
Condition % dead wood	less than 1 %
SU.L.E.	50 +

Indicative diagram for Tree Protection Zone requirements . See Annexure for Tree Protection Guidelines.



Conclusions

This tree has good trunk taper and sound limb attachments that under normal circumstances are considered structurally sound. Lean and canopy imbalance will not lead to instability. Large limbs may be an issue in the future. This is a good example of *E. grandis* with an excellent SULE rating.

Recommendation

The tree will require pruning to contain the crown over the years. This pruning would be specified to reduce lateral canopy extensions, or removal of redundant limbs within the crown.

Due to proximity to homes an inspection every year is advisable.

Tree 2.

Mature Eucalyptus tereticornis located at 12 Somerset Ct

40-45 year old specimen displaying poor vigour as evident in leaf percentage, declining limbs without new growth extensions and extensive failure of branches in every limb within the crown. Old wounds displaying minimal callusing wood. No exaggerated soil heave around the base. Heavy trunk lean with a slightly bulbous base. Investigation disclosed a hollow area of 26 cm. Ganoderma fruiting bodies found at the base of the tree (see annexure for photo). Canopy structure is without balance from severe pruning and historical limb drop The tree is growing at an angle with the majority of the tree crown overhanging adjoining properties.

DBH	<i>430mm</i>
Height	<i>17m</i>
Spread	<i>10m</i>
Shape	<i>Irregular canopy</i>
Leaf %	<i>90%, size and shape normal</i>
Trunk irregularities	<i>Poor balance - uneven</i>
Condition % dead wood	<i>2 % large</i>
SU.L.E.	<i>Less than 2 years</i>

Conclusions

Tree has declined to a point considered to be mortality spiral and efforts to retain this specimen would be futile.

Recommendation

Remove the tree to ground level. Stump removal if required - due to the close proximity to the sewer the most appropriate method would be stump grinding.

3.4 Assessment of the significance of the tree located at 10 Somerset Street, Alexandra Hills in relation to the Council's Local Law 6 – Protection of Vegetation for Vegetation Protection Orders.

Applicable definition indicated on the submitted VPO application forms (Form 21) for this tree:

- H: A significant 'habitat' for native animals (including native or migratory birds) or part of a fauna or flora corridor.
The significance of this tree as Habitat for native animals (eg koalas) would be best considered in context with the site. There are other large E.grandis on site and koala food trees on neighbouring properties that are also contributing to this corridor.
- N: Important for its age, height, trunk circumference or canopy spread.
The height and trunk circumference would be considered normal features for this species.
- R: Important in the context of the objectives of the State or Local Government planning, land management and environmental management policies and initiatives.
All Eucalyptus trees are considered important under the State and Local Government planning, land management and environmental management policies and initiatives. Refer to Council's Koala Policy, State Governments Nature Conservation (Koala) Conservation Plan as well as the Koala SPRP

Points to consider in relation to retention of the tree in close proximity to dwellings:

- The Eucalyptus grandis is an emergent Forest tree growing to 50 meters in height and in its natural setting has a proven historical growth behaviour of 'shedding limbs'.
- The tree will require pruning to contain the canopy over the years. This pruning would be specified to reduce lateral canopy extensions, or removal of redundant limbs within the canopy.
- Is the tree considered to be a 'safe distance' from dwellings? 'Safe Distance' can be renamed 'Reasonable risk' under the QTRA system of Hazard Assessment. This is a combination of building location, and tree health at the time of assessment. A living tree is a dynamic organism that needs specific environmental conditions to continue healthy, stable growth and is subject to episodic stochastic events and natural occurrences beyond control of the

assessors. The tree being maintained and inspected so as to provide a 'Duty of Care' to those residents living in close proximity to the tree is the primary action for retention.

Disclaimer

Reports are prepared assuming the person making the request has good title and ownership, legitimacy of purpose, the authority to grant access and/or engage service.

This report is prepared with reasonable care. To the extent permitted by law, the author accepts no responsibility for any loss or damage sustained by a recipient as a result of acting on its recommendations.

The author can neither guarantee nor be responsible for the accuracy of information in this report provided by others.

Information provided in a verbal or written report covers only those items examined. It reflects their condition at the time of inspection only.

Unless otherwise specified, inspection is limited to visual inspection from ground level without dissection, excavation, drilling, physical or nutritional analysis or quantification of structural integrity. No responsibility is accepted for the consequences of internal or sub-surface defects which present no discernible external symptoms.

The report shall not be used for any other purpose or conveyed externally in whole, part or meaning without the prior written consent of the author.

Sketches, diagrams, graphs and photographs used as visual aids are not necessarily to scale. Unauthorised alteration or separate use of any part of the report is prohibited and invalidates the whole report.

In order to achieve intended outcomes, any works recommended by Landzone Regional Ecosystem Services are to be carried out by appropriately qualified persons and in compliance with relevant industry and Australian Standards.

The author accepts no responsibility for the consequences of work performed outside specification, by inappropriately qualified staff or without consultant supervision where it has been recommended.

The conclusions reached and recommendations made do not imply that plants, built landscape or structures will withstand future adverse natural or man-made conditions.

There is no warranty or guarantee that problems, deficiencies, faults or failures of plants or property inspected may not arise in the future. Regular re-inspection will be required to identify emerging disorders.

Copyright

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Landzone Staff Qualifications and Experience

- 1. Qualifications:**
Diploma Arboriculture
ISA Certified Arborist 0046a

2. Relevant and Practical experience:

12 years as a practising arborist in South East QLD.
Member of the QLD Arboricultural Association.
Member of the International Society of Arboriculture.

Annexure

Photo from the eastern side showing crown shape of Tree 1.



Photo depicting ganoderma within hollow of Tree 2.



Tree Protection Zone Guidelines

Keeping construction activities and trees separated is the cheapest and easiest way to prevent damage and stress on trees. Most trees will survive in a construction site if they can be kept separated from construction activities. The most successful method of tree protection is the installation of Tree Protection Zones.

1.0 PRE CONSTRUCTION:

1.1 Prior to the commencement of construction the consulting Arborist will issue a statement outlining the following:

- a. The maintenance activities for the trees have been performed.
- b. That the required protective fencing has been installed in accordance to the TPZ Guidelines
- c. A statement that the physical protection of the trees has been performed, if not, any non-conformances and why. e.g. tree removal contractors require access to perform tree removal for a tree within a protected grove of trees.

2.0 TREE PROTECTION ZONES

2.1 The trees are to be protected by a 1.8 metre high fence (see Fencing for Specifications) to be constructed to include the minimum distance as per the Tree Protection Zone

2.2 Where Tree Protection Zones occur on adjacent properties fencing will stop at the boundary lines.

2.3 Provision may be made if needed to the protection zones for pedestrian access only.

2.4 Prohibited Activities within TPZ:

- a) Entry of machinery or people.
- b) Storage of building materials.
- c) Parking of any kind.
- d) Erection or placement of site facilities.
- e) Removal or stockpiling of soil or site debris.
- f) Disposal of liquid waste including paint and concrete wash.
- g) Excavation or trenching of any kind (including irrigation or electrical connections).
- h) Attaching any signs or any other objects to the tree.
- i) Placing of waste disposal or skip bins.
- j) Pruning and removal of branches, except by a qualified Arborist.

3.0 SOIL AMELIORATION

3.1 An application of rooting hormones, humic acids, soil microflora and mycorrhizae **may be** required to be applied by an Arborist .

3.2 Chemical fertilizers are only to be used at the discretion of the Arborist

4.0 MULCHING

4.1 The fenced area will be mulched with seed free aged mulch no deeper than 100 mm.

No mulch should be touching the trunk and a 150mm void between mulch and trunk would be acceptable.

Mulch is to be of a standard as directed by the Arborist

5.0 WEED CONTROL

5.1 Weed control shall be by hand pulling, or otherwise specified by the Arborist.

5.2 Pesticides are only to be used at the discretion of the Arborist

6.0 FENCING

The fence surrounding the Tree Protection Zones can be of either the following as directed by the consulting Arborist.

- a) A rigid chain meshed panels not less than 1.8m high - self-supporting with either concrete bases or metal plates with holes to enable staking.
- b) A 1.2m high red hazard tape drawn between Star pickets that are no further than 4m apart.

Groups of trees with overlapping TPZs may be included within a single protection area.

These areas must be defined before machinery is on site, however may be erected after tree maintenance activities including all tree work and mulching is completed. Movement of the fence is strictly prohibited at all times.

At times both types of fencing might be used on the same site for different reasons. Directions for fence type will be in job documentation.

7.0 SIGNS

7.1 Signs are to be attached to all tree protection fencing , a minimum of 600mm x 600mm, bearing the following phrase in red letters on white background at least 50mm in height:

“TREE PROTECTION ZONE”

Entry Prohibited

8.0 NON-CONFORMANCE

8.1 The following are non-conformances that need to be managed if and when they occur:

- The removal or relocation closer to the tree of all or part of any protective fence prior to landscaping within the TPZ Guidelines.
- The performing of any activity noted as prohibited on protection zone signage
- Mechanical damage to the trunk, stems, branches or retained roots.
- The sudden and abnormal or premature shedding or decline of the tree.

9.0 POST CONSTRUCTION

9.1 Barriers removed and mulching beds are to remain.

Inspection by an Arborist with follow up work if required.

NOTICES-PUBLIC



Public Notification of Interim Vegetation Protection Order

The Redland City Council has made a Vegetation Protection Order ("VPO") under Local Law 6, Protection of Vegetation. The VPO has been made to protect significant vegetation, namely a mature *Eucalyptus grandis*.

- A) The *Eucalyptus grandis* is considered significant vegetation and that it is appropriate to protect it under a VPO because it provides:
 - h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
 - i) important for its age, height, trunk circumference, or canopy spread;
- B) It is an offence under Local Law 6 to damage vegetation protected by a VPO, unless the damage is specifically permitted by the Local Law or Redland City Council. Damage to vegetation includes destruction of the vegetation or interference with its natural growth including, cutting, lopping, poisoning, injuring, maiming or destroying. This supports Council's vision to protect, maintain and rehabilitate environmental values and biodiversity.
- C) Any person is invited to make a written submission for or against the Vegetation Protection Order to Redland City Council. Submissions must be related to whether the order is justified and consistent with this law.
- D) Submissions must:
 - detail the grounds on which the order is supported or opposed
 - be signed by, and contain the name and address of the person making the submission.
- E) Submissions can be made via the online submission form found at www.redland.qld.gov.au or in writing to Council at PO Box 21, Cleveland, Qld 4163. All submissions must be received by or no later than the close of business on Friday 5 August, 2011.

An interim Vegetation Protection Order has been placed on the *Eucalyptus grandis* tree and remains in force for 6 months pending Council resolution to confirm, modify or revoke the Vegetation Protection Order.

Local Law	6	Application No.	VPO00021
Owner	[REDACTED]		
Legal Description	Lot 718 RP 118114		
Primary Property Address	10 Somerset Street Alexandra Hills QLD 4161		
Adjoining Owner and Property	[REDACTED]		
Adjoining Owner and Property	3 Avon Court Alexandra Hills Qld 4161		
Adjoining Owner and Property	10 Somerset Street Alexandra Hills QLD 4161		
Trigger for Application	Community member		
Effective (meeting) date of VPO	29/06/2011	Expiry date of Interim VPO	29/12/2011
Description	Eucalyptus grandis located at 10 Somerset Street Alexandra Hills		
Significance	Local Law 6 Part 1 Section 3 h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or i) important for its age, height, trunk circumference, or canopy spread;		
Notes	Exemptions under Subordinate Local Law Policy No.6 Section b (eg 3 and 10 metre rules), do not apply. Permits are required.		

PO Box 21, Cleveland Qld 4163
Tel 07 3829 8999 Fax 07 3829 8765
www.redland.qld.gov.au



(PWA 240711)

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OLDFIELD HOLDEN

103 REDLAND BAY RD, CAPALABA. 3245 2200 www.oldfieldholden.com.au

COMMUNITY LINKER

Staffing Options is seeking a **Disability Support Worker** in the Capalaba area to assist a young woman access the community.

Applicants must be experienced, have or be willing to obtain a current First aid Certificate.

Phone and car essential.

Phone Linda on 07 3254 1000

EEN's & Activities Officer (1)

Mandalay Retreat, a leading Aged Care Facility, requiring staff who enjoy caring for the elderly. You will also have good communication skills, enjoy working with our remarkable team, and be flexible with working hours.

We require from you:

- A current EEN registration or
- Certificate IV in leisure and lifestyle
- A current police check or blue card
- Ability to be flexible within the roster

Please send resume to cally@mandalaycare.com.au

Environmental Operator

Must have the following:

- Minimum 2 years exp in weed spraying in sensitive areas & control methods
- Minimum Cert 111 in Conservation Land Management or equivalent
- Current ACDC ticket and DL
- Blue Card
- Sound knowledge of weeds and natives

Contact: 1300 138 096 or email resume to: austcareenviro@bigpond.com.au

POSITIONS VACANT



DIESEL MECHANICS WANTED

Karremen Quarries is looking for qualified diesel mechanics to carry out services and repairs on our fleet of Mack trucks and range of earthmoving plant and equipment.

Experience in either Mack truck maintenance and earthmoving plant & equipment repairs is preferred.

The hours are long (12 per day) and you will be required to work on Saturdays up until at least 2pm. In return you will be rewarded accordingly and you will also enjoy the benefits of a new modern workshop.

Karremen Quarries can also offer a stable and secure work environment.

Please forward resume and covering letter to shane@karremen.com.au or mail to PO Box 716, Cleveland, 4163.



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We require new staff for our store in Capalaba in the following positions:

- Shift Supervisors
- In Store Team Members
- Delivery Drivers

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Send your cover letter and resumé to: jobs@eagleboys.com.au (Please include the store name in subject header)

Applications Close:
Saturday 23rd July 2011

Due to the large number of Applicants, only successful Applicants will be contacted.

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We are seeking an experienced courtesy bus driver with full availability on a casual basis. Experience in other departments an advantage therefore RSA & RSG certificates are required.

Email resumes to donna@rsc.asn.au or hand in at Reception.



Applications close 25 July and only those successful in obtaining an interview will be contacted.

Previous applicants need not apply!

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Our Capalaba office is conveniently located at Sarina Russo Square, 38 Redland Bay Road. Contact Mel on 3843 8700 or visit www.crsaaustralia.gov.au to find out more.

*Eligibility criteria apply



Power Steering Rebuilder

We have a position available for workshop staff in our power steering section. Ideally, we require an individual who has a mechanical background or experience in power steering. This is a full time position, Monday to Friday. Immediate start. Salary negotiable.

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We require an additional salesperson to join our sales team. We need an individual familiar with the automotive trade, whether you are an experienced motor mechanic or an experienced salesperson looking for a change. This position is full-time 8.00am - 5.00pm Monday to Friday.

If you have a positive attitude and want to be part of a growing business please send your application detailing your experience to info@bhss.com.au or call

BHSS-TBS on 3620 6522.





Redland
CITY COUNCIL

08 July 2011

Redland City Council
ABN 86 058 929 428
Cnr Bloomfield & Middle Sts.
Cleveland Qld 4163
PO Box 21,
Cleveland Qld 4163
Telephone 07 3829 8999
Facsimile 07 3829 8765
Email rcc@redland.qld.gov.au
www.redland.qld.gov.au

Your Ref:
Our Ref: VPO000021
Contact: Environmental Management



Dear 

**Interim Vegetation Protection Order over the *Eucalyptus grandis* at 10 Somerset Street
Alexandra Hills**

This is to notify you that on the 29th of June 2011, Council voted to place an interim vegetation protection order on the mature *Eucalyptus grandis* at the rear of your property. This means that any further trimming of the tree will require a permit from Council.

The tree has been selected for protection for the following reasons. It is:

- h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or*
- n) important for its age, height, trunk circumference, or canopy spread; or*


Council has a requirement that when a VPO is placed on a tree, the owner must be notified and given the opportunity to provide a submission on the listing of the tree. We welcome your submission in regards to the potential listing of the tree.

As per Local Law 6, submissions may be made for or against the Vegetation Protection Order in relation to whether the order is justified and consistent with this law. The submission must detail the grounds on which the order is supported or opposed, be signed by and contain the name and address of the person making the submission and be received by Council at PO Box 21, Cleveland, Qld 4163, or alternately you can access the online submission form found at www.redland.qld.gov.au no later than the close of business on Friday 5 August, 2011.

The interim Vegetation Protection Order on the tree remains in force for 6 months, pending Council resolution to confirm, modify or revoke the Vegetation Protection Order in light of public submissions and expert report on the tree.

If the Vegetation Protection Order is confirmed, its location, species, and details of its management requirements will be recorded and details will be publicly available. It also means that this valuable part of the City's natural heritage is protected for posterity.

If you wish to discuss any matters in related to the vegetation protection order, please call me on 3829 8961.

Yours sincerely 



Candy Daunt
Advisor – Habitat Protection
Environmental Management



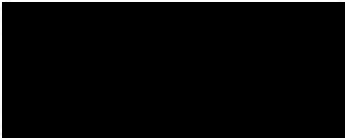


Redland
CITY COUNCIL

Redland City Council
ABN 86 058 929 428
Cnr Bloomfield & Middle Sts.
Cleveland Qld 4163
PO Box 21,
Cleveland Qld 4163
Telephone 07 3829 8999
Facsimile 07 3829 8765
Email rcc@redland.qld.gov.au
www.redland.qld.gov.au

08/07/2011

Your Ref: 10 Somerset Street Alexandra Hills
Our Ref: VPO000021
File No: 7710
Contact: Environmental Management



Dear [REDACTED]

Interim Vegetation Protection Order over the *Eucalyptus grandis* tree located at 10 Somerset Street Alexandra Hills

This is to notify you that mature *Eucalyptus grandis* located on the property of 10 Somerset Street Alexandra Hills has been placed with an interim vegetation protection order by Council. On the 29th of June 2011, Council voted to place an interim VPO on this eucalyptus tree, which means that any further trimming of the tree will require a permit from Council.

The tree has been selected for protection for the following reasons. It is:

- h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
- n) important for its age, height, trunk circumference, or canopy spread;

Council has a requirement that when a Vegetation Protection Order is placed on a tree, the community is notified and are given the opportunity to provide a submission on the listing of the tree.

As per Local Law 6, submissions may be made for or against the Vegetation Protection Order in relation to whether the order is justified and consistent with this law. The submission must detail the grounds on which the order is supported or opposed, be signed by and contain the name and address of the person making the submission and be received by Council at PO Box 21, Cleveland, Qld 4163, or alternately you can access the online submission form found at www.redland.qld.gov.au no later than the close of business on Friday 5 August, 2011.

The interim Vegetation Protection Order on the tree remains in force for 6 months, pending Council resolution to confirm, modify or revoke the Vegetation Protection Order in light of public submissions and expert report on the tree.

If the Vegetation Protection Order is confirmed, its location, species, and details of its management requirements will be recorded and details will be publicly available. It also means that this valuable part of the City's natural heritage is protected for posterity.

If you wish to discuss any matters in related to the vegetation protection order, please call me on 3829 8761.

Regards

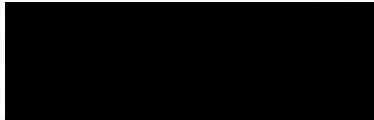


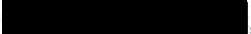
Candy Daunt
Advisor – Habitat Protection
Environmental Management



08/07/2011

Your Ref: 10 Somerset Street Alexandra Hills
Our Ref: VPO000021
File No: 7710
Contact: Environmental Management



Dear ,

Interim Vegetation Protection Order over the *Eucalyptus grandis* tree located at 10 Somerset Street Alexandra Hills

This is to notify you that mature *Eucalyptus grandis* located on the property of 10 Somerset Street Alexandra Hills has been placed with an interim vegetation protection order by Council. On the 29th of June 2011, Council voted to place an interim VPO on this eucalyptus tree, which means that any further trimming of the tree will require a permit from Council.

The tree has been selected for protection for the following reasons. It is:

- h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
- n) important for its age, height, trunk circumference, or canopy spread;

Council has a requirement that when a Vegetation Protection Order is placed on a tree, the community is notified and are given the opportunity to provide a submission on the listing of the tree.

As per Local Law 6, submissions may be made for or against the Vegetation Protection Order in relation to whether the order is justified and consistent with this law. The submission must detail the grounds on which the order is supported or opposed, be signed by and contain the name and address of the person making the submission and be received by Council at PO Box 21, Cleveland, Qld 4163, or alternately you can access the online submission form found at www.redland.qld.gov.au no later than the close of business on Friday 5 August, 2011.

The interim Vegetation Protection Order on the tree remains in force for 6 months, pending Council resolution to confirm, modify or revoke the Vegetation Protection Order in light of public submissions and expert report on the tree.

If the Vegetation Protection Order is confirmed, its location, species, and details of its management requirements will be recorded and details will be publicly available. It also means that this valuable part of the City's natural heritage is protected for posterity.

If you wish to discuss any matters in related to the vegetation protection order, please call me on 3829 8761.

Regards,



Candy Daunt
Advisor – Habitat Protection
Environmental Management



Resolution Memo

To Daniel Carter – Senior Advisor, Natural Environment

From Office of Chief Executive Officer

Date 1 July 2011

Dataworks File L & E Local Law No 06 – Vegetation Protection

Subject **ECONOMIC DEVELOPMENT CONTRACTS**

General Meeting Minutes of 29 June 2011, Item No. 13.3.1 refers.

The following is the resolution on this item.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

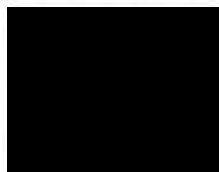
Moved by: Cr T Bowler

Seconded by: Cr M Elliott

1. To make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation' on the identified Eucalyptus trees as described in application VPO 16, VPO 17, VPO 19 and VPO 21;
2. To make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation', on the identified significant trees on the south east property adjacent to VP17, subject to site inspection; and
3. That damage to the vegetation is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.

CARRIED (en bloc)

This is now forwarded to you for action in accordance with the resolution.



Gary Stevenson
Chief Executive Officer

**Interim Vegetation Protection Order
Extract Of Minutes
Planning and Policy Committee 08 June 2011
General Committee 29 June, 2011**

VPO Application: VPO000021

VEGETATION PROTECTION ORDER VPO 16, 17, 19 AND 21

Dataworks Filename: L&E Local Law No 06 - Vegetation Protection

Attachments: [Attachment 1 VP 16 17 19 21](#)
[Attachment 2 VP 16 RedEmap Location Map](#)
[Attachment 3 VP 17 and VP 21 RedEmap Location Map](#)
[Attachment 4 VP 19 RedEmap Location Map](#)

Responsible Officer: Daniel Carter
Senior Advisor Natural Environment

Author: Candy Daunt
Advisor Habitat Protection

EXECUTIVE SUMMARY

The owners of the property identified in VPO 16, VPO 17 and VPO 19 have applied for a Vegetation Protection Order for:

VPO 16 – one *Eucalyptus*
VPO 17 – various *Eucalyptus*
VPO 19 – various *Eucalyptus*

A Council officer has applied for a Vegetation Protection Order VPO 21 for one *Eucalyptus Tereticornis*.

This report outlines the rationale and considerations for the proposed Interim Vegetation Protection Orders for the identified trees.

PURPOSE

That Council resolve to make an Interim Vegetation Protection Order under the provision of Local Law 6 “Protection of Vegetation” on the *Eucalyptus* species identified VPO 16, VPO 17, VPO 19 and VPO 21.

BACKGROUND

- Redland City Council’s Local Law 6 (Protection of Vegetation) provides for the protection of vegetation through Vegetation Protection Orders.

- The owner of the property lodged an application for a VPO (17) on the 20th of April, 2010
- The owner of the property lodged an application for a VPO (16) on the 24th of April, 2010
- The owner of the property lodged an application for a VPO (19) on the 15th of July, 2010
- A Council Officer lodged an application for a VPO 21 on the 30th of September, 2010

ISSUES

Any person may apply to have a Vegetation Protection Order (VPO) placed on vegetation on private land. Local Law 6, 'Protection of Vegetation' provides the power for Local Government to make VPOs for 'significant vegetation', (as defined by Local Law 6) on private land. This request is assessed by Council and by resolution an interim VPO is placed upon the vegetation for a period of six months. Within this period, the requirements for establishing a VPO can be undertaken. This includes public notification and the consideration of submissions and an expert report. Council may then confirm the VPO.

GROUNDINGS FOR THE VEGETATION PROTECTION ORDER (VPO 16)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The owners in their application (VPO 16) have stated the grounds for the application are:

- b) a significant part of a vegetation system or other ecological system; or
- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- i) a significant part of a vegetation system or other ecological system; or
- m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives.

GROUNDINGS FOR THE VEGETATION PROTECTION ORDER (VPO 17)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The owner in her application (VPO 17) has stated the grounds for the application are:

- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives.

GROUNDINGS FOR THE VEGETATION PROTECTION ORDER (VPO 19)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The owner, in his application (VPO 19) has stated the grounds for the application are:

- a) a valuable part of the natural heritage of the area; or
- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- n) important for its age, height, trunk circumference, or canopy spread; or
- q) important as a buffer zone adjacent to areas of conservation significance.

GROUNDS FOR THE VEGETATION PROTECTION ORDER (VPO 21)

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The Council officer in her application (VPO 21) has stated the grounds for the application are:

- h) a significant habitat for native animals (including native or migratory birds) or part of a fauna and flora corridor; or
- n) important for its age, height, trunk circumference, or canopy spread;.

Subordinate Local Law No. 6 permits damage to protected vegetation under the following circumstances:

- if the damage is:
 - within ten (10) metres of a constructed dwelling house lawfully in existence at the date of commencement of this Local Law;
 - within three (3) metres of a building or structure (other than a dwelling or fence) or the foundations of a building or structure (other than a dwelling or fence) lawfully in existence at the date of commencement of this Local Law;
 - within three (3) metres of the site of a proposed building or structure (other than fence) in respect to which a development permit or preliminary approval has been granted under the provisions of the Integrated Planning Act 1997 (as amended from time to time) to the carrying out of work pursuant to the provisions of the Building Act 1975 and Standard Building Local Laws as amended from time to time;
 - within three (3) metres of the boundary between land under separate ownership and is reasonably necessary for erecting or maintaining a dividing fence;
 - within three (3) metres of the boundary between land under separate ownership and is reasonably necessary for a survey of the boundary by a registered surveyor;
 - within three (3) metres of the boundary between land under separate ownership and is reasonably necessary to establish or maintain a fire break;

except where a vegetation protection order has been declared for the express purpose of protecting such vegetation.

Therefore, it would be a condition under the Vegetation Protection Order that damage to the trees is only permitted under Section 27 (J) "if the damage is allowed under a permit issued by Council under the provisions of this Local Law".

Strategic Approach

The vegetation protection order applications are not inconsistent with Council's current strategic approach of broader protection of urban trees within the City.

It should also be noted that Development and Community Standards arborist will be processing all new vegetation protection order applications.

Notice of Order

If Council resolve to begin action to protect the vegetation, the owner of the land and adjacent land owner if applicable, will need to be given written notice of the Order. In addition, public notice of the Order must be advertised in the local newspaper. One requirement of the notice is to invite submissions for or against the Order.

Expert Report

An expert report must be undertaken within the six month interim VPO period. This report will assess the vegetation against the criteria as well clearly identifying and locating, via GPS, the vegetation to be protected.

RELATIONSHIP TO CORPORATE PLAN

1. Healthy natural environment

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

- 1.1 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

5. Wise planning and design

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

- 5.10 Maintain the quality and liveability of residential areas and protect natural resources

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated to account number 70662.305.0034.821601.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has been undertaken with Environmental Management, Environmental Assessment and the property owners for VPO 16, 17 and 19. All parties are supportive of the recommendation.

OPTIONS

Preferred

1. To make an Interim Vegetation Protection Order under the provisions of *Local Law 6 'Protection of Vegetation'* on the identified *Eucalyptus* trees as described in applications VPO 16, VPO 17, VPO 19 and VPO 21 ; and
2. That damage to the vegetation is only permitted under *Section 27 (J)* 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.

Alternative

That Council resolve **not** to make an Interim Vegetation Protection Order under the provisions of *Local Law 6 'Protection of Vegetation'* on the identified *Eucalyptus* trees as described in applications VPO 16, VPO 17, VPO 19 and VPO 21.

OFFICER'S RECOMMENDATION

That Council resolve:

1. To make an Interim Vegetation Protection Order under the provisions of *Local Law 6 'Protection of Vegetation'* on the identified *Eucalyptus* trees as described in application VPO 16, VPO 17, VPO 19 and VPO 21 ; and
2. That damage to the vegetation is only permitted under *Section 27 (J)* 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.

Interim Vegetation Protection Order



Is the vegetation presently protected by

Vegetation Protection Order Interim Full
 Tree Protection Order

RECEIVED
30 SEP 2010
RMU FROM
CUST SERVICE

If the vegetation is protected by any of the above, contact Environmental Management Officer

Information

Interim vegetation protection orders can be made under Section 14 of Local Law No. 6 'Protection of Vegetation'. To do this, information must be gathered which identifies the person making the application, the vegetation to be protected and its whereabouts and the grounds on which the vegetation protection order is to be made. The vegetation may be a single tree, a group of trees or a larger wooded area.

Applicant Details

Title (Mr) (Mrs) (Ms) (Miss) Surname: [REDACTED] Given name: [REDACTED]
Residential address: [REDACTED] Postcode: [REDACTED]
Phone (H): _____ Phone (W): [REDACTED] Phone (M): _____
E-mail address: _____
Signature: [REDACTED]
Are you the owner? Yes No

Property Details

Property number: 13073 Land number: 117637
Property address: 10 SOMERSET ST ALEX HILLS
Lot number: 718 Plan number: RP 118114

The Vegetation

Is the vegetation a single tree or a group of trees that are of the same species? Yes No ?

What is the common name of the vegetation? (scientific name if known.) EUCALYPTUS ?
What is the height of the vegetation? (metres) 20-25m
What is the diameter of the vegetation at breast height? (cm) APPROX 90CM

Does the vegetation have habitat values? (does it provide food through flowers, leaves or fruit/provide shelter particularly hollows?) Yes No
Is the vegetation used by koalas for food or shelter? Yes No
Does the vegetation show signs of stress or disease? Yes No ?

Is the vegetation a group of trees of more than one species or a larger wooded area? Yes No ?

What is the common name of the vegetation? (scientific name if known) _____
What is the height of the vegetation? (metres) _____
What is the typical diameter of the vegetation at breast height? (cm) _____

Does the vegetation have habitat values? (does it provide food through flowers, leaves or fruit and does provide shelter particularly hollows?) Yes No

Natural Area Management

Grounds for Protection of the Vegetation

The grounds on which a vegetation protection order is made must be stated in the Vegetation Protection Order. (VPO)

The grounds must be consistent with the objects of Local Law No.6 Protection of Vegetation. In particular, the Vegetation Protection Order must protect significant vegetation. Significant vegetation is described in s3 (a-s) Definitions.

Please indicate applicable definition:

- a) a valuable part of the natural heritage of the area; or
- b) an example of a rare or threatened species or a species that may be, or may be about to become, a rare or threatened species; or
- c) a valuable scientific resource; or
- d) a valuable source of propagating stock or of other horticultural value; or
- e) of historic significance because of its association with an important historical event or the commemoration of an important historical event, whether of local, regional, state or national significance; or
- f) of cultural significance because of its significance in Aboriginal rituals, religious observance or legend;
- g) a valuable educational or recreational resource; or
- h) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
- i) a significant part of a vegetation system or other ecological system; or
- j) important for maintaining the life-supporting capacities of ecological systems for present and future generations; or
- k) important for protecting a water catchment area; or
- l) important for its support for natural or artificial landforms such as drainage lines, watercourses, bodies of water, foreshores, slopes or unstable and erodible soils; or
- m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or
- n) important for its age, height, trunk circumference, or canopy spread; or
- o) important for its unique contribution to the landscape; or
- p) a visual buffer against unsightly objects or a buffer against pollutants, light spillage, noise or other factors that have an adverse effect on the environment; or
- q) important as a buffer zone adjacent to areas of conservation significance; or
- r) important in the context of the objectives of State or Local Government planning, land management and environmental management policies and initiatives; or
- s) significant for such other reason as may be prescribed by local law policy.

Additional Information - if applicable

Applicant Checklist - provide photographs of the vegetation and attach to this document.

- Attach a site plan of the property showing street names, suburb and location of vegetation to be protected.
- Attach an aerial photograph of the property showing buildings adjacent to the vegetation.
- Attach most recent development approvals and subdivision plans. Reference number: _____
- How is the property zoned in the Redlands Planning Scheme? URBAN RESIDENTIAL
- Which Council division is the property in and what is the name of the Councillor?
Division: 7 Councillor: CR MURRAY ELLIOTT

Site Plan of Property – Please provide a sketch showing the map direction, street name, location of the vegetation to be protected in relation to other features such as buildings, fences, adjoining properties, driveways etc.

REDEMAP PLAN
ATTACHED

Office Use Only

Name of Council officer : _____

Position: _____

Phone (W) _____ Phone (M): _____

Email _____

Did you identify other affected blocks? Yes

No

Is the applicant the property owner? Yes

No

Application number: VPO 000021

Date: 29/9/10

Natural Area Management

Enquires contact Environmental Management Group (07) 3829 8961 Fax: 3829 8222
Redland City Council PO Box 21 Cleveland Qld 4163



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Red-e-map Plot

Legend

- Road Names
- Current Land
- Suburbs
- Outline of Redland City
- Adjoining Local Authorities

2008 Mainland Photos

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

2008 Bay Island Photos

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

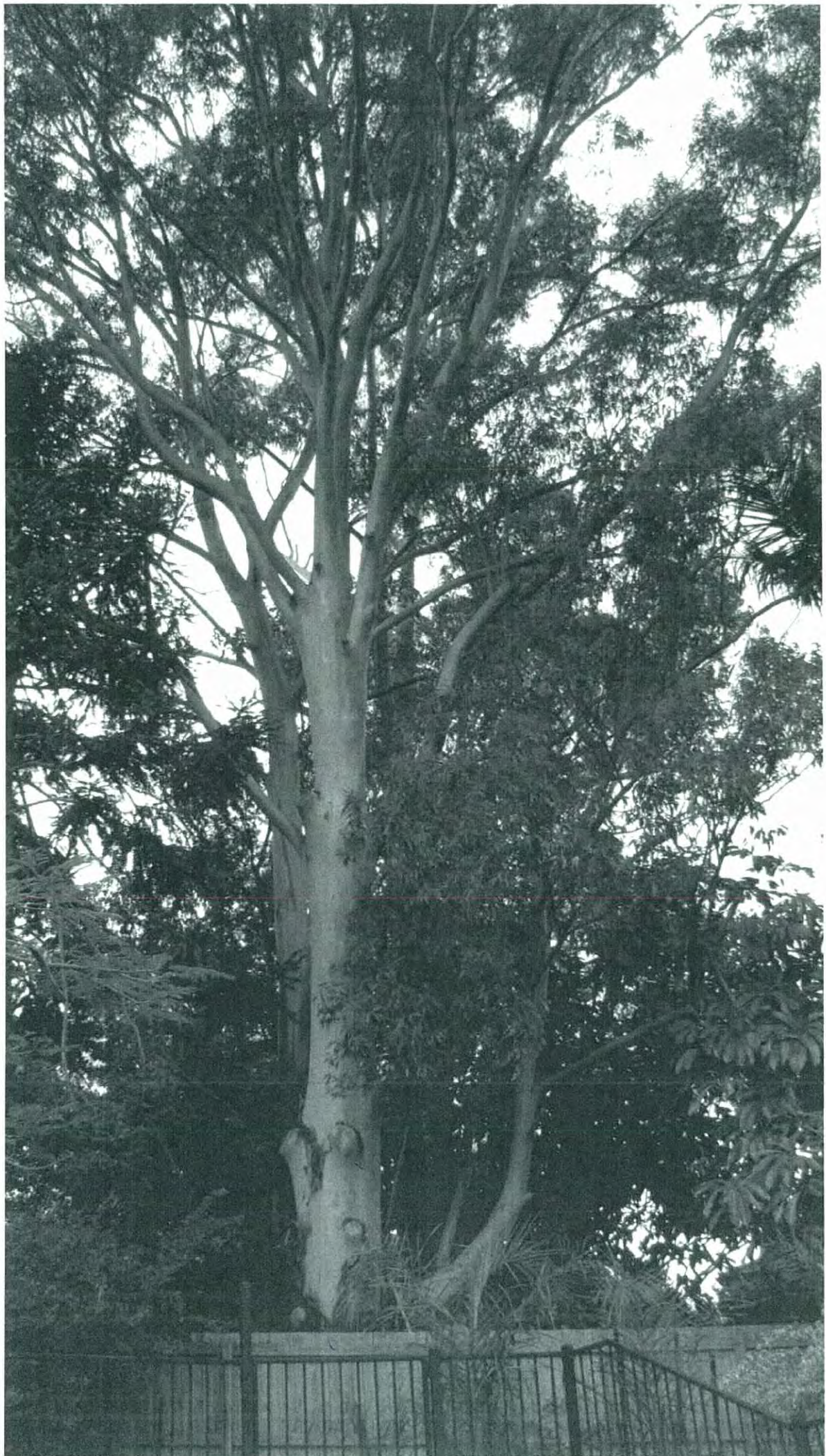
Scale: 1:334	Date: 24/09/2010
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BUILDING ENVELOPE AND VEGETATION PROTECTION REGISTER

CHECKLIST

PROPERTY ADDRESS	49 Bates Drive Birkdale	
LOT ON PLAN	Lot 53 on RP93909.	
FILE REFERENCES	P104019	
EP&D or DA MEETING DATE	04/08/98	
GENERAL MEETING DATE	12/08/98	
BUILDING ENVELOPE AMENDMENT	N/A.	
REVOCATION DATE		
THEME ID ON PROCLAIM	BE:	VP: 317. ✓



The Blue Gum (*Eucalyptus tereticornis*) located on the southern boundary of Lot 53
on RP93909.

6. **Proposed Harbour Village Commercial Facilities – Raby Bay Harbourside Development – Loucas Zahos Architects**

(MC005015)

Committee Recommendation

That the Officer's Recommendation be accepted with the inclusion of the following additional condition:-

"That the accommodation units component of the approval is not be used for the purpose of a hotel under the Liquor Act and/or as defined in the Council's Town Planning Scheme."

Moved by Cr Bradley, Seconded by Cr Abeya

THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITH AN AMENDMENT TO THE OFFICER'S RECOMMENDATION THAT 1 BECOMES 1(a) AND 1(b) TO READ:

"1.(a) The development shall be carried out in accordance with the details set out in the application including the details submitted on Drawing No.SK01 dated 06/04/98, SK02 dated 06/05/98, SK03 & SK04 dated 24/04/98, SK05 dated 05/05/98, SK06, SK07, SK09 & SK10 dated 24/04/98, SK08 dated 14/04/98 and further supporting information prepared by Loucas Zahos for Imperial Land Pty Ltd unless otherwise required as a condition of this approval or agreed to in writing by the Council or a delegated officer.

1. (b) These drawings to be amended to reflect an overall maximum height of 11 metres."

A division was called for. On being put to the vote, the Motion was declared by the Mayor as **CARRIED**.

Crs Bowler, Bucknall, Murray, Abeya, Bradley and Santagiuliana voted in the **AFFIRMATIVE**.

Crs Beard, Elliott, Newton, Burns and Ross voted in the **NEGATIVE**.

15. **Vegetation Protection Order on Two Eucalypt Trees at 49 Bates Drive, Birkdale**

(P104019)

Cr Burns left the meeting during discussion of this item.

Officer's Recommendation

Recommendation 1

That a Vegetation Protection Order be placed on the large Blue Gum on the southern boundary and the Eucalypt hybrid on the northern boundary of land described as Lot 53 RP93909 and situated at 49 Bates Drive, Birkdale be supported.

Recommendation 2

That prior to resale a notice be placed on the Property Record in the appropriate systems for the allotment which shall read:

"Local Law No. 6 – Protection of Vegetation requirements exist in relation to this property. These requirements are attached to the land and are binding on successors in title. Inspection of the subject land by relevant Council officers shall occur from time to time to ensure compliance with the intent of the Local Law No. 6 – Protection of Vegetation and Local Law No. 6 Policy. Potential landowners should contact Redland

Shire Council's Planning and Environmental Services Program to obtain advice on the criteria for declaration of the vegetation on this property and details on the Local Law No.6 or Local Law No. 6 Policy. Details of this declaration are attached to Property File P104019."

Committee Recommendation

That the Officer's Recommendation not be accepted and no action be taken to place a Vegetation Protection Order on the large Blue Gum on the southern boundary and the Eucalypt Hybrid on the northern boundary of land described as Lot 53 on RP.93909, Parish of Capalaba and situated at 49 Bates Drive, Birkdale.

Moved by Cr Bradley, Seconded by Cr Murray

THAT THE COMMITTEE RECOMMENDATION NOT BE ACCEPTED AND THE OFFICER'S RECOMMENDATION BE ADOPTED.

A division was called for. On being put to the vote, the Motion was declared by the Mayor as **CARRIED.**

Crs Elliott, Newton, Bowler, Murray, Bradley and Santagiuliana voted in the **AFFIRMATIVE.**

Crs Beard, Bucknall, Abeya and Ross voted in the **NEGATIVE.**

(Cr Burns was absent from the meeting)

10. *Proposed Purchase of Property at 53-73 Creek Road, Birkdale.*

(P107988 Annexure 1)

Moved by Cr Murray, Seconded by Cr Bradley

THAT CONSIDERATION OF THIS ITEM BE DEFERRED; AND

THAT THE MATTER BE REFERRED TO THE NEXT MEETING OF ENVIRONMENT PLANNING AND DEVELOPMENT COMMITTEE AND THE COMMITTEE BE DELEGATED AUTHORITY TO DETERMINE THE MATTER.

CARRIED.

20. *Proposed Multiple Dwelling (43 Units) – 375-397 Birkdale Road, Wellington Point – Trelford Pty. Ltd.*

(CT304400)

Officer/Committee Recommendation

That Option 2 which states that Council delegate authority to the Mayor, Chairman of the Environment, Planning and Development Committee and Division 1 Councillor to make a decision on Council's behalf to either approve or refuse the application based upon the new design to be submitted be accepted.

Moved by Cr Newton, Seconded by Cr Bowler

THAT THE COMMITTEE RECOMMENDATION BE ADOPTED.

CARRIED.

**15. VEGETATION PROTECTION ORDER ON TWO EUCALYPT TREES AT
49 BATES DRIVE, BIRKDALE.**

(P104019)

Cr Murray declared an interest and left the meeting while this item was discussed.

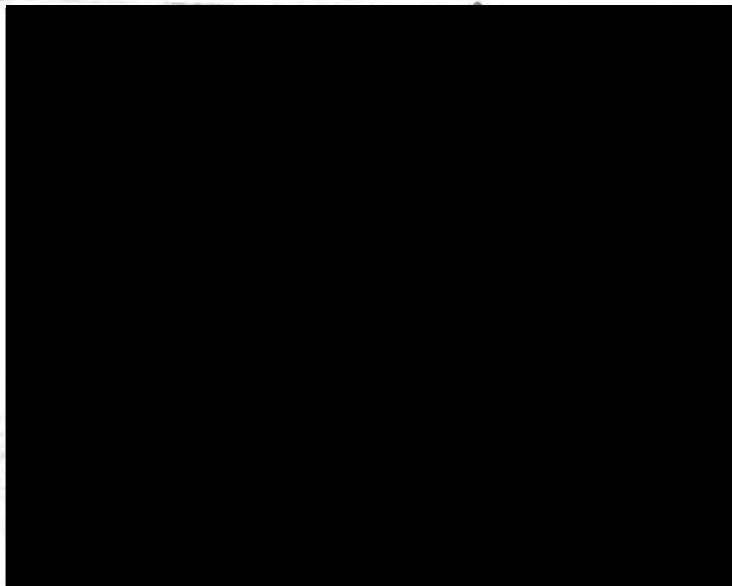
Background

Application for a Vegetation Protection Order to be placed on two (2) trees on property Lot 53 RP93909, Parish of Capalaba and situated at 49 Bates Drive, Birkdale. Site area: 773m². Present Zoning: Residential A.

The site is designated as Residential A under Council's adopted Strategic Plan and the Development Control Plan No.1.

Environmental Inventory

The property is not classified under the Environmental Inventory. However, it has connectivity with a number of other General Patches, most notably GP5104 and GP5105.



Areas classified as General Patch have one or more of the following attributes:

- Scattered bushland remnants with local amenity value which provide habitat and other ecological functions on a local scale.
- Bushland remnants which can be very fragmented and still maintain a habitat function.
- Isolated remnant bushland with little visible disturbance.
- Generally poor connectivity with other habitat areas, however may be adjacent to Major Habitat or Major Patches.
- Have greater disturbance than Major Patches.

GP5104 and GP5105 are both bushland remnants noted for their abundance of Eucalypt species including Blue Gum and Ironbark and for their use by koalas.

State Planning Policy (SPP) 1/97 – Conservation of koalas in the Koala Coast

This property is designated as 'Balance Area' in State Planning Policy Map (1/97) 'Conservation of Koalas in the Koala Coast'. Development is not restricted in these areas, however adverse impacts on koala habitats are to be minimised.

Purpose

This matter is referred to Manager, Planning and Environmental Services for consideration.

Consultation

Cr Murray was consulted regarding this matter.

Discussion and Conclusion

The applicant has requested that a Vegetation Protection Order be placed on two (2) trees, which includes a Blue Gum (*Eucalyptus tereticornis*) and a native Eucalypt hybrid on the property. The applicant has advised that koalas regularly use these trees.

Council officers inspected the site and one large Blue Gum (*E.tereticornis*) and another medium sized Eucalypt hybrid are on the site. Both trees are situated close to the boundaries (with 1 or 2 metres) of the property. The Eucalypt hybrid is located approximately 10 metres from the north-eastern corner of the property and the Blue Gum 10 metres from the south-eastern corner. The Eucalypt hybrid is within 10m of the house. Both eucalypts are known to be koala food trees and the Blue Gum is an attractive and shady tree.

The significance of the trees was evaluated using definitions of "significant vegetation" in Local Law No.6 – Protection of Vegetation. The criteria used to declare the protection of the trees are: d), h) and m).

- **Criteria d) relates to the tree being a valuable source of propagating stock.** The Blue Gum is a reliable source of propagating stock in the local area. The hybrid tree does not produce seed.
- **Criteria h) relates to the tree being of significant habitat for native animals.** The applicant has noted the Blue Gum for its use by koalas. Evidence of koala usage was visible on the Blue Gum with a high density of both old and new scratch marks; scats were also visible around the base of the tree. A large number of Rainbow lorikeets were observed roosting in this tree. The hybrid did not show any sign of koala use, but it is rough-barked and not as likely to retain this evidence. Cr Murray had observed

over a number of years that the Blue Gum was used for koala mating habits and the hybrid as a nursery tree for mother koalas rearing their babies.

- **Criteria m) relates to the aesthetic value of the vegetation.** The two eucalypt trees form a useful border between the adjoining Lots 52 and 54 on RP93909 and create areas of shade. The trees are off street and largely hidden from sight by housing and adjoining allotments. However, they are large and visually attractive trees, effective in softening the appearance of urban structures.

These trees are visually attractive koala-food trees and regularly used by koalas for breeding purposes. As a result, the two (2) trees, that is, the large Blue Gum on the southern boundary and the Eucalypt hybrid on the northern boundary, should be declared as protected vegetation under a Vegetation Protection Order.

(a) Corporate/Program Plan Implications

No Corporate/Program plan implications have been identified.

(b) Financial Implications

No financial implications have been identified.

(c) Policy Implications

No policy implications have been identified.

Officer's Recommendation

Recommendation 1

That a Vegetation Protection Order be placed on the large Blue Gum on the southern boundary and the Eucalypt hybrid on the northern boundary of land described as Lot 53 RP93909 and situated at 49 Bates Drive, Birkdale be supported.

Recommendation 2

That prior to resale a notice be placed on the Property Record in the appropriate systems for the allotment which shall read:

"Local Law No. 6 – Protection of Vegetation requirements exist in relation to this property. These requirements are attached to the land and are binding on successors in title. Inspection of the subject land by relevant Council officers shall occur from time to time to ensure compliance with the intent of the Local Law No. 6 – Protection of Vegetation and Local Law No. 6 Policy. Potential landowners should contact Redland Shire Council's Planning and Environmental Services Program to obtain advice on the criteria for declaration of the vegetation on this property and details on the Local Law No.6 or Local Law No. 6 Policy. Details of this declaration are attached to Property File P104019."

Committee Recommendation

That the Officer's Recommendation not be accepted and no action be taken to place a Vegetation Protection Order on the large Blue Gum on the southern boundary and the Eucalypt Hybrid on the northern boundary of land described as Lot 53 on RP.93909, Parish of Capalaba and situated at 49 Bates Drive, Birkdale.

Cr Newton was not present in the Committee Room when this decision was made.



Redland Shire Council

Cnr Bloomfield & Middle Sts
Cleveland Qld 4163

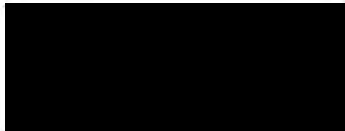
PO Box 21
Cleveland Qld 4163

Telephone (07) 3286 8686
Facsimile (07) 3286 8765

E-Mail: redland@redland.qld.gov.au
Homepage: <http://www.redland.net.au>

17 August, 1998.

Your Ref:
Our Ref: Planning & Environment
File No: P104019 DH:cpm
Contact: Darcelle Hegarty

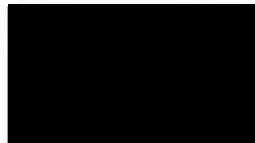


**PROPOSED VEGETATION ORDER ON TWO EUCLYPT TREES AT 49 BATES DRIVE,
BIRKDALE**

I refer to your application for a Vegetation Protection Order to be placed on two (2) trees located on Lot 53 on RP.93909, Parish of Capalaba and situated at 49 Bates Drive, Birkdale.

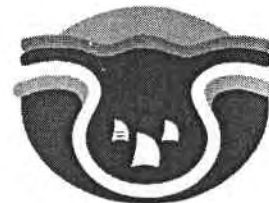
This matter was considered by the General Meeting of Council on 12th August, 1998 and I advise that Council has agreed to place a Vegetation Protection Order on the large Blue Gum on the southern boundary and the Eucalypt Hybrid on the northern boundary of land described as Lot 53 on RP.93909, Parish of Capalaba and situated at 49 Bates Drive, Birkdale. This action is currently being undertaken by Council.

Yours faithfully,



G.S. White
Director
Environment, Planning & Development

REPORT



Redland
SHIRE COUNCIL

Date: 29 July, 1998
File: P104019
To: Manager, Planning and Environmental Services
From: Snr. Environmental Planning Officer
Subject: Vegetation Protection Order on two Eucalypt trees on Lot 53 RP93909, situated at 49 Bates Drive, Birkdale.

Background

Application for a Vegetation Protection Order to be placed on two (2) trees on property Lot 53 RP93909, Parish of Capalaba and situated at 49 Bates Drive, Birkdale. Site area: 773m². Present Zoning: Residential A.

The site is designated as Residential A under Council's adopted Strategic Plan and the Development Control Plan No.1.

Environmental Inventory

The property is not classified under the Environmental Inventory. However, it has connectivity with a number of other General Patches, most notably GP5104 and GP5105.

Areas classified as General Patch have one or more of the following attributes:

- Scattered bushland remnants with local amenity value which provide habitat and other ecological functions on a local scale.
- Bushland remnants which can be very fragmented and still maintain a habitat function.
- Isolated remnant bushland with little visible disturbance.
- Generally poor connectivity with other habitat areas, however may be adjacent to Major Habitat or Major Patches.
- Have greater disturbance than Major Patches.

GP5104 and GP5105 are both bushland remnants noted for their abundance of Eucalypt species including Blue Gum and Ironbark and for their use by koalas.

State Planning Policy (SPP) 1/97 – Conservation of koalas in the Koala Coast

This property is designated as 'Balance Area' in State Planning Policy Map (1/97) 'Conservation of Koalas in the Koala Coast'. Development is not restricted in these areas, however adverse impacts on koala habitats are to be minimised.

Purpose

This matter is referred to Manager, PES for consideration.

Consultation

Cr Murray was consulted regarding this matter.

Discussion and Conclusion

The applicant has requested that a Vegetation Protection Order be placed on two (2) trees, which includes a Blue Gum (*Eucalyptus tereticornis*) and a native Eucalypt hybrid on the property. The applicant has advised that koalas regularly use these trees.

Council officers inspected the site and one large Blue Gum (*E.tereticornis*) and another medium sized Eucalypt hybrid are on the site. Both trees are situated close to the boundaries (with 1 or 2 metres) of the property. The Eucalypt hybrid is located approximately 10 metres from the north-eastern corner of the property and the Blue Gum 10 metres from the south-eastern corner. The Eucalypt hybrid is within 10m of the house. Both eucalypts are known to be koala food trees and the Blue Gum is an attractive and shady tree.

The significance of the trees was evaluated using definitions of "significant vegetation" in Local Law No.6 - Protection of Vegetation. The criteria used to declare the protection of the trees are: d), h) and m).

- **Criteria d) relates to the tree being a valuable source of propagating stock.** The Blue Gum is a reliable source of propagating stock in the local area. The hybrid tree does not produce seed.
- **Criteria h) relates to the tree being of significant habitat for native animals.** The applicant for has noted the Blue Gum for its use by koalas. Evidence of koala usage was visible on the Blue Gum with a high density of both old and new scratch marks; scats were also visible around the base of the tree. A large number of Rainbow lorikeets were observed roosting in this tree. The hybrid did not show any sign of koala use, but it is rough-barked and not as likely to retain this evidence. Cr Murray had observed over a number of years that the Blue Gum was used for koala mating habits and the hybrid as a nursery tree for mother koalas rearing their babies.
- **Criteria m) relates to the aesthetic value of the vegetation.** The two eucalypt trees form a useful border between the adjoining Lots 52 and 54 on RP93909 and create areas of shade. The trees are off street and largely hidden from sight by housing and adjoining allotments. However, they are large and visually attractive trees, effective in softening the appearance of urban structures.

These trees are visually attractive koala-food trees and regularly used by koalas for breeding purposes. As a result, the two (2) trees, that is, the large Blue Gum on the southern boundary and the Eucalypt hybrid on the northern boundary, should be declared as protected vegetation under a Vegetation Protection Order.

(a) Corporate/Program Plan Implications

No Corporate/Program plan implications have been identified.

(b) Financial Implications

No financial implications have been identified.

(c) Policy Implications

No policy implications have been identified.

Officer's Recommendation

Recommendation 1

That a Vegetation Protection Order be placed on the large Blue Gum on the southern boundary and the Eucalypt hybrid on the northern boundary of land described as Lot 53 RP93909 and situated at 49 Bates Drive, Birkdale be supported.

Recommendation 2

That prior to resale a notice be placed on the Property Record in the appropriate systems for the allotment which shall read:

"Local Law No. 6 – Protection of Vegetation requirements exist in relation to this property. These requirements are attached to the land and are binding on successors in title. Inspection of the subject land by relevant Council officers shall occur from time to time to ensure compliance with the intent of the Local Law No. 6 – Protection of Vegetation and Local Law No. 6 Policy. Potential landowners should contact Redland Shire Council's Planning and Environmental Services Program to obtain advice on the criteria for declaration of the vegetation on this property and details on the Local Law No.6 or Local Law No. 6 Policy. Details of this declaration are attached to Property File P104019."



Noted Refer to EP&D Offee.

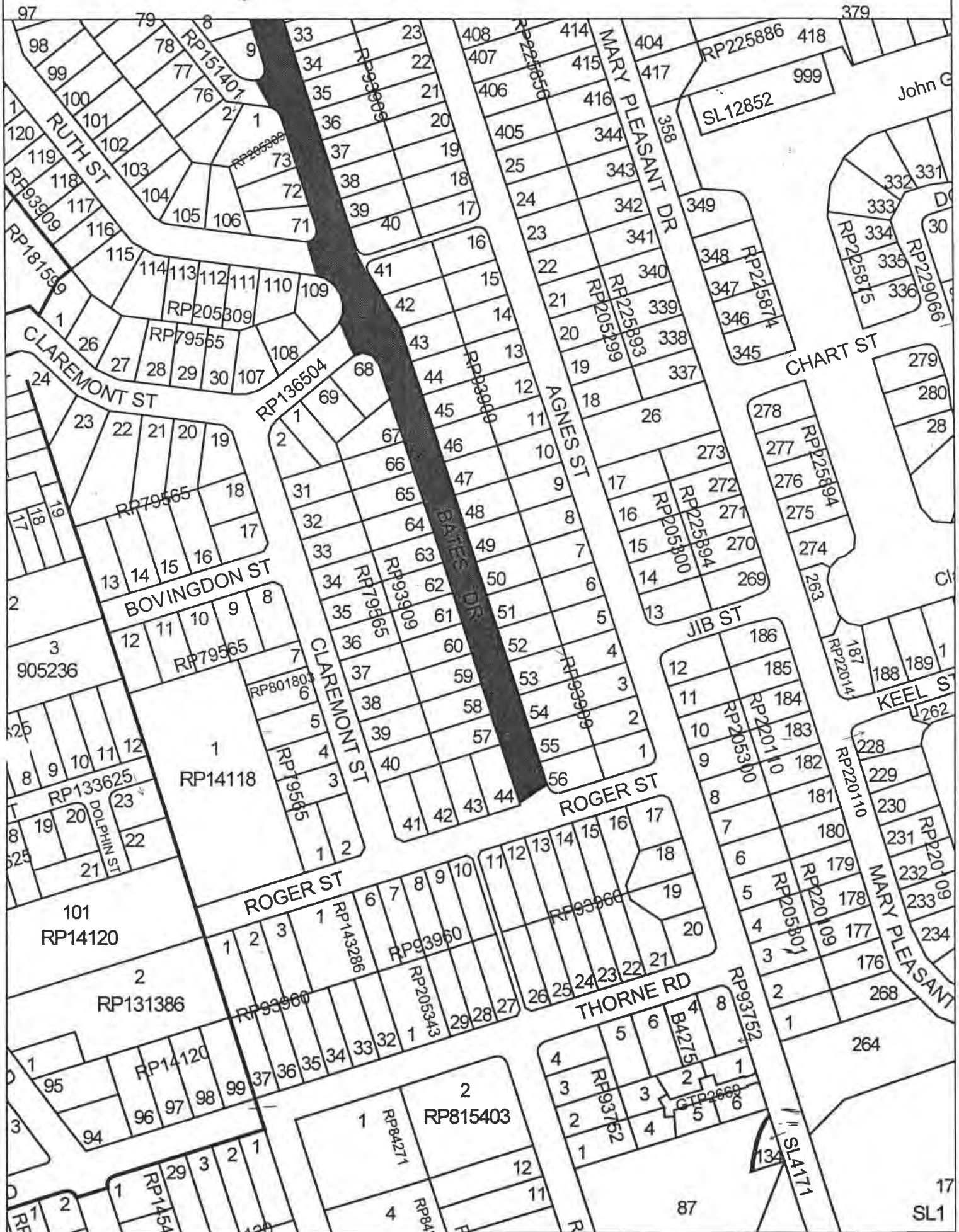


30/7.



Map Scale
1:3000

@ Queensland (Department of Natural Resources) 1997



Decisions Made Under Delegated Authority 04.05.2014 to 10.05.2014

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
Category 1								
ROL005750	Standard Format 1 into 2 Lots	Category1	Benita Elizabeth Benson	3 Bee Street, Ormiston QLD 4160	Code Assessment	08/05/2014	Development Permit	1
BWP002300	Design & Siting - Dwelling	Category1	Approveit Building Certification Pty Ltd	16 Duchess Place, Cleveland QLD 4163	Concurrence Referral Agency	06/05/2014	Approved	2
BWP002288	Design and Siting - Carport and Deck	Category1	The Certifier Pty Ltd	22 Ooyan Street, Coochiemudlo Island QLD 4184	Concurrence Referral Agency	06/05/2014	Approved	4
ROL005751	Standard Format - 1 into 2 Lots	Category1	Adam Christopher Miller	96-98 Collins Street, Redland Bay QLD 4165	Code Assessment	08/05/2014	Development Permit	5
BWP002284	Design & Siting - Domestic Outbuilding	Category1	Freedom Patios	47 Salisbury Street, Redland Bay QLD 4165	Concurrence Referral Agency	05/05/2014	Approved	5
MCU013239	Dwelling House - ADA	Category1	Trevor Siddall	7 Bay Drive, Russell Island QLD 4184	Code Assessment	05/05/2014	Development Permit	5
MCU013241	Dwelling House SMBI Code ADA	Category1	Steven Bowden Marx	27 Borrows Street, Russell Island QLD 4184	Code Assessment	05/05/2014	Preliminary Approval	5
BWP002298	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	6 Bell View Street, Victoria Point QLD 4165	Concurrence Referral Agency	06/05/2014	Approved	5
BWP002305	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	19 Prospect Crescent, Victoria Point QLD 4165	Concurrence Referral Agency	06/05/2014	Approved	5
BWP002299	Design & Siting - Dwelling	Category1	Checkpoint Building Surveyors (Coomera)	85 Taffeta Drive, Mount Cotton QLD 4165	Concurrence Referral Agency	07/05/2014	Approved	6

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
BWP002301	Design & Siting - Dwelling	Category1	BA Group Australia Pty Ltd	67 Taffeta Drive, Mount Cotton QLD 4165	Concurrence Referral Agency	07/05/2014	Approved	6
BWP002302	Design & Siting - Dwelling	Category1	Henley Properties Qld Pty Ltd	5 Camlet Place, Mount Cotton QLD 4165	Concurrence Referral Agency	08/05/2014	Approved	6
BWP002294	Design & Siting - Carport	Category1	Shane Ryland	6 Comic Court, Wellington Point QLD 4160	Concurrence Referral Agency	06/05/2014	Approved	8
BWP002271	Design & Siting - Dwelling House	Category1	The Certifier Pty Ltd	19 Badgen Road, Birkdale QLD 4159	Concurrence Referral Agency	07/05/2014	Approved	10
Category 2								
OPW001628	Operational Works - ROL 1 into 2 (Smart eDA)	Category2	Subdivision & Construction Management	16 Blake Street, Cleveland QLD 4163	Code Assessment	05/05/2014	Development Permit	2
ROL005749	Standard Format 1 into 3 Lots	Category2	Bemd Pty Ltd	12-16 Wilson Esplanade, Redland Bay QLD 4165	Code Assessment	07/05/2014	Development Permit	5
OPW001624	Operational Works - ROL 3 into 3 (Smart eDA)	Category2	Charter Keck Cramer	1-5 Heffernan Road, Alexandra Hills QLD 4161	Code Assessment	08/05/2014	Development Permit	7
OPW001596	Operational Works- MCU- Multiple Dwellings x 73 (Smart eDA)	Category2	DEQ Consulting Engineers Heran Building Group Pty Ltd	687-689 Old Cleveland Road East, Wellington Point QLD 4160	Compliance Assessment	07/05/2014	Compliance Certificate	8
MCU013217	Multiple Dwelling x 9	Category2	Mrs Margaret M Scott As Trustee	58-60 Valantine Road, Birkdale QLD 4159	Code Assessment	08/05/2014	Development Permit	8
MCU013164	Multiple Dwelling	Category2	Black Watch	44-54 Holland Crescent, Capalaba QLD 4157	Code Assessment	07/05/2014	Development Permit	9

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
OPW001616	Operational Works - ROL 1 into 3 (Smart eDA)	Category2	Hendriks House Consulting Engineers Pty Ltd	33 David Street, Thorneside QLD 4158	Code Assessment	05/05/2014	Development Permit	10

Decisions Made Under Delegated Authority 11.05.2014 to 17.05.2014

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
Category 1								
MCU013212	Dwelling House	Category1	Cs Development Group Pty Ltd	224 Main Road, Wellington Point QLD 4160	Code Assessment	14/05/2014	Development Permit	1
ROL005760	Standard Format: 1 into 2 lots	Category1	Building Code Approval Group Pty Ltd	8 Ivory Lane, Ormiston QLD 4160	Code Assessment	16/05/2014	Development Permit	1
ROL005730	Standard Format 1 into 2 lots	Category1	East Coast Surveys Pty Ltd	22 Acacia Street, Thornlands QLD 4164	Impact Assessment	15/05/2014	Development Permit	3
BWP002121	Design & Siting - Shed x 3	Category1	DBR Building Certification	75 Panorama Drive, Thornlands QLD 4164	Concurrence Agency Response	13/05/2014	Approved	3
BWP002304	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	9 Belligoi Court, Cleveland QLD 4163	Concurrence Agency Response	13/05/2014	Approved	3
BWP002314	Design & Siting - Carport	Category1	Narelle Mae Foyster	4 Egret Drive, Victoria Point QLD 4165	Concurrence Agency Response	15/05/2014	Approved	4
BWP002303	Design and Siting- Carport	Category1	Nicholas Adam Thomas Pollock	97 Main Street, Redland Bay QLD 4165	Concurrence Agency Response	13/05/2014	Approved	5
BWP002309	Design & Siting - Dwelling	Category1	Henley Properties Qld Pty Ltd	47 Spinnaker Circuit, Redland Bay QLD 4165	Concurrence Agency Response	13/05/2014	Approved	5
BWP002315	Design & Siting - Dwelling House	Category1	Antech Constructions Pty Ltd	11 Dart Street, Redland Bay QLD 4165	Concurrence Agency Response	15/05/2014	Approved	5
BWP002311	Design & Siting - Dwelling	Category1	Newstart Homes Pty Ltd (Building Certification Group)	71 Taffeta Drive, Mount Cotton QLD 4165	Concurrence Agency Response	16/05/2014	Approved	6

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
BWP002312	Design & Siting - Dwelling	Category1	Brisbane Building Approval Centre	2 Camlet Place, Mount Cotton QLD 4165	Concurrence Agency Response	15/05/2014	Approved	6
BWP002306	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	21 Radunz Place, Birkdale QLD 4159	Concurrence Agency Response	13/05/2014	Approved	8
BWP002310	Design and Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	14 Radunz Place, Birkdale QLD 4159	Concurrence Agency Response	13/05/2014	Approved	8
BWP002316	Design & Siting - Shed & Carport	Category1	Peter Doubleday	36 Fullerton Street, Birkdale QLD 4159	Concurrence Agency Response	16/05/2014	Approved	8
MCU013209	Home Business	Category1	Drazen Dragun	7 Tremont Street, Capalaba QLD 4157	Code Assessment	16/05/2014	Development Permit	9
ROL005739	Standard Format: 1 into 2	Category1	Dulip Dias Karunaratne	336-340 Mount Cotton Road, Capalaba QLD 4157	Code Assessment	12/05/2014	Development Permit	9
MCU013222	Dwelling House	Category1	Rae Lea Pronk	11 Allambee Crescent, Capalaba QLD 4157	Code Assessment	13/05/2014	Development Permit	9
BWP002317	Design & Siting - Dwelling House	Category1	The Certifier Pty Ltd	42 Moorshead Street, Capalaba QLD 4157	Concurrence Agency Response	16/05/2014	Approved	9
ROL005752	Standard Format: 1 into 2	Category1	Ryan Griffiths	19 Badgen Road, Birkdale QLD 4159	Code Assessment	15/05/2014	Development Permit	10
BWP002297	Design & Siting - Dwelling	Category1	Bartley Burns Certifiers & Planners	22 David Street, Thorneside QLD 4158	Concurrence Agency Response	12/05/2014	Approved	10
Category 2								

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
MC008448	Refreshment Establishment and Showroom Class A	Category2	John Lewis Waller	50-52 Shore Street West, Ormiston QLD 4160	Impact Assessment	16/05/2014	Permissible Change - Development Permit	1
MCU012567	Multiple Dwelling x 10	Category2	Ashcroft Architects Pty Ltd (Redland Bay)	459-463 Main Road, Wellington Point QLD 4160	Code Assessment	12/05/2014	Permissible Change - Development Permit	1
MC006348	COMMERCIAL PREMISES	Category2	Vantage Project Management Pty Ltd	111-115 Middle Street, Cleveland QLD 4163	Code Assessment	15/05/2014	Permissible Change - Development Permit	2
MC010396	Apartment Building	Category2	The Crescent Lifestyle Apartments	18 Taylor Crescent, Cleveland QLD 4163	Code Assessment	12/05/2014	Extension to Relevant Period - Approved	2
MC010636	Apartment X 52	Category2	Philip Murray Impey	18 Waterloo Street, Cleveland QLD 4163	Impact Assessment	12/05/2014	Extension to Relevant Period - Approved	2
ROL005747	Standard Format - 2 into 3	Category2	Winsbar Pty Ltd	21 Lynch Crescent, Birkdale QLD 4159	Code Assessment	15/05/2014	Development Permit	10