



**Redland**  
CITY COUNCIL

# **MINUTES**

## **GENERAL MEETING**

**Wednesday, 26 October 2016**

The Council Chambers  
35 Bloomfield Street  
CLEVELAND QLD

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## Table of Contents

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Item	Subject	Page No
1	DECLARATION OF OPENING .....	1
2	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE.....	1
3	DEVOTIONAL SEGMENT.....	1
4	RECOGNITION OF ACHIEVEMENT.....	1
	4.1 FATHER DANIEL HOBBS .....	1
5	RECEIPT AND CONFIRMATION OF MINUTES.....	2
	5.1 GENERAL MEETING MINUTES 12 OCTOBER 2016.....	2
6	MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES.....	2
7	PUBLIC PARTICIPATION.....	2
8	PETITIONS AND PRESENTATIONS.....	2
9	MOTION TO ALTER THE ORDER OF BUSINESS .....	2
10	DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS.....	3
11	REPORTS TO COUNCIL .....	4
	11.1 OFFICE OF CEO.....	4
	11.1.1 SEPTEMBER 2016 MONTHLY FINANCIAL REPORT.....	4
	11.1.2 AUSTRALIA POST CONTRACT RENEWAL UNDER SOLE SUPPLIER EXEMPTION .....	7
	11.2 COMMUNITY & CUSTOMER SERVICES .....	11
	11.2.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 & 3 DEVELOPMENTS.....	11
	11.2.2 PLANNING & ENVIRONMENT COURT MATTERS LIST – CURRENT AT 11 OCTOBER 2016 .....	13
	11.2.3 ORMISTON COLLEGE LAND EXCHANGE.....	17
	11.3 INFRASTRUCTURE & OPERATIONS .....	21
	11.3.1 CIG – SOLE SUPPLIERS – INFRASTRUCTURE & OPERATIONS .....	21

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12 MAYORAL MINUTE ..... 24  
    12.1 MAYOR WILLIAMS - LGAQ CONFERENCE ..... 24

13 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS ..... 25

14 NOTICES OF MOTION..... 25

15 URGENT BUSINESS WITHOUT NOTICE ..... 25

16 CLOSED SESSION ..... 25  
    16.1.1 INVESTIGATION OF LAND TRANSFER .....26

17 MEETING CLOSURE ..... 26

## 1 DECLARATION OF OPENING

The Mayor declared the meeting open at 9.32am and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

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

## 2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

### MEMBERS PRESENT:

Cr K Williams	Mayor
Cr W Boglary	Deputy Mayor and Councillor Division 1
Cr P Mitchell	Councillor Division 2
Cr P Gollè	Councillor Division 3
Cr L Hewlett	Councillor Division 4
Cr M Edwards	Councillor Division 5
Cr J Talty	Councillor Division 6
Cr M Elliott	Councillor Division 7 – entered at 9.40am
Cr T Huges	Councillor Division 8
Cr P Gleeson	Councillor Division 9
Cr P Bishop	Councillor Division 10

### EXECUTIVE LEADERSHIP TEAM:

Mr B Lyon	Chief Executive Officer
Mr N Clarke	General Manager Organisational Services
Mrs L Rusan	General Manager Community & Customer Services
Mr B Taylor	Acting General Manager Infrastructure & Operations
Mrs D Corbett-Hall	Chief Financial Officer
Ms A Daly	Head of Human Resources

### MINUTES

Mrs E Striplin	Corporate Meetings & Registers Coordinator
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## 3 DEVOTIONAL SEGMENT

Father Daniel Hobbs, a member of the Ministers' Fellowship led Council in a brief devotional segment.

## 4 RECOGNITION OF ACHIEVEMENT

Cr Hewlett gave recognition and congratulations to Father Daniel Hobbs who is being ordained a Priest 3 December 2016 at St John's Cathedral.

**5 RECEIPT AND CONFIRMATION OF MINUTES****5.1 GENERAL MEETING MINUTES 12 OCTOBER 2016****COUNCIL RESOLUTION**

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

That the minutes of the General Meeting of Council held 12 October 2016 be confirmed.

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

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

Nil

**7 PUBLIC PARTICIPATION****MOTION TO ADJOURN MEETING AT 9.41AM**

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

That Council adjourn the meeting for a 10 minute public participation segment.

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

1. Mr I James, resident of Victoria Point addressed Council in relation to the pathways through the Erapah Creek Environment and the impact on residents.

**MOTION TO RESUME MEETING AT 9.52AM**

Moved by: Cr M Edwards  
Seconded by: Cr L Hewlett

That the meeting proceedings resume.

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

**8 PETITIONS AND PRESENTATIONS**

Nil

**9 MOTION TO ALTER THE ORDER OF BUSINESS**

Nil

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

Cr Elliott declared a perceived conflict of interest in Item 11.2.3 *Ormiston College Land Exchange* (see item for details)

## 11 REPORTS TO COUNCIL

### 11.1 OFFICE OF CEO

#### 11.1.1 SEPTEMBER 2016 MONTHLY FINANCIAL REPORT

**Objective Reference:** A2000501  
Reports and Attachments

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

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

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

**Report Author:** Udaya Panambala Arachchilage  
Corporate Financial Reporting Manager

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#### PURPOSE

The purpose of this report is to note the year to date financial results as at 30 September 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

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

The 2015/2016 annual financial statements were subjected to an audit and review by the Queensland Audit Office in September 2016. The closing asset and liability balances per the financial statements flow through to the opening balances of 2016/2017 as presented in the September monthly financial report.

Certification of the financial statements is expected to be received from the Queensland Audit Office by the end of October 2016.

##### ***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 September 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.

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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 September 2016.

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

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

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

- Asset sustainability ratio; and
- Operating performance.

Council's asset sustainability ratio target is an average long term target and at the end of September 2016, Council's renewal spend on infrastructure assets was \$5.26M compared to depreciation expense on infrastructure assets of \$12.17M 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.

Council did not achieve its target operating performance ratio of greater than or equal to 20% with a result at the end of September 2016 of 16.40%. This ratio is a cash measure and therefore moves in line with the cash balances. It is also cyclical in nature as it peaks and troughs in line with the rating cycle and when rate payments are due. As Q1 rates were due for payment in August, this ratio dropped back from 34.52% in the prior month.

### **Legislative Requirements**

The September 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 September 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 September 2016.

### **People**

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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 September 2016 as presented in the attached Monthly Financial Report.
2. That Council requests additional information.

### **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by:** Cr P Gollè  
**Seconded by:** Cr M Edwards

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

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.



# Monthly Financial Report

## September 2016



## CONTENTS






1.	Executive Summary	3
2.	Key Performance Indicators	4
3.	Statement of Comprehensive Income	5
4.	Statement of Cash Flows	6
5.	Statement of Financial Position	7
6.	Operating Statement	8
7.	Capital Funding Statement	9
8.	Redland Water & RedWaste Statements	10
9.	Investment & Borrowings Report	11
10.	Constrained Cash Reserves	12
11.	Glossary	13
12.	Appendix: Additional and Non-financial Information	14

## 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 30 September 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 subject to audit finalisation. As such, the financial position as at 30 September 2016 is not final 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	5,036	4,599	(437)	-9%	
Recurrent Revenue	254,569	65,430	62,732	(2,698)	-4%	
Recurrent Expenditure	254,090	60,394	58,133	(2,261)	-4%	
Capital Works Expenditure	84,469	13,460	14,422	962	7%	
Closing Cash & Cash Equivalents	133,470	143,664	139,884	(3,780)	-3%	

#### Status Legend:

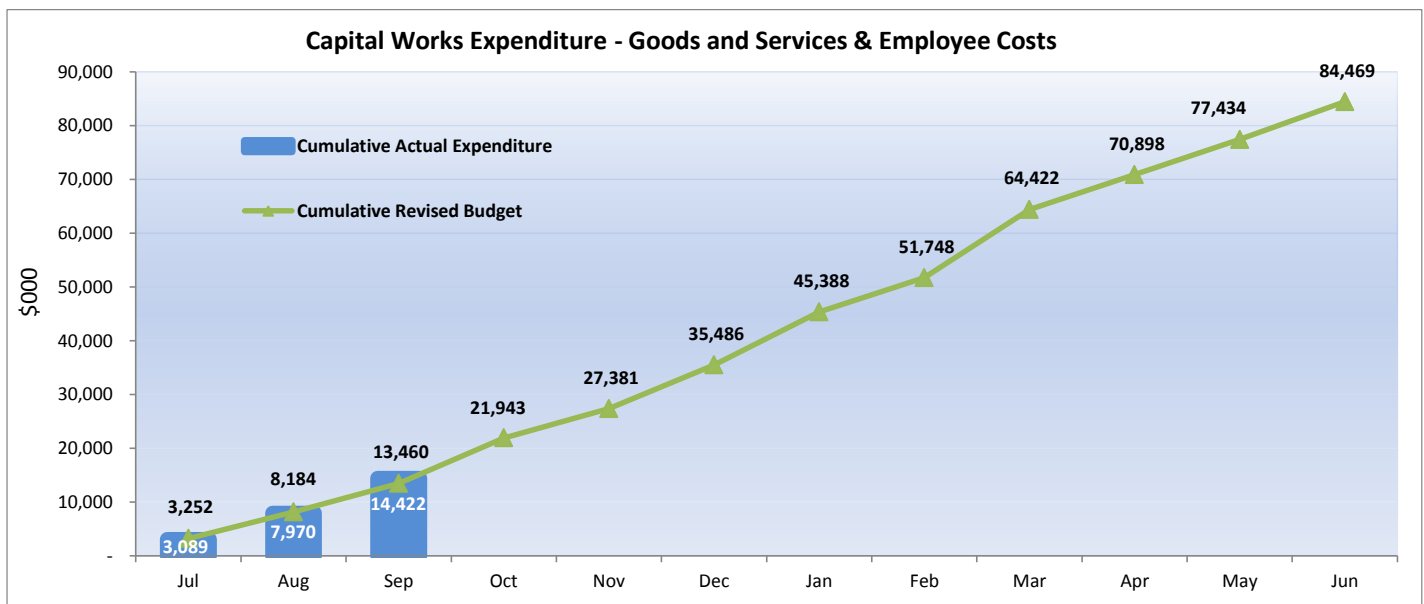
Above budgeted revenue or under budgeted expenditure	
Below budgeted revenue or over budgeted expenditure <10%	
Below budgeted revenue or over budgeted expenditure >10%	

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

Council reported a year to date operating surplus of \$4.60M which is \$437K lower than the budgeted result. No Roads to Recovery grant monies have been received as yet, resulting in the unfavourable variance in operating grants and subsidies. The favourable variance in materials and services expense is attributable to lower than anticipated bulk water purchase costs (linked to bulk water consumption which is generally lower than expected) and timing of operational works undertaken during the first quarter of the financial year. The unfavourable variance in depreciation expense is due to higher opening asset balances for 2016/2017 which include the results from the 2015/2016 asset revaluations, as well as the recognition of developer contributed assets. These year-end adjustments impact the annual depreciation expense going forward. Council's first budget review will reflect the higher depreciation expense as a result of the higher asset balances.

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 exceeded budget by \$962K which is mainly due to a \$1.57M land acquisition which was not budgeted for.



## 2. KEY PERFORMANCE INDICATORS

### Key Performance Indicators

Financial Stability Ratios and Measures of Sustainability	Target	Annual Revised Budget 2016/2017	YTD September 2016	Status
Operating Surplus Ratio (%)	Target between 0% and 10% (on average over the long-term)	0.19%	7.33%	✓
Asset Sustainability Ratio (%)	Target greater than 90% (on average over the long-term)	79.72%	43.19%	✗
Net Financial Liabilities (%)	Target less than 60% (on average over the long-term)	-28.65%	-133.06%	✓
Level of Dependence on General Rate Revenue (%)	Target less than 37.5%	32.52%	32.39%	✓
Ability to Pay Our Bills - Current Ratio	Target between 1.1 & 4.1	3.83	4.50	✓
Ability to Repay Our Debt - Debt Servicing Ratio (%)	Target less than or equal to 10%	3.04%	3.14%	✓
Cash Balance \$M	Target greater than or equal to \$40M	\$133.470M	\$139.884M	✓
Cash Balances - Cash Capacity in Months	Target 3 to 4 months	7.78	7.88	✓
Longer Term Financial Stability - Debt to Asset Ratio (%)	Target less than or equal to 10%	1.72%	1.86%	✓
Operating Performance (%)	Target greater than or equal to 20%	17.29%	16.40%	✗
Interest Cover Ratio (%)	Target between 0% and 5%	-0.42%	-0.49%	✓

#### Status Legend

KPI target achieved or exceeded	✓	KPI target not achieved	✗
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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 30 September 2016

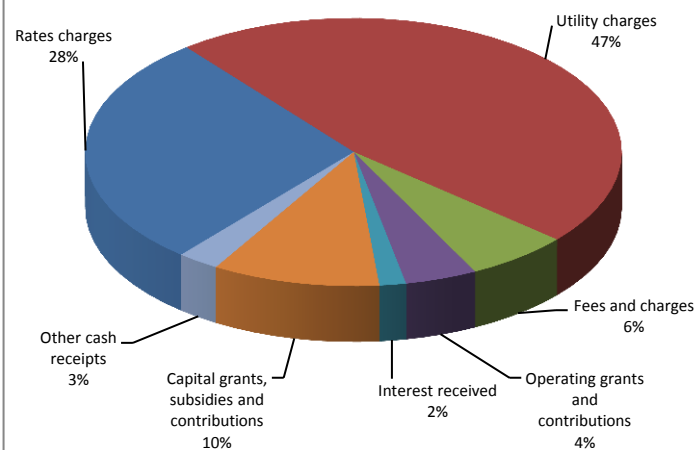
	Annual	Annual	YTD	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual \$000	Variance \$000
<b>Recurrent revenue</b>					
Rates, levies and charges	214,758	214,758	53,690	52,374	(1,316)
Fees and charges	13,291	13,291	3,839	4,171	332
Rental income	811	811	176	130	(46)
Interest received	4,271	4,271	996	1,137	141
Investment returns	4,685	4,685	-	-	-
Sales revenue	4,030	4,030	1,067	1,221	154
Other income	763	763	122	357	235
Grants, subsidies and contributions	11,959	11,959	5,540	3,342	(2,198)
<b>Total recurrent revenue</b>	<b>254,569</b>	<b>254,569</b>	<b>65,430</b>	<b>62,732</b>	<b>(2,698)</b>
<b>Capital revenue</b>					
Grants, subsidies and contributions	32,248	32,448	6,739	7,167	428
Non-cash contributions	3,144	3,144	785	15	(770)
<b>Total capital revenue</b>	<b>35,393</b>	<b>35,593</b>	<b>7,524</b>	<b>7,182</b>	<b>(342)</b>
<b>TOTAL INCOME</b>	<b>289,962</b>	<b>290,162</b>	<b>72,954</b>	<b>69,914</b>	<b>(3,040)</b>
<b>Recurrent expenses</b>					
Employee benefits	80,389	80,389	20,950	21,031	81
Materials and services	119,315	119,315	25,905	22,709	(3,196)
Finance costs	3,758	3,758	882	937	55
Depreciation and amortisation	50,628	50,628	12,657	13,456	799
<b>Total recurrent expenses</b>	<b>254,090</b>	<b>254,090</b>	<b>60,394</b>	<b>58,133</b>	<b>(2,261)</b>
<b>Capital expenses</b>					
(Gain)/loss on disposal of non-current assets	289	(172)	(46)	(97)	(51)
<b>Total capital expenses</b>	<b>289</b>	<b>(172)</b>	<b>(46)</b>	<b>(97)</b>	<b>(51)</b>
<b>TOTAL EXPENSES</b>	<b>254,379</b>	<b>253,918</b>	<b>60,348</b>	<b>58,036</b>	<b>(2,312)</b>
<b>NET RESULT</b>	<b>35,583</b>	<b>36,244</b>	<b>12,606</b>	<b>11,878</b>	<b>(728)</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>12,606</b>	<b>11,878</b>	<b>(728)</b>

## 4. STATEMENT OF CASH FLOWS

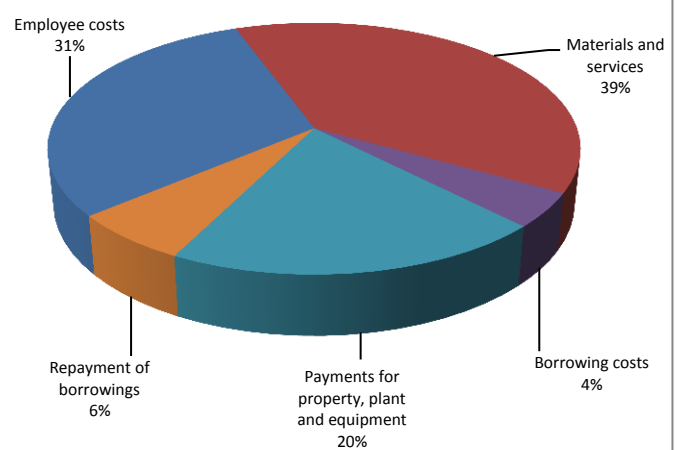
### STATEMENT OF CASH FLOWS For the period ending 30 September 2016

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
Receipts from customers	232,889	232,889	58,389	59,384
Payments to suppliers and employees	(202,780)	(202,780)	(47,562)	(50,064)
	<b>30,110</b>	<b>30,110</b>	<b>10,827</b>	<b>9,320</b>
Interest received	4,271	4,271	996	1,137
Rental income	811	811	176	130
Non-capital grants and contributions	11,056	11,056	4,644	3,087
Borrowing costs	(3,195)	(3,195)	(3,195)	(3,220)
<b>Net cash inflow / (outflow) from operating activities</b>	<b>43,053</b>	<b>43,053</b>	<b>13,448</b>	<b>10,454</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Payments for property, plant and equipment	(76,938)	(84,469)	(13,460)	(14,422)
Payments for intangible assets	(100)	-	-	-
Proceeds from sale of property, plant and equipment	630	1,091	276	97
Capital grants, subsidies and contributions	32,248	32,448	6,739	7,167
Other cash flows from investing activities	4,685	4,686	-	-
<b>Net cash inflow / (outflow) from investing activities</b>	<b>(39,474)</b>	<b>(46,244)</b>	<b>(6,445)</b>	<b>(7,158)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>				
Repayment of borrowings	(4,551)	(4,551)	(4,551)	(4,624)
<b>Net cash inflow / (outflow) from financing activities</b>	<b>(4,551)</b>	<b>(4,551)</b>	<b>(4,551)</b>	<b>(4,624)</b>
<b>Net increase / (decrease) in cash held</b>	<b>(972)</b>	<b>(7,742)</b>	<b>2,452</b>	<b>(1,328)</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>143,664</b>	<b>139,884</b>

### Cash Funding (YTD)



### Cash Expenditure (YTD)



Total Cash Funding (Actual YTD)	71,002
Total Cash Funding (Annual Revised Budget)	287,252
% of Budget Achieved YTD	25%

Total Cash Expenditure (Actual YTD)	72,330
Total Cash Expenditure (Annual Revised Budget)	294,994
% of Budget Achieved YTD	25%

## 5. STATEMENT OF FINANCIAL POSITION

### STATEMENT OF FINANCIAL POSITION As at 30 September 2016

	Annual	Annual	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual Balance \$000
<b>CURRENT ASSETS</b>				
Cash and cash equivalents	118,477	133,470	143,664	139,884
Trade and other receivables	25,017	25,805	26,144	23,814
Inventories	779	678	678	651
Non-current assets held for sale	1,309	4,278	4,278	4,099
Other current assets	1,104	2,122	4,512	8,235
<b>Total current assets</b>	<b>146,686</b>	<b>166,353</b>	<b>179,276</b>	<b>176,683</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	2,426,483	2,426,320
Intangible assets	2,000	2,454	3,071	3,036
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>2,436,642</b>	<b>2,436,444</b>
<b>TOTAL ASSETS</b>	<b>2,453,685</b>	<b>2,637,702</b>	<b>2,615,918</b>	<b>2,613,127</b>
<b>CURRENT LIABILITIES</b>				
Trade and other payables	18,454	20,763	21,959	16,410
Borrowings	4,482	7,701	7,701	7,701
Provisions	7,571	12,465	13,089	12,241
Other current liabilities	2,673	2,536	2,507	2,948
<b>Total current liabilities</b>	<b>33,179</b>	<b>43,465</b>	<b>45,256</b>	<b>39,300</b>
<b>NON-CURRENT LIABILITIES</b>				
Borrowings	40,727	37,604	37,604	41,017
Provisions	12,143	12,350	12,415	12,893
<b>Total non-current liabilities</b>	<b>52,869</b>	<b>49,954</b>	<b>50,019</b>	<b>53,910</b>
<b>TOTAL LIABILITIES</b>	<b>86,048</b>	<b>93,419</b>	<b>95,275</b>	<b>93,210</b>
<b>NET COMMUNITY ASSETS</b>	<b>2,367,637</b>	<b>2,544,283</b>	<b>2,520,643</b>	<b>2,519,917</b>
<b>COMMUNITY EQUITY</b>				
Asset revaluation surplus	827,411	963,349	963,349	963,349
Retained surplus	1,443,724	1,473,016	1,462,666	1,458,857
Constrained cash reserves	96,502	107,918	94,628	97,711
<b>TOTAL COMMUNITY EQUITY</b>	<b>2,367,637</b>	<b>2,544,283</b>	<b>2,520,643</b>	<b>2,519,917</b>

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 30 September 2016

	Annual	Annual	YTD	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual \$000	Variance \$000
<b>Revenue</b>					
Rates charges	85,691	85,691	21,423	21,030	(393)
Levies and utility charges	132,436	132,436	33,109	32,164	(945)
<i>Less: Pensioner remissions and rebates</i>	(3,370)	(3,370)	(842)	(820)	22
Fees and charges	13,291	13,291	3,839	4,171	332
Operating grants and subsidies	11,370	11,370	5,443	2,983	(2,460)
Operating contributions and donations	589	589	97	359	262
Interest external	4,271	4,271	996	1,137	141
Investment returns	4,685	4,685	-	-	-
Other revenue	5,604	5,604	1,365	1,708	343
<b>Total revenue</b>	<b>254,569</b>	<b>254,569</b>	<b>65,430</b>	<b>62,732</b>	<b>(2,698)</b>
<b>Expenses</b>					
Employee benefits	80,389	80,389	20,950	21,031	81
Materials and services	119,731	119,731	25,990	22,885	(3,105)
Finance costs other	562	562	77	108	31
Other expenditure	398	398	119	74	(45)
Net internal costs	(814)	(814)	(204)	(250)	(46)
<b>Total expenses</b>	<b>200,266</b>	<b>200,266</b>	<b>46,932</b>	<b>43,848</b>	<b>(3,084)</b>
<b>Earnings before interest, tax and depreciation (EBITD)</b>	<b>54,303</b>	<b>54,303</b>	<b>18,498</b>	<b>18,884</b>	<b>386</b>
Interest expense	3,195	3,195	805	829	24
Depreciation and amortisation	50,628	50,628	12,657	13,456	799
<b>OPERATING SURPLUS/(DEFICIT)</b>	<b>479</b>	<b>479</b>	<b>5,036</b>	<b>4,599</b>	<b>(437)</b>

### Levies and utility charges breakup For the period ending 30 September 2016

	Annual	Annual	YTD	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual \$000	Variance \$000
<b>Levies and utility charges</b>					
Refuse charges	20,903	20,903	5,226	5,150	(76)
Special charges	3,974	3,974	994	995	1
SES Separate charge	331	331	83	83	-
Environment levy	6,093	6,093	1,523	1,534	11
Landfill remediation charge	2,795	2,795	699	703	4
Wastewater charges	42,254	42,254	10,564	10,677	113
Water access charges	17,989	17,989	4,497	4,527	30
Water consumption charges	38,098	38,098	9,523	8,495	(1,028)
<b>Total Levies and utility charges</b>	<b>132,436</b>	<b>132,436</b>	<b>33,109</b>	<b>32,164</b>	<b>(945)</b>

## 7. CAPITAL FUNDING STATEMENT

### CAPITAL FUNDING STATEMENT For the period ending 30 September 2016

	Annual	Annual	YTD	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual \$000	Variance \$000
<b>Sources of capital funding</b>					
Capital contributions and donations	29,425	29,425	6,201	6,659	458
Capital grants and subsidies	2,824	3,024	538	508	(30)
Proceeds on disposal of non-current assets	630	1,091	276	97	(179)
Capital transfers (to)/ from reserves	(15,839)	(14,382)	(1,033)	(3,705)	(2,672)
Non-cash contributions	3,144	3,144	786	15	(771)
Funding from general revenue	64,549	69,862	12,029	12,001	(28)
<b>Total sources of capital funding</b>	<b>84,733</b>	<b>92,164</b>	<b>18,797</b>	<b>15,575</b>	<b>(3,222)</b>
<b>Application of capital funds</b>					
Contributed assets	3,144	3,144	786	15	(771)
Capitalised goods and services	71,905	79,336	12,666	13,257	591
Capitalised employee costs	5,133	5,133	794	1,165	371
Loan redemption	4,551	4,551	4,551	1,138	(3,413)
<b>Total application of capital funds</b>	<b>84,733</b>	<b>92,164</b>	<b>18,797</b>	<b>15,575</b>	<b>(3,222)</b>
<b>Other budgeted items</b>					
Transfers to constrained operating reserves	(11,683)	(11,683)	(2,890)	(3,058)	(168)
Transfers from constrained operating reserves	10,321	10,321	1,469	1,226	(243)
WDV of assets disposed	919	919	230	-	(230)

## 8. REDLAND WATER & REDWASTE STATEMENTS

### REDLAND WATER SUMMARY OPERATING STATEMENT For the period ending 30 September 2016

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Total revenue	102,096	102,096	25,524	24,691	(833)
Total expenses	57,907	57,907	13,465	12,284	(1,181)
Earnings before interest, tax and depreciation (EBITD)	44,189	44,189	12,059	12,407	348
Depreciation	16,505	16,505	4,126	4,503	377
Operating surplus/(deficit)	27,684	27,684	7,933	7,904	(29)

### REDLAND WATER CAPITAL FUNDING STATEMENT For the period ending 30 September 2016

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Capital contributions, donations, grants and subsidies	6,539	6,539	1,889	2,383	494
Net transfer (to)/from constrained capital reserves	(713)	127	997	56	(941)
Other	3,065	3,065	766	-	(766)
Funding from utility revenue	7,993	9,045	792	627	(165)
<b>Total sources of capital funding</b>	<b>16,883</b>	<b>18,776</b>	<b>4,444</b>	<b>3,066</b>	<b>(1,378)</b>
Contributed assets	3,065	3,065	766	-	(766)
Capitalised expenditure	13,818	15,711	3,678	3,066	(612)
<b>Total applications of capital funds</b>	<b>16,883</b>	<b>18,776</b>	<b>4,444</b>	<b>3,066</b>	<b>(1,378)</b>

### REDWASTE OPERATING STATEMENT For the period ending 30 September 2016

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Total revenue	24,137	24,137	5,941	5,876	(65)
Total expenses	18,155	18,155	4,629	4,062	(567)
Earnings before interest, tax and depreciation (EBITD)	5,982	5,982	1,312	1,814	502
Interest expense	40	40	10	10	-
Depreciation	572	572	143	39	(104)
Operating surplus/(deficit)	5,370	5,370	1,159	1,765	606

### REDWASTE CAPITAL FUNDING STATEMENT For the period ending 30 September 2016

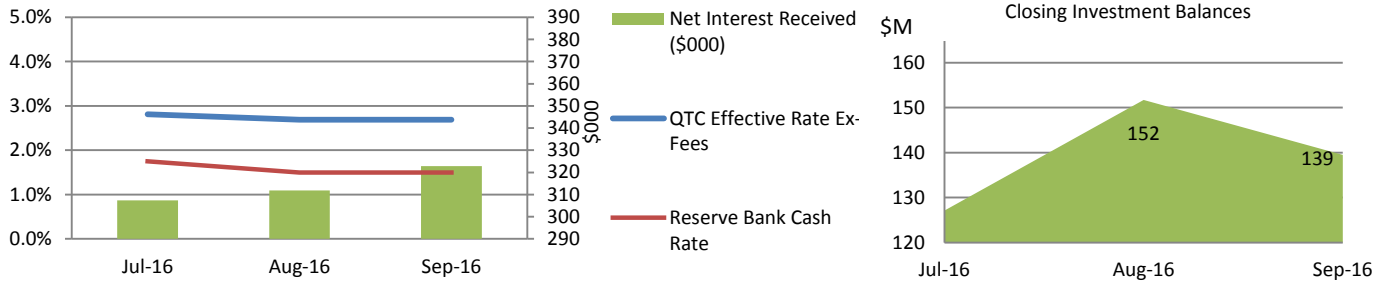
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Funding from utility revenue	307	1,475	203	246	43
<b>Total sources of capital funding</b>	<b>307</b>	<b>1,475</b>	<b>203</b>	<b>246</b>	<b>43</b>
Capitalised expenditure	233	1,400	128	227	99
Loan redemption	75	75	75	19	(56)
<b>Total applications of capital funds</b>	<b>307</b>	<b>1,475</b>	<b>203</b>	<b>246</b>	<b>43</b>



## 9. INVESTMENT & BORROWINGS REPORT

For the period ending 30 September 2016

### INVESTMENT RETURNS



**Total Investment at End of Month was \$139.49M**

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

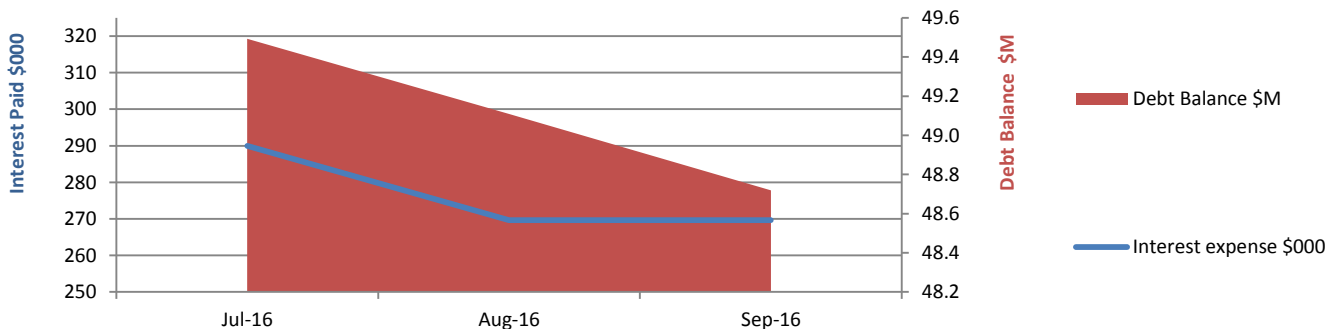
The movement in interest earned is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by business cash flow requirements on a monthly basis. The movement in investment balance is reflective of the rating cycle.

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 to ensure Council maximises its interest earnings. On a daily basis, cash surplus to requirements are deposited with QTC to earn higher interest as QTC is offering a higher rate than what is achieved from Council's transactional bank accounts.

Council adopted its revised Investment Policy (POL-3013) in May 2016 for the 2016-17 financial year

### BORROWING COSTS



**Total Borrowings at End of Month was \$48.72M**



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.

As QTC loan statements for September 2016 had not been received before end of month closure, the interest expense for August 2016 has been accrued to the accounts as an indication of expected charges for September. Interest expense for September will be amended to reflect actual expenses once statements have been received.

Council adopted its revised Debt Policy (POL-1838) in July 2016 for the 2016-17 financial year



### 10. CONSTRAINED CASH RESERVES

Reserves as at 30 September 2016	Opening Balance	To Reserve	From Reserve	Closing Balance
	\$000	\$000	\$000	\$000
<b>Special Projects Reserve:</b>				
Weinam Creek Reserve	2,406	279	(8)	2,677
Red Art Gallery Commissions & Donations Reserve	2	-	-	2
	<b>2,408</b>	<b>279</b>	<b>(8)</b>	<b>2,679</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	1,001	(66)	10,085
East Thornlands Road Infrastructure Reserve	674	-	-	674
Community Facility Infrastructure Reserve	1,696	208	-	1,904
Retail Water Renewal & Purchase Reserve	8,911	599	-	9,510
Sewerage Renewal & Purchase Reserve	6,516	1,785	(2,440)	5,861
Constrained Works Reserve-Capital Grants & Contributions	1,549	-	-	1,549
Transport Trunk Infrastructure Reserve	21,897	2,027	(12)	23,912
Cycling Trunk Infrastructure Reserve	5,844	597	(316)	6,125
Stormwater Infrastructure Reserve	5,613	442	-	6,055
Constrained Works Reserve-Operational Grants & Contributions	1,666	-	(17)	1,649
Tree Planting Reserve	64	5	-	69
	<b>63,580</b>	<b>6,664</b>	<b>(2,851)</b>	<b>67,393</b>
<b>Separate Charge Reserve - Environment:</b>				
Environment Charge Acquisition Reserve	6,794	-	-	6,794
Environment Charge Maintenance Reserve	1,243	1,534	(665)	2,112
	<b>8,037</b>	<b>1,534</b>	<b>(665)</b>	<b>8,906</b>
<b>Special Charge Reserve - Other:</b>				
Bay Island Rural Fire Levy Reserve	-	63	(53)	10
SMBI Translink Reserve	13	233	(238)	8
	<b>13</b>	<b>296</b>	<b>(291)</b>	<b>18</b>
<b>Special Charge Reserve - Canals:</b>				
Raby Bay Canal Reserve	4,113	701	(185)	4,629
Aquatic Paradise Canal Reserve	3,685	229	(170)	3,744
Sovereign Waters Lake Reserve	438	14	(10)	442
	<b>8,236</b>	<b>944</b>	<b>(365)</b>	<b>8,815</b>
<b>TOTALS</b>	<b>92,174</b>	<b>9,717</b>	<b>(4,180)</b>	<b>97,711</b>

Closing cash and cash equivalents	<b>139,884</b>
Reserves as percentage of cash balance	<b>70%</b>

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

## 11. GLOSSARY

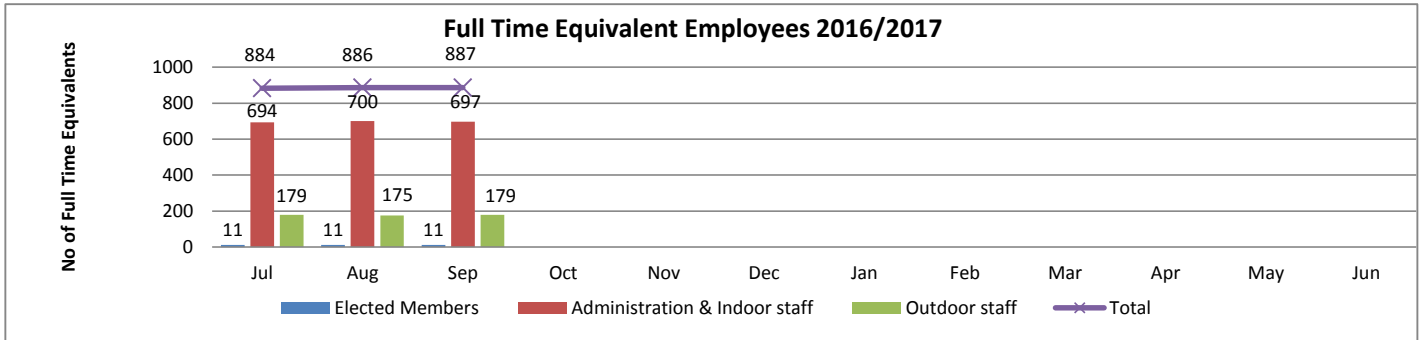
### Definition of Ratios

<b>Operating Surplus Ratio*:</b> <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> <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> <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> <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> <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> <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> <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> <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> <i>This ratio provides an indication of Redland City Council's cash flow capabilities</i>	$\frac{\text{Net Cash from Operations + Interest Revenue and Expense}}{\text{Cash Operating Revenue + Interest Revenue}}$
<b>Interest Cover Ratio:</b> <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



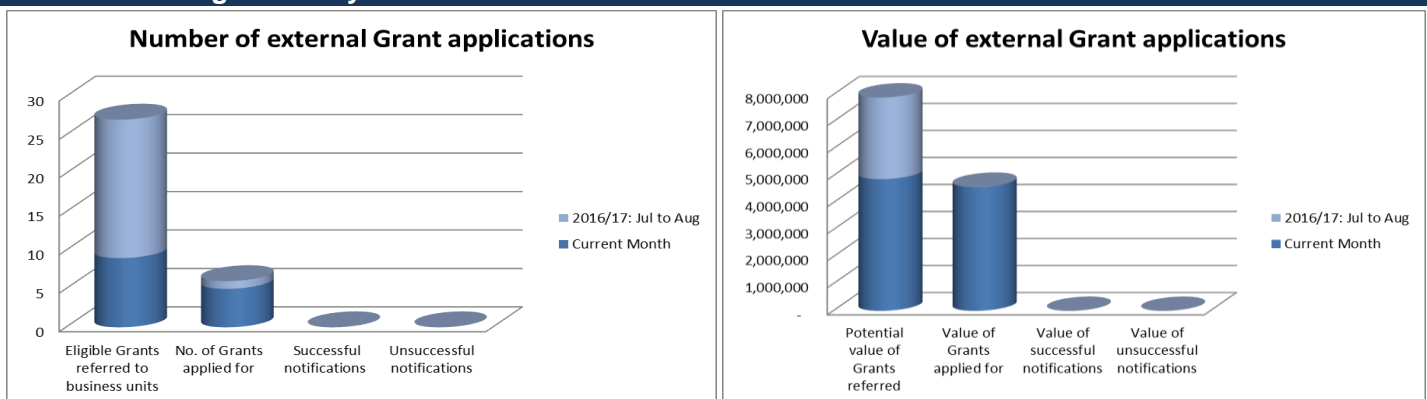
Department Level	Employee Type							Grand Total
	Casual	Contract of Service	Perm Full	Perm Part	Temp Full	Temp Part		
Office of CEO	15	3	86	11	14	4	133	
Organisational Services	3	6	105	9	6	4	133	
Community and Customer Service	38	5	242	52	20	5	362	
Infrastructure and Operations	19	6	312	8	10	2	357	
<b>Total</b>	<b>75</b>	<b>20</b>	<b>745</b>	<b>80</b>	<b>50</b>	<b>15</b>	<b>985</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	Sep-15	% Overdue	Sep-16	% Overdue	\$ Variance	% Variance
<90	\$2,667,717	4.25%	\$3,050,778	4.7%	\$383,061	0.44%
90 - 180 days	\$1,058,914	1.69%	\$1,056,914	1.6%	-\$2,000	-0.06%
>180 days	\$2,845,953	4.53%	\$2,598,190	4.0%	-\$247,763	-0.54%
<b>Total</b>	<b>\$6,572,585</b>	<b>10.47%</b>	<b>\$6,705,883</b>	<b>10.31%</b>	<b>\$133,297</b>	<b>-0.17%</b>

### External Funding Summary



#### Month of September 2016/17

**Applications submitted:**

Ex-HMAS Tobruk EOI  
Local Government Subsidy Scheme Program x 2 applications  
Screen Queensland - Nandeebie Screen Festival  
Lasting Legacies (Anzac) Grant Program

**Referred Opportunities and application pending (subject to project eligibility):**

Catalyst Arts and Culture Fund  
State Infrastructure Fund  
Maturing the Infrastructure Pipeline Fund

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

Community Resilience Funding Program

#### YTD 2016/17

The YTD main funding applications submitted include:

- Ex-HMAS Tobruk EOI - Economic benefit in first year - \$1.50M
- Local Government Subsidy Scheme Program x 2 applications:
  - Thorneside WWTP (Package of 5 separate projects) - \$2.96M
  - Indigiscapes Native Plant Nursery - \$0.11M

**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 put in place a new **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)*. The current 12 month contract expires on 31 December 2016 with no option to renew.

**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:

- 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 and budgeted 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. That 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) a new contractual arrangement be put in place for a period of 36 months under the sole supplier exemption.
2. That 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 RESOLUTION**

Moved by: Cr T Huges  
Seconded by: Cr P Bishop

That 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. A new contractual arrangement is put in place for a period of 36 months under the sole supplier exemption.

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

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**11.2 COMMUNITY & CUSTOMER SERVICES****11.2.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 & 3 DEVELOPMENTS**

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

**Attachment:** [25.09.2016 to 10.08.2016 Decisions Made Under Delegated Authority](#)

**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/ COUNCIL RESOLUTION**

**Moved by: Cr W Boglary**

**Seconded by: Cr P Gleeson**

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

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

## Decisions Made Under Delegated Authority 25 September 2016 to 1 October 2016

### CATEGORY 1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
BWP003676	Combined Design & Siting and Build Over Sewer - Domestic Outbuilding	The Certifier Pty Ltd	1 Anhs Place Wellington Point QLD 4160	Concurrence Agency Referral	30/09/2016	NA	Approved	1
BWP003747	Retaining Wall	Alan Gordon BARKER	15-19 Valley Road Wellington Point QLD 4160	Code Assessment	29/09/2016	NA	Development Permit	1
BWP003773	Design and Siting - Outbuilding (shed)	DBR Building Certification	48 Redruth Road Alexandra Hills QLD 4161	Concurrence Agency Referral	30/09/2016	NA	Approved	7
BWP003794	Design and Siting - Fence	PBJ Building Certification	26 Mainroyal Court Cleveland QLD 4163	Concurrence Agency Referral	28/09/2016	NA	Approved	2
BWP003795	Design and Siting - Dwelling	Bartley Burns Certifiers & Planners	70 Spoonbill Street Birkdale QLD 4159	Concurrence Agency Referral	26/09/2016	NA	Approved	10
BWP003801	Design and Siting - Carport	The Certifier Pty Ltd	11 Bond Street Cleveland QLD 4163	Concurrence Agency Referral	27/09/2016	NA	Approved	2
BWP003808	Design and Siting - Dwelling	Cornerstone Building Certification	19 Kassandra Street Cleveland QLD 4163	Concurrence Agency Referral	30/09/2016	NA	Approved	2
BWP003813	Design & Siting - Dwelling House	The Certifier Pty Ltd	34 Stradbroke Street Redland Bay QLD 4165	Concurrence Agency Referral	26/09/2016	NA	Approved	5
BWP003814	Design and Siting - Carport	Fluid Approvals	18 Meredith Place Redland Bay QLD 4165	Concurrence Agency Referral	26/09/2016	NA	Approved	4
BWP003817	Design and Siting - Dwelling	Apex Certification & Consulting	12 Arkwright Street Thornlands QLD 4164	Concurrence Agency Referral	26/09/2016	NA	Approved	3
BWP003820	Design and Siting - Carport	DBR Building Designs	8 Crows Ash Street Mount Cotton QLD 4165	Concurrence Agency Referral	28/09/2016	NA	Approved	6

MCU013814	Dwelling House	Attila Leslie MARTA Sian Louise MARTA	596 German Church Road Redland Bay QLD 4165	Code Assessment	28/09/2016	NA	Development Permit	6
MCU013818	Secondary Dwelling	Helen Mary COCHRANE	3 Venn Parade Thornlands QLD 4164	Code Assessment	29/09/2016	NA	Development Permit	3
MCU013821	Dwelling House and Shed	Bay Island Designs	59 Perulpa Drive Lamb Island QLD 4184	Code Assessment	30/09/2016	NA	Development Permit	5
OPW002068	Advertising Device	Victoria Point Uniting Church	13-15 Point O'Halloran Road Victoria Point QLD 4165	Code Assessment	26/09/2016	NA	Approved	4

## CATEGORY 2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW002087	Prescribed Tidal Works - New Pontoon/Gangway Structure	Gcproperty Pty Ltd	25 Seacrest Court Cleveland QLD 4163	Code Assessment	29/09/2016	NA	Development Permit	2

## Decisions Made Under Delegated Authority 02.10.2016 to 08.10.2016

### CATEGORY 1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
BWP003694	Retaining Wall	Development Certification	81 Scotts Road Macleay Island QLD 4184	Impact Assessment	4/10/2016	NA	Development Permit	5
MCU013841	Dwelling House ADA	Kusan Sachintha WICKRAMAARACHCHI GE	67 Bangalow Street Russell Island QLD 4184	Code Assessment	5/10/2016	NA	Development Permit	5
BWP003738	Combined - Design and Siting - Dwelling House and Build over Sewer	Simonds Homes	118 Balthazar Circuit Mount Cotton QLD 4165	Concurrence Agency Referral	7/10/2016	NA	Approved	6
BWP003787	Retaining Wall	Sanjane KONESHAMOORTHY  Suncoast Building Approvals	6 Jameson Street Capalaba QLD 4157	Code Assessment	5/10/2016	NA	Development Permit	9
BWP003792	Retaining Wall over 1 metre	Torre Developments	1 Base Street Victoria Point QLD 4165	Code Assessment	5/10/2016	NA	Development Permit	4
BWP003805	Design and Siting - Dwelling House	Paul Andrew CURTIS	45 Pyrus Place Redland Bay QLD 4165	Concurrence Agency Referral	4/10/2016	NA	Approved	6
BWP003807	Design and Siting - Dwelling	Suncoast Building Approvals	173C Mount Cotton Road Capalaba QLD 4157	Concurrence Agency Referral	4/10/2016	NA	Approved	9
BWP003812	Design and Siting - Additions to existing house	The Certifier Pty Ltd	329 Mount Cotton Road Capalaba QLD 4157	Concurrence Agency Referral	4/10/2016	NA	Approved	9
BWP003815	Design and Siting - Carport	All Approvals Pty Ltd	5 Coniston Street Alexandra Hills QLD 4161	Concurrence Agency Referral	6/10/2016	NA	Approved	7
BWP003818	Design and Siting - Boat Port	Fastrack Building Certification	3 Dynasty Court Alexandra Hills QLD 4161	Concurrence Agency Referral	7/10/2016	NA	Approved	7
BWP003819	Design and Siting - Carport	DBR Building Designs	3 Pentecost Place Redland Bay QLD 4165	Concurrence Agency Referral	5/10/2016	NA	Approved	6
BWP003821	Design and Siting - Carport	DBR Building Designs	90 Sycamore Parade Victoria Point QLD 4165	Concurrence Agency Referral	7/10/2016	NA	Approved	4




BWP003825	Design and Siting - Caravan Port and Roof Extension	The Certifier Pty Ltd	29 Kubler Crescent Redland Bay QLD 4165	Concurrence Agency Referral	7/10/2016	NA	Approved	6
BWP003828	Design and Siting - Dwelling	Professional Certification Group	36 Affinity Way Thornlands QLD 4164	Concurrence Agency Referral	5/10/2016	NA	Approved	3
BWP003835	Design and Siting and Build over Infrastructure - Dwelling	Total Building Consult Pty Ltd	23 Tolson Terrace Ormiston QLD 4160	Concurrence Agency Referral	6/10/2016	NA	Approved	1
MCU013803	Dwelling House	Statewide Survey Group Pty Ltd Consulting Surveyors	491 Redland Bay Road Capalaba QLD 4157	Code Assessment	5/10/2016	NA	Development Permit	7
MCU013808	Dual Occupancy	Temptation Homes Pty Ltd	6 Joshua Place Redland Bay QLD 4165	Code Assessment	7/10/2016	NA	Development Permit	6
ROL006069	Boundary Realignment (4 into 4 lots) and Access Easement	Place Design Group Pty Ltd	76 Kinross Road Thornlands QLD 4164	Code Assessment	6/10/2016	NA	Development Permit	7

## CATEGORY 2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
ROL006101	ROL - 5 lots into 10 lots	Sutgold Pty Ltd	39-49 Collins Street Redland Bay QLD 4165	Code Assessment	4/10/2016	NA	Development Permit	6

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## 11.2.2 PLANNING & ENVIRONMENT COURT MATTERS LIST – CURRENT AT 11 OCTOBER 2016

<b>Objective Reference:</b>	<b>A124442</b> <b>Reports and Attachments (Archives)</b>
<b>Authorising Officer:</b>	 <b>Louise Rusan</b> <b>General Manager Community and Customer Services</b>
<b>Responsible Officer:</b>	<b>David Jeanes</b> <b>Group Manager City Planning and Assessment</b>
<b>Report Authors:</b>	<b>Kim Peeti</b> <b>Acting Service Manager Planning Assessment</b> <b>Graham Simpson</b> <b>Service Manager Development Control</b>

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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.
-

**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. 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 set down for 21 October 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 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. Minor change application to be heard in court 12 October 2016. Matter 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) 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 - (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 held 27-30 September 2016. Final submissions 7 October 2016. Awaiting judgement.

<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. Without Prejudice meeting held 11 October 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.

<b>8.</b>	<b>File Number:</b>	Appeal 4004 of 2016 - (BD155692)
	<b>Applicant:</b>	<b>Michelle Maree Webb</b>
	<b>Application Details:</b>	Dwelling House at 236-246 Queen Street, Cleveland Building works (deemed material change of use in accordance with s265 of the <i>Sustainable Planning Act 2009</i> )
	<b>Appeal Details:</b>	Applicant appeal against Council refusal
	<b>Current Status:</b>	Appeal filed 5 October 2016.

### OTHER PLANNING & ENVIRONMENT COURT MATTERS/PROCEEDINGS

<b>9.</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>10.</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>11.</b>	<b>File Number:</b>	3870 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>	Proceedings filed 23 September 2016. Court return date scheduled for 27 October 2016.

<b>12.</b>	<b>File Number:</b>	3871 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>	Proceedings filed 23 September 2016. Court return date scheduled for 27 October 2016.

<b>13.</b>	<b>File Number:</b>	3873 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>	Proceedings filed 23 September 2016. Court return date scheduled for 28 October 2016.

### **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

**Moved by:** Cr Cr P Gollè  
**Seconded by:** Cr M Edwards

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

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Elliott declared a perceived conflict of interest in the following item, stating that his daughter works at Ormiston College Early Learning Centre. Cr Elliott chose to remain in the room and voted in the best interest of the community.

### 11.2.3 ORMISTON COLLEGE LAND EXCHANGE

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

**Attachment:** [Land Exchange Plan](#)

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

**Responsible Officer:** Gary Photinos  
Group Manager Environment and Regulation

**Report Author:** Merv Elliott  
Principal Property Consultant

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### PURPOSE

To seek approval for an agreement to be made between Redland City Council (Council) and Ormiston College (College) under section 15 of the *Acquisition of Land Act* for an exchange of land by realigning property boundaries between lands owned by the parties.

### BACKGROUND

The College has approached Council with a proposal to realign boundaries and exchange lands to allow for their current lands to be better utilised for the development of an additional sports field.

There are a number of lots involved whereby portions of Council lands will be exchanged for similarly sized Ormiston College lands creating a right line boundary which will allow for a new sports field to be developed.

The proposal will result in the College having a new Lot 100 on Plan D attached incorporating exchanged Council lands. Council will have a new Lot 99 on the same plan incorporating College lands. The College have requested an exchange of lands as shown on the attached plan as follows:

- Council lands are shown shaded yellow containing 4456m<sup>2</sup>, and
- College lands are shaded pink containing 4774m<sup>2</sup>.

The land exchange is undertaken on equal value of the exchanged lands, although it is acknowledged Council will gain an additional 318 m<sup>2</sup>. The proposal also passes “the public interest” test in order for Council to resolve an exemption from tender or auction for the disposal of land to an adjoining land owner.

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## ISSUES

The proposal is beneficial to both parties and is supported by City Spaces Group who considers the lands being obtained by Council has higher conservation value than the land being given up to the College.

The College has been assessing ways to expand the ovals and sporting facilities at the College to enhance the extra-curricular aspects and high standard of education provided. This process started around two years ago. When assessing undeveloped land currently owned by the College it became evident expansion into these areas would require removal of many potentially valuable trees, while other spaces adjoining the College were comparatively barren or contained scrappy regrowth.

Enquiries were made with Council, initial surveys were completed and onsite inspections with Council officers were conducted. The result of these processes was that all involved could readily see the logic in a land swap that would achieve many mutual benefits. These benefits (the public interest) included:

1. Transfer of land to Council/community ownership which contained more valuable stands of trees;
2. Reciprocal transfer of lands to the College would have much lower environmental impact and significantly less tree removal;
3. Improvement of current irregular boundaries to achieve more regular shaped land parcels; and
4. The College agreeing to provide more land (318m<sup>2</sup>) to Council and the community than it would receive.

For the land to be granted to the College to be useful for sporting facilities [e.g. extension of the current ovals], it will require some fill and would also most likely will require some retaining walls or embankments. These works would need to be completed at the College's expense.

The College arranged for surveyors to calculate the areas of the parcels of land to be "swapped" as well as peg the extremities of the possible areas that could be added to the current College campus. Onsite inspections were carried out with College and Council staff. Council also assessed the relative environmental gains of the proposal and subsequently advised support for the new proposed boundaries.

Following this strong initial support, more accurate area calculations were completed. Cr Wendy Boglary as Councillor for this location at the time also visited the College to inspect the locations. Subsequent consultations have now been undertaken with the new divisional Councillor Tracey Huges.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

#### Local Government Regulations 2012

The proposed exchange meets legislative requirements of the *Local Government Regulation 2012*. In particular section 236 of the regulations allows Council to make

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exemptions for the disposal of land to adjoining land owners if it is in the public interest to dispose of the land without a tender or auction.

### Acquisition of Land Act 1967

The mechanism for implementing the land exchange and property realignment is proposed as an acquisition agreement under section 15 of the *Acquisition of Land Act*. Section 15 agreements are exempt from any further requirements under the Sustainable Planning Act and Regulations.

### **Risk Management**

None identified.

### **Financial**

Council has the authority to approve the land exchange with the adjoining land owner on the basis of equal value or more than the market value of the land or interest in the land. Council's Principal Property Consultant has formed the opinion land values are equal with an additional benefit to Council from a slightly larger land allocation.

All costs including the preparation of the survey plans and preparation of legal documentation will be a responsibility of the College.

### **People**

None identified.

### **Environmental**

Better environmental outcomes will be achieved by the proposed exchange.

### **Social**

The community and College patrons will benefit from the proposal.

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

Council's Corporate Plan which incorporates "Strong and Connected Communities" supports this proposal.

### **CONSULTATION**

Principal Property Consultant has consulted with the Local Councillor and Officers from City Spaces. Council's Acting General Counsel and external solicitors have reviewed the proposed process and provided their endorsement.

### **OPTIONS**

#### **Preferred Option: Council approves the boundary realignment and land exchange.**

That Council resolves to:

1. Approve an acquisition agreement prepared under section 15 of the *Acquisition of Land Act 1967* to effect a boundary realignment and exchange of land:
  - a) being a portion of Council land on Lot 1 RP184459 (3578m<sup>2</sup>) and portion of land on Lot 2 RP 181639 (276m<sup>2</sup>), transferred



- b) for Ormiston College land being a portion of Lot 2 SP1066846 & Lot 1 RP 181639 (1529m<sup>2</sup>) and portion of Lot 1 RP 181639 & Lot 2 RP184458 (3245m<sup>2</sup>), and
  - c) creating a new Council lot 99 on Plan D and Ormiston College Lot 100 on Plan D as attached.
2. Be exempt from tender or auction for valuable non-current asset contracts under section 236 *Local Government Regulation 2012* for the land exchange as the Council land being exchanged is in the public interest,
  3. That the Chief Executive Officer be authorised to make, vary, and sign all documents to give effect to the acquisition agreement.

### **Alternative Option: Council declines the proposal**

That Council resolves to decline the proposed Ormiston College land exchange and boundary realignment as it is not in the public interest.

### **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

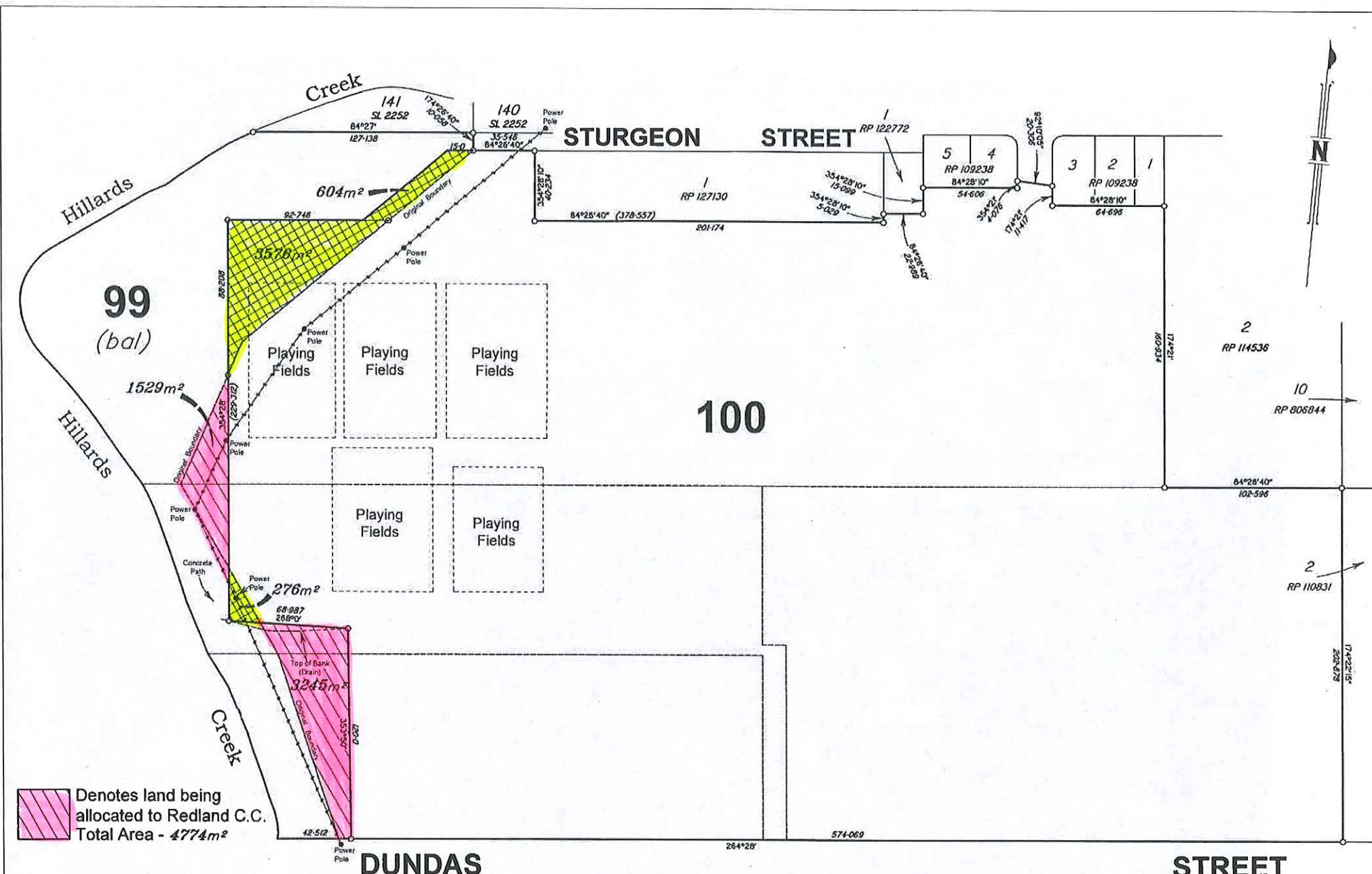
Moved by: Cr W Boglary  
Seconded by: Cr T Huges


That Council resolves as follows:


1. To approve an acquisition agreement prepared under section 15 of the *Acquisition of Land Act 1967* to effect a boundary realignment and exchange of land:
  - a) being a portion of Council land on Lot 1 RP184459 (3578m<sup>2</sup>) and portion of land on Lot 2 RP 181639 (276m<sup>2</sup>), transferred;
  - b) for Ormiston College land being a portion of Lot 2 SP1066846 & Lot 1 RP 181639 (1529m<sup>2</sup>) and portion of Lot 1 RP 181639 & Lot 2 RP184458 (3245m<sup>2</sup>); and
  - c) creating a new Council lot 99 on Plan D and Ormiston College Lot 100 on Plan D as attached;
2. To be exempt from tender or auction for valuable non-current asset contracts under section 236 *Local Government Regulation 2012* for the land exchange as the Council land being exchanged is in the public interest; and
3. That the Chief Executive Officer (under s.257(1)(b) of the *Local Government Act 2009*) be authorised to make, vary, and sign all documents to give effect to the acquisition agreement.

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.



 Denotes land being allocated to Redland C.C.  
 Total Area - 4774m<sup>2</sup>

 Denotes land being allocated to Ormiston College  
 Total Area - 4456m<sup>2</sup>

Scale 1:2000 - Lengths are in Metres.  
 0 20 40 60 80 100 120 140 160 180 200 220 240 260 280

Proposed Lots 99 & 100  
 Cancelling Lots 1 & 2 on RP 181639, Lots 1 & 2 on RP 184458,  
 Lot 1 on RP 184459, Lot 3 on RP 49638 and  
 Lot 2 on SP 105846

**D**


REVISIONS	ASSOCIATED CONSULTANTS	SURVEYOR	DATE	LEVEL DATUM	CLIENT	SITE	SCALE
1-1-16 Re-layout			01/10/2013	N/A	Ormiston College	Ormiston College Dundas Street West, Ormiston	1:2000 (A3)
2-11-18 RCC Overlay		DRAWN	DATE				PLAN REF: J0061-P1
		PDR	AJP				

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**11.3 INFRASTRUCTURE & OPERATIONS****11.3.1 CIG – SOLE SUPPLIERS – INFRASTRUCTURE & OPERATIONS**

**Objective Reference:** A1976725  
Reports and Attachments (Archives)

**Attachments:** [Payment Transaction 2015-16 Financial Year RDM Sole Suppliers](#)

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

**Responsible Officer:** Murray Erbs  
Group Manager City Infrastructure

**Report Author:** John Frew  
Service Manager Roads Drainage & Marine

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**PURPOSE**

The purpose of this report is to seek resolution from Council to enter into a contractual arrangement with various suppliers without first inviting written quotes or tenders pursuant to section 235 of the *Local Government Regulation 2012 (LGR2012)* for a further 12 months. Note that this is an extension of a sole supplier arrangement first entered into on 7 October 2015.

Section 235 provides a number of exceptions to inviting written quotes or tenders in relation to medium-sized (\$15,000 or more but less than \$200,000 in a financial year) and large-sized (\$200,000 or more in a financial year) contractual arrangements however many of the goods and services that may be procured from the supplier during the relevant period will be worth less than these threshold amounts.

The relevant exceptions in section 235 are where Council resolves:

It is satisfied that there is only one supplier who is reasonably available (s235(a)); or because of the specialised nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders (s235(b)).

**BACKGROUND**

Council's Roads, Drainage & Marine (RDM) unit uses a small number of specialised products that are not available from other suppliers due to patents and licensing arrangements. Alternative products that purport to fulfil a similar function have been either trialled or investigated and found to be inferior in all cases.

**ISSUES****Sound contracting principles**

In considering this procurement plan and the establishment of the attached list of suppliers, RDM have had regard to sound contracting principles. All reasonable steps have been taken to establish that there is only one supplier in Australia and that no comparable products exist from other suppliers.

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## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

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

1. the local government resolves it is satisfied that there is only one supplier who is reasonably available; or
2. 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.

### **Risk Management**

There are no associated risks.

### **Financial**

There are no financial implications.

### **People**

There are no associated implications.

### **Environmental**

The products that are the subject of this report have no environmental implications and are supplied with complaint MSDS sheets.

### **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**

- Service Manager, RDM for budget forecasts for maintenance on pathways;
- Service Manager Risk & Liability about injury claims and the legal liabilities incurred by Redland City Council over the previous 5 years from March 2007 to March 2013;
- Concrete Institute of Australia was consulted as to other products that may be available for this type of usage;
- Standard Drawing will be referenced in the near future in the new City Planning Manual currently being compiled by consultants working under the direction of Principal Engineer, City Infrastructure;
- Department of Transport & Main Roads maintenance staff; and
- Business Partnering Unit.

## **OPTIONS**

1. That Council resolves to award sole supplier status to the attached list of suppliers in accordance with section 235(a) of the *Local Government Regulation 2012* because:

- a) The local government resolves it is satisfied that there is only one supplier who is reasonably available, and;
  - b) That this be effective immediately until 20 June 2017.
2. That Council resolves not to adopt the officer's recommendation.

### **OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr T Huges  
Seconded by: Cr P Gleeson

That Council resolves as follows:

1. To award sole supplier status to the attached list of suppliers in accordance with section 235(a) of the *Local Government Regulation 2012* because the local government resolves it is satisfied that there is only one supplier who is reasonably available and;
2. That this contractual arrangement be effective immediately until 30 June 2017.

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

## ATTACHMENT 1

### Payment Transactions 2015-16 Financial Year

<b>Account</b>	<b>Description</b>	<b>ABN</b>	<b>Amount (inc GST)</b>
11612.01	Tripstop Pty Ltd	450 995 003 84	\$15,896.00
15215.01	The Britstop	160 445 416 88	\$102,867.00

## **ATTACHMENT 2**

### **RDM Sole Suppliers**

In accordance with Section 235(a) and (b) of the *Local Government Regulation 2012*, Redland City Council (RCC) is satisfied that the suppliers numbered 1 to 2 are the only suppliers reasonably available to supply the goods or services required by Council:

1. Tripstop Pty Ltd ABN 450 995 003 84

This supplier provides a concrete joint product called "Tripstop". This product is unique in the market and creates a hinge at concrete joints that allows the adjoining concrete slabs to rotate without displacing vertically across the joint. This function is particularly useful on concrete footpaths where tree root uplift is a problem. There are many other construction jointing products available on the market but none that allows the joint to remain functional while being lifted by tree roots (sometimes in excess of 50mm). Tripstop has been successfully used by RCC since 2007 and is only available from Tripstop Pty Ltd.

2. The Britstop ABN 160 445 416 88

This supplier provides bagged asphaltic material for use in pothole repairs. The product is called "Viafix". RCC has used many cold asphaltic products for pothole repairs over the years with varying degrees of success. With the exception of Viafix, all have demonstrated average to poor durability, which results in re-work and complaints from the public. Viafix is more expensive than other products used, in some cases substantially more expensive, but the whole of life benefits provided by longevity of repair and lack of re-work more than compensate for the additional initial cost of the product. Since first using Viafix four years ago, pothole repair failures have been limited to extreme circumstances such as ongoing road pavement failure adjacent to the pothole. Viafix is an imported product and is only available through Britstop.

## 12 MAYORAL MINUTE

At the General Meeting scheduled for 26 October 2016, the Mayor moved as follows:

### **COUNCIL RESOLUTION**

Moved by: Cr K Williams

That Council resolves to note that two motions presented to the LGAQ annual conference were approved and also notes the following wording which was added to the motion related to transitional services:

*“... and further, that the Local Government Association of Queensland lobby the State Government to review the current provisions of ‘community residence’ in the Queensland Planning Provisions v3.1 and include additional requirements to ensure Community Residences:*

- *are located in close proximity to public transport, services and possible employment areas;*
- *address impacts on existing residential amenity; and*
- *are not established without consultation with the relevant local government to ensure conformity with the local government planning policies and Queensland Planning Provisions v4.0 which came into effect on 8 January 2016, did not make any substantial policy changes due to the government’s proposed new planning legislation”*

**CARRIED 11/0**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

### **Background**

The annual Local Government Association of Queensland (LGAQ) Conference took place 18-20 October 2016. Mayor Karen Williams and Deputy Mayor Wendy Boglary were Council’s delegates at the event. At the General Meeting on 24 August 2016, Council adopted two motions for submission to the 2016 LGAQ Annual Conference:

- Increased accountability for transitional services; and
- State Government provision of infrastructure for designated growth regions

In 2015, Redland City Council presented a motion to the LGAQ Conference which related to community residences which was titled “Approval of the location of a “Community Residence” by Local Government – Amendment of QPP. The motion was carried last year and, in response to lobbying, LGAQ received a letter on 22 June 2016 from the Hon Jackie Trad, Deputy Premier, Minister for Infrastructure, Local Government and Planning advising that Queensland Planning Provisions v4.0, which came into effect on 8 January 2016, did not make any substantial policy changes due to the Government’s new planning legislation. The matters raised in the resolution will be addressed as part of the process of finalising the proposed Planning Bills and supporting instruments.

Officers have received advice that the Planning Regulation, which will accompany the new Act, will deal with the issue of community residences. However, officers have not yet seen the Planning Regulation so it is not yet known how the issue has been addressed.



As the issue of community residences is so closely related to the issue of transitional services and the issues raised at last year's conference had not yet been resolved, the Mayor and Deputy Mayor considered that the Conference provided an ideal opportunity to ask LGAQ to raise this important issue again with State Government whilst the Planning Regulations are still in development. The wording which was added is consistent with the motion put forward by Council last year.

### **13 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS**

Nil

### **14 NOTICES OF MOTION**

Nil

### **15 URGENT BUSINESS WITHOUT NOTICE**

Nil

### **16 CLOSED SESSION**

#### **MOTION TO CLOSE THE MEETING AT 10.00AM**

Moved by: Cr M Elliott

Seconded by: Cr M Edwards

That the meeting be closed to the public pursuant to Section 275(1) of the *Local Government Regulation 2012*, to discuss the following item:

#### **16.1.1 Investigation of Land Transfer**

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

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

CARRIED 11/0

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

#### **MOTION TO REOPEN MEETING AT 10.08AM**

Moved by: Cr M Edwards

Seconded by: Cr M Elliott

That the meeting be again opened to the public.

CARRIED 11/0

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

**16.1.1 INVESTIGATION OF LAND TRANSFER**

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

**Authorising Officer:**  
Bill Lyon  
Chief Executive Officer

**Responsible Officer:**  
Peter Kelley  
Chief Executive Officer – Redland  
Investment Corporation

**Report Author:** Anca Butcher  
Lawyer

**EXECUTIVE SUMMARY**

A confidential report from Office of the Chief Executive Officer was discussed in closed session in accordance with s.275(1) of the *Local Government Regulation 2012*.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

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

**That Council resolves to:**

- 1. Adopt Option 1; and**
- 2. Note that this report remains confidential.**

**CARRIED 10/1**

Crs Boglary, Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson and Williams voted FOR the motion.

Cr P Bishop voted AGAINST the motion.

**17 MEETING CLOSURE**

There being no further business, the Mayor declared the meeting closed at 10.08am.

**Signature of Chairperson:** \_\_\_\_\_

**Confirmation date:** \_\_\_\_\_