



**Redland**  
CITY COUNCIL

# **AGENDA**

## **GENERAL MEETING**

**Wednesday, 12 October 2016**  
**commencing at 9.30am**

The Council Chambers  
35 Bloomfield Street  
CLEVELAND QLD

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**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 7 SEPTEMBER 2016**

Motion is required to confirm the Minutes of the General Meeting of Council held on 7 September 2016.

**6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES**

Nil

**7 PUBLIC PARTICIPATION**

In accordance with s.31 of POL-3127 Council Meeting Standing Orders:

1. In each meeting (other than special meetings), a period of 15 minutes may be made available by resolution to permit members of the public to address the local government on matters of public interest relating to the local government. This period may be extended by resolution.
  2. Priority will be given to members of the public who make written application to the CEO no later than 4.30pm two days before the meeting. A request may also be made to the chairperson, when invited to do so, at the commencement of the public participation period of the meeting.
  3. The time allocated to each speaker shall be a maximum of five minutes. The chairperson, at his/her discretion, has authority to withdraw the approval to address Council before the time period has elapsed.
  4. The chairperson will consider each application on its merits and may consider any relevant matter in his/her decision to allow or disallow a person to address the local government, e.g.
    - a) Whether the matter is of public interest;
    - b) The number of people who wish to address the meeting about the same subject
-

- c) The number of times that a person, or anyone else, has addressed the local government previously about the matter;
  - d) The person's behaviour at that or a previous meeting' and
  - e) If the person has made a written application to address the meeting.
5. Any person invited to address the meeting must:
- a) State their name and suburb, or organisation they represent and the subject they wish to speak about;
  - b) Stand (unless unable to do so);
  - c) Act and speak with decorum;
  - d) Be respectful and courteous; and
  - e) Make no comments directed at any individual Council employee, Councillor or member of the public, ensuring that all comments relate to Council as a whole.

## 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 OFFICE OF CEO****11.1.1 AUGUST 2016 MONTHLY FINANCIAL REPORT**

**Objective Reference:** A124442  
Reports and Attachments

**Attachment:** [August 2016 Monthly Financial Report](#)

**Authorising Officer:**   
Deborah Corbett-Hall  
Chief Financial Officer

**Responsible Officer:** Leandri Brown  
Finance Manager Corporate Finance

**Report Author:** Rose McNiven  
Senior Finance Officer

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**PURPOSE**

The purpose of this report is to note the year to date financial results as at 31 August 2016.

**BACKGROUND**

Council adopts an annual budget and then reports on performance against the budget on a monthly basis. This is not only a legal requirement but enables the organisation to periodically review its financial performance and position and respond to changes in community requirements, market forces or other outside influences.

**ISSUES*****Timing of general meeting in September 2016***

There was only one general meeting early in September 2016 where the actual financial performance for the financial year up to the end of August 2016 could be reviewed; however it was not possible for Council's monthly close out processes, required accruals and deferrals to be completed by the date of that meeting. As such the monthly financial report for August 2016 is presented to Council at the general meeting on 12 October.

***Opening balances for 2016/2017 financial year***

The opening balances for the current financial year are still to be finalised and audited. As such, the financial position for the month of August may adjust over the coming months until Council receives Queensland Audit Office certification at the end of October 2016.

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**Carryover budget 2016/2017 – capital items**

Council adopted a revised 2016/2017 budget on 24 August 2016 to accommodate capital works straddling two financial years. The attached monthly financial report for August includes the carryover budget although as outlined above, the final audited 2015/2016 balance sheet accounts will influence the opening balances and budgeted key performance indicators in 2016/2017. Until the accounts have been finalised, the monthly financial report will reconcile to the financial management system.

**STRATEGIC IMPLICATIONS**

Council continued to report a strong financial position and favourable operating result at the end of August 2016.

Council has either achieved or favourably exceeded the following Key Financial Stability and Sustainability Ratios as at the end of August 2016:

- Operating surplus ratio;
- Net financial liabilities;
- Ability to pay our bills – current ratio;
- Ability to repay our debt – debt servicing ratio;
- Cash balance;
- Cash balances – cash capacity in months;
- Longer term financial sustainability – debt to asset ratio;
- Operating performance; and
- Interest cover ratio.

The following ratios did not meet the target at the end of August 2016:

- Asset sustainability ratio; and
- Level of dependence on general rates revenue.

Council's asset sustainability ratio target is an average long term target and at the end of August 2016, Council's renewal spend on infrastructure assets was \$3.33M compared to depreciation expense on infrastructure assets of \$8.29M for the financial year to date. Council continues to focus on renewal capital works to move this long term measure upwards towards the target zone.

The level of dependence on general rates revenue ratio moves in line with the rating cycle. As this is only the second month of the financial year and rates were levied in July, the ratio is expected to settle within the target range at the end of the first quarter.

**Legislative Requirements**

The August 2016 financial results are presented in accordance with the legislative requirement of section 204(2) of the *Local Government Regulation 2012*, requiring the Chief Executive Officer to present the financial report to a monthly Council meeting.

**Risk Management**

The August 2016 financial results have been noted by the Executive Leadership Team and relevant officers who can provide further clarification and advice around actual to budget variances.



**Financial**

There is no direct financial impact to Council as a result of this report; however it provides an indication of financial outcomes at the end of August 2016.

**People**

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

**Environmental**

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

**Social**

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

**Alignment with Council's Policy and Plans**

This report has a relationship with the following items of the 2015-2020 Corporate Plan:

**8. Inclusive and ethical governance**

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

8.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans that guide project planning and service delivery across the city.

**CONSULTATION**

Council departmental officers, Financial Services Group officers and the Executive Leadership Team are consulted on financial results and outcomes throughout the period.

**OPTIONS**

1. That Council resolves to note the financial position, results and ratios for August 2016 as presented in the attached Monthly Financial Report.
2. That Council requests additional information.

**OFFICER'S RECOMMENDATION**

**That Council resolves to note the financial position, results and ratios for August 2016 as presented in the attached Monthly Financial Report.**



# Monthly Financial Report

## August 2016



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## 1. EXECUTIVE SUMMARY

This monthly report illustrates the financial performance and position of Redland City Council compared to its adopted budget at an organisational level for the period ended 31 August 2016. The year to date and annual revised budget referred to in this report incorporates the changes from the budget carryovers adopted by Council on 24 August 2016.

The opening balances for the current year are still to be finalised and audited. As such, the financial position as at 31 August 2016 may adjust over the coming months until Council receives Queensland Audit Office (QAO) certification at the end of October 2016.

### Key Financial Highlights and Overview

| Key Financial Results           | Annual Revised Budget \$000 | YTD Revised Budget \$000 | YTD Actual \$000 | YTD Variance \$000 | YTD Variance % | Status |
|---------------------------------|-----------------------------|--------------------------|------------------|--------------------|----------------|--------|
| Operating Surplus/(Deficit)     | 479                         | 9,863                    | 10,918           | 1,055              | 11%            | ✓      |
| Recurrent Revenue               | 254,569                     | 49,413                   | 48,997           | (416)              | -1%            | 🚨      |
| Recurrent Expenditure           | 254,090                     | 39,550                   | 38,079           | (1,471)            | -4%            | ✓      |
| Capital Works Expenditure       | 84,469                      | 8,184                    | 7,970            | (214)              | -3%            | ✓      |
| Closing Cash & Cash Equivalents | 133,470                     | 154,477                  | 151,953          | (2,524)            | -2%            | 🚨      |

#### Status Legend:

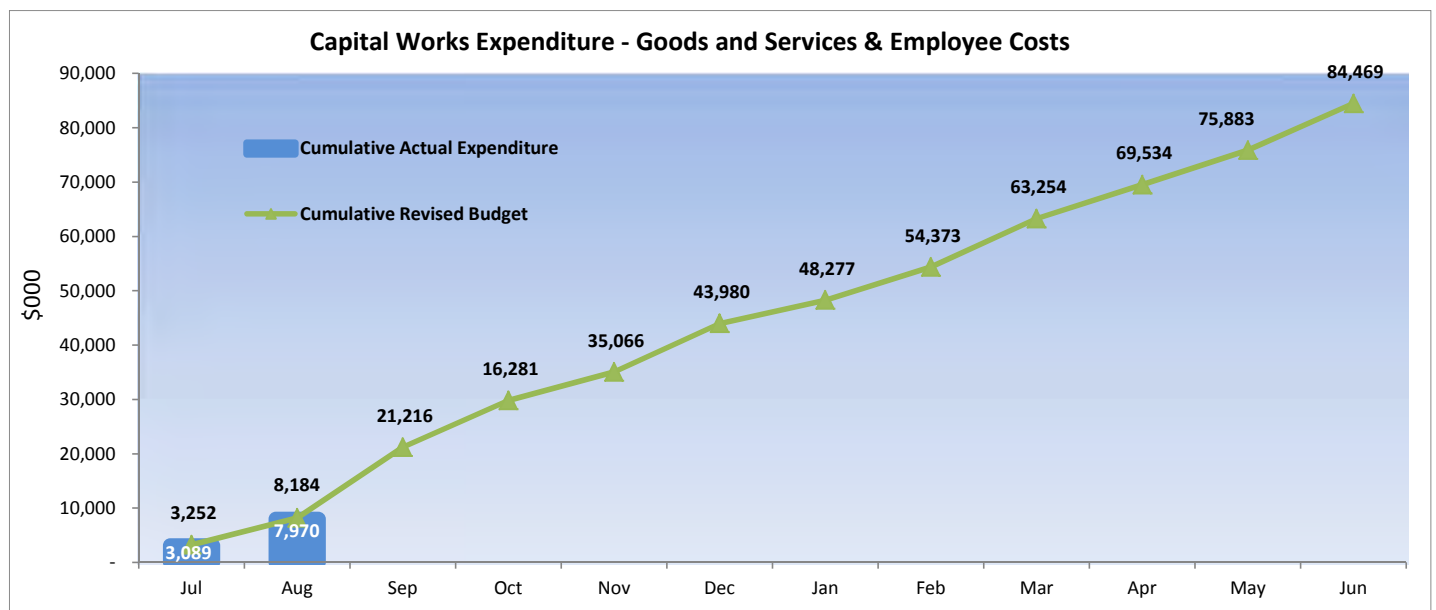
|  |   |
|--|---|
| Above budgeted revenue or under budgeted expenditure     | ✓ |
| Below budgeted revenue or over budgeted expenditure <10% | 🚨 |
| Below budgeted revenue or over budgeted expenditure >10% | ✘ |

Note: all amounts are rounded to the nearest thousand dollars.

Council reported an operating surplus for the month of \$10.92M. The income generated from the first quarter rates levy is partially offset by \$1.10M in credits held. A favourable variance year to date in employee, contractor and bulk water purchase costs contributed to the favourable variance in recurrent expenditure. As this is only the second month of the financial year, trends will start to emerge as the first quarter progresses.

Council's financial position is based on unaudited opening balances which are subject to change until Queensland Audit Office certification is obtained.

Council's capital works expenditure is on track with year to date actual expenditure of \$7.97M, which is only \$214K below the year to date budget of \$8.18M.



## 2. KEY PERFORMANCE INDICATORS

### Key Performance Indicators

| Financial Stability Ratios and Measures of Sustainability | Target  | Annual Revised Budget 2016/2017 | YTD August 2016 | Status |
|---|---|---------------------------------|-----------------|--------|
| Operating Surplus Ratio (%)                               | Target between 0% and 10% (on average over the long-term) | 0.19%                           | 22.28%          | ✓      |
| Asset Sustainability Ratio (%)                            | Target greater than 90% (on average over the long-term)   | 80.64%                          | 40.20%          | ✗      |
| Net Financial Liabilities (%)                             | Target less than 60% (on average over the long-term)      | -28.59%                         | -181.22%        | ✓      |
| Level of Dependence on General Rate Revenue (%)           | Target less than 37.5%                                    | 32.52%                          | 39.93%          | ✗      |
| Ability to Pay Our Bills - Current Ratio                  | Target between 1.1 & 4.1                                  | 4.10                            | 4.20            | ✓      |
| Ability to Repay Our Debt - Debt Servicing Ratio (%)      | Target less than or equal to 10%                          | 3.04%                           | 2.67%           | ✓      |
| Cash Balance \$M  | Target greater than or equal to \$40M                     | \$133.470M                      | \$151.953M      | ✓      |
| Cash Balances - Cash Capacity in Months                   | Target 3 to 4 months                                      | 7.78                            | 8.36            | ✓      |
| Longer Term Financial Stability - Debt to Asset Ratio (%) | Target less than or equal to 10%                          | 1.72%                           | 1.87%           | ✓      |
| Operating Performance (%)                                 | Target greater than or equal to 20%                       | 17.29%                          | 34.52%          | ✓      |
| Interest Cover Ratio (%)                                  | Target between 0% and 5%                                  | -0.42%                          | -0.38%          | ✓      |

#### Status Legend

|                                 |   |                         |   |
|---------------------------------|---|-------------------------|---|
| KPI target achieved or exceeded | ✓ | KPI target not achieved | ✗ |
|---------------------------------|---|-------------------------|---|

The budgeted and actual results are based on unaudited opening balances which are subject to change until Queensland Audit Office certification is obtained in October 2016. The annual revised budgeted ratios for 2016/2017 include the changes from the budget carryovers adopted by Council on 24 August 2016. However, until the accounts are finalised in October, the opening balances and budgeted key performance indicators will reconcile to the financial management system and may be different to the published carryover budget.

### 3. STATEMENT OF COMPREHENSIVE INCOME

#### STATEMENT OF COMPREHENSIVE INCOME

For the period ending 31 August 2016

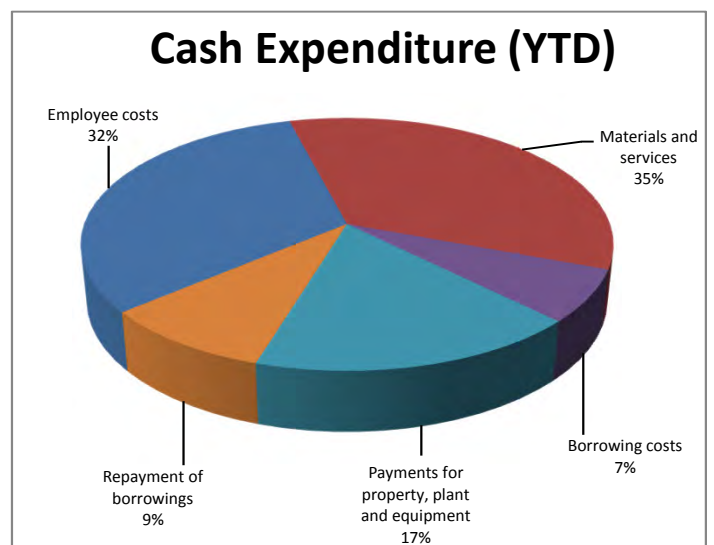
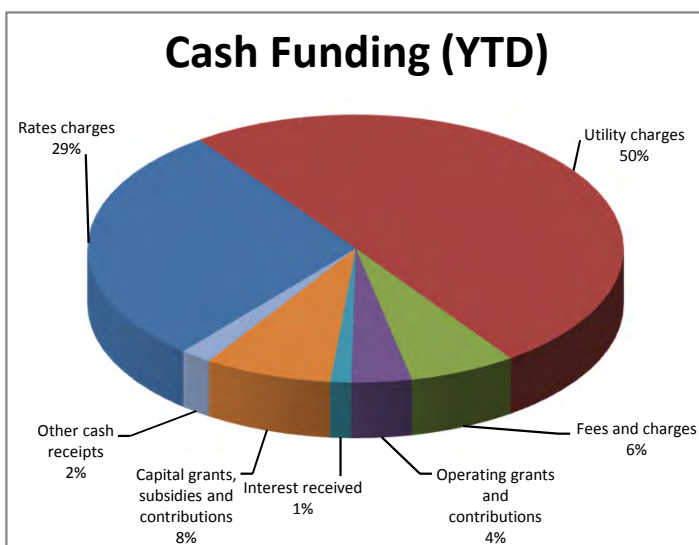
|   | Annual                | Annual               | YTD                  | YTD           | YTD            |
|---|-----------------------|----------------------|----------------------|---------------|----------------|
|   | Original Budget \$000 | Revised Budget \$000 | Revised Budget \$000 | Actual \$000  | Variance \$000 |
| <b>Recurrent revenue</b>                            |                       |                      |                      |               |                |
| Rates, levies and charges                           | 214,758               | 214,758              | 43,542               | 41,814        | (1,728)        |
| Fees and charges                                    | 13,291                | 13,291               | 2,476                | * 2,911       | 435            |
| Rental income                                       | 811                   | 811                  | 132                  | 96            | (36)           |
| Interest received                                   | 4,271                 | 4,271                | 661                  | 745           | 84             |
| Investment returns                                  | 4,685                 | 4,685                | -                    | -             | -              |
| Sales revenue                                       | 4,030                 | 4,030                | 726                  | 701           | (25)           |
| Other income  | 763                   | 763                  | 34                   | 288           | 254            |
| Grants, subsidies and contributions                 | 11,959                | 11,959               | 1,842                | 2,442         | 600            |
| <b>Total recurrent revenue</b>                      | <b>254,569</b>        | <b>254,569</b>       | <b>49,413</b>        | <b>48,997</b> | <b>(416)</b>   |
| <b>Capital revenue</b>                              |                       |                      |                      |               |                |
| Grants, subsidies and contributions                 | 32,248                | 32,448               | 4,248                | 4,632         | 384            |
| Non-cash contributions                              | 3,144                 | 3,144                | 523                  | -             | (523)          |
| <b>Total capital revenue</b>                        | <b>35,393</b>         | <b>35,593</b>        | <b>4,771</b>         | <b>4,632</b>  | <b>(139)</b>   |
| <b>TOTAL INCOME</b>                                 | <b>289,962</b>        | <b>290,162</b>       | <b>54,184</b>        | <b>53,629</b> | <b>(555)</b>   |
| <b>Recurrent expenses</b>                           |                       |                      |                      |               |                |
| Employee benefits                                   | 80,389                | 80,389               | 14,429               | 13,549        | (880)          |
| Materials and services                              | 119,315               | 119,315              | 15,846               | 14,756        | (1,090)        |
| Finance costs                                       | 3,758                 | 3,758                | 837                  | * 604         | (233)          |
| Depreciation and amortisation                       | 50,628                | 50,628               | 8,438                | 9,170         | 732            |
| <b>Total recurrent expenses</b>                     | <b>254,090</b>        | <b>254,090</b>       | <b>39,550</b>        | <b>38,079</b> | <b>(1,471)</b> |
| <b>Capital expenses</b>                             |                       |                      |                      |               |                |
| (Gain)/loss on disposal of non-current assets       | 289                   | (172)                | 153                  | (63)          | (216)          |
| <b>Total capital expenses</b>                       | <b>289</b>            | <b>(172)</b>         | <b>153</b>           | <b>(63)</b>   | <b>(216)</b>   |
| <b>TOTAL EXPENSES</b>                               | <b>254,379</b>        | <b>253,918</b>       | <b>39,703</b>        | <b>38,016</b> | <b>(1,687)</b> |
| <b>NET RESULT</b>                                   | <b>35,583</b>         | <b>36,244</b>        | <b>14,481</b>        | <b>15,613</b> | <b>1,132</b>   |
| <b>Other comprehensive income/(loss)</b>            |                       |                      |                      |               |                |
| Items that will not be reclassified to a net result |                       |                      |                      |               |                |
| Revaluation of property, plant and equipment        | -                     | -                    | -                    | -             | -              |
| <b>TOTAL COMPREHENSIVE INCOME</b>                   | <b>35,583</b>         | <b>36,244</b>        | <b>14,481</b>        | <b>15,613</b> | <b>1,132</b>   |

\* miscoding error corrected after end of month close.

## 4. STATEMENT OF CASH FLOWS

### STATEMENT OF CASH FLOWS For the period ending 31 August 2016

|  | Annual<br>Original<br>Budget<br>\$000 | Annual<br>Revised<br>Budget<br>\$000 | YTD<br>Revised<br>Budget<br>\$000 | YTD<br>Actual<br>\$000 |
|--|---------------------------------------|--------------------------------------|-----------------------------------|------------------------|
| <b>CASH FLOWS FROM OPERATING ACTIVITIES</b>                                |                                       |                                      |                                   |                        |
| Receipts from customers  | 232,889                               | 232,889                              | 53,318                            | 52,507                 |
| Payments to suppliers and employees  | (202,780)                             | (202,780)                            | (31,005)                          | (33,052)               |
|  | <b>30,110</b>                         | <b>30,110</b>                        | <b>22,313</b>                     | <b>19,455</b>          |
| Interest received  | 4,271                                 | 4,271                                | 661                               | 745                    |
| Rental income  | 811                                   | 811                                  | 132                               | 96                     |
| Non-capital grants and contributions                                       | 11,056                                | 11,056                               | 1,841                             | 2,187                  |
| Borrowing costs  | (3,195)                               | (3,195)                              | (3,195)                           | *                      |
| <b>Net cash inflow / (outflow) from operating activities</b>               | <b>43,053</b>                         | <b>43,053</b>                        | <b>21,752</b>                     | <b>19,171</b>          |
| <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>                                |                                       |                                      |                                   |                        |
| Payments for property, plant and equipment                                 | (76,938)                              | (84,469)                             | (8,184)                           | (8,594)                |
| Payments for intangible assets   | (100)                                 | -                                    | -                                 | -                      |
| Proceeds from sale of property, plant and equipment                        | 630                                   | 1,091                                | -                                 | 63                     |
| Capital grants, subsidies and contributions                                | 32,248                                | 32,448                               | 4,248                             | 4,632                  |
| Other cash flows from investing activities                                 | 4,685                                 | 4,685                                | -                                 | -                      |
| <b>Net cash inflow / (outflow) from investing activities</b>               | <b>(39,474)</b>                       | <b>(46,244)</b>                      | <b>(3,936)</b>                    | <b>(3,899)</b>         |
| <b>CASH FLOWS FROM FINANCING ACTIVITIES</b>                                |                                       |                                      |                                   |                        |
| Repayment of borrowings  | (4,551)                               | (4,551)                              | (4,551)                           | *                      |
| <b>Net cash inflow / (outflow) from financing activities</b>               | <b>(4,551)</b>                        | <b>(4,551)</b>                       | <b>(4,551)</b>                    | <b>(4,531)</b>         |
| <b>Net increase / (decrease) in cash held</b>                              | <b>(972)</b>                          | <b>(7,742)</b>                       | <b>13,265</b>                     | <b>10,741</b>          |
| Cash and cash equivalents at the beginning of the year                     | 119,449                               | 141,212                              | 141,212                           | 141,212                |
| <b>Cash and cash equivalents at the end of the financial year / period</b> | <b>118,477</b>                        | <b>133,470</b>                       | <b>154,477</b>                    | <b>151,953</b>         |



|                                     |         |   |         |
|-------------------------------------|---------|---|---------|
| Total Cash Funding (Actual YTD)     | 60,230  | Total Cash Expenditure (Actual YTD)     | 49,489  |
| Total Cash Funding (Revised Budget) | 287,251 | Total Cash Expenditure (Revised Budget) | 294,995 |
| % of Budget Achieved YTD            | 21%     | % of Budget Achieved YTD                | 17%     |

\* miscoding error corrected after end of month close.

## 5. STATEMENT OF FINANCIAL POSITION

### STATEMENT OF FINANCIAL POSITION As at 31 August 2016

|                                      | Annual                      | Annual                     | YTD                        | YTD                        |
|--------------------------------------|-----------------------------|----------------------------|----------------------------|----------------------------|
|                                      | Original<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Actual<br>Balance<br>\$000 |
| <b>CURRENT ASSETS</b>                |                             |                            |                            |                            |
| Cash and cash equivalents            | 118,477                     | 133,470                    | 154,477                    | 151,953                    |
| Trade and other receivables          | 25,017                      | 25,805                     | * 20,754                   | 25,634                     |
| Inventories                          | 779                         | 678                        | 678                        | 664                        |
| Non-current assets held for sale     | 1,309                       | 4,278                      | 4,278                      | 4,278                      |
| Other current assets                 | 1,104                       | 2,122                      | 4,775                      | 8,933                      |
| <b>Total current assets</b>          | <b>146,686</b>              | <b>166,353</b>             | <b>184,962</b>             | <b>191,462</b>             |
| <b>NON-CURRENT ASSETS</b>            |                             |                            |                            |                            |
| Investment property                  | 956                         | 1,054                      | 1,054                      | 1,054                      |
| Property, plant and equipment        | 2,293,906                   | 2,461,807                  | 2,425,172                  | 2,424,820                  |
| Intangible assets                    | 2,000                       | 2,454                      | 3,139                      | 2,799                      |
| Other financial assets               | 73                          | 73                         | 73                         | 73                         |
| Investment in other entities         | 10,063                      | 5,961                      | 5,961                      | 5,961                      |
| <b>Total non-current assets</b>      | <b>2,306,999</b>            | <b>2,471,349</b>           | <b>2,435,399</b>           | <b>2,434,707</b>           |
| <b>TOTAL ASSETS</b>                  | <b>2,453,685</b>            | <b>2,637,702</b>           | <b>2,620,361</b>           | <b>2,626,169</b>           |
| <b>CURRENT LIABILITIES</b>           |                             |                            |                            |                            |
| Trade and other payables             | 18,454                      | 20,919                     | 22,249                     | 18,660                     |
| Borrowings                           | 4,482                       | 4,669                      | 4,669                      | 4,669                      |
| Provisions                           | 7,571                       | 12,465                     | 13,148                     | 12,397                     |
| Other current liabilities            | 2,673                       | 2,535                      | 4,877                      | 9,914                      |
| <b>Total current liabilities</b>     | <b>33,179</b>               | <b>40,588</b>              | <b>44,943</b>              | <b>45,640</b>              |
| <b>NON-CURRENT LIABILITIES</b>       |                             |                            |                            |                            |
| Borrowings                           | 40,727                      | 40,637                     | * 40,637                   | 44,440                     |
| Provisions                           | 12,143                      | 12,350                     | 12,415                     | 12,590                     |
| <b>Total non-current liabilities</b> | <b>52,869</b>               | <b>52,987</b>              | <b>53,052</b>              | <b>57,030</b>              |
| <b>TOTAL LIABILITIES</b>             | <b>86,048</b>               | <b>93,575</b>              | <b>97,995</b>              | <b>102,670</b>             |
| <b>NET COMMUNITY ASSETS</b>          | <b>2,367,637</b>            | <b>2,544,127</b>           | <b>2,522,366</b>           | <b>2,523,499</b>           |
| <b>COMMUNITY EQUITY</b>              |                             |                            |                            |                            |
| Asset revaluation surplus            | 827,411                     | 963,349                    | 963,349                    | 963,349                    |
| Retained surplus                     | 1,443,724                   | 1,472,860                  | * 1,463,144                | 1,462,400                  |
| Constrained cash reserves            | 96,502                      | 107,918                    | 95,873                     | 97,750                     |
| <b>TOTAL COMMUNITY EQUITY</b>        | <b>2,367,637</b>            | <b>2,544,127</b>           | <b>2,522,366</b>           | <b>2,523,499</b>           |

\* miscoding error corrected after end of month close.

The budgeted and actual results are based on unaudited opening balances which are subject to change until Queensland Audit Office certification is obtained in October 2016. The annual revised budgeted balances for 2016/2017 include the changes from the budget carryovers adopted by Council on 24 August 2016. However, until the accounts are finalised in October, the balances will reconcile to the financial management system and may be different to the published carryover budget.



## 6. OPERATING STATEMENT

### OPERATING STATEMENT For the period ending 31 August 2016

|   | Annual                   | Annual                  | YTD                     | YTD             | YTD               |
|---|--------------------------|-------------------------|-------------------------|-----------------|-------------------|
|   | Original Budget<br>\$000 | Revised Budget<br>\$000 | Revised Budget<br>\$000 | Actual<br>\$000 | Variance<br>\$000 |
| <b>Revenue</b>  |                          |                         |                         |                 |                   |
| Rates charges   | 85,691                   | 85,691                  | 21,423                  | 20,274          | (1,149)           |
| Levies and utility charges                                    | 132,436                  | 132,436                 | 22,939                  | 22,327          | (612)             |
| <i>Less: Pensioner remissions and rebates</i>                 | (3,370)                  | (3,370)                 | (820)                   | (787)           | 33                |
| Fees and charges  | 13,291                   | 13,291                  | 2,476                   | 2,911           | 435               |
| Operating grants and subsidies                                | 11,370                   | 11,370                  | 1,834                   | 2,183           | 349               |
| Operating contributions and donations                         | 589                      | 589                     | 9                       | 259             | 250               |
| Interest external   | 4,271                    | 4,271                   | 661                     | 745             | 84                |
| Investment returns  | 4,685                    | 4,685                   | -                       | -               | -                 |
| Other revenue   | 5,604                    | 5,604                   | 891                     | 1,085           | 194               |
| <b>Total revenue</b>  | <b>254,569</b>           | <b>254,569</b>          | <b>49,413</b>           | <b>48,997</b>   | <b>(416)</b>      |
| <b>Expenses</b>   |                          |                         |                         |                 |                   |
| Employee benefits   | 80,389                   | 80,389                  | 14,429                  | 13,549          | (880)             |
| Materials and services  | 119,731                  | 119,731                 | 15,897                  | 14,885          | (1,012)           |
| Finance costs other   | 562                      | 562                     | 294                     | 44              | (250)             |
| Other expenditure   | 398                      | 398                     | 85                      | 52              | (33)              |
| Net internal costs  | (814)                    | (814)                   | (136)                   | (181)           | (45)              |
| <b>Total expenses</b>   | <b>200,266</b>           | <b>200,266</b>          | <b>30,569</b>           | <b>28,349</b>   | <b>(2,220)</b>    |
| <b>Earnings before interest, tax and depreciation (EBITD)</b> | <b>54,303</b>            | <b>54,303</b>           | <b>18,844</b>           | <b>20,648</b>   | <b>1,804</b>      |
| Interest expense  | 3,195                    | 3,195                   | 543                     | 560             | 17                |
| Depreciation and amortisation                                 | 50,628                   | 50,628                  | 8,438                   | 9,170           | 732               |
| <b>OPERATING SURPLUS/(DEFICIT)</b>                            | <b>479</b>               | <b>479</b>              | <b>9,863</b>            | <b>10,918</b>   | <b>1,055</b>      |

### Levies and utility charges breakup For the period ending 31 August 2016

|   | Annual                   | Annual                  | YTD                     | YTD             | YTD               |
|---|--------------------------|-------------------------|-------------------------|-----------------|-------------------|
|   | Original Budget<br>\$000 | Revised Budget<br>\$000 | Revised Budget<br>\$000 | Actual<br>\$000 | Variance<br>\$000 |
| <b>Levies and utility charges</b>       |                          |                         |                         |                 |                   |
| Refuse charges                          | 20,903                   | 20,903                  | 3,484                   | 3,422           | (62)              |
| Special charges                         | 3,974                    | 3,974                   | 994                     | 995             | 1                 |
| SES Separate charge                     | 331                      |                         | 83                      | 83              | -                 |
| Environment levy                        | 6,093                    | 6,093                   | 1,523                   | 1,528           | 5                 |
| Landfill remediation charge             | 2,795                    | 2,795                   | 466                     | 467             | 1                 |
| Wastewater charges                      | 42,254                   | 42,254                  | 7,042                   | 7,101           | 59                |
| Water access charges                    | 17,989                   | 17,989                  | 2,998                   | 3,000           | 2                 |
| Water consumption charges               | 38,098                   | 38,098                  | 6,349                   | 5,731           | (618)             |
| <b>Total Levies and utility charges</b> | <b>132,436</b>           | <b>132,436</b>          | <b>22,939</b>           | <b>22,327</b>   | <b>(612)</b>      |

\* miscoding error corrected after end of month close.

## 7. CAPITAL FUNDING STATEMENT

### CAPITAL FUNDING STATEMENT For the period ending 31 August 2016

|   | Annual                      | Annual                     | YTD                        | YTD             | YTD               |
|---|-----------------------------|----------------------------|----------------------------|-----------------|-------------------|
|   | Original<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Actual<br>\$000 | Variance<br>\$000 |
| <b>Sources of capital funding</b>             |                             |                            |                            |                 |                   |
| Capital contributions and donations           | 29,425                      | 29,425                     | 3,870                      | 4,421           | 551               |
| Capital grants and subsidies                  | 2,824                       | 3,024                      | 379                        | 211             | (168)             |
| Proceeds on disposal of non-current assets    | 630                         | 1,091                      | -                          | 63              | 63                |
| Capital transfers (to)/ from reserves         | (15,839)                    | (14,382)                   | (1,742)                    | (3,303)         | (1,561)           |
| Non-cash contributions                        | 3,144                       | 3,144                      | 524                        | -               | (524)             |
| Funding from general revenue                  | 64,549                      | 69,863                     | 10,228                     | * 7,326         | (2,902)           |
| <b>Total sources of capital funding</b>       | <b>84,733</b>               | <b>92,164</b>              | <b>13,259</b>              | <b>8,718</b>    | <b>(4,541)</b>    |
| <b>Application of capital funds</b>           |                             |                            |                            |                 |                   |
| Contributed assets                            | 3,144                       | 3,144                      | 524                        | -               | (524)             |
| Capitalised goods and services                | 71,905                      | 79,336                     | 7,662                      | 5,473           | (2,189)           |
| Capitalised employee costs                    | 5,133                       | 5,133                      | 522                        | 2,497           | 1,975             |
| Loan redemption                               | 4,551                       | 4,551                      | 4,551                      | * 748           | (3,803)           |
| <b>Total application of capital funds</b>     | <b>84,733</b>               | <b>92,164</b>              | <b>13,259</b>              | <b>8,718</b>    | <b>(4,541)</b>    |
| <b>Other budgeted items</b>                   |                             |                            |                            |                 |                   |
| Transfers to constrained operating reserves   | (11,683)                    | (11,683)                   | (2,600)                    | (2,638)         | (38)              |
| Transfers from constrained operating reserves | 10,321                      | 10,321                     | 643                        | 366             | (277)             |
| WDV of assets disposed                        | 919                         | 919                        | 153                        | -               | (153)             |

\* miscoding error corrected after end of month close.

## 8. REDLAND WATER & REDWASTE STATEMENTS

### REDLAND WATER SUMMARY OPERATING STATEMENT For the period ending 31 August 2016

|  | Annual                      | Annual                     | YTD                        | YTD             | YTD               |
|--|-----------------------------|----------------------------|----------------------------|-----------------|-------------------|
|  | Original<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Actual<br>\$000 | Variance<br>\$000 |
| Total revenue  | 102,096                     | 102,096                    | 17,003                     | 16,463          | (540)             |
| Total expenses   | 57,907                      | 57,907                     | 8,758                      | 8,137           | (621)             |
| Earnings before interest, tax and depreciation (EBITD) | 44,189                      | 44,189                     | 8,245                      | 8,326           | 81                |
| Depreciation   | 16,505                      | 16,505                     | 2,751                      | 3,068           | 317               |
| <b>Operating surplus/(deficit)</b>                     | <b>27,684</b>               | <b>27,684</b>              | <b>5,494</b>               | <b>5,258</b>    | <b>(236)</b>      |

### REDLAND WATER CAPITAL FUNDING STATEMENT For the period ending 31 August 2016

|  | Annual                      | Annual                     | YTD                        | YTD             | YTD               |
|--|-----------------------------|----------------------------|----------------------------|-----------------|-------------------|
|  | Original<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Actual<br>\$000 | Variance<br>\$000 |
| Capital contributions, donations, grants and subsidies | 6,539                       | 6,539                      | 1,372                      | 1,819           | 447               |
| Net transfer (to)/from constrained capital reserves    | (713)                       | 127                        | 916                        | (863)           | (1,779)           |
| Other  | 3,065                       | 3,065                      | 511                        | -               | (511)             |
| Funding from utility revenue                           | 7,993                       | 9,045                      | 344                        | 1,273           | 929               |
| <b>Total sources of capital funding</b>                | <b>16,883</b>               | <b>18,775</b>              | <b>3,143</b>               | <b>2,229</b>    | <b>(914)</b>      |
| Contributed assets                                     | 3,065                       | 3,065                      | 511                        | -               | (511)             |
| Capitalised expenditure                                | 13,818                      | 15,711                     | 2,632                      | 2,229           | (403)             |
| <b>Total applications of capital funds</b>             | <b>16,883</b>               | <b>18,775</b>              | <b>3,143</b>               | <b>2,229</b>    | <b>(914)</b>      |

### REDWASTE OPERATING STATEMENT For the period ending 31 August 2016

|  | Annual                      | Annual                     | YTD                        | YTD             | YTD               |
|--|-----------------------------|----------------------------|----------------------------|-----------------|-------------------|
|  | Original<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Actual<br>\$000 | Variance<br>\$000 |
| Total revenue  | 24,137                      | 24,137                     | 3,914                      | 3,879           | (35)              |
| Total expenses   | 18,155                      | 18,155                     | 2,972                      | 2,708           | (264)             |
| Earnings before interest, tax and depreciation (EBITD) | 5,982                       | 5,982                      | 942                        | 1,171           | 229               |
| Interest expense                                       | 40                          | 40                         | 7                          | 8               | 2                 |
| Depreciation   | 572                         | 572                        | 95                         | 26              | (70)              |
| <b>Operating surplus/(deficit)</b>                     | <b>5,370</b>                | <b>5,371</b>               | <b>840</b>                 | <b>1,137</b>    | <b>297</b>        |

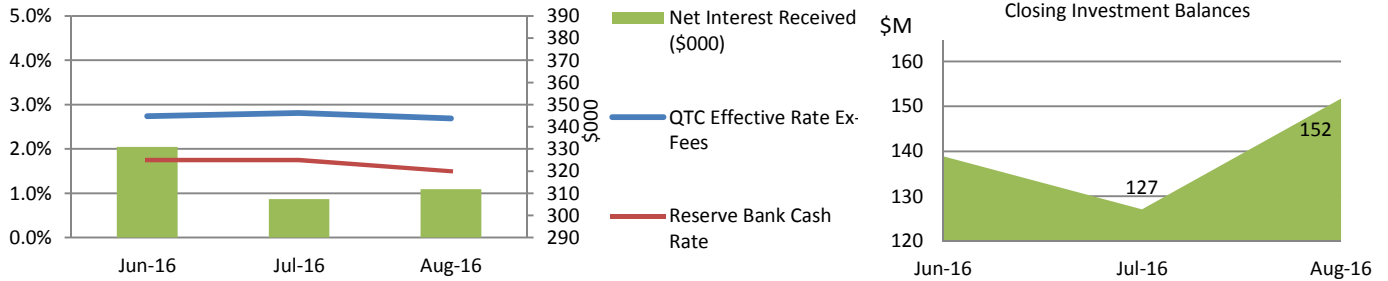
### REDWASTE CAPITAL FUNDING STATEMENT For the period ending 31 August 2016

|  | Annual                      | Annual                     | YTD                        | YTD             | YTD               |
|--|-----------------------------|----------------------------|----------------------------|-----------------|-------------------|
|  | Original<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Revised<br>Budget<br>\$000 | Actual<br>\$000 | Variance<br>\$000 |
| Funding from utility revenue               | 307                         | 1,475                      | 101                        | 101             | -                 |
| <b>Total sources of capital funding</b>    | <b>307</b>                  | <b>1,475</b>               | <b>101</b>                 | <b>101</b>      | <b>-</b>          |
| Capitalised expenditure                    | 233                         | 1,400                      | 26                         | 89              | 63                |
| Loan redemption                            | 75                          | 75                         | 75                         | 12              | (63)              |
| <b>Total applications of capital funds</b> | <b>307</b>                  | <b>1,475</b>               | <b>101</b>                 | <b>101</b>      | <b>-</b>          |

## 9. INVESTMENT & BORROWINGS REPORT

For the period ending 31 August 2016

### INVESTMENT RETURNS



**Total Investment at End of Month was \$151.70M**

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

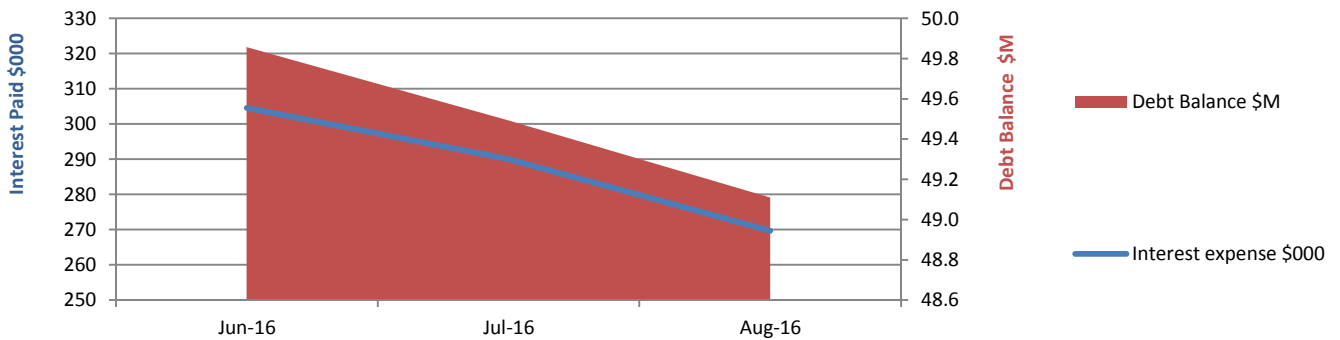
The movement in interest earned is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by business cash flow requirements on a monthly basis. The movement in investment balance is reflective of the rating cycle.

Note: the Reserve Bank reduced the cash rate down to 1.5% in the August 2016 sitting.

Term deposit rates are being monitored to identify investment opportunities. Where such opportunities are not identified, the team ensures Council maximises its interest earnings on a daily basis by depositing surplus funds at QTC for a higher rate than is achieved from the transactional bank account.

Council adopted its revised Investment Policy in May 2016 for the 2016-17 financial year

### BORROWING COSTS



**Total Borrowings at End of Month was \$49.11M**



The existing loan accounts were converted to fixed rate loans on 1 April 2016 in line with QTC policies. In line with Council's debt policy, debt repayment has been made *annually* in advance for 2016/2017.

Council adopted its revised Debt Policy in July 2016 for the 2016-17 financial year

## 10. CONSTRAINED CASH RESERVES

| Reserves as at 31 August 2016                        | Opening Balance | To Reserve   | From Reserve   | Closing Balance |
|--|-----------------|--------------|----------------|-----------------|
|  | \$000           | \$000        | \$000          | \$000           |
| <b>Special Projects Reserve:</b>                     |                 |              |                |                 |
| Weinam Creek Reserve                                 | 2,406           | 123          | (1)            | 2,528           |
| Red Art Gallery Commissions & Donations Reserve      | 2               | -            | -              | 2               |
|  | <b>2,408</b>    | <b>123</b>   | <b>(1)</b>     | <b>2,530</b>    |
| <b>Utilities Reserve:</b>                            |                 |              |                |                 |
| Redland Water Reserve                                | 8,300           | -            | -              | 8,300           |
| Redland WasteWater Reserve                           | 1,600           | -            | -              | 1,600           |
|  | <b>9,900</b>    | <b>-</b>     | <b>-</b>       | <b>9,900</b>    |
| <b>Constrained Works Reserve:</b>                    |                 |              |                |                 |
| Parks Reserve  | 9,150           | 403          | (20)           | 9,533           |
| East Thornlands Road Infrastructure Reserve          | 674             | -            | -              | 674             |
| Community Facility Infrastructure Reserve            | 1,696           | 146          | -              | 1,842           |
| Retail Water Renewal & Purchase Reserve              | 8,911           | 464          | -              | 9,375           |
| Sewerage Renewal & Purchase Reserve                  | 6,516           | 1,349        | (950)          | 6,915           |
| Constrained Works Reserve-Cap Grants & Contributions | 1,549           | -            | -              | 1,549           |
| Transport Trunk Infrastructure Reserve               | 21,897          | 1,395        | -              | 23,292          |
| Cycling Trunk Infrastructure Reserve                 | 5,844           | 340          | -              | 6,184           |
| Stormwater Infrastructure Reserve                    | 5,614           | 296          | -              | 5,910           |
| Constrained Works Reserve-Opr Grants & Contributions | 1,666           | -            | (1)            | 1,665           |
| Tree Planting Reserve                                | 64              | 2            | -              | 66              |
|  | <b>63,581</b>   | <b>4,395</b> | <b>(971)</b>   | <b>67,005</b>   |
| <b>Separate Charge Reserve - Environment:</b>        |                 |              |                |                 |
| Environment Charge Acquisition Reserve               | 6,794           | -            | -              | 6,794           |
| Environment Charge Maintenance Reserve               | 1,243           | 1,529        | (333)          | 2,439           |
|  | <b>8,037</b>    | <b>1,529</b> | <b>(333)</b>   | <b>9,233</b>    |
| <b>Special Charge Reserve - Other:</b>               |                 |              |                |                 |
| Bay Island Rural Fire Levy Reserve                   | -               | 52           | (11)           | 41              |
| SMBI Translink Reserve                               | 13              | -            | -              | 13              |
|  | <b>13</b>       | <b>52</b>    | <b>(11)</b>    | <b>54</b>       |
| <b>Special Charge Reserve - Canals:</b>              |                 |              |                |                 |
| Raby Bay Canal Reserve                               | 4,113           | 694          | (134)          | 4,673           |
| Aquatic Paradise Canal Reserve                       | 3,685           | 224          | (3)            | 3,906           |
| Sovereign Waters Lake Reserve                        | 438             | 14           | (3)            | 449             |
|  | <b>8,236</b>    | <b>932</b>   | <b>(140)</b>   | <b>9,028</b>    |
| <b>TOTALS</b>  | <b>92,176</b>   | <b>7,031</b> | <b>(1,457)</b> | <b>97,750</b>   |

|  |                |
|--|----------------|
| Closing cash and cash equivalents      | <b>151,953</b> |
| Reserves as percentage of cash balance | <b>64%</b>     |

Opening balances for reserves are unaudited and subject to change until Queensland Audit Office certification is obtained in October 2016.

## 11. GLOSSARY

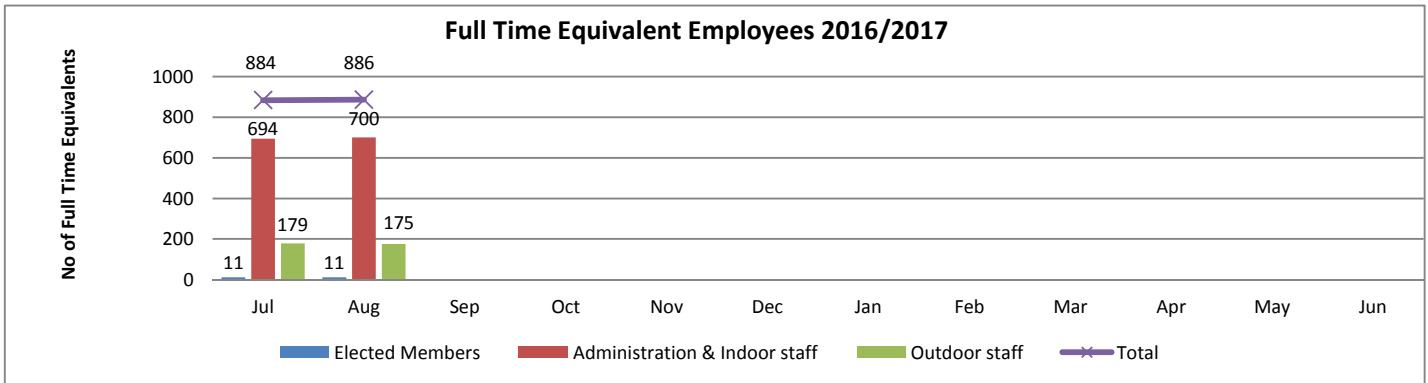
### Definition of Ratios

|  |  |
|--|--|
| <b>Operating Surplus Ratio*:</b><br><i>This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes</i>                       | $\frac{\text{Net Operating Surplus}}{\text{Total Operating Revenue}}$  |
| <b>Asset Sustainability Ratio*:</b><br><i>This ratio indicates whether Council is renewing or replacing existing non-financial assets at the same rate that its overall stock of assets is wearing out</i> | $\frac{\text{Capital Expenditure on Replacement of Infrastructure Assets (Renewals)}}{\text{Depreciation Expenditure on Infrastructure Assets}}$ |
| <b>Net Financial Liabilities*:</b><br><i>This is an indicator of the extent to which the net financial liabilities of Council can be serviced by operating revenues</i>                                    | $\frac{\text{Total Liabilities - Current Assets}}{\text{Total Operating Revenue}}$   |
| <b>Level of Dependence on General Rate Revenue:</b><br><i>This ratio measures Council's reliance on operating revenue from general rates (excludes utility revenues)</i>                                   | $\frac{\text{General Rates - Pensioner Remissions}}{\text{Total Operating Revenue - Gain on Sale of Developed Land}}$                            |
| <b>Current Ratio:</b><br><i>This measures the extent to which Council has liquid assets available to meet short term financial obligations</i>   | $\frac{\text{Current Assets}}{\text{Current Liabilities}}$   |
| <b>Debt Servicing Ratio:</b><br><i>This indicates Council's ability to meet current debt instalments with recurrent revenue</i>  | $\frac{\text{Interest Expense + Loan Redemption}}{\text{Total Operating Revenue - Gain on Sale of Developed Land}}$                              |
| <b>Cash Balance - \$M:</b>   | Cash Held at Period End  |
| <b>Cash Capacity in Months:</b><br><i>This provides an indication as to the number of months cash held at period end would cover operating cash outflows</i>   | $\frac{\text{Cash Held at Period End}}{[(\text{Cash Operating Costs} + \text{Interest Expense}) / \text{Period in Year}]}$                       |
| <b>Debt to Asset Ratio:</b><br><i>This is total debt as a percentage of total assets, i.e. to what extent will our long term debt be covered by total assets</i>   | $\frac{\text{Current and Non-current loans}}{\text{Total Assets}}$   |
| <b>Operating Performance:</b><br><i>This ratio provides an indication of Redland City Council's cash flow capabilities</i>   | $\frac{\text{Net Cash from Operations} + \text{Interest Revenue and Expense}}{\text{Cash Operating Revenue} + \text{Interest Revenue}}$          |
| <b>Interest Cover Ratio:</b><br><i>This ratio demonstrates the extent which operating revenues are being used to meet the financing charges</i>  | $\frac{\text{Net Interest Expense on Debt Service}}{\text{Total Operating Revenue}}$   |

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

## 12. APPENDIX: ADDITIONAL AND NON-FINANCIAL INFORMATION

### Workforce Reporting



| Workforce reporting - August 2016: Headcount | Employee Type |                     |            |           |           |           |             |
|--|---------------|---------------------|------------|-----------|-----------|-----------|-------------|
|  | Casual        | Contract of Service | Perm Full  | Perm Part | Temp Full | Temp Part | Grand Total |
| Office of CEO                                | 10            | 4                   | 86         | 11        | 10        | 4         | 125         |
| Organisational Services                      | 3             | 6                   | 108        | 8         | 7         | 3         | 135         |
| Community and Customer Service               | 39            | 4                   | 242        | 52        | 24        | 7         | 368         |
| Infrastructure and Operations                | 17            | 6                   | 308        | 9         | 10        | 2         | 352         |
| <b>Total</b>                                 | <b>69</b>     | <b>20</b>           | <b>744</b> | <b>80</b> | <b>51</b> | <b>16</b> | <b>980</b>  |

Note: Full Time Equivalent Employees includes all full time employees at a value of 1 and all other employees, at a value less than 1. The table above demonstrates the headcount by department (excluding agency staff) and does not include a workload weighting. It includes casual staff in their non-substantive roles as at the end of the period where relevant.

### Overdue Rates Debtors

| Days Overdue  | Total              |               |                     |               |                    |              |
|---------------|--------------------|---------------|---------------------|---------------|--------------------|--------------|
|               | Aug-15             | % Overdue     | Aug-16              | % Overdue     | \$ Variance        | % Variance   |
| <90           | \$4,700,994        | 7.49%         | \$6,955,963         | 10.7%         | \$2,254,968        | 3.20%        |
| 90 - 180 days | \$1,350,347        | 2.15%         | \$1,459,335         | 2.2%          | \$108,988          | 0.09%        |
| >180 days     | \$3,097,501        | 4.93%         | \$2,937,038         | 4.5%          | -\$160,463         | -0.42%       |
| <b>Total</b>  | <b>\$9,148,842</b> | <b>14.57%</b> | <b>\$11,352,336</b> | <b>17.44%</b> | <b>\$2,203,493</b> | <b>2.87%</b> |

### External Funding Summary

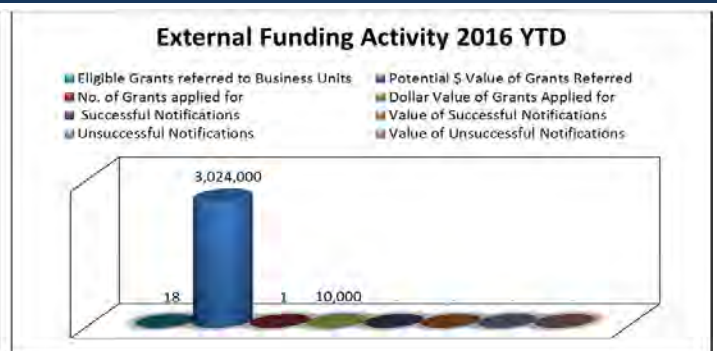


#### Referred Opportunities and application pending:

Queensland Arts Showcase Program (\$60k)  
Queensland an Age Friendly Community (No limit prescribed as yet)  
Skillings Queenslanders for Work - Indigiscapes Nursery Relocation/Tallowood Trail (closes Oct)

#### Referred opportunities and no application (due to no capacity/capability in business to write application):

Queensland Mental Health Commission Grants 2016/2017 (\$50k - potential partnership project)



#### Applications submitted:

Multicultural Affairs Queensland Event Funding (Wantok Festival)

#### Referred opportunities and no application (no eligible projects):

Regional Arts Fund (\$30k)  
Quick Response Grants (\$3k)  
Festivals Australia (no upper limit)  
Visions Australia (no upper limit)  
Queensland Arts Showcase Program - Arts ignite (\$60k for new works), Arts Illuminate (\$100k)

**11.1.2 AUSTRALIA POST CONTRACT RENEWAL UNDER SOLE SUPPLIER EXEMPTION**

**Objective Reference:** A1980312  
Reports and Attachments (Archives)

**Authorising Officer:**   
Deborah Corbett-Hall  
Chief Financial Officer

**Responsible Officer:** Leandri Brown  
Finance Manager Corporate Finance

**Report Author:** Jenny Lumsden  
Tax and Treasury Manager

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**PURPOSE**

The purpose of this report is to seek resolution from Council to extend the existing **12 month** contractual arrangement held with Australia Post for over the counter collection services, to a **36 month** contractual arrangement with Australia Post without first inviting written quotes or tenders pursuant to section 235 of the *Local Government Regulation 2012 (LGR2012)*.

**BACKGROUND**

Australia Post provides over the counter collection services to Council for which there is no significant direct competition in Australia. This is due to:

- The nature of the transaction processing services offered by Australia Post whereby ratepayers are able to present a rates notice at any Australia Post branch and scan it to pay outstanding amounts over the counter. These funds are then remitted and reported to Council electronically;
- The level of coverage across Australia offered by Australia Post, which is not duplicated by any other supplier currently in the market;
- The ease of transacting for ratepayers regardless of whom they bank with; and
- Following the bank tender process undertaken in 2014, there is currently only one known bank offering over the counter service offerings at branches to its customers, unfortunately this is not Council's current banking provider.

The current value of over the counter services provided by Australia Post falls within the definition of a medium sized contract (\$15,000 to \$200,000) over a 12 month term and over the proposed term of the contractual arrangement. Refer 'Financial' section of this report for further details.

As such, it is considered that the exceptions in both subsections 235(a) and (b) are applicable to this supplier. Refer 'Legislative Requirements' section of this report for further details.

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## ISSUES

### Sound Contracting Principles and Rules

In considering this procurement plan, the establishment of this arrangement and the list of suppliers, Council's Tax and Treasury team considered the Sound Contracting Principles (section 104 *Local Government Act 2009*) as part of the 2014 banking services tender process as follows:

- Value for money: other supplier pricing was not sufficiently competitive to justify the utilisation of resources to changeover systems nor did they offer this as a standalone service. Australia Post also offers better value for money in terms of wider coverage of services in terms of the physical location of branches.
- Open and effective competition: as part of the 2014 tender process only one other competitor submitted a viable alternative. This competitor was not selected for the provision of banking services and as such was not considered further.
- The development of competitive local business and industry: there are no local suppliers that are able to provide the level and breadth of service offered by Australia Post across Australia.
- Environmental protection: there is no specific environmental impact from this contract.
- Ethical behaviour and fair dealing: Australia Post has been the supplier of this service since inception and has had an ongoing relationship with both the ratepayers and Council. Council has dealt very openly about this requirement and provided suppliers opportunities to tender for the service as appropriate.

The Tax and Treasury team has also reviewed Council's Sound Contracting Rules underpinning the above Principles in relation to this contract to ensure compliance wherever applicable. The Rules include separation of duties, avoiding conflicts of interest, order splitting, record management and maintaining honesty and probity within the procurement process.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

In accordance with section 235(a) and (b) of *LGR2012*, a local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if:

- a) The local government resolves it is satisfied that there is only one supplier who is reasonably available; or
- b) The local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite written quotes or tenders.

The provisions of section 235 are applicable to Council as the proposed Australia Post contract meets the definition of a medium sized contractual arrangement (\$15,000 or more but less than \$200,000 in a financial year or over the proposed term of the contractual arrangement) per section 224(2) of *LGR2012*.

### Risk Management

The resolution, if made, and the establishment of this arrangement, will assist in the management of the following identified risks:

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- Maintenance of current customer service standards to the ratepayers in terms of value for money and business coverage.
- Minimum impact on Council resources.
- Continuity of service delivery.

### **Financial**

The annual cost of this contract projected for 2016/17 rates is approximately \$62,500 including GST (2017/18 \$64,000; 2018/2019 \$65,600).

Payments collected via Australia Post in 2015/2016 were \$18.417M being 8.3% of total receipts.

If the recommendations in this report are not supported, Council will need to go through a tender process to engage a new supplier which will have significant implications on Council staff and resources.

### **People**

Australia Post is an extremely convenient option for customers as they can conduct a multitude of activities at the one location such as paying bills etc. with access to services right across Australia including rural locations.

In 2015/2016 an average of 8,150 rate payers per quarter utilised this service to pay their Council bills.

If the recommendations in this report are not approved, customer convenience and access to services may be affected.

### **Environmental**

There are no environmental implications.

### **Social**

There are no social implications.

### **Alignment with Council's Policy and Plans**

This report is consistent with Council's procurement policy and legislative requirements.

### **CONSULTATION**

Consultation in this process has included the following:

- Tax and Treasury Team.
- Procurement Services Unit.
- Financial Manager Financial Operations.

### **OPTIONS**

1. Council resolves that:
    - a) in accordance with section 235(a) and (b) of the *Local Government Regulation 2012*, Redland City Council is satisfied that Australia Post is the only supplier reasonably available to supply the specialised over the counter collection services required by Council; and
    - b) this existing contractual arrangement will be extended to a period of 36 months under the sole supplier exemption.
-

2. Council does not support Australia Post as the only supplier reasonably available to supply the goods or services required by Council and the service will go through the tendering process.

**OFFICER'S RECOMMENDATION**

Council resolves that:

1. In accordance with section 235(a) and (b) of the *Local Government Regulation 2012*, Redland City Council is satisfied that Australia Post is the only supplier reasonably available to supply the specialised over the counter collection services required by Council; and
2. This existing contractual arrangement will be extended to a period of 36 months under the sole supplier exemption.

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**11.2 ORGANISATIONAL SERVICES****11.2.1 REPORT OF THE AUDIT COMMITTEE MEETING – 8 SEPTEMBER 2016**

**Objective Reference:** A1969109  
Reports and Attachments (Archives)

**Attachment:** [Audit Committee Minutes – 8 September 2016](#)

**Authorising Officer:**



**Andrew Ross**  
Acting General Manager Organisational Services

**Responsible Officer/Author:** Siggy Covill  
Group Manager Internal Audit

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**PURPOSE**

The purpose of this report is to present the minutes of the Audit Committee meeting on 8 September 2016 to Council for adoption in accordance with Section 211 of the *Local Government Regulation 2012*.

**BACKGROUND**

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

To fulfil this objective and in order to enhance the ability of Councillors to discharge their legal responsibility, it is necessary that a written report is presented to Council as soon as practicable after a meeting of the Audit Committee about the matters reviewed at the meeting and the Committee's recommendations about these matters.

**ISSUES**

Please refer to the attached Minutes of the Audit Committee meeting held on 8 September 2016.

**STRATEGIC IMPLICATIONS****Legislative Requirements**

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

**Risk Management**

There are no opportunities or risks for Council resulting from this report.

**Financial**

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

**People**

There are no implications on people as a result of this report.

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**Environmental**

There are no environmental impacts resulting from this report.

**Social**

There are no social implications as a result of this report.

**Alignment with Council's Policy and Plans**

Relationship to Corporate Plan: 8. Inclusive and ethical governance

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

8.4 A continuous improvement focus underpins the organisation, creating a supportive environment for ideas and positive, well-managed change that enhances internal and external outcomes.

**CONSULTATION**

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

**OPTIONS**

1. That Council accepts this report, which summarises the issues discussed at the Audit Committee meeting of 8 September 2016;
2. That Council accepts this report and requests additional information; or
3. That Council not accepts this report and requests an alternative method of reporting.

**OFFICER'S RECOMMENDATION**

**That Council resolves to accept this report, which summarises the issues discussed at the Audit Committee Meeting of 8 September 2016.**



**Redland**  
CITY COUNCIL

# **MINUTES**

## **AUDIT COMMITTEE MEETING**

**Thursday, 8 September 2016**

**Commencing at 10.00 am**

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

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ATTACHMENT

## 1 DECLARATION OF OPENING

The Chairperson declared the meeting open at 10.04 am.

## 2 RECORD OF ATTENDANCE AND APOLOGIES

### Membership:

|                  |   |
|------------------|---|
| Cr Wendy Boglary | Councillor Member and Acting Chairperson (alternate member) |
| Mr Virendra Dua  | External Member   |
| Mr Peter Dowling | External Member   |

### Secretary:

|                 |                              |
|-----------------|------------------------------|
| Ms Siggy Covill | Group Manager Internal Audit |
|-----------------|------------------------------|

### Attendees:

|                         |                                     |
|-------------------------|-------------------------------------|
| Mr Bill Lyon            | Chief Executive Officer             |
| Ms Deborah Corbett-Hall | Chief Financial Officer             |
| Ms Leandri Brown        | Finance Manager Corporate Finance   |
| Mr Denis Byram          | Queensland Audit Office             |
| Mr Martin Power         | Bentleys - QAO Audit Representative |

### Observers:

|                |            |
|----------------|------------|
| Cr Paul Bishop | Councillor |
|----------------|------------|

### Minutes:

|                          |   |
|--------------------------|---|
| Ms Charmaine Shakespeare | PA to General Manager Organisational Services |
|--------------------------|---|

### Apologies:

|                   |   |
|-------------------|---|
| Cr Karen Williams | Councillor Member                               |
| Cr Paul Gleeson   | Councillor Member and Chairperson               |
| Mr Nick Clarke    | General Manager Organisational Services         |
| Ms Louise Rusan   | General Manager Community and Customer Services |
| Mr Gary Soutar    | General Manager Infrastructure and Operations   |
| Ms Ashley Carle   | Bentleys - QAO Audit Representative             |

## 3 RECEIPT AND CONFIRMATION OF MINUTES

The minutes of the Audit Committee meeting of 21 July 2016 were presented for confirmation by the Committee.

### 3.1 BUSINESS ARISING FROM PREVIOUS MINUTES

The Chair asked that any business arising from the previous minutes of this Committee be carried forward to the next scheduled Audit Committee meeting on 13 October 2016.

### COMMITTEE DECISION

**That the Audit Committee notes the receipt and confirmation of the prior minutes as presented.**



**4 COUNCIL FINANCIAL REPORTS****4.1 DRAFT ANNUAL FINANCIAL STATEMENTS**

The Chief Financial Officer presented the draft annual financial statements of Council to the Audit Committee.

**COMMITTEE DECISION**

- 1. That the Audit Committee notes the draft annual financial statements as presented;**
- 2. That the Chief Financial Officer updates wording to the notes to the draft financial statements as discussed to provide further clarity in the disclosures; and**
- 3. That the Audit Committee notes the additional security measures and levels of scrutiny implemented by Financial Services to further mitigate fraud risks.**

**5 UPDATE FROM EXTERNAL AUDITORS**

Bentleys presented an update to the Committee.

**COMMITTEE DECISION**

**That the Audit Committee notes the update as presented.**

**6 MEETING CLOSURE**

The meeting closed at 11.14 am.

ATTACHMENT

**11.2.2 EXTENSION OF AUDIT COMMITTEE EXTERNAL MEMBER APPOINTMENT**

**Objective Reference:** A1969132  
**Reports and Attachments (Archives)**

**Authorising Officer:**



**Andrew Ross**  
**Acting General Manager Organisational Services**

**Responsible Officer/Author:** **Siggy Covill**  
**Group Manager Internal Audit**

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**PURPOSE**

The purpose of this report is to seek extension of the appointment of the external member to the Audit Committee, Mr Virendra Dua, for a four-year period from 1 December 2016 to 30 November 2020.

**BACKGROUND**

The Redland City Council Audit Committee Charter (Corporate POL-3008) requires that the Audit Committee comprise of two Councillors and two independent external appointees. The contract for one of the external members, Mr Virendra Dua, is due to expire on 30 November 2016 and extension is sought for a further four-year period. The contract of the other external appointee, Mr Peter Dowling, is still valid until 30 November 2018.

**ISSUES**

Mr Dua has been on the Audit Committee under the current contract for a period of four years and has proven to be a valuable and knowledgeable member of the committee due to his experience and membership on the audit committees of other local governments and other organisations. If Council does not approve this extension, an expression of interest process will need to be engaged in to appoint an external Audit Committee member to ensure that the Audit Committee Charter is being complied with.

**STRATEGIC IMPLICATIONS****Legislative Requirements**

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

**Risk Management**

Having experienced external members on the Audit Committee reduces the risk and enhances the ability of Councillors to discharge their legal responsibility to exercise due care, diligence and skill in relation to compliance with applicable laws and policy.

**Financial**

The remuneration for the external Audit Committee members has been included in the budget for FY 2016/2017 and will continue to be budgeted in the future years.

**People**

There are no specific implications on people due to the content of this report.

**Environmental**

There are no environmental impacts resulting from this report.

**Social**

There are no social implications as a result of this report.

**Alignment with Council's Policy and Plans**

Relationship to Corporate Plan: 8. Inclusive and ethical governance

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

8.4 A continuous improvement focus underpins the organisation, creating a supportive environment for ideas and positive, well-managed change that enhances internal and external outcomes.

**CONSULTATION**

Consultation has taken place with the acting Mayor, Councillor Wendy Boglary, and Councillor Paul Gleeson, as current members of the Audit Committee, the Chief Executive Officer, the external auditors Bentleys and the Queensland Audit Office.

**OPTIONS**

1. That Council accepts this report requesting the extension of the appointment of the current external Audit Committee member, Mr Virendra Dua, for a four-year period from 1 December 2016 to 30 November 2020; or
2. That Council not accepts this report and requests for an expression of interest process to be engaged in for the appointment of an external member to the Audit Committee.

**OFFICER'S RECOMMENDATION**

**That Council resolves to accept this report requesting the extension of the appointment of the current external Audit Committee member, Mr Virendra Dua, for a four-year period from 1 December 2016 to 30 November 2020.**

**11.2.3 REDLAND CITY COUNCIL MEETING SCHEDULE 2017**

**Objective Reference:** A124442  
Reports and Attachments (Archives)

**Attachment:** [Meeting Schedule January-December 2017](#)

**Authorising Officer:**



**Andrew Ross**  
Acting General Manager Organisational Services

**Responsible Officer:** Jo Jones  
Acting Group Manager Corporate Governance

**Report Author:** Susan Kerr  
Acting Corporate Governance Project Officer

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**PURPOSE**

The purpose of this report is for Council to adopt the Council meeting calendar for 2017.

**BACKGROUND**

The *Local Government Act 2009* (LG Act) requires Councils to at least once in each year, publish in a newspaper circulating generally in its area, a notice of the days and times when its meetings are to be held. Council also publishes this information at its customer service centres and on its website.

**ISSUES**

The attached meeting calendar for 2017 has been developed to meet legislative requirements under the LG Act.

**STRATEGIC IMPLICATIONS****Legislative Requirements**

The recommendations of this report are in accordance with the legislative requirements relating to the conduct of Council's meetings.

**Risk Management**

There are no significant risk management issues associated with this report.

**Financial**

There are no specific financial implications associated with this report.

**People**

Adopting Council's meeting calendar allows Council's Elected Representatives and those officers involved in Council's meetings to effectively plan for their 2017 Council meeting commitments.

---

**Environmental**

There are no specific environmental implications associated with this report.

**Social**

Early adoption of Council's meeting schedule provides benefit to members of the community wishing to attend Council meetings.

**Alignment with Council's Policy and Plans**

This report aligns with Council's policies and plans and contributes to Inclusive and Ethical Governance.

**CONSULTATION**

Consultation has occurred with the Executive Leadership Team and the Corporate Meetings and Registers Team.

**OPTIONS**

1. That Council resolves to adopt the attached 2017 meeting calendar.
2. That Council amends the proposed 2017 meeting calendar

**OFFICER'S RECOMMENDATION**

**That Council resolves to adopt the attached 2017 meeting calendar.**

**REDLAND CITY COUNCIL**  
**MEETING SCHEDULE: JANUARY – DECEMBER 2017**

|                       |                  |  |
|-----------------------|------------------|--|
| <b>JANUARY 2017</b>   |                  |  |
| 25                    | Wednesday 9.30am | General Meeting                                    |
| <b>FEBRUARY 2017</b>  |                  |  |
| 8                     | Wednesday 9.30am | General Meeting                                    |
| 22                    | Wednesday 9.30am | General Meeting                                    |
| <b>MARCH 2017</b>     |                  |  |
| 8                     | Wednesday 9.30am | General Meeting                                    |
| 22                    | Wednesday 9.30am | General Meeting                                    |
| <b>APRIL 2017</b>     |                  |  |
| 19                    | Wednesday 9.30am | General Meeting                                    |
| <b>MAY 2017</b>       |                  |  |
| 10                    | Wednesday 9.30am | General Meeting                                    |
| 24                    | Wednesday 9.30am | General Meeting                                    |
| <b>JUNE 2017</b>      |                  |  |
| 7                     | Wednesday 9.30am | General Meeting                                    |
| 21                    | Wednesday 9.30am | General Meeting                                    |
| 22                    | Thursday 9.30am  | Special Meeting – Adoption of 2017/18 Budget (TBC) |
| <b>JULY 2017</b>      |                  |  |
| 12                    | Wednesday 9.30am | General Meeting                                    |
| 13                    | Thursday 9.30am  | Special Meeting – Adoption of 2017/18 Budget (TBC) |
| 26                    | Wednesday 9.30am | General Meeting                                    |
| <b>AUGUST 2017</b>    |                  |  |
| 9                     | Wednesday 9.30am | General Meeting                                    |
| 23                    | Wednesday 9.30am | General Meeting                                    |
| <b>SEPTEMBER 2017</b> |                  |  |
| 6                     | Wednesday 9.30am | General Meeting                                    |
| <b>OCTOBER 2017</b>   |                  |  |
| 4                     | Wednesday 9.30am | General Meeting                                    |
| 18                    | Wednesday 9.30am | General Meeting                                    |
| <b>NOVEMBER 2017</b>  |                  |  |
| 8                     | Wednesday 9.30am | General Meeting                                    |
| 22                    | Wednesday 9.30am | General Meeting                                    |
| <b>DECEMBER 2017</b>  |                  |  |
| 13                    | Wednesday 9.30am | General Meeting                                    |

**11.2.4 CONSOLIDATED SUBORDINATE LOCAL LAWS NO. 2 (ANIMAL MANAGEMENT) 2015 AND NO. 5 (PARKING) 2015**

**Objective Reference:** A124442  
Reports and Attachments (Archives)

**Attachments:** [Subordinate Local Law 2 \(Animal Management\) 2015](#)  
[Subordinate Local Law 5 \(Parking\) 2015](#)

**Authorising Officer:**



**Andrew Ross**  
Acting General Manager Organisational Services

**Responsible Officer:** Jo Jones  
Acting Group Manager Corporate Governance

**Report Author:** Jen Gisler  
Acting Service Manager Strategy & Governance

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**PURPOSE**

The purpose of this report is to proceed with the making of the consolidated versions of *Subordinate Local Law No.2 (Animal Management) 2015* and *Subordinate Local Law No.5 (Parking) 2015*, as per the requirements of the *Local Government Act 2009*.

**BACKGROUND**

At Council's General Meeting of the 9<sup>th</sup> December 2015 Council adopted a recommendation to make *Parking (Amendment) Subordinate Local Law (No. 1) 2015* which identified a declared off-street regulated parking area at Junner Street, Dunwich, North Stradbroke Island.

At the General meeting of the 24<sup>th</sup> August 2016, Council adopted a recommendation to make *Animal Management (Amendment) Subordinate Local Law (No.1) 2015*, which expanded designated koala areas to include five additional locations: Ferntree Park, Capalaba; St James's Park, Birkdale; North Stradbroke Island townships; part of Thornlands; and part of Thorneside. In designated koala areas, specific requirements for the keeping of a dog on land apply.

As a result, there is an opportunity for Council to adopt a consolidated version of *Subordinate Local Laws No.2* and *No.5*.

**ISSUES**

The *Local Government Act 2009* allows for the consolidation of local laws to accurately combine the local law as it was originally made with all subsequent amendments to that local law. To enable this to occur, Council must formally adopt the consolidated versions of *Subordinate Local Laws No.2* and *No.5* (as attached) that have been drafted by Council's solicitors, King and Co.

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There is no change to the intent of an amended law when combined with a subordinate local law as originally made, to create a consolidated version. Upon the adoption of a consolidated version of a local law, the consolidated version is taken to be the local law.

Local Governments have the discretion of whether or not to consolidate local laws. However, it is recommended for Council to consider how easily members of the public or staff can understand the full scope and application of the local law and the later amendments if not presented in its consolidated form.

It is considered to be more efficient and transparent for Council's amended local laws to be consolidated when possible. Additionally, Council must write to the Minister of Local Government and Planning within seven days of the adoption of the consolidated versions providing a copy of the consolidated versions to the Minister.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

This report is in line with the requirements of the *Local Government Act 2009* and *Local Government Regulation 2012*.

### **Risk Management**

The risks associated with adopting a consolidated version of local laws are managed by conducting a process in accordance with the legislative requirements of the *Local Government Act 2009*, *Local Government Regulation 2012* and Council's adopted local law making process.

### **Financial**

There is no financial implication of making the consolidated versions.

### **People**

Copies of the consolidated versions will be available once approved by Council and made available for staff.

### **Environmental**

There are no direct environmental impacts associated with this report.

### **Social**

Local Government provides for good governance of their local government areas mainly through planning schemes and local laws. As such, Council's local law amendments relate to all members of the Redland community. Adoption of consolidated versions of local laws contributes to the good governance of the city.

### **Alignment with Council's Policy and Plans**

The consolidation process is in keeping with Council's Corporate Plan 2015-2020 Outcome 8, Inclusive and Ethical Governance.

## **CONSULTATION**

In proceeding with this consolidation of amended local laws with local laws as originally made, consultation has occurred with:



1. Corporate governance staff;
2. King and Company Solicitors; and
3. Relevant areas of Council applying the local laws.

### **OPTIONS**

1. To accept the recommendations of this report and adopt the consolidated Subordinate Local Laws; or
2. To not accept the recommendations of this report.

### **OFFICER'S RECOMMENDATION**

That Council resolves to:

1. **Adopt a consolidated version of *Subordinate Local Law No. 5 (Parking) 2015* as attached to this report to Council pursuant to section 32 of the *Local Government Act 2009*; and**
2. **Adopt a consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2015* as attached to this report to Council pursuant to section 32 of the *Local Government Act 2009*.**



**Redland**  
CITY COUNCIL

Redland City Council

**Subordinate Local Law No. 2 (Animal  
Management) 2015**



## Redland City Council

### Subordinate Local Law No. 2 (Animal Management) 2015

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## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Subordinate Local Law No. 2 (Animal Management) 2015*.

### **2 Purpose and how it is to be achieved**

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 2 (Animal Management) 2015*, which provides for regulation of the keeping and control of animals within the local government's area.
- (2) The purpose is to be achieved by providing for—
  - (a) the circumstances in which the keeping of animals is prohibited or requires approval; and
  - (b) requirements for keeping animals, including minimum standards and proper enclosures; and
  - (c) the control of animals in public places and koala conservation areas; and
  - (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and
  - (e) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and
  - (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.

### **3 Authorising local law**

The making of the provisions in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2015* (the ***authorising local law***).

### **4 Definitions**

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 7 defines particular words used in this subordinate local law.

## **Part 2 Keeping of animals**

### **5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1)**

For section 5(1) of the authorising local law, keeping an animal or animals mentioned in column 1 of schedule 1 is prohibited in the circumstances described in column 2 of schedule 1.

## **6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1)**

- (1) For section 6(1) of the authorising local law, an approval is required for the keeping of an animal or animals in the circumstances specified in this section.
- (2) An approval (a **3 cat approval**) is required to keep 3 cats over the age of 3 months on premises unless a cattery approval or a pet shop approval has been granted in respect of the keeping of the cats on the premises.
- (3) An approval (a **3 dog approval**) is required to keep 3 dogs over the age of 3 months on premises unless a kennel approval or a pet shop approval has been granted in respect of the keeping of the dogs on the premises.
- (4) An approval (a **cattery approval**) is required to operate premises which are used or intended for use for the keeping, boarding, breeding or training of more than 3 cats.
- (5) An approval (a **kennel approval**) is required to operate premises which are used or intended for use for the keeping, boarding, breeding or training of more than 3 dogs.
- (6) An approval (a **pet shop approval**) is required to keep animals if the animals are kept for the purposes of the operation of a pet shop.
- (7) An approval (a **pet pig approval**) is required to keep a pig on premises.

## **7 Minimum standards for keeping animals—Authorising local law, s 7(1)**

- (1) For section 7(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 2.
- (2) For section 7(1) of the authorising local law, column 2 of schedule 3 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 3.

## **8 Identification for dogs in certain circumstances—Authorising local law, s 8**

For section 8 of the authorising local law, the identification required for a dog that is at a place other than the address stated in the registration notice for the dog is an identifying tag supplied by the local government—

- (a) stating the registration number of the dog; and
- (b) indicating that the identifying tag has been issued by the local government; and
- (c) containing other information the local government considers appropriate.

## **Part 3 Control of animals**

### **9 Requirements for proper enclosures for keeping animals—Authorising local law, s 13(2)**

For section 13(2) of the authorising local law, column 2 of schedule 4 sets out the requirements for proper enclosures for an animal of the species or breed mentioned in column 1 of schedule 4.

### **9A Koala conservation—Authorising local law, s 13A**

- (1) For section 13A(1) of the authorising local law, schedule 4A sets out the requirements for keeping a dog on land that is within a koala area.
- (2) For section 13A(4) of the authorising local law, each area shaded in grey on a map in schedule 4B is designated as a koala area.
- (3) Each koala area on a map in schedule 4B is, for identification purposes, allocated the number which appears on the map in schedule 4B.

### **10 Criteria for declared dangerous animals—Authorising local law, s 17(1)**

For section 17(1) of the authorising local law, an animal may be declared a dangerous animal where there is a high likelihood of the animal causing injury to a person or animal or damage to property, taking into account—

- (a) its prior history of attacking or causing fear to persons or animals or damaging property; and
- (b) the extent of injury or damage that could potentially be inflicted by an animal of its size and species or breed.

## **Part 4 Seizure, impounding or destruction of animals**

### **11 Place of care for impounded animals—Authorising local law, s 22**

For section 22 of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government.

### **12 Animals that may be disposed of without auction or tender—Authorising local law, s 30(1)(b)**

For section 30(1)(b) of the authorising local law, the species, breeds or classes of animal that may be sold by private agreement, destroyed or disposed of in some other way are the following—

- (a) dogs; and
- (b) cats; and
- (c) livestock; and
- (d) poultry and birds; and
- (e) pigs; and

- (f) other small domestic animals, including guinea pigs, rats and mice.

### **13 Register of impounded animals—Authorising local law, s 31(3)**

For section 31(3) of the authorising local law, the register of impounded animals will be kept at the local government's public office.

## **Part 5 Registration of cats**

### **14 What registration form must state—Authorising local law, s42**

- (1) For section 42 of the authorising local law, a registration form for the registration of a cat must—
  - (a) be in the approved form; and
  - (b) state all of the following information about the owner of the cat—
    - (i) name;
    - (ii) residential address;
    - (iii) contact telephone number;
    - (iv) email address, if any; and
  - (c) state all of the following information about the cat—
    - (i) age;
    - (ii) breed;
    - (iii) colour;
    - (iv) sex;
    - (v) any other noticeable distinguishing features or marks;
    - (vi) address;
    - (vii) if it is desexed—that it is desexed.
- (2) In this section, the **address** for a cat is the address of the place where the cat is usually kept or proposed to be kept.

### **15 Local government must give registration notice — Authorising local law, s44(3)**

For section 44(3) of the authorising local law, a registration notice must—

- (a) be given to the owner within 14 days after the cat is registered by the local government; and
- (b) state—
  - (i) the information, for the owner and the cat, required to be given under sections 42 and 43(2) of the authorising local law; and
  - (ii) the period of the registration.

### **16 Local government must give renewal notice — Authorising local law, s47(3)**



For section 47(3) of the authorising local law, a renewal notice must—

- (a) be given at least 14 days before the period of registration for the cat expires; and
- (b) state—
  - (i) the information, for the owner and the cat, stated in the register of cats maintained by the local government; and
  - (ii) the period of renewal of registration; and
  - (iii) that the owner must, within 7 days, give the local government notice of any change to the information.

## **Part 6                      Miscellaneous**

### **17      Conditions regarding sale of animals—Authorising local law, s 52(1)**

For the purposes of section 52(1) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 5 must comply with the conditions set out in column 2 of schedule 5.

### **18      Animals excluded from application of the local law—Authorising local law, schedule**

For the purposes of the definition of “*animal*” in the schedule to the authorising local law, fish are excluded from the application of the authorising local law.

### **19      Prescribed period for reclaiming animals—Authorising local law, schedule**

For the purposes of the definition of “*prescribed period*” in the schedule to the authorising local law, the period within which an animal may be reclaimed is—

- (a) if the animal is a horse, cow, registered cat, registered dog or other identifiable animal—5 days; and
- (b) if the animal is an unregistered cat, unregistered dog or an animal which is not an identifiable animal—3 days.

## Schedule 1 Prohibition on keeping animals

### Section 5

| Item | Column 1<br>Animal  | Column 2<br>Circumstances in which keeping of animal or animals is prohibited  |
|------|---|--|
| 1    | Dog   | <p>(a) More than 2 dogs over the age of 3 months on premises unless the local government has granted, in respect of the keeping of the dogs on the premises—</p> <ul style="list-style-type: none"> <li>(i) a 3 dog approval; or</li> <li>(ii) a kennel approval; or</li> <li>(iii) a pet shop approval.</li> </ul> <p>(b) Any of the following breeds, and a cross-breed of any of the following breeds, anywhere in the local government area: American pit bull terrier or pit bull terrier; dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario.</p> |
| 2    | Cat   | <p>(a) More than 2 cats over the age of 3 months on premises unless the local government has granted, in respect of the keeping of the cats on the premises—</p> <ul style="list-style-type: none"> <li>(i) a 3 cat approval; or</li> <li>(ii) a cattery approval; or</li> <li>(iii) a pet shop approval.</li> </ul> <p>(b) A cat on premises in the ridgewood downs prohibition area.<sup>1</sup></p>   |
| 3    | Livestock   | <p>(a) 1 or more livestock on an allotment with an area less than 4,000m<sup>2</sup>.</p> <p>(b) 1 or more livestock on premises in the ridgewood downs prohibition area.<sup>2</sup></p>  |
| 4    | Rooster, ostrich, emu, peacock, peahen, guinea fowl or similar bird | A bird to which this item 4 applies on an allotment with an area less than 4,000m <sup>2</sup> .   |

<sup>1</sup> See definition of *ridgewood downs prohibition area* in the dictionary.

<sup>2</sup> See definition of *ridgewood downs prohibition area* in the dictionary.

| Item | Column 1<br>Animal  | Column 2<br>Circumstances in which keeping of animal or animals is prohibited   |
|------|---|---|
| 5    | Domestic chicken, duck or drake                               | (a) A bird to which this item 5 applies on an allotment with an area less than 500m <sup>2</sup> .<br>(b) More than 6 birds to which this item 5 applies on an allotment with an area between 500m <sup>2</sup> and 2,000m <sup>2</sup> .<br>(c) More than 12 birds to which this item 5 applies on an allotment with an area between 2001m <sup>2</sup> and 4,000m <sup>2</sup> .  |
| 6    | Goose or turkey   | A bird to which this item 6 applies on an allotment with an area less than 2,000 m <sup>2</sup> .   |
| 7    | Large parrot, cockatoo, galah or other bird of a similar size | (a) A bird to which this item 7 applies on—<br>(i) multi-residential premises; or<br>(ii) an allotment with an area less than 1,000m <sup>2</sup> .<br>(b) More than 1 bird to which this item 7 applies on an allotment with an area between 1000m <sup>2</sup> and 3000m <sup>2</sup> .<br>(c) More than 2 birds to which this item 7 applies on an allotment with an area of 3001m <sup>2</sup> or more.   |
| 8    | Pig   | (a) 1 or more pigs on an allotment with an area less than 4,000m <sup>2</sup> .<br>(b) 1 or more pigs on premises in the ridgewood downs prohibition area. <sup>3</sup><br>(c) 1 or more pigs on an allotment on any of the following—<br>(i) North Stradbroke Island;<br>(ii) Coochiemudlo Island;<br>(iii) Russell Island;<br>(iv) Macleay Island;<br>(v) Lamb Island;<br>(vi) Karragarra Island.<br>(d) Subject to paragraphs (a), (b) and (c), more than 1 pig on an allotment with an area of 4,000m <sup>2</sup> or more.<br>(e) Subject to paragraphs (a), (b), (c) and (d), 1 pig on an allotment with an area of 4,000m <sup>2</sup> or more unless the local government has granted, in respect of the keeping of the pig on the allotment, a pet pig approval. |

<sup>3</sup> See definition of *ridgewood downs prohibition area* in the dictionary.

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A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals on premises if—

- (a) the animal or animals were kept on the premises before the commencement of the authorising local law; and
- (b) the keeping of the animal or animals on the premises immediately before the commencement of the authorising local law did not contravene any provision of a local law of the local government that was repealed contemporaneously with the making of the authorising local law.

## **Schedule 2      Minimum standards for keeping animals generally**

### **Section 7(1)**

- (1) A person who keeps an animal on premises must—
  - (a) ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and
  - (b) ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person; and
  - (c) ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected at least daily and, if not immediately removed from the premises, is kept in a waste container of a kind approved by an authorised person; and
  - (d) ensure that any enclosure in which the animal is kept is properly maintained in—
    - (i) a clean and sanitary condition; and
    - (ii) an aesthetically acceptable condition; and
  - (e) take all reasonable steps to prevent the animal from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of—
    - (i) adjoining premises; or
    - (ii) premises in the vicinity of the land on which the animal is ordinarily kept; and
  - (f) ensure that the area available to the animal kept on the premises is appropriately sized so that the animal can be effectively and comfortably kept.
- (2) For the purposes of subsection (1)(e), the local government may consider a noise to be a nuisance or disturbance if—
  - (a) the noise is made for more than a total of 6 minutes in any hour from 7a.m. to 10p.m. on any day; or
  - (b) the noise is made for more than a total of 3 minutes in any 30 minute period on any day after 10p.m. or before 7a.m.
- (3) Where an enclosure is to be built specifically for the purpose of housing an animal on premises, the enclosure must be constructed to prevent the animal from going within any of the following—
  - (a) 5m of any residence, other than a residence upon the premises on which the enclosure is to be constructed; and
  - (b) 1m of any boundary of the premises; and
  - (c) 10m of any premises used for the manufacture, preparation or storage of food for human consumption, other than food contained in hermetically sealed packages.
- (4) Subsection (3)(c) does not apply where an enclosure is built for the purpose of housing the animal if the premises are a domestic kitchen used solely for domestic purposes by the owner of, or responsible person for, the animal.

## Schedule 3 Minimum standards for keeping particular animals

Section 7(2)

| Item | Column 1<br>Species or breed of animal | Column 2<br>Minimum standards for keeping animals  |
|------|--|--|
| 1    | Dog                                    | <p>Each owner of, and responsible person for, a dog kept on premises must—</p> <p>(a) provide and maintain on any part of the premises which is accessible by the dog, structures or facilities which facilitate the escape of koalas from the premises; and</p> <p><i>Examples of structures or facilities which facilitate the escape of koalas—</i></p> <ol style="list-style-type: none"> <li>1 Fences which do not create a physical barrier to the movement of koalas.</li> <li>2 Trees planted adjacent to the inside of a fence (which fence creates a physical barrier to the movement of koalas) to allow a koala to climb to the top of the fence.</li> <li>3 A “koala pole” leant against the inside of a fence (which fence creates a physical barrier to the movement of koalas), to allow a koala to climb to the top of the fence.</li> </ol> <p>(b) if a koala is on land to which the dog has access—</p> <ol style="list-style-type: none"> <li>(i) protect the koala by restraining the dog until the koala has left the land; and</li> <li>(ii) confine the dog so that the dog can not attack the koala until the koala has left the land; and</li> </ol> <p>(c) ensure that—</p> <ol style="list-style-type: none"> <li>(i) a residence exists on the premises; and</li> <li>(ii) someone is usually living in the residence; and</li> </ol> <p>(d) ensure that the premises are provided with an enclosure which complies with the requirements of schedule 4.</p> |
| 2    | Cat                                    | <p>Each owner of, and responsible person for, a cat kept on premises must ensure that—</p> <ol style="list-style-type: none"> <li>(a) a residence exists on the premises; and</li> <li>(b) someone is usually living in the residence; and</li> <li>(c) the premises are provided with an enclosure which complies with the requirements of schedule 4.</li> </ol>   |

| <b>Item</b> | <b>Column 1<br/>Species or breed of<br/>animal</b> | <b>Column 2<br/>Minimum standards for keeping animals</b>   |
|-------------|--|---|
| 3           | Guard dog  | <p>Each owner of, and responsible person for, a guard dog kept on premises must—</p> <ul style="list-style-type: none"> <li>(a) keep the dog in an enclosure approved by an authorised person; and</li> <li>(b) ensure that the enclosure is constructed so as to prevent a koala from entering the enclosure; and</li> <li>(c) take such measures and do all such acts as may be required by an authorised person or, as the case may be, as may be necessary, to prevent the dog from escaping from the premises; and</li> <li>(d) display conspicuously at all times at each entrance to the premises, a notice in white lettering on a black background, the lettering being not less than 50mm in height and readily legible with the words—<br/>“BEWARE – DANGEROUS GUARD DOG”; and</li> <li>(e) ensure that the dog is under effective control at all times when the premises are open to access by the public.</li> </ul> |
| 4           | Greyhound  | <p>Each owner of, and responsible person for, a greyhound must ensure that the dog is kept—</p> <ul style="list-style-type: none"> <li>(a) without nuisance; and</li> <li>(b) if a code of practice for the keeping of greyhounds has been approved by the Greyhound Racing Authority of Queensland—in accordance with the requirements of the code of practice.</li> </ul>   |
| 5           | Livestock  | <p>Each owner of, and responsible person for, an animal to which this item 5 applies which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the food of the animal is, so far as is practical, stored in a vermin proof container; and</li> <li>(b) the keeping of the animal does not have an adverse impact on— <ul style="list-style-type: none"> <li>(i) the ability of occupiers of premises in the surrounding area to carry out the ordinary activities of the area and enjoy its amenity; and</li> <li>(ii) the health or safety of people or other animals; and</li> </ul> </li> <li>(c) environmental impacts from the keeping of the animal are properly managed; and</li> </ul>   |

| <b>Item</b> | <b>Column 1<br/>Species or breed of<br/>animal</b>                            | <b>Column 2<br/>Minimum standards for keeping animals</b>   |
|-------------|---|---|
|             |   | <p><i>Examples of environmental impacts include—</i></p> <ol style="list-style-type: none"> <li>1 erosion;</li> <li>2 dust;</li> <li>3 weed infestation;</li> <li>4 water pollution.</li> </ol> <p>(d) if a code of practice for the keeping of an animal to which item 5 applies has been approved by the local government—the animal is kept in accordance with the requirements of the code of practice.</p>   |
| 6           | A bird other than a bird described in any of items 4, 5, 6 or 7 of schedule 1 | <p>Each owner of, and responsible person for, a bird to which this item 6 applies must ensure that—</p> <ol style="list-style-type: none"> <li>(a) the bird is kept without nuisance; and</li> <li>(b) the bird is contained within an enclosed cage or aviary; and</li> <li>(c) the bird’s food is kept in a properly sealed, vermin proof container; and</li> <li>(d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and</li> <li>(e) if a code of practice for the keeping of birds of a relevant species has been approved by the local government—the bird is kept in accordance with the requirements of the code of practice.</li> </ol>  |
| 7           | Pigeon  | <p>Each owner of, and responsible person for, 1 or more pigeons kept on premises must ensure that—</p> <ol style="list-style-type: none"> <li>(a) the pigeons are kept without nuisance; and</li> <li>(b) the pigeons are contained within an enclosed cage or aviary; and</li> <li>(c) the pigeon’s food is kept in a properly sealed, vermin proof container; and</li> <li>(d) the cage or aviary in which the pigeons are kept is— <ol style="list-style-type: none"> <li>(i) thoroughly cleaned at least once each week; and</li> <li>(ii) located at the rear of, and behind, any residence situated on the premises; and</li> </ol> </li> <li>(e) if the pigeons are kept in an urban area— the uncontrolled release of the pigeons (free lofting) is not permitted; and</li> <li>(f) if the pigeons are permitted to have free non-flight</li> </ol> |



| Item | Column 1<br>Species or breed of animal | Column 2<br>Minimum standards for keeping animals  |
|------|--|--|
|      |  | <p>time — the free non-flight time is only conducted under the close supervision of the responsible person for the pigeons; and</p> <p>(g) the entry and exit of the pigeons from any loft, aviary or cage on the premises is fully controlled; and</p> <p>(h) if the pigeons are released from a loft, aviary or cage — the pigeons may only return through a one-way entrance to the loft, aviary or cage, which does not permit the uncontrolled exit of pigeons; and</p> <p>(h) if pigeons are released from the premises — every reasonable attempt is made to retrieve any pigeon that does not return to the premises; and</p> <p>(i) if pigeons are released from the premises — the pigeons are not permitted to roost on any land or premises adjoining the premises on which the pigeons are kept; and</p> <p>(j) the behaviour of the pigeons is appropriately conditioned to ensure rapid and voluntary return of the pigeons to the loft, aviary or cage at the premises after liberation; and</p> <p>(k) if a code of practice for the keeping of pigeons has been approved by the local government—the pigeons must be kept in accordance with the requirements of the code of practice.</p> |
| 8    | Bees                                   | <p>(a) Each owner of, and responsible person for, bees must —</p> <p>(i) be a registered beekeeper under the <i>Apiaries Act 1982</i>; or</p> <p>(ii) the holder of a permit to keep bees granted under the <i>Apiaries Act 1982</i>.</p> <p>(b) Each owner of, and responsible person for, bees must ensure that —</p> <p>(i) the bees are kept without nuisance; and</p> <p>(ii) if a code of practice for the keeping of bees has been approved by the local government — the bees are kept in accordance with the requirements of the code of practice.</p>  |

| <b>Item</b> | <b>Column 1<br/>Species or breed of<br/>animal</b>   | <b>Column 2<br/>Minimum standards for keeping animals</b>   |
|-------------|--|---|
| 9           | Duck, drake, goose, turkey, rooster, peacock, peahen, ostrich, emu, guinea fowl, and poultry | <p>Each owner of, and responsible person for, a bird to which this item 9 applies which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the bird is kept without nuisance; and</li> <li>(b) the bird is contained within an enclosure; and</li> <li>(c) the bird's food is kept in a properly sealed, vermin proof container; and</li> <li>(d) the enclosure in which the bird is kept is— <ul style="list-style-type: none"> <li>(i) thoroughly cleaned at least once each week; and</li> <li>(ii) if the bird is a domestic chicken, duck, drake, goose or turkey and the bird is kept on an allotment with an area less than 2000m<sup>2</sup>— located at the rear of, and behind, any residence situated on the premises; and</li> </ul> </li> <li>(e) if a code of practice for the keeping of birds of a relevant species has been approved by the local government — the bird must be kept in accordance with the requirements of the code of practice.</li> </ul> |

## Schedule 4 Requirements for proper enclosures for animals

### Section 9

|   | Column 1<br>Species or breed of animal     | Column 2<br>Requirements for proper enclosures  |
|---|--|---|
| 1 | All animals regardless of species or breed | <p>(a) A proper enclosure is an area of the land on which the animal is kept, appropriately sized so as to be capable of effectively and comfortably housing the animal.</p> <p>(b) The area must be suitably fenced—</p> <ul style="list-style-type: none"> <li>(i) appropriate to the species and breed of the animal to be enclosed; and</li> <li>(ii) so as to effectively enclose the animal on the land on which it is kept at all times; and</li> <li>(iii) so as to prevent any part of the animal from encroaching onto a public place or neighbouring property.</li> </ul> <p>(c) For the purposes of this item 1, <i>suitably fenced</i> means enclosed by a fence —</p> <ul style="list-style-type: none"> <li>(i) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and</li> <li>(ii) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and</li> <li>(iii) where the animal has the ability to dig — which includes a barrier installed directly below the fence to prevent the animal digging its way out; and</li> <li>(iv) where the animal has the ability to climb— designed and constructed in such a way as to prevent the animal from climbing over the fence; and</li> <li>(v) of which all gates are kept closed and latched except when in immediate use by a person entering or leaving the land on which the animal is kept.</li> </ul> |
| 2 | A dog kept at a caravan park               | <p>The proper enclosure requirements for a person who keeps a dog at a caravan park site at a caravan park, are that the enclosure must—</p> <ul style="list-style-type: none"> <li>(a) comprise part, or the whole, of the caravan park site; but</li> <li>(b) not extend beyond the external boundaries of the</li> </ul>   |

|   |   |   |
|---|---|---|
|   |   | <p>caravan park site; and</p> <p>(c) be appropriately sized so as to be capable of effectively and comfortably housing the dog; and</p> <p>(d) be suitably fenced—</p> <p>(i) appropriate to the species and breed of the dog to be enclosed; and</p> <p>(ii) so as to at all times effectively enclose the dog within—</p> <p>(A) if the area of the enclosure comprises the whole of the caravan park site — the caravan park site to the satisfaction of an authorised person; or</p> <p>(B) if the area of the enclosure comprises only part of the caravan park site — the area of the enclosure to the satisfaction of an authorised person.</p>  |
| 3 | Stallion and pig                                    | A proper enclosure for the keeping of an animal to which this item 3 applies must, in addition to the requirements specified in item 1, be constructed within an additional or second suitable and adequate fence or enclosure that is provided at the land on which the animal is kept to a standard approved by an authorised person.   |
| 4 | A cat kept on premises pursuant to a 3 cat approval | <p>A person who keeps a cat on premises pursuant to a 3 cat approval may comply with the requirements prescribed in item 1 if—</p> <p>(a) a building or structure (other than a fence) forms part, or the whole, of the proper enclosure; and</p> <p>(b) the building or structure—</p> <p>(i) is appropriately sized so as to be capable of effectively and comfortably housing the cat; and</p> <p>(ii) the building or structure effectively encloses the cat on the premises at all times; and</p> <p>(iii) the building or structure is—</p> <p>(A) constructed of materials which are of sufficient strength to prevent the cat from escaping over, under or through the building or structure; and</p> <p>(B) of a height which is sufficient to prevent the cat jumping or climbing over the building or structure; and</p> <p>(c) all gates and doors of the building or structure are kept closed and latched except when in immediate use by a person entering or leaving the premises on which the cat is kept.</p> |

## Schedule 4A Requirements for keeping a dog in a koala area

### Section 9A(1)

- (1) A person who keeps a dog on a lot with an area of more than 2,000m<sup>2</sup> in a koala area must—
- (a) construct and maintain a proper enclosure<sup>4</sup> (a “**koala area enclosure**”) having an area not more than 2,000m<sup>2</sup> and—
    - (i) keep the dog in the koala area enclosure; and
    - (ii) prevent the dog from wandering or escaping from the koala area enclosure; and
    - (iii) ensure that the dog is kept within the koala area enclosure at all times; or
  - (b) between sunset and sunrise tether the dog by a leash or chain which is—
    - (i) not more than 3m long; and
    - (ii) securely attached to the collar of the dog and a fixed stationery object on the lot; or
  - (c) between sunset and sunrise confine the dog to an enclosure which—
    - (i) is appropriately sized so as to be capable of effectively and comfortably housing the dog; and
    - (ii) has walls which are constructed so as to prevent the dog from escaping from the enclosure; and
    - (iii) is constructed so as to prevent a koala from entering the enclosure.

*Example for paragraph (c): the enclosure may be—*

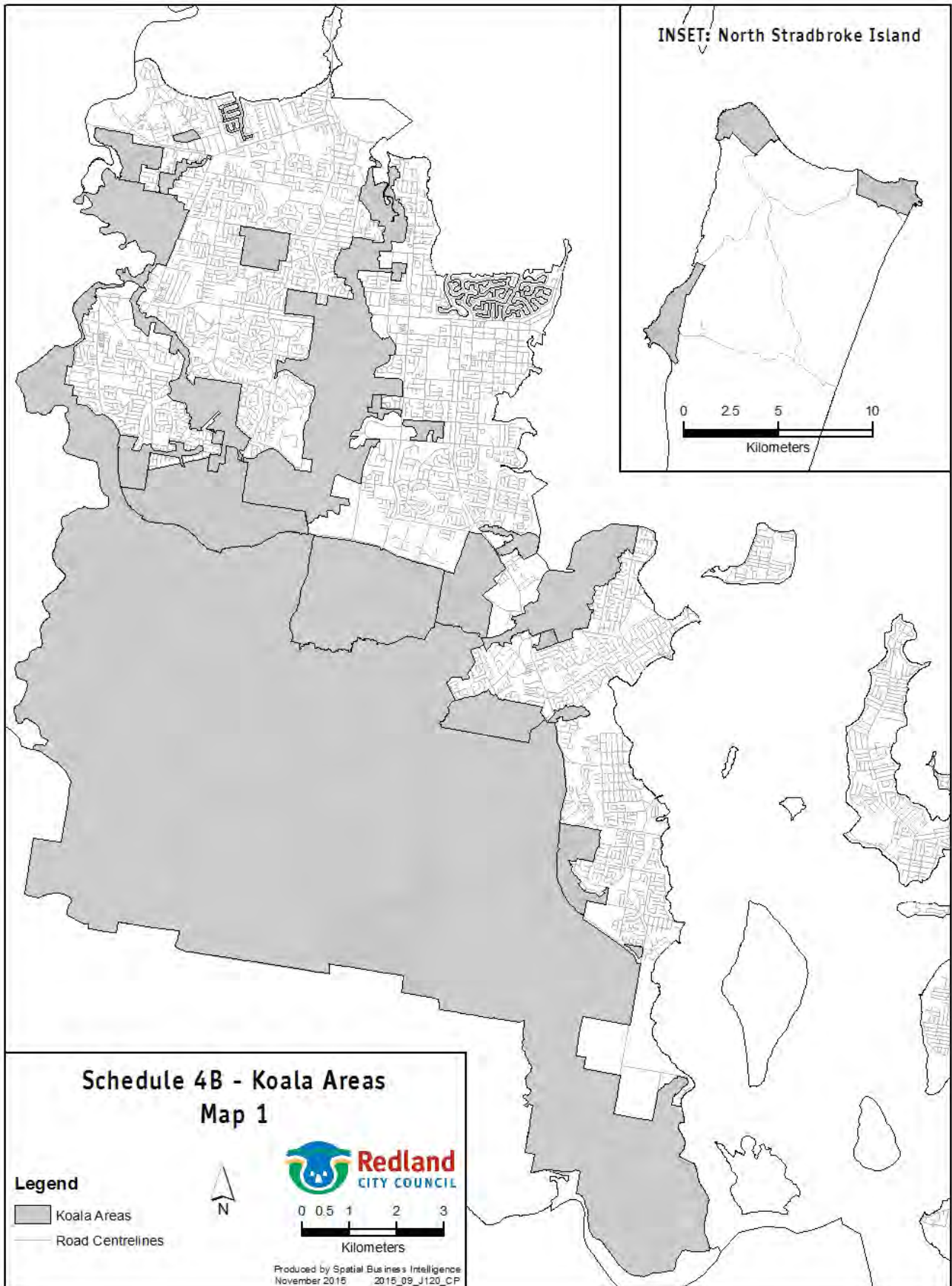
- (a) *a dwelling or part of a dwelling; or*
- (b) *a garage; or*
- (c) *a suitably fenced area which is constructed—*
  - (i) *outside a dwelling on the lot for the purpose of confining the dog between sunset and sunrise; and*
  - (ii) *so as to prevent a koala from entering the enclosure.*

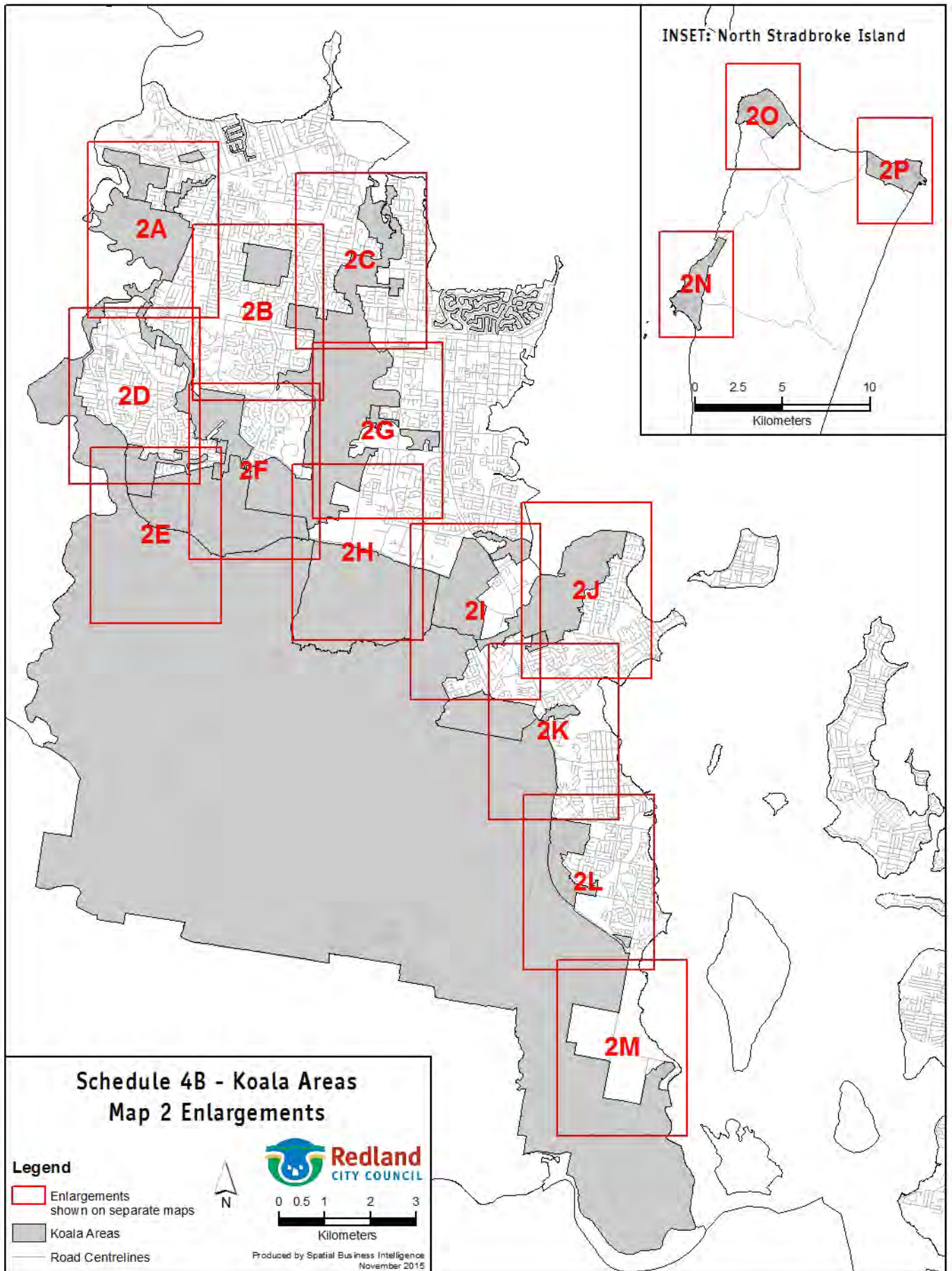
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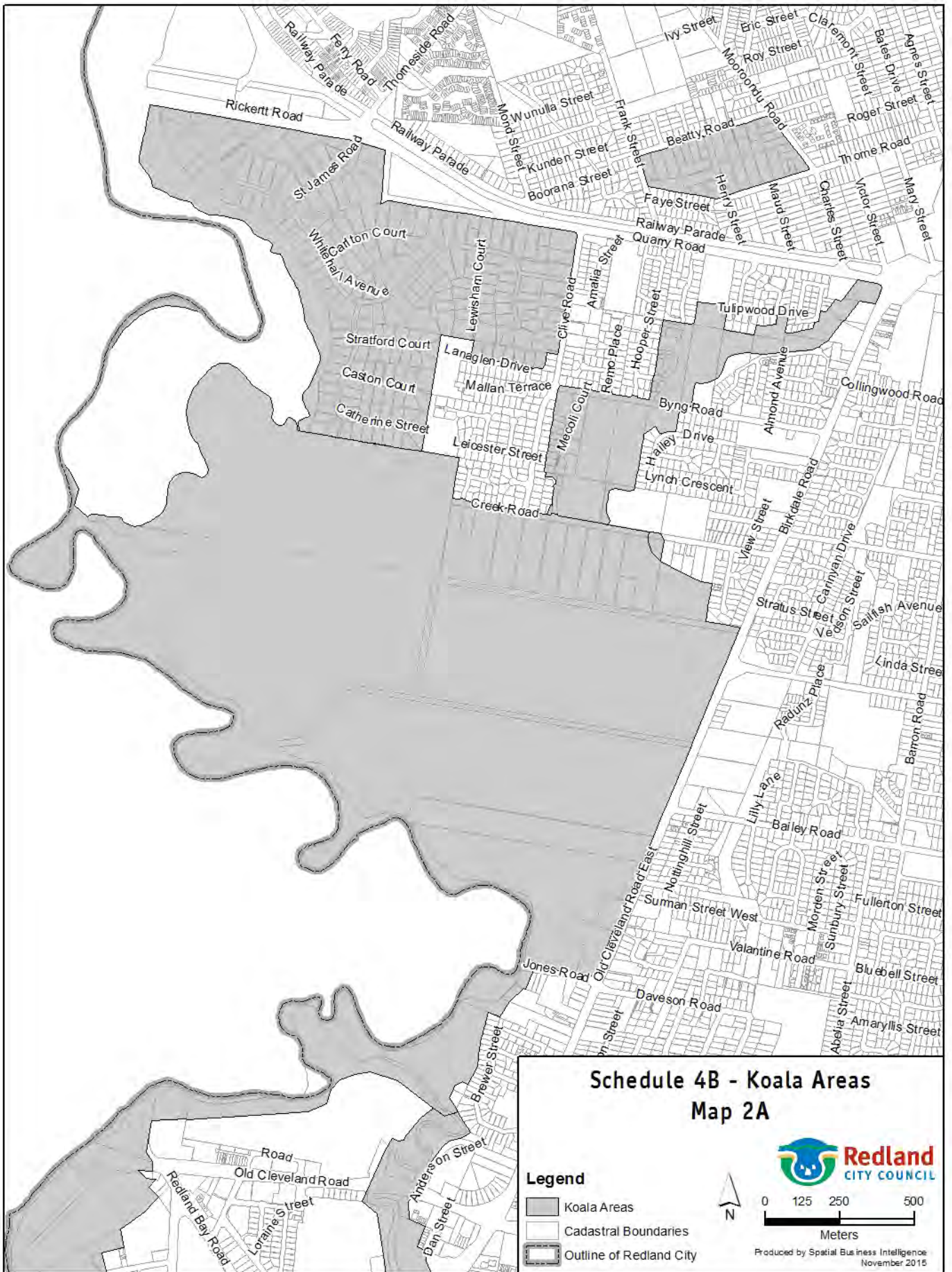
<sup>4</sup> See section 9 for requirements for proper enclosures for keeping animals.

# Schedule 4B Koala areas

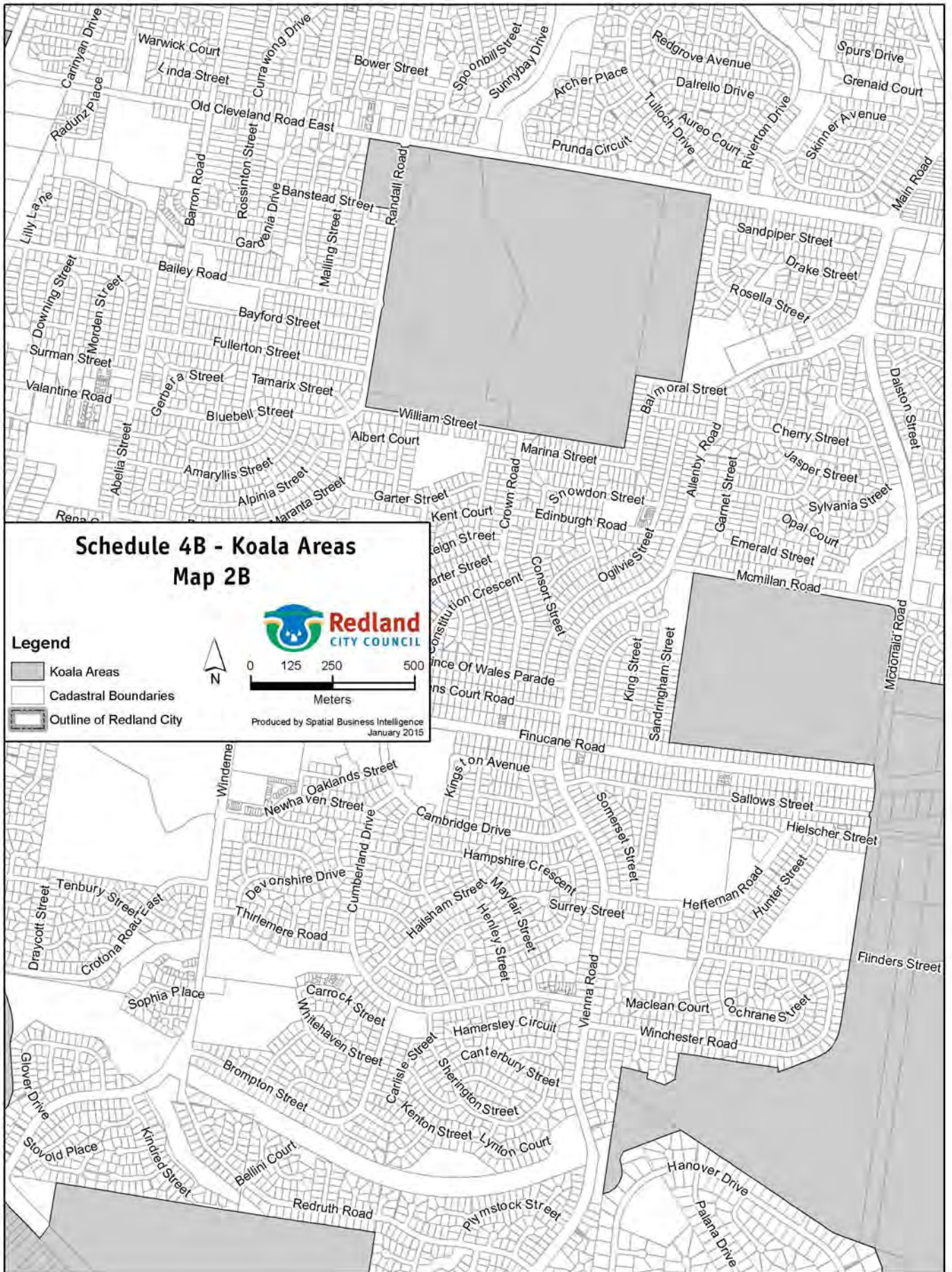
Section 9A(2) and (3)

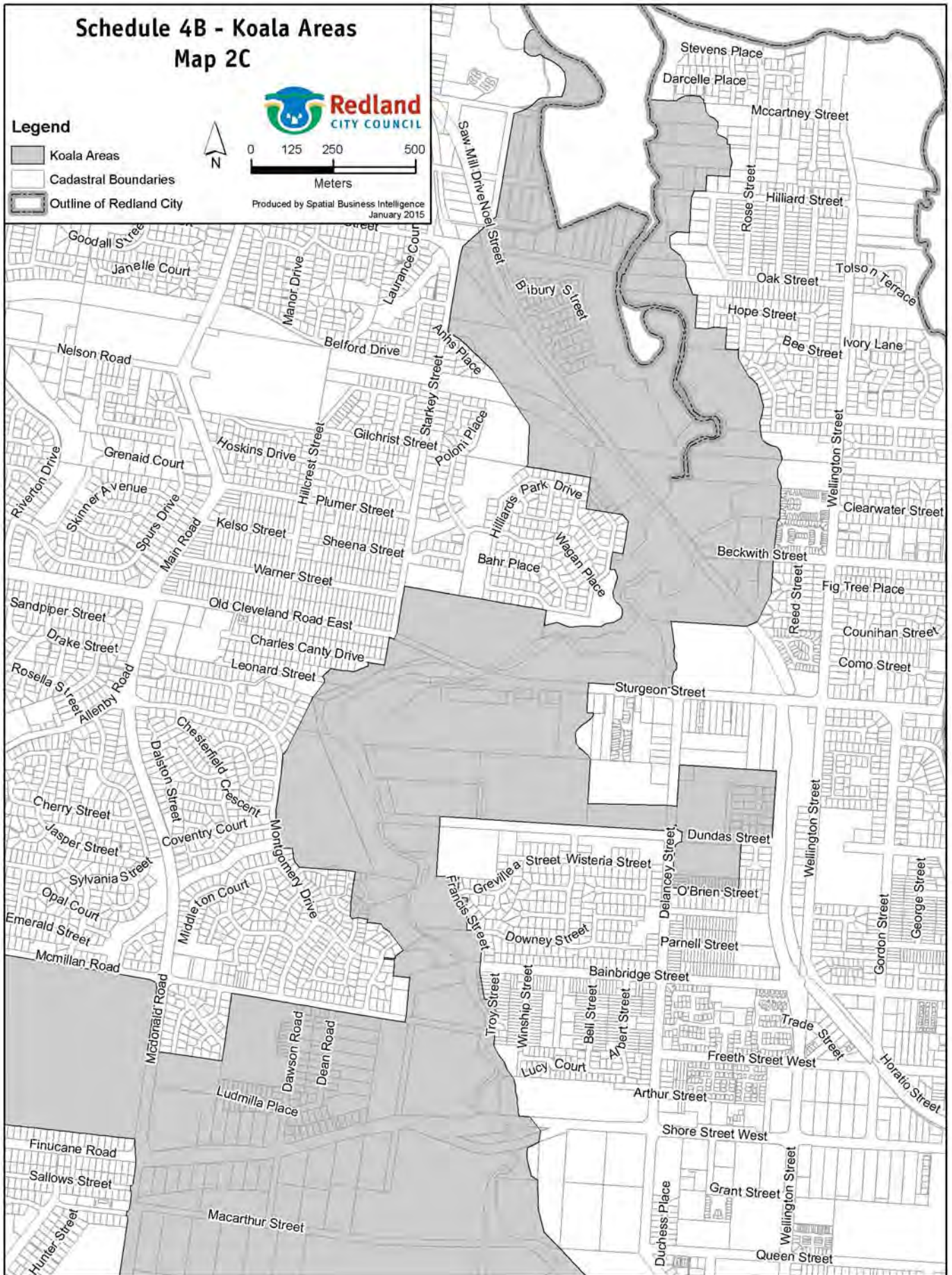








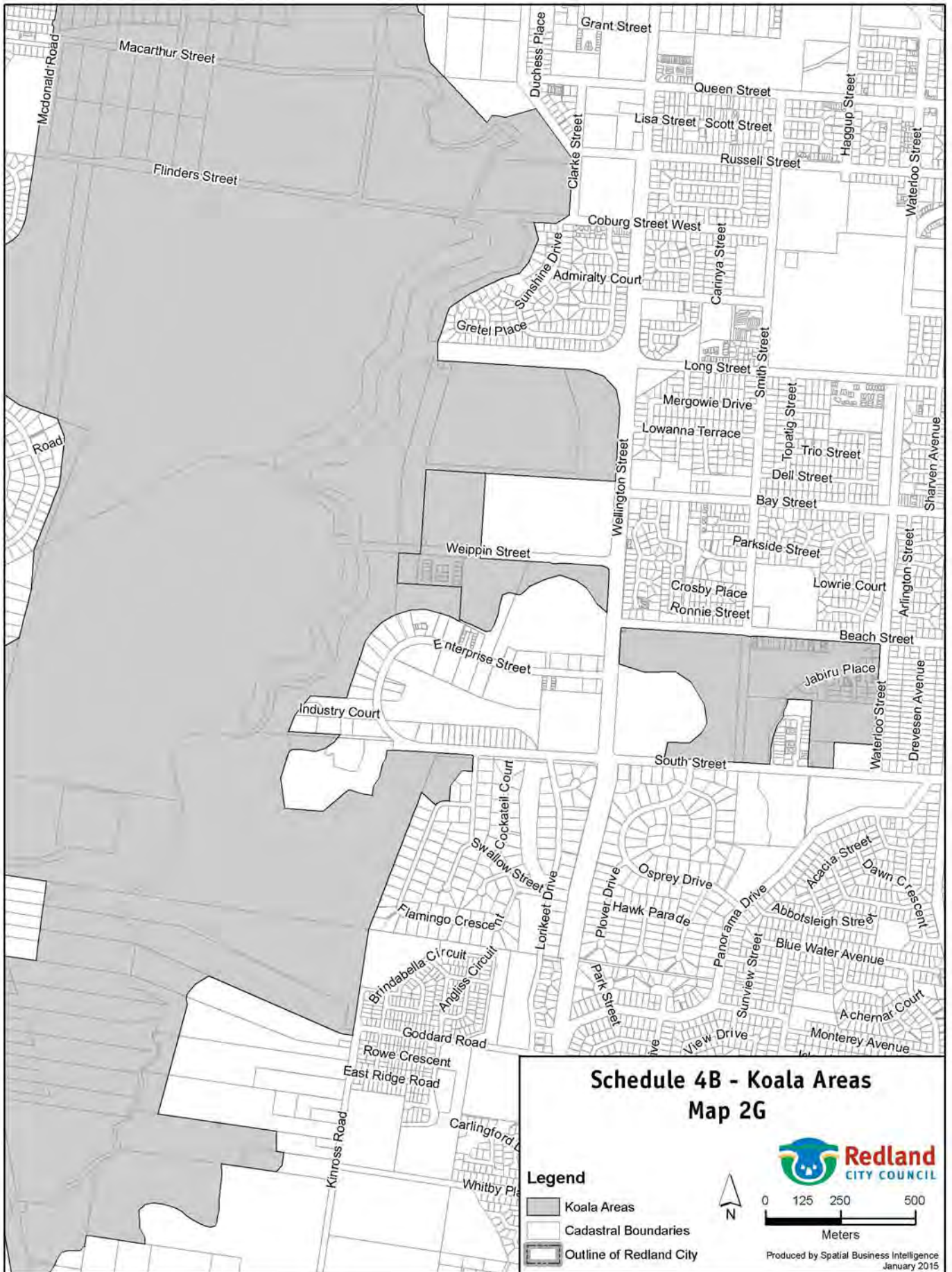




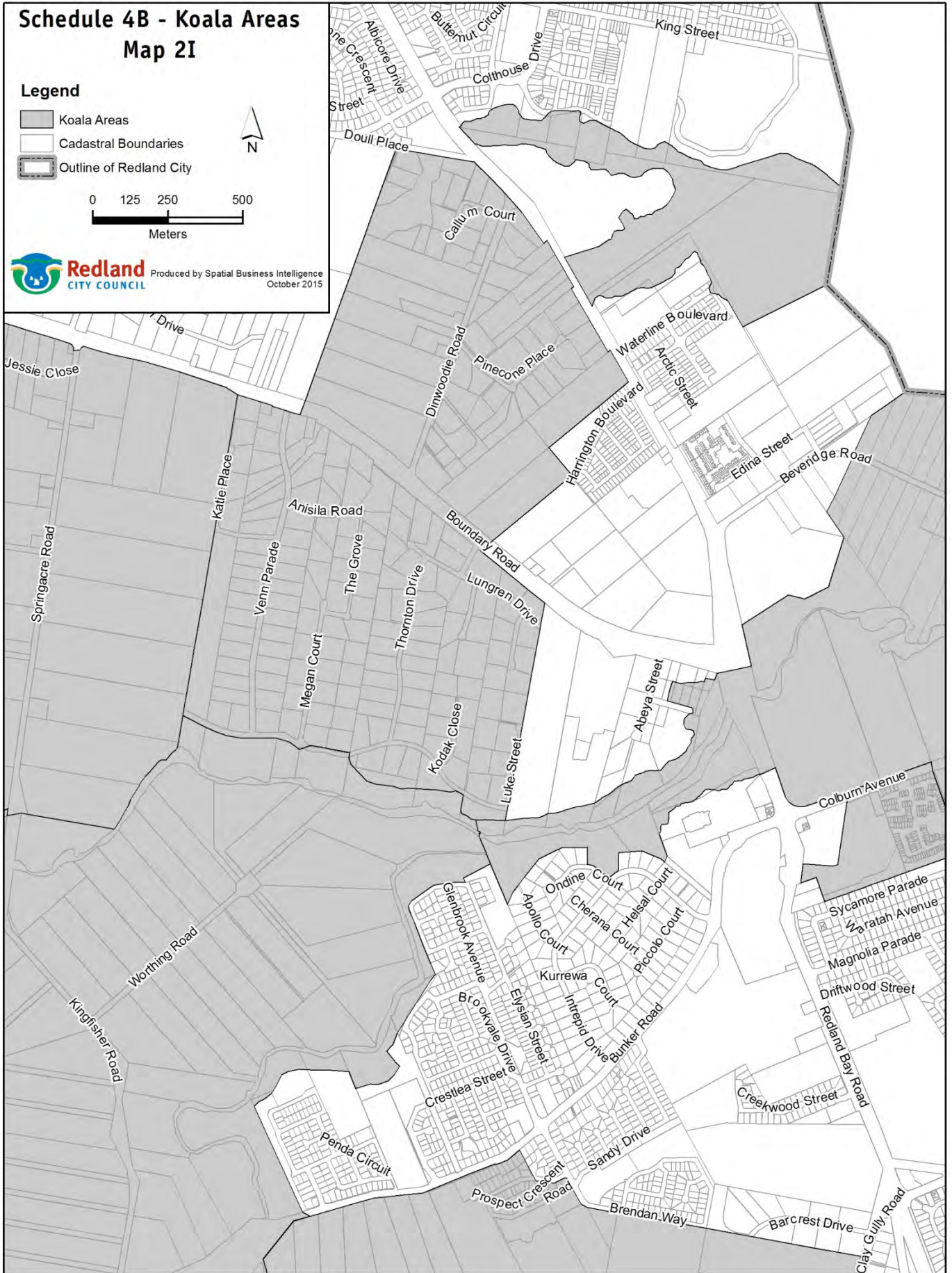






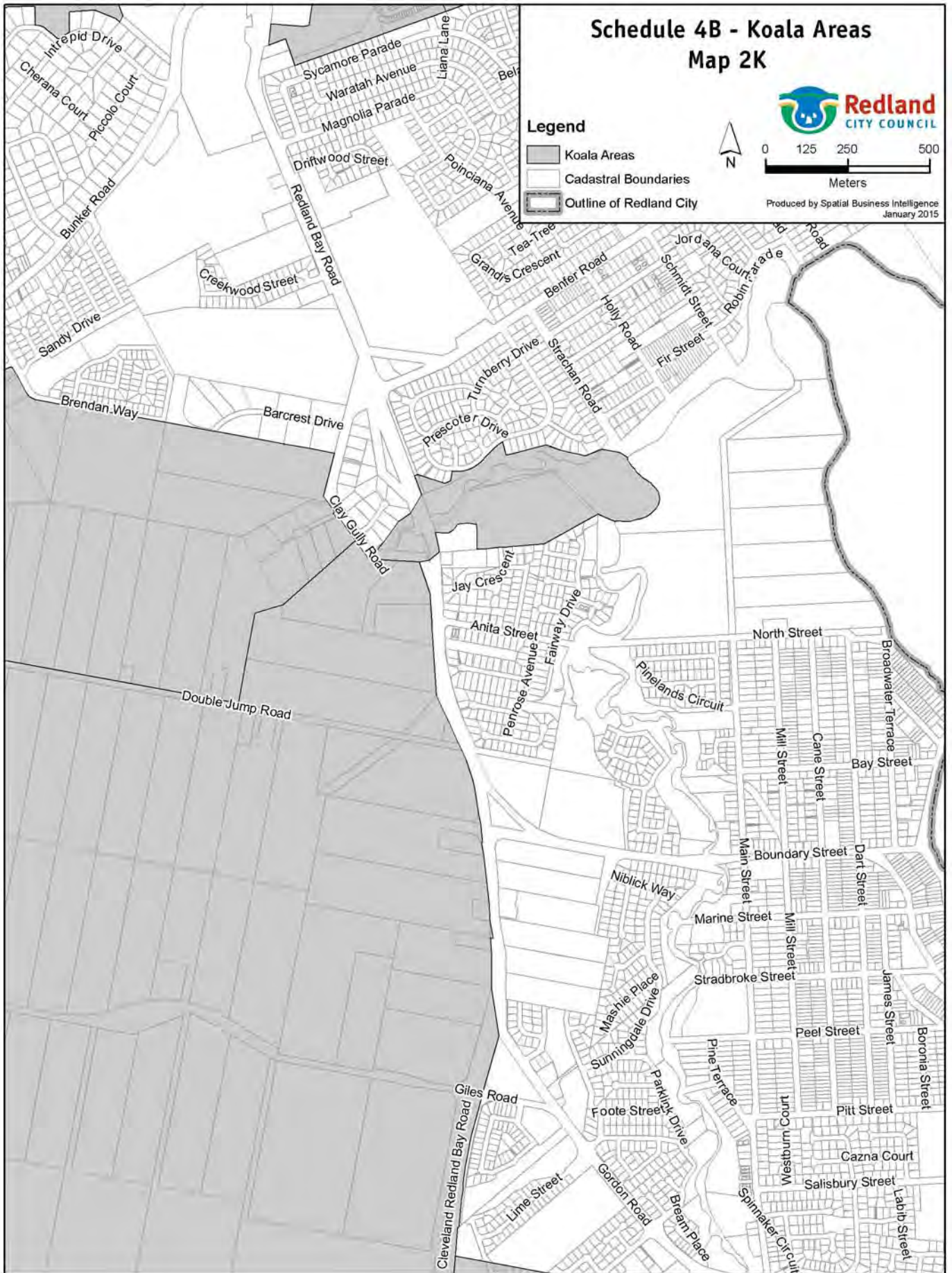


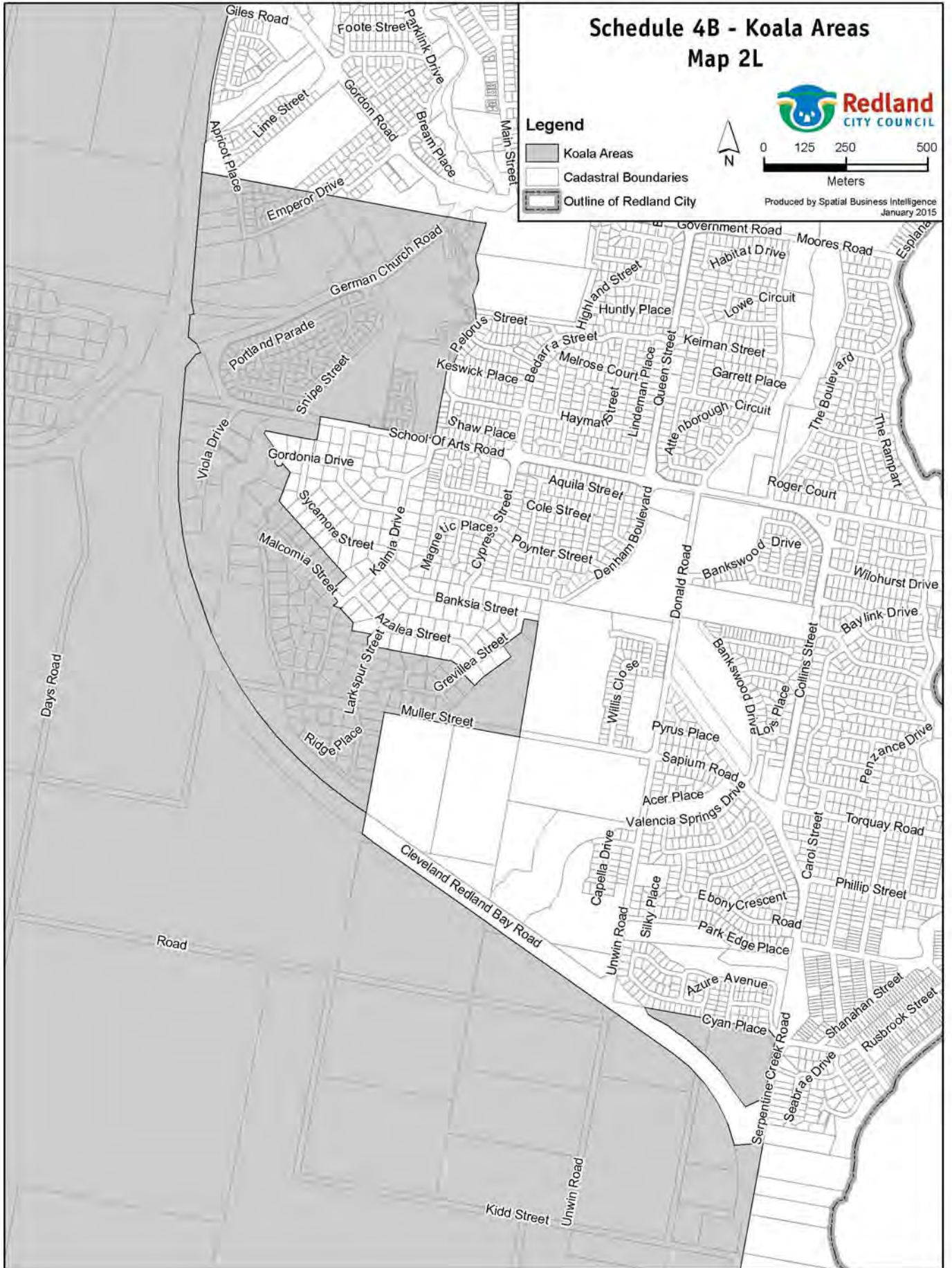


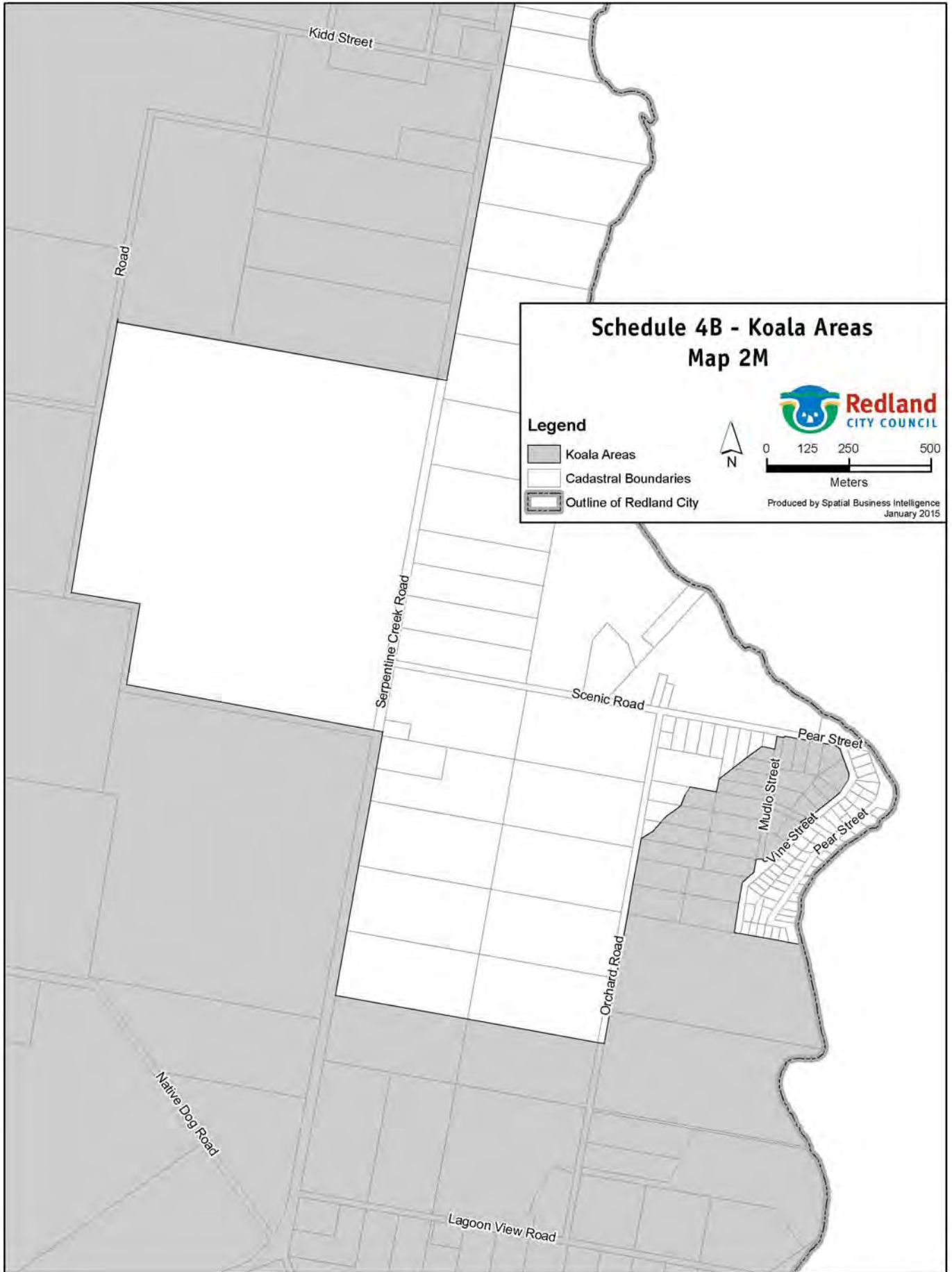










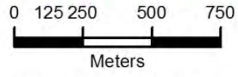




### Schedule 4B - Koala Areas Map 2N

**Legend**

-  Koala Areas
-  Cadastral Boundaries
-  Outline of Redland City






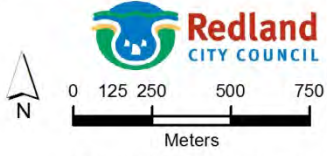
Produced by Spatial Business Intelligence  
September 2015



### Schedule 4B - Koala Areas Map 20

**Legend**

-  Koala Areas
-  Cadastral Boundaries
-  Outline of Redland City





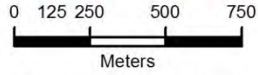
Produced by Spatial Business Intelligence  
September 2015



### Schedule 4B - Koala Areas Map 2P

**Legend**

-  Koala Areas
-  Cadastral Boundaries
-  Outline of Redland City



Produced by Spatial Business Intelligence  
September 2015



## Schedule 5      Conditions for sale of animals

### Section 17

|   | <p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Species or breed of animal</b></p> | <p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Conditions that must be complied with when offering animal for sale</b></p>  |
|---|---|---|
| 1 | A dog or a cat  | <p>(a) A person who offers an animal of a species specified in this item 1 for sale must keep and maintain a written register detailing —</p> <ul style="list-style-type: none"> <li>(i) the particulars and description of each animal offered for sale including breed, name, date of birth, identifying tag and any other form of identification; and</li> <li>(ii) a medical history for each animal listing vaccinations, inoculations and treatments that have been carried out; and</li> <li>(iii) if the animal is sold or otherwise disposed of — the name and address of the new owner of the animal and the date of sale or disposal of the animal.</li> </ul> <p>(b) If section 44 of the Animal Management Act applies to an animal which is offered for sale by the person— the person must comply with the requirements of the section before the sale of the animal by the person.</p> <p>(c) If section 44 of the Animal Management Act does not apply to the animal offered for sale by the person—the person must supply a register to the local government, at least monthly, giving full details of —</p> <ul style="list-style-type: none"> <li>(i) all animals sold or otherwise disposed of including the name and address of the new owner of the animal; and</li> <li>(ii) a full description of each animal sold or otherwise disposed of; and</li> <li>(iii) the date of sale or disposal of each animal.</li> </ul> <p>(d) A person must not offer an animal of a species specified in column 1 item 1 for sale unless the animal has received all necessary vaccinations, inoculations and treatments which are appropriate according to the age of the animal.</p> |



# Schedule 6 Ridgewood downs prohibition area

## Section 4



## Schedule 7 Dictionary

### Section 4

**3 cat approval** see section 6(2).

**3 dog approval** see section 6(3).

**accommodation** (at a caravan park) means—

- (a) a caravan; or
- (b) a complimentary accommodation.

**allotment** means a single parcel of land, or several contiguous parcels of land where all of the contiguous parcels of land are in —

- (a) the same ownership; or
- (b) the same occupation.

**Animal Management Act** see *Animal Management (Cats and Dogs) Act 2008*.

**building** has the meaning given in the *Building Act 1975*.

**caravan** has the meaning given in *Local Law No. 1 (Administration) 2015*.

**caravan park** —

- (a) means a place operated on a commercial basis for parking and residing in caravans; and
- (b) includes a place that provides for complimentary accommodation.

**caravan park site** (at a caravan park) means a part of the caravan park which is designated for a single accommodation of a particular type.

**cat**—

- (a) has the meaning given in section 11 of the *Animal Management Act*; and
- (b) includes a kitten regardless of age.

**cattery approval** see section 6(4).

**complimentary accommodation** has the meaning given in *Local Law No. 1 (Administration) 2015*.

**destroy**, an animal, includes causing it to be destroyed.

**dog**—

- (a) has the meaning given in section 11 of the *Animal Management Act*; and
- (b) includes a puppy regardless of age.

**domestic purposes** means the purposes of—

- (a) human consumption; or
- (b) food preparation; or
- (c) washing; or
- (d) other normal domestic duties.

**guard dog**—

- (a) means a dog released on residential premises or non-residential premises in the area of the local government without a handler for the purpose of guarding either persons or

property if the dog has been trained to attack; but

- (b) includes a dog released on residential premises or non-residential premises in the area of the local government without a handler for the primary purpose of acting as a deterrent to intruders.

**horse** includes a pony and a miniature horse.

**identifiable animal** means an animal—

- (a) wearing an identifying tag issued by the local government; or
- (b) otherwise identified so that the local government is able to ascertain the owner of the animal.

**keep** (an animal)—

- (a) includes board, breed and train; and
- (b) in the absence of evidence to the contrary, a person is presumed to keep an animal on land if the person —
  - (i) feeds and cares for the animal on the land; and
  - (ii) the animal is observed by an authorised person on the land on more than 1 occasion during a month.

**kennel approval** see section 6(5).

**land** has the meaning given in the *Sustainable Planning Act 2009*.

**livestock** includes a horse, donkey, cow, bull, ox, deer, sheep, goat, camel, llama and an alpaca.

**lot** —

- (a) means a separate, distinct parcel of land created on—
  - (i) the registration of a plan of subdivision under part 4, division 3 of the *Land Title Act 1994*; or
  - (ii) the recording of particulars of an instrument in accordance with the *Land Title Act 1994*; and

includes a lot under the *Building Units and Group Titles Act 1980*.

**multi-residential premises** means —

- (a) a residence which forms part of a group of 2 or more residences in circumstances where 2 or more of the residences of the group are directly adjacent to each other and share—
  - (i) a common wall; or
  - (ii) a ceiling in circumstances where 1 residence is directly under the floor of another residence; and
- (b) a residence situated on a lot which forms part of a community titles scheme as defined in the *Body Corporate and Community Management Act 1997*.

*Examples of multi-residential premises* —

Flats, boarding houses, tenement buildings, home units, townhouses and duplexes.

**non-residential premises** means premises other than residential premises.

**occupier**, of premises—

- (a) means the person who has the control or management of the premises; and
- (b) includes the owner of the premises where there is no person in apparent occupation of the premises.

***pet pig approval*** see section 6(7).

***pet shop*** means a shop or a stall at a market at which animals are offered for sale.

***pet shop approval*** see section 6(6).

***premises*** means any land, building or structure and includes any part thereof.

***registered*** has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

***residence*** means a building, or part of a building, that is—

- (a) fixed to land; and
- (b) a self-contained unit used by, or intended for the exclusive residential use of, one household.

***residential premises*** means premises used, or intended to be used, predominantly as a place of residence.

***ridgewood downs prohibition area*** means the area shaded in grey on the map in schedule 6.

***stallion*** means an uncastrated adult male horse.

***structure*** has the meaning given in the *Local Government Act 2009*.

***vehicle*** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**Certification**

This and the preceding 42 pages bearing my initials is a certified copy of a consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2015* adopted in accordance with the provisions of the *Local Government Act 2009* by Redland City Council by resolution dated the                    day of                    , 2016.

.....  
Chief Executive Officer

578511\_1



**Redland**  
CITY COUNCIL

Redland City Council

**Subordinate Local Law No. 5 (Parking)  
2015**



## Redland City Council

### Subordinate Local Law No. 5 (Parking) 2015

#### Contents

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2015*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2015*, which provides for the exercise of local government powers authorised under the TORUM Act.
- (2) The purpose is to be achieved by providing for—
  - (a) the establishment of traffic areas and off-street regulated parking areas; and
  - (b) the persons that may be issued with a parking permit; and
  - (c) the vehicles that may be issued with a commercial vehicle identification label; and
  - (d) the infringement notice penalty amounts for minor traffic offences.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2015* (the *authorising local law*).

### 4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 5 defines particular words used in this subordinate local law.

## Part 2 Declaration of parking areas for the TORUM Act

### 5 Declaration of traffic areas—Authorising local law, s 5

- (1) For section 5(1) of the authorising local law, each part of the local government area indicated by hatching on a map in schedule 1 is declared to be a traffic area.
- (2) For section 5(2) of the authorising local law, the boundaries of each traffic area are indicated by bold lines circumscribing the hatched area on a map in schedule 1.

### 6 Declaration of off-street regulated parking areas—Authorising local law, s 6

- (1) For section 6(1) of the authorising local law, the areas of land which are declared



to be an off-street regulated parking area are—

- (a) described in schedule 2 part 1; and
  - (b) indicated by hatching on a map in schedule 2 part 2.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are indicated by a bold line circumscribing a hatched area on a map in schedule 2 part 2.

## Part 3                      Parking contrary to parking restriction

### 7    Parking permits issued by local government—Authorising local law, s 7(2)

- (1) This section prescribes—
- (a) the persons that may be issued with a parking permit mentioned in section 7(1) of the authorising local law; and
  - (b) the circumstances in which a parking permit may be issued.
- (2) A parking permit (a *resident parking permit*)—
- (a) may be issued to a person whose circumstances are as follows—
    - (i) the person resides in a residence<sup>1</sup> situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
    - (ii) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
    - (iii) the residence does not have, and cannot reasonably be provided with, adequate off-street parking; and
    - (iv) if the parking permit is granted — there would not be in force more than 3 resident parking permits for the same residence; but
  - (b) must not be issued to permit a vehicle to be parked contrary to an indication on an official traffic sign installed on a road in a no parking permit area.
- (3) A parking permit (a *community service organisation parking permit*) may be issued to a person whose circumstances are as follows—
- (a) the person is a community service organisation<sup>2</sup>; and
  - (b) the person will use the parking permit for an activity which is consistent with the objects of the community service organisation; and
  - (c) the activity is undertaken on a section of road where —
    - (i) parking is regulated by time; and
    - (ii) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area.
- (4) A parking permit (a *temporary parking permit*) may be issued to allow the holder

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<sup>1</sup> See definition of *residence* in the dictionary.

<sup>2</sup> See definition of *community service organisation* in the dictionary.

of the parking permit to park 1 or more vehicles in a designated parking space or spaces for a period specified in the parking permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space or spaces.

- (5) A temporary parking permit may only be granted if the local government is satisfied that—
  - (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; and
  - (b) it is not reasonably practical for the applicant to carry out the activity unless the designated parking space or spaces to which the application relates are allocated to the applicant's exclusive use for the duration of the activity.
- (6) A parking permit (a **works zone parking permit**) may be issued to a person if the local government is satisfied that—
  - (a) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work; and
  - (b) the carrying out of the building or construction work is lawful; and
  - (c) having regard to the nature of the building or construction work and the characteristics of the site, it is not reasonably practical for all work activity involving vehicle loading and unloading and associated vehicle movements to be confined within the site.
- (7) A parking permit (a **local government works parking permit**) may be issued to allow a person to park 1 or more vehicles in a designated parking space or spaces, and for a period specified in the parking permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space or spaces if the person is—
  - (a) an employee, contractor or agent of the local government; and
  - (b) parking the vehicle or vehicles in the space or spaces—
    - (i) for the purpose of carrying out work for or on behalf of the local government; and
    - (ii) in the course of carrying out his or her duties for or on behalf of the local government.
- (8) A parking permit (a **visitor parking permit**)—
  - (a) may be issued to a person whose circumstances are as follows—
    - (i) the person (the **resident**) resides in a residence situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
    - (ii) the parking permit is to be made available by the resident for use by another person who —
      - (A) is visiting or attending at the residence identified in the parking permit; and

- (B) intends parking on the section of road immediately adjacent to the residence; and
  - (iii) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
  - (iv) the residence does not have and cannot reasonably be provided with adequate off-street parking; and
  - (v) if the parking permit is granted — there would not be in force more than 2 visitor parking permits for the same residence; but
- (b) must not be issued to permit a vehicle to be parked contrary to an indication on an official traffic sign installed on a road in a no parking permit area.

## **8 Commercial vehicle identification labels—Authorising local law, s 8(2)**

- (1) For section 8(2) of the authorising local law, this section prescribes the vehicles that may be issued with a commercial vehicle identification label.
- (2) A vehicle may be issued with a commercial vehicle identification label if the vehicle—
  - (a) is used for carrying on a business that requires the regular use of loading zones; and
  - (b) is—
    - (i) a horse drawn vehicle constructed, fitted or equipped for the carriage of goods; or
    - (ii) a motor vehicle (excluding any car or motorbike) constructed, fitted or equipped for the carriage of goods; or
    - (iii) a motor vehicle constructed, fitted or equipped for the carriage of persons.
- (3) Also, a vehicle may be issued with a commercial vehicle identification label if a commercial vehicle identification label is displayed on the vehicle and—
  - (a) the vehicle on which the label is displayed is the vehicle specified on the label; and
  - (b) the date specified on the label has not passed.

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## **Part 4                      Minor traffic offence infringement notice penalties**

### **9      Infringement notice penalty amounts—Authorising local law, s 9**

For section 9 of the authorising local law, the infringement notice penalty amount<sup>3</sup> for an offence mentioned in column 1 of schedule 4 is the corresponding amount stated in column 2 of schedule 4.

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<sup>3</sup> Under section 108 of the *Transport Operations (Road Use Management) Act 1995* —

- (a) a local government may, under a local law, prescribe an amount as an infringement notice penalty for a minor traffic offence; and
- (b) for the *State Penalties Enforcement Act 1999*, the minor traffic offence is an infringement notice offence and the penalty is the infringement notice penalty for the offence.

See sections 5 (Meaning of penalty unit) and 5A (Prescribed value of particular penalty unit) of the *Penalties and Sentences Act 1992* and section 2B of the *Penalties and Sentences Regulation 2005*.

**Schedule 1 Declaration of traffic area**

**Section 5**

No traffic area declared.

## Schedule 2 Declaration of off-street regulated parking areas

Section 6

### Part 1 Areas declared to be an off-street regulated parking area.

#### 1. Capalaba

| Description of car park or area                                       | Map ref. | Location or address of car park or area                         |
|---|----------|---|
| Dollery Road off-street car park as identified in schedule 2, part 2. | 1A       | Between Faccio Lane and Noeleen Street, Capalaba.               |
| School Road off-street car park as identified in schedule 2, part 2.  | 1B       | Between Mount Cotton Road, Capalaba and Burns Street, Capalaba. |

#### 2. Cleveland

| Description of car park or area   | Map ref. | Location or address of car park or area                        |
|---|----------|--|
| Doig Street off-street car park (E) as identified in schedule 2, part 2.      | 2B(iv)   | Between Middle Street and Queen Street, Cleveland.             |
| Doig Street off-street car park (W) as identified in schedule 2, part 2.      | 2B(ii)   | Between Queen Street and Middle Street, Cleveland.             |
| Emmett Drive off-street car park as identified in schedule 2, part 2.         | 2F(ii)   | Between Emmett Drive, Cleveland and Wharf Street, Cleveland.   |
| Iluka Arcade off-street car park as identified in schedule 2, part 2.         | 2B(iii)  | Doig Street, Cleveland.  |
| John Street off-street car park as identified in schedule 2, part 2.          | 2C       | Between Queen Street and Russell Street, Cleveland.            |
| Middle Street (East) off-street car park as identified in schedule 2, part 2. | 2F(i)    | Middle Street, Cleveland, Cleveland.                           |
| Middle Street (West) off-street car park as identified in schedule 2, part 2. | 2D       | Corner Wynyard Street, Cleveland and Middle Street, Cleveland. |
| Queen Street off-street car park (N) as identified in schedule 2, part 2.     | 2E(ii)   | Between Wynyard Street and Waters Street, Cleveland.           |
| Queen Street off-street car park (S) as identified in schedule 2, part 2.     | 2E(iii)  | Between Queen Street and Waters Street, Cleveland.             |
| Shore Street West off-street car park as identified in schedule 2, part 2.    | 2A       | Between Shore Street West and Kyling Lane, Cleveland.          |
| Toondah Harbour off-street car park as identified in schedule 2, part 2.      | 2F(iii)  | Emmett Drive, Cleveland.                                       |
| Waterloo Street off-street car park as identified in schedule 2, part 2.      | 2B(i)    | Between Middle Street and Queen Street, Cleveland.             |
| Wynyard Street off-street car park as identified in schedule 2, part 2.       | 2E(i)    | Between Middle Street and Queen Street, Cleveland.             |

**3. Macleay Island**

| Description of car park or area  | Map ref. | Location or address of car park or area            |
|--|----------|--|
| Macleay Island Ferry Terminal car and boat trailer park as identified in schedule 2, part 2. | 3A       | Brighton Road and Russell Terrace, Macleay Island. |

**4. North Stradbroke Island**

| Description of car park or area  | Map ref. | Location or address of car park or area                                  |
|--|----------|--|
| One Mile Ferry Terminal car park as identified in schedule 2, part 2.      | 4A       | Yabby Street, One Mile, Dunwich, North Stradbroke Island.                |
| Junner Street Ferry Terminal car park as identified in schedule 2, part 2. | 4B       | Junner Street Ferry Terminal car park, Dunwich, North Stradbroke Island. |

**5. Redland Bay**

| Description of car park or area  | Map ref. | Location or address of car park or area   |
|--|----------|---|
| Weinam Creek Cenotaph off-street car park as identified in schedule 2, part 2.         | 5A(ii)   | Banana Street, Redland Bay.               |
| Weinam Creek off-street car and boat trailer park as identified in schedule 2, part 2. | 5A(iii)  | Banana Street, Redland Bay.               |
| Weinam Creek Overflow car park as identified in schedule 2, part 2.                    | 5B       | Meissner Street, Redland Bay.             |
| Weinam Creek vehicle barge off-street car park as identified in schedule 2, part 2.    | 5A(i)    | Weinam Street and Esplanade, Redland Bay. |

**6. Russell Island**

| Description of car park or area  | Map ref. | Location or address of car park or area                             |
|--|----------|---|
| Russell Island Ferry Terminal car and boat trailer park as identified in schedule 2, part 2. | 6A(ii)   | Alison Crescent, Hawthornden Drive and High Street, Russell Island. |
| Russell Island off-street car park as identified in schedule 2, part 2.                      | 6A(i)    | Bayview Road, Russell Island.                                       |

**7. Victoria Point**

| Description of car park or area  | Map ref. | Location or address of car park or area                       |
|--|----------|---|
| Victoria Point off-street car and boat trailer park as identified in schedule 2, part 2. | 7A       | Masters Avenue, Victoria Point.                               |
| Victoria Point shops off-street car park as identified in schedule 2, part 2.            | 7B       | Bunker Road and Cleveland – Redland Bay Road, Victoria Point. |

**8. Wellington Point**

| <b>Description of car park or area</b>   | <b>Map ref.</b> | <b>Location or address of car park or area</b> |
|--|-----------------|--|
| Wellington Point off-street car and boat trailer park as identified in schedule 2, part 2. | 8A              | Main Road, Wellington Point.                   |



**Part 2**

**Maps of off-street regulated parking areas**

**Map 1A**




Schedule 2 - Part 2

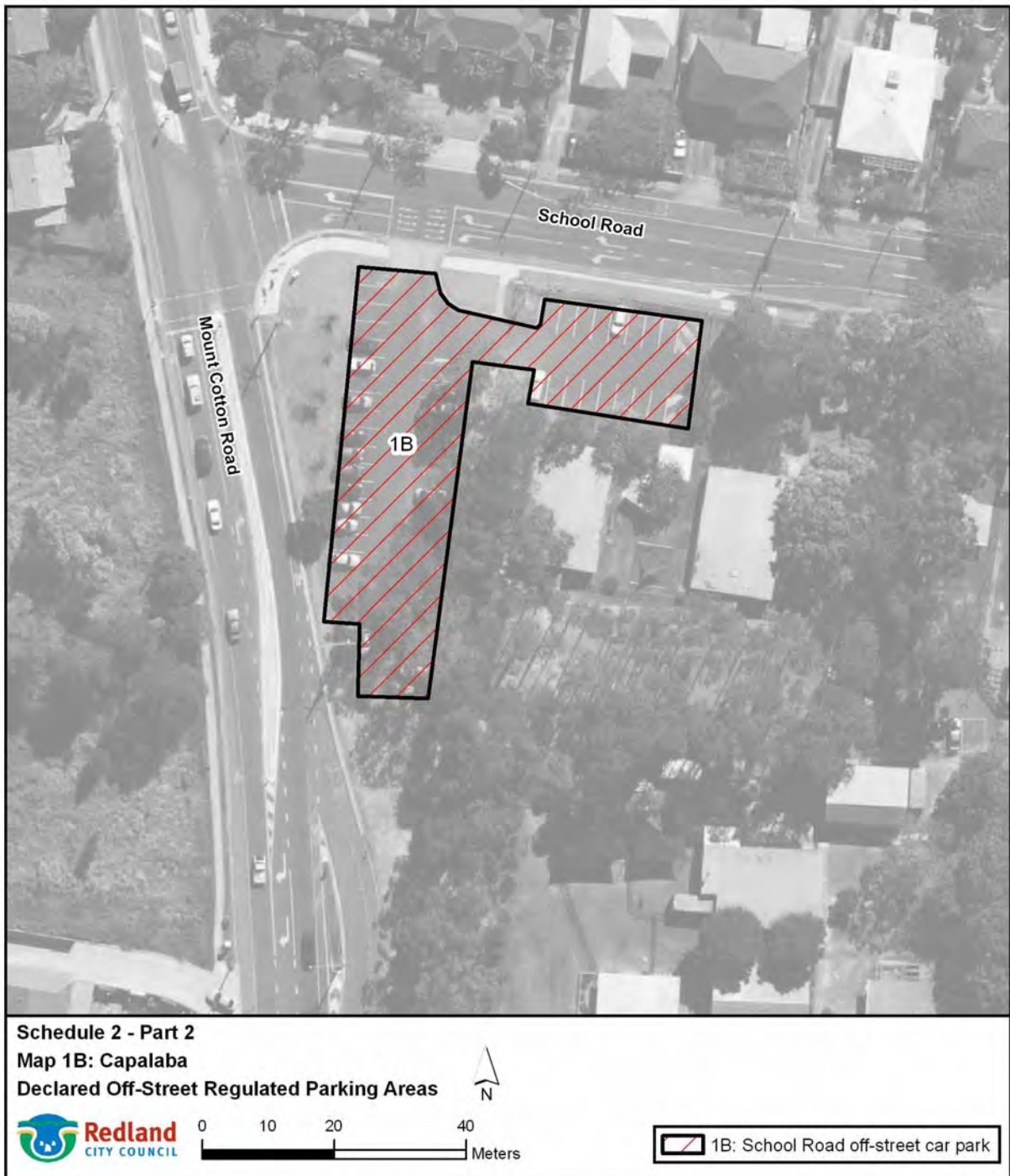
Map 1A: Capalaba

Declared Off-Street Regulated Parking Areas



 1A: Dolley Road off-street car park

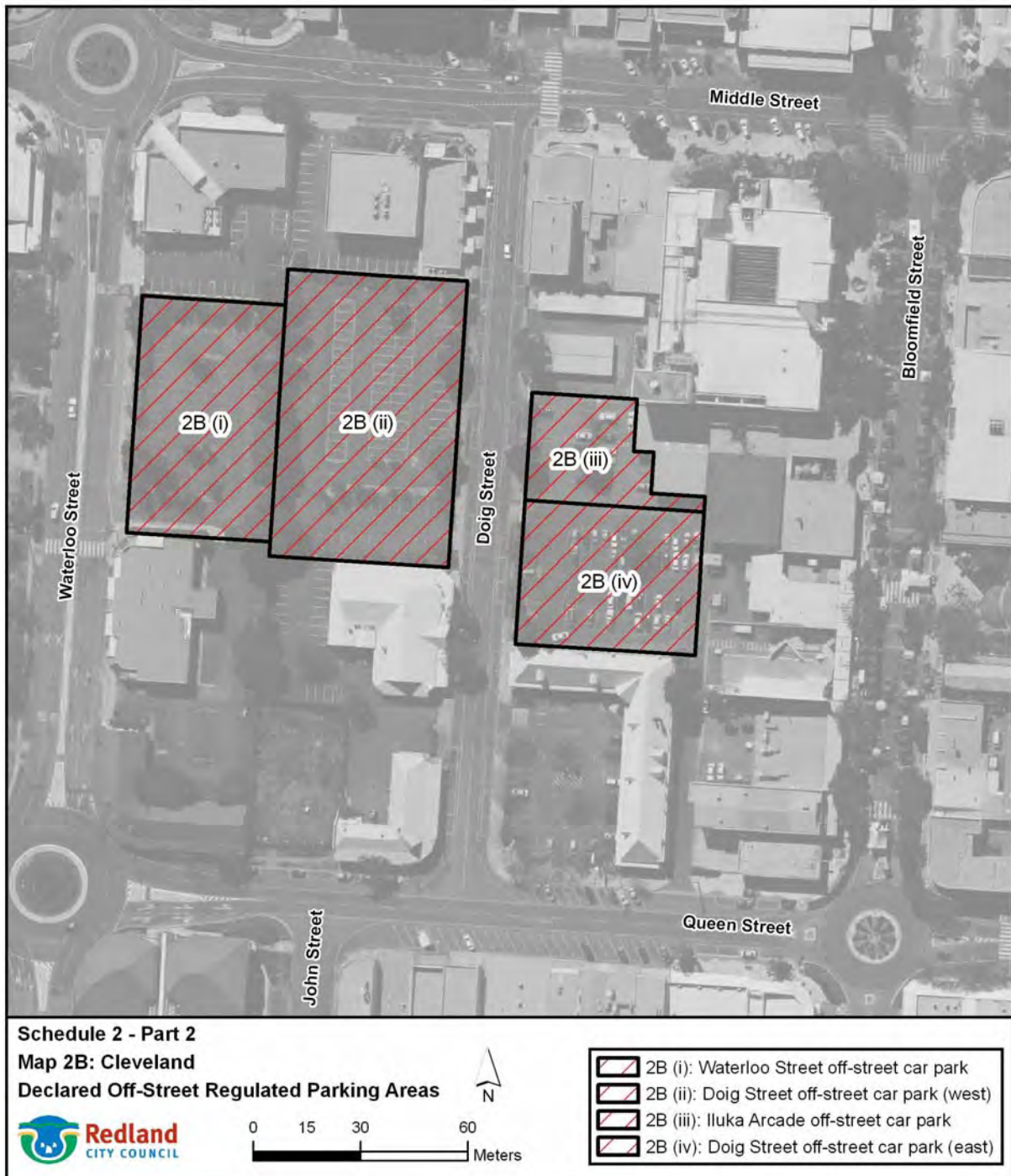
### Map 1B



### Map 2A



### Map 2B



### Map 2C




Schedule 2 - Part 2

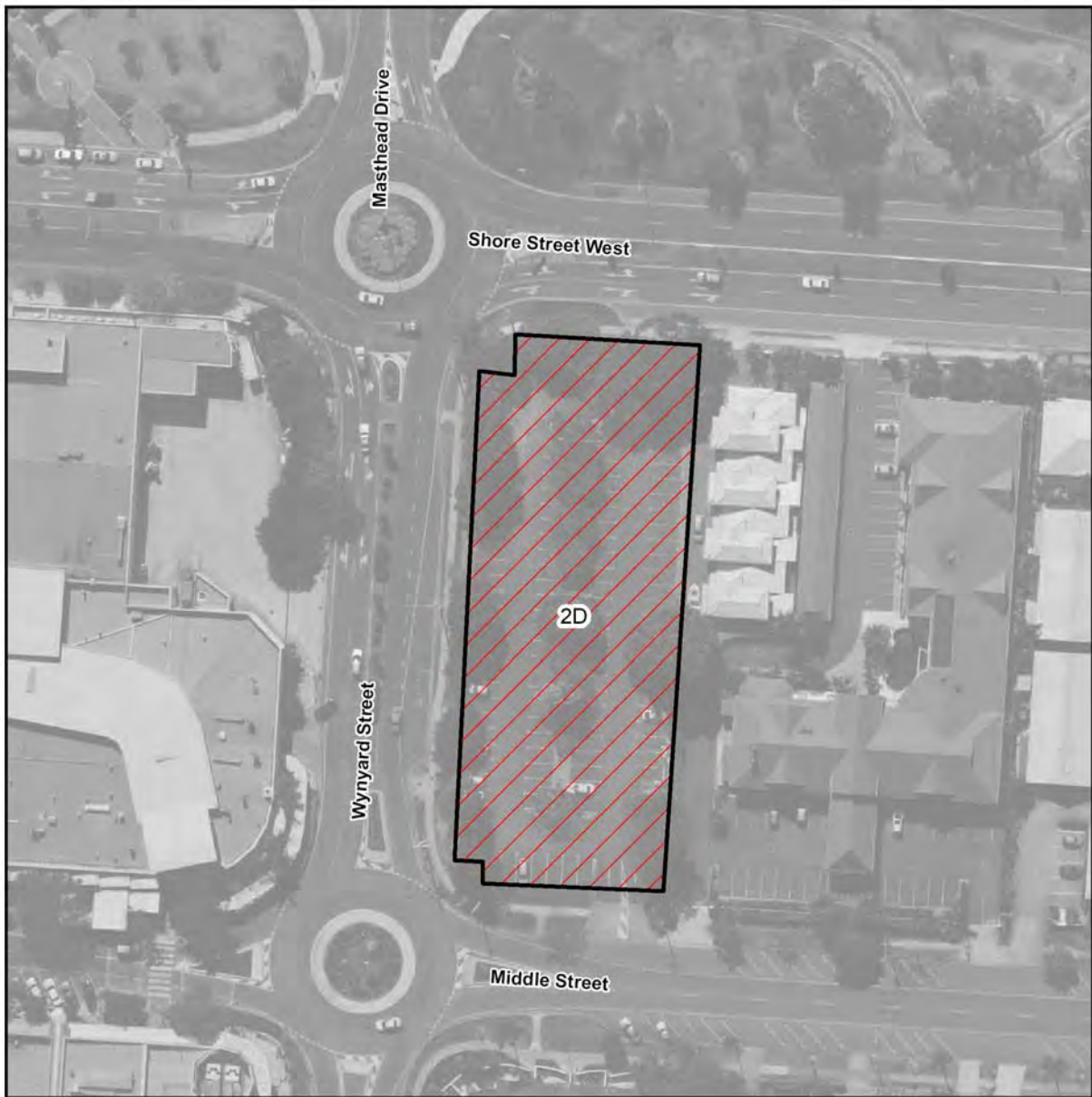
Map 2C: Cleveland

Declared Off-Street Regulated Parking Areas



 2C: John Street off-street car park

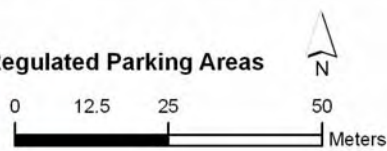
### Map 2D




Schedule 2 - Part 2

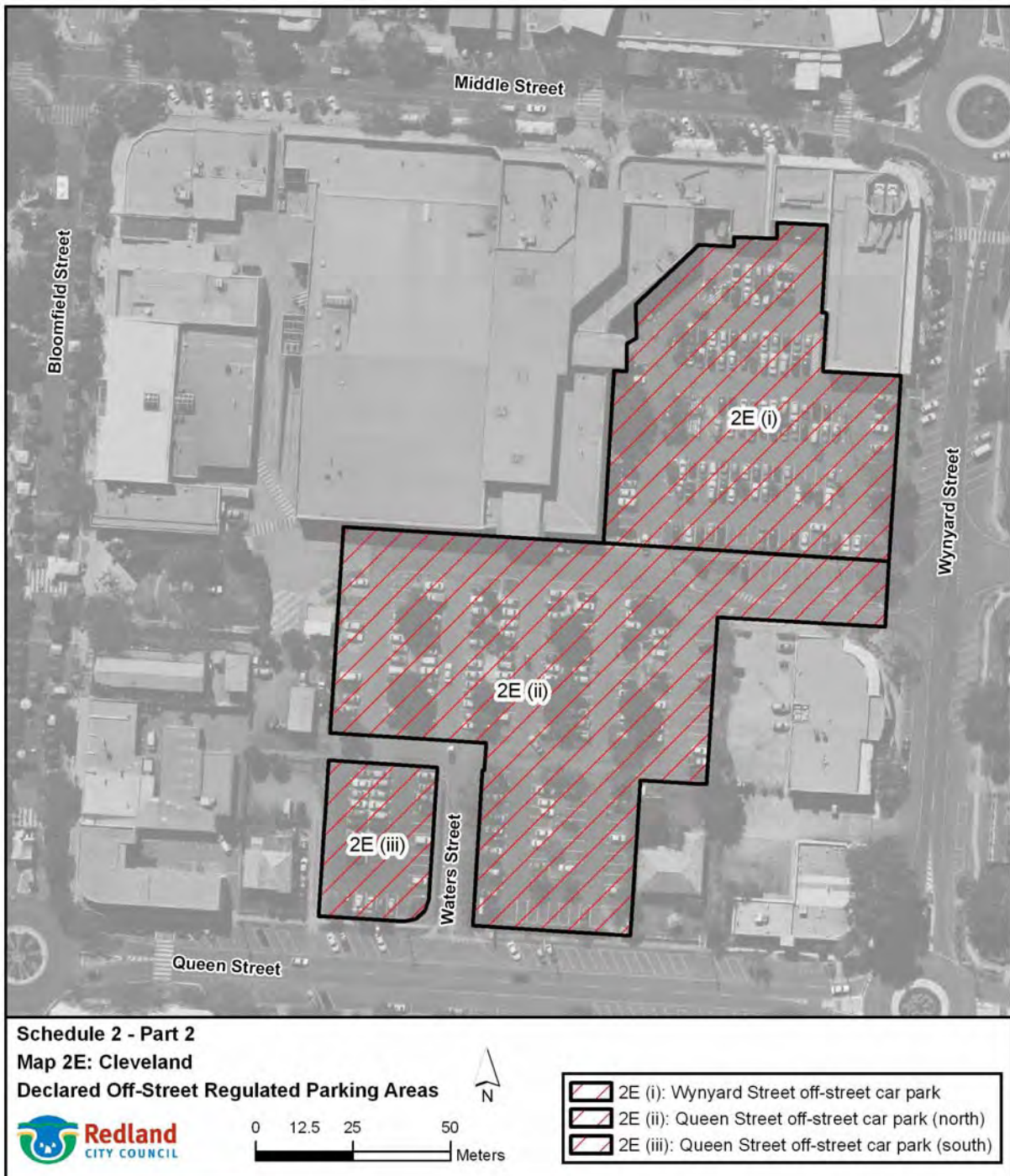
Map 2D: Cleveland

Declared Off-Street Regulated Parking Areas

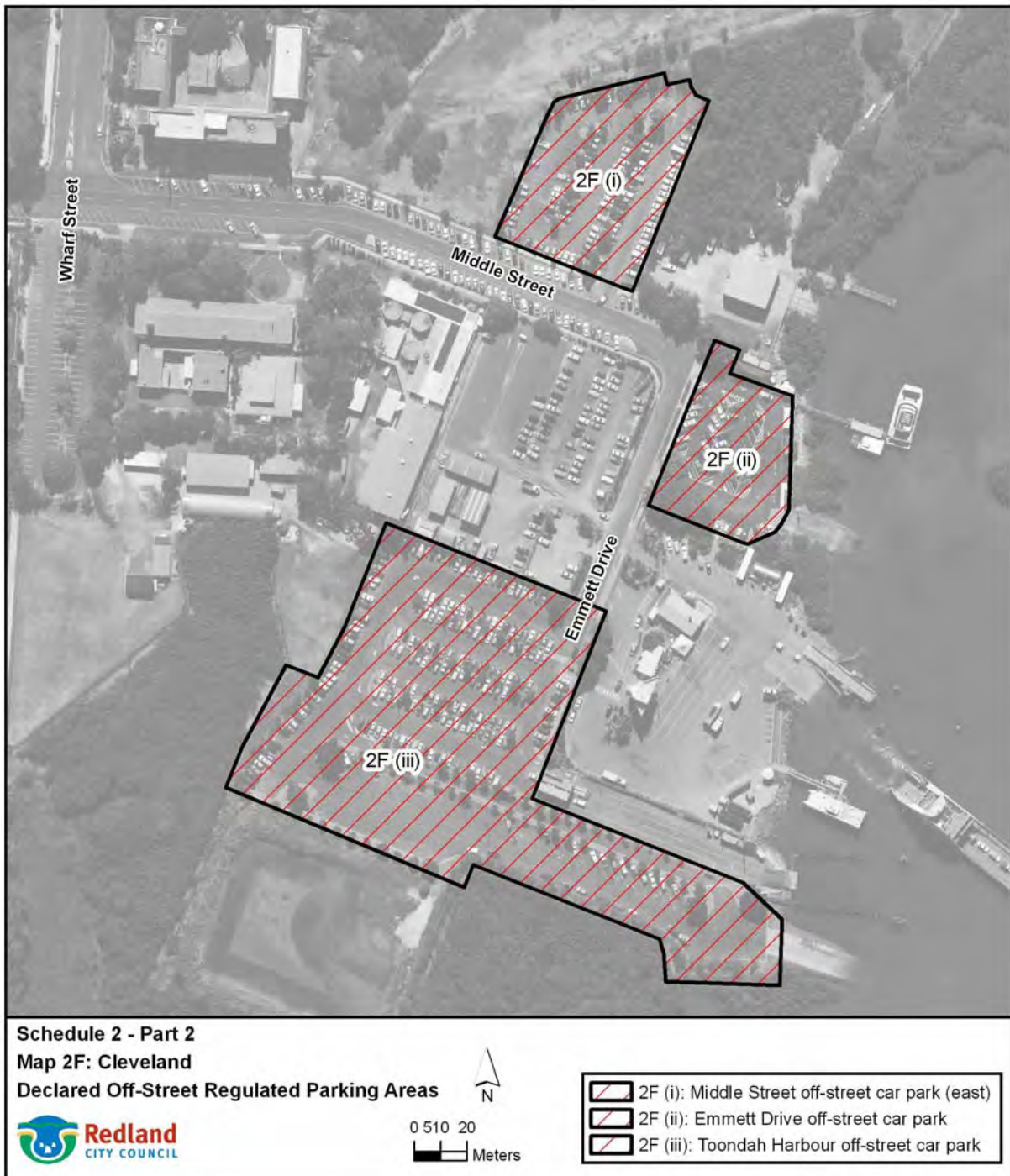


 2D: Middle Street off-street car park (west)

### Map 2E



### Map 2F





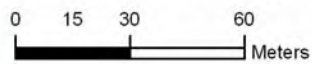
### Map 3A




Schedule 2 - Part 2

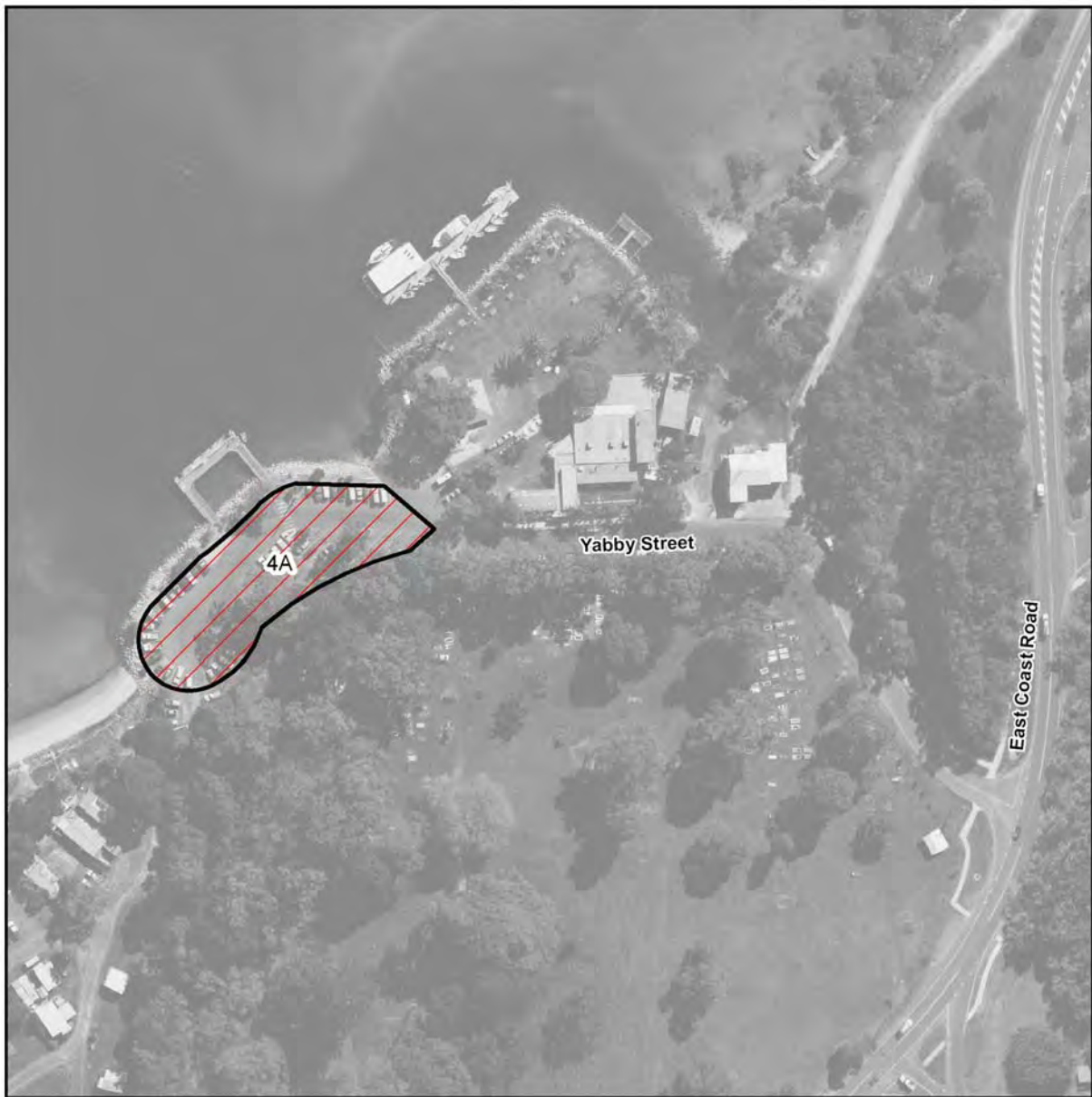
Map 3A: Macleay Island

Declared Off-Street Regulated Parking Areas



 3A: Macleay Island ferry terminal car and boat trailer park

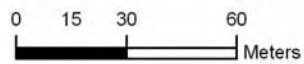
### Map 4A




Schedule 2 - Part 2

Map 4A: North Stradbroke Island

Declared Off-Street Regulated Parking Areas



 4A: One Mile ferry terminal off-street car park

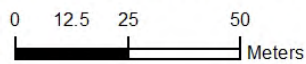
### Map 4B




Schedule 2 - Part 2

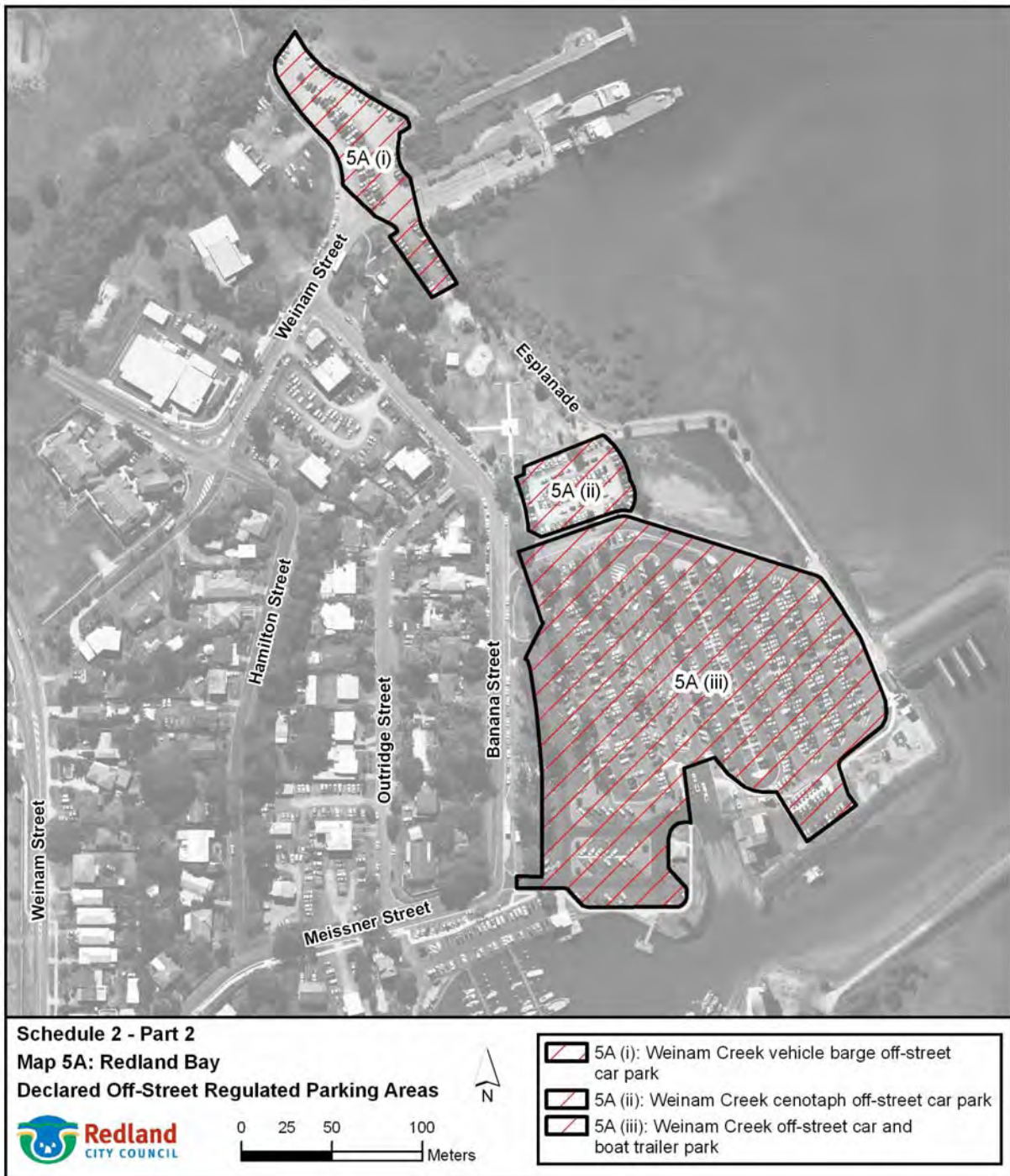
Map 4B: North Stradbroke Island

Declared Off-Street Regulated Parking Areas



 Map 4B: Junner Street ferry terminal off-street car park

### Map 5A



### Map 5B




Schedule 2 - Part 2

Map 5B: Redland Bay

Declared Off-Street Regulated Parking Areas



 5B: Weinam Creek overflow off-street car park

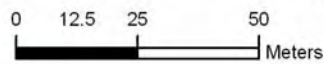
### Map 6A





Schedule 2 - Part 2

Map 6A: Russell Island

Declared Off-Street Regulated Parking Areas

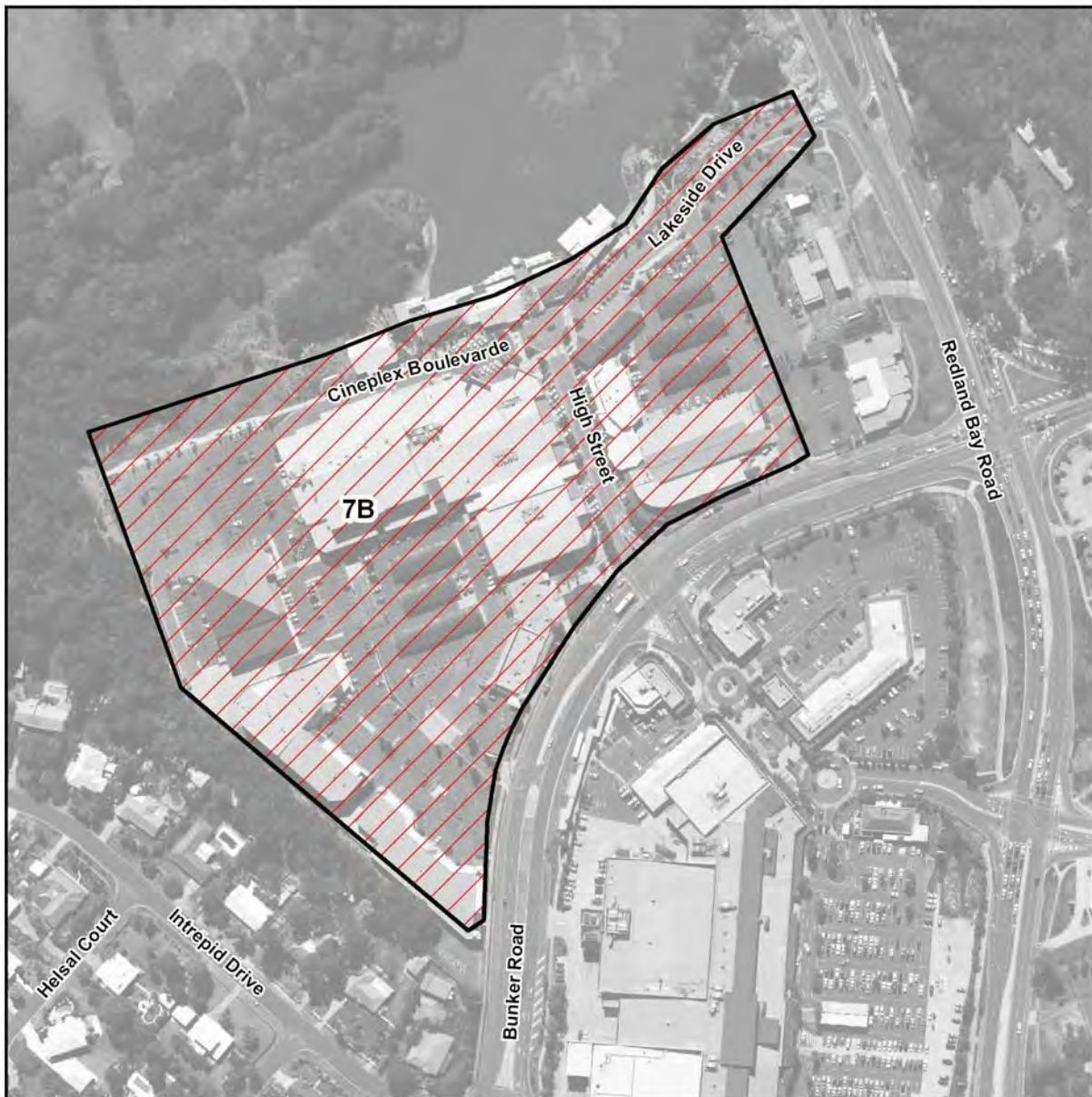


-  6A (i): Russell Island off-street car park
-  6A (ii): Russell Island ferry terminal off-street car and boat trailer park

### Map 7A



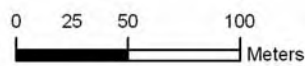
### Map 7B




Schedule 2 - Part 2

Map 7B: Victoria Point

Declared Off-Street Regulated Parking Areas



 7B: Victoria Point Shops off-street car park



### Map 8A



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## **Schedule 3      Definition — no parking permit area**

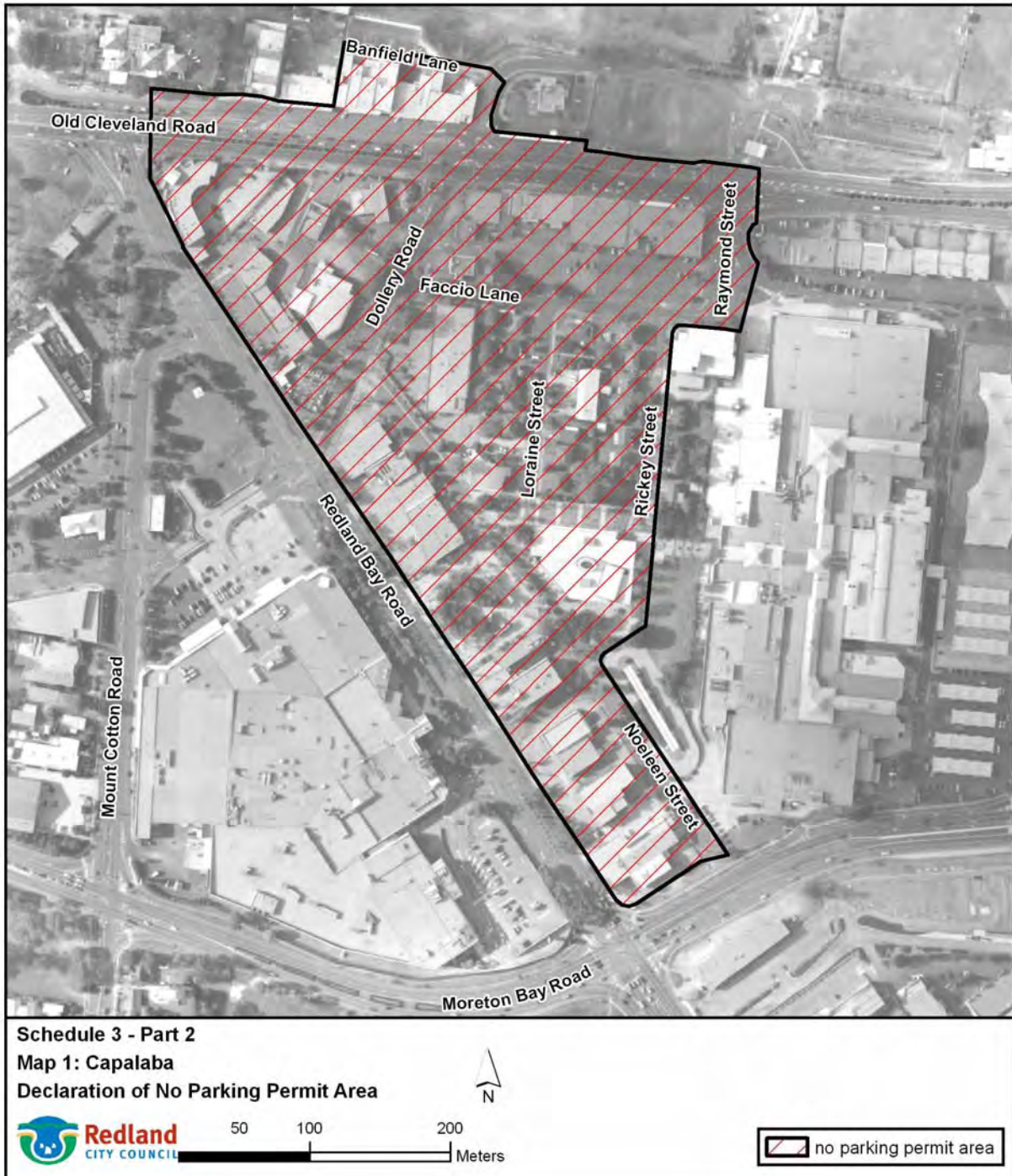
Section 4

### **Part 1              Description of no parking permit areas**

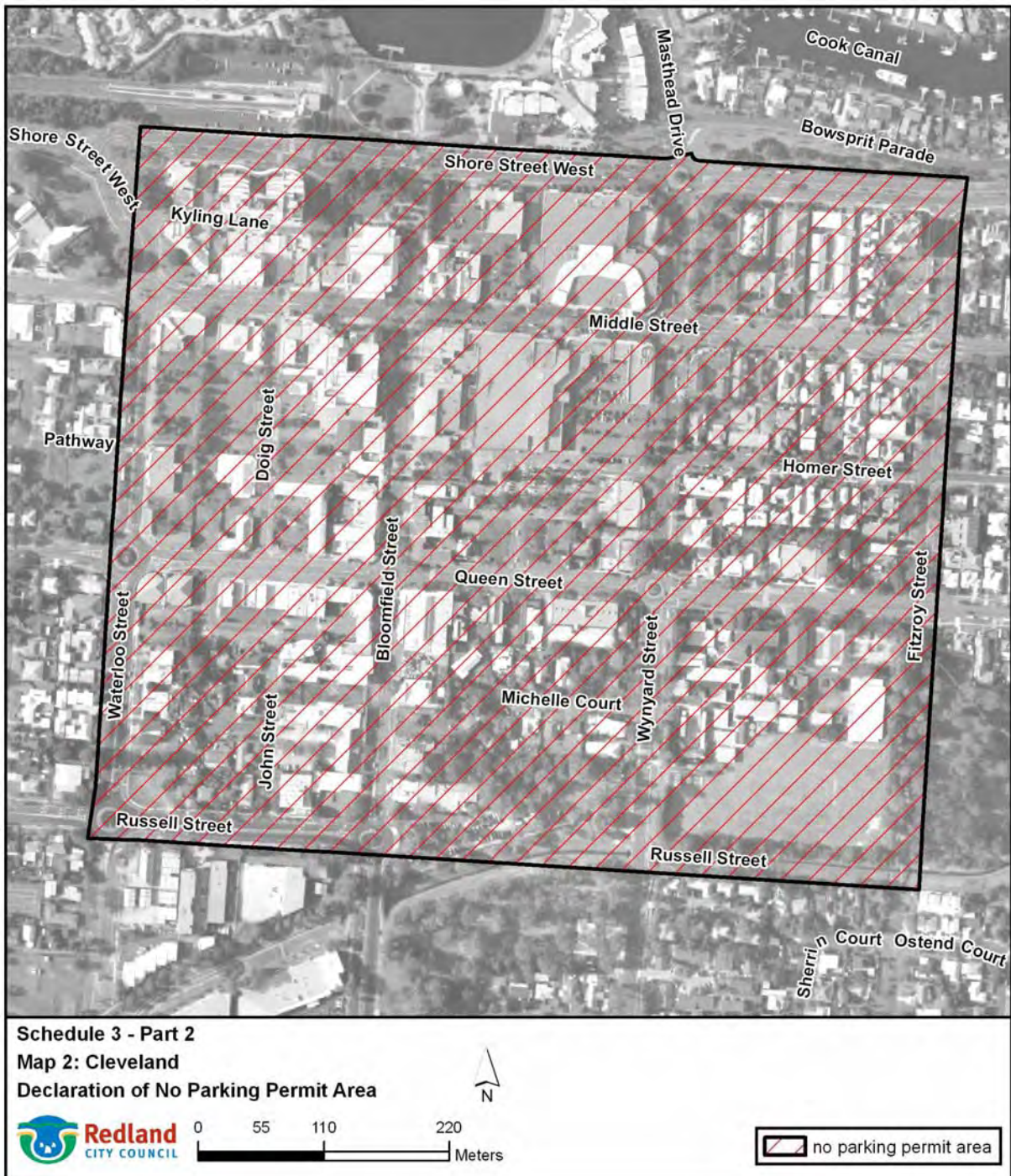
- (1) The Capalaba no parking permit area being the area indicated by hatching on part 2 map 1.
- (2) The Cleveland no parking permit area being the area indicated by hatching on part 2 map 2.
- (3) The Redland Bay no parking permit area being the area indicated by hatching on part 2 map 3.
- (4) The Victoria Point no parking permit area being the area indicated by hatching on part 2 map 4.
- (5) The Wellington Point no parking permit area being the area indicated by hatching on part 2 map 5.

## Part 2 Maps of no parking permit areas

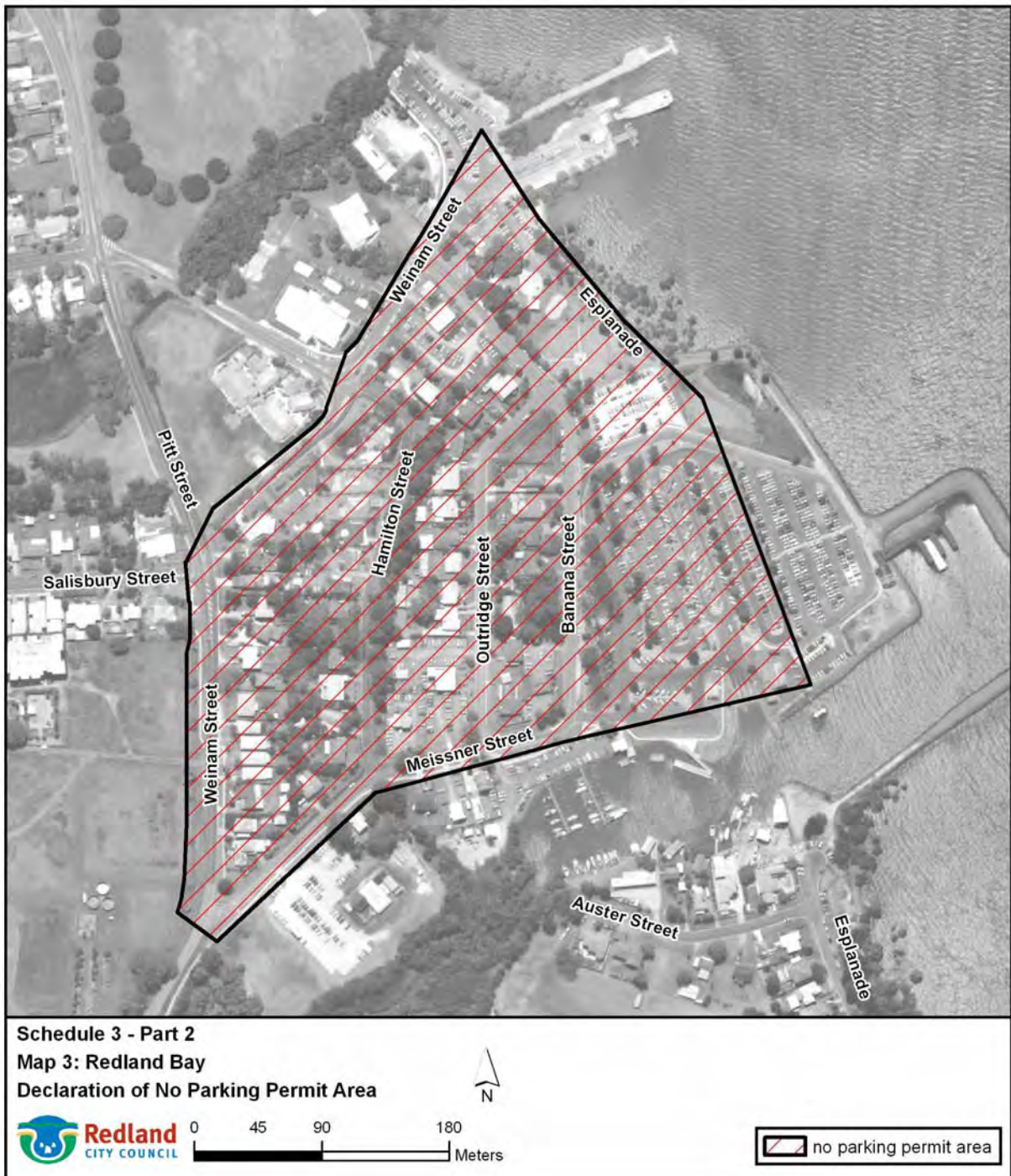
### Map 1 - Capalaba



### Map 2 - Cleveland



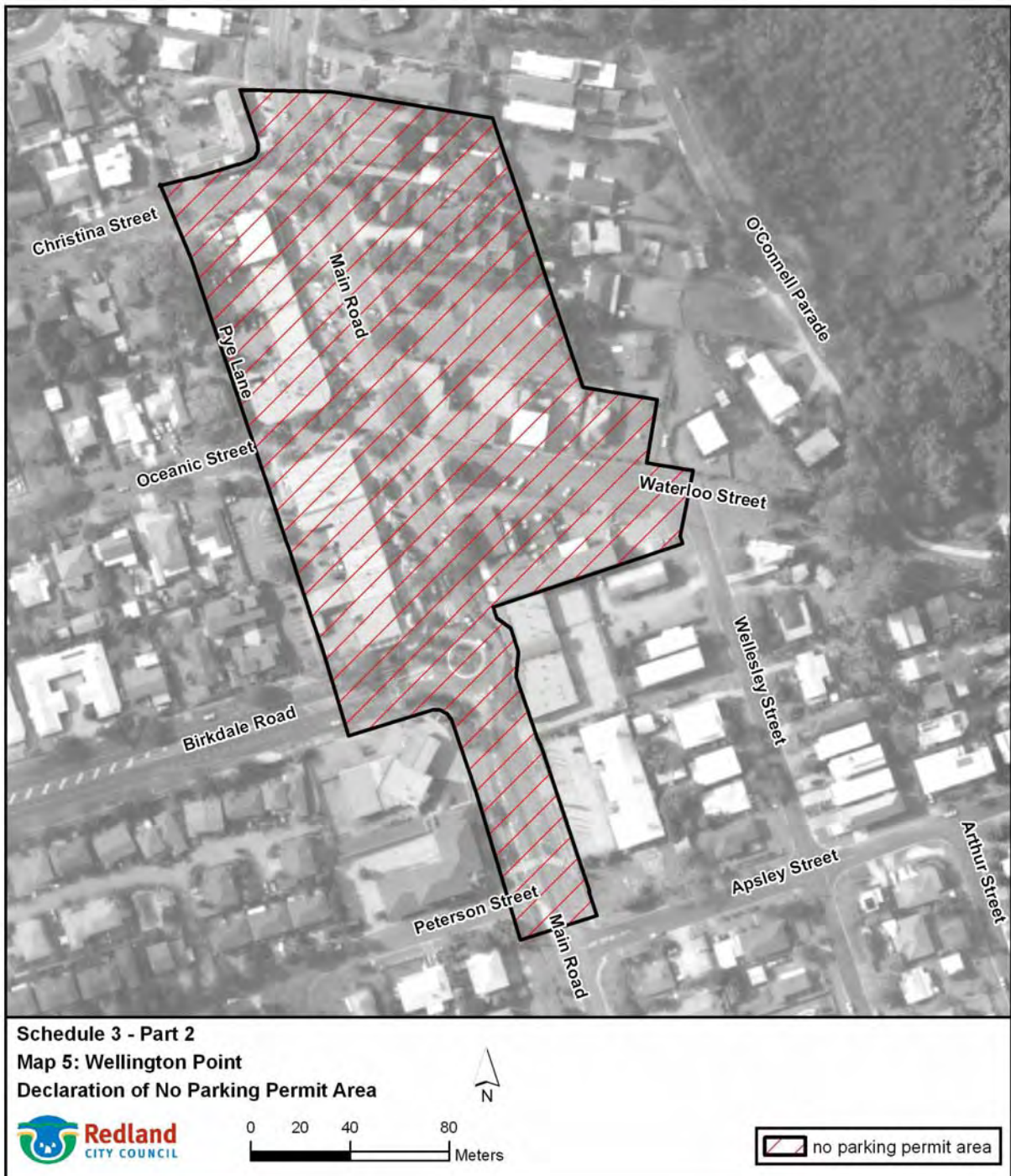
### Map 3 – Redland Bay



### Map 4 – Victoria Point



### Map 5 – Wellington Point



## Schedule 4 Infringement notice penalty amounts for certain minor traffic offences

### Section 9

| Column 1   |   | Column 2                           |
|--|---|------------------------------------|
| <i>Transport Operations (Road Use Management) Act 1995 provision</i> | Minor Traffic Offence   | Infringement notice penalty amount |
| 106(1)(a)(i)   | Parking a vehicle in a designated parking space unless a parking meter or parkatarea installed for the space indicates that the parking fee has been paid | 0.7 penalty units                  |
| 106(1)(a)(ii)  | Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space | 0.7 penalty units                  |
| 106(1)(b)  | Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space    | 0.7 penalty units                  |
| 106(1)(c)  | Parking a vehicle in a designated parking space if another vehicle is parked in the space   | 0.7 penalty units                  |
| 106(1)(d)  | Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space  | 0.7 penalty units                  |

| Column 1   |   | Column 2                           |
|--|---|------------------------------------|
| <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i> | Minor Traffic Offence   | Infringement notice penalty amount |
| 167  | Stopping on a length of road or in an area to which a no stopping sign applies                    | 0.7 penalty units                  |
| 168  | Unauthorised driver stopping on a length of road or in an area to which a no parking sign applies | 0.7 penalty units                  |



| <b>Column 1</b>   |   | <b>Column 2</b>                                   |
|---|---|---|
| <b><i>Transport Operations<br/>(Road Use Management<br/>– Road Rules)<br/>Regulation 2009<br/>provision</i></b> | <b>Minor Traffic Offence</b>  | <b>Infringement<br/>notice penalty<br/>amount</b> |
| 169   | Stopping at the side of a road marked with a continuous yellow edge line  | 0.7 penalty units                                 |
| 170(1)  | Stopping in an intersection   | 0.7 penalty units                                 |
| 171   | Stopping on a children's crossing or on the road within 20m before the crossing or 10m after the crossing   | 0.7 penalty units                                 |
| 172(1)  | Stopping on a pedestrian crossing that is not at an intersection or on a road within 20m before a crossing and 10m after the crossing otherwise than as permitted by a sign   | 0.7 penalty units                                 |
| 173   | Stopping on a marked foot crossing that is not at an intersection, or on a road within 10m before the traffic lights pole nearest to the driver at the crossing and 3m after the crossing unless permitted by a sign                | 0.7 penalty units                                 |
| 175   | Stopping on a level crossing, or on a road within 20m before the nearest rail or track to the driver approaching the crossing and 20m after the nearest rail or track to the driver leaving the crossing unless permitted by a sign | 0.7 penalty units                                 |
| 176(1)  | Stopping on a road contrary to a clearway sign  | 0.7 penalty units                                 |
| 179(1)  | Stopping an unauthorised vehicle in a loading zone  | 0.7 penalty units                                 |
| 181   | Unauthorised driver stopping in a works zone  | 0.7 penalty units                                 |
| 182(1)  | Stopping an unauthorised vehicle in a taxi zone   | 0.7 penalty units                                 |
| 183(1)  | Stopping an unauthorised vehicle in a bus   | 0.7 penalty units                                 |

| <b>Column 1</b>   |  | <b>Column 2</b>                                   |
|---|--|---|
| <b><i>Transport Operations<br/>(Road Use Management<br/>– Road Rules)<br/>Regulation 2009<br/>provision</i></b> | <b>Minor Traffic Offence</b>   | <b>Infringement<br/>notice penalty<br/>amount</b> |
|   | zone   |   |
| 183(1)  | Stopping a bus in a bus zone contrary to a bus zone sign   | 0.7 penalty units                                 |
| 185(1)  | Stopping an unauthorised vehicle in a permit zone  | 1.4 penalty units                                 |
| 186(1)  | Stopping in a mail zone  | 0.7 penalty units                                 |
| 189(1)(a)   | Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road   | 0.7 penalty units                                 |
| 191   | Stopping on a road so as to obstruct traffic   | 0.7 penalty units                                 |
| 195(1)  | Stopping within 20m before a bus stop unless permitted by a sign   | 0.7 penalty units                                 |
| 195(1)  | Stopping within 10m after a bus stop unless permitted by a sign  | 0.7 penalty units                                 |
| 197(1)  | Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign | 0.7 penalty units                                 |
| 198(2)  | Stopping on or across a driveway unless dropping off or picking up, passengers   | 0.7 penalty units                                 |
| 199   | Stopping near a postbox  | 0.7 penalty units                                 |
| 200(1)  | Stopping a heavy vehicle or a long vehicle on a length of road that is not in a built-up area otherwise than on the shoulder of the road                         | 1.4 penalty units                                 |
| 200(2)  | Stopping a heavy vehicle or a long vehicle on a length of road in a built-up area for  | 1.4 penalty units                                 |

| <b>Column 1</b>   |  | <b>Column 2</b>                                   |
|---|--|---|
| <b><i>Transport Operations<br/>(Road Use Management<br/>– Road Rules)<br/>Regulation 2009<br/>provision</i></b> | <b>Minor Traffic Offence</b>   | <b>Infringement<br/>notice penalty<br/>amount</b> |
|   | longer than 1 hour unless permitted to stop on the length of road for longer than 1 hour by information on or with a traffic controlled device |   |
| 202   | Stopping contrary to a motorbike parking sign  | 0.7 penalty units                                 |
| 203(1)  | Stopping contrary to a people with disabilities parking sign   | 1.4 penalty units                                 |
| Part 12   | Other parking offences provided for in Part 12 (Restrictions on stopping and parking)  | 0.7 penalty units                                 |

## Schedule 5 Dictionary

### Section 4

**community service organisation** means an association incorporated under the *Associations Incorporation Act 1981* which has as the main purpose of its objects, making financial gain for community service, charitable or similar purposes.

**community service organisation parking permit** see section 7(3).

**local government works parking permit** see section 7(7).

**no parking permit area** means an area—

- (a) described in schedule 3 part 1; and
- (b) indicated by hatching on a map in schedule 3 part 2; and
- (c) the boundaries of which are indicated by a bold line circumscribing a hatched area on a map in schedule 3 part 2.

**residence** means a building, or part of a building, that is —

- (a) fixed to land; and
- (b) designed, or approved by a local government, for human habitation by a single family unit; and
- (c) used for residential purposes.

**resident** see section 7(8)(a)(i).

**resident parking permit** see section 7(2).

**temporary parking permit** see section 7(4).

**visitor parking permit** see section 7(8).

**works zone parking permit** see section 7(6).

**Certification**

This and the preceding 39 pages bearing my initials is a certified copy of a consolidated version of *Subordinate Local Law No. 5 (Parking) 2015* adopted in accordance with the provisions of the *Local Government Act 2009* by Redland City Council by resolution dated the        day of                    , 2016.

.....  
Chief Executive Officer

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**11.3 COMMUNITY & CUSTOMER SERVICES****11.3.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 & 3 DEVELOPMENTS**

**Objective Reference:** A124442  
Reports & Attachments (Archive)

**Attachment:** [Decisions Made Under Delegated Authority 21.08.2016 to 24.09.2016](#)

**Authorising Officer:**   
Louise Rusan  
General Manager Community & Customer Services

**Responsible Officer:** David Jeanes  
Group Manager City Planning & Assessment

**Report Author:** Debra Weeks  
Senior Business Support Officer

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**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 General Meeting for a decision.

### **OFFICER'S RECOMMENDATION**

**The Council resolves to note this report.**

**Decisions Made Under Delegated Authority 21.08.2016 to 27.08.2016**

| Application       | Description                                  | Category  | Applicant                     | Property Address                           | Application Type            | Decision Date | Decision               | Division |
|-------------------|--|-----------|-------------------------------|--|-----------------------------|---------------|------------------------|----------|
| <b>Category 1</b> |  |           |                               |  |                             |               |                        |          |
| OPW002064         | Advertising Device                           | Category1 | Signarama Redlands            | 6-8 Waterloo Street, Cleveland QLD 4163    | Code Assessment             | 23/08/2016    | Development Permit     | 2        |
| BWP003709         | Design & Siting - Setback                    | Category1 | Philip Impey Architect        | 27A Princess Street, Cleveland QLD 4163    | Concurrence Agency Response | 24/08/2016    | Approved               | 2        |
| BWP003731         | Design and Siting - Additions                | Category1 | The Certifier Pty Ltd         | 1-19 Dinwoodie Road, Thornlands QLD 4164   | Concurrence Agency Response | 25/08/2016    | Approved               | 3        |
| OPW002050         | Advertising Device                           | Category1 | Renaissance Retirement Living | 36-40 Bunker Road, Victoria Point QLD 4165 | Code Assessment             | 23/08/2016    | Development Permit     | 4        |
| BWP003701         | Design & Siting 19                           | Category1 | The Certifier Pty Ltd         | 62 Peel Street, Redland Bay QLD 4165       | Concurrence Agency Response | 24/08/2016    | Approved               | 5        |
| BWP003717         | Design & Siting - Carport                    | Category1 | Ashley Dean Jackson           | 222 Main Street, Redland Bay QLD 4165      | Concurrence Agency Response | 26/08/2016    | Approved               | 5        |
| BWP003726         | Additions                                    | Category1 | B Approved                    | 36 Phillip Street, Redland Bay QLD 4165    | Concurrence Agency Response | 25/08/2016    | Approved               | 5        |
| OPW002023         | Childcare and Commercial Development         | Category1 | Powercat Partners Pty Ltd     | 101 Valley Way, Mount Cotton QLD 4165      | Compliance Assessment       | 25/08/2016    | Compliance Certificate | 6        |
| BWP003714         | Design & Siting - Addition to existing house | Category1 | Bradley Ross Ashcroft         | 52 Summit Street, Sheldon QLD 4157         | Concurrence Agency Response | 26/08/2016    | Approved               | 6        |
| MCU013807         | Dwelling House - Overlay Assessment          | Category1 | G Developments Pty Ltd        | 23 Pyrus Place, Redland Bay QLD 4165       | Code Assessment             | 25/08/2016    | Development Permit     | 6        |



| Application       | Description  | Category  | Applicant                                  | Property Address                           | Application Type            | Decision Date | Decision           | Division |
|-------------------|--|-----------|--|--|-----------------------------|---------------|--------------------|----------|
| ROL006083         | Standard Format: 2 into 3 Lots                     | Category1 | Michell Town Planning & Development        | 107 Bailey Road, Birkdale QLD 4159         | Code Assessment             | 24/08/2016    | Development Permit | 8        |
| BWP003729         | Design and Siting - Additions to existing dwelling | Category1 | The Certifier Pty Ltd                      | 42 Chatsworth Circuit, Capalaba QLD 4157   | Concurrence Agency Response | 22/08/2016    | Approved           | 9        |
| BWP003641         | Design & Siting - Shed                             | Category1 | Kim Maree Klynnyk<br>The Certifier Pty Ltd | 2 Boambillee Street, Thorneside QLD 4158   | Permissible Change          | 22/08/2016    | Development Permit | 10       |
| BWP003708         | Deck roof boundary                                 | Category1 | Bartley Burns Certifiers & Planners        | 71 Dorsal Drive, Birkdale QLD 4159         | Concurrence Agency Response | 26/08/2016    | Approved           | 10       |
| MCU013804         | Home Business - ADA                                | Category1 | Rochelle Anne Manners                      | 10 Lewisham Court, Birkdale QLD 4159       | Code Assessment             | 22/08/2016    | Development Permit | 10       |
| <b>Category 2</b> |  |           |  |  |                             |               |                    |          |
| OPW002070         | Commercial driveway access upgrade                 | Category2 | Darwalla Egg Producers Pty Ltd             | 70-96 Hillview Road, Mount Cotton QLD 4165 | Code Assessment             | 22/08/2016    | Development Permit | 6        |

**Decisions Made Under Delegated Authority 28.08.2016 to 03.09.2016**

| <b>Application</b> | <b>Description</b>   | <b>Category</b> | <b>Applicant</b>                             | <b>Property Address</b>                          | <b>Application Type</b> | <b>Decision Date</b> | <b>Decision</b>    | <b>Division</b> |
|--------------------|--|-----------------|--|--|-------------------------|----------------------|--------------------|-----------------|
| <b>Category 1</b>  |  |                 |  |  |                         |                      |                    |                 |
| BWP003727          | Shade Sail   | Category1       | Helen McGarry McVicar<br>Martin John McVicar | 197 Wellington Street,<br>Ormiston QLD 4160      | Concurrence Referral    | 2/09/2016            | Approved           | 1               |
| BWP003719          | Combined Design & Siting and Build over Sewer - front boundary setback | Category1       | Chris Easton                                 | 19 Cassandra Street,<br>Cleveland QLD 4163       | Concurrence Referral    | 30/08/2016           | Approved           | 2               |
| BWP003721          | Design & Siting - Setback  | Category1       | Applied Building Approvals                   | 67 Coburg Street East,<br>Cleveland QLD 4163     | Concurrence Referral    | 1/09/2016            | Approved           | 2               |
| BWP003723          | Design and Siting - Shed   | Category1       | Strickland Certification Pty Ltd             | 12 Gonzales Street, Amity<br>QLD 4183            | Concurrence Referral    | 30/08/2016           | Approved           | 2               |
| BWP003724          | Design & Siting - Dwelling   | Category1       | Affordable Housing Company                   | 13A Cassandra Street,<br>Cleveland QLD 4163      | Concurrence Referral    | 30/08/2016           | Approved           | 2               |
| BWP003748          | Design and Siting - Dwelling and Double Garage                         | Category1       | Apex Certification & Consulting              | 8 Affinity Way,<br>Thornlands QLD 4164           | Concurrence Referral    | 31/08/2016           | Approved           | 3               |
| BWP003751          | Design and Siting - Dwelling and Double Garage                         | Category1       | Apex Certification & Consulting              | 25 Arkwright Street,<br>Thornlands QLD 4164      | Concurrence Referral    | 31/08/2016           | Approved           | 3               |
| BWP003668          | Design & Siting - Carport and Gatehouse                                | Category1       | The Certifier Pty Ltd                        | 27 Daysland Street,<br>Victoria Point QLD 4165   | Concurrence Referral    | 29/08/2016           | Approved           | 4               |
| MCU013799          | Dwelling House   | Category1       | Building Code Approval Group Pty Ltd         | 43A Wilson Esplanade,<br>Victoria Point QLD 4165 | Code Assessment         | 29/08/2016           | Development Permit | 4               |
| MCU013638          | Bed & Breakfast - Tourism Accommodation Incentive Package              | Category1       | Helene Margot Grillot                        | 17-19 Attunga Street,<br>Macleay Island QLD 4184 | Code Assessment         | 29/08/2016           | Development Permit | 5               |

| Application | Description                               | Category  | Applicant  | Property Address  | Application Type                | Decision Date | Decision              | Division |
|-------------|---|-----------|--|---|---------------------------------|---------------|-----------------------|----------|
| BWP003682   | Domestic Outbuildings<br>x 3              | Category1 | The Certifier Pty Ltd                                  | 148 The Esplanade,<br>Karragarra Island QLD<br>4184                                       | Code Assessment                 | 2/09/2016     | Development<br>Permit | 5        |
| MCU013809   | Dwelling ADA                              | Category1 | Applied Building<br>Approvals                          | 42 Alexander Street,<br>Macleay Island QLD<br>4184  | Code Assessment                 | 29/08/2016    | Development<br>Permit | 5        |
| OPW001690   | Advertising Device                        | Category1 | Nikwood Pty Ltd<br><br>Outdoor Intelligence<br>Pty Ltd | Victoria Point Lakeside<br>Shopping Centre7-13<br>Bunker Road, Victoria<br>Point QLD 4165 | Extension to<br>Relevant Period | 1/09/2016     | Approved              | 6        |
| MCU013779   | New Dwelling                              | Category1 | Hallmark Homes Pty<br>Ltd                              | 3 Vanstone Way, Redland<br>Bay QLD 4165   | Code Assessment                 | 1/09/2016     | Development<br>Permit | 6        |
| BWP003734   | Design and Siting -<br>Dwelling Set backs | Category1 | G Developments Pty<br>Ltd                              | 23 Pyrus Place, Redland<br>Bay QLD 4165   | Concurrence Referral            | 1/09/2016     | Approved              | 6        |
| BWP003735   | Design & Siting -<br>Carport              | Category1 | Darren John McCartney                                  | 12 Malcomia Street,<br>Redland Bay QLD 4165   | Concurrence Referral            | 1/09/2016     | Approved              | 6        |
| BWP003745   | Design and Siting -<br>Dwelling           | Category1 | Professional<br>Certification Group                    | 9 Madison Court, Redland<br>Bay QLD 4165  | Concurrence Referral            | 2/09/2016     | Approved              | 6        |
| MCU013776   | Dwelling House                            | Category1 | The Certifier Pty Ltd                                  | 171-187 Ney Road,<br>Capalaba QLD 4157  | Code Assessment                 | 2/09/2016     | Development<br>Permit | 9        |
| BWP003722   | Design & Siting -<br>Carport              | Category1 | Shaun Michael Winks                                    | 64 Koala Place, Capalaba<br>QLD 4157  | Concurrence Referral            | 29/08/2016    | Approved              | 9        |
| BWP003691   | Domestic Outbuilding -<br>Garage          | Category1 | Ross Forsythe Gillespie                                | 79 Cavell Street, Birkdale<br>QLD 4159  | Code Assessment                 | 31/08/2016    | Development<br>Permit | 10       |

| Application       | Description                                     | Category  | Applicant   | Property Address  | Application Type             | Decision Date | Decision               | Division |
|-------------------|---|-----------|---|---|------------------------------|---------------|------------------------|----------|
| BWP003742         | Design and Siting - Carport                     | Category1 | Fluid Approvals   | 1 Ian Street, Thorneside QLD 4158   | Concurrence Referral         | 30/08/2016    | Approved               | 10       |
| <b>Category 2</b> |   |           |   |   |                              |               |                        |          |
| MCU012766         | General Industry - 9 Units                      | Category2 | Building Code Approval Group Pty Ltd                      | 13-17 Enterprise Street, Cleveland QLD 4163                                 | Extension to Relevant Period | 2/09/2016     | Approved               | 2        |
| MC011186          | Extension to Shop                               | Category2 | Landel Pty Ltd<br>Lanrex Pty Ltd<br>Pd Plan Town Planning | Victoria Point Town Centre, 349-369 Colburn Avenue, Victoria Point QLD 4165 | Extension to Relevant Period | 2/09/2016     | Approved               | 4        |
| OPW002036         | Revetment Wall and Beach Protection Works       | Category2 | Redland City Council                                      | 2 Bay Street, Redland Bay QLD 4165  | Code Assessment              | 1/09/2016     | Development Permit     | 5        |
| OPW001997         | Operational Works - Multiple Dwelling x 6 Units | Category2 | A-List Property Specialists Pty Ltd As Trustee            | 54 Valantine Road, Birkdale QLD 4159  | Compliance Assessment        | 2/09/2016     | Compliance Certificate | 8        |

**Decisions Made Under Delegated Authority 04.09.2016 to 17.09.2016**

| <b>Application</b> | <b>Description</b>  | <b>Category</b> | <b>Applicant</b>  | <b>Property Address</b>                     | <b>Application Type</b>     | <b>Decision Date</b> | <b>Decision</b>    | <b>Division</b> |
|--------------------|---|-----------------|---|---|-----------------------------|----------------------|--------------------|-----------------|
| <b>Category 1</b>  |   |                 |   |   |                             |                      |                    |                 |
| MCU012296          | Dual Occupancy  | Category1       | Bartley Burns Certifiers & Planners<br>Suzanne Kate Hembrow | 10 Main Road, Wellington Point QLD 4160     | Permissible Change          | 16/09/2016           | Development Permit | 1               |
| BWP003730          | Design and Siting - Garage/ Carport   | Category1       | Lee-ann Elizabeth Stevens                                   | 8 Sheena Street, Wellington Point QLD 4160  | Concurrence Agency Response | 5/09/2016            | Approved           | 1               |
| BWP003798          | Design and Siting - Domestic Outbuilding (Carport) & Domestic Additions (Pergola) | Category1       | Fastrack Building Certification                             | 18 Edie Terrace, Wellington Point QLD 4160  | Concurrence Agency Response | 15/09/2016           | Approved           | 1               |
| MC011788           | Dual Occupancy  | Category1       | BB Design Pty Ltd As Trustee                                | 125 Tramican Street, Point Lookout QLD 4183 | Permissible Change          | 13/09/2016           | Development Permit | 2               |
| MCU013552          | Multiple Dwelling - 5 townhouses  | Category1       | Development Management Solutions Pty Ltd                    | 159 Middle Street, Cleveland QLD 4163       | Permissible Change          | 16/09/2016           | Development Permit | 2               |
| BWP003769          | Design and Siting - Dwelling House  | Category1       | Casey Jackson Homes Pty Ltd                                 | 11 Vassi Concord, Cleveland QLD 4163        | Concurrence Agency Response | 8/09/2016            | Approved           | 2               |
| ROL006102          | Boundary Realignment - 2 into 2 Lots  | Category1       | Redland Investment Corporation Pty Ltd                      | 2-16 Wynyard Street, Cleveland QLD 4163     | Code Assessment             | 16/09/2016           | Development Permit | 2               |
| ROL006089          | 1 into 2 Standard Format  | Category1       | Bmj Designs   | 115 Ziegenfusz Road, Thornlands QLD 4164    | Compliance Assessment       | 13/09/2016           | CompPermit         | 3               |

| Application | Description   | Category  | Applicant                        | Property Address                                   | Application Type            | Decision Date | Decision           | Division |
|-------------|---|-----------|----------------------------------|--|-----------------------------|---------------|--------------------|----------|
| MCU013805   | Dwelling House - Secondary Dwelling ADA                         | Category1 | William Grant Page               | 184-186 Waterloo Street, Cleveland QLD 4163        | Code Assessment             | 5/09/2016     | Development Permit | 3        |
| BWP003755   | Design and Siting - Shed  | Category1 | Reliable Certification Services  | 17 Osprey Drive, Thornlands QLD 4164               | Concurrence Agency Response | 13/09/2016    | Approved           | 3        |
| ROL006070   | Standard Format 1 into 2 Lots                                   | Category1 | East Coast Surveys Pty Ltd       | 107 Point O'Halloran Road, Victoria Point QLD 4165 | Code Assessment             | 9/09/2016     | Development Permit | 4        |
| BWP003743   | Design & Siting - Dwelling House - Secondary Dwelling & Carport | Category1 | The Certifier Pty Ltd            | 8 Strachan Road, Victoria Point QLD 4165           | Concurrence Agency Response | 6/09/2016     | Approved           | 4        |
| BWP003753   | Design & Siting - Carport & Additions                           | Category1 | Applied Building Approvals       | 5 Church Street, Victoria Point QLD 4165           | Concurrence Agency Response | 9/09/2016     | Approved           | 4        |
| BWP003758   | Design & Siting - 2 x Carports                                  | Category1 | Strickland Certification Pty Ltd | 50 Point O'Halloran Road, Victoria Point QLD 4165  | Concurrence Agency Response | 13/09/2016    | Approved           | 4        |
| MCU013562   | New Dwelling  | Category1 | Applied Building Approvals       | 20 Hastings Terrace, Macleay Island QLD 4184       | Permissible Change          | 7/09/2016     | Development Permit | 5        |
| ROL006075   | Standard Format - 1 into 3                                      | Category1 | Michael Edward Hall              | 37 Stradbroke Street, Redland Bay QLD 4165         | Code Assessment             | 9/09/2016     | Development Permit | 5        |
| BWP003733   | Design and Siting - Open Carport and Shed                       | Category1 | Applied Building Approvals       | 18-20 Reading Street, Russell Island QLD 4184      | Concurrence Agency Response | 5/09/2016     | Approved           | 5        |
| BWP003768   | Design and Siting - Dwelling                                    | Category1 | GMA Certification Group Pty Ltd  | 47 Hemp Hill Road, Russell Island QLD 4184         | Concurrence Agency Response | 13/09/2016    | Approved           | 5        |

| Application | Description   | Category  | Applicant                        | Property Address                              | Application Type            | Decision Date | Decision           | Division |
|-------------|---|-----------|----------------------------------|---|-----------------------------|---------------|--------------------|----------|
| BWP003632   | Retaining wall over 1 meter in height - Related application BWP003631 | Category1 | All Star Energy                  | 38 Sunrise Court, Mount Cotton QLD 4165       | Code Assessment             | 14/09/2016    | Development Permit | 6        |
| BWP003741   | Design and Siting - Shed  | Category1 | Fluid Approvals                  | 15 Sheoak Court, Mount Cotton QLD 4165        | Concurrence Agency Response | 7/09/2016     | Approved           | 6        |
| BWP003760   | Design and Siting - Dwelling House                                    | Category1 | Dixon Homes Pty Ltd (Sherwood)   | 59 Unwin Road, Redland Bay QLD 4165           | Concurrence Agency Response | 15/09/2016    | Approved           | 6        |
| BWP003762   | Design and Siting - Dwelling  | Category1 | Suncoast Building Approvals      | 21 Fiddlewood Street, Victoria Point QLD 4165 | Concurrence Agency Response | 14/09/2016    | Approved           | 6        |
| BWP003765   | Design and Siting - Dwelling  | Category1 | Javica Pty Ltd                   | 49 Capella Drive, Redland Bay QLD 4165        | Concurrence Agency Response | 5/09/2016     | Approved           | 6        |
| MCU013817   | Overlay Assessment - Dwelling House                                   | Category1 | G Developments Pty Ltd           | 41 Pyrus Place, Redland Bay QLD 4165          | Code Assessment             | 6/09/2016     | Development Permit | 6        |
| BWP003770   | Design and Siting - Dwelling  | Category1 | G Developments Pty Ltd           | 41 Pyrus Place, Redland Bay QLD 4165          | Concurrence Agency Response | 6/09/2016     | Approved           | 6        |
| BWP003771   | Design and Siting - Carport   | Category1 | DBR Building Certification       | 17 Summerhill Street, Victoria Point QLD 4165 | Concurrence Agency Response | 16/09/2016    | Approved           | 6        |
| BWP003776   | Design and Siting - Dwelling  | Category1 | Shaun Michael Winks              | 65 Capella Drive, Redland Bay QLD 4165        | Concurrence Agency Response | 14/09/2016    | Approved           | 6        |
| BWP003778   | Design and Siting - Dwelling  | Category1 | Professional Certification Group | 51 Capella Drive, Redland Bay QLD 4165        | Concurrence Agency Response | 14/09/2016    | Approved           | 6        |
| ROL006029   | Standard Format 1 into 5 Lots   | Category1 | East Coast Surveys Pty Ltd       | 191 Panorama Drive, Thornlands QLD 4164       | Code Assessment             | 15/09/2016    | Development Permit | 7        |
| BWP003552   | Domestic Outbuilding  | Category1 | Applied Building Approvals       | 14-16 Nanette Court, Alexandra Hills QLD 4161 | Permissible Change          | 14/09/2016    | Development Permit | 7        |

| Application       | Description                               | Category  | Applicant                                  | Property Address                             | Application Type            | Decision Date | Decision           | Division |
|-------------------|---|-----------|--|--|-----------------------------|---------------|--------------------|----------|
| BWP003739         | Design and Siting - Extension of Dwelling | Category1 | Building Certification Consultants Pty Ltd | 18 Runnymede Road, Capalaba QLD 4157         | Concurrence Agency Response | 6/09/2016     | Approved           | 7        |
| BWP003774         | Design and Siting - Shed                  | Category1 | DBR Building Certification                 | 261 Finucane Road, Alexandra Hills QLD 4161  | Concurrence Agency Response | 6/09/2016     | Approved           | 7        |
| BWP003775         | Design and Siting - Carport               | Category1 | All Approvals Pty Ltd                      | 16 Greystoke Place, Alexandra Hills QLD 4161 | Concurrence Agency Response | 14/09/2016    | Approved           | 7        |
| BWP003750         | Design and Siting - Carport               | Category1 | DBR Certification                          | 2 King Street, Alexandra Hills QLD 4161      | Concurrence Agency Response | 9/09/2016     | Approved           | 8        |
| BWP003763         | Design and Siting - Carport               | Category1 | Building Certification Consultants Pty Ltd | 6 Daveson Road, Birkdale QLD 4159            | Concurrence Agency Response | 13/09/2016    | Approved           | 8        |
| BWP003772         | Design and Siting - Carport               | Category1 | DBR Building Certification                 | 7 Normanby Street, Alexandra Hills QLD 4161  | Concurrence Agency Response | 15/09/2016    | Approved           | 8        |
| ROL006047         | Standard Format: 2 into 4                 | Category1 | Gateway Survey & Planning                  | 129 Killarney Crescent, Capalaba QLD 4157    | Code Assessment             | 9/09/2016     | Development Permit | 9        |
| BWP003756         | Design and Siting - Dwelling Extension    | Category1 | Reliable Certification Services            | 53 Agnes Street, Birkdale QLD 4159           | Concurrence Agency Response | 5/09/2016     | Approved           | 10       |
| BWP003764         | Design and Siting - Dwelling              | Category1 | Professional Certification Group           | 19 David Street, Thorneside QLD 4158         | Concurrence Agency Response | 6/09/2016     | Approved           | 10       |
| <b>Category 2</b> |   |           |  |  |                             |               |                    |          |
| OPW002083         | Temporary Footpath - Waterline            | Category2 | Metricon Homes (Qld) Pty Ltd As Trustee    | 1 Seawater Street, Thornlands QLD 4164       | Code Assessment             | 15/09/2016    | Development Permit | 3        |



| Application | Description                                     | Category  | Applicant                                 | Property Address   | Application Type      | Decision Date | Decision               | Division |
|-------------|---|-----------|---|--|-----------------------|---------------|------------------------|----------|
| ROL005916   | Standard Format 1 into 5 Lots                   | Category2 | Eagle Surveys Pty Ltd                     | 86-90 School Road, Victoria Point QLD 4165                     | Permissible Change    | 14/09/2016    | Development Permit     | 4        |
| OPW001961   | Operational Works - 1 into 5                    | Category2 | HCE Engineers                             | 86-90 School Road, Victoria Point QLD 4165                     | Code Assessment       | 13/09/2016    | Development Permit     | 4        |
| OPW002016   | Operational Works - Prescribed Tidal Works      | Category2 | Arup Pty Ltd<br>Redland City Council      | Macleay Island Bowls Club, 28-36 Benowa Street, Macleay Island | Code Assessment       | 8/09/2016     | Development Permit     | 5        |
| OPW002018   | Operational Works - 64 Lots                     | Category2 | Harridan Pty Ltd<br>MPN Consulting        | 70-92 Muller Street, Redland Bay QLD 4165                      | Code Assessment       | 15/09/2016    | Development Permit     | 6        |
| OPW002005.1 | Operational Works - 2 into 156 Lots (Stage 1)   | Category2 | Orchard (Thornlands) Developments Pty Ltd | 100 Kinross Road, Thornlands QLD 4164                          | Code Assessment       | 8/09/2016     | Development Permit     | 7        |
| OPW002085   | Operational Works - ROL 2 into 3                | Category2 | Adele Property Pty Ltd<br>As Trustee      | 107 Bailey Road, Birkdale QLD 4159                             | Code Assessment       | 15/09/2016    | Development Permit     | 8        |
| OPW001996   | Multiple Dwellings x 9                          | Category2 | Pearlbulk Pty Ltd                         | 9 Hemmo Street, Capalaba QLD 4157                              | Compliance Assessment | 9/09/2016     | Compliance Certificate | 9        |
| OPW002075   | Multiple dwelling x 10 - OPW - Landscaping work | Category2 | Ausphoenix Pty Ltd                        | 38 Pittwin Road South, Capalaba QLD 4157                       | Compliance Assessment | 8/09/2016     | Compliance Certificate | 9        |

| Application       | Description                      | Category  | Applicant   | Property Address                         | Application Type   | Decision Date | Decision           | Division |
|-------------------|----------------------------------|-----------|---|--|--------------------|---------------|--------------------|----------|
| <b>Category 3</b> |                                  |           |   |  |                    |               |                    |          |
| OPW002058         | Operational Works - ROL 1 into 3 | Category3 | HCE Engineers   | 17 Beckwith Street, Ormiston QLD 4160    | Code Assessment    | 8/09/2016     | Development Permit | 1        |
| MCU013661         | Apartment Building               | Category3 | Javica Pty Ltd  | 16 Wharf Street, Cleveland QLD 4163      | Impact Assessment  | 6/09/2016     | Development Permit | 2        |
| MCU013278         | Apartment Building x 12          | Category3 | Bartley Burns Certifiers & Planners<br>Lovric Projects Qld Pty Ltd<br>The Certifier Pty Ltd | 159-161 Birkdale Road, Birkdale QLD 4159 | Permissible Change | 6/09/2016     | Development Permit | 10       |

| Decisions Made Under Delegated Authority 18.09.2016 to 24.09.2016 |   |           |                                       |   |                             |               |                    |          |
|---|---|-----------|---------------------------------------|---|-----------------------------|---------------|--------------------|----------|
| Application   | Description   | Category  | Applicant                             | Property Address  | Application Type            | Decision Date | Decision           | Division |
| <b>Category 1</b>   |   |           |                                       |   |                             |               |                    |          |
| BWP003780   | Building Over/near relevant infrastructure - Dwelling House | Category1 | Steve Bartley & Associates Pty Ltd    | 35 Bayview Street, Wellington Point QLD 4160            | Concurrence Agency Response | 19/09/2016    | Approved           | 1        |
| BWP003784   | Design and Siting - Carport                                 | Category1 | Fastrack Building Certification       | 14 Beldale Court, Wellington Point QLD 4160             | Concurrence Agency Response | 19/09/2016    | Approved           | 1        |
| BWP003785   | Design and Siting - Carport and Dwelling Extension          | Category1 | Cyber Drafting & Design               | 5 Genevieve Court, Wellington Point QLD 4160            | Concurrence Agency Response | 19/09/2016    | Approved           | 1        |
| MCU013755   | Multiple Dwelling x 5                                       | Category1 | Mahey Pty Ltd As Trustee              | 5 Yarrow Court, Cleveland QLD 4163                      | Code Assessment             | 20/09/2016    | Development Permit | 2        |
| BWP003740   | Build Over Sewer  | Category1 | Australasian Homes                    | 18 Affinity Way, Thornlands QLD 4164                    | Concurrence Agency Response | 21/09/2016    | Approved           | 3        |
| BWP003786   | Design & Siting - Additions to existing house               | Category1 | Matrix Certification Services Pty Ltd | 1 Island Outlook Avenue, Thornlands QLD 4164            | Concurrence Agency Response | 23/09/2016    | Approved           | 3        |
| BWP003811   | Design and Siting - Dwelling                                | Category1 | Professional Certification Group      | 30 Affinity Way, Thornlands QLD 4164                    | Concurrence Agency Response | 21/09/2016    | Approved           | 3        |
| MCU013757   | Dual Occupancy  | Category1 | Dixon Homes Pty Ltd (Sherwood)        | 4 Sycamore Parade, Victoria Point QLD 4165              | Code Assessment             | 21/09/2016    | Development Permit | 4        |
| BWP003791   | Design & Siting - Roofed Patio                              | Category1 | Carolyn Joyce Brammer                 | 170 Victoria Parade North, Coochiemudlo Island QLD 4184 | Concurrence Agency Response | 20/09/2016    | Approved           | 4        |
| MCU013575   | Dwelling House & Outbuilding - ADA                          | Category1 | Robert Cyril Stampton                 | 23 Barramundi Street, Macleay Island QLD 4184           | Permissible Change          | 21/09/2016    | Development Permit | 5        |
| BWP003790   | Design & Siting - Retaining Wall and                        | Category1 | The Certifier Pty Ltd                 | 39 Hamilton Street, Redland Bay QLD 4165                | Concurrence Agency Response | 22/09/2016    | Approved           | 5        |

| Application | Description   | Category  | Applicant                          | Property Address                              | Application Type            | Decision Date | Decision           | Division |
|-------------|---|-----------|------------------------------------|---|-----------------------------|---------------|--------------------|----------|
| MCU013829   | Dwelling House - ADA  | Category1 | Applied Building Approvals         | 6 Crescent Drive, Russell Island QLD 4184     | Code Assessment             | 22/09/2016    | Development Permit | 5        |
| BWP003788   | Design & Siting - Roofed Patio, Deck, Additions to existing | Category1 | The Certifier Pty Ltd              | 8 Hoop Pine Street, Mount Cotton QLD 4165     | Concurrence Agency Response | 22/09/2016    | Approved           | 6        |
| BWP003796   | Design & Siting-Outbuilding-Shed                            | Category1 | Steven Robert Sloan                | 16 Bunya Pine Place, Mount Cotton QLD 4165    | Concurrence Agency Response | 19/09/2016    | Approved           | 6        |
| BWP003797   | Design and Siting - Carport                                 | Category1 | Fastrack Building Certification    | 13 Grevillea Street, Redland Bay QLD 4165     | Concurrence Agency Response | 21/09/2016    | Approved           | 6        |
| MCU013828   | Home Business - ADA   | Category1 | Helen Moudanidis                   | 8 Golden Wattle Avenue, Mount Cotton QLD 4165 | Code Assessment             | 21/09/2016    | Development Permit | 6        |
| BWP003736   | Design And Siting - Shade Sail                              | Category1 | The Certifier Pty Ltd              | 37 Hanover Drive, Alexandra Hills QLD 4161    | Concurrence Agency Response | 19/09/2016    | Approved           | 7        |
| BWP003779   | Design and Siting - Carport                                 | Category1 | Building Approvals Qld             | 3 Kaloma Court, Alexandra Hills QLD 4161      | Concurrence Agency Response | 19/09/2016    | Approved           | 7        |
| BWP003782   | Design and Siting - Carport                                 | Category1 | Fluid Approvals                    | 22 Chelsea Crescent, Alexandra Hills QLD 4161 | Concurrence Agency Response | 20/09/2016    | Approved           | 7        |
| BWP003699   | Combined design & siting and BOS                            | Category1 | Queensland One Homes (Qld) Pty Ltd | 64 Randall Road, Birkdale QLD 4159            | Concurrence Agency Response | 23/09/2016    | Approved           | 8        |
| BWP003759   | Proposed Shed   | Category1 | DBR Certification                  | 20 Melaleuca Drive, Capalaba QLD 4157         | Code Assessment             | 23/09/2016    | Development Permit | 9        |
| BWP003749   | Design & Siting - Carport                                   | Category1 | The Certifier Pty Ltd              | 25-27 Collingwood Road, Birkdale QLD 4159     | Concurrence Agency Response | 19/09/2016    | Approved           | 10       |

| Application       | Description  | Category  | Applicant   | Property Address                            | Application Type            | Decision Date | Decision               | Division |
|-------------------|--|-----------|---|---|-----------------------------|---------------|------------------------|----------|
| BWP003767         | Design and Siting - Caravan Port                                       | Category1 | The Certifier Pty Ltd   | 29 Hooper Street, Birkdale QLD 4159         | Concurrence Agency Response | 19/09/2016    | Approved               | 10       |
| BWP003799         | Design and Siting - Carport  | Category1 | Fastrack Building Certification   | 8 Marjorie Street, Thorneside QLD 4158      | Concurrence Agency Response | 23/09/2016    | Approved               | 10       |
| BWP003804         | Retaining Wall Exceeding 1m and Swimming Pool                          | Category1 | Apex Certification & Consulting   | 9 Seaside Close, Thorneside QLD 4158        | Code Assessment             | 23/09/2016    | Development Permit     | 10       |
| <b>Category 2</b> |  |           |   |   |                             |               |                        |          |
| MC012013          | Apartment Building (30 units) and Multiple Dwellings (12 units)        | Category3 | Austech Developments Pty Ltd As Trustee<br>Middle Street Properties No.1 Pty Ltd As Trustee | 211 Middle Street, Cleveland QLD 4163       | Permissible Change          | 20/09/2016    | Development Permit     | 2        |
| MCU013483         | Extension to Hotel   | Category2 | Paynter Dixon Qld Pty Ltd   | 204 Middle Street, Cleveland QLD 4163       | Permissible Change          | 22/09/2016    | Development Permit     | 2        |
| MCU013731         | Combined - Service Station and Retail Warehouse and Advertising Device | Category2 | Gateway Central (Qld) Pty Ltd   | 75 Boundary Street, Redland Bay QLD 4165    | Code Assessment             | 21/09/2016    | Development Permit     | 6        |
| OPW002081         | Operational Works - Domestic Driveway Crossover                        | Category2 | Lee-ann Linninger   | 49 Orchid Drive, Mount Cotton QLD 4165      | Code Assessment             | 20/09/2016    | Development Permit     | 6        |
| OPW002078         | Operational Works - Multiple Dwellings x 5 Units                       | Category2 | Fryar Property Investments Pty Ltd As Trustee   | 160 Finucane Road, Alexandra Hills QLD 4161 | Compliance Assessment       | 19/09/2016    | Compliance Certificate | 8        |
| OPW002067         | Operational Works - MCU - Multiple dwelling x 10                       | Category2 | Projects And Designs Pty Ltd  | 38 Pittwin Road South, Capalaba QLD 4157    | Compliance Assessment       | 22/09/2016    | Compliance Certificate | 9        |

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**11.3.2 PLANNING & ENVIRONMENT COURT MATTERS LIST – CURRENT AS AT  
28 SEPTEMBER 2016**

**Objective Reference:** A124442  
Reports and Attachments (Archives)

**Authorising Officer:**



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

**Responsible Officer:** David Jeanes  
Group Manager City Planning and Assessment

**Report Author:** Kim Peeti  
Acting Service Manager Planning Assessment

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## **PURPOSE**

The purpose of this report is for Council to note the current appeals and other matters/proceedings in the Planning and Environment Court.

## **BACKGROUND**

Information on these matters 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 Infrastructure, Local Government and Planning (DILGP)**

The DILGP provides a Database of Appeals (<http://www.dlg.qld.gov.au/resources/tools/planning-and-environment-court-appeals-database.html>) 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.
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**APPEALS**

|                             |                     |  |
|-----------------------------|---------------------|--|
| <b>1.</b>                   | <b>File Number:</b> | Appeal 2675 of 2009 - (MC010624)   |
| <b>Applicant:</b>           |                     | <b>L M Wigan</b>   |
| <b>Application Details:</b> |                     | Material Change of Use for residential development (Res A & Res B) and preliminary approval for operational works.<br>84-122 Taylor Road, Thornlands.  |
| <b>Appeal Details:</b>      |                     | Applicant appeal against refusal.  |
| <b>Current Status:</b>      |                     | A minor change to the application was allowed by the Court on 4 November 2015. Mediation adjourned, however no date currently scheduled. The matter is listed for review on 30 September 2016. |

|                             |                     |   |
|-----------------------------|---------------------|---|
| <b>2.</b>                   | <b>File Number:</b> | Appeal 3641 of 2015 - (MCU012812)   |
| <b>Applicant:</b>           |                     | <b>King of Gifts Pty Ltd and HTC Consulting Pty Ltd</b>   |
| <b>Application Details:</b> |                     | Material Change of Use for Combined Service Station (including car wash) and Drive Through Restaurant<br>604-612 Redland Bay, Road, Alexandra Hills   |
| <b>Appeal Details:</b>      |                     | Applicant appeal against refusal.   |
| <b>Current Status:</b>      |                     | Appeal filed in Court on 16 September 2015. Without Prejudice meeting held December 2015. Direction orders obtained on 24 August 2016. Matter is set down for four day hearing in January 2017. |

|                             |                     |  |
|-----------------------------|---------------------|--|
| <b>3.</b>                   | <b>File Number:</b> | Appeal 4541 of 2015 - (ROL005873)  |
| <b>Applicant:</b>           |                     | <b>Loncor Properties Pty Ltd</b>   |
| <b>Application Details:</b> |                     | Reconfiguring a Lot (1 into 43 lots)<br>35-41 Wrightson Road, Thornlands               |
| <b>Appeal Details:</b>      |                     | Applicant appeal against refusal.  |
| <b>Current Status:</b>      |                     | Appeal filed in Court on 20 November 2015. Set down for hearing 25 to 28 October 2016. |

|                             |                     |  |
|-----------------------------|---------------------|--|
| <b>4.</b>                   | <b>File Number:</b> | Appeals 4940 of 2015, 2 of 2016 and 44 of 2016<br>(MCU013296)  |
| <b>Applicant:</b>           |                     | <b>Lipoma Pty Ltd, Lanrex Pty Ltd and Victoria Point Lakeside Pty Ltd</b>  |
| <b>Application Details:</b> |                     | Preliminary Approval for Material Change of Use for Mixed Use Development and Development Permit for Reconfiguring a Lot (1 into 2 lots) - 128-144 Boundary Road, Thornlands |
| <b>Appeal Details:</b>      |                     | Submitter appeals against approval.  |
| <b>Current Status:</b>      |                     | Appeals filed in Court on 18 December 2015, 4 January 2016 and 6 January 2016. Directions orders obtained 19 February 2016. Trial set down for 27-30 September 2016.         |

|                             |                     |   |
|-----------------------------|---------------------|---|
| <b>5.</b>                   | <b>File Number:</b> | Appeal 2709 of 2016 - (ROL005993)   |
| <b>Applicant:</b>           |                     | <b>Golden Ponds Estates Pty Ltd</b>   |
| <b>Application Details:</b> |                     | Reconfiguration of Lots by 1 into 2 lots subdivision at 60 Korsman Drive, Thornlands. |
| <b>Appeal Details:</b>      |                     | Applicant appeal against Council refusal  |
| <b>Current Status:</b>      |                     | Appeal filed 12 July 2016. Experts being briefed.                                     |

|                             |                     |   |
|-----------------------------|---------------------|---|
| <b>6.</b>                   | <b>File Number:</b> | Appeal 3348 of 2016 - (MCU013632)                                   |
| <b>Applicant:</b>           |                     | <b>Gregory Mark Wood</b>  |
| <b>Application Details:</b> |                     | Home Business at 31 Drevesen Avenue, Cleveland (Lot 42 on RP118194) |
| <b>Appeal Details:</b>      |                     | Applicant appeal against conditions                                 |
| <b>Current Status:</b>      |                     | Appeal filed 23 August 2016. Review set down for 9 December 2016.   |

|                             |                     |  |
|-----------------------------|---------------------|--|
| <b>7.</b>                   | <b>File Number:</b> | Appeal 3568 of 2016 - (MCU013598)  |
| <b>Applicant:</b>           |                     | <b>Francis P Balzary</b>   |
| <b>Application Details:</b> |                     | Material Change of Use for Commercial Office (Real Estate) at 1-3 Magnolia Parade, Victoria Point. |
| <b>Appeal Details:</b>      |                     | Submitter appeal against Council approval  |
| <b>Current Status:</b>      |                     | Appeal filed 5 September 2016. Mediation scheduled for 18 October 2016 and trial in January 2017.  |

## OTHER PLANNING & ENVIRONMENT COURT MATTERS/PROCEEDINGS

|                        |                     |   |
|------------------------|---------------------|---|
| <b>8.</b>              | <b>File Number:</b> | 2771, 2772 and 2774 of 2016   |
| <b>Applicant:</b>      |                     | <b>KFA Investments Pty Ltd</b>  |
| <b>Development:</b>    |                     | Unlawful filling at 91-101, 91-141 and 115 Rocky Passage Road, Redland Bay (Lot 1, Lot 2 and Lot 4 on SP117632) |
| <b>Appeal Details:</b> |                     | Appeals against Enforcement Notices   |
| <b>Current Status:</b> |                     | Appeals filed 15 July 2016. Without Prejudice meeting on 3 August 2016. Review set down for 8 December 2016.    |

|                            |                     |   |
|----------------------------|---------------------|---|
| <b>9.</b>                  | <b>File Number:</b> | 3075 of 2016  |
| <b>Applicant:</b>          |                     | <b>Michelle Maree Webb</b>  |
| <b>Development:</b>        |                     | Dwelling House at 236-246 Queen Street, Cleveland (Lot 20 on SP175602)  |
| <b>Proceeding Details:</b> |                     | Council application for declarations that the Building Works approval (BD155692) be set aside, a Material Change of Use be applied for, the premises be revegetated and associated orders |
| <b>Current Status:</b>     |                     | Proceedings filed in Court on 5 August 2016. Mediation scheduled for 4 October 2016 and review on 12 October 2016.  |



|                        |                     |  |
|------------------------|---------------------|--|
| <b>10.</b>             | <b>File Number:</b> | 3570 of 2016   |
| <b>Applicant:</b>      |                     | <b>Redland City Council</b>  |
| <b>Respondent:</b>     |                     | <b>John Alexander Anderson</b>   |
| <b>Development:</b>    |                     | Outdoor storage of goods, machinery, and vehicles at 79 and 81 Harvey Street, Russell Island |
| <b>Appeal Details:</b> |                     | Unlawful use   |
| <b>Current Status:</b> |                     | Appeal filed 23 September 2016.  |

|                        |                     |   |
|------------------------|---------------------|---|
| <b>11.</b>             | <b>File Number:</b> | 3571 of 2016  |
| <b>Applicant:</b>      |                     | <b>Redland City Council</b>   |
| <b>Respondent:</b>     |                     | <b>John Alexander Anderson</b>  |
| <b>Development:</b>    |                     | Outdoor storage of goods, machinery, containers and vehicles at 24 Pia Street, Russell Island |
| <b>Appeal Details:</b> |                     | Unlawful use  |
| <b>Current Status:</b> |                     | Appeal filed 23 September 2016.   |

|                        |                     |   |
|------------------------|---------------------|---|
| <b>12.</b>             | <b>File Number:</b> | 3573 of 2016  |
| <b>Applicant:</b>      |                     | <b>Redland City Council</b>                               |
| <b>Respondent:</b>     |                     | <b>Clint John McDonald and Lucas John McDonald</b>        |
| <b>Development:</b>    |                     | Dwelling House or Warehouse at 3 Basil Court, Lamb Island |
| <b>Appeal Details:</b> |                     | Unlawful use  |
| <b>Current Status:</b> |                     | Appeal filed 23 September 2016.                           |

### **OFFICER'S RECOMMENDATION**

That Council resolves to note this report.

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**11.3.3 REQUEST FOR NEGOTIATED INFRASTRUCTURE CHARGES NOTICE  
RELATING TO 26-32 SCOTTS ROAD MACLEAY ISLAND – MENS SHED**

**Objective Reference:** A1946597  
Reports and Attachments (Archives)

**Attachments:** [Decision Notice with Conditions](#)  
[Infrastructure Charges Notice](#)  
[Applicant's Letter and Request Form](#)

**Authorising Officer:**   
Louise Rusan  
General Manager Community and Customer  
Services

**Responsible Officer:** David Jeanes  
Group Manager City Planning and Assessment

**Author:** Roman Thomas  
Infrastructure Charges Officer

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**PURPOSE**

Council has received a request for a Negotiated Infrastructure Charges Notice in relation to an approved development permit for a Community Facility - Men's Shed (MCU013584). Given the nature of the approved use, the charges are considered by the applicant to be overly onerous considering the community benefit.

There is no delegation to officers to exempt development from charges. This report recommends that the applicable infrastructure charges be waived in their entirety for the Macleay Island Men's Shed.

**BACKGROUND**

The application for a material change of use for a Men's Shed was approved on land owned by the Roman Catholic Archdiocese of Brisbane on 13<sup>th</sup> June 2016, subject to the conditions as shown in Attachment 1. As part of this approval, infrastructure charges were issued under the Redland City Council's Adopted Infrastructure Charges Resolution (No. 2.2) of 2015. These charges were \$11,700.00 for Redland City Council and \$360.00 for Redland Water, totalling \$12,060.00 (refer to Attachment 2). The applicant lodged a request for a negotiated notice in relation to the infrastructure charges levied which can be found in Attachment 3.

**ISSUES****Applicable Charges**

The applicant is of the view that the infrastructure charges levied, on top of the application fees already paid, are unreasonable considering the existing approved use of the premises as a place of worship with ancillary uses, and that there will be a clear community benefit from the Men's Shed operation. The \$12,060.00 charge is not insignificant and may impact adversely on the feasibility of the project going forward. By Council increasing its social investment in social projects like the Men's

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Shed, it strengthens those groups that provide non-profit support to, and wellbeing of, its community. This is likely to deliver an overall community benefit at little cost to ratepayers.

Council has previously supported Community Facility uses such as Men's Sheds. This has included a recent approval for the Men's Shed in Beachwood Street Park, Redland Bay (MCU013742). No charges were applicable to this permitted use as it involved a lease of Council land that consequently classified it as a 'Minor use', which attracts no charge. Under Council's charging instrument, no credits are available to the Macleay Island Men's Shed as it is an intensification over and above the existing use of the site as a single dwelling. Consequently there is an equity issue in relation to the use and different land tenures.

Further, the hours of operation are restricted to the hours 9.00am to 4.00pm Monday to Friday and 9.00am to 12.00pm Saturday. Due to the approved use having a lesser impact on Council's infrastructure networks because of these restrictions and its casual operation, it is considered unreasonable that infrastructure charges be applied in these circumstances.

### **Policy**

As part of a determination of infrastructure charges applicable to the Karragarra Island Rural Fire Services shed (MCU012514) in February 2012, Council was asked to consider formalising its discretion to remove or reduce charges on not-for-profit community organisations through its charging instrument. This included a delegation to the Group Manager City Planning & Assessment up to a value of \$30,000 and subject to strict eligibility criteria. However, Council resolved to maintain its discretion to decide each request on a case-by-case basis. Consequently, this Men's Shed application is being referred to a General Meeting for consideration.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

The request is being assessed in accordance with the *Sustainable Planning Act 2009*. The request has been assessed against the Redlands Adopted Infrastructure Charges Resolution 2.2 of 2015.

### **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 decision to refuse the request.

### **Financial**

If supported, Council will waive all infrastructure contributions levied on the approved development in accordance with the *State Planning Regulatory Provisions (adopted charges)* and Council's Adopted Infrastructure Charges Resolution.

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

### **People**

There are no implications for staff.

**Environmental**

N/A.

**Social**

The applicant considers that the Men's Shed is a valuable facility which is much needed by the Island Community, and potentially unviable with the current infrastructure charges which have been levied.

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

**OPTIONS**

The permitted development requires Council's discretion to waive infrastructure charges in accordance with the request for a Negotiated Infrastructure Charges Notice lodged under the *Sustainable Planning Act 2009*.

Council's options are to:

1. Adopt the officer's recommendation to waive the applicable infrastructure charges; or
2. Resolve to waive a portion of the applicable infrastructure charges; or
3. Resolve to keep to the applicable infrastructure charges as previously levied.

**OFFICER'S RECOMMENDATION**

**That Council resolves to waive infrastructure charges for the approved development MC013584 (Mens Shed – 26-32 Scotts Road, Macleay Island).**

15 June 2016

Your Ref: N/A  
Our Ref: BD:kg  
File No: MCU013584  
Contact: Planning Assessment

Mr R J Hopgood  
103 Coondooroopa Drive  
Macleay Island QLD 4184

Dear Sir/Madam

## Decision Notice

### *Sustainable Planning Act 2009*

#### APPLICATION DETAILS

|                                  |  |
|----------------------------------|--|
| <b>Proposed Development:</b>     | Community Facility - Bay Island Men's Shed |
| <b>Application Reference No:</b> | MCU013584                                  |
| <b>Legal Description:</b>        | Lot 58 on SP146255 & Lot 1 on RP 178378    |
| <b>Site Location:</b>            | 26 & 28-32 Scotts Road, Macleay Island     |

The development application for a Material Change of Use for a Community Facility - Bay Island Men's Shed at the above location has been assessed and after considering all relevant matters, a **Development Permit** has been granted subject to conditions. The decision was made on 13 June 2016 by Council's delegate.

The following schedule provides all the relevant details.

#### APPROVAL TYPE

|   | Development<br>Permit               | Preliminary<br>Approval  |
|---|-------------------------------------|--------------------------|
| Building Works assessable against the Planning Scheme | <input type="checkbox"/>            | <input type="checkbox"/> |
| Plumbing or Drainage Works                            | <input type="checkbox"/>            | <input type="checkbox"/> |
| Operational Works                                     | <input type="checkbox"/>            | <input type="checkbox"/> |
| Reconfiguring a Lot                                   | <input type="checkbox"/>            | <input type="checkbox"/> |
| Material Change of Use                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## REFERRAL AGENCIES

There were no Referral Agencies applicable to the application.

## CONDITIONS & ADVICE

| <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. |  |
| <b>Approved Plans and Documents</b>   |  |
| 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 |
|--------------------------------|---|------------------|----------------|
| Locality Sketch                | DA1                                     | Robert J Hopgood | 27/09/2015     |
| Elevations/Sections/Floor Plan | DA2                                     | Robert J Hopgood | 27/09/2015     |
| Noise Management Plan          | Noise management Plan stand alone.docx. | Palmer Acoustics | 07/12/2015     |

**Table 1: Approved Plans and Documents**

| <u>Cessation of Use</u>   |  |
|---|--|
| 3. The use of the land on Lot 1 RP 178378 as a Community Facility (Bay Islands Men's Shed) must cease, if the use of the land on Lot 58 on SP146255 as a Community Purpose (Place of Worship) ceases use. | Ongoing                                  |
| <u>Land Dedication and Design</u>   |  |
| 4. Demolish or relocate/remove or obtain the relevant approvals for all existing structures on site in accordance with the approved plan(s) and cap all services prior to demolition commencing.          | Prior to the use commencing.             |
| 5. 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. |

| <b>Access, Roadworks and Parking</b>   |  |  |
|--|--|--|
| <p>6. Provide shared parking for the Community facility use within the existing Church car park located on Lot 58 on SP146255.</p> <p>Access to car parking spaces must remain unobstructed and available during the approved hours of operation. Loading and unloading operations must be conducted wholly within the site.</p> |  | Prior to the use commencing and ongoing. |
| <b>Hours of Operation</b>  |  |  |
| <p>7. Operate the approved use as per the approved Noise Management Plan, however the use of power tools is to be limited to between the hours of 9:00am to 4:00pm Monday to Friday; and 9:00am to 12:00pm Saturday.</p>   |  | Ongoing                                  |
| <b>Compliance Assessment</b>   |  |  |
| <p>8. Submit to Council, and receive approval for, Compliance Assessment for the documents and works referred to in Table 2:</p>   |  | Prior to site works commencing.          |

| Document or Works Item  | Compliance Assessor  | Assessment Criteria  |
|-------------------------|----------------------|--|
| Revised Acoustic Report | Redland City Council | <ul style="list-style-type: none"> <li>Redlands Planning Scheme Part 11 Policy 5 – Environmental Emissions.</li> <li>Schedule 1 of the <i>Environmental Protection (Noise) Policy 2008</i>.</li> </ul> |

Table 2: Compliance Assessment

| <b>Stormwater Management</b>  |  |  |
|---|--|--|
| <p>9. Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management to:</p> <ul style="list-style-type: none"> <li>A lawful point of discharge being Scotts Road.</li> </ul> |  | Prior to the use commencing and ongoing. |
| <p>10. 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>                           |  | Prior to the use commencing and ongoing. |

| <b>Infrastructure and Utility Services</b>   |   |
|--|---|
| 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.             |
| 12. Ensure development does not interfere with the existing wastewater disposal area on Lot 1 on RP178378.   | Prior to site works commencing and ongoing. |
| <b>Construction</b>  |   |
| 13. 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. | Prior to site works commencing.             |
| 14. Provide temporary drainage during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM) Section 3.02 'Lawful Point of Discharge'. Maintain the temporary system for the duration of the building works.  | During construction.                        |
| 15. Rectify any damage done to the road verge during construction, including topsoiling and re-turfing.  | Prior to the use commencing.                |
| <b>Waste Management</b>  |   |
| 16. Maintain the existing residential waste management system for the Community Facility use.  | Prior to the use commencing and ongoing.    |
| <b>Landscaping</b>   |   |
| 17. Provide screen planting to the rear (Southern Boundary) to screen the proposed building from the neighbouring properties. Advice: Council suggests using <i>Syzygium</i> (Lily Pily) at 2.0m spacing. Do not use any species listed as declared or non-declared weed species in Part B of Council's Pest Management Plan (PMP) 2012-2016. Any excavation works in this location requiring retention must provide sufficient space for the above plantings.                   | Prior to the use commencing.                |



*Note: You can access the PMP at:  
<http://www.redland.qld.gov.au/EnvironmentWaste/EnvironmentPlans/Pages/Pest-Management-Plan.aspx>*

- |   |                                     |
|---|-------------------------------------|
| <p><b>18.</b> Arrange with Council for the following inspections to be carried out at the following stages:</p> <p>a) Compliance inspection – on completion of landscaping works required by this approval and its conditions.</p> <p>The development must pass the Compliance inspection before the use commences.</p> | <p>Prior to the use commencing.</p> |
|---|-------------------------------------|

### **Acoustic Requirements**

- |   |  |
|---|--|
| <p><b>19.</b> Submit a revised acoustic assessment of the original noise report 'The Bay Islands Men's Shed Inc. 28-32 Scotts Road Macleay Island, Noise Assessment', dated 22 September 2015 project number 3888 prepared by Palmer Acoustics, that addresses the following items:</p> <ul style="list-style-type: none"> <li>• Provide further clarification that recommendations in the report will ensure compliance with Part 11 - Planning Scheme Policy 5 - Environmental Emissions, and Schedule 1 of the Environmental Protection (Noise) Policy 2008.</li> <li>• Provide further clarification that should power tools be used outside the shed, that the use of portable acoustic screens will ensure compliance with Part 11 - Planning Scheme Policy 5 - Environmental Emissions, and Schedule 1 of the Environmental Protection (Noise) Policy 2008.</li> <li>• Provide confirmation that the Bay Island Men's Shed is of a like nature to the Sunnybank Men's Shed in respect to activities, numbers etc.</li> <li>• Provide further calculations on the shielding effect of the bulk of the shed. (In particular how the 12dB figure has been calculated).</li> <li>• Address any significant changes within a revised acoustic report and any minor changes within a letter from the acoustic consultant.</li> </ul> | <p>As part of request for compliance assessment.</p> |
|---|--|

### **Water Pollution Requirements**

- |  |  |
|--|--|
| <p><b>20.</b> 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.</p> | <p>Prior to the use commencing and ongoing</p> |
|--|--|

### **ADDITIONAL APPROVALS**

The following further **Development Permits** and/or **Compliance Permits** are necessary to allow the development to be carried out.

- Building Works approval to change the building classification of the shed approved in BD155720 to a Class 9b – Assembly Building.
- 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.

Further approvals, other than a Development Permit or Compliance Permit, are also required for your development. This includes, but is not limited to, the following:

- Compliance assessment as detailed in Table 2 of the conditions.

### **ASSESSMENT MANAGER ADVICE**

- **Infrastructure Charges**

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

- **Live Connections**

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

Further information can be obtained from Redland Water on 07 3829 8999.

- **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*.

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- **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.

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- **Fire Ants**

Areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence. It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23. The Fire Ant Restricted Area as well as general information can be viewed on the Department of Agriculture and Fisheries (DAF) website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants)

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- **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.

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- **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.

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- **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

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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](http://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.

- **Release of Water Contaminants**

Please be aware that prescribed water contaminants must not be released to waters, a roadside gutter, stormwater drainage or into another place so that contaminants could reasonably be expected to move into these areas. Refer to the *Environmental Protection Act 1994* for further information on the release of prescribed water contaminants.

## NEGOTIATION OF A DECISION

You are entitled to make representations to Council about this decision in accordance with Section 361 of the *Sustainable Planning Act 2009*.

## SUBMISSIONS

There were 5 properly made submissions about the application. The name and address of the principal submitter for each properly made submission are as follows:

|    | <b>Name of Principal Submitter</b> | <b>Address</b>                 |
|----|------------------------------------|--------------------------------|
| 1. | Cherie Abbott                      | 9 Glen Street, MACLEAY ISLAND  |
| 2. | John Broughton                     | 6 Glen Street, MACLEAY ISLAND  |
| 3. | Rod Brownsey                       | 10 Glen Street, MACLEAY ISLAND |
| 4. | Ray Noy                            | 35 Scotts Road, MACLEAY ISLAND |
| 5. | Erwin Pitsch                       | PO Box 1061, MACLEAY ISLAND    |

## RIGHTS OF APPEAL

A copy of the rights of appeal under Section 461 and Section 462 of the *Sustainable Planning Act 2009* for Applicants is appended, together with Division 11 Part 1 (Chapter 7) of the Act which deals with the making of an Appeal to the Planning and Environment Court.

A Submitter for a development application may also appeal to the Planning and Environment Court. Information about Submitter appeal rights for the Planning and Environment Court is set out in Sections 462, 463 and 464 of the *Sustainable Planning Act 2009*.

Applicants and Submitters may also have a right to appeal to the Building and Development Dispute Resolution Committee. For further details, please refer to the *Sustainable Planning Act 2009* Chapter 7, Part 2.

## OTHER DETAILS

Should you wish to obtain more information about Council's decision please contact Council's Planning Assessment team on (07) 3829 8999 or [DAmailbox@redland.qld.gov.au](mailto:DAmailbox@redland.qld.gov.au). Electronic copies of this Decision Notice are also available online at [www.redland.qld.gov.au](http://www.redland.qld.gov.au) or at Council offices.

Yours sincerely



*for* David Jeanes  
**Group Manager**  
**City Planning & Assessment**

### **City Planning & Assessment Customer Feedback**

We would like your feedback about your dealings with City Planning & Assessment, and suggestions for continuous improvement.

To take a quick survey please visit the website below, or scan the QR Code with your smart phone device.

<http://www.redland.qld.gov.au/Haveyoursay/Pages/Customer-feedback.aspx>



## **Sustainable Planning Act**

### **Division 8 Appeals to court relating to development applications and approvals**

#### **461 Appeals by applicants**

- (1) An applicant for a development application may appeal to the court against any of the following—
  - (a) the refusal, or the refusal in part, of the development application;
  - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
  - (c) the decision to give a preliminary approval when a development permit was applied for;
  - (d) the length of a period mentioned in section 341;
  - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the *applicant's appeal period*) after—
  - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
  - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

#### **462 Appeals by submitters—general**

- (1) A submitter for a development application may appeal to the court only against—
  - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
  - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
  - (a) the giving of a development approval;
  - (b) any provision of the approval including—
    - (i) a condition of, or lack of condition for, the approval; or
    - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
  - (a) withdraws the submission before the application is decided; or
  - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the *submitter's appeal period*) after the decision notice or negotiated decision notice is given to the submitter.

# **Sustainable Planning Act**

## **Division 11 Making an appeal to court**

### **481 How appeals to the court are started**

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

### **482 Notice of appeal to other parties—development applications and approvals**

- (1) An appellant under division 8 must give written notice of the appeal to—
  - (a) if the appellant is an applicant—
    - (i) the chief executive; and
    - (ii) the assessment manager; and
    - (iii) any concurrence agency; and
    - (iv) any principal submitter whose submission has not been withdrawn; and
    - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
  - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
    - (i) the chief executive; and
    - (ii) the assessment manager; and
    - (iii) any referral agency; and
    - (iv) the applicant; or
  - (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
    - (i) the chief executive; and
    - (ii) the assessment manager for the development application to which the notice relates; and
    - (iii) any entity that was a concurrence agency for the development application to which the notice relates; and
    - (iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
  - (d) if the appellant is a person mentioned in section 466(1)—
    - (i) the chief executive; and
    - (ii) the responsible entity for making the change to which the appeal relates; and
    - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and

- (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or
  - (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
- (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (3) The notice must state—
- (a) the grounds of the appeal; and
  - (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

#### **483 Notice of appeals to other parties—compliance Assessment**

- (1) An appellant under division 9 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—
- (a) if the appellant is a person to whom an action notice, compliance permit or compliance certificate has been given—
    - (i) the compliance assessor who gave the notice, permit or certificate; and
    - (ii) if the compliance assessor was a nominated entity of a local government and a copy of the request for compliance assessment was given to the local government under section 402—the local government; or
  - (b) if the appellant is a person to whom a notice mentioned in section 470(1) has been given—
    - (i) the entity that gave the notice; and
    - (ii) if the entity that gave the notice was a nominated entity of a local government and the written agreement of the local government was required to give the notice—the local government.
- (2) The notice must state the grounds of the appeal.

#### **484 Notice of appeal to other parties—other matters**

- (1) An appellant under division 10 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—
- (a) if the appeal is under section 471—the local government and coordinating agency for the application for approval of the master plan; or
  - (b) if the appeal is under section 472 or 475—the local government; or
  - (c) if the appeal is under section 478—the entity that gave the notice the subject of the appeal; or
  - (d) if the appellant is a person to whom an enforcement notice is given—the entity that gave the notice and if the entity is not the local government, the local government; or



- (e) if the appellant is a person dissatisfied with a decision about compensation—the local government that decided the claim; or
  - (f) if the appellant is a person dissatisfied with a decision about acquiring designated land—the designator; or
  - (g) if the appellant is a party to a proceeding decided by a building and development committee—the other party to the proceeding.
- (2) The notice must state the grounds of the appeal.

#### **485 Respondent and co-respondents for appeals under div 8**

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
  - (a) the assessment manager is the respondent; and
  - (b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
  - (c) any other person given notice of the appeal may elect to become a co-respondent.
- (10) For an appeal under section 466—
  - (a) the responsible entity for making the change to which the appeal relates is the respondent; and
  - (b) if the responsible entity is the assessment manager—
    - (i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and
    - (ii) any other person given notice of the appeal may elect to become a co-respondent.
- (11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

#### **486 Respondent and co-respondents for appeals under div 9**

- (1) For an appeal under section 468 or 469—
  - (a) the compliance assessor is the respondent; and

- (b) if the compliance assessor is a nominated entity of a local government and the appeal relates to a matter required by a local government—the local government is a co-respondent.
- (2) However, if the appeal is only about a matter required by the local government, the compliance assessor may apply to the court to withdraw from the appeal.
- (3) For an appeal under section 470—
  - (a) the entity that gave the notice to which the appeal relates is the respondent; and
  - (b) if the entity mentioned in paragraph (a) is a nominated entity of a local government and the local government did not agree to the request mentioned in section 470(1)—the local government is a co-respondent.
- (4) However, if the appeal is only about the local government's refusal of the request, the entity that gave the notice to which the appeal relates may apply to the court to withdraw from the appeal.

#### **487 Respondent and co-respondents for appeals under div 10**

- (1) This section applies if an entity is required under section 484 to be given a notice of an appeal.
- (2) The entity given notice is the respondent for the appeal.
- (3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.
- (4) The second entity mentioned in the provision may elect to be a co-respondent.

#### **488 How an entity may elect to be a co-respondent**

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

#### **489 Minister entitled to be party to an appeal involving a State interest**

If the Minister is satisfied an appeal involves a State interest, the Minister may, at any time before the appeal is decided, elect to be a party to the appeal by filing in the court a notice of election in the approved form.

#### **490 Lodging appeal stops particular actions**

- (1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.
- (3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

## Redland City Council Infrastructure Charges Notice (ICN) Section 635 of the *Sustainable Planning Act 2009*

To: Mr R J Hopgood  
103 Coondoorroopa Drive  
Macleay Island QLD 4184

Date of Issue: 15/06/2016

File No: MCU013584

Notice No: 001280

### Land to which the infrastructure charges in this ICN apply:

**Property description:** Lot 58 on SP146255 & Lot 1 on RP 178378  
**Property address:** 26 & 28-32 Scotts Road, Macleay Island  
**Application description:** Community Facility - Bay Island Men Shed  
**Application number:** MCU013584  
**Stage:** N/A  
**Current amount of levied charge:** \$11,700.00

**Calculation of levied charge:** The levied charge has been calculated in accordance with the *Sustainable Planning Act 2009* and Redland City Council's Adopted Infrastructure Charges Resolution as follows:

| Redland City Council   |  | Notice #001280     |
|--|--|--------------------|
| Non-Residential Component  |  |                    |
| 180m2 Men's Shed X \$70/m2 Places of Assembly (Community Use) X 0.79 (RCC Split) |  | \$9,900.00         |
| Stormwater Infrastructure  |  |                    |
| 180m2 impervious area X \$10/m2  |  | \$1,800.00         |
| <b>Total Council Charge:</b>   |  | <b>\$11,700.00</b> |

**Offsets:** There are no offsets that apply under Chapter 8 Part 2 of the *Sustainable Planning Act 2009*.

**Refunds:** There are no refunds that apply under Chapter 8 Part 2 of the *Sustainable Planning Act 2009*.

**Levied charges by Redland Water:** This ICN does not include levied charges for water and wastewater. These charges will be the subject of a separate ICN issued by Redland Water.

**Automatic increase of levied charge:** The levied charge is subject to an automatic increase from the date of this ICN to the date the levied charge is paid, by the moving three year average producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge Construction Index for Queensland published by the Australian Bureau of Statistics, calculated in accordance with Redland City Council's Adopted Infrastructure Charges Resolution and the *Sustainable Planning Act 2009*.

**Due date for payment:**

Material Change of Use – when the change happens (on or before final plumbing approval)

**Payment details:**

Payment must be made to **Redland City Council** by the due date stated in this ICN. **Please note, payment must be accompanied by an invoice.**

Payment can be made at any Council Customer Service Centre or by cheque to:

**Redland City Council | PO Box 21 | Cleveland QLD 4163**

**Levied charge taken to be a rate:**

Levied charges are, for the purposes of recovery, taken to be a rate in accordance with the *Sustainable Planning Act 2009*.

Compound interest at the rate of **11% per annum calculated daily** is payable on all outstanding levied charges.

Redland City Council may pursue legal remedies to recover any outstanding levied charge.

**GST:**

Levied charges under this ICN are GST exempt.

**Information notice about decision:**

A decision has been made by Redland City Council to issue this ICN for additional demand placed upon trunk infrastructure generated by the development.

Levied charges have been calculated in accordance with Redland City Council's Adopted Infrastructure Charges Resolution and the *Sustainable Planning Act 2009*.

**Appeal rights**

You are entitled to appeal to the Planning and Environment Court or a building and development committee about this notice. Information about your appeal rights is contained in Sections 478 and 535 of the *Sustainable Planning Act 2009*. It is recommended that legal advice be obtained for any appeal.

**Enquiries:**

For enquiries relating to this ICN, please contact Council's City Planning and Assessment group on:

☎ **(07) 3829 8999** between 8:30am to 4:30pm Monday to Friday

✉ [rcc@redland.qld.gov.au](mailto:rcc@redland.qld.gov.au)

📄 Redland City Council | City Planning & Assessment | PO Box 21 | Cleveland QLD 4163



Giles Tyler  
Principal Advisor  
Infrastructure Planning & Charges Unit



**Redland Water**  
 ABN 86 058 929 428  
 Cnr Bloomfield & Middle Streets  
 Cleveland Qld 4163  
 PO Box 21 Cleveland Qld 4163  
**Telephone 07 3829 8999**  
 Facsimile 07 3829 8765  
 Email [rcc@redland.qld.gov.au](mailto:rcc@redland.qld.gov.au)  
[www.redland.qld.gov.au](http://www.redland.qld.gov.au)

## Redland Water – Infrastructure Charges Notice (ICN)

### Section 635 of the *Sustainable Planning Act 2009*

|   |   |
|---|---|
| To: <span style="border: 1px solid black; padding: 2px;">Mr R J Hopgood<br/>103 Coondooroopa Drive<br/>Macleay Island QLD 4184</span> | Date of Issue: <span style="border: 1px solid black; padding: 2px;">15/06/2016</span> |
|   | File No: <span style="border: 1px solid black; padding: 2px;">MCU013584</span>        |
|   | Notice No: <span style="border: 1px solid black; padding: 2px;">001280</span>         |

**Land to which the infrastructure charges in this notice apply:**

| <b>Property description:</b>   | Lot 58 on SP146255 & Lot 1 on RP 178378   |               |                |                           |  |  |          |                                    |                 |
|--|---|---------------|----------------|---------------------------|--|--|----------|------------------------------------|-----------------|
| <b>Property address:</b>   | 26 & 28-32 Scotts Road, Macleay Island  |               |                |                           |  |  |          |                                    |                 |
| <b>Application description:</b>  | Community Facility - Bay Island Men Shed  |               |                |                           |  |  |          |                                    |                 |
| <b>Application number:</b>   | MCU013584   |               |                |                           |  |  |          |                                    |                 |
| <b>Stage:</b>  | N/A   |               |                |                           |  |  |          |                                    |                 |
| <b>Current amount of levied charge:</b>  | <b>\$360.00</b>   |               |                |                           |  |  |          |                                    |                 |
| <b>Calculation of levied charge:</b>   | <p>The levied charge has been calculated in accordance with the <i>Sustainable Planning Act 2009</i> and Redland City Council's Adopted Infrastructure Charges Resolution as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Redland Water</th> <th style="text-align: left;">Notice #001280</th> </tr> </thead> <tbody> <tr> <td colspan="2">Non-Residential Component</td> </tr> <tr> <td>180m2 Men's Shed X \$70/m2 Places of Assembly (Community Use) X 0.03 (RW split - no wastewater charges applicable)</td> <td style="text-align: right;">\$360.00</td> </tr> <tr> <td style="text-align: right;"><b>Total Redland Water Charge:</b></td> <td style="text-align: right;"><b>\$360.00</b></td> </tr> </tbody> </table> | Redland Water | Notice #001280 | Non-Residential Component |  | 180m2 Men's Shed X \$70/m2 Places of Assembly (Community Use) X 0.03 (RW split - no wastewater charges applicable) | \$360.00 | <b>Total Redland Water Charge:</b> | <b>\$360.00</b> |
| Redland Water  | Notice #001280  |               |                |                           |  |  |          |                                    |                 |
| Non-Residential Component  |   |               |                |                           |  |  |          |                                    |                 |
| 180m2 Men's Shed X \$70/m2 Places of Assembly (Community Use) X 0.03 (RW split - no wastewater charges applicable) | \$360.00  |               |                |                           |  |  |          |                                    |                 |
| <b>Total Redland Water Charge:</b>   | <b>\$360.00</b>   |               |                |                           |  |  |          |                                    |                 |
| <b>Offsets:</b>  | There are no offsets that apply under Chapter 8 Part 2 of the <i>Sustainable Planning Act 2009</i> .  |               |                |                           |  |  |          |                                    |                 |
| <b>Refunds:</b>  | There are no refunds that apply under Chapter 8 Part 2 of the <i>Sustainable Planning Act 2009</i> .  |               |                |                           |  |  |          |                                    |                 |
| <b>Infrastructure charges for other networks:</b>  | Levied charges for stormwater, transport, parks and community facilities infrastructure networks will be the subject of a separate ICN issued by Redland City Council.  |               |                |                           |  |  |          |                                    |                 |
| <b>Automatic increase of levied charge:</b>  | The levied charge is subject to an automatic increase from the date of this ICN to the date the levied charge is paid, by the moving three year average producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge Construction Index for Queensland published by the Australian Bureau of Statistics, calculated in accordance with Redland City Council's Adopted Infrastructure Charges Resolution and the <i>Sustainable Planning Act 2009</i> .  |               |                |                           |  |  |          |                                    |                 |

**Due date for payment:**

Material Change of Use – when the change happens (on or before final plumbing approval).

**Payment details:**

Payment must be made to **Redland Water** by the due date stated in this ICN. **Please note, payment must be accompanied by an invoice.**

Payment can be made at any Redland City Council Customer Service Centre or by cheque to:

**Redland Water | PO Box 21 | Cleveland QLD 4163**

**Levied charge taken to be a rate:**

Levied charges are, for the purposes of recovery, taken to be a rate in accordance with the *Sustainable Planning Act 2009*.

Compound interest at the rate of **11% per annum calculated daily** is payable on all outstanding levied charges.

Redland Water may pursue legal remedies to recover any outstanding levied charge.

**GST:**

Levied charges under this ICN are GST exempt.

**Information notice about decision:**

A decision has been made by Redland Water to issue this ICN for additional demand placed upon trunk infrastructure generated by the development.

Levied charges have been calculated in accordance with Redland City Council's Adopted Infrastructure Charges Resolution and the *Sustainable Planning Act 2009*.

**Appeal rights:**

You are entitled to appeal to the Planning and Environment Court or a building and development committee about this notice. Information about your appeal rights is contained in Sections 478 and 535 of the *Sustainable Planning Act 2009*. It is recommended that legal advice be obtained for any appeal.

**Enquiries:**

For enquiries relating to this ICN, please contact Redland City Council's City Planning and Assessment group on:

☎ **(07) 3829 8999** between 8:30am to 4:30pm Monday to Friday

✉ [rcc@redland.qld.gov.au](mailto:rcc@redland.qld.gov.au)

📄 Redland City Council | City Planning & Assessment | PO Box 21 | Cleveland QLD 4163

Giles Tyler  
Principal Advisor  
Infrastructure Planning & Charges Unit

103 Coondoorroopa Drive,  
Macleay Island, Q.4184.

26 June, 2016

Giles Tyler  
Principal Advisor  
Infrastructure Planning & Charges Unit.  
Redland City Council.

Dear Giles,

**Re: MCU013584    Scotts Road, Macleay Island**  
**INFRASTRUCTURE CHARGES NOTICE – 001280**

Thank you for forwarding the form for the Negotiated Infrastructure Charges Notice.

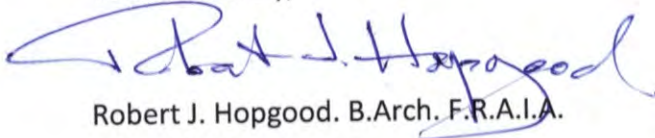
I have completed the form, & it is attached. I would like to remind Council that this project has received strong letters of support from other not for profit community organizations like ourselves, as well as our Mayor Karen Williams, & our Councillor Mark Edwards.

It seems inconceivable that we could be expected to pay these charges as there is no additional infrastructure required, nor any increased use of any existing infrastructure. We pay rates for the services provided, while using far less water than the norm for the community, produce less waste, & control the storm water on site & its discharge to the legal point of discharge at our expense.

This valuable Facility, much needed by our Isolated & Socially Disadvantaged Community, could seriously be put at risk by these demands for a total of \$12,060, on top of the various application & approval fees we have already paid, or are still required to pay.

We therefore request that they be completely waived in this instant.

Yours Sincerely,



Robert J. Hoggood. B.Arch. F.R.A.I.A.

# Request for Negotiated Infrastructure Charges Notice *(Negotiated Decision)*



## Applicant Details

Title:  Mr  Mrs  Ms  Miss

Given name(s)

Surname

Postal address

Suburb  Postcode

Phone  (W)  (H) Mobile

Email address

## Property Details

Site address

Suburb  Postcode

Lot number  Plan number

Staged Development?  
 Yes  No No. of Stages

## Fee

Application fee for adjustment of an establishment cost for trunk infrastructure

Refer to Current Schedule Fees & Changes

## Which part/s of the ICN are being negotiated?

## Which part/s of the ICN are being negotiated? Cont.

Please provide justification for this negotiation based upon references to the QPP, SPA 2009, SPRP, RPS, Redlands Adopted Infrastructure Charges Resolution or other relevant legislation as applies to this application.

## Applicant's Declaration

I certify that I make this claim in accordance with the Redland Adopted Infrastructure Charges Resolution and am entitled to make this claim.

Applicant's name

Applicant's signature  Date

## Submitting Forms

When submitting Council Forms and/or attachments, please use one of the following

- **By Email** to [DAmailbox@redland.qld.gov.au](mailto:DAmailbox@redland.qld.gov.au) (In the subject line, note the title of the form and relevant application address)

- **In Person** to  
Customer Service Centre  
Middle Street, Cleveland

- OR
- Customer Service Centre  
Nolleen Street Capalaba  
(Note, any documents submitted at the counter will not be returned, so ensure only copies are submitted with this form)

CSIPC004.07/03/2016

## CREDIT CARD DETAILS – VISA / MASTERCARD ONLY

Charge amount \$  Expiry  /  Card holder name

Card number  Signature

**Information Privacy Act 2009** - Redland City Council is collecting your personal information in order to process this application. The information will only be used by authorised Council Officers for the purpose of this application and ensuring our records are accurate. Your information will not be given to any other person or agency unless you have given us permission or we are required by law to do so



**11.3.4 RENEWABLE ENERGY FEASIBILITY**

**Objective Reference:** A124442  
**Reports and Attachments (Archives)**

**Authorising Officer:**



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

**Responsible Officer:**

**Gary Photinos**  
**Group Manager Environment and Regulation**

**Report Author:**

**Helena Malawkin**  
**Senior Adviser Environment**

---

**PURPOSE**

That Council receive the findings of the confidential report "*Feasibility Study into Renewable Energy and Management Options for Redland City 2016*"(as attached) and to resolve a course of action to implement the recommendations of the study. The report identified that Council:

- centralise its monitoring and reporting of energy use to continue to drive efficiencies in energy management,
- proceed with embedded energy solutions (both ground based and roof top mounted) at a number Council sites, and
- consider the potential to build a large ground mounted solar panel array (solar farm) located at the Cleveland Wastewater Treatment Plant as an embedded energy solution for that site.

**BACKGROUND**

Council at its General Meeting 29 July 2015 resolved:

*"That Council request that the Chief Executive Officer provide a report to Council by the end of November 2015, identifying and outlining the viability of options for Council's involvement (either solely or jointly with other partners) in creating and managing solar farms. The consideration of the viability of any option should include the potential for a financial return to the community."*

The Chief Executive Officer presented a report to the General Meeting 4 November 2015 where the decision was made to:

*"...commission a feasibility study to investigate and identify opportunities for comprehensive solutions for renewable energy and energy management that will help deliver the best renewable options, positive returns and provide future energy resilience for Council and the community."*

Local Government Infrastructure Services (LGIS) were commissioned to undertake a Feasibility Study into Renewable Energy and Management Options for Redland City. The results and report were presented at a Councillor Workshop on 12 July 2016 (confidential attachment).

---

## ISSUES

### **The Local Government Infrastructure Services Collaboration**

Local Government Infrastructure Services (LGIS) is an infrastructure services company fully owned by the Local Government Association of Queensland with experience in renewable energy programs. In preparation of the feasibility study LGIS has collaborated with Enigin Partners (engineering and energy professionals) to provide technical advice and the University of Queensland, Global Change Institute (GCI).

GCI is an independent source of game-changing research, ideas and advice for solving the challenges of a rapidly changing world. GCI works to address the impacts of climate change, technological innovation and population growth through collaborative research across key themes including clean energy.

**Key highlights and issues from the feasibility study report are summarised below.**

The Feasibility Study findings, including preliminary cost benefit analysis:

- A large ground mounted solar panel array (solar farm) of 1 MW to 1.5 MW at the Cleveland Wastewater Treatment Plant site is viable with total net cost savings and revenue over 20 years of \$4.4 million to \$6.1 million, and capital costs of \$2.2 million to \$3.3 million. The simple payback period is estimated at 10 years for this type investment.
- Roof mounted, “embedded” solar power at seven large electricity consumption sites would be viable and deliver net savings and revenue over 20 years of up to \$4.3 million, for a capital cost of \$2 million.
- Community Halls provide the opportunity to install smaller roof mounted solar systems for on-site use of generated power to save costs and earn some revenue through export of excess power (feed-in tariff). Initial analysis estimated the cost at \$132,000 to install roof mounted solar systems for 16 Community Halls, and initial cost savings and revenue estimated at \$13,300 in the first year of operation.
- Centralised energy management and additional monitoring through strategically located sub-meters could find additional efficiency cost savings of up to \$51,000 per year at five sites (Chambers, Cleveland Library, Capalaba Centre, Redlands Performing Arts Complex (RPAC), Cleveland Wastewater Treatment Plant), for a combined investment and installation cost of \$86,000. This project would enable further efficiencies, and real-time tracking of energy use. Connecting data from energy monitoring to a business intelligence platform, either internally developed or purchased would enable consistent handling and checking of bills, and automated reporting of greenhouse gas emissions, and tracking of emissions against targets.

### **Preliminary Cost Benefit Analysis**

A financial model was developed by LGIS to test the return on investment for energy management and generation initiatives.

The financial model criteria and inputs included:

- estimated costs and savings for 20 years,
  - consumption tariff savings,
  - feed in tariff revenue,
  - Operating costs – cleaning,
  - Choice on inverter,
-

- Large Generation Certificate (LGC) revenue,
- Small Generation Certificate (SGC) revenue,
- Tariff price escalation,
- Consumer price index (CPI),
- Capital costs for solar panels and inverters, installation, approvals and insurance

### **Technical and Financial Issues**

The study evaluated options based on assumptions relating to the specifications of technology and the costs, and availability of finance. In the next stage of developing viable projects, specifications and scoping documents would be developed to include detailed technical and financial assessments including:

- Solar power site (or roof) issues:
  - Physical infrastructure (mounting structures, size, aspects)
  - Electrical engineering (connections)
  - Environmental (shading, soil, run off)
- Technology options:
  - Panels (e.g., quantify costs and specifications), and
  - Inverters (e.g., standard or micro inverters)
- Connection fees
- Whole of life costs (e.g., equipment replacement, maintenance)
- Connection agreements with Energex:
  - Site specific
  - Technical considerations
  - Time frame for establishment
- Safety and performance standards and compliance

### **Implementing Report Findings**

The feasibility study has identified a number of viable renewable and energy management projects that create cost savings for Council and the community, and are consistent with the resolutions of Council.

To enable implementation of the feasibility study, it is recommended Council develop an Energy Generation, Management and Reporting Program, in consultation with the Project Management Office to deliver multiple projects over several years to commence as determined by Council:

1. A Centralised Energy Monitoring, Management and Reporting capability. This is to include additional sub metering, real-time tracking of energy use, consistent handling and checking of bills and automated reporting of greenhouse gas emissions consistent with the Corporate Plan Green Living performance indicator of annual corporate greenhouse gas emissions.
2. Community Halls Roof Top Solar Project. Buildings are inspected for site safety and access to identify most cost effective buildings for roof top solar, and installed on all chosen Community Halls
3. Proof of Concept Solar Project. An embedded solar power generation trial project is designed, installed and commissioned via a tender process at a Council facility (e.g. South Street depot or the new Animal Shelter building) to provide proof of concept of solar generation.

4. Solar Farm Project. A solar power generation farm at the Cleveland Wastewater Treatment Plant site to offset electricity costs at Council's highest energy consumers.

As part of developing the program, a business case and budget review submission will be prepared detailing cost implications and revenue sources, for work in the current financial year and projections for future years. This would be developed with the Financial Services Group and the Project Management Office (PMO).

### **Future technology considerations**

Battery storage options could be a useful addition to solar power generation projects as some of the peak energy demand periods fall outside of prime solar generation periods. For example, the peak demand periods for the RPAC and the Showgrounds are at night as are some of Council's Community Halls. Storing energy via battery technology is an opportunity to reduce peak demand charges. As peak charges can significantly influence the overall charge for energy at a facility, reducing peak charges through battery storage of energy could deliver significant cost savings in future.

Energy storage (battery technology) is still fairly immature in Australia's small market with few distributors and fewer local manufacturers. However, internationally much effort is going into research and development activities. Consequently energy storage is evolving with products and prices expected to come down and stabilise in the next three to five years. For these reasons, battery storage options should be considered as part of future stages of energy management projects after solar generation is proven. All future solar installations should include in the design specification, future ability to easily connect to storage systems without expensive retrofitting of equipment.

To date there are two local battery storage suppliers in south east Queensland providing flow batteries and lead acid batteries. Future partnerships could be investigated to test and trial battery technology in conjunction with embedded solar.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Renewable energy projects represent considerable investments for Council and all financial transactions must be compliant with the *Local Government Act*. All other legislative requirements and compliance will be identified during detailed scoping and specifications to procure stages.

### **Risk Management**

Electricity retail prices have risen by over 60% between 1990 and 2012 with most of that increase occurring over four years, 2009 to 2012 ([Commonwealth Government](#)). Market analysis undertaken by [CSIRO](#)<sup>1</sup> indicates that electricity prices will continue to modestly increase up to 2030 (as high as \$80 per MWh for wholesale electricity prices nationally, currently at just below \$50 per MWh for Queensland). Considering the "Corporate Risk Assessment Methodology Guideline" (GL-2701-005) it has been

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<sup>1</sup> Brinsmead T.S., J. Hayward and P. Graham (2014) *Australian Electricity Market Analysis report to 2020 and 2030*, CSIRO Report No. EP141067.

determined that there is an overall risk rating 16 (medium) to Council from the business as usual scenario.

By investing in energy management and renewable energy Council can mitigate its risk exposure relation to increased expenditure on electricity bills to an overall risk rating 4 (low). Additional risk management issues and mitigation measures will be identified during detailed scoping and specifications to procurement stages.

By choosing to invest in energy management capability Council exposes itself to a risk that energy savings realised do not meet the costs of establishing the system capability. This risk is considered to be minor. Whereas the risk associated with insufficient energy management controls leading to ongoing inefficiency in energy use is considered to be medium.

### **Financial**

A preliminary cost analysis has been undertaken to determine a payback period for Council.

To implement the Energy Generation, Management and Reporting Program officers would prepare a business case (including financial analysis) and budget review submission to Council detailing cost implications and revenue sources, for work in the current financial year and projections for future years. This would be developed with the Financial Services Group and the PMO.

### **People**

There is current capacity in Council to manage implementation of the Program and additional staff is not required. Future operation and maintenance of solar power generation technology may require staff, either in-house or contractors.

### **Environmental**

Improved energy efficiency and increased use of sustainably sourced energy reduces Council's reliance on greenhouse gas intensive energy sources. This helps to reduce Council's environmental impact and achieve Council's environmental commitments to greenhouse gas emission reduction targets contained in Council's endorsed strategy *Confronting our Climate Future A strategy to 2030 for Redland City to: reduce greenhouse gas emissions, respond to climate change, and achieve energy transition.*

### **Social**

This report does not have any direct social impacts.

### **Alignment with Council's Policy and Plans**

The implementation of renewable energy generation and energy management options as outlined in this report supports the achievement of Council's Corporate Plan 2020 strategic outcome under Theme 2, Green Living: Strategic Outcome 2.1 *Council's policies and plans support ecologically sustainable development and respond to climate change issues.*

The report recommendations also assist Council to achieve Theme 8 Inclusive and Ethical Governance: Strategic Outcome 8.2 *Council produces and delivers against sustainable financial forecasts as a result of best practice capital and asset management plans that guide project planning and service delivery across the city.*

The report recommendations are consistent with the Council's adopted Green Living Policy POL – 3130 which commits Council to:

- Focus on energy and resource efficiency, waste reduction and avoid losses to reduce council's corporate greenhouse gas emissions consistent with targets to achieve a 75% reduction on 1998 levels by 2050.

## CONSULTATION

The feasibility study has developed through a "One Team" approach across Council. This included input to the study scope, methodology, data collection and write up by members of a working group including the following internal stakeholders:

- General Counsel.
- Financial Services Manager: Business Partnering.
- Group Manager, Water and Waste Infrastructure.
- Acting Service Manager, Facilities Services.
- Projects Coordinator, Facilities Services.
- Group Manager, Environment and Regulation.
- Service Manager, Environment and Education Unit.
- Procurement Transformation Manager.
- Senior Procurement Officer.
- The Chief Executive Officer has also provided direct input to the working group on strategic matters.

On 12 July, 2016 a Councillor workshop was held to present the feasibility study findings.

## OPTIONS

### Option 1 (Commence Current Financial Year)

That Council resolves to endorse the Development of an Energy Generation, Management and Reporting Program - A staged approach to implementing a Renewable Energy Program for Redland City Council over the next 4 financial years commencing 2016/2017.

That Council receives the confidential report "Feasibility Study into Renewable Energy and Management Options for Redland City 2016" and resolves:

1. That the necessary business cases and budget review submissions for an Energy Generation, Management and Reporting Program be prepared through the Portfolio Management Office (PMO) process and Council budget meetings detailing cost implications and revenue sources, for the works to commence in the current financial year 2016/2017; and
2. Subject to business case acceptance, endorse the development of an Energy Generation, Management and Reporting Program (under Council's Project and Program Management Framework), to deliver multiple projects over the period 2016/17 to 2019/20 at an estimated projected cost of \$3.626 million as follows:
  - a. A centralised energy monitoring, management and reporting project by the end of 2016/17 financial year, including a business intelligence energy monitoring platform developed in house and strategically located sub-meters purchased and installed, subject to budget approval;
  - b. A proof of concept solar generation trial project installed at a Council facility (e.g. South Street depot or the new Animal Shelter building) by the end of 2017/18 financial year, subject to budget approval;

- c. A community halls roof top solar project by the end of 2017/18 financial year for the top seven Community Halls, subject to budget approval; and
- d. A 1.5 MW solar farm project at the Cleveland Wastewater Treatment Plant to off-set electricity costs at one of Council's highest energy use facilities by the end of 2019/2020 financial year, subject to budget approval.

### **Option 2 (Commence next Financial Year 2017/2018)**

That Council resolves to endorse the Development of an Energy Generation, Management and Reporting Program -- A staged approach to implementing a Renewable Energy Program for Redland City Council over the next 5 financial years commencing 2017/2018.

That Council receives the confidential report "Feasibility Study into Renewable Energy and Management Options for Redland City 2016" and resolve:

1. That the necessary business cases and budget submissions for an Energy Generation, Management and Reporting Program be presented to ensuring Council budget meetings detailing cost implications and revenue sources, for the works to commence in the financial year 2017/2018; and
2. Subject to business case acceptance, endorse the development of an Energy Generation, Management and Reporting Program (under Council's Program Management Framework), to deliver multiple projects over the period 2017/18 to 2020/21 at an estimated projected cost of \$3.626 million as follows:
  - a. A centralised energy monitoring, management and reporting project by the end of 2017/18 financial year, including a business intelligence energy monitoring platform developed in house and strategically located sub-meters purchased and installed subject to budget approval;
  - b. A proof of concept solar generation trial project installed at a Council facility (e.g. South Street depot or the new Animal Shelter building) by the end of 2018/19 financial year subject to budget approval;
  - c. A community halls roof top solar project by the end of 2018/19 financial year for the top seven Community Halls, subject to budget approval;
  - d. A 1.5 MW solar farm project at the Cleveland Wastewater Treatment Plant to off-set electricity costs at one of Council's highest energy use facilities by the end of 2020/2021 financial year, subject to budget approval.

### **Option 3: (Defer)**

That Council resolves to receive the confidential report "Feasibility Study into Renewable Energy and Management Options for Redland City 2016" and defer the development of a staged renewable energy program for Redland City Council subject to further investigation and feasibility review as directed by Council.

## **OFFICER'S RECOMMENDATION**

**That Council receives the confidential report "Feasibility Study into Renewable Energy and Management Options for Redland City 2016" and resolves as follows:**

- 1. That the necessary business cases and budget review submissions for an Energy Generation, Management and Reporting Program be prepared through the Portfolio Management Office (PMO) process and Council**

**budget meetings detailing cost implications and revenue sources, for the works to commence in the current financial year 2016/2017; and**

- 2. Subject to business case acceptance, endorse the development of an Energy Generation, Management and Reporting Program (under Council's Project and Program Management Framework), to deliver multiple projects over the period 2016/17 to 2019/20 at an estimated projected cost of \$3.626 million as follows:**
  - a. A centralised energy monitoring, management and reporting project by the end of 2016/17 financial year, including a business intelligence energy monitoring platform developed in house and strategically located sub-meters purchased and installed subject to budget approval;**
  - b. A proof of concept solar generation trial project installed at a Council facility (e.g. South Street depot or the new Animal Shelter building) by the end of 2017/18 financial year, subject to budget approval;**
  - c. A community halls roof top solar project by the end of 2017/18 financial year for the top seven Community Halls, subject to budget approval; and**
  - d. A 1.5 MW solar farm project at the Cleveland Wastewater Treatment Plant to off-set electricity costs at one of Council's highest energy use facilities by the end of 2019/2020 financial year, subject to budget approval; and**
- 3. That report "Feasibility Study into Renewable Energy and Management Options for Redland City 2016" remains confidential and that Council release a redacted version of the report whereby the commercial in confidence information has been removed.**



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**11.4 INFRASTRUCTURE & OPERATIONS****11.4.1 PARK NAMING – NEI DAKOTA MEMORIAL PARK NSI**

**Objective Reference:** A124442  
Reports and Attachments (Archives)

**Attachments:** [Lot 130 on SP 245354 East Coast Road NSI](#)  
[New Lot 100 on SP 289000 East Coast Rd NSI](#)  
[History of NEI aircraft crash](#)  
[FOSI Letter](#)

**Authorising Officer:**   
Gary Soutar  
General Manager Infrastructure & Operations

**Responsible Officer:** Lex Smith  
Group Manager City Spaces

**Report Author:** Annette Henderson  
Support Officer Public Place Projects Unit

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**PURPOSE**

The purpose of this report is to provide a recommendation on a park naming request for Adder Rock, North Stradbroke Island received by Council in accordance with the park naming guideline GL-3004-003.

The guideline acknowledges that any Council decision, by resolution, will take precedence over any aspect of the guideline where exceptional circumstances have been demonstrated.

**BACKGROUND**

- Council received a request on 2 August 2013 from Mr David Bell - Flight Sergeant (FSGT) from the Royal Australian Air Force (RAAF) Amberley Scuba Club.
  - The request proposed a commemorative memorial to the Netherlands East Indies Dakota aircraft that went down on 26<sup>th</sup> February 1947 off Point Lookout, North Stradbroke Island with all three crew and three passengers, a total of six lives, all lost.
  - The park naming request of “NEI Dakota Memorial Park” would honour and perpetuate the memory of the aircraft crash, although in peacetime.
  - On 22<sup>nd</sup> May 2014 approval by Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) has been granted in principle, to the RAAF Amberley Scuba Club for the proposed park naming request, “NEI Dakota Memorial Park” and for the installation of the proposed commemorative memorial.
  - The commemorative memorial will not be installed in time for the 70<sup>th</sup> anniversary of the aircraft crash on 26<sup>th</sup> February 2017.
-

- Although some parts of the wreckage of the aircraft have been discovered by scuba divers, as recent as April 2015, a part of the aircraft was discovered off North Stradbroke Island, by a Redland resident scuba diver. This part was identified as having belonged to the Dutch Air Force plane. (Page 3 - Redland City Bulletin, Wednesday April 22<sup>nd</sup> 2015)
- The land for the proposed commemorative memorial, on road reserve, near the entrance to Adder Rock Camping Ground, needed to be designated as parkland and be named appropriately for the memorial.
- On 1<sup>st</sup> March 2016 Council sent a road closure request to the Department of Natural Resources and Mines, for a section of road reserve on the corner of East Coast Road and the Unnamed Road, the private road entrance to the Adder Rock Camping Ground being Lot 130 on SP245354. (Refer Attachment 1)
- On 13<sup>th</sup> June 2016 this road closure has resulted in the creation of the new park lot of 645m<sup>2</sup>, being Lot 100 on SP289000 for the parkland, on which the proposed memorial is to be situated. (Refer Attachment 2)

## ISSUES

The park naming guideline, GL-3004-003, states:

*Neighbourhood parks will only be considered for tribute naming or re-naming in exceptional circumstances to recognise individuals for their eminence and outstanding endeavour associated with the Redlands community such as:*

*c) risked his/her life to save others.*

*6. No memorial naming or memorials or commemorative plaques (excluding war memorials or plaques) will be allowed in any park or on any park furniture.*

- On 14<sup>th</sup> October 2011, the Queensland Government advised of a re-declaration to revoke the declaration of the section of East Coast Road 1000, being a section of road between Tramican Street and Minjimberry Road, Point Lookout, which includes the section of East Coast Road of Lot 130 on SP245354. This section of road is now under Council control.
- On 14<sup>th</sup> October 2013 David Bell from the RAAF Amberley Scuba Club met onsite at Adder Rock with Redland City Council Officers as well as Michael Costelloe and Darren Burns from QYAC.
- On 14<sup>th</sup> October 2013, the authenticity of the historical facts of the Netherlands East Indies Dakota aircraft crash, were confirmed by the Australian War Memorial archives in Canberra. (Refer Attachment 3)
- On 14<sup>th</sup> October 2013, the authenticity of the historical facts of the Netherlands East Indies Dakota aircraft crash, were confirmed by the North Stradbroke Island Historical Museum Association Incorporated.
- On 22<sup>nd</sup> May 2014, written approval was granted to the RAAF Amberley Scuba Club by QYAC for the use of the QYAC logo on the proposed memorial.
- On 16<sup>th</sup> June 2014, Mayor, Karen Williams authorised the RAAF Amberley Scuba Club to feature the Redland City Council crest with that of the Netherlands Embassy and the logo of Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) on the proposed memorial plaque.

- Although cancelled Road Reserve is unzoned, the parkland under Council's Hierarchy does have a function as a T3 Neighbourhood Park. This land has been functioning as a Neighbourhood Park and contains Park Assets of play equipment, a shelter and timber fencing. The adjacent land of Adder Rock Caravan Park is zoned open space.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

This park naming request is in accordance with the Park Naming Guideline for Neighbourhood Parks, as this would be considered similar to the category of war memorials, although the aircraft crash occurred in peacetime.

### **Risk Management**

No risk implications have been identified.

### **Financial**

- The RAAF Amberley Scuba Club is to bear all costs for the supply, installation and approvals, including Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) approval, associated with the proposed memorial.
- Council has borne the survey and road closure costs totally \$4,795.50 out of Public Place Project Unit's Operational Budget of Job Number 11506, for the creation of the new park lot, being Lot 100 on SP289000. (Refer Attachment 2)
- Funds are available in budget 44769 235 6300 821601 for the cost of park name signage which would be required if this parkland were to be named. The budget required for a new park name sign is approximately \$1,500.

### **People**

The Public Place Projects Unit would arrange for the installation of a park naming sign if Council resolved to name the parkland "NEI Dakota Memorial Park".

### **Environmental**

This new parkland (Lot 100 on SP 289000), previously road reserve, already functions as a Neighbourhood Park and contains Park Assets of play equipment, a shelter and timber fencing.

### **Social**

There are social implications, as there is important history to be preserved for the Redlands, in the naming of this new parkland.

### **Alignment with Council's Policy and Plans**

This park naming request is in accordance with the Park Naming Guideline for Neighbourhood Parks, as this would be considered similar to the category of war memorials, although the aircraft crash occurred in peacetime.

## **CONSULTATION**

Consultation has occurred with:

- Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) Cultural Heritage Coordinator and the Joint Manager Co-ordinator who have both been involved and have supported this project since its inception.

- Principal Advisor Policy & Strategy who confirmed the classification of the new parkland and agrees with the recommendations.
- Senior Advisor Indigenous Partner does not have anything to add to the naming or process.
- Senior Island Coordinator North Stradbroke Island who agrees with the recommendations.
- Parks & Conservation Service Manager who fully endorses the project and agrees with the recommendations.
- Councillor Division 2, Councillor Peter Mitchell, has advised that the request is in accordance with policy and with general support.
- Stradbroke Island Management Organisation Inc. - SIMO Committee of Management is fully supportive of naming the parkland "NEI Dakota Memorial Park".
- Friends of Stradbroke Island (FOSI) who have expressed their concerns including, of a 'fait accompli', done deal, the preservation of foreshore areas, the cumulative effect of yet another memorial and Council's policy on Memorials in a letter. (Refer Attachment 4)

## **OPTIONS**

### **Option 1**

That Council resolves to:

1. Tribute name the parkland at Lot 100 on SP 289000 on East Coast Road, Adder Rock, Point Lookout, North Stradbroke Island as "NEI Dakota Memorial Park" thereby preserving the history of the Netherlands aircraft crash at Point Lookout on 26<sup>th</sup> February 1947.
2. Advise the RAAF Amberley Scuba Club in writing accordingly.

### **Option 2**

That Council resolves to:

1. Decline the request and not tribute name the parkland at Lot 100 on SP 289000 on East Coast Road, Adder Rock, Point Lookout, North Stradbroke Island as "NEI Dakota Memorial Park" and not preserve the history of the Netherlands aircraft crash at Point Lookout on 26<sup>th</sup> February 1947.
2. Advise the RAAF Amberley Scuba Club in writing accordingly.

## **OFFICER'S RECOMMENDATION**

That Council resolves to:

1. Tribute name the parkland at Lot 100 on SP 289000 on East Coast Road, Adder Rock, Point Lookout, North Stradbroke Island as "NEI Dakota Memorial Park" thereby preserving the history of the Netherlands aircraft crash at Point Lookout on 26<sup>th</sup> February 1947; and
2. Advise the RAAF Amberley Scuba Club in writing accordingly.



### Red-e-map Plot

#### Legend

##### Land

##### Current Land

Current Lot

##### Council Land

- Access Restriction Strip
- Freehold
- Permit to Occupy
- Reserve Trustee
- State Lease

PROPOSED NEW  
BOUNDARY OFF  
AND ADJACENT TO  
CAMP GROUND  
BOUNDARY  
Green Area Shown?  
for reconfiguration.

Scale:  
1:500

Date:  
30/07/2015



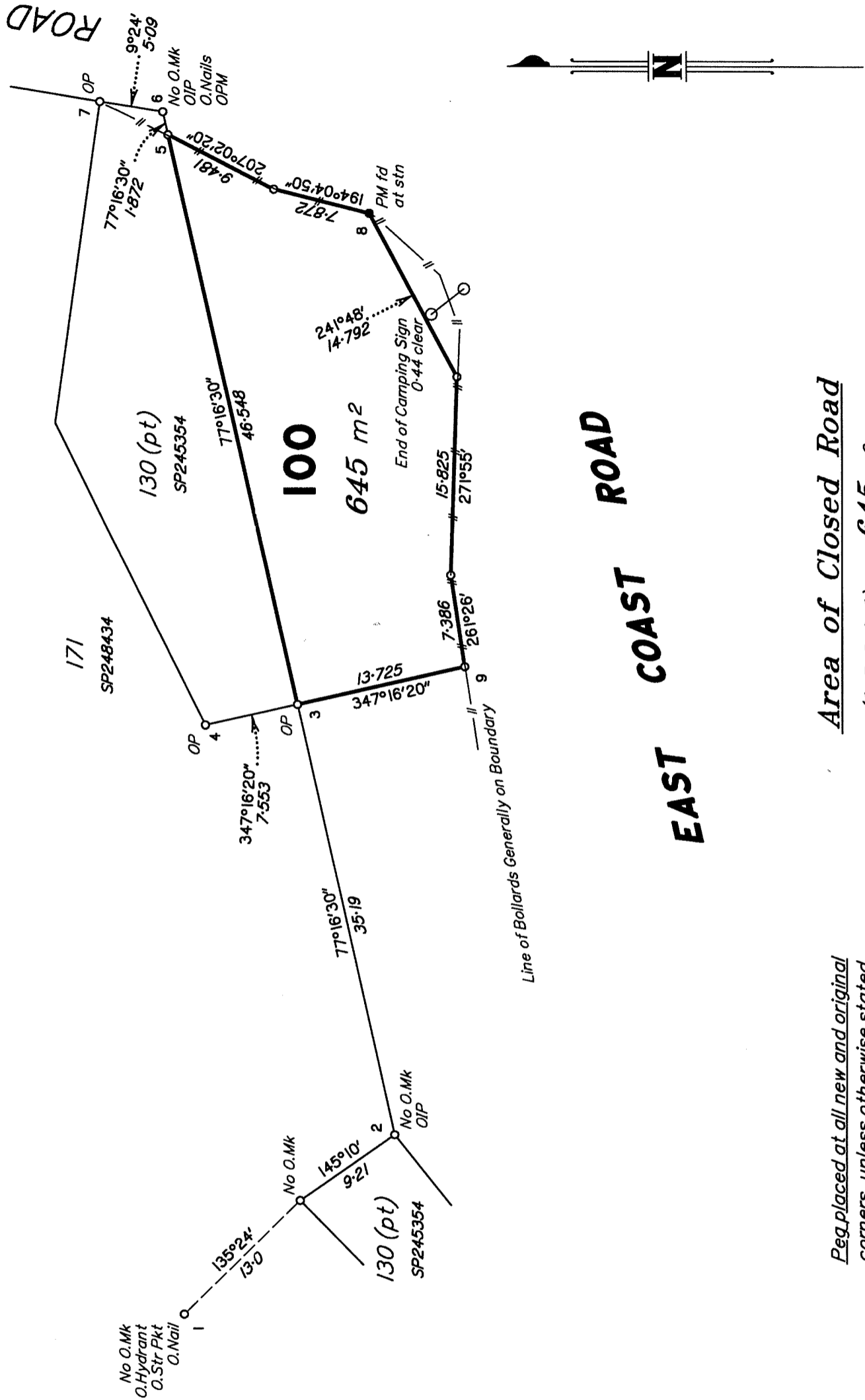
RCC INTERNAL USE ONLY



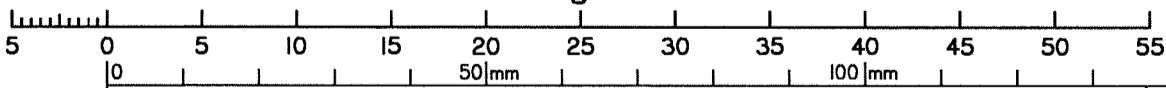
No warranty given in relation to the data (including accuracy, reliability, completeness or suitability) and no liability accepted (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used on breach of the privacy laws. External contributors to data listed at [www.nrme.qld.gov.au/products](http://www.nrme.qld.gov.au/products) or [www.redland.qld.gov.au](http://www.redland.qld.gov.au)

| PERMANENT MARKS            |            |                  |               |
|----------------------------|------------|------------------|---------------|
| PM                         | ORIGIN     | BEARING          | DIST          |
| 6-OPM(not schd)<br>8-PM fd | 1/DP206215 | 112°42'40"<br>at | 309.52<br>stn |
|                            |            |                  | NO            |
|                            |            |                  | 93272         |
|                            |            |                  | 171399        |

| REFERENCE MARKS |                    |             |            |
|-----------------|--------------------|-------------|------------|
| STN             | TO                 | ORIGIN      | BEARING    |
| 1               | Fire Hydrant       | 4/DP206215  | 35°45'2"   |
| 1               | O.Str Pkt (buried) | 4/DP206215  | 16°15'     |
| 1               | O.Nail in Bitumen  | 4/DP206215  | 31°33'6"   |
| 2               | OIP (not schd)     | 15/CP865493 | 131°31'30" |
| 3               | Nail in Conc       | 27°32'30"   | 27°32'30"  |
| 6               | OIP (not schd)     | 16/CP865493 | 87°30'     |
| 6               | O.Nail in Bitumen  | 1/DP206215  | 172°07'    |
| 6               | O.Nail in Conc     | 1/DP206215  | 110°34'40" |
| 7               | (not schd)         |             | 30°41'     |
| 8               | Nail in Conc       |             | 74°33'30"  |
| 9               | Spike in Bitumen   |             | 169°01'    |
| 9               | Nail in Headwall   |             | 196°004    |



Scale 1:400 - Lengths are in Metres.



GATEWAY SURVEY & PLANNING PTY LTD (ACN 088 656 071) hereby certify that the land comprised in this plan was surveyed by the corporation, by Mark Geoffrey HOONHOUT, Surveying Associate, for whose work the corporation accepts responsibility, under the supervision of Gregory John HOONHOUT, Cadastral Surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 18/05/2016.

*Mark Geoffrey Hoonhout*

Director

13.06.2016

Date

6594-01

**Plan of Lot 100**

Cancelling part of USL, being Closed Road  
(adjacent to Lot 171 on SP248434)

LOCAL

GOVERNMENT: REDLAND CITY

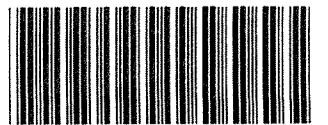
LOCALITY: POINT LOOKOUT

Meridian: SL13001

Survey Records: No

Scale: 1:400

Format: STANDARD



SP289000

Peg placed at all new and original corners, unless otherwise stated.

Area of Closed Road  
(3, 5, 8, 9, 3) 645 m²

**WARNING : Folded or Mutilated Plans will not be accepted.  
Plans may be rolled.  
Information may not be placed in the outer margins.**

(Dealing No.)

5. Lodged by

(Include address, phone number, reference, and Lodger Code)

**1. Certificate of Registered Owners or Lessees.**

I/We .....

(Names in full)

\*as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

\*as Lessees of this land agree to this plan.

Signature of \*Registered Owners \*Lessees

\* Rule out whichever is inapplicable

**2. Planning Body Approval.**

\*  
hereby approves this plan in accordance with the :  
%

Dated this ..... day of .....

..... #

..... #

\* Insert the name of the Planning Body.

% Insert applicable approving legislation.

# Insert designation of signatory or delegation

**3. Plans with Community Management Statement :**

CMS Number :

Name :

**4. References :**

Dept File : 2015/004859

Local Govt : R748

Surveyor : 6594-01

| 6. Existing     |             | Created  |      |                     |
|-----------------|-------------|----------|------|---------------------|
| Title Reference | Description | New Lots | Road | Secondary Interests |
| ..              | Road        | 100      | —    | —                   |

**REINSTATEMENT REPORT**

Datum for this survey is the southern boundaries of Lot 171 on SP248434 and part of Lot 130 on SP245354 as established from original reference marks found at our Stns. 1, 3, 4, 6 & 7. The meridian of SL13001 was adopted for this line.

All original corners were reinstated via original reference marks at each of the corners, apart from the northern corners of the western part of Lot 130 on SP245354 shown. These corners were reinstated by deed as agreement was found between station 1 and stations 3,4 6 & 7.

Plans used: DP206215, SP248434, SP245354 & SL13001

**9. Building Format Plans only.**

I certify that :

- \* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;
- \* Part of the building shown on this plan encroaches onto adjoining \* lots and road

.....  
Cadastral Surveyor/Director\* Date

\*delete words not required

**10. Lodgement Fees :**

|                 |          |
|-----------------|----------|
| Survey Deposit  | \$ ..... |
| Lodgement       | \$ ..... |
| .....New Titles | \$ ..... |
| Photocopy       | \$ ..... |
| Postage         | \$ ..... |
| TOTAL           | \$ ..... |

II. Insert Plan Number

**SP289000**

| Lots | Orig |
|------|------|
|      |      |

**7. Orig Grant Allocation :**

**8. Passed & Endorsed :**

By : GATEWAY SURVEYS & PLANNING PTY LTD

Date : 13.06.2016

Signed :

Designation : *[Signature]*  
Cadastral Surveyor



Australian Government

NATIONAL  
ARCHIVES  
OF AUSTRALIA

Your story, our history

NAA: MP1665/1, 1/101/1480

|   |  |
|---|--|
| NATURE OF ACCIDENT <i>AC CAUGHT FIRE &amp; CRASHED INTO SEA</i>                                     |  |
| PLACE <i>STRADBROKE IS. (Q)</i>   | DATE <i>26. 2. 47</i>                                      |
| AIRCRAFT (Type and Markings) <i>DOUGLASS DAKOTA (VHRET RADIO CALL SIGN)</i>                         |  |
| PILOT <i>L. SMITS VAN BURGST</i>  | OWNER <i>NEI AIR FORCE</i>                                 |
| INJURIES TO PERSONS <i>3 CREW (NEI Service Personnel) } KILLED</i><br><i>3 Australian Civilians</i> |  |
| RESULTANT DAMAGE <i>CRASHED INTO SEA</i>  |  |
| NOTIFICATION (Form, Date and Time of notification to be specified):                                 |  |
| Chief Inspector Accident Investigations   | <i>27/2 0700 pm by Norfolk</i>                             |
| Assistant Director-General  | <i>Notified by message 27/2 at 26/2/47</i>                 |
| Director-General  | <i>27.2.47</i>   |
| D.A.N.S.  |  |
| Minister  | <i>Phone 27.2.47</i>                                       |
| Insurance   |  |
| FLIGHT DETAILS:   |  |
| Nature of Operation   | <i>TEST FLIGHT?</i>  |
| Aerodrome Information   | <i>OPERATING FROM ARCHERFIELD AERODROME</i>                |
| CREW:—  |  |
| Name:   | <i>L. SMITS VAN BURGST</i> <i>SM. ROOKMAKER SM. BELEMA</i> |
| Role:   | <i>PILOT</i> <i>RADIO OPERATOR</i> <i>FLIGHT ENGINEER</i>  |
| Licence No.:  |  |
| Expiry Date:  |  |
| Experience:   |  |
| AIRCRAFT:—  |  |
| C. of A. Number   | <i>Not on Australian Register</i>                          |
| C. of R. Number   |  |
| Date of expiry  |  |
| Date of issue   |  |
| INVESTIGATION:  |  |
| Officer-in-Charge   |  |
| Assistant Investigators   | <i>Conducted by Dutch authorities</i>                      |
| Date of Commencement  |  |
| Preliminary Report Issued   |  |
| Final Report Completed  |  |
| To Assistant Director-General   |  |
| To Director-General   | <i>8.5.47</i>  |
| To Minister   |  |
| Copies to   |  |
| Release to Press  |  |
| Air Court of Inquiry  | Inquest  |

Fatal Accident - Dutch (NEI) Dakota on 26 February 1947 - Stradbroke Island Qld - Page 1 of 18





**Friends of Stradbroke Island Association Inc.**  
PO Box 167  
POINT LOOKOUT, QLD 4183  
ABN: 37 521 315 877

Dear Ms Henderson

13 September, 2016

Thank you for the rather belated opportunity for Friends of Stradbroke Island to comment on the proposal by Mr David Hall of the Amberley Scuba Club for a Dakota memorial at Point Lookout (your email of 3 August). This proposal appears to be a 'fait accompli', a done deal with various groups already consulted and fees paid. Our committee wonder if your consulting FOSI is just a matter of 'ticking the box'. We would appreciate being consulted at the outset in future.

Friends of Stradbroke Island's interest in the preservation of the foreshore areas of Point Lookout include not only that many of our members are ratepayers whose homes are in close proximity to the area and who enjoy walking the beach and bush tracks frequently, but that FOSI initiated the listing in 2004 of the Point Lookout Foreshore Reserve under the Queensland Heritage Act.

This proposed park is located in the general vicinity of the Reserve and provides bushland habitat for a number of native animals and birds including the Vulnerable Koala, grey kangaroos, bush stone curlews and many birds. FOSI wishes that these environmental values be preserved.

While supporting any protection of the natural feature of any land on NSI our committee has serious concerns about this proposal and the general policies of council with regard to use of public parkland and reserve.

It is certainly our view that this air crash was a great tragedy for those killed and for their families, friends and colleagues. But this is now an historical event for the public and now more appropriately remembered in that sense. Surely a well-researched and curated exhibition in the nearby North Stradbroke Island Historical Museum would be a better memorial and give the public an opportunity to attach a lot more meaning to the incident than a park name or a brass plaque.

We are perturbed about the cumulative effect of yet another memorial. This proposal is reminiscent of so many tribute seats and plaques in rocks dedicated to people with a personal connection to Point Lookout. It appears that the bushland around Point Lookout is rapidly becoming a hotchpotch of private memories of the past and is beginning to take on the appearance of a cemetery!

Friends of Stradbroke Island takes a more general view that Council policy to grant approval for memorials should be revisited to prevent public natural areas being converted to private memorial gardens. The historic Dunwich cemetery could possibly have a space for a 'Memories of Stradbroke Wall' for these private memories.

Sue Ellen Carew  
President

**12 MAYORAL MINUTE**

In accordance with s.22 of POL-3127 *Council Meeting 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**

In accordance with s.3(4) of POL-3127 *Council Meeting Standing Orders*

**15 URGENT BUSINESS WITHOUT NOTICE**

In accordance with s.26 of POL-3127 *Council Meeting Standing Orders*, a Councillor may bring forward an item of urgent business if the meeting resolves that the matter is urgent.

| <b>Urgent Business Checklist</b>   | <b>YES</b> | <b>NO</b> |
|--|------------|-----------|
| To achieve an outcome, does this matter have to be dealt with at a general meeting of Council?                               |            |           |
| Does this matter require a decision that only Council can make?  |            |           |
| Can the matter wait to be placed on the agenda for the next Council meeting?   |            |           |
| Is it in the public interest to raise this matter at this meeting?   |            |           |
| Can the matter be dealt with administratively?   |            |           |
| If the matter relates to a request for information, has the request been made to the CEO or to a General Manager previously? |            |           |

**16 CLOSED SESSION****16.1 COMMUNITY & CUSTOMER SERVICES****16.1.1 COMMUNITY INFRASTRUCTURE**

**Objective Reference:** A124439  
Reports and Attachments (Archives)



**Authorising Officer:**  
**Louise Rusan**  
**General Manager Community & Customer Services**

**Responsible Officer:** **Kim Kerwin**  
**Manager – Economic Sustainability and Major Projects**

**Report Author:** **Frank Pearce**  
**Principal Adviser Strategic Partnerships**

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**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'S 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**

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