



**Redland**  
CITY COUNCIL

# **MINUTES**

## **GENERAL MEETING**

**Wednesday, 8 August 2018**

The Council Chambers  
91 - 93 Bloomfield Street  
CLEVELAND QLD

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**GENERAL MEETING**  
**HELD AT THE COUNCIL CHAMBERS, 91 - 93 BLOOMFIELD STREET, CLEVELAND QLD**  
**ON WEDNESDAY, 8 AUGUST 2018 AT 9.30AM**

**1 DECLARATION OF OPENING**

The Mayor declared the meeting open at 9.38am 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 Karen Williams (Mayor), Cr Wendy Boglary (Division 1), Cr Peter Mitchell (Division 2), Cr Paul Gollè (Division 3), Cr Lance Hewlett (Deputy Mayor and Division 4), Cr Mark Edwards (Division 5), Cr Julie Talty (Division 6), Cr Murray Elliott (Division 7), Cr Tracey Huges (Division 8), Cr Paul Gleeson (Division 9), Cr Paul Bishop (Division 10)

**EXECUTIVE LEADERSHIP TEAM:** Andrew Chesterman (Chief Executive Officer), John Oberhardt (General Manager Organisational Services), Louise Rusan (General Manager Community & Customer Services), Deborah Corbett-Hall (Chief Financial Officer), Claire Lovejoy (Acting General Counsel), Bradley Salton (Acting General Manager Infrastructure & Operations)

**MINUTES:** Liz Gaborit Corporate Meetings & Registers Coordinator

**COUNCILLOR ABSENCES DURING THE MEETING**

Cr Elliott entered the meeting at 9.46am (after Item 3).

Cr Gollè entered the meeting at 9.46am (after Item 3).

Mayor Williams left the meeting at 9.50am and returned at 9.52am (during Item 9). Deputy Mayor Hewlett assumed the Chair during this time.

**3 DEVOTIONAL SEGMENT**

Pastor Stephen Rothery, Uniting Church Cleveland and a member of the Minister's Fellowship led Council in a brief devotional segment.

**4 RECOGNITION OF ACHIEVEMENT**

Nil

**5 RECEIPT AND CONFIRMATION OF MINUTES****COUNCIL RESOLUTION 2018/99**

Moved by: Cr Murray Elliott

Seconded by: Cr Lance Hewlett

**That the minutes of the General Meeting held on 25 July 2018 be confirmed.**

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

**6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES****6.1 REQUEST FOR REPORT – PETITION REQUESTING THAT A COMMUNITY REFERENCE GROUP BE FORMED TO ASSIST COUNCIL TO PLAN FOR FUTURE USE OF COMMONWEALTH LAND AT BIRKDALE**

At the General Meeting of 6 June 2018 (Item 8.2 refers) Council resolved as follows:

*That the petition be received and referred to the Chief Executive Officer for consideration and a report to the Local Government.*

A report will be presented to a future meeting of Council.

**6.2 KOALA CONSERVATION ACTION PLAN 2016-2021 DELIVERY PROGRAM 2018-19 FINANCIAL YEAR**

At the General Meeting of 25 July 2018 (Item 13.4 refers) Council resolved as follows:

*That the item lie on the table.*

This report will be removed from the table at the General Meeting of Council on 22 August 2018.

**7 PUBLIC PARTICIPATION**

Nil

**8 PETITIONS AND PRESENTATIONS**

Nil

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

Mayor Karen Williams declared a perceived conflict of interest in Item 19.2 *Shoreline – Sewer Servicing Strategy*. The Mayor stated that she has previously declared a perceived conflict of interest in relation to this project and while she believed the project had been sold, she was unsure of the new ownership arrangement and was declaring a perceived conflict for transparency. The Mayor said she had considered her position not to be a real conflict of interest but understood that there may be a perceived conflict of interest.

Mayor Williams stated that she had considered her position and was firmly of the opinion that she could participate in the debate and vote on this matter in the public interest.

Mayor Williams left the meeting at 9.50am while the vote on her conflict of interest was taken and Deputy Mayor Hewlett assumed the Chair.

**9.1 CONFLICT OF INTEREST - MAYOR WILLIAMS****COUNCIL RESOLUTION 2018/100**

Moved by: Cr Wendy Boglary

Seconded by: Cr Paul Bishop

**That Mayor Karen Williams has a conflict of interest in Item 19.2 *Shoreline – Sewer Servicing Strategy*.**

**LOST 4/6**

Crs Wendy Boglary, Murray Elliott, Tracey Huges and Paul Bishop voted FOR the motion.

Crs Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty and Paul Gleeson voted AGAINST the motion.

Mayor Karen Williams was absent from the meeting.

Due to the motion above being LOST, Mayor Williams returned to the meeting, resumed the Chair and voted on the item.

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







Nil

**11 REPORTS FROM THE OFFICE OF THE CEO**

Nil

**12 REPORTS FROM ORGANISATIONAL SERVICES****12.1 MAKING SUBORDINATE LOCAL LAW 1.4 (INSTALLATION OF ADVERTISING DEVICES) 2017****Objective Reference:** A3254709**Authorising Officer:** John Oberhardt, General Manager Organisational Services**Responsible Officer:** Claire Lovejoy, Acting Group Manager Corporate Governance**Report Author:** Kristene Viller, Policy and Local Laws Coordinator

**Attachments:**

1. **Appendix 1: Community Consultation and Submission Review** [↓](#) 
2. **Appendix 2: Public Interest Test Plan Report** [↓](#) 
3. **Appendix 3: State Interest Check Report** [↓](#) 
4. **Appendix 4: Summary of all Proposed Amendments Resulting from Consultation** [↓](#) 
5. **Appendix 5: Making Subordinate Local Law 1.4 - Appendix 5 Draft SLL1.4 (Installation of Advertising Devices) 2017** [↓](#) 
6. **Appendix 6: Amending Subordinate Local Law No. 1 (Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015) 2018** [↓](#) 

**PURPOSE**

The purpose of this report is to:

1. Present the results of the public consultation process that was undertaken for Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 (SLL 1.4).
2. Consider and approve the Public Interest Test Report, detailing the findings of the Public Interest Test Plan.
3. Proceed with the making of and to formally make, Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017.
4. Repeal Subordinate Local Law 1.4 (Installation of Advertising Devices) 2015.

**BACKGROUND**

The process to amend the SLL 1.4 derived from the draft Redland City planning scheme, City Plan. The draft City Plan removed all assessment criteria in relation to permanent advertising devices. This resulted in a need for a platform to assess and regulate permanent advertising devices within the local government area. The local laws were considered an appropriate tool for this regulation as the local laws currently regulate and licence temporary signs.

At the General Meeting on 19 April 2017 Council made a resolution to commence the process for making Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017. Council resolved to approve the Public Interest Test Plan which was drafted to review the anti-competitive provisions identified in the subordinate local law. The resolution included agreement to proceed with the public consultation process, inviting submissions on the proposed subordinate law.

## ISSUES

Due to the extensive nature of the amendments to the subordinate local law and the time restrictions for implementation, it was recommended by Council's external solicitors to draft a new subordinate local law. This new SLL 1.4 intends to repeal the current Subordinate Local Law 1.4 (Installation of Advertising Devices) 2015. SLL 1.4 was drafted to include the advertising devices that are currently assessed under the planning scheme.

### Consultation

Consultation on the proposed subordinate local law occurred over April and May 2017 with Council inviting submissions from the public, local businesses and the Department of Transport and Main Roads (the Department). Anti-competitive provisions identified in the subordinate local law prompted a public interest test plan which required meaningful consultation with identified stakeholders. The community consultation and the public interest review consultation occurred simultaneously. During this consultation period two submissions were received with no public interest reviews. Comments were also received from the state agency review completed by the Department of Transport and Main Roads.

### State Interest Checks

State interest checks are generally not required for subordinate local laws. This law was an exception as the *Transport Operation (Road Use Management) Act 1995* requires the written agreement from the Chief Executive (CEO) of the Department to make a local law for the regulation of advertising on a declared road.

SLL 1.4 regulates advertising devices on roads. A request was sent to the Department for the CEO's written agreement for Redland City Council to manage the regulation of specified categories of advertising devices. The department reviewed the draft subordinate local law and provided comment. The comments provided were reviewed and responded to, with resulting changes minimal and not affecting the context of the SLL 1.4.

The Department's comments and Council's response are identified in Appendix 3 attached.

### Public Interest Review

The *Local Government Act 2009* requires that any local law made with anti-competitive provisions is to comply with the procedures prescribed under a regulation for the review of the anti-competitive provisions. Review of SLL 1.4 found that anti-competitive provisions were present and therefore a Public Interest Test Plan was drafted to undertake a cost benefit analysis of the anti-competitive provisions.

The public interest consultation was undertaken simultaneously with the community consultation. No submissions were received in relation to the anti-competitive provisions.

A report has been compiled with the results of the public interest test and is attached to this report. This Public Interest Test Report provides findings from the review of the anti-competitive provisions. It demonstrates that the community benefit outweighs the market restriction and recommends progressing implementation of the local law with the present anti-competitive provisions.



### Community Consultation

In accordance with Redland City Council's Local Law Making Process, community consultation was undertaken to allow the community the opportunity to provide comment on the local law. Submissions were invited from 1 May 2017 to 22 May 2017. Two submissions were received with both submissions raising numerous points of concern with the content of the subordinate local law.

The submissions primarily focused on commercial third party advertising which were drafted in the subordinate local law with the same provisions as in the current Redlands Planning Scheme. It is recommended that these provisions are not amended at this time. Council is however considering the issues that have been raised regarding commercial third party advertising through a separate local law amendment process.

Proposed minor amendments were identified from the community consultation and are detailed in the Community Consultation and Submission Review Report attached in Appendix 1.

### Local Law Implementation

Should Council adopt the subordinate local law as attached to this report, notice must be given to the public within 30 days, through publication in the government gazette and on Council's website. The law comes into effect on either the date published in the gazette or a date nominated by Council in the gazettal notice.

To maintain continued regulation of advertising devices within the Redlands, this local law should come into effect simultaneously to the City Plan. It is therefore recommended that the local law is effective from 8 October 2018. This will date will be nominated in the official publication notices of the adoption of the subordinate local law.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

The *Local Government Act 2009* chapter 3, part 1, provides power for local governments to make and enforce local laws and sets the framework that the local governments must adhere to. Council has adopted a Local Law Making Process that is consistent with the *Local Government Act 2009* provisions. This Local Law Making Process has been followed in the making of SLL 1.4.

This SLL 1.4 has been drafted by Council's external solicitors. The amendments have been reviewed by Council's Legal Services Unit.

National Competition Policy guidelines provide the procedure prescribed by regulation where an anti-competitive provision is identified in the Local Law. These guidelines have been adhered to through the development and implementation of the Public Interest Test Plan and the resulting Public Interest Test Report.

### **Risk Management**

The risks associated with amending the subordinate local law have been managed by:

- Ensuring the process to make the local law is in accordance with legislative standards and the adopted RCC Local Law Making Process.
- Comprehensive internal stakeholder engagement to ensure the local law will promote effective governance to the community.

- Utilising external solicitors to draft SLL 1.4 to ensure the legislative principles are followed in the drafting.
- Review of the Public Interest Test Report by the Legal Services Unit to ensure adherence to the National Competition Policy Guidelines.

**Financial**

The cost of drafting the local laws, community consultation and publications are funded through existing budget allocations within the Strategy and Governance Unit and Legal Services Unit.

**People**

The new Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 will have an impact on the resourcing within the Development Control Unit, who will take on the responsibility for licencing permanent signs. It is anticipated that this work will be absorbed by current resourcing and a review of the current sign licencing process will be undertaken.

**Environmental**

There are no environmental implications.

**Social**

Local Government provides for the good governance of the local government area through their local laws. The Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 has potential to impact all members of the Redlands community.

Community consultation provided the opportunity for community members to have their say on the proposal through providing a submission. The attached Community Consultation Submission Report details the outcome of this consultation period.

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

The process for making the proposed laws and the associated recommendations of this report are in accordance with Council's adopted practice for making local laws.

This process is in keeping with Council's Corporate Plan Vision Outcome 8 Inclusive and Ethical Governance for deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council.

**CONSULTATION**

In developing this proposed subordinate local law and implementing community engagement, consultation has occurred with:

- All relevant operational areas of Council
- Council's Legal Services Unit
- Council's Strategic Communications and Community Engagement Unit
- External solicitors
- Redland City residents and the broader community through public consultation

**OPTIONS****Option One**

That Council resolves to:

1. receive and note the public consultation in the attached report *Community Consultation and Submissions Review: Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017* (Appendix 1) and to implement the recommendations of this report;
2. receive and note the attached Public Interest Test Report Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017 (Appendix 2) and to implement the recommendations of this report;
3. receive and note the State Interest Check Report on proposed Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 (Appendix 3) and to implement the recommended local government actions in this report;
4. in accordance with Council's 'Local Law Making Process' adopted on 19 April 2017, pursuant to section 29 of the *Local Government Act 2009*, hereby resolve to make Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 (Appendix 5) with the amendments as marked up in this document;
5. to give notice of the commencement of Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 on 8 October 2018 by publication of notice in the gazette; and
6. authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to Gazettal.

**Option Two**

That Council resolves to accept the recommendations of this report subject to further review and amendments to the subordinate local law 1.4 (Installation of Advertising Devices) 2017.

**Option Three**

That Council resolves not to adopt Subordinate local law 1.4 (Installation of Advertising Devices) 2017.

**OFFICER'S RECOMMENDATION**

That Council resolves to:

1. receive and note the public consultation in the attached report *Community Consultation and Submissions Review: Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017* (Appendix 1) and to implement the recommendations of this report;
2. receive and note the attached Public Interest Test Report Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017 (Appendix 2) and to implement the recommendations of this report;
3. receive and note the State Interest Check Report on proposed Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 (Appendix 3) and to implement the recommended local government actions in this report;
4. in accordance with Council's 'Local Law Making Process' adopted on 19 April 2017, pursuant to section 29 of the *Local Government Act 2009*, hereby resolve to make Subordinate Local

Law 1.4 (Installation of Advertising Devices) 2017 (Appendix 5) with the amendments as marked up in this document;

5. give notice of the commencement of Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 on 8 October 2018 by publication of notice in the gazette; and
6. authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to Gazettal.

### **COUNCIL RESOLUTION 2018/101**

Moved by: Cr Murray Elliott

Seconded by: Cr Paul Gollè

That Council resolves to:

1. receive and note the public consultation in the attached report *Community Consultation and Submissions Review: Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 (Appendix 1)* and to implement the recommendations of this report;
2. receive and note the attached Public Interest Test Report Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017 (Appendix 2) and to implement the recommendations of this report;
3. receive and note the State Interest Check Report on proposed Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 (Appendix 3) and to implement the recommended local government actions in this report;
4. in accordance with Council's 'Local Law Making Process' adopted on 19 April 2017, pursuant to section 29 of the *Local Government Act 2009*, make Amending Subordinate Local Law No. 1 (Subordinate Local law No. 1.4 (Installation of Advertising Devices) 2015) 2018 (Appendix 6);
5. in accordance with section 32 of the *Local Government Act 2009*, adopt the consolidated version of Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 (Appendix 5), incorporating the amendments made by Amending Subordinate Local Law No. 1 (Subordinate Local law No. 1.4 (Installation of Advertising Devices) 2015) 2018 (Appendix 6).
6. give notice of the commencement of Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 on 8 October 2018 by publication of notice in the gazette; and
7. authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to Gazettal.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.



## **Community Consultation and Submission Review: Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017**

### **Introduction**

This report provides a summary and review of submissions received during community consultation period, about the proposed amended Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017.

On 19 April 2017 Redland City Council resolved in a Council meeting, to commence with the process of making of Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017. This proposed new subordinate local law is an amended version of the current Subordinate Local Law 1.4 (Installation of Advertising Devices) 2015. This proposed new law has been drafted to support the assessment process of various categories and types of signs that are currently assessed under the Redlands Planning Scheme and will no longer be assessable through the planning scheme when the Draft City Plan comes into effect.

In accordance with Redland City Council's adopted Local Law Making Process, community consultation was undertaken from 2 May to 22 May 2017. During this period two submissions were received, each submission providing comment on multiple topics.

### **Community Consultation Process**

The community consultation process ran simultaneously with the Public Interest Test from 2 May 2017 to 22 May 2017 and was advertised through the following initiatives:

- Public Notice in Redland City Bulletin
- Redland City Council – Your Say community engagement website
- Public notices displayed in Council's Customer Service Centres
- Letter sent to Chamber of Commerce inviting submissions

Submission Summary

SUMMARY OF SUBMISSIONS (COMMUNITY CONSULTATION)				
Section	Submission Comments	Agree/Disagree	Officer comments	Recommendation
<b>Subordinate Local Law 1.4 (Installation of Advertising Devices 2017)</b>				
Schedule 1, section 3 (c)	<p><b>Documents to accompany an application-</b></p> <p>It is not possible to supply the details of the name and address of any business which will be advertised on the advertising device for a third party sign. This is because the business name will change depending upon the product advertised at the time.</p>	Disagree with requiring name and address of business owner as document with application	<p>Third party advertising signs advertising multiple businesses would not be approved under this draft SLL as per the limited assessment criteria.</p> <p>With the type of TPA signs that would be approved based on the identified criteria, it is not required to amend this section. In the event Council’s policy direction on TPA amending to include commercial TPA on Billboards, this wording would be reviewed.</p>	No change to the proposed local law
Schedule 1, section 3 (7)(b)	<p><b>Documents to accompany an application</b></p> <p>- As above, it is not possible to provide plans and specifications of the content of a third party sign as the content will change depending upon the product being advertised at the time.</p>	Disagree with requiring plans and specification of content with application	<p>Third party advertising signs advertising multiple businesses would not be approved under this draft SLL as per the limited assessment criteria.</p> <p>With the type of TPA signs that would be approved based on the identified criteria, it is not required to amend this section. In the event Council’s policy direction on TPA amending to include commercial TPA on Billboards, this wording would be reviewed.</p>	No change to the proposed local law

Prepared by Strategy & Governance Unit  
June 2017

Schedule 1, section 3 (7)(b)	<b>Documents to accompany an application-</b> In addition, the content of an advertising sign is not regulated by a Local Government Authority (LGA) but through the compliance with the Standards and Codes, administered by the Advertising Standards Board (Ad Board). The role of LGAs in relation to Outdoor advertising is not to assess content but to assess the development components of a signage proposal in terms of the sign's structure (size and height) and its location.	Disagree with Council regulating the content of an advertising device	There is no legislation preventing Council from regulating the use of advertising devices, as is done in our Local Law.	No change to the proposed local law
Schedule 1, Section 7 (1)	There should be some certainty in the draft Local Law over the minimum term of approvals, ideally ten (10) years. The cost of designing, constructing and gaining the approvals for an Outdoor advertising sign is considerable for the industry and there should be some certainty within this Clause about timeframes.	Disagree with no specification on the minimum term for approval	A minimum term for sign approvals would not be suitable for all advertising device categories. The current draft allows for time frames to be determined based on the risk assessment conducted by a technical officer.	No change to the proposed local law
Schedule 2	<b>Categories of approval that are non-transferable</b> Permits for advertising devices should be transferable. In the event of an acquisition or merger of a signage company the ownership of the sign will change and therefore, the permit should be transferrable to the new owner.	Disagree with approvals not being able to be transferred	Agree that approvals for advertising devices should be able to be transferred between approval holders as this does not change the assessment decisions.	Amend wording to:  Every approval for the prescribed activity named in schedule 1, section 1 is transferable.
Schedule 3 Section 5, (1)	<b>Definitions and prescribed criteria</b> Conflicting information with assessment criteria stating:	Disagree with billboards categorised as	Wording is not contradictory as Council will generally not approve billboards as per Council's current	No change to the proposed local law

Prepared by Strategy & Governance Unit  
June 2017

	Council <i>may not</i> approve an application for billboards, however identifying it as a not approved category in the Zone categorisation table – recommend that Council approves billboards based on a case by case assessment process.	not approved.	policy direction on this activity. The terminology of ‘may not’ allows for the variances that may exist as per the Note in the Zone categorisation table.	
Schedule 3, section 5	Should the text ‘section 4’ be replaced with the text ‘Schedule 4’?	Disagree: administrative error identified	Agree that this should identify schedule 4 not section 4	Amend wording in draft to schedule.
Schedule 3, section 17 (2)(e)	Electronic display component Recommend luminance levels are assessed with consideration for the light levels in the area.	Disagree: Not enough criteria to assess luminance levels	Recommendation to adopt the Table 1: OMA Best Practice Guidelines for Luminance Levels which provides greater scope for display centres, centre locations and the luminance levels in these areas.	Amend the proposed Local Law to include the luminance level table with consideration of OMA best practice guidelines. Include definitions in schedule 7 for <i>day time, maximum output and inclement weather</i>
Schedule 3, section 17 (2)(a)	It is not clear whether this clause is stating the maximum height of this sign type is 7.5m overall or 7.5m between the ground level and the bottom of the sign face. The comment on this clause is also transferrable to Schedule 4, clause 14.	Disagree: wording does not provide a clear definition of height of sign.	Recommend to change wording where maximum height of sign is referenced to remove ‘above ground level directly below the sign’ as this is identified in the dictionary definition for <i>height</i> in Schedule 7. Amend as follows: Schedule 3: 4 (2)(d); 19 (2)(b); 27 (2)(a)(ii); 28 (2) (a); 32 (2)(b); 33 (2) (b); 42 (5) (b).	Amend the proposed local law to remove ‘above ground level directly below the sign’ throughout document. Remove ‘directly below the sign’ where referencing maximum clearance. Include a definition in

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June 2017



			For consistency, recommend to amend wording for criteria for clearance of sign also, removing 'directly below the sign'. Amend as follows: Schedule 3: 1 Created awning sign (2)(c); 1 under awning sign (2)(c); 3 (2)(i); 6 (2)(d); 28 (2)(b); 30 (2) (e). Schedule 4 (6).	schedule 7 for <i>ground level</i>
Schedule 3, section 17 (2)(f) Section 18 (2)(f)	Minimum dwell time of 10 seconds for a road speed of less than 80km/h should be adjusted to 8 seconds in line with Brisbane City Council Technical Guideline for Advertisements with Illumination or Electronic Display Components. Section 5.1.	Disagree: amend dwell time for EDC	Recommendation for this to remain at 10 seconds under 80km/hr which is consistent with the Roadside Advertising Guide.	No change to the proposed local law
Schedule 3 section 17 (2)(g)(h)	The distance requirements are complicated as they are determined by sight lines, which can be perceived differently by different officers. The distance requirements are also different to the Department of Transport and Main Roads (DTMR) and Brisbane City Council Technical Guidelines for Advertisements. Change distance requirements and make them compatible with those adopted by Brisbane City Council.	Disagree: amend distance requirements to the same as BCC	Recommendation for these distances to remain the same as they are in line with the Roadside Advertising Guide.	No change to the proposed local law
Schedule 3 section 17 (2)(i)	Evening/overnight turn off times for signs should be changes from 9:00pm - 6:30am, to 10:00pm - 6:00am in line with Brisbane City Council Technical Guideline for Advertisements with Illumination or	Disagree: amend overnight turn off times for laminated signs to the same as	Recommendation for this to remain the same (9:00pm – 6:30am) due to impacts on residential properties.	No change to the proposed local law

Prepared by Strategy & Governance Unit  
June 2017

	Electronic Display Components. Recommendation: Change evening/overnight turn off times to 10:00pm - 6:00am.	BCC		
Schedule 3, Section 18 (2)(e)(g)	The Disability Discrimination Act (DDA) requires bus shelters to be illuminated at night. Change Clause 18(2)(e) to reflect OMA's best practice guidelines for luminance levels, as outlined above for Clause 17(2)(e) above.	Disagree: amend to allow for DDA requirements	Bus shelters can be illuminated without the advertising devices being illuminated. RCC does not currently have any illuminated advertising devices at its bus shelters.	No change to the proposed local law
Schedule 3, Section 24 (2)(a)(c)	The distance criteria for setbacks for illuminated signs from residential zones and intersections seems uncommercial and unreasonable.	Disagree: Remove setbacks for illuminated signs	Recommendation for these distances to remain due to possible impacts on residential properties	No change to the proposed local law
Schedule 3, Section 31 (2)	The OMA supports this clause, which specifies that a public infrastructure sign may include third party advertising.	Agree: Third party advertising allowed on public infrastructure	Retain as is	No change to the proposed local law
Schedule 3, Section 32 (2)(b)-(i)	It would seem commercially unreasonable for such an exact size to be a requirement for Pylon signs.	Disagree: amend criteria for Pylon signs	No exact size is noted for Pylon signs, this provides maximum size limits based on considered risks to Council and community.	No change to the proposed local law
Schedule 3, Section 42 (4)	Intent of this clause appears to be restricting content of third party.	Disagree: delete clause 42 (4)	No legislation prevents Local Government from regulating the use of signs	No change to the proposed local law
Schedule 3, Section 42 (5)(a)	Clarity is required on the definition of a sign and if this includes the structure or an advertisement.	Disagree: clarity of this clause is required to be defined.	Schedule 7 defines that the sign is the structure, as opposed to each face of a structure. It is believed that this is clarified in the dictionary in schedule 7.	No change to the proposed local law
Schedule 3, Section 42 (5)(b)(c)	Development parameters are inconsistent with schedule 4 (13)(14). Third party advertising are commonly	Disagree with the inconsistency.	Schedule 4 (13) (14) provides for dimension limitations, where dimensions are not otherwise	No change to the proposed local law

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	referred to as billboards and there is inconsistency with the criteria in these two categories.		identified in the local law. This is intently written inconsistently as Billboards are not an approved sign type as per the 'Zone Categorisation for Advertising Devices' table.	
Schedule 4, (4)	Content of advertising sign not regulated by Local Government.	Disagree: Local Government not able to regulate content of advertising devices	No legislation prevents Local Government from regulating the use or content of signs	No change to the proposed local law
Schedule 4, (12)(13)(14)	Wording is inconsistent with Third Party Advertising criteria.	Disagree: this should be consistent with third party advertising	The wording is not inconsistent but provides differing criteria with intent. The subordinate local law is indicative of Council's current policy position in not approving commercial third party advertising.	No change to the proposed local law
Schedule 4, (15)	Clause states advertising device can't have moving and rotating parts, flashing, chasing scrolling and the like. This is inconsistent with mechanisms in bus shelters.	Disagree: Should allow moving, rotating, flashing, chasing, scrolling and the like displays.	Redlands does not have any bus shelters with mechanics for electronic display advertising devices.	No change to proposed local law
Schedule 4, (17)	The distance criteria for setbacks for illuminated signs from residential zones and intersections seem uncommercial and unreasonable.	Disagree: criteria for setbacks unreasonable	Setbacks are based on Roadside advertising Guide	No change to proposed local law
Schedule 4, (18)	The location criteria for setbacks for advertising devices is too prescriptive	Disagree: criteria for setbacks too prescriptive	Setbacks are based on Roadside advertising Guide	No change to proposed local law
Schedule 5	Prohibition of Billboards is unreasonable and inconsistent with third party	Disagree: Should make billboard	Prohibiting Billboard signs is the current policy position of Council.	No change to proposed local law

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	advertising zone categorisation provisions.	signs provisions consistent with third party advertising		
Schedule 3, Section 42 & Schedule 5	The ambiguity of local government regulation denies the right of third party billboard advertising while allowing other forms of advertising, unfairly disadvantaging businesses in the local marketplace.	Disagree: By prohibiting third party billboard advertising some businesses are being disadvantaged.	Prohibiting Billboard signs is the current policy position of Council. It is not through that this disadvantages local businesses as these laws apply to all businesses in the Redlands.	No change to proposed local law
Schedule 3, Section 42 & Schedule 5	Support the intention to remove prohibition on third party advertising devices.	Agree: Support removing prohibition on Third party advertising signs	Retain as is	No change to proposed local law
Schedule 3, Section 17 & 18	Supports Council’s efforts to recognise the new technology of digital screens, with these now defined as ‘Electronic Display component’.	Agree: Support new category for electronic display component.	Retain as is	No change to proposed local law
Schedule 3, Section 42 (4)	Recommend removing this section from the local law restricting the use of third party advertising and replace with requirement to display advertisements in accordance with Advertising standards bureau.	Disagree: with restricting the use of third party advertising	No legislation prevents Local Government from regulating the use of signs. This regulation limits the type of third party signs that are acceptable.	No change to proposed local law
Schedule 3, Section 42 (5)	Recommend to remove height and face area restrictions in local law and replace with restrictions specific to distance between existing billboards and height as per schedule 4 of the local law.	Disagree: with restrictions on the face area and height of the third party advertising signs	Prohibiting Billboard signs is the current policy position of Council.	No change to proposed local law

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**Outcome**

The two submissions received were both from organisations within the advertising industry. These submissions both contained a strong focus on a change to allow commercial third party advertising devices through an assessable process.

It is recommended that Council not amend the provisions for third party advertising in this local law making process. The new subordinate local law was drafted with intent to transfer the assessment criteria from the Redlands Planning Scheme into the local laws to provide a platform for regulating these devices. To amend the third party advertising provisions it would require a further Public Interest Test and community consultation and will extend the timeframe to adopt this new subordinate local law. This is likely to result in the adoption of this law not occurring simultaneously to the implementation of the new planning scheme. While it is not recommended that amendments to third party advertising are considered through this process, it is intended that these provisions are reviewed by Council through a separate local law amendment process.

Based on the submissions received some minor amendments have been made to the proposed draft subordinate local law 1.4 (Installation of Advertising Devices) 2017. These changes are outlined in the 'Recommendation' column in the Summary Submission Table. The proposed amendments are not considered significant amendments as they have little to no impact on the context of the subordinate local law.

**Recommendation**

It is recommended that the draft Subordinate Local Law 1.4 (Installation of Advertising Devices) 2017 is updated with the changes as identified in the recommendation column of the Summary Submission Table.

**PUBLIC INTEREST TEST REPORT****SUBORDINATE LOCAL LAW NO. 1.4 (INSTALLATION OF ADVERTISING DEVICES) 2017**

A public interest test has been conducted as part of the National Competition Policy reforms on anti-competitive provisions identified in *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017*. The public interest test has been conducted against the principles and objectives set by the Competition Principles Agreement which were outlined in the public interest test plan.

This public interest test report has been prepared in accordance with guidelines issued by the Department of Local Government, Racing and Multicultural Affairs.

**RESULTS OF CONSULTATION PROCESS**

Consultation with the public and key stakeholders occurred over a three week period. An advertisement was placed in the Redland City Bulletin on 3 May 2017 advising of the review and calling for submissions. Notices were posted on notice boards within the local government area during the consultation period. Direct notification of the review was sent to Redland City Chamber of Commerce.

No submissions were received or arguments presented in relation to the public interest test.

**REASSESSMENT OF ALTERNATIVES**

Following an assessment of the results of the consultation process it is considered that no grounds were advanced to support the introduction of another regulatory or non-regulatory alternative.

**POSITIVE AND NEGATIVE IMPACTS ON STAKEHOLDERS FROM MOVING TO ALTERNATIVES**

Positive and negative impacts on stakeholders from moving to alternatives are particularised in the schedules to this report as follows:-

Installation of Advertising Devices — See Schedule 1

**SUMMARY OF NET IMPACTS ASSOCIATED WITH ALTERNATIVES**

An analysis of the costs and benefits of moving to an identified alternative is detailed in the following schedules.

Installation of Advertising Devices — See Schedule 2

**PUBLIC INTEREST TEST REPORT RECOMMENDATION**

In accordance with the *Local Government Act 2009*, the following is recommended:

1. Sections 5(2), (5), (6) and (7) and 6 of *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017* are anti-competitive provisions and should be retained in full, as, having regard to the local government duty of good rule and government of its area, Council is of the opinion that –
  - a. the benefits of these provisions to the community as a whole outweigh the costs; and
  - b. the most appropriate way of achieving the purposes of *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017* is by restricting competition in the way provided in these provisions.

SCHEDULE 1 — INSTALLATION OF ADVERTISING DEVICES

POSITIVE AND NEGATIVE IMPACTS ON STAKEHOLDERS FROM MOVING TO ALTERNATIVE

*Negative licensing (NB: No additional impacts were identified as a result of the consultation process.)*

	Conservation Interest Groups	Community/ Consumers/ Home owners	Existing and Potential Business	Government
	Details of Impacts	Details of Impacts	Details of Impacts	Details of Impacts
negative impacts		Potential impact from non-compliance will result in a decrease in quality of life from visual pollution it is expected to have a moderate impact on the community and a high impact on home owners residing in business areas. <b>(High negative -5)</b>	Increased costs in professional fees to ensure that erected signs specifically comply with local government standards.  This cost was previously paid through the application fee at a subsidised rate. This increase in costs is not expected to be significant over the life of the business and a majority of professional fees paid is already required under current local law. Overall the impact is expected to be moderate. <b>(Moderate negative -3)</b>	Increased risk of non-compliance by business when exhibiting advertising.  Council has no control over the initial design and construction of physical advertising. An increased level of risk will be borne by Council in non-compliance. For advertising in the community the magnitude of non-compliance can be high. Overall, the impact is moderate. <b>(Moderate negative -3)</b>
		Decrease in level of safety provided to community because of a decrease in the quality standard of physical advertising. This will have a	Potential for deterioration of relationships between business and local government.	Establishment costs - change in local law so that the definition of permitted advertisement includes all classifications and attending

3

*Appendix 2 PUBLIC INTEREST TEST PLAN REPORT (A3191056).docx*



	Conservation Interest Groups	Community/ Consumers/ Home owners	Existing and Potential Business	Government
	Details of Impacts	Details of Impacts	Details of Impacts	Details of Impacts
		low impact on the community overall but a significant impact on home owners near advertising and members of the public working near signs. <b>(low negative -1)</b>	Local government action against business for non-compliance - business resisting action because structure is already built. Though this impact is only a potential impact, it is expected to increase in importance over the longer term, therefore it is considered to be a moderate impact. <b>(moderate negative -3)</b>	criteria for approving/rejecting applications which currently exist, and thereby includes those advertisements in negative licensing regime. These costs occur once and are not material to the overall costs of local government. For this reason the impact is considered low. <b>(low negative -1)</b>

	Conservation Interest Groups	Community/ Consumers/ Home owners	Existing and Potential Business	Government
	Details of Impacts	Details of Impacts	Details of Impacts	Details of Impacts
			<p>Increase in responsibility for business to comply with standards.</p> <p>Business will now have the responsibility for complying with the standards set in the local law, whereas previously local government ensured compliance through the permit regime. The onus of responsibility now resides with business and is therefore considered to be a moderate impact. <b>(moderate negative -3)</b></p>	<p>Reduction in application and penalty fee revenue. Fees received is immaterial to the overall revenue received by local government. Local government does not rely on revenue received from such fees in operations and is considered surplus to local government needs. The impact will be moderate. <b>(moderate negative -3)</b></p>
			<p>Potential for misuse of environment.</p> <p>There is potential for business to abuse accepted environmental standards. It is expected that this will not occur and is considered a low impact. <b>(low negative -1)</b></p>	

	Conservation Interest Groups	Community/ Consumers/ Home owners	Existing and Potential Business	Government
	Details of Impacts	Details of Impacts	Details of Impacts	Details of Impacts
<b>positive impacts</b>			<p>Reduction in paperwork and time from removal of application/approval process. Business will no longer have to pay application fees or lose time waiting for permits to be approved.</p> <p>Application fees represented less than 1% of turnover of a business in a year and significantly less than total business capital worth. The impact is considered low. <b>(low negative +1)</b></p>	<p>Reduction in processing applications requires the restructuring of staff duties and time. The decrease in time spent approving applications will be applied to the inspection of advertising. Some job redesign will be necessary and is therefore a moderate impact. <b>(moderate negative +3)</b></p>
	<b>Overall – neutral</b>	<b>Overall – moderate negative</b>	<b>Overall – moderate negative</b>	<b>Overall – moderate negative</b>

**SCHEDULE 2 - DETERMINE NET COMMUNITY BENEFIT**

In summary comparison of the alternatives provides the following information:

Alternative	Government	Business	Community/ Consumers	Conservationists
<p><b>Negative licensing</b></p> <p>Current existing local law is a combination of negative licensing and permits. The alternative is to convert the permit process to become part of the negative licensing process.</p>	<p>Moderate Negative Impact</p> <p>The increased risk of non-compliance and potential for damaged relationships between parties far outweighs any benefit received from reducing application processing requirements.</p> <p>A financial loss would result.</p>	<p>Moderate Negative Impact</p> <p>Removal of the restriction on advertising results in a transfer of responsibility in environmental management to business and an increase in the level of risk in non-compliance. The standard of advertising will remain, the only benefit being a monetary/time reduction in application process.</p>	<p>Moderate Negative Impact</p> <p>The risk of non-compliance will result in a decrease in environmental and public health/safety standards. This outweighs any benefits to the stakeholders in removing restrictions on advertising.</p>	<p>No Impact</p> <p>There are no changes in the level of environmental protection.</p>

The regulatory alternative of full negative licensing regulation is not expected to result in an overall benefit to the community. The current subordinate local law ensures that the community will not pay costs associated with exhibiting advertising in certain places resulting in increased visual pollution and decrease in public health and safety standards. Businesses are still able to compete effectively in the market with the imposition of existing restrictions.

The level of restriction on competition under the current regulatory arrangement is low compared with the impacts under the alternative arrangement. Full negative licensing is not considered a viable alternative because of the increased risk associated with non-compliance. The current subordinate local law only requires application and approval for the exhibition of advertisement in cases where the public health and safety and visual pollution aspects are highest. In other cases, advertisements are governed by a negative licensing regime.

Overall, while the provisions reviewed are clearly anti-competitive the benefits to the community of retaining them outweigh the costs and provide the most appropriate way of achieving the objectives of the subordinate local law.

Redland City Council				
State Interest Check on Proposed Local Law: <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017</i>				
Agency: Department of Transport and Main Roads				
Section	Comment type	Agency Issue	Agency - Suggested action to rectify issue	Local government proposed response/ actions to agency comments
Part 3 section 7	3	Query the use of the word 'listed'	Recommend use of an alternative word.	Amended to 'identified'
Schedule 1 section 8(1)	3	Amend this sentence 'having regarding'.	Recommend replacing 'having regarding' with 'having a regard'.	Amended to 'having regard'
Schedule 3 section 6(2)(c)	3	Query use of the term 'percent'	Recommend consistency in the use of terminology throughout document - as both 'percent' and '%' are used.	Retained 'percent' for consistency in the document.
Schedule 3 section 7(2)(c)	3	Query use of '%'	Recommend consistency in the use of terminology throughout document - as both 'percent' and '%' are used.	Amended to 'percent' for consistency in the document.
Schedule 3 section 17(2)(i)	3	Query the use of '6.30'. This appears to be a typographical error.	Recommend replacing '6.30' with '6:30'.	Amended to 6:30.
Schedule 3 section 18(2)(g)	3	Query the use of '9.00' and '6.30' This appears to be a typographical error.	Recommend replacing '9.00' and '6.30' with '9:00' and '6:30'.	Amended to 9:00 and 6:30.
Schedule 3 section 20	3	Query use of the term 'footway'	Recommend considering replacing term 'footway' with 'footpath', as 'footpath' is consistent with the terminology used in the authorising Local Law. A related suggestion is to consider defining 'footpath' in the subordinate local law.	Retain terminology footway when used to identify sign type for consistency with terminology used in the Roadside Advertising Guide. Have amended wording from 'footway' to 'footpath' where it is descriptive to location.



Redland City Council				
State Interest Check on Proposed Local Law: <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017</i>				
Agency: Department of Transport and Main Roads				
Section	Comment type	Agency Issue	Agency - Suggested action to rectify issue	Local government proposed response/ actions to agency comments
Schedule 6	3	This sentence did not read clearly and could be redrafted for greater clarity.	Recommend rephrasing this statement for greater clarity and precise meaning.	Have amended to: 'Subject to the Chief Executive's written agreement under the <i>Transport Operations (Road Use Management) Act 1995</i> , section 66(5)(b), every State-controlled road in the local government area.'  Note: <i>Local government area</i> is defined in the authorising Local Law 1 (Administration) 2015.
Schedule 7 Dictionary	3	The terms 'road', 'public place' and 'structure' are used in the local law but not defined in the dictionary. Query use of the term 'the Act' when referring to definitions for:-  'public place' – has the meaning given in the Act.	For completeness, recommend adding definitions for 'road', 'public place' and 'structure'.  Recommend replacing 'the Act' with the specific reference to the legislation...  i.e 'Local Government Act 2009'	The identified definitions described as: 'has the meaning given in the Act', are consistent with the definitions in the authorising local law which is modelled of the State government approved model local laws.

Redland City Council				
State Interest Check on Proposed Local Law: <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017</i>				
Agency: Department of Transport and Main Roads				
Section	Comment type	Agency Issue	Agency - Suggested action to rectify issue	Local government proposed response/ actions to agency comments
		<p>'road' – has the meaning given in <u>the Act</u>'</p> <p>'structure' - has the meaning given in <u>the Act</u>.</p>		<p>'the Act' is defined in the Authorising Local Law as 'the Local Government Act 2009.'</p> <p>Using 'the Act' as opposed to '<i>Local Government Act 2009</i>' is consistent with terminology used in the authorising local law as well as all Redland City Council's other Local Laws and subordinate Local Laws.</p> <p>Propose retaining current drafting.</p>



## Summary of all proposed amendments resulting from consultation

Section	Issue	Amendment
Part 3 section 7	Query the use of the word 'listed'	Amend to 'identified'.
Schedule 1 section 8(1)	typographical error – written as 'having regarding'	Amend to 'having regard'.
Schedule 3 section 7(2)(c) and section 45(2)(c)(ii) and Schedule 3 section 46(2)(b)	Recommend consistency in the use of terminology throughout document - as both 'percent' and '%' are used.	Amend to 'percent' for consistency in the document.
Schedule 3 section 17(2)(i) and section 18(2)(g)	typographical error – time written with decimal point rather than semi-colon.	Amend to record time with a semi-colon.
Schedule 3 section 20	considering replacing term 'footway' with 'footpath', as 'footpath' is consistent with the terminology used in the authorising Local Law	Amend wording from 'footway' to 'footpath' where it is descriptive to location. Amend in section 4, 12, 14, 16, 20 and 21 of Schedule 3.
Schedule 3 section 20(3)(b)(iii) and (iv)	Incorrect sequencing in document number format	Amend to (i) and (ii).
Schedule 3 section 24 (2)(c)	typographical error space between 'zone' and ';'.	Remove space between 'zone' and ';'.
Schedule 6	Statement lacking clarity	Amend to: 'Subject to the Chief Executive's written agreement under the <i>Transport Operations (Road Use Management) Act 1995</i> , section 66(5)(b), every State-controlled road in the local government area.'
Schedule 2	Approvals for advertising devices should be able to be transferred between approval holders as this does not change the assessment decisions.	Amend wording to: Every approval for the prescribed activity named in schedule 1, section 1 is transferable.
Schedule 3, section 5	Should identify Schedule 4 not section 4	Amend wording in draft to schedule.
Schedule 3, section 17 (2)(e); section 18 (2)(e); and section 24 (2)(b). Schedule 4 section 17	Criteria requires tightening around luminance levels	Amend the proposed local law to include a luminance level table to define criteria for luminance limitations for advertising devices. Include

		definitions in schedule 7 for: day time; maximum output; and inclement weather.
Schedule 3, section 17 (2)(a); section 4 (2)(d); section 19 (2)(b); section 27 (2)(a)(ii); section 28 (2) (a); section 32 (2)(b); section 33 (2) (b); and section 42 (5) (b).	Clarify wording for height limitations of advertising devices.	Amend the proposed local law to remove 'above ground level directly below the sign' throughout document.
Schedule 3, section 1 Created awning sign (2)(c); section 1 under awning sign (2)(c); section 3 (2)(i); section 6 (2)(d); section 28 (2)(b); section 30 (2) (e); and Schedule 4 (6).	For consistency in document amend wording where maximum clearance of a sign is referenced.	Remove 'directly below the sign' where referencing maximum clearance.
Schedule 7	No current definition for ground level	Include a definition in Schedule 7 for <i>ground level</i>



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**Subordinate Local Law No. 1.4  
(Installation of Advertising Devices)  
2017**



## Redland City Council

### Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017

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## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017*.

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

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2015* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
  - (a) various matters regarding the granting of approvals for prescribed activities; and
  - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

### **3 Authorising local law**

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 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 Approval for prescribed activity**

### **5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), 6(4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)**

- (1) Schedule 1—
  - (a) names a prescribed activity in section 1; and
  - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2

of schedule 1.

- (3) For section 6(4) of the authorising local law, it is declared that the prescribed activity named in section 1 of schedule 1 is a category 1 activity.
- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.

#### **6 Approvals that are non-transferable—Authorising local law, s 15(2)**

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

### **Part 3 Application to State-controlled roads**

#### **7 State-controlled roads to which the local law applies—Authorising local law, schedule 1**

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads identified in schedule 6 are roads to which the authorising local law applies unless otherwise provided in the local law.

*Note*

*The display of an advertising device which is placed on, or visible from, a State-controlled road may—*

- (a) be regulated under the Roadside Advertising Guide of the Department of Transport and Main Roads;*
- and*
- (b) also require an approval from the Department.*

### **Part 4 Repeal**

#### **8 Repeal**

This subordinate local law repeals *Subordinate Local Law No. 1.4 (Installation of*



*Advertising Devices) 2015.*

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## **Schedule 1 Installation of advertising devices**

### **1. Prescribed activity**

Installation of advertising devices.

### **2. Activities that do not require an approval under the authorising local law**

- (1) An approval is not required under the authorising local law for the prescribed activity if the activity is the installation, erection or display of a permitted advertisement that is visible from a road or other public place.
- (2) A *permitted advertisement* is an advertising device that is visible from a road or other public place which is—
  - (a) defined in schedule 3; and
  - (b) permitted, installed, erected and displayed in accordance with—
    - (i) the prescribed criteria specified in schedule 3; and
    - (ii) the general criteria specified in schedule 4; and
    - (iii) the zone categorization criteria specified in schedule 5.

### **3. Documents and materials that must accompany an application for an approval**

- (1) Full details of the proposed advertising device including—
  - (a) the name and address of the premises at which the proposed advertising device will be installed; and
  - (b) the name and address of the person responsible for the installation of the advertising device; and
  - (c) the name and address of any business which will be advertised on the advertising device.
- (2) Details of all building work and other work to be carried out under the approval.
- (3) Details of the time and place at which the prescribed activity will be undertaken.
- (4) The proposed term of the approval.
- (5) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (6) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity.
- (7) Plans and specifications detailing—
  - (a) the location of the proposed advertising device; and
  - (b) particulars of the content, design, dimensions and construction of the proposed advertising device; and
  - (c) a site plan, to scale, of the proposed advertising device; and
  - (d) if the applicant is not the owner of the premises on which the proposed advertising device is to be installed, erected or displayed, the consent of the owner of the premises to the installation, erection and display of the

advertising device; and

- (e) a copy of each development approval (if applicable) required for the installation, erection and display of the proposed advertising device; and
- (f) a pictorial representation of the proposed advertising device.

#### **4. Additional criteria for the granting of an approval**

- (1) The conduct of the prescribed activity must not—
  - (a) result in—
    - (i) harm to human health or safety; or
    - (ii) property damage or loss of amenity; or
    - (iii) nuisance; or
    - (iv) obstruction of pedestrian or vehicular traffic; or
    - (v) environmental harm; or
    - (vi) environmental nuisance; or
    - (vii) a potential road safety risk; or
  - (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken; or
  - (c) significantly obstruct the view of any premises; or
  - (d) if an advertising device is installed, erected or displayed on premises—conflict, in any material way, with a development approval, or a condition of a development approval, about the use of the premises.
- (2) The installation, erection and display of the proposed advertising device must comply with—
  - (a) the prescribed criteria specified in schedule 3; and
  - (b) the general criteria specified in schedule 4; and
  - (c) the zone categorization criteria specified in schedule 5.
- (3) Compliance with the criteria in subsection (2) may be varied if the undertaking of the prescribed activity complies with the criteria specified in subsection (1).

#### **5. Conditions that must be imposed on an approval**

No conditions prescribed.

#### **6. Conditions that will ordinarily be imposed on an approval**

- (1) The conditions of an approval may—
  - (a) require compliance with specified safety requirements; and
  - (b) regulate the time within which the prescribed activity must be carried out; and

- (c) specify standards with which the undertaking of the prescribed activity must comply; and
- (d) require the approval holder to—
  - (i) carry out specified additional work such as earthwork and landscaping; and
  - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the prescribed activity; and
  - (iii) give the local government specified indemnities; and
  - (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
  - (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
  - (vi) exhibit specified signage warning about the conduct of the prescribed activity; and
  - (vii) construct the advertising device from specified materials; and
  - (viii) maintain the advertising device in good order and repair; and
  - (ix) install the advertising device at a specified location, or in a specified manner; and
  - (x) take specified measures to illuminate, or control the illumination of, the advertising device; and
  - (xi) restrict the dimensions of the advertising device.
- (2) The conditions of an approval may require the approval holder to take specified measures to—
  - (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
  - (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
  - (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of pedestrian or vehicular traffic.
- (3) The conditions of an approval may require the approval holder to take specified measures to ensure that the advertising device is installed, erected and displayed in accordance with—
  - (a) the prescribed criteria in schedule 3; and
  - (b) the general criteria specified in schedule 4; and
  - (c) the zone categorization criteria specified in schedule 5.

## **7. Term of an approval**

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.

- (2) The term of the approval must be specified in the approval.

**8. Term of renewal of an approval**

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

DRAFT

**Schedule 2      Categories of approval that are non-transferable**

Section 6

Every approval for the prescribed activity named in schedule 1, section 1 is transferable.

DRAFT

### Schedule 3 Definitions and prescribed criteria for installation, erection and display of advertising devices

Schedule 1, section 2

#### 1. Awning signs

##### Above awning sign



- (1) An *above awning sign* means a sign attached to the roof of an awning.
- (2) If the prescribed activity is the installation, erection or display of an above awning sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

##### Awning fascia sign



- (1) An *awning fascia sign* means a sign painted or attached to the front or side face of an awning.
- (2) The criteria prescribed for an awning fascia sign are that the sign must—
  - (a) be directly related to a tenancy in the building on which the sign is displayed; and
  - (b) be contained wholly within the outline of the fascia; and

- (c) not project more than 200mm from the fascia.

### Created awning sign



- (1) A *created awning sign* means a pre-manufactured sign attached to and extending beyond the fascia of an awning.
- (2) The criteria prescribed for a created awning sign are that the sign must —
- advertise the premises on which the sign is displayed; and
  - not project more than 600mm above the fascia to which the sign is attached; and
  - have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign; and
  - not be longer than 50 percent of the length of the fascia to which the sign is attached; and
  - be centrally located on the fascia.

### Under awning sign

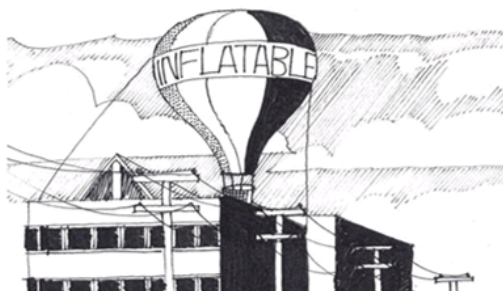


- (1) An *under awning sign* means a sign attached to the underside of an awning.
- (2) The criteria prescribed for an under awning sign are that the sign must —
- not project beyond the awning outline; and
  - be directly related to a tenancy in the building on which the sign is displayed; and



- (c) have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign; and
- (d) have dimensions not more than—
  - (i) 2.5m in length; and
  - (ii) 500mm in height; and
  - (iii) 300mm in depth.

## 2. Balloon, blimp, kite or cold air inflatable sign



- (1) ***Balloon, blimp, kite or cold air inflatable sign*** means any fixed or captive envelope, balloon, blimp, or kite, whether a cold air inflatable or lighter than air device.
- (2) The criteria prescribed for a balloon, blimp, kite or cold air inflatable sign at premises are that the sign must—
  - (a) not be illuminated; and
  - (b) only be displayed for a maximum period of 7 days in any 90 day period; and
  - (c) fit within a three dimensional space having rectangular sides, where the sum of the height, width and depth of the space does not exceed 20m; and
  - (d) not exceed 8 m in height or 6m in diameter; and
  - (e) only be inflated with cold air or non-flammable or non-toxic gas; and
  - (f) be tethered to the roof of the premises and must not be floated above the roof; and
  - (g) only be deployed by a qualified operator; and
  - (h) have engineering design and certification and be installed in accordance with the certification; and
  - (i) be limited to 1 balloon, blimp, kite or cold air inflatable sign per premises.
- (3) Also, the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign.

### 3. Banner sign



- (1) A **banner sign** is a temporary sign that is suspended from a structure or pole with or without supporting framework displaying a sign applied or painted to fabric or similar material of any kind.
- (2) The criteria prescribed for a banner sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 2.4m<sup>2</sup> per side; and
  - (c) only be displayed for a maximum period of 14 days within any 90 day period; and
  - (d) be affixed flat to a structure that will accommodate wind loadings for the area; and
  - (e) not be affixed to a tree, street light pole or power pole; and
  - (f) not be erected above the gutter line or on the roof of a building; and
  - (g) if attached vertically to a building—have a maximum width of 750mm; and
  - (h) not project above the roofline of the building on which the sign is displayed; and
  - (i) have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign.
- (3) Also, a limit of only 1 banner sign per street frontage for any premises may be displayed at any 1 time.

### 4 Banner freestanding sign

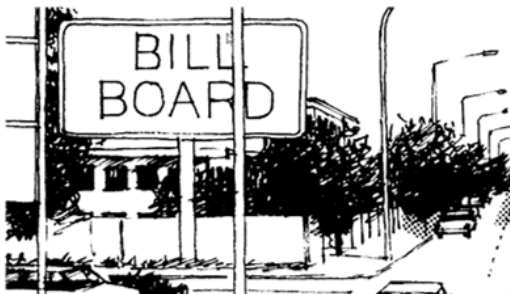


- (1) A **banner freestanding sign** is attached to a free-standing pole and is readily

relocatable.

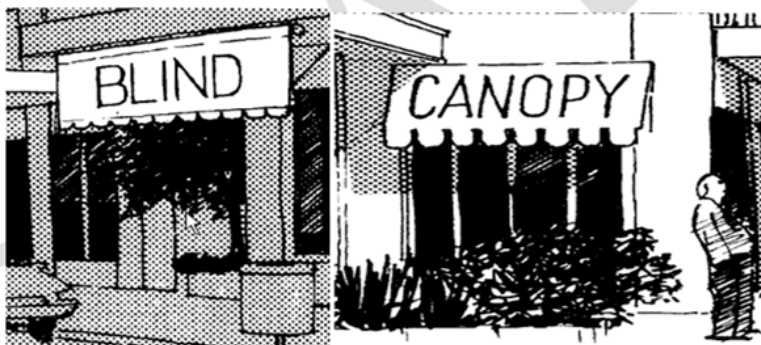
- (2) The criteria prescribed for a banner freestanding sign are that the sign must—
- (a) not be illuminated; and
  - (b) not have a face area in excess of 2.5m<sup>2</sup> per side; and
  - (c) have a maximum width of 750mm; and
  - (d) have a maximum height not greater than 3.5m above ground level directly below the sign; and
  - (e) be positioned immediately adjacent to the shop frontage or near the kerb, but not closer than 1500mm; and
  - (f) be positioned to ensure a minimum 2m wide pedestrian corridor is kept clear along the footpath; and
  - (g) be clear of any vehicle accessway across the footpath; and
  - (h) not obstruct access for parking provided for persons with disabilities; and
  - (i) not be positioned to obstruct or clutter the footpath, street landscaping, furniture or artwork; and
  - (j) not be displayed at premises otherwise than during the trading hours for the premises; and
  - (k) be secured so as not to cause a pedestrian or vehicular hazard in windy conditions.
- (3) Also—
- (a) the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
  - (b) the maximum number of banner freestanding signs that may be erected on premises is limited to the greater of—
    - (i) 1 sign per premises when the street front boundary of the premises exceeds 15m; and
    - (ii) 1 sign per full 15m of the street front boundary of the premises.
- Example—*  
*A shop with over 15m of street front boundary is permitted 1 banner freestanding sign and a shop with over 30m street front boundary is permitted 2 banner freestanding signs etc.*

## 5 Billboard sign

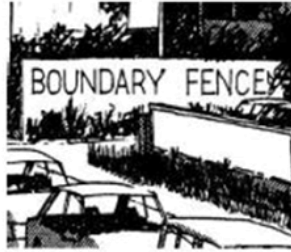


- (1) A *billboard sign* is a free-standing display surface, which is positioned on the ground or mounted on 1 or more vertical supports.
- (2) If the prescribed activity is the installation, erection or display of billboard sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in schedule 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

## 6 Blind or canopy sign



- (1) A *blind sign* or *canopy sign* is a sign painted on, or otherwise affixed to, solid or flexible material suspended from the edge of an awning, verandah or wall.
- (2) The criteria prescribed for a blind sign are that the sign must—
  - (a) not be illuminated; and
  - (b) advertise the premises on which the sign is displayed; and
  - (c) have a face area not exceeding 50 percent of the area of the blind; and
  - (d) have a minimum clearance of 2.4m between any rigid part of the sign and ground level directly below the sign.

**7 Boundary fence sign**

- (1) A **boundary fence sign** is a sign painted or otherwise affixed to a fence that has been designed to permanently delineate or identify a boundary alignment or enclosure.
- (2) The criteria prescribed for a boundary fence sign are that the sign must—
  - (a) not be illuminated; and
  - (b) be wholly contained within the fence outline; and
  - (c) have a size and form in scale and proportion with the fence on which it is displayed and a face area not exceeding 20m<sup>2</sup> or 30 percent of the face area of the fence, whichever is the greater; and

*Note*

*The fence area relates to the straight line portion of the fence upon which the sign is displayed.*

- (d) if the sign is not painted on the fence—not project more than 30mm from the fence.

**8 Bunting sign**

- (1) A **bunting sign** includes decorative flags, pennants and streamers.
- (2) The criteria prescribed for a bunting sign are that the sign must—
  - (a) not be illuminated; and
  - (b) be affixed to a structure that will accommodate wind loadings in the area; and
  - (c) not be affixed to a tree, street light pole or power pole on a local government controlled area or a road; and
  - (d) not be placed on premises more than 6m above ground level directly below the sign; and
  - (e) be placed wholly within the premises and not beyond the street front boundary of the premises.

- (3) Also, if requested by an authorised person, the advertiser must provide an engineer's certification for any structure dedicated for the support of the sign.

## 9 Community event sign



- (1) A **community event sign** is a sign which is displayed at the site of a fete, fair, festival or other similar event for the primary purpose of advertising the fete, fair, festival or other similar event.
- (2) The criteria prescribed for a community event sign are that the sign must—
- not be illuminated; and
  - only be displayed for a maximum period of 30 days prior to the event advertised on the sign; and
  - not have a face area in excess of (per side)—
    - 2.5m<sup>2</sup> in a residential zone; or
    - 5m<sup>2</sup> in all remaining zone category areas; and
  - be removed within 2 days of the event finishing; and
  - not exceed, in number, 2 community event signs per street front boundary of the premises.

## 10 Community event directional sign

- (1) A **community event directional sign** is a sign which while not displayed at the site of a fete, fair, festival or other similar event, has the primary purpose of directing the public to the fete, fair, festival or other similar event.
- (2) The criteria prescribed for a community event directional sign are that the sign must—
- not be illuminated; and
  - not have a face area in excess of 0.6m<sup>2</sup> when placed on a road or public place; and
  - not have a face area in excess of 2.4m<sup>2</sup> when placed on private property; and
  - only be displayed for a maximum period of 14 days prior to the event advertised on the sign and be removed within 2 days of the event

- finishing; and
- (e) only be erected on private property other than a public place not more than 14 days prior to the event advertised on the sign, and be removed within 2 days of the event finishing; and
  - (f) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic.
- (3) Also—
- (a) for signs placed on a road or public place, the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
  - (b) a maximum of 15 signs may be displayed on private property; and
  - (c) a maximum of 10 signs may be displayed on roads and public places.

#### 11 Construction project sign

- (1) *Construction project sign* is a sign which conveys information relating to the nature of the development project proposed for a site as well as the name and contact details of the developer and their principal consultants.
- (2) The criteria prescribed for a construction project sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of—
    - (i) 5m<sup>2</sup> in an industrial zone or a centre zone; or
    - (ii) 2.5m<sup>2</sup> in all remaining zone category areas; and
  - (c) relate to a current development permit; and
  - (d) be removed upon the completion of construction at the site.
- (3) Also, only 1 construction project sign per street front boundary may be displayed.

#### 12 Construction site fence sign



- (1) A **construction site fence sign** is a sign painted or otherwise affixed parallel with and confined to the limits of a temporary safety fence of a construction site, along the boundary or boundaries of the site.
- (2) The criteria prescribed for a construction site fence sign are that the sign must—
  - (a) not be illuminated; and
  - (b) only contain information related to the project under construction, for example, the project name, project slogan, project developer, construction company, proposed uses and completion date; and
  - (c) not exceed the height of the fence on which the sign is displayed; and
  - (d) not be affixed to a fence unless the fence is constructed to withstand the consequent wind or other loads; and
  - (e) relate to a construction site where there is a current building development permit and construction works have commenced; and
  - (f) be removed within 7 days of a successful final building inspection or the issue of a certificate of classification; and
  - (g) only be displayed for a maximum period of 12 months in a residential zone.

### 13 Display home sign



- (1) A **display home sign** is a sign which advertises a display home.
- (2) The criteria prescribed for a display home sign are that the sign must—
  - (a) not be illuminated; and
  - (b) only be displayed on premises with a lawfully approved display home; and
  - (c) only be displayed for a maximum period of 12 months; and
  - (d) not have a face area in excess of 2.4m<sup>2</sup>; and
  - (e) only be located on the premises of the display home advertised on the sign; and
  - (f) not exceed, in number, 1 display home sign per premises.

### 14 Election polling place sign

- (1) An **election polling place sign** is an election sign which—



- (a) is on a roadway, footpath or public space; and
  - (b) is in the direct control of a person; and
  - (c) is located at a polling place at which voting can occur.
- (2) The criteria prescribed for an election polling place sign are that the sign must—
- (a) not be illuminated; and
  - (b) not have a face area in excess of 1.2m<sup>2</sup>, but may be double-sided; and
  - (c) be located adjacent to the polling place; and
  - (d) only be exhibited while the polling place is continually occupied by a person taking responsibility for the sign; and
  - (e) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic, including complying with applicable parts of schedule 4; and
  - (f) not constitute a safety hazard.
- (3) Also, no continuous signage device may be exhibited on a road or other public place.

## 15 Election sign



- (1) An *election sign* is a temporary sign advertising a political candidate or candidates, a registered political party, or a campaign for a Commonwealth, State, or Local Government election—
- (a) during an election campaign; or
  - (b) in relation to a referendum.
- (2) The criteria prescribed for an election sign are that the sign must—
- (a) not be illuminated; and
  - (b) be exhibited in a location that is not a road or other public place, unless adjacent to an election stall sign; and
  - (c) not adversely affect public safety; and

- (d) not inappropriately impact on the use and enjoyment of land or premises; and
- (e) not excessively affect the visual amenity of an area; and
- (f) be removed no later than 7 days after the day of the election or referendum promoted in the sign.

## 16 Election stall sign

- (1) An *election stall sign* is an election sign which—
  - (a) is on a roadway, footpath or public space; and
  - (b) is in the direct control of a person; and
  - (c) is located within 6m of an election stall.
- (2) The criteria prescribed for an election stall sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 1.2m<sup>2</sup>, but may be double-sided; and
  - (c) for each election stall—
    - (i) be integrated with the stall or be stand-alone in the form of a footway sign or a sign mounted on 1 or more vertical supports; and
    - (ii) not exceed, in number, 4 election stall signs, whether stand-alone (such as a footway sign) or integrated with the stall, or any combination of these options; and
    - (iii) be located not more than 6m from the stall; and
    - (iv) be exhibited only while the stall is continually occupied by the person taking responsibility for the stall; and
  - (d) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic, including complying with applicable parts of schedule 4; and
  - (e) not constitute a safety hazard.
- (3) Also, no continuous signage device may be exhibited on a road or other public place.

## 17 Electronic display component –high impact sign

- (1) An *electronic display component –high impact sign* is a sign that—
  - (a) uses an electronic display component; and
  - (b) has a face area in excess of 4m<sup>2</sup>; and
  - (c) is either fixed to a structure or mounted on a vehicle (including a trailer) or other portable device and the vehicle remains stationary during the display of the advertising.
- (2) The criteria prescribed for an electronic display component –high impact sign are

that the sign must—

- (a) have a maximum height not greater than 7.5m above ground level directly below the sign; and
- (b) not have a moving image screen; and
- (c) not have flashing, chasing, scrolling or the like display; and
- (d) when visible from a road (State-controlled road or local government road)—be sited and displayed in accordance with the Queensland Government Roadside Advertising Guide; and
- (e) have luminance levels not greater than the limits outlined in the table below—

<b>Lighting Condition</b>	<b>Industrial and Centre Zone</b>	<b>Environmental and Open Space Zone</b>	<b>Residential and Community Purposes Zone</b>
Direct sunlight on total face area of the sign	maximum output	maximum output	maximum output
Daytime	6000-7000 cd/m2	6000-7000 cd/m2	6000-7000 cd/m2
During dawn/dusk and inclement weather	1000 cd/m2	700cd/m2	600 cd/m2
Night time	500 cd/m2	350cd/m2	300cd/m2

- (f) have a minimum dwell time of—
  - (i) 25 seconds for a road with a speed limit of 80km/h or greater; or
  - (ii) 10 seconds for a road with a speed limit of less than 80km/h; and
- (g) have minimum spacing between the sign and any other sign containing an electronic display component that is not visible to a driver at the same time of—
  - (i) 250m for a motorway or motorway standard road; and
  - (ii) 190m for a State-controlled road with a speed limit of 80km/h or greater; and
  - (iii) 125m for a State-controlled or local government road with a speed limit of 70km/h; and
  - (iv) 75m for a State-controlled road or local government road with a speed limit of 60km/h or less; and
- (h) have minimum spacing between the sign any other sign containing an electronic display component that is visible to a driver at the same time of—

- (i) 500m for a motorway or motorway standard road; and
- (ii) 375m for a State-controlled road with a speed limit of 80km/h or greater; and
- (iii) 250m for a State-controlled road with a speed limit of 70km/h; and
- (iv) 150m for a State-controlled road with a speed limit of 60km/h or less; and
- (i) have no detrimental impact on residential premises and be turned off each day from 9:00 p.m. on the day till 6:30 a.m. on the following day if the display screen of the sign is visible from any residential premises within 200m of the sign.

**18 Electronic display component –low impact sign**

- (1) An *electronic display component –low impact sign* is a sign that—
  - (a) uses an electronic display component; and
  - (b) has a face area of 4m<sup>2</sup> or less; and
  - (c) is either fixed to a structure or mounted on a vehicle (including a trailer) or other portable device and the vehicle remains stationary during the display of the advertising.
- (2) The criteria prescribed for an electronic display component –low impact sign are that the sign must—
  - (a) not have moving image screen; and
  - (b) not have flashing, chasing, scrolling or the like display; and
  - (c) when visible from a road (State-controlled road or local government road)—be sited and displayed in accordance with the Queensland Government Roadside Advertising Guide; and
  - (d) have minimum spacing of 37m between the sign and any other sign containing an electronic display component on the same side of the road (including an electronic display component on a billboard sign); and
  - (e) have luminance levels not greater than the limits outlined in the table below—

Lighting Condition	Industrial and Centre Zone	Residential and Community Purposes Zone	Environmental and Open Space Zone
Direct sunlight on the total face area of the sign	maximum output	maximum output	maximum output
Daytime	6000-7000 cd/m2	6000-7000 cd/m2	6000-7000 cd/m2
During dawn/dusk and inclement	1000 cd/m2	700cd/m2	600 cd/m2

weather			
Night time	500 cd/m <sup>2</sup>	350cd/m <sup>2</sup>	300cd/m <sup>2</sup>

- (f) have a minimum dwell time of—
  - (i) 25 seconds for a road with a speed limit of 80km/h or greater; or
  - (ii) 10 seconds for a road with a speed limit of less than 80km/h; and
- (g) have no detrimental impact on residential premises and be turned off each day from 9:00 p.m. on the day till 6:30 a.m. on the following day if the display screen of the sign is visible from any residential premises within 200m of the sign.

## 19 Commercial flag pole sign



- (1) A *commercial flag pole sign* is a fabric advertising sign hung from a pole for the purpose of advertising or identifying a commercial establishment or activity, but does not include internationally recognised national, state or indigenous flags.
- (2) The criteria prescribed for a commercial flag pole sign are that the sign must—
  - (a) not have a face area in excess of 2.4m<sup>2</sup>; and
  - (b) have a maximum height not greater than 6.5m above ground level directly below the sign; and
  - (c) be limited to 1 sign for every full 20m of street front boundary.

## 20 Footway sign

- (1) *Footway sign* is a portable, free-standing sign, normally supported by an 'A' or inverted 'T' frame, and typically displayed on a footpath.
- (2) The criteria prescribed for a footway sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a width in excess of 0.75m or a height in excess of 1m; and
  - (c) be positioned immediately adjacent to the street front boundary or near the kerb, but not closer than 1500mm; and

- (d) be positioned to ensure that a minimum 2m wide pedestrian corridor is kept clear along the footpath; and
  - (e) be clear of any vehicle accessway across the footpath; and
  - (f) not obstruct access for parking provided for persons with disabilities; and
  - (g) not be positioned to obstruct or clutter the footpath, street landscaping, furniture or artwork; and
  - (h) not be displayed otherwise than during trading hours; and
  - (i) not be used for the display of merchandise; and
  - (j) be secured so as not to cause a pedestrian or vehicular hazard in windy conditions; and
  - (k) not have more than 2 face areas.
- (3) Also—
- (a) the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
  - (b) the maximum number of footway signs that may be erected is limited to the greater of—
    - (i) 1 sign per premises; and
    - (ii) 1 sign per full 6m of the street front boundary of the premises.

*Example-*

*A shop with over 12m of street front boundary is permitted 2 footway signs and a shop with over 18m of street front boundary is permitted 3 footway signs etc.*

**21 Footway dining furniture sign**

- (1) A *footway dining furniture sign* is the signage display on dining furniture, such as umbrellas and wind breaks on the footpath or visible from a public place.
- (2) The criteria prescribed for a footway dining furniture sign displayed on premises are that the sign must be displayed in accordance with the approval for footway dining for the premises.

**22 Garage sale sign**

- (1) A *garage sale sign* is a *sign of a temporary nature* which—
  - (a) advertises a garage sale; and
  - (b) is displayed for directional purposes.
- (2) The criteria prescribed for a garage sale sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 0.6m<sup>2</sup>; and
  - (c) not exceed, in number, 4 garage sale signs; and
  - (d) not exceed, in number, 3 garage sale signs displayed on a road; and
  - (e) when sited on a road—not be affixed to public infrastructure (e.g. street signage, power poles, street furniture, official traffic signs); and
  - (f) only be displayed for a maximum period of 2 days prior to the garage sale; and
  - (g) be removed within 1 day of the garage sale closing; and
  - (h) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic

**23 Home business sign**

- (1) A *home business sign* is a sign identifying the name and/or trade, business or calling of the occupants of a home business premises.
- (2) The criteria prescribed for a home business sign are that the sign must—
  - (a) not be illuminated; and

- (b) be located within the premises or on the fence of the premises; and
- (c) not project onto a public place; and
- (d) not have a face area in excess of—
  - (i) 0.25m<sup>2</sup>; or
  - (ii) if the home business is authorised by a development approval—0.5m<sup>2</sup>; and
- (e) not exceed, in number, 1 home business sign per premises.

**24 Illuminated sign**

- (1) An *illuminated sign* is a sign that has internal and/or external means of illumination of the whole or a portion of the sign.
- (2) The criteria prescribed for an illuminated sign are that the sign must—
  - (a) not be situated within 200m of a residential zone, unless the sign is not visible from any premises used for a residential purpose; and
  - (b) have luminance levels not greater than the limits outlined in the table below —

Lighting Condition	Industrial and Centre Zone	Environmental and Open Space Zone	Residential and Community Purposes Zone
Direct sunlight on the total face area of the sign	maximum output	maximum output	maximum output
Daytime	6000-7000 cd/m <sup>2</sup>	6000-7000 cd/m <sup>2</sup>	6000-7000 cd/m <sup>2</sup>
During dawn/dusk and inclement weather	1000 cd/m <sup>2</sup>	700cd/m <sup>2</sup>	600 cd/m <sup>2</sup>
Night time	500 cd/m <sup>2</sup>	350cd/m <sup>2</sup>	300cd/m <sup>2</sup>

- (c) not be located within 45m of a set of traffic signals, an intersection, a roundabout or a school zone; and
- (d) not be flashing or moving.

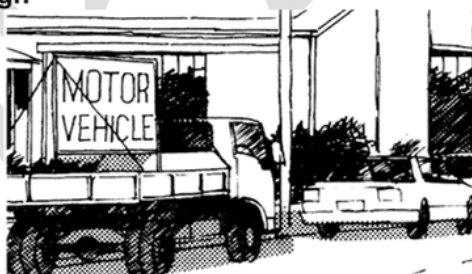
**25 Mobile sign**





- (1) **A mobile sign** —
  - (a) is a temporary portable self-supporting sign able to display changeable messages, which is free-standing and may be mounted on wheels to facilitate movement; but
  - (b) does not include a footway sign or a real estate sign.
- (2) The criteria prescribed for a mobile sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 2.5m<sup>2</sup> per side; and
  - (c) advertise the premises on which the sign is displayed; and
  - (d) be placed so as to minimise visual clutter; and
  - (e) be kept erect and maintained in a good state of repair at all times; and
  - (f) be secured so as not to cause a pedestrian or vehicular hazard in windy conditions; and
  - (g) not have more than 2 face areas; and
  - (h) not occupy a vehicle parking space; and
  - (i) not damage landscaping.
- (3) Also, the number of mobile signs that may be erected to advertise premises is limited to the greater of—
  - (a) 1 sign per premises; and
  - (b) 1 sign per full 12m of the street front boundary of the premises.

## 26 Motor vehicle sign



- (1) A **motor vehicle sign** is a sign fitted to, placed upon, or beside, a motor vehicle, motorbike, bicycle, boat, caravan or trailer apparently stopped on a road or private property for the primary purpose of displaying the sign.
- (2) The criteria prescribed for a motor vehicle sign are that a person must not install, erect or display a motor vehicle sign unless—
  - (a) the sign is installed, erected or displayed on a pantechnicon, delivery truck, bus, taxi or commercial vehicle which is operating in the normal course of business of the person and has no electronic display component; or
  - (b) the person is the holder of a permit issued by the chief executive or the

commissioner under section 126 or 126B of the *Traffic Regulation 1962*.

## 27 Pillar Sign



- (1) A *pillar sign* is a solid wall or structure which is detached from a building and sits on or rises out of the ground.
- (2) The criteria prescribed for a pillar sign are that—
  - (a) the sign must—
    - (i) be displayed in a planted landscape; and
    - (ii) have a maximum height not greater than 1.8m above ground level directly below the sign; and
    - (iii) not have a face area in excess of 5m<sup>2</sup>; and
    - (iii) for a pillar sign displayed on premises—have a minimum setback of 3m from any side or rear boundary of the premises; and
  - (b) the back of the sign must not be visible from a road or other public place.

## 28 Pole sign



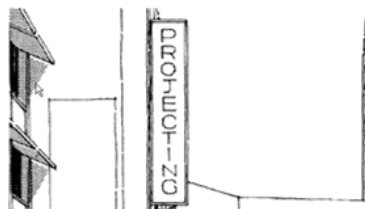
- (1) A *pole sign* is a free-standing sign on 1 or more vertical supports.
- (2) The criteria prescribed for a pole sign are that the sign must—
  - (a) have a maximum height of not greater than 5m above ground level directly below the sign; and
  - (b) have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign; and
  - (c) not have a face area in excess of 2.5 m<sup>2</sup> per side.

## 29 Projected Image Sign



- (1) A *projected image sign* is an illuminated sign permanently or intermittently projected onto a surface as a static image.
- (2) If the prescribed activity is the installation, erection or display of a projected image sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

## 30 Projected Wall Sign



- (1) A **projected wall sign** is a double-faced sign projecting at right angles from a wall of a building.
- (2) The criteria prescribed for a projected wall sign are that the sign must—
  - (a) advertise the premises on which the sign is displayed; and
  - (b) not exceed, in number, 1 projecting wall sign per premises; and
  - (c) have a maximum width of 500mm; and
  - (d) not have a face area in excess of 2m<sup>2</sup> per side; and
  - (e) have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign.

### 31 Public infrastructure sign



- (1) A **public infrastructure sign** is a sign which is affixed or attached to community infrastructure.
- (2) For the avoidance of doubt, a public infrastructure sign may include third party advertising.
- (3) The criteria prescribed for a public infrastructure sign are that the sign must—
  - (a) not be installed, erected or displayed without a current approval (whether under this subordinate local law or otherwise) granted by the local government; and
  - (b) the applicant must produce to the local government evidence that the applicant currently holds any separate approval relating to the prescribed activity that is required under another law, for example, a certification, that the sign complies with the requirements of the Manual of Uniform Traffic Control Devices.

**32 Pylon sign**

- (1) A pylon sign is a sign with its height greater than its width, generally supported by 1 or more poles, and includes multiple advertising signs.
- (2) The criteria prescribed for a pylon sign are that the sign must—
  - (a) advertise the premises on which the sign is displayed; and
  - (b) have a maximum height not greater than 10m above ground level directly below the sign; and
  - (c) have a maximum width of 2.5m; and
  - (d) not have a face area in excess of 20m<sup>2</sup> per side; and
  - (e) have a maximum of 2 faces; and
  - (f) where premises are occupied by more than 1 business—permit each business to be advertised on the same sign; and
  - (g) be located wholly within the boundary of the premises; and
  - (h) have a minimum setback of 3m from any side boundary of the premises; and
  - (i) have a minimum setback of 3m from any rear boundary of the premises; and
  - (j) be sited so as not to expose an unsightly back view of the sign when the sign is viewed from a road or other public place.

**33 Real estate land promotional sign**

- (1) A *real estate land promotional sign* is a sign which is displayed for the primary

purpose of the promotion or sale of land within an industrial or residential estate or development.

- (2) The criteria prescribed for a real estate land promotional sign are that the sign must—
- (a) not have a face area in excess of 20m<sup>2</sup> per side, with a maximum of 2 sides; and
  - (b) have a maximum height not greater than 5m above ground level directly below the sign; and
  - (c) if the sign is displayed on premises in an area used for residential purposes—not detrimentally impact on the visual amenity of the area; and
  - (d) be sited so as not to expose the back view of the sign when the sign is viewed from a road or other public place; and
  - (e) not be erected on a street front boundary along which another real estate land promotional sign or pylon sign is erected, unless those signs are located at least 60m apart; and
  - (f) not be located within 2.5m of any boundary of the premises on which the sign is located; and
  - (g) be displayed on a temporary basis only, so as to enable consideration of the continued appropriateness of the sign as the estate develops; and
  - (h) not be displayed in a built-up residential area.

#### 34 Real estate sign



- (1) A *real estate sign*—
- (a) is a temporary sign which promotes the sale, auction, lease or letting of premises; and
  - (b) includes a real estate directional sign and a real estate flag sign.
- (2) The criteria prescribed for a real estate sign (other than a real estate directional sign and real estate flag sign) are that the sign must—
- (a) not be illuminated; and
  - (b) not result in the unsafe movement or obstruction of pedestrian or vehicular traffic; and
  - (c) be located on the street front boundary of the premises; and

- (d) if located on a public place or road—be located within 1m of the fence line or boundary line of the premises; and
  - (e) be a single sign displayed on the premises, having a face area not exceeding 2.1m<sup>2</sup>, which may be double-sided; and
  - (f) when multiple signs are displayed on the premises, not exceed 3 in total with each sign having a face area not exceeding 1.2m<sup>2</sup>, which may be double-sided; and
  - (g) be removed within 14 days after the sale of the premises advertised on the sign; and
  - (h) be kept erect and maintained in a good state of repair at all times.
- (3) A **real estate directional sign** is a temporary orientation sign erected on a road for the purpose of directing persons to real estate which is—
- (a) being offered for sale by auction; or
  - (b) open for public inspection.
- (4) The criteria prescribed for a directional real estate sign are that the sign must—
- (a) not exceed, in number, 4 signs per premises advertised; and
  - (b) not have a face area in excess of 0.6m<sup>2</sup>; and
  - (c) only be displayed on the day on which the premises are open for public inspection or offered for sale by auction; and
  - (d) be located within a 2km radius of the premises; and
  - (e) be displayed in accordance with siting requirements when placed on a road or a public place.
- (5) Also, the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign.
- (6) A **real estate flag sign** is a temporary flag that is erected for the purposes of identifying real estate when—
- (a) the real estate is open for public inspection; or
  - (b) an auction of the real estate is occurring.
- (7) The criteria prescribed for a real estate flag sign are that the sign must—
- (a) not exceed, in number, 1 sign per premises; and
  - (b) not have a face area in excess of 1.5m<sup>2</sup> per side; and
  - (c) only be displayed during the times when the premises are open for public inspection or being auctioned.
- (8) Also—
- (a) the sign may be displayed on the verge between the premises and the road pavement providing—
    - (i) the sign is affixed securely to remain safe in the prevailing weather conditions; and

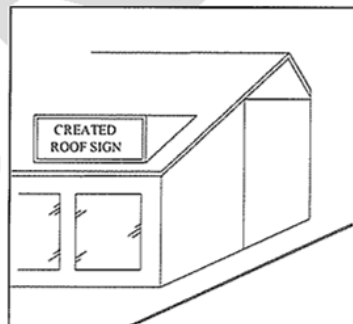
- (ii) if secured by the wheel of a registered vehicle, the sign must not be placed on the road side of the vehicle and the vehicle must be lawfully parked; and
- (b) the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign.

### 35 Replica Object Sign



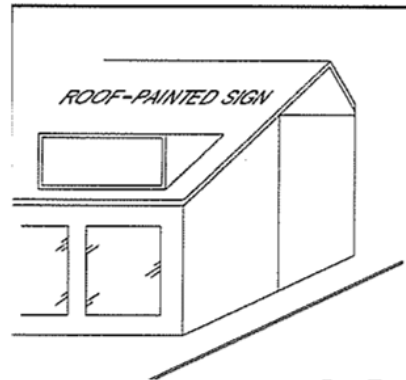
- (1) A *replica object sign* is a sign designed to replicate or copy an object shape.
- (2) The replica may be—
  - (a) attached to, or constructed as part of, a building; or
  - (b) free-standing or form part of a pole sign.
- (3) The criteria prescribed for a replica object sign are that the sign must—
  - (a) not exceed, in number, 1 replica object sign per premises; and
  - (b) advertise a product or service which is available on the premises on which the sign is displayed.

### 36 Roof – created roof sign

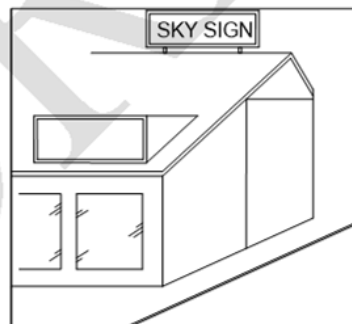


- (1) A *roof – created roof sign* is a sign integrated with the roof of a building.
- (2) If the prescribed activity is the installation, erection or display of a roof-created roof sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - (b) may not grant an approval to undertake the prescribed activity.



**37 Roof – painted sign**

- (1) A *roof – painted sign* is a sign painted on the roof of a building.
- (2) The criteria prescribed for a roof painted sign are that the sign must—
  - (a) advertise the premises on which the sign is displayed; and
  - (b) have a face area not exceeding whichever is the lesser of—
    - (i) 35m<sup>2</sup>; and
    - (ii) 50 percent of the area of the roof on which the sign is painted.

**38 Roof–sky sign**

- (1) A *roof – sky sign* is a sign positioned on top of a building so that when viewed from the ground the sign has the sky as a backdrop.
- (2) If the prescribed activity is the installation, erection or display of a roof-sky sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

**39 Social and welfare sign**

- (1) A **social and welfare sign** is a sign which identifies a charitable institution, non-proprietary club, educational establishment, incorporated association or the like.
- (2) The criteria prescribed for a social and welfare sign are that the sign must—
  - (a) if the content or information on a sign is such that the sign is classified as a social and welfare sign but the design, location or structure of the sign is such that the sign may be classified within another category of sign in this schedule (the **other category**)— comply with the criteria (if any) prescribed for the other category; and

*Example—*

*If the location and structure of a social and welfare sign are such that the sign may also be classified as a banner sign, the sign must comply with the criteria prescribed for a banner sign.*

- (b) not exceed, in number, 1 sign per premises, however, 2 signs may be displayed on premises if the premises have a street front boundary in excess of 100m or is a corner lot, providing the signs are at least 50m apart.

**40 Sporting field fence sign**

- (1) A **sporting field fence sign** is a sign painted or otherwise affixed to the inward side of a fence around a sporting field, so as not to be readily discernible from a road or other public place.
- (2) The criteria prescribed for a sporting field fence sign are that the sign must—
  - (a) be facing inward and be directed to the users of the facility located at the sporting field; and
  - (b) not exceed the height of the fence line that the sign is placed upon; and
  - (c) not be affixed to a fence unless the fence is constructed to withstand the consequent wind or other loads.

#### 41 Statutory sign



- (1) A **statutory sign** is a sign exhibited pursuant to the authority or requirements of an Act.
- (2) The criterion prescribed for a statutory sign is that the sign must be exhibited in accordance with the requirements of the Act which requires the exhibition of the sign.

*Examples—*

The *Work Health and Safety Act 2011* requires the exhibition of signs regarding safety.

The *Planning Act 2016* requires the exhibition of signs regarding town planning issues.

#### 42 Third party advertising sign

- (1) A **third party advertising sign** is a sign which displays or promotes—
  - (a) the name, logo or symbol of a company, organisation or individual which does not own or substantially occupy the premises or building on which the sign is displayed; or
  - (b) a product or service which is not supplied at, or primarily available from, the premises on which the sign is displayed; or
  - (c) an activity or event which does not occur on the premises on which the sign is displayed.
- (2) A **third party advertising sign** must not be installed, erected or displayed without a current approval granted by the local government.
- (3) A third party advertising sign may only be installed at a public place if the public

place is specifically provided by the local government for the display of third party advertising signs.

- (4) A third party advertising sign which is displayed on premises other than a road or a public place may only advertise the use of other premises for 1 or more of the following uses—
  - (a) community facility;
  - (b) indoor recreation centre;
  - (c) outdoor recreation facility;
  - (d) refreshment establishment;
  - (e) tourist accommodation;
  - (f) tourist park.
- (5) The criteria prescribed for a third party advertising sign are that the sign must—
  - (a) not exceed, in number, 1 sign per premises; and
  - (b) have a maximum height not greater than 3m above ground level directly below the sign; and
  - (c) not have a face area in excess of 2.4m<sup>2</sup>.

#### 43 Trade sign



- (1) A **trade sign** is a temporary sign which displays a trade person's activity on premises, (e.g. the activities of a painter or a tiler).
- (2) The criteria prescribed for a trade sign are that the sign must —
  - (a) not exceed, in number, 1 sign per premises; and
  - (b) only advertise the trade person's name, contact number and internet web address; and
  - (c) not have a face area in excess of 0.6m<sup>2</sup>; and

- (d) only be displayed at premises for the duration of the trade person's activity on the premises.

#### 44 Unclassified/special case sign

- (1) An *unclassified/special case sign* is a sign other than a sign which is defined in this schedule.
- (2) A person must not install, erect or display an unclassified/special case sign without a current approval granted by the local government.

#### 45 Wall sign



- (1) A *wall sign* is a sign painted or otherwise affixed flat to a wall.
- (2) The criteria prescribed for a wall sign are that the sign must—
- (a) advertise the premises on which the sign is displayed; and
  - (b) project no more than 200mm from the wall; and
  - (c) have a face area not exceeding whichever is the lesser of—
    - (i) 20m<sup>2</sup>; and
    - (ii) 30 percent of the area of the wall on which the sign is displayed; and
  - (d) not project beyond the edges of the wall on which the sign is displayed.

#### 46 Window sign



- (1) A *window sign* is a sign displayed on a window.
- (2) The criteria prescribed for a window sign are that the sign must—
- (a) advertise the premises on which the sign is displayed; and

- (b) not have a face area in excess of 25 percent of the area of the glass panel or panels on which the sign is displayed.

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## **Schedule 4      General criteria for installation, erection and display of advertising devices**

Schedule 1, section 2

1. This schedule specifies general criteria for the installation, erection and display of advertising devices.
2. The advertising device must not be erected on a road or a public place unless otherwise permitted by this subordinate local law.
3. The advertising device must—
  - (a) not display third party advertising unless otherwise permitted by this subordinate local law; and
  - (b) not cause a nuisance as reasonably determined by the local government; and
  - (c) be kept and maintained at all times in good order and repair, and free of graffiti.
4. The activity being advertised on the advertising device must be able to be lawfully conducted on the premises on which the advertising device is installed, erected or displayed.
5. The display of the advertising device must not cause obstruction of, or distraction to, pedestrian or vehicular traffic.
6. An advertising device mounted over a road or other place where vehicles are able to pass, must provide a clearance of not less than 5.7m above ground level directly below the advertising device.
7. This schedule also specifies the criteria that the local government must have regard to when deciding whether to approve the display of a free-standing advertising device by reference to the size of the advertising device.
8. The face area of any advertising device is the area bounded by the framework of a manufactured panel, hoarding or illuminated advertising device case and is calculated by multiplying the advertising device face area height and width parameters.
9. However, in the case of lettering, logos or designs applied to a lesser area than the panel parameters, or individual lettering applied to a wall or awning face, the area is calculated by drawing a rectangle around the advertising device lettering.
10. In the case of irregular shaped advertising devices, including words with ascending or descending upper or lower case letter strokes, or replicas or shapes, the face area is calculated by not more than 2 abutting and non-overlapping rectangles added together.
11. Decorative lines, stripes and architectural trims of an advertising device, whether illuminated or not, form part of the face area of the advertising device.
12. In calculating the size of an advertising device, v-shaped advertising devices are classed as 2 advertising devices unless otherwise determined by this subordinate local law.
13. The maximum face area for a free-standing advertising device is 22.5m<sup>2</sup> unless otherwise permitted by this subordinate local law.
14. The maximum allowable height for a free-standing advertising device is 7.5m, unless otherwise permitted by this subordinate local law.
15. The advertising device must not have moving and rotating parts, flashing, chasing,

scrolling or the like display.

- 16. The advertising device must not have an electronic display component unless otherwise permitted by this subordinate local law.
- 17. Any sign that is illuminated must—

- (a) have luminance levels not greater than the limits outlined in the table below—

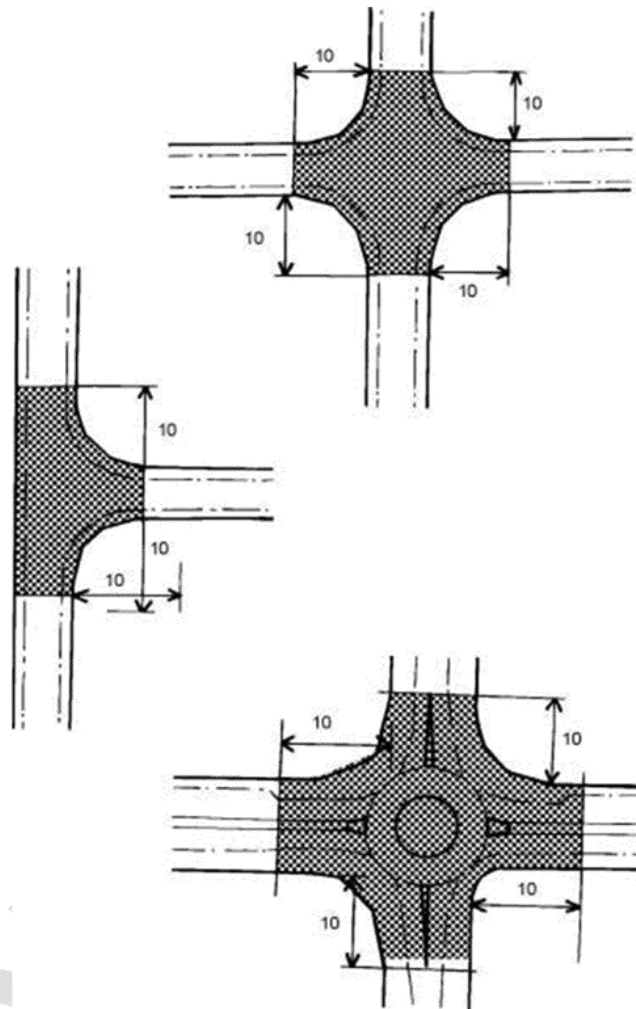
Lighting Condition	Industrial and Centre Zone	Environmental and Open Space Zone	Residential and Community Purposes Zone
full sun on face of signage	maximum output	maximum output	maximum output
Daytime	6000-7000 cd/m <sup>2</sup>	6000-7000 cd/m <sup>2</sup>	6000-7000 cd/m <sup>2</sup>
During dawn/dusk and inclement weather	1000 cd/m <sup>2</sup>	700cd/m <sup>2</sup>	600 cd/m <sup>2</sup>
Night time	500 cd/m <sup>2</sup>	350cd/m <sup>2</sup>	300cd/m <sup>2</sup>

and

- (b) not be located within 45m of a set of traffic signals, an intersection, a roundabout or a school zone (refer Roadside Advertising Guide table C1 for further requirements).
- 18. An advertising device must not to be installed, erected or displayed on any of the following locations—
    - (a) within 10m of an intersection or roundabout as shown on figure 1;
    - (b) within, or on, a median strip, traffic island or roundabout;
    - (c) upon any tree, shrub, pole or traffic sign support;
    - (d) within 10m of a traffic warning or direction sign;
    - (e) within 3m of the bitumen edge of a road (where no kerb and channel exists);
    - (f) outside the footpath area of a road (where kerb and channel exists); and
    - (g) where the placement of the advertising device presents a potential safety hazard to the public.

**Figure 1 – Advertising devices not to be located in shaded areas**





All measurements in figure 1 are in shown in metres.

## **Schedule 5      Zone categorization criteria for installation, erection and display of advertising devices**

Schedule 1, section 2

1. The local government has divided the local government area into 6 zone categories as follows—
  - (a) industrial; and
  - (b) centre; and
  - (c) environmental; and
  - (d) open space; and
  - (e) residential; and
  - (f) community purposes.
2. For the purpose of this subordinate local law, the 6 categories identified in the planning scheme of the local government are further categorized as follows—
  - (a) the industrial zone category includes—
    - (i) the low impact industry zone; and
    - (ii) the medium impact industry zone; and
    - (iii) the waterfront and marine industry zone; and
    - (iv) the mixed use zone; and
  - (b) the centre zone category includes—
    - (i) the district centre zone; and
    - (ii) the local centre zone; and
    - (iii) the major centre zone; and
    - (iv) the principal centre zone; and
    - (v) the specialised centre zone; and
  - (c) the environmental zone category includes —
    - (i) the conservation zone; and
    - (ii) the environmental management zone; and
  - (d) the open space zone category includes the recreation and open space zone; and
  - (e) the residential zone category includes—
    - (i) the emerging community zone; and
    - (ii) the low density residential zone; and
    - (iii) the medium density residential zone; and
    - (iv) the neighbourhood centre zone; and
    - (v) the character residential zone; and
    - (vi) the tourist accommodation zone; and

- (vii) the rural zone; and
  - (viii) the low-medium density residential zone; and
  - (f) the community purposes zone category includes the community facilities zone.
3. If an advertising device is identified as a permitted sign in a specified zone in the table in this schedule, a person may install, erect or display the advertising device without a current approval granted by the local government.
  4. If an advertising device is identified as an approval required sign in a specified zone in the table in this schedule, a person must not install, erect or display the advertising device without a current approval granted by the local government.
  5. If an advertising device is identified as a not approved sign in a specified zone in the table in this schedule, a person must not install, erect or display the advertising device in the zone.

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## Zone categorization for advertising devices

Schedule 3 sign number	Sign Description	Zone Category					
		Industrial	Centre	Environmental	Open Space	Residential	Community Purposes
1	Awning Sign – Above Awning Sign	x	x	x	x	x	x
1	Awning Sign – Awning Fascia Sign	✓	✓	x	x	x	x
1	Awning Sign – Created Awning Sign	✓	✓	x	x	x	x
1	Awning Sign – Under Awning Sign	✓	✓	x	x	x	x
2	Balloon, Blimp, Kite, or Cold Air Inflatable Sign	✓	✓	x	●	x	●
3	Banner Sign	✓	✓	●	✓	x	✓
4	Banner Freestanding Sign	✓	✓	●	✓	●	✓
5	Billboard Sign	x	x	x	x	x	x
6	Blind or Canopy Sign	✓	✓	x	x	x	x
7	Boundary Fence Sign	●	●	x	x	x	x
8	Bunting Sign	✓	✓	x	x	x	x
9	Community Event Sign	✓	✓	✓	✓	x	✓
10	Community Event Directional Sign	✓	✓	✓	✓	✓	✓
11	Construction Project Sign	✓	✓	✓	✓	✓	✓
12	Construction Site Fence Sign	✓	✓	●	●	●	✓
13	Display Home Sign	●	●	●	x	✓	x
14	Election Polling Place Sign	✓	✓	✓	✓	✓	✓
15	Election Sign	✓	✓	✓	✓	✓	✓
16	Election Stall Sign	✓	✓	✓	✓	✓	✓
17	Electronic Display Component – High Impact Sign	●	●	x	x	x	x
18	Electronic Display Component – Low Impact Sign	●	●	●	●	x	●
19	Commercial Flag Pole Sign	✓	✓	x	x	x	x
20	Footway Sign	✓	✓	x	●	x	✓
21	Footway Dining Furniture Sign	✓	✓	x	✓	x	✓
22	Garage Sale Sign	✓	✓	✓	✓	✓	✓
23	Home Business Sign	✓	✓	✓	✓	✓	✓
24	Illuminated Sign	●	●	x	●	x	●
25	Mobile Sign	✓	✓	x	●	x	✓
26	Motor Vehicle Sign	x	x	x	x	x	x
27	Pillar Sign	✓	✓	x	x	x	x
28	Pole Sign	●	●	x	x	x	x
29	Projected Image Sign	x	x	x	x	x	x
30	Projected Wall Sign	✓	✓	x	x	x	x
31	Public Infrastructure Sign	●	●	●	●	●	●
32	Pylon Sign	●	●	x	x	x	x
33	Real Estate Land Promotional Sign	●	●	●	●	●	●
34	Real Estate Sign	✓	✓	✓	✓	✓	✓
35	Replica Object Sign	●	●	x	x	x	x

Schedule 3 sign number	Sign Description	Zone Category					
		Industrial	Centre	Environmental	Open Space	Residentia l	Community Purposes
36	Roof – Created Roof Sign	x	x	x	x	x	x
37	Roof – Painted Sign	●	●	x	x	x	x
38	Roof – Sky Sign	x	x	x	x	x	x
39	Social and Welfare Sign	✓	✓	✓	✓	✓	✓
40	Sporting Field Fence Sign	x	x	✓	✓	x	✓
41	Statutory Sign	✓	✓	✓	✓	✓	✓
42	Third Party Advertising Sign	●	●	●	●	●	●
43	Trade Sign	✓	✓	✓	✓	✓	✓
44	Unclassified/Special Case Sign	●	●	●	●	●	●
45	Wall Sign	✓	✓	x	x	x	x
46	Window Sign	✓	✓	x	x	x	x

Permitted Sign = ✓	Approval Required Sign = ●	Not Approved Sign = x Note, a development approval for, or an existing lawful use of, premises may authorise the use of the premises for the installation, erection or display of an advertising device contrary to the identification of the advertising device as a not approved sign in the table in this schedule.
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**Schedule 6 State-controlled roads to which the local law applies**

Section 7

Subject to the chief executive's written agreement under the *Transport Operations (Road Use Management) Act 1995*, section 66(5)(b), every State-controlled road in the local government area.

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## Schedule 7 Dictionary

### Section 4

*above awning sign* see schedule 3, section 1.

*advertiser* means a person—

- (a) by whom a sign is installed, erected or displayed; or
- (b) whose business or place of business is advertised by a sign; or
- (c) who manages and controls, or has power to manage and control, the place at which a sign is installed, erected or displayed; or
- (d) who is—
  - (i) the owner of premises or a place on which a sign is installed, erected or displayed; or
  - (ii) the occupier of premises or a place on which a sign is installed, erected or displayed; or
  - (iii) the owner of a vehicle on which a sign is installed, erected or displayed.

*advertising device* means a structure or device which is visible from a road or other public place and which conveys information or directions of any kind (other than a structure or device displayed pursuant to the authority or requirements of an Act) and the term includes any structure forming part of the advertising device or to which the advertising device is attached or on which it is displayed.

*awning fascia sign* see schedule 3, section 1.

*balloon, blimp, kite, or cold air inflatable sign* see schedule 3, section 2.

*banner freestanding sign* see schedule 3, section 4.

*banner sign* see schedule 3, section 3.

*billboard sign* see schedule 3, section 5.

*blind sign* see schedule 3, section 6.

*boundary fence sign* see schedule 3, section 7.

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

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

*bunting sign* see schedule 3, section 8.

*canopy sign* see schedule 3, section 6.

*commercial flag pole sign* see schedule 3, section 19.

*community event directional sign* see schedule 3, section 10.

*community event sign* see schedule 3, section 9.

*community infrastructure* has the meaning given in the *Sustainable Planning Act 2009*.

*construction project sign* see schedule 3, section 11.

*construction site fence sign* see schedule 3, section 12.

*created awning sign* see schedule 3, section 1.

**day time**, for an illuminated sign or a sign that uses an electronic display component, means the period of time between dusk and dawn, but excludes such times as when there is direct sunlight on the total face area of the sign or there is inclement weather.

**display home sign** see schedule 3, section 13.

**dwell time**, for an individual advertisement or image displayed on an electronic display component, means the period of time during which the advertisement or image is displayed on the electronic display component.

**election polling place sign** see schedule 3, section 14.

**election sign** see schedule 3, section 15.

**election stall** means a table or other similar device from which political information is distributed.

**election stall sign** see schedule 3, section 16.

**electronic display component** means part or the whole of a sign which utilises an image projector, bulbs, LED, LCD, television screen, or similar device to present the content of the sign.

**electronic display component – high impact sign** see schedule 3 section 17.

**electronic display component – low impact sign** see schedule 3 section 18.

**environmental harm** has the meaning given in the *Environmental Protection Act 1994*.

**environmental nuisance** has the meaning given in the *Environmental Protection Act 1994*.

**face area** see schedule 4, sections 8 to 13 inclusive.

**footway dining furniture sign** see schedule 3, section 21.

**footway sign** see schedule 3, section 20.

**free-standing**, for a sign, means the sign—

- (a) does not form part of a building or other similar structure; and
- (b) is erected on a solid, free-standing structure.

**garage sale sign** see schedule 3, section 22.

**height** (of an advertising device) means the distance measured between the top of the advertising device and ground level directly below the advertising device.

**home business sign**, see schedule 3, section 23.

**illuminated**, for a sign, means the sign is illuminated by internal or external lighting that is static and does not have moving, scrolling, flashing, flickering, shimmering or changing images.

**illuminated sign** see schedule 3, section 24.

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

**LCD**, for a sign, means the sign uses liquid crystal display technology.

**LED**, for a sign, means the sign uses light emitting diode technology.

**maximum output**, for an advertising device, means the maximum luminance output that the advertising device is able to emit.

**mobile sign** see schedule 3, section 25.

**motor vehicle sign** see schedule 3, section 26.



**motorway** has the meaning given in the *Transport Infrastructure Act 1994*.

**moving image screen**, for a sign—

- (a) means the electronic display component of the sign which is capable of displaying animated images similar to a television or movie; but
- (b) does not include a static image or an automatically changing display screen.

**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.

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

**owner**, of premises, means the person for the time being entitled to receive the rent for the premises or who would be entitled to receive the rent for it if it were let to a tenant at a rent.

**pillar sign** see schedule 3, section 27.

**pole sign** see schedule 3, section 28.

**polling place** means—

- (a) for an election under the *Electoral Act 1992*—a polling place as defined in the *Electoral Act 1992*; and
- (b) for an election under the *Local Government Electoral Act 2011*—a polling booth as defined in the *Local Government Electoral Act 2011*; and
- (c) for an election under the *Commonwealth Electoral Act 1918*—a polling place as defined in the *Commonwealth Electoral Act 1918*.

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

**projected image sign** see schedule 3, section 29.

**projected wall sign** see schedule 3, section 30.

**public infrastructure sign** see schedule 3, section 31.

**public place** has the meaning given in the Act.

**pylon sign** see schedule 3, section 32.

**road** has the meaning given in the Act.

**real estate land promotional sign** see schedule 3, section 33.

**real estate sign** see schedule 3, section 34.

**replica object sign** see schedule 3, section 35.

**roof** means the protective covering, that covers or forms the top of a building.

**roof - created roof sign** see schedule 3, section 36.

**roof - painted sign** see schedule 3, section 37.

**roof - sky sign** see schedule 3, section 38.

**sign** see advertising device.

**social and welfare sign** see schedule 3, section 39.

**sporting field fence sign** see schedule 3, section 40.

**statutory sign** see schedule 3, section 41.

**street front boundary** —

- (a) of premises, means the length, measured in metres, along the alignment of the premises abutting a road or abutting an access restriction strip directly between the premises and a road; and
- (b) if premises continuously abut more than 1 road or access restriction strip directly between the premises and a road, the street front boundary dimensions shall be the total length of those boundaries added together; and
- (c) if premises have more than 1 street front boundary that is not continuous, each street front boundary is to be considered separately.

**structure** has the meaning given in the Act.

**third party advertising** see third party advertising sign.

**third party advertising sign**, see schedule 3, section 42.

**trade sign** see schedule 3, section 43.

**unclassified/special case sign** see schedule 3, section 44.

**under awning sign** see schedule 3, section 1.

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

**wall sign** see schedule 3, section 45.

**window sign** see schedule 3, section 46.

**zone** means an area identified as a zone in the planning scheme of the local government.

**Certification**

This and the preceding 54 pages bearing my initials is a certified copy of *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2017* made in accordance with the provisions of the *Local Government Act 2009* by Redland City Council by resolution dated the            day of            , 2017.

.....  
Chief Executive Officer

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**Amending Subordinate Local Law No. 1**  
**(Subordinate Local Law No. 1.4**  
**(Installation of Advertising Devices) 2015)**  
**2018**

It is hereby certified that this a true and correct copy of *Amending Subordinate Local Law No. 1 (Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015) 2018* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated [insert date]  
A. Chesterman  
Chief Executive Officer



## Redland City Council

### Amending Subordinate Local Law **No. 1** (Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015) 2018

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**Redland City Council  
Amending Subordinate Local Law No. 1  
(Subordinate Local Law No. 1.4 (Installation of Advertising  
Devices) 2015) 2018**

**Part 1 Preliminary**

**1 Short title**

This amending local law may be cited as *Amending Subordinate Local Law No. 1 (Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015) 2018*.

**2 Object**

The object of this amending local law is to amend *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015* by—

- (a) moving existing planning scheme provisions covering permanent signage applications into the local law;
- (b) making minor typographical and grammatical amendments;
- (c) providing greater clarity to a number of provisions; and
- (d) aligning terminology with that in the planning scheme.

**3 Commencement**

This amending local law commences on the date of publication of the notice of the making of *Amending Subordinate Local Law No. 1 (Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015) 2018* in the gazette.

**Part 2 Amendment of Subordinate Local Law No. 1.4  
(Installation of Advertising Devices) 2015**

**4 Amendment of cited name of Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015**

- (1) Entire subordinate local law, ‘Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015’—

*omit, insert—*

Subordinate Local Law No. 1.4 (Installation of Advertising  
Devices) 2017

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**5 Amendment of s 7 (State-controlled roads to which the local law applies—  
Authorising local law, schedule 1)**

- (1) Section 7, ‘listed’—  
*omit, insert—*  
identified

**6 Amendment of Sch 1 (Installation of advertising devices)**

- (1) Schedule 1, heading ‘Section 5’—  
*omit.*
- (2) Schedule 1, section 2(2)—  
*omit.*
- (3) Schedule 1, section 2(3)(b) before ‘installed’—  
*insert—*  
permitted,
- (4) Schedule 1, section 2(3)(b)(ii), second mention—  
*renumber* as section 2(3)(b)(iii).
- (5) Schedule 1, section 2(3)—  
*renumber* as section 2(2).
- (6) Schedule 1, section 3(7)(e), after ‘approval’—  
*insert—*  
(if applicable)
- (7) Schedule 1, section 4(1)(c), ‘.’—  
*omit, insert—*  
; or
- (8) Schedule 1, after section 4(1)(c)—  
*insert—*  
(d) if an advertising device is installed, erected or displayed on premises—conflict, in any material way, with a development approval, or a condition of a development approval, about the use of the premises.
- (9) Schedule 1, after section 4(2)—  
*insert—*

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*Redland City Council**Amending Subordinate Local Law No. 1**(Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015) 2018*

(3) Compliance with the criteria in subsection (2) may be varied if the undertaking of the prescribed activity complies with the criteria specified in subsection (1).

(10) Schedule 1, section 8(1), 'regarding'—  
*omit, insert—*  
regard

**7 Amendment of Sch 2 (Categories of approval that are non-transferable)**

(1) Schedule 2, 'non-transferable'—  
*omit, insert—*  
transferable

**8 Replacement of Sch 3 (Definitions and prescribed criteria for installation, erection and display of advertising devices)**

Schedule 3—  
*omit, insert—*



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### Schedule 3 Definitions and prescribed criteria for installation, erection and display of advertising devices

Schedule 1, section 2

#### 1. Awning signs

##### Above awning sign



- (1) An *above awning sign* means a sign attached to the roof of an awning.
- (2) If the prescribed activity is the installation, erection or display of an above awning sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

##### Awning fascia sign

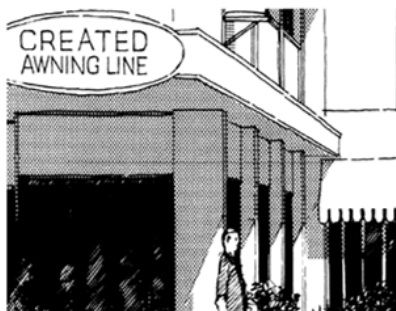


- (1) An *awning fascia sign* means a sign painted or attached to the front or side face of an awning.
- (2) The criteria prescribed for an awning fascia sign are that the sign must —
  - (a) be directly related to a tenancy in the building on which the sign is displayed; and
  - (b) be contained wholly within the outline of the fascia; and

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- (c) not project more than 200mm from the fascia.

**Created awning sign**



- (1) A *created awning sign* means a pre-manufactured sign attached to and extending beyond the fascia of an awning.
- (2) The criteria prescribed for a created awning sign are that the sign must —
  - (a) advertise the premises on which the sign is displayed; and
  - (b) not project more than 600mm above the fascia to which the sign is attached; and
  - (c) have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign; and
  - (d) not be longer than 50 percent of the length of the fascia to which the sign is attached; and
  - (e) be centrally located on the fascia.

**Under awning sign**

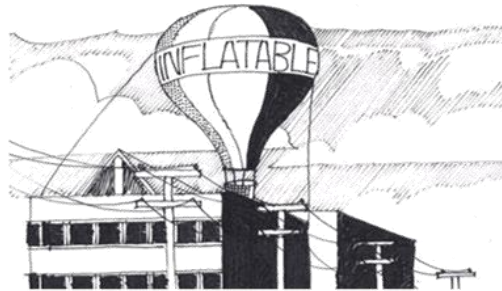


- (1) An *under awning sign* means a sign attached to the underside of an awning.
- (2) The criteria prescribed for an under awning sign are that the sign must —
  - (a) not project beyond the awning outline; and
  - (b) be directly related to a tenancy in the building on which the sign is displayed; and
  - (c) have a minimum clearance of 2.4m between the lowest part of the sign

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- and ground level directly below the sign; and
- (d) have dimensions not more than—
- (i) 2.5m in length; and
  - (ii) 500mm in height; and
  - (iii) 300mm in depth.

**2. Balloon, blimp, kite or cold air inflatable sign**



- (1) **Balloon, blimp, kite or cold air inflatable sign** means any fixed or captive envelope, balloon, blimp, or kite, whether a cold air inflatable or lighter than air device.
- (2) The criteria prescribed for a balloon, blimp, kite or cold air inflatable sign at premises are that the sign must—
- (a) not be illuminated; and
  - (b) only be displayed for a maximum period of 7 days in any 90 day period; and
  - (c) fit within a three dimensional space having rectangular sides, where the sum of the height, width and depth of the space does not exceed 20m; and
  - (d) not exceed 8 m in height or 6m in diameter; and
  - (e) only be inflated with cold air or non-flammable or non-toxic gas; and
  - (f) be tethered to the roof of the premises and must not be floated above the roof; and
  - (g) only be deployed by a qualified operator; and
  - (h) have engineering design and certification and be installed in accordance with the certification; and
  - (i) be limited to 1 balloon, blimp, kite or cold air inflatable sign per premises.
- (3) Also, the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign.

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### 3. Banner sign



- (1) A **banner sign** is a temporary sign that is suspended from a structure or pole with or without supporting framework displaying a sign applied or painted to fabric or similar material of any kind.
- (2) The criteria prescribed for a banner sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 2.4m<sup>2</sup> per side; and
  - (c) only be displayed for a maximum period of 14 days within any 90 day period; and
  - (d) be affixed flat to a structure that will accommodate wind loadings for the area; and
  - (e) not be affixed to a tree, street light pole or power pole; and
  - (f) not be erected above the gutter line or on the roof of a building; and
  - (g) if attached vertically to a building—have a maximum width of 750mm; and
  - (h) not project above the roofline of the building on which the sign is displayed; and
  - (i) have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign.
- (3) Also, a limit of only 1 banner sign per street frontage for any premises may be displayed at any 1 time.

### 4. Banner freestanding sign



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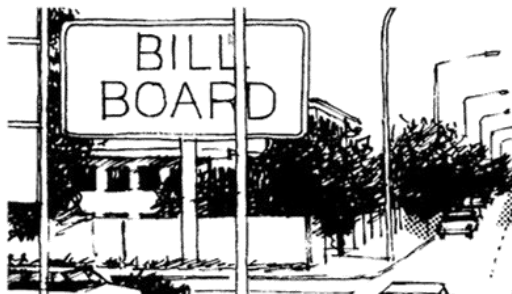
- (1) A **banner freestanding sign** is attached to a free-standing pole and is readily relocatable.
- (2) The criteria prescribed for a banner freestanding sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 2.5m<sup>2</sup> per side; and
  - (c) have a maximum width of 750mm; and
  - (d) have a maximum height not greater than 3.5m above ground level directly below the sign; and
  - (e) be positioned immediately adjacent to the shop frontage or near the kerb, but not closer than 1500mm; and
  - (f) be positioned to ensure a minimum 2m wide pedestrian corridor is kept clear along the footpath; and
  - (g) be clear of any vehicle accessway across the footpath; and
  - (h) not obstruct access for parking provided for persons with disabilities; and
  - (i) not be positioned to obstruct or clutter the footpath, street landscaping, furniture or artwork; and
  - (j) not be displayed at premises otherwise than during the trading hours for the premises; and
  - (k) be secured so as not to cause a pedestrian or vehicular hazard in windy conditions.
- (3) Also—
  - (a) the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
  - (b) the maximum number of banner freestanding signs that may be erected on premises is limited to the greater of—
    - (i) 1 sign per premises when the street front boundary of the premises exceeds 15m; and
    - (ii) 1 sign per full 15m of the street front boundary of the premises.

*Example—*

*A shop with over 15m of street front boundary is permitted 1 banner freestanding sign and a shop with over 30m street front boundary is permitted 2 banner freestanding signs etc.*

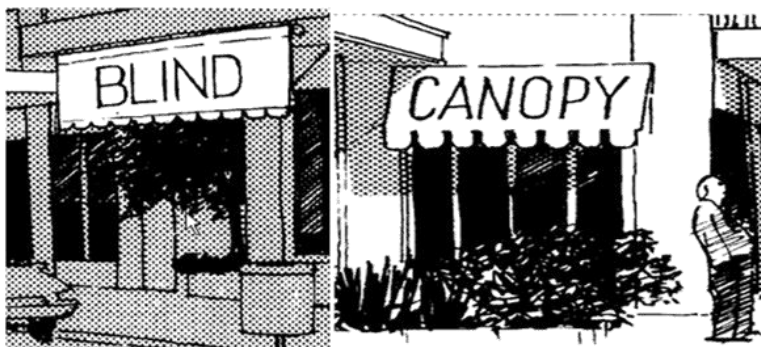
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5. **Billboard sign**



- (1) A **billboard sign** is a free-standing display surface, which is positioned on the ground or mounted on 1 or more vertical supports.
- (2) If the prescribed activity is the installation, erection or display of billboard sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in schedule 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

6. **Blind or canopy sign**



- (1) A **blind sign** or **canopy sign** is a sign painted on, or otherwise affixed to, solid or flexible material suspended from the edge of an awning, verandah or wall.
- (2) The criteria prescribed for a blind sign are that the sign must—
  - (a) not be illuminated; and
  - (b) advertise the premises on which the sign is displayed; and
  - (c) have a face area not exceeding 50 percent of the area of the blind; and
  - (d) have a minimum clearance of 2.4m between any rigid part of the sign and ground level directly below the sign.

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**7. Boundary fence sign**



- (1) A *boundary fence sign* is a sign painted or otherwise affixed to a fence that has been designed to permanently delineate or identify a boundary alignment or enclosure.
- (2) The criteria prescribed for a boundary fence sign are that the sign must—
  - (a) not be illuminated; and
  - (b) be wholly contained within the fence outline; and
  - (c) have a size and form in scale and proportion with the fence on which it is displayed and a face area not exceeding 20m<sup>2</sup> or 30 percent of the face area of the fence, whichever is the greater; and

*Note*

*The fence area relates to the straight line portion of the fence upon which the sign is displayed.*

- (d) if the sign is not painted on the fence—not project more than 30mm from the fence.

**8. Bunting sign**



- (1) A *bunting sign* includes decorative flags, pennants and streamers.
- (2) The criteria prescribed for a bunting sign are that the sign must—
  - (a) not be illuminated; and
  - (b) be affixed to a structure that will accommodate wind loadings in the area; and
  - (c) not be affixed to a tree, street light pole or power pole on a local government controlled area or a road; and
  - (d) not be placed on premises more than 6m above ground level directly below the sign; and

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- (e) be placed wholly within the premises and not beyond the street front boundary of the premises.
- (3) Also, if requested by an authorised person, the advertiser must provide an engineer's certification for any structure dedicated for the support of the sign.

#### 9. Community event sign



- (1) A *community event sign* is a sign which is displayed at the site of a fete, fair, festival or other similar event for the primary purpose of advertising the fete, fair, festival or other similar event.
- (2) The criteria prescribed for a community event sign are that the sign must—
  - (a) not be illuminated; and
  - (b) only be displayed for a maximum period of 30 days prior to the event advertised on the sign; and
  - (c) not have a face area in excess of (per side)—
    - (i) 2.5m<sup>2</sup> in a residential zone; or
    - (ii) 5m<sup>2</sup> in all remaining zone category areas; and
  - (d) be removed within 2 days of the event finishing; and
  - (e) not exceed, in number, 2 community event signs per street front boundary of the premises.

#### 10. Community event directional sign

- (1) A *community event directional sign* is a sign which while not displayed at the site of a fete, fair, festival or other similar event, has the primary purpose of directing the public to the fete, fair, festival or other similar event.
- (2) The criteria prescribed for a community event directional sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 0.6m<sup>2</sup> when placed on a road or public place; and
  - (c) not have a face area in excess of 2.4m<sup>2</sup> when placed on private property;



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- and
- (d) only be displayed for a maximum period of 14 days prior to the event advertised on the sign and be removed within 2 days of the event finishing; and
  - (e) only be erected on private property other than a public place not more than 14 days prior to the event advertised on the sign, and be removed within 2 days of the event finishing; and
  - (f) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic.
- (3) Also—
- (a) for signs placed on a road or public place, the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
  - (b) a maximum of 15 signs may be displayed on private property; and
  - (c) a maximum of 10 signs may be displayed on roads and public places.

**11. Construction project sign**

- (1) **Construction project sign** is a sign which conveys information relating to the nature of the development project proposed for a site as well as the name and contact details of the developer and their principal consultants.
- (2) The criteria prescribed for a construction project sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of—
    - (i) 5m<sup>2</sup> in an industrial zone or a centre zone; or
    - (ii) 2.5m<sup>2</sup> in all remaining zone category areas; and
  - (c) relate to a current development permit; and
  - (d) be removed upon the completion of construction at the site.
- (3) Also, only 1 construction project sign per street front boundary may be displayed.

**12. Construction site fence sign**

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- (1) A **construction site fence sign** is a sign painted or otherwise affixed parallel with and confined to the limits of a temporary safety fence of a construction site, along the boundary or boundaries of the site.
- (2) The criteria prescribed for a construction site fence sign are that the sign must—
  - (a) not be illuminated; and
  - (b) only contain information related to the project under construction, for example, the project name, project slogan, project developer, construction company, proposed uses and completion date; and
  - (c) not exceed the height of the fence on which the sign is displayed; and
  - (d) not be affixed to a fence unless the fence is constructed to withstand the consequent wind or other loads; and
  - (e) relate to a construction site where there is a current building development permit and construction works have commenced; and
  - (f) be removed within 7 days of a successful final building inspection or the issue of a certificate of classification; and
  - (g) only be displayed for a maximum period of 12 months in a residential zone.

### 13. Display home sign



- (1) A **display home sign** is a sign which advertises a display home.
- (2) The criteria prescribed for a display home sign are that the sign must—
  - (a) not be illuminated; and

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- (b) only be displayed on premises with a lawfully approved display home; and
- (c) only be displayed for a maximum period of 12 months; and
- (d) not have a face area in excess of 2.4m<sup>2</sup>; and
- (e) only be located on the premises of the display home advertised on the sign; and
- (f) not exceed, in number, 1 display home sign per premises.

**14. Election polling place sign**

- (1) An *election polling place sign* is an election sign which—
  - (a) is on a roadway, footpath or public space; and
  - (b) is in the direct control of a person; and
  - (c) is located at a polling place at which voting can occur.
- (2) The criteria prescribed for an election polling place sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 1.2m<sup>2</sup>, but may be double-sided; and
  - (c) be located adjacent to the polling place; and
  - (d) only be exhibited while the polling place is continually occupied by a person taking responsibility for the sign; and
  - (e) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic, including complying with applicable parts of schedule 4; and
  - (f) not constitute a safety hazard.
- (3) Also, no continuous signage device may be exhibited on a road or other public place.

**15. Election sign**



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- (1) An **election sign** is a temporary sign advertising a political candidate or candidates, a registered political party, or a campaign for a Commonwealth, State, or Local Government election—
  - (a) during an election campaign; or
  - (b) in relation to a referendum.
- (2) The criteria prescribed for an election sign are that the sign must—
  - (a) not be illuminated; and
  - (b) be exhibited in a location that is not a road or other public place, unless adjacent to an election stall sign; and
  - (c) not adversely affect public safety; and
  - (d) not inappropriately impact on the use and enjoyment of land or premises; and
  - (e) not excessively affect the visual amenity of an area; and
  - (f) be removed no later than 7 days after the day of the election or referendum promoted in the sign.

**16. Election stall sign**

- (1) An **election stall sign** is an election sign which—
  - (a) is on a roadway, footpath or public space; and
  - (b) is in the direct control of a person; and
  - (c) is located within 6m of an election stall.
- (2) The criteria prescribed for an election stall sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 1.2m<sup>2</sup>, but may be double-sided; and
  - (c) for each election stall—
    - (i) be integrated with the stall or be stand-alone in the form of a footway sign or a sign mounted on 1 or more vertical supports; and
    - (ii) not exceed, in number, 4 election stall signs, whether stand-alone (such as a footway sign) or integrated with the stall, or any combination of these options; and
    - (iii) be located not more than 6m from the stall; and
    - (iv) be exhibited only while the stall is continually occupied by the person taking responsibility for the stall; and
  - (d) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic, including complying with applicable parts of schedule 4; and
  - (e) not constitute a safety hazard.

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- (3) Also, no continuous signage device may be exhibited on a road or other public place.

**17. Electronic display component –high impact sign**

- (1) An *electronic display component –high impact sign* is a sign that—
  - (a) uses an electronic display component; and
  - (b) has a face area in excess of 4m<sup>2</sup>; and
  - (c) is either fixed to a structure or mounted on a vehicle (including a trailer) or other portable device and the vehicle remains stationary during the display of the advertising.
- (2) The criteria prescribed for an electronic display component –high impact sign are that the sign must—
  - (a) have a maximum height not greater than 7.5m above ground level directly below the sign; and
  - (b) not have a moving image screen; and
  - (c) not have flashing, chasing, scrolling or the like display; and
  - (d) when visible from a road (State-controlled road or local government road)—be sited and displayed in accordance with the Queensland Government Roadside Advertising Guide; and
  - (e) have luminance levels not greater than the limits outlined in the table below—

<b>Lighting Condition</b>	<b>Industrial and Centre Zone</b>	<b>Environmental and Open Space Zone</b>	<b>Residential and Community Purposes Zone</b>
Direct sunlight on total face area of the sign	maximum output	maximum output	maximum output
Daytime	6000-7000 cd/m2	6000-7000 cd/m2	6000-7000 cd/m2
During dawn/dusk and inclement weather	1000 cd/m2	700cd/m2	600 cd/m2
Night time	500 cd/m2	350cd/m2	300cd/m2

- (f) have a minimum dwell time of—
  - (i) 25 seconds for a road with a speed limit of 80km/h or greater; or
  - (ii) 10 seconds for a road with a speed limit of less than 80km/h; and

- (g) have minimum spacing between the sign and any other sign containing an electronic display component that is not visible to a driver at the same time of—
  - (i) 250m for a motorway or motorway standard road; and
  - (ii) 190m for a State-controlled road with a speed limit of 80km/h or greater; and
  - (iii) 125m for a State-controlled or local government road with a speed limit of 70km/h; and
  - (iv) 75m for a State-controlled road or local government road with a speed limit of 60km/h or less; and
- (h) have minimum spacing between the sign any other sign containing an electronic display component that is visible to a driver at the same time of—
  - (i) 500m for a motorway or motorway standard road; and
  - (ii) 375m for a State-controlled road with a speed limit of 80km/h or greater; and
  - (iii) 250m for a State-controlled road with a speed limit of 70km/h; and
  - (iv) 150m for a State-controlled road with a speed limit of 60km/h or less; and
- (i) have no detrimental impact on residential premises and be turned off each day from 9:00 p.m. on the day till 6:30 a.m. on the following day if the display screen of the sign is visible from any residential premises within 200m of the sign.

#### 18. Electronic display component –low impact sign

- (1) An *electronic display component –low impact sign* is a sign that—
  - (a) uses an electronic display component; and
  - (b) has a face area of 4m<sup>2</sup> or less; and
  - (c) is either fixed to a structure or mounted on a vehicle (including a trailer) or other portable device and the vehicle remains stationary during the display of the advertising.
- (2) The criteria prescribed for an electronic display component –low impact sign are that the sign must—
  - (a) not have moving image screen; and
  - (b) not have flashing, chasing, scrolling or the like display; and
  - (c) when visible from a road (State-controlled road or local government road)—be sited and displayed in accordance with the Queensland Government Roadside Advertising Guide; and

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- (d) have minimum spacing of 37m between the sign and any other sign containing an electronic display component on the same side of the road (including an electronic display component on a billboard sign); and
- (e) have luminance levels not greater than the limits outlined in the table below—

Lighting Condition	Industrial and Centre Zone	Residential and Community Purposes Zone	Environmental and Open Space Zone
Direct sunlight on the total face area of the sign	maximum output	maximum output	maximum output
Daytime	6000-7000 cd/m2	6000-7000 cd/m2	6000-7000 cd/m2
During dawn/dusk and inclement weather	1000 cd/m2	700cd/m2	600 cd/m2
Night time	500 cd/m2	350cd/m2	300cd/m2

- (f) have a minimum dwell time of—
  - (i) 25 seconds for a road with a speed limit of 80km/h or greater; or
  - (ii) 10 seconds for a road with a speed limit of less than 80km/h; and
- (g) have no detrimental impact on residential premises and be turned off each day from 9:00 p.m. on the day till 6:30 a.m. on the following day if the display screen of the sign is visible from any residential premises within 200m of the sign.

**19. Commercial flag pole sign**



- (1) A **commercial flag pole sign** is a fabric advertising sign hung from a pole for the purpose of advertising or identifying a commercial establishment or activity, but does not include internationally recognised national, state or indigenous flags.

- (2) The criteria prescribed for a commercial flag pole sign are that the sign must—
- (a) not have a face area in excess of 2.4m<sup>2</sup>; and
  - (b) have a maximum height not greater than 6.5m above ground level directly below the sign; and
  - (c) be limited to 1 sign for every full 20m of street front boundary.

## 20. Footway sign

- (1) **Footway sign** is a portable, free-standing sign, normally supported by an 'A' or inverted 'T' frame, and typically displayed on a footpath.
- (2) The criteria prescribed for a footway sign are that the sign must—
- (a) not be illuminated; and
  - (b) not have a width in excess of 0.75m or a height in excess of 1m; and
  - (c) be positioned immediately adjacent to the street front boundary or near the kerb, but not closer than 1500mm; and
  - (d) be positioned to ensure that a minimum 2m wide pedestrian corridor is kept clear along the footpath; and
  - (e) be clear of any vehicle accessway across the footpath; and
  - (f) not obstruct access for parking provided for persons with disabilities; and
  - (g) not be positioned to obstruct or clutter the footpath, street landscaping, furniture or artwork; and
  - (h) not be displayed otherwise than during trading hours; and
  - (i) not be used for the display of merchandise; and
  - (j) be secured so as not to cause a pedestrian or vehicular hazard in windy conditions; and
  - (k) not have more than 2 face areas.
- (3) Also—
- (a) the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
  - (b) the maximum number of footway signs that may be erected is limited to the greater of—
    - (i) 1 sign per premises; and
    - (ii) 1 sign per full 6m of the street front boundary of the premises.

### Example-

*A shop with over 12m of street front boundary is permitted 2 footway signs and a shop with over 18m of street front boundary is permitted 3 footway signs etc.*



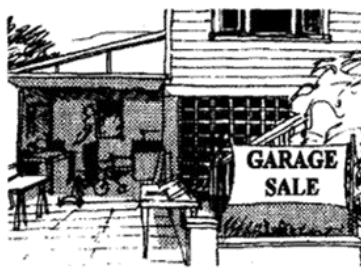
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### 21. Footway dining furniture sign



- (1) A *footway dining furniture sign* is the signage display on dining furniture, such as umbrellas and wind breaks on the footpath or visible from a public place.
- (2) The criteria prescribed for a footway dining furniture sign displayed on premises are that the sign must be displayed in accordance with the approval for footway dining for the premises.

### 22. Garage sale sign



- (1) A *garage sale sign* is a *sign of a temporary nature* which—
  - (a) advertises a garage sale; and
  - (b) is displayed for directional purposes.
- (2) The criteria prescribed for a garage sale sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 0.6m<sup>2</sup>; and
  - (c) not exceed, in number, 4 garage sale signs; and
  - (d) not exceed, in number, 3 garage sale signs displayed on a road; and
  - (e) when sited on a road—not be affixed to public infrastructure (e.g. street signage, power poles, street furniture, official traffic signs); and
  - (f) only be displayed for a maximum period of 2 days prior to the garage sale; and
  - (g) be removed within 1 day of the garage sale closing; and

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- (h) be sited so as not to cause unsafe movement or obstruction of pedestrian or vehicular traffic

**23. Home business sign**



- (1) A *home business sign* is a sign identifying the name and/or trade, business or calling of the occupants of a home business premises.
- (2) The criteria prescribed for a home business sign are that the sign must—
  - (a) not be illuminated; and
  - (b) be located within the premises or on the fence of the premises; and
  - (c) not project onto a public place; and
  - (d) not have a face area in excess of—
    - (i) 0.25m<sup>2</sup>; or
    - (ii) if the home business is authorised by a development approval—0.5m<sup>2</sup>; and
  - (e) not exceed, in number, 1 home business sign per premises.

**24. Illuminated sign**

- (1) An *illuminated sign* is a sign that has internal and/or external means of illumination of the whole or a portion of the sign.
- (2) The criteria prescribed for an illuminated sign are that the sign must—
  - (a) not be situated within 200m of a residential zone, unless the sign is not visible from any premises used for a residential purpose; and
  - (b) have luminance levels not greater than the limits outlined in the table below —

Lighting Condition	Industrial and Centre Zone	Environmental and Open Space Zone	Residential and Community Purposes Zone
Direct sunlight on	maximum output	maximum output	maximum output

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the total face area of the sign			
Daytime	6000-7000 cd/m <sup>2</sup>	6000-7000 cd/m <sup>2</sup>	6000-7000 cd/m <sup>2</sup>
During dawn/dusk and inclement weather	1000 cd/m <sup>2</sup>	700cd/m <sup>2</sup>	600 cd/m <sup>2</sup>
Night time	500 cd/m <sup>2</sup>	350cd/m <sup>2</sup>	300cd/m <sup>2</sup>

- (c) not be located within 45m of a set of traffic signals, an intersection, a roundabout or a school zone; and
- (d) not be flashing or moving.

## 25. Mobile sign

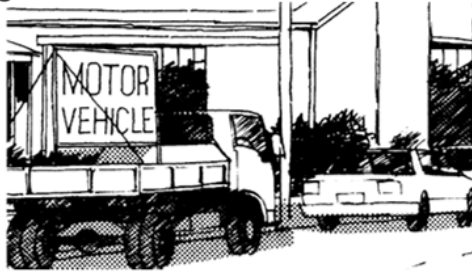


- (1) A *mobile sign* —
  - (a) is a temporary portable self-supporting sign able to display changeable messages, which is free-standing and may be mounted on wheels to facilitate movement; but
  - (b) does not include a footway sign or a real estate sign.
- (2) The criteria prescribed for a mobile sign are that the sign must—
  - (a) not be illuminated; and
  - (b) not have a face area in excess of 2.5m<sup>2</sup> per side; and
  - (c) advertise the premises on which the sign is displayed; and
  - (d) be placed so as to minimise visual clutter; and
  - (e) be kept erect and maintained in a good state of repair at all times; and
  - (f) be secured so as not to cause a pedestrian or vehicular hazard in windy conditions; and
  - (g) not have more than 2 face areas; and
  - (h) not occupy a vehicle parking space; and
  - (i) not damage landscaping.
- (3) Also, the number of mobile signs that may be erected to advertise premises is limited to the greater of—

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- (a) 1 sign per premises; and
- (b) 1 sign per full 12m of the street front boundary of the premises.

**26. Motor vehicle sign**



- (1) A *motor vehicle sign* is a sign fitted to, placed upon, or beside, a motor vehicle, motorbike, bicycle, boat, caravan or trailer apparently stopped on a road or private property for the primary purpose of displaying the sign.
- (2) The criteria prescribed for a motor vehicle sign are that a person must not install, erect or display a motor vehicle sign unless—
  - (a) the sign is installed, erected or displayed on a pantechicon, delivery truck, bus, taxi or commercial vehicle which is operating in the normal course of business of the person and has no electronic display component; or
  - (b) the person is the holder of a permit issued by the chief executive or the commissioner under section 126 or 126B of the *Traffic Regulation 1962*.

**27. Pillar Sign**



- (1) A *pillar sign* is a solid wall or structure which is detached from a building and sits on or rises out of the ground.
- (2) The criteria prescribed for a pillar sign are that—
  - (a) the sign must—
    - (i) be displayed in a planted landscape; and

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- (ii) have a maximum height not greater than 1.8m above ground level directly below the sign; and
  - (iii) not have a face area in excess of 5m<sup>2</sup>; and
  - (iii) for a pillar sign displayed on premises—have a minimum setback of 3m from any side or rear boundary of the premises; and
- (b) the back of the sign must not be visible from a road or other public place.

## 28. Pole sign



- (1) A *pole sign* is a free-standing sign on 1 or more vertical supports.
- (2) The criteria prescribed for a pole sign are that the sign must—
  - (a) have a maximum height of not greater than 5m above ground level directly below the sign; and
  - (b) have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign; and
  - (c) not have a face area in excess of 2.5 m<sup>2</sup> per side.

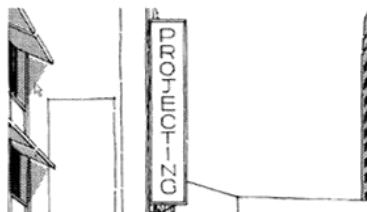
## 29. Projected Image Sign



- (1) A *projected image sign* is an illuminated sign permanently or intermittently projected onto a surface as a static image.

- (2) If the prescribed activity is the installation, erection or display of a projected image sign, the local government—
- may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - may not grant an approval to undertake the prescribed activity.

### 30. Projected Wall Sign



- A **projected wall sign** is a double-faced sign projecting at right angles from a wall of a building.
- The criteria prescribed for a projected wall sign are that the sign must—
  - advertise the premises on which the sign is displayed; and
  - not exceed, in number, 1 projecting wall sign per premises; and
  - have a maximum width of 500mm; and
  - not have a face area in excess of 2m<sup>2</sup> per side; and
  - have a minimum clearance of 2.4m between the lowest part of the sign and ground level directly below the sign.

### 31. Public infrastructure sign



- A **public infrastructure sign** is a sign which is affixed or attached to community infrastructure.
- For the avoidance of doubt, a public infrastructure sign may include third party advertising.

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- (3) The criteria prescribed for a public infrastructure sign are that the sign must—
- (a) not be installed, erected or displayed without a current approval (whether under this subordinate local law or otherwise) granted by the local government; and
  - (b) the applicant must produce to the local government evidence that the applicant currently holds any separate approval relating to the prescribed activity that is required under another law, for example, a certification, that the sign complies with the requirements of the Manual of Uniform Traffic Control Devices.

### 32. Pylon sign



- (1) A pylon sign is a sign with its height greater than its width, generally supported by 1 or more poles, and includes multiple advertising signs.
- (2) The criteria prescribed for a pylon sign are that the sign must—
  - (a) advertise the premises on which the sign is displayed; and
  - (b) have a maximum height not greater than 10m above ground level directly below the sign; and
  - (c) have a maximum width of 2.5m; and
  - (d) not have a face area in excess of 20m<sup>2</sup> per side; and
  - (e) have a maximum of 2 faces; and
  - (f) where premises are occupied by more than 1 business—permit each business to be advertised on the same sign; and
  - (g) be located wholly within the boundary of the premises; and
  - (h) have a minimum setback of 3m from any side boundary of the premises; and
  - (i) have a minimum setback of 3m from any rear boundary of the premises; and
  - (j) be sited so as not to expose an unsightly back view of the sign when the sign is viewed from a road or other public place.

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**33. Real estate land promotional sign**



- (1) A *real estate land promotional sign* is a sign which is displayed for the primary purpose of the promotion or sale of land within an industrial or residential estate or development.
- (2) The criteria prescribed for a real estate land promotional sign are that the sign must—
  - (a) not have a face area in excess of 20m<sup>2</sup> per side, with a maximum of 2 sides; and
  - (b) have a maximum height not greater than 5m above ground level directly below the sign; and
  - (c) if the sign is displayed on premises in an area used for residential purposes—not detrimentally impact on the visual amenity of the area; and
  - (d) be sited so as not to expose the back view of the sign when the sign is viewed from a road or other public place; and
  - (e) not be erected on a street front boundary along which another real estate land promotional sign or pylon sign is erected, unless those signs are located at least 60m apart; and
  - (f) not be located within 2.5m of any boundary of the premises on which the sign is located; and
  - (g) be displayed on a temporary basis only, so as to enable consideration of the continued appropriateness of the sign as the estate develops; and
  - (h) not be displayed in a built-up residential area.

**34. Real estate sign**



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- (1) *A real estate sign*—
  - (a) is a temporary sign which promotes the sale, auction, lease or letting of premises; and
  - (b) includes a real estate directional sign and a real estate flag sign.
- (2) The criteria prescribed for a real estate sign (other than a real estate directional sign and real estate flag sign) are that the sign must—
  - (a) not be illuminated; and
  - (b) not result in the unsafe movement or obstruction of pedestrian or vehicular traffic; and
  - (c) be located on the street front boundary of the premises; and
  - (d) if located on a public place or road—be located within 1m of the fence line or boundary line of the premises; and
  - (e) be a single sign displayed on the premises, having a face area not exceeding 2.1m<sup>2</sup>, which may be double-sided; and
  - (f) when multiple signs are displayed on the premises, not exceed 3 in total with each sign having a face area not exceeding 1.2m<sup>2</sup>, which may be double-sided; and
  - (g) be removed within 14 days after the sale of the premises advertised on the sign; and
  - (h) be kept erect and maintained in a good state of repair at all times.
- (3) *A real estate directional sign* is a temporary orientation sign erected on a road for the purpose of directing persons to real estate which is—
  - (a) being offered for sale by auction; or
  - (b) open for public inspection.
- (4) The criteria prescribed for a directional real estate sign are that the sign must—
  - (a) not exceed, in number, 4 signs per premises advertised; and
  - (b) not have a face area in excess of 0.6m<sup>2</sup>; and
  - (c) only be displayed on the day on which the premises are open for public inspection or offered for sale by auction; and

- (d) be located within a 2km radius of the premises; and
  - (e) be displayed in accordance with siting requirements when placed on a road or a public place.
- (5) Also, the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign.
- (6) A **real estate flag sign** is a temporary flag that is erected for the purposes of identifying real estate when—
- (a) the real estate is open for public inspection; or
  - (b) an auction of the real estate is occurring.
- (7) The criteria prescribed for a real estate flag sign are that the sign must—
- (a) not exceed, in number, 1 sign per premises; and
  - (b) not have a face area in excess of 1.5m<sup>2</sup> per side; and
  - (c) only be displayed during the times when the premises are open for public inspection or being auctioned.
- (8) Also—
- (a) the sign may be displayed on the verge between the premises and the road pavement providing—
    - (i) the sign is affixed securely to remain safe in the prevailing weather conditions; and
    - (ii) if secured by the wheel of a registered vehicle, the sign must not be placed on the road side of the vehicle and the vehicle must be lawfully parked; and
  - (b) the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign.

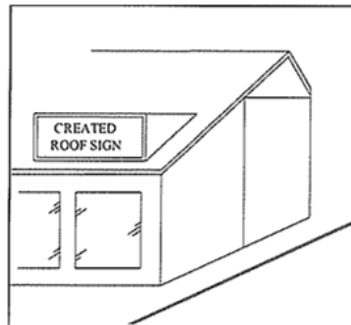
### 35. Replica Object Sign



- (1) A **replica object sign** is a sign designed to replicate or copy an object shape.
- (2) The replica may be—
  - (a) attached to, or constructed as part of, a building; or
  - (b) free-standing or form part of a pole sign.
- (3) The criteria prescribed for a replica object sign are that the sign must—

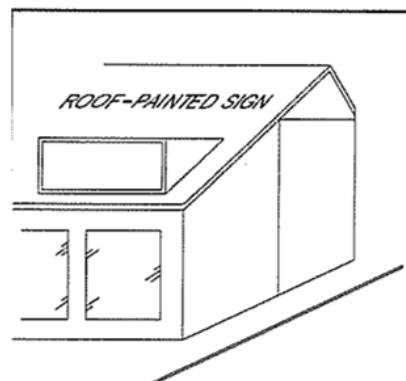
- (a) not exceed, in number, 1 replica object sign per premises; and
- (b) advertise a product or service which is available on the premises on which the sign is displayed.

### 36. Roof – created roof sign



- (1) A *roof – created roof sign* is a sign integrated with the roof of a building.
- (2) If the prescribed activity is the installation, erection or display of a roof-created roof sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

### 37. Roof – painted sign

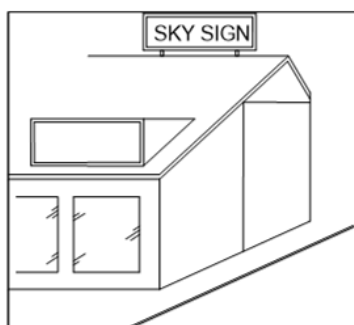


- (1) A *roof – painted sign* is a sign painted on the roof of a building.
- (2) The criteria prescribed for a roof painted sign are that the sign must—
  - (a) advertise the premises on which the sign is displayed; and

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- (b) have a face area not exceeding whichever is the lesser of—
  - (i) 35m<sup>2</sup>; and
  - (ii) 50 percent of the area of the roof on which the sign is painted.

### 38. Roof–sky sign



- (1) A *roof – sky sign* is a sign positioned on top of a building so that when viewed from the ground the sign has the sky as a backdrop.
- (2) If the prescribed activity is the installation, erection or display of a roof-sky sign, the local government—
  - (a) may not be satisfied that the undertaking of the prescribed activity would be consistent with the additional criteria specified in section 4; and
  - (b) may not grant an approval to undertake the prescribed activity.

### 39. Social and welfare sign



- (1) A *social and welfare sign* is a sign which identifies a charitable institution, non-proprietary club, educational establishment, incorporated association or the like.
- (2) The criteria prescribed for a social and welfare sign are that the sign must—
  - (a) if the content or information on a sign is such that the sign is classified as a social and welfare sign but the design, location or structure of the sign is such that the sign may be classified within another category of sign in this

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schedule (the *other category*)— comply with the criteria (if any) prescribed for the other category; and

*Example—*

*If the location and structure of a social and welfare sign are such that the sign may also be classified as a banner sign, the sign must comply with the criteria prescribed for a banner sign.*

- (b) not exceed, in number, 1 sign per premises, however, 2 signs may be displayed on premises if the premises have a street front boundary in excess of 100m or is a corner lot, providing the signs are at least 50m apart.

**40. Sporting field fence sign**



- (1) A *sporting field fence sign* is a sign painted or otherwise affixed to the inward side of a fence around a sporting field, so as not to be readily discernible from a road or other public place.
- (2) The criteria prescribed for a sporting field fence sign are that the sign must—
- (a) be facing inward and be directed to the users of the facility located at the sporting field; and
  - (b) not exceed the height of the fence line that the sign is placed upon; and
  - (c) not be affixed to a fence unless the fence is constructed to withstand the consequent wind or other loads.

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#### 41. Statutory sign



- (1) A **statutory sign** is a sign exhibited pursuant to the authority or requirements of an Act.
- (2) The criterion prescribed for a statutory sign is that the sign must be exhibited in accordance with the requirements of the Act which requires the exhibition of the sign.

*Examples—*

The *Work Health and Safety Act 2011* requires the exhibition of signs regarding safety.

The *Planning Act 2016* requires the exhibition of signs regarding town planning issues.

#### 42. Third party advertising sign

- (1) A **third party advertising sign** is a sign which displays or promotes—
  - (a) the name, logo or symbol of a company, organisation or individual which does not own or substantially occupy the premises or building on which the sign is displayed; or
  - (b) a product or service which is not supplied at, or primarily available from, the premises on which the sign is displayed; or
  - (c) an activity or event which does not occur on the premises on which the sign is displayed.
- (2) A **third party advertising sign** must not be installed, erected or displayed without a current approval granted by the local government.
- (3) A third party advertising sign may only be installed at a public place if the public place is specifically provided by the local government for the display of third party advertising signs.
- (4) A third party advertising sign which is displayed on premises other than a road or a public place may only advertise the use of other premises for 1 or more of the following uses—
  - (a) community facility;
  - (b) indoor recreation centre;
  - (c) outdoor recreation facility;

- (d) refreshment establishment;
  - (e) tourist accommodation;
  - (f) tourist park.
- (5) The criteria prescribed for a third party advertising sign are that the sign must—
- (a) not exceed, in number, 1 sign per premises; and
  - (b) have a maximum height not greater than 3m above ground level directly below the sign; and
  - (c) not have a face area in excess of 2.4m<sup>2</sup>.

#### 43. Trade sign



- (1) A *trade sign* is a temporary sign which displays a trade person's activity on premises, (e.g. the activities of a painter or a tiler).
- (2) The criteria prescribed for a trade sign are that the sign must —
- (a) not exceed, in number, 1 sign per premises; and
  - (b) only advertise the trade person's name, contact number and internet web address; and
  - (c) not have a face area in excess of 0.6m<sup>2</sup>; and
  - (d) only be displayed at premises for the duration of the trade person's activity on the premises.

#### 44. Unclassified/special case sign

- (1) An *unclassified/special case sign* is a sign other than a sign which is defined in this schedule.
- (2) A person must not install, erect or display an unclassified/special case sign without a current approval granted by the local government.

#### 45. Wall sign

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- (1) A **wall sign** is a sign painted or otherwise affixed flat to a wall.
- (2) The criteria prescribed for a wall sign are that the sign must—
  - (a) advertise the premises on which the sign is displayed; and
  - (b) project no more than 200mm from the wall; and
  - (c) have a face area not exceeding whichever is the lesser of—
    - (i) 20m<sup>2</sup>; and
    - (ii) 30 percent of the area of the wall on which the sign is displayed; and
  - (d) not project beyond the edges of the wall on which the sign is displayed.

**46. Window sign**



- (1) A **window sign** is a sign displayed on a window.
- (2) The criteria prescribed for a window sign are that the sign must—
  - (a) advertise the premises on which the sign is displayed; and
  - (b) not have a face area in excess of 25 percent of the area of the glass panel or panels on which the sign is displayed.



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**9 Amendments of Sch 4 (General criteria for installation, erection and display of advertising devices)**

- (1) Schedule 4, Heading, 'section 2(2)(b)(ii)'—  
*omit, insert—*  
section 2
- (2) Schedule 4, section 6, 'adjacent to'—  
*omit, insert—*  
below
- (3) Schedule 4, section 13, after '22.5m'—  
*insert—*  
unless otherwise permitted by this subordinate local law
- (4) Schedule 4, section 14, after '7.5m'—  
*insert—*  
, unless otherwise permitted by this subordinate local law
- (5) Schedule 4, section 15(a) after 'within'—  
*insert—*  
10m of
- (6) Schedule 4, section 15(a) after 'roundabout'—  
*insert—*  
as
- (7) Schedule 4, section 15(e), 'from'—  
*omit, insert—*  
of
- (8) Schedule 4, section 15—  
*renumber* as section 18
- (9) Schedule 4, after section 14—  
*insert—*
  15. The advertising device must not have moving and rotating parts, flashing, chasing, scrolling or the like display.

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- 16. The advertising device must not have an electronic display component unless otherwise permitted by this subordinate local law.
- 17. Any sign that is illuminated must—
  - (a) have luminance levels not greater than the limits outlined in the table below—

Lighting Condition	Industrial and Centre Zone	Environmental and Open Space Zone	Residential and Community Purposes Zone
full sun on face of signage	maximum output	maximum output	maximum output
Daytime	6000-7000 cd/m2	6000-7000 cd/m2	6000-7000 cd/m2
During dawn/dusk and inclement weather	1000 cd/m2	700cd/m2	600 cd/m2
Night time	500 cd/m2	350cd/m2	300cd/m2

and

- (b) not be located within 45m of a set of traffic signals, an intersection, a roundabout or a school zone (refer Roadside Advertising Guide table C1 for further requirements).

**10 Amendments of Sch 5 (Zone categorization criteria for installation, erection and display of advertising devices)**

- (1) Schedule 5, Heading, ‘section 2(2)(b)(iii)’—  
*omit, insert—*  
 section 2
- (2) Schedule 5, section 1, ‘six’—  
*omit, insert—*  
 6
- (3) Schedule 5, section 2(a)(i), ‘commercial’—  
*omit, insert—*  
 low impact

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- (4) Schedule 5, section 2(a)(ii), 'general'—  
*omit, insert—*  
medium impact
- (5) Schedule 5, section 2(a)(iii), 'island'—  
*omit, insert—*  
waterfront and marine
- (6) Schedule 5, section 2(a)(iv), 'marine activity'—  
*omit, insert—*  
mixed use
- (7) Schedule 5, section 2(b)(iv), 'point lookout'—  
*omit, insert—*  
principal
- (8) Schedule 5, section 2(b)(v), 'southern moreton bay islands'—  
*omit, insert—*  
specialised
- (9) Schedule 5, section 2(c)(ii), 'protection'—  
*omit, insert—*  
management
- (10) Schedule 5, section 2(d)—  
*omit, insert—*  
the open space zone category includes the recreation and open space zone; and
- (11) Schedule 5, section 2(e)(i) 'urban'—  
*omit*
- (12) Schedule 5, section 2(e)(v) 'point lookout'—  
*omit, insert—*  
character
- (13) Schedule 5, section 2(e)(vi) 'point lookout tourist'—  
*omit, insert—*  
tourist accommodation
- (14) Schedule 5, section 2(e)(vii) 'non urban'—

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*(Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2015) 2018**omit*

- (15) Schedule 5, section 2(e)(viii) 'urban'—

*omit, insert—*

low-medium density

- (16) Schedule 5, section 2(f) 'purposes'—

*omit, insert—*

facilities

- (17) Schedule 5, section 5 'prohibited'—

*omit, insert—*

not approved

- (18) Schedule 5, after section 5—

*omit, insert—*

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**Zone categorization for advertising devices**

Schedule 3 sign number	Sign Description	Zone Category					
		Industrial	Centre	Environmental	Open Space	Residentia l	Community Purposes
1	Awning Sign – Above Awning Sign	x	x	x	x	x	x
1	Awning Sign – Awning Fascia Sign	✓	✓	x	x	x	x
1	Awning Sign – Created Awning Sign	✓	✓	x	x	x	x
1	Awning Sign – Under Awning Sign	✓	✓	x	x	x	x
2	Balloon, Blimp, Kite, or Cold Air Inflatable Sign	✓	✓	x	●	x	●
3	Banner Sign	✓	✓	●	✓	x	✓
4	Banner Freestanding Sign	✓	✓	●	✓	●	✓
5	Billboard Sign	x	x	x	x	x	x
6	Blind or Canopy Sign	✓	✓	x	x	x	x
7	Boundary Fence Sign	●	●	x	x	x	x
8	Bunting Sign	✓	✓	x	x	x	x
9	Community Event Sign	✓	✓	✓	✓	x	✓
10	Community Event Directional Sign	✓	✓	✓	✓	✓	✓
11	Construction Project Sign	✓	✓	✓	✓	✓	✓
12	Construction Site Fence Sign	✓	✓	●	●	●	✓
13	Display Home Sign	●	●	●	x	✓	x
14	Election Polling Place Sign	✓	✓	✓	✓	✓	✓
15	Election Sign	✓	✓	✓	✓	✓	✓
16	Election Stall Sign	✓	✓	✓	✓	✓	✓
17	Electronic Display Component – High Impact Sign	●	●	x	x	x	x
18	Electronic Display Component – Low Impact Sign	●	●	●	●	x	●
19	Commercial Flag Pole Sign	✓	✓	x	x	x	x
20	Footway Sign	✓	✓	x	●	x	✓
21	Footway Dining Furniture Sign	✓	✓	x	✓	x	✓
22	Garage Sale Sign	✓	✓	✓	✓	✓	✓
23	Home Business Sign	✓	✓	✓	✓	✓	✓
24	Illuminated Sign	●	●	x	●	x	●
25	Mobile Sign	✓	✓	x	●	x	✓
26	Motor Vehicle Sign	x	x	x	x	x	x
27	Pillar Sign	✓	✓	x	x	x	x
28	Pole Sign	●	●	x	x	x	x
29	Projected Image Sign	x	x	x	x	x	x
30	Projected Wall Sign	✓	✓	x	x	x	x
31	Public Infrastructure Sign	●	●	●	●	●	●
32	Pylon Sign	●	●	x	x	x	x
33	Real Estate Land Promotional Sign	●	●	●	●	●	●
34	Real Estate Sign	✓	✓	✓	✓	✓	✓
35	Replica Object Sign	●	●	x	x	x	x

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Schedule 3 sign number	Sign Description	Zone Category					
		Industrial	Centre	Environmental	Open Space	Residentia l	Community Purposes
36	Roof – Created Roof Sign	x	x	x	x	x	x
37	Roof – Painted Sign	●	●	x	x	x	x
38	Roof – Sky Sign	x	x	x	x	x	x
39	Social and Welfare Sign	✓	✓	✓	✓	✓	✓
40	Sporting Field Fence Sign	x	x	✓	✓	x	✓
41	Statutory Sign	✓	✓	✓	✓	✓	✓
42	Third Party Advertising Sign	●	●	●	●	●	●
43	Trade Sign	✓	✓	✓	✓	✓	✓
44	Unclassified/Special Case Sign	●	●	●	●	●	●
45	Wall Sign	✓	✓	x	x	x	x
46	Window Sign	✓	✓	x	x	x	x

Permitted Sign = ✓	Approval Required Sign = ●	Not Approved Sign = x Note, a development approval for, or an existing lawful use of, premises may authorise the use of the premises for the installation, erection or display of an advertising device contrary to the identification of the advertising device as a not approved sign in the table in this schedule.
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**11 Amendments of Sch 6 (State-controlled roads to which the local law applies)**

- (1) Schedule 6, 'of the local government'—  
*omit*

**12 Replacement of Sch 7 (Dictionary)**

- Schedule 7—  
*omit, insert—*

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## Schedule 7 Dictionary

### Section 4

**above awning sign** see schedule 3, section 1.

**advertiser** means a person—

- (a) by whom a sign is installed, erected or displayed; or
- (b) whose business or place of business is advertised by a sign; or
- (c) who manages and controls, or has power to manage and control, the place at which a sign is installed, erected or displayed; or
- (d) who is—
  - (i) the owner of premises or a place on which a sign is installed, erected or displayed; or
  - (ii) the occupier of premises or a place on which a sign is installed, erected or displayed; or
  - (iii) the owner of a vehicle on which a sign is installed, erected or displayed.

**advertising device** means a structure or device which is visible from a road or other public place and which conveys information or directions of any kind (other than a structure or device displayed pursuant to the authority or requirements of an Act) and the term includes any structure forming part of the advertising device or to which the advertising device is attached or on which it is displayed.

**awning fascia sign** see schedule 3, section 1.

**balloon, blimp, kite, or cold air inflatable sign** see schedule 3, section 2.

**banner freestanding sign** see schedule 3, section 4.

**banner sign** see schedule 3, section 3.

**billboard sign** see schedule 3, section 5.

**blind sign** see schedule 3, section 6.

**boundary fence sign** see schedule 3, section 7.

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

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

**bunting sign** see schedule 3, section 8.

**canopy sign** see schedule 3, section 6.

**commercial flag pole sign** see schedule 3, section 19.

**community event directional sign** see schedule 3, section 10.

**community event sign** see schedule 3, section 9.

**community infrastructure** has the meaning given in the *Sustainable Planning Act 2009*.

**construction project sign** see schedule 3, section 11.

**construction site fence sign** see schedule 3, section 12.

**created awning sign** see schedule 3, section 1.



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**day time**, for an illuminated sign or a sign that uses an electronic display component, means the period of time between dusk and dawn, but excludes such times as when there is direct sunlight on the total face area of the sign or there is inclement weather.

**display home sign** see schedule 3, section 13.

**dwell time**, for an individual advertisement or image displayed on an electronic display component, means the period of time during which the advertisement or image is displayed on the electronic display component.

**election polling place sign** see schedule 3, section 14.

**election sign** see schedule 3, section 15.

**election stall** means a table or other similar device from which political information is distributed.

**election stall sign** see schedule 3, section 16.

**electronic display component** means part or the whole of a sign which utilises an image projector, bulbs, LED, LCD, television screen, or similar device to present the content of the sign.

**electronic display component – high impact sign** see schedule 3 section 17.

**electronic display component – low impact sign** see schedule 3 section 18.

**environmental harm** has the meaning given in the *Environmental Protection Act 1994*.

**environmental nuisance** has the meaning given in the *Environmental Protection Act 1994*.

**face area** see schedule 4, sections 8 to 13 inclusive.

**footway dining furniture sign** see schedule 3, section 21.

**footway sign** see schedule 3, section 20.

**free-standing**, for a sign, means the sign—

- (a) does not form part of a building or other similar structure; and
- (b) is erected on a solid, free-standing structure.

**garage sale sign** see schedule 3, section 22.

**height** (of an advertising device) means the distance measured between the top of the advertising device and ground level directly below the advertising device.

**home business sign**, see schedule 3, section 23.

**illuminated**, for a sign, means the sign is illuminated by internal or external lighting that is static and does not have moving, scrolling, flashing, flickering, shimmering or changing images.

**illuminated sign** see schedule 3, section 24.

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

**LCD**, for a sign, means the sign uses liquid crystal display technology.

**LED**, for a sign, means the sign uses light emitting diode technology.

**maximum output**, for an advertising device, means the maximum luminance output that the advertising device is able to emit.

**mobile sign** see schedule 3, section 25.

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**motor vehicle sign** see schedule 3, section 26.

**motorway** has the meaning given in the *Transport Infrastructure Act 1994*.

**moving image screen**, for a sign—

- (a) means the electronic display component of the sign which is capable of displaying animated images similar to a television or movie; but
- (b) does not include a static image or an automatically changing display screen.

**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.

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

**owner**, of premises, means the person for the time being entitled to receive the rent for the premises or who would be entitled to receive the rent for it if it were let to a tenant at a rent.

**pillar sign** see schedule 3, section 27.

**pole sign** see schedule 3, section 28.

**polling place** means—

- (a) for an election under the *Electoral Act 1992*—a polling place as defined in the *Electoral Act 1992*; and
- (b) for an election under the *Local Government Electoral Act 2011*—a polling booth as defined in the *Local Government Electoral Act 2011*; and
- (c) for an election under the *Commonwealth Electoral Act 1918*—a polling place as defined in the *Commonwealth Electoral Act 1918*.

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

**projected image sign** see schedule 3, section 29.

**projected wall sign** see schedule 3, section 30.

**public infrastructure sign** see schedule 3, section 31.

**public place** has the meaning given in the Act.

**pylon sign** see schedule 3, section 32.

**road** has the meaning given in the Act.

**real estate land promotional sign** see schedule 3, section 33.

**real estate sign** see schedule 3, section 34.

**replica object sign** see schedule 3, section 35.

**roof** means the protective covering, that covers or forms the top of a building.

**roof - created roof sign** see schedule 3, section 36.

**roof - painted sign** see schedule 3, section 37.

**roof - sky sign** see schedule 3, section 38.

**sign** see advertising device.

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**social and welfare sign** see schedule 3, section 39.

**sporting field fence sign** see schedule 3, section 40.

**statutory sign** see schedule 3, section 41.

**street front boundary** —

- (a) of premises, means the length, measured in metres, along the alignment of the premises abutting a road or abutting an access restriction strip directly between the premises and a road; and
- (b) if premises continuously abut more than 1 road or access restriction strip directly between the premises and a road, the street front boundary dimensions shall be the total length of those boundaries added together; and
- (c) if premises have more than 1 street front boundary that is not continuous, each street front boundary is to be considered separately.

**structure** has the meaning given in the Act.

**third party advertising** see third party advertising sign.

**third party advertising sign**, see schedule 3, section 42.

**trade sign** see schedule 3, section 43.

**unclassified/special case sign** see schedule 3, section 44.

**under awning sign** see schedule 3, section 1.

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

**wall sign** see schedule 3, section 45.

**window sign** see schedule 3, section 46.

**zone** means an area identified as a zone in the planning scheme of the local government.

**12.2 OPERATIONAL PLAN QUARTERLY PERFORMANCE REPORT JUNE 2018****Objective Reference:** A3254924**Authorising Officer:** John Oberhardt, General Manager Organisational Services**Responsible Officer:** Vivek Vivekandam, Group Manager Corporate Strategy and Performance**Report Author:** Lorraine Lee, Senior Adviser Corporate Planning and Performance**Attachments:** 1. Operational Plan Quarterly Performance Report June 2018  **PURPOSE**

The purpose of this report is to provide a progress report against the Operational Plan 2017-2018 for the fourth quarter from 1 April to 30 June 2018.

**BACKGROUND**

The *Local Government Act 2009* (the Act) requires Council to adopt an Operational Plan each year. The Operational Plan 2017-2018 forms an important part of Council's strategic planning process and sets out the work Council plans to deliver towards achievement of the Corporate Plan.

The Act also requires the Chief Executive Officer to present a written assessment of Council's progress towards implementing the annual Operational Plan at meetings of Council, at least quarterly.

**ISSUES**

The attached Operational Plan Quarterly Performance Report June 2018 provides a status update for each significant activity, together with a comment summarising progress for 2017-2018, including progress in the fourth quarter. The information in the report has been provided by the responsible departments for each significant activity.

Status of Significant Activities Defined within the 8 Outcomes	
Completed	57
Monitor	10
Total	67

**SUMMARY**

Of the 67 significant activities defined within the 2017-2018 Operational Plan:

- 57 activities are completed.
- 10 activities are being closely monitored, indicating that there have been some issues with timeframes and/or budget but it is still expected that with close monitoring the significant activity will be delivered.

A more detailed summary of Council's annual performance for 2017-2018 for each significant activity is outlined in the attached Operational Plan Quarterly Performance Report June 2018.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

Council's Operational Plan 2017-2018 is an important statutory document which sets out the significant activities that Council plans to deliver in 2017-2018. The significant activities directly contribute to outcomes specified in the Corporate Plan. Tracking progress against this plan provides a useful assessment of Council's performance in delivering against its plans.

The *Local Government Regulation 2012* (section 174) states that "the chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals not more than 3 months". Under the same section of the regulation, Council is allowed to amend the plan at any time before the end of the financial year.

### **Risk Management**

The risk of not delivering against Council's Operational Plan is that Council does not achieve the commitments set out in the longer term corporate and community plans. Each significant activity has associated risks which are managed by the relevant area of Council.

### **Financial**

The Operational Plan 2017-2018 is funded from the annual budget.

### **People**

Significant activities listed in the Operational Plan 2017-2018 are managed by the responsible Council group. The status and comments for each significant activity in the attached report are provided by the relevant group. The report is compiled by the Corporate Strategy and Transformation Unit. Although delivery of the plan itself is dependent on staff resources and some significant activities relate to people issues, there are no direct impacts on people resulting from this report.

### **Environmental**

Some significant activities within the Operational Plan 2017-2018 directly contribute to Council's environmental commitments. However, this report does not have any direct environmental impacts.

### **Social**

Some significant activities within the Operational Plan 2017-2018 directly contribute to Council's social commitment. However, this report does not have any direct social impacts.

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

Council's Operational Plan 2017-2018 outlines planned significant activities against the eight outcomes in the Corporate Plan and the Council strategic priorities that have been identified this term of Council. As such, it is a key planning document and consistent with both the Corporate Plan and the Redlands 2030 Community Plan.

## **CONSULTATION**

The Corporate Planning and Transformation Unit have prepared the attached report in consultation with relevant officers and managers within Council. The status and comments have been provided by the officers involved in delivering the particular significant activities within the Operational Plan 2017-2018.

**OPTIONS****Option One**

That Council resolves to note the Operational Plan Quarterly Performance Report June 2018.

**Option Two**

That Council requests additional information in relation to the attached Operational Plan Quarterly Performance Report June 2018.

**COUNCIL RESOLUTION 2018/102**

**Moved by:** Cr Murray Elliott

**Seconded by:** Cr Paul Gollè

**That Council resolves to note the Operational Plan Quarterly Performance Report June 2018.**

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.



# Operational Plan 2017-2018



### Strategic Priority Annual Summary 2017-2018

In 2016, Redland City Council identified a number of strategic priorities to help shape the Council's vision for its current term alongside our Corporate Plan and other responsibilities and commitments to the community. Council has undertaken various activities that contribute towards delivering these priorities over the 2017-2018 financial year.

#### Economic Development

Economic development continued to be a key focus in 2017-2018 with Council's ongoing commitment to implement the Redland City Economic Development Framework 2014-2041. This commitment saw Council draft industry sector plans for Health Care and Social Assistance and Education and Training following consultant reports and extensive consultation with industry stakeholders.

Redlands Economic Development Advisory Board maintained its strong support of the Framework with the preparation of the first Annual Report 2016-2017 which was noted by Council in November 2017. New Board member, John Aitken was appointed to the Board in December following the resignation of Terry Morris.

Council undertook a data validation and assessment exercise to determine if the eight key industry sectors identified in the Economic Development Framework were still relevant based on the latest 2016 Australian Bureau of Statistics Census. These eight industry sectors were validated through this process. A gap analysis and opportunities assessment commenced to identify supply chain and import replacement opportunities in key sectors to improve workforce self-containment.

Council strengthened its international partnerships during a visit from a delegation from Qinhuangdao, China in June 2018 to sign a Sister City Agreement. In April 2018, a delegation visit of Japanese Gifu Medical Science

academics was hosted by Council following the Mayor's Business Mission to Asia in 2017. The delegation visited medical, research, nursing and aged care facilities within the Redlands ahead of the first study tour which is planned for early 2019.

Council participated in a number of economic initiatives for the Gold Coast 2018 Commonwealth Games including Trade 2018 events.

Council undertook several projects to enable local businesses to increase their capability and capacity including: a refresh of its monthly online business newsletter; drafting a *Redland City Business Toolkit* to assist people who are looking to start a business in the Redlands or expand an existing business; commencement of an economic development database project using Campaign Monitor and business surveying; and delivering a series of workshops, including some in partnership with the Australian Taxation Office, to well over 1,000 participants.

More than 125 guests attended a joint business breakfast delivered by Council and the Redland City Chamber of Commerce. The breakfast provided an opportunity for local businesses and the community to be briefed about the \$3 billion Queen's Wharf Brisbane integrated resort development led by consortium partner The Star Entertainment Group; the Brisbane Airport Corporation's \$1.3 billion new runway; and local economic development initiatives.

Council continued to partner with the State Government in the implementation of North Stradbroke Island Economic Transition Strategy (NSI ETS), as lead for *Project 13: Location and Interpretive Signage* and contributor to a further 17 projects. Project 13 commenced following the approval of a revised scope and finalisation of the funding agreement. Council established a working group to coordinate Council communications and participation in projects being funded under the NSI ETS, and continued to attend NSI ETS Implementation Committee meetings.



Cleveland's Doig St car park has been set for a new mixed-use development, including aged care accommodation following negotiations by Redland Investment Corporation.

Walker Corporation released an updated master plan for the Toondah Harbour Priority Development Area in response to feedback from leading environmental and wetland experts, public submissions and the Australian Government.

Council commenced planning for development of the Weinam Creek Priority Development Area. The master plan, being developed by Council for delivery in stages, includes significant public infrastructure and will transform the waterfront of Redland Bay, enhance the amenity and functionality of the busy local community hub.

A \$71 million Surf Lifesaving Centre of Excellence and Emergency Services Precinct is a step closer after Redland City Council and Surf Life Saving Queensland (SLSQ) signed a Memorandum of Understanding (MOU) on 11 October 2017. The MOU with SLSQ is for the organisation to relocate its headquarters to Redlands Coast and be co-located with the new Cleveland Aquatic Centre and Centre of Excellence, with potential for the project to also include emergency services organisations.

#### **Sport, Education and the Arts**

Council finalised the purchase of 159ha of land at Heinemann Road, Redland Bay to be used for sports land and nature based sporting activities, and commenced a detailed survey and hydrology study of the site to enable the area to be designed for sports that are best fit to the land.

Council provided and managed the bookings of 220 sporting facilities across the City. Council officers fostered effective partnerships with Redlands local sporting clubs, and engaged with approximately 110 clubs to support them in building their resilience.

In addition to the regular weekly sports undertaken by our local clubs, the City hosted major events in softball, baseball, golf, triathlon, board riding, junior ironman challenge, mountain biking, trail running, road and criterion cycling. Council also continued to provide lifeguard services on North Stradbroke Island and at Wellington Point reserve.

In an effort to maximise school sporting facilities, Council has continued to liaise with the schools, State bodies and local clubs to foster partnerships that support the overflow of training requirements.

Council received funding from the State and Federal government for the delivery of a Healthy and Active Program in support of the Gold Coast Commonwealth Games. 2,200 people participated in the program across the City which was designed to encourage people to become healthy and physically active.

Drafting of Council's Education and Training Plan commenced after detailed research was undertaken through a consultancy report and validated by key industry stakeholders and the Economic Development Advisory Board. The Education and Training Plan 2018-2023 supports the objectives of the Redlands Economic Development Framework 2014-2041 and sets out how Council will work with industry, businesses and governments to meet the challenges and capitalise on employment and economic opportunities in the sector.

In June 2018, Council commissioned an environmental scan of international education providers and related stakeholders to identify potential partnerships, relationships and opportunities. Council also commenced planning for an Education Roundtable, to be held on 24 August 2018, for Redland City educators and associated parties.

Some milestone birthday celebrations occurred throughout the year with a program of events, performances workshops and exhibitions to acknowledge the 10<sup>th</sup> birthday of the Redland Performing Arts Centre and the 15<sup>th</sup> birthday of the Redland Art Gallery.

Redland Art Gallery delivered 23 exhibitions and 80 community workshops, with a total of 45,829 people visiting the gallery throughout the year. The Redland Performing Arts Centre held 329 events throughout the year with up to 51,666 people visiting the centre and over 29,400 tickets sold.

Council delivered a new Public Art Framework in June 2018 that will guide the development, acquisition and delivery of public art in the City.

Council continued to support our rich Quandamooka culture through art, with four exhibitions at the Redland Art Gallery featuring Quandamooka artists, a Quandamooka mural was installed on the Cleveland library wall and public art by Quandamooka artists were displayed in both Cleveland and Dunwich.

#### **Transport and Connectivity**

Council commenced drafting the new Redlands Transport Strategy, which will guide the direction for future transport planning in the Redlands. Strategic transport planning has also commenced in the development of the Cleveland Centre Traffic and Transport Strategy, which will outline recommended actions to create a more connected and accessible centre while accommodating new development.

Council collaborated through strategic transport partnerships including as a representative in the Steering Committee and working group for the NSI Public Transport Strategy. Council also joined the recently revived South East Queensland Travel Behaviour Working Group with Brisbane City Council, City of Gold Coast, Ipswich City Council and Noosa Shire Council.

Council undertook investigations of various innovative transport solutions, including a successful demonstration of an autonomous bus in Cleveland in March 2018. The event provided an opportunity to introduce the technology to the wider community, initiate a conversation about the locations within Redlands where this type of technology has potential application, and enabled

the Mayor to meet the Minister for Transport and Main Roads to discuss the benefit of this technology for the Redlands.

Council officers continued working with the South East Queensland Council of Mayors to facilitate an extended trial of an autonomous vehicle in Redlands, with likely locations being the City's islands. This included advocacy to the Department of Transport and Main Roads to implement legislation to accommodate the roll-out of autonomous vehicles.

Council undertook several internal initiatives to embrace transport opportunities including the integration of electric bikes into Council's fleet system and the development of a Workplace Travel Plan aimed at creating a travel resilient organisation.

Council continued advocating to State Government agencies to develop evidenced based planning documents which will inform the need and benefits of infrastructure project business cases. Three major infrastructure projects were identified for investigation as part of the Cross Boundary Connectivity Project, which have the potential to create greater connectivity between Redlands and surrounding local government areas.

A trial was completed of the Active School Travel Program with two schools participating: Cleveland District State High School and Redlands College. The results of the trial have been reviewed and potential improvements identified.

Council completed geotechnical and environment investigations, and progressed to final stages of design for the Moreton Bay Cycleway at Victoria Point (Cameron Court to Point O'Halloran Road). Work was also undertaken on the active transport network in the City with 805 metres of new pathway installed and 334 metres of new cycleway. Council also upgraded 653 m of footpath at Masthead Drive, Raby Bay and Capalaba.

Council successfully advocated for the Weinam Creek bus station upgrade, which was completed by the State Government in 2017/2018.

**City Planning**

Council officers continued to work with the State Government on outstanding matters from the State interest review following submission of the draft Redland City Plan to the Planning Minister for approval to adopt.

Preparation for commencement of the Redland City Plan commenced following approval of the City Plan by the Minister for State Development, Manufacturing, Infrastructure and Planning on 9 June 2018.

A Special Meeting of Council to consider adoption of the Redland City Plan was adjourned on 25 June 2018 and reconvened to 6 July 2018.

**Branding and Identity**

Council undertook extensive research and consultation to support our commitment to developing a new city brand. This included engaging approximately 5000 community members, businesses, industries and visitors. The Redlands Economic Development Advisory Board and stakeholder groups including Quandamooka Elders, Tourism Sub-committee, Tourism industry bodies and Queensland Government departments all contributed towards the development of the project.

Delivery of the new city brand included brand architecture, place name "Redlands Coast", positioning statement "Naturally Wonderful" and a visual identity including a logo. These branding products were adopted by Council on 6 June 2018. Local artists were engaged to deliver pieces of work to support the new city brand including a new logo designed by Quandamooka artist, Delvene Cockatoo-Collins, and a Redlands Coast soundtrack delivered by a local musician, Kuya Howler.

Plans to launch the brand were developed which include several internal and external campaigns and industry and business launch events, a tourism video and destination website, among other initiatives. The launch commenced with

public relations and media announcements, a brand hype reel video for promotional purposes, and a local talent attraction campaign that included local people and businesses in all photography and videography work. The brand was also presented to tourism operators and event organisers across the City at Council's Tourism and Events forum in June 2018.

Council established partnerships with Straddie Chamber of Commerce, State Government and Brisbane Marketing with intention to develop co-operative marketing campaigns. Development of a new destination marketing tourism website commenced through engagement of a website development specialist.

**Smart Cities**

Council secured \$500,000 funding over three years through the Queensland Government Advancing Regional Innovation Program. Council partnered with Griffith University, Logan City Council and a local advisory group and worked to deliver a program of innovation and entrepreneurship activities in the Logan Redlands region. Program outcomes included appointment of a regional program coordinator; delivery of a program of workshops with local schools and businesses to grow and foster local innovation; representation at the annual Myriad Festival in Brisbane by local robotics/entrepreneurial businesses; and delivery of a Redlands Focus on Aged Care event in June 2018 which was attended by more than 65 people from age care and community care networks.

Council collaborated with a group of local entrepreneurs who shared a vision for developing the local innovation and entrepreneurial business community, and establishing an Angel Investors Network. Council supported the inaugural Angel Investors Dinner for the Redlands in April 2018, which was attended by 36 local investors.

Council was successful in securing funding for the preparation of an early stage assessment of a potential Cleveland Innovation Precinct through the

Queensland Government's Maturing the Infrastructure Pipeline Program (MIPP). The consultant appointed by the State Government, Aurecon, completed an early stage assessment incorporating feedback from external stakeholders and Council that outlines future options for a potential Cleveland Innovation Precinct.

Public Wi-Fi has been trialled in the Cleveland precinct with the trial commencing at the autonomous vehicle road show event. This trial will contribute towards a Proof of Concept to support consideration of further public Wi-Fi availability within the City.

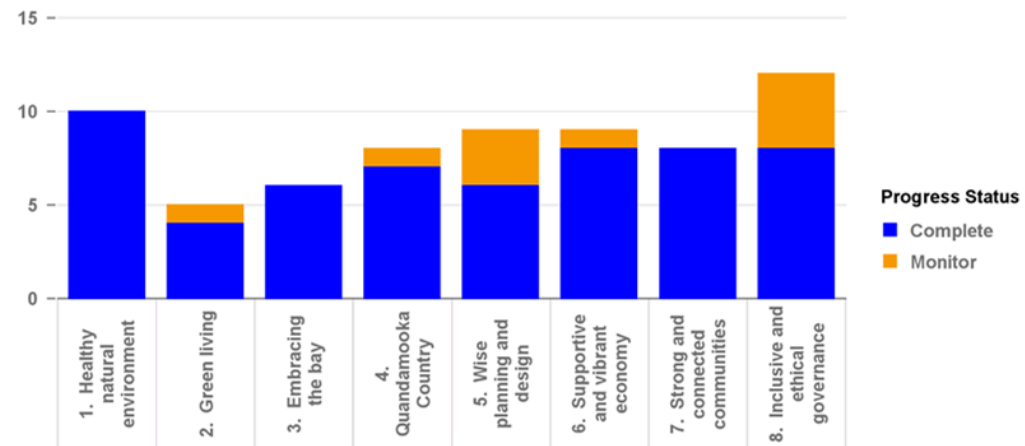
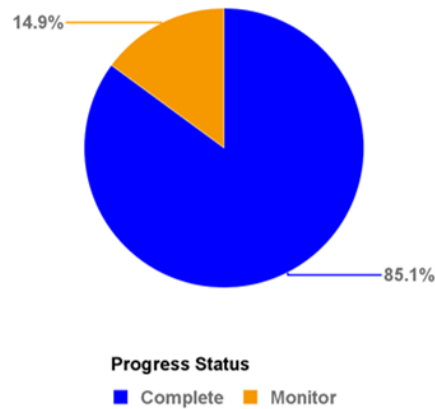
A number of vendors were canvassed seeking a wireless and fixed line fibre solution to internet connectivity for industrial estates in the Redlands, however no viable solutions have been identified. Further investigations with alternative vendors are underway for infrastructure builds within the City.

Council has been advised that the southern end of North Stradbroke Island and Russell Island have been included in round three of the Australian Government Department of Infrastructure, Regional Development and Cities Mobile Black Spot Program. Optus is currently in the process of building a shared communications tower on the southern end of Russell Island, with the site design brief now completed and execution of the current government agreement underway.

Work continued in the development of a digital signage plinth for installation at key transport nodes within the City. Contractors engaged by Council created a live working demonstration of the software integration with Translink that provides real-time feeds of bus arrivals and departures.

### Vision Outcome Summary

Vision Outcome	Complete	Monitor	Total
1 Healthy natural environment	10	0	10
2 Green living	4	1	5
3 Embracing the bay	6	0	6
4 Quandamooka Country	7	1	8
5 Wise planning and design	6	3	9
6 Supportive and vibrant economy	8	1	9
7 Strong and connected communities	8	0	8
8 Inclusive and ethical governance	8	4	12
<b>Total</b>	<b>57</b>	<b>10</b>	<b>67</b>

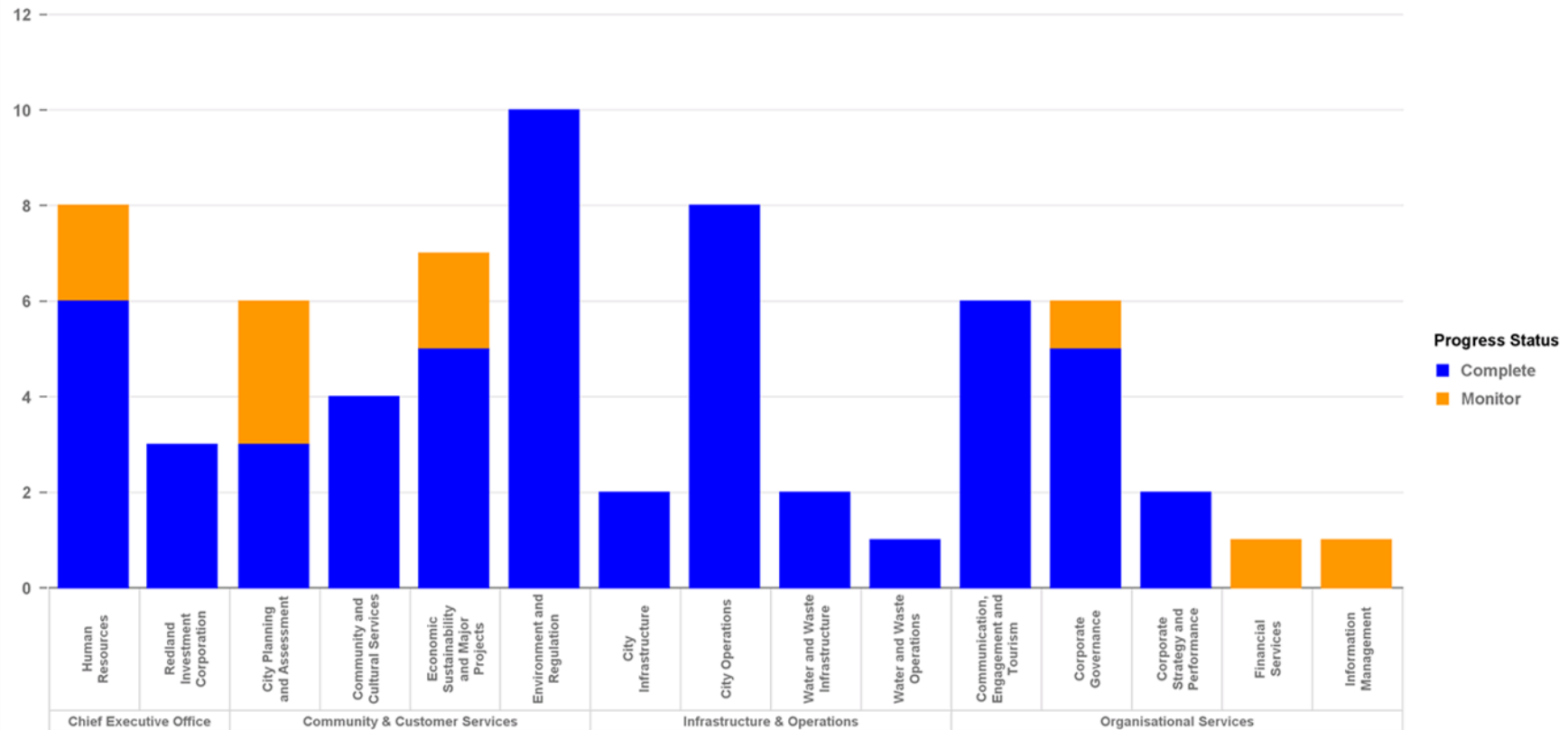


**Monitor** There are issues with timeframes and/or budget but it is still expected that with close monitoring the significant activity will be delivered.

**Complete** The significant activity has been delivered.

### Organisational Performance – Quarter Summary

Department	Complete	Monitor	Total
Chief Executive Office	9	2	11
Community & Customer Services	22	5	27
Infrastructure & Operations	13	0	13
Organisational Services	13	3	16
<b>Total</b>	<b>57</b>	<b>10</b>	<b>67</b>



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## 1. Healthy natural environment

### 2020 Strategic Outcomes

1.1 Redland's natural assets including flora, fauna, habitats, biodiversity, ecosystems and waterways are managed, maintained and monitored.

1.2 Threatened species are maintained and protected, including the vulnerable koala species.

1.3 Community and private landholder stewardship of natural assets increases.

1.4 Visitors experience our natural assets through high standard facilities, trails, interpretation and low impact commercial ventures.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Manage Council owned water bodies for improved environmental outcomes.	1.1.1	Infrastructure & Operations	<b>Complete</b>	Council actively investigated and monitored the implementation of options for its water bodies through designs, acquisitions, condition assessments and responses from the community. Currently there are 180 water bodies identified on Council land. Council commenced development and implementation planning of a de-watering management plan for all Council water bodies.
Plan and deliver conservation restoration activities.	1.1.2	Infrastructure & Operations	<b>Complete</b>	All works were completed as planned. Rehabilitation work included weed control, soil conditioning and the revegetation of degraded sites. Works occurred across priority locations within the City including Coolinwynpin, Tarradarrapin, Hilliards, Moogurrapum and Erapah catchments.
Engage and deliver restoration through partnership with community and external groups.	1.1.3	Community & Customer Services	<b>Complete</b>	Redland City Council community environmental extension services engaged with the local community through a range of programs, including Land for Wildlife, Koala Conservation Agreement Program, Waterways Extension Program, Bushcare and Your Backyard Garden. A total number of 6,365 plants were planted through the Community Bushcare Program during the year, plus an additional 305 koala trees. 270 group working bees were held, completing weeding and bush regeneration throughout the City. Council has increased property partnerships with private landholders resulting in a total of 182 Land for Wildlife, 80 Koala Conservation, 103 Waterways extension and 70 Your Backyard Garden participants.
Continue implementing a program to plant one million native plants in the Redlands by 2026.	1.1.4	Infrastructure & Operations	<b>Complete</b>	A total of 94,898 additional plants were planted in 2017/18 by Parks & Conservation and Bushcare, which contributes to the 1 Million Native Plants project. Approximately 177,600 native plants have been planted since the count began on 1 July 2016.
Implement the Natural Environment Policy.	1.2.1	Community & Customer Services	<b>Complete</b>	The Koala Conservation Strategy 2016 and five year action plan progressed from planning into delivery phase, with the commencement of koala population and location research and surveys, genetic sampling and city-wide population mapping. The Wildlife Connections Plan 2018-2028 and five year action plan was finalised and adopted by Council and implementation of actions are underway.

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Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Plan and deliver community education programs to protect native wildlife.	1.2.2	Community & Customer Services	Complete	<p>Over 5,500 calls were received from the Redland Wildlife Rescue Service this year and over 7,000 volunteer hours given to the management and protection of Redland's wildlife. Increased community participation was observed at both the annual curlew count and the North Stradbroke Island koala survey. Council officers attended the Glossy Black Cockatoo Conservancy meeting, Flying Fox Heat Stress Planning workshop and participated in ongoing monitoring of the Virtual Fence trial at Heinemann Road, Redland Bay.</p> <p>Wildlife community education talks were delivered to Scout groups, Redland's Returned Services League and schools throughout the City, as well as at IndigiScapes. The talks and workshops covered many topical wildlife issues relevant to the Redlands.</p>
Partner with community for improved environmental outcomes.	1.3.1	Community & Customer Services	Complete	<p>Council officers attended a total of 257 private properties for participation in Land For Wildlife, Your Backyard Garden, Waterways Extension and Koala Conservation private landholder partnerships. 55 school visits and IndigiScapes excursions were completed with over 1,500 participants in total. The Indigi Day Out event was held in June with over 3,000 visitors to the centre exploring the veteran trees campaign.</p>
Deliver land management extension programs within the community.	1.3.2	Community & Customer Services	Complete	<p>Community Bushcare delivered over 270 working bees and planted 6,670 plants in the City. Additional community engagement involved Trees for Weeds campaign (mainland and Southern Moreton Bay Islands), Vertical Garden workshop, Wildflower Walk, community talk at Retirement Village, Eucalypt Identification workshop and Indigi Day Out. 20 volunteers completed first aid training.</p> <p>The environment extension program (Habitat Protection) arranged and delivered National Tree Day planting, Land For Wildlife Fungal Ecology workshop, Trees for Weeds, and assisted with the Glossy Black Cockatoo tree planting. Further community talks included Dr Capon - Cane Toad Challenge Talk, Horse Management workshop and Snake workshop, were conducted at the IndigiScapes centre, with the mainland and Southern Moreton Bay Islands community.</p>
Enhance the visitor experience of Redland's natural assets.	1.4.1	Infrastructure & Operations	Complete	<p>The Bayview Conservation Area was upgraded with new staging area, carpark, toilets, shelter, water, shower, horse trough, bike washdown and map signage. A range of new trails and signage has been constructed throughout the reserve.</p>



Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Improve the customer experience at IndigiScapes.	1.4.2	Community & Customer Services	Complete	<p>The new IndigiScapes nursery was constructed with 85% of the internal fit-out completed. The Stage Two expansion of the IndigiScapes centre progressed with design documentation and development approval nearing completion. Advanced preparation occurred for the installation/construction of the southern gardens new amenities block. The southern gardens landscape design was completed following stakeholder engagement.</p> <p>Trees for Weeds, Bushcare Major Day Out, Wonderful Wildlife Day, Embrace the Bay, Indigi Day Out and Living Green Expo attracted approximately 41,450 visitors to the IndigiScapes Centre for the year.</p>

## 2. Green living

2020 Strategic Outcomes

2.1 Council's policies and plans support ecologically sustainable development and respond to climate change issues.

2.2 Sustainable building design (for example, solar panels and water tanks) is supported through education and advocacy.

2.3 Council's waste management plans address current and future needs, and include plans for closed landfills and regional collaboration.

2.4 Council and the community actively recycle and reduce waste.

2.5 Transport planning reflects a desire to maximise economic, environmental and liveability outcomes through quality road design, public transport, pedestrian and cycling strategies.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Manage implementation of the Redland City Council Climate Change Action Plan.	2.1.1	Community & Customer Services	Complete	The Redland City Council Green Living Policy review was completed by officers with additional recommendations for the amendment and revision of the Climate and Energy Action Plan.
Provide information to raise community awareness and education.	2.2.1	Community & Customer Services	Complete	<p>The Renewable Energy Feasibility study initial works were completed, with the implementation of the Redland City Council Climate and Energy Dashboard. This is an internal energy monitoring system that allows for tracking and monitoring of Redland City Council's energy consumption.</p> <p>Roof-top solar panels were installed at Council's Depot Fleet Maintenance building. The contract was awarded to install rooftop solar panels to the Animal Shelter building and IndigiScapes nursery.</p>
Plan and deliver waste management services to meet current and future needs of the city.	2.3.1	Infrastructure & Operations	Complete	<p>Terms of Reference were developed for a bulk waste disposal plan to incorporate current and future needs and opportunities for regional collaboration. Council kept up to date and responded to changes on new Federal and State waste policy developments. Redland City Council joined the newly created Waste Working group through Council of Mayors (SEQ) to advocate for new opportunities for waste management that offer collective benefit across the region. Planning for potential new future services occurred in waste collection and recycling contracts as they were renewed.</p> <p>Rehabilitation and remediation work continued on closed landfills to mitigate the risk of environmental harm with regular site inspections and environmental monitoring conducted. Site capping and drainage works were completed at Duncan Road baseball fields. Design was completed for a leachate collection trench and capping improvement at Judy Holt Park on the northern batters. Vegetation and capping maintenance, together with de-silting of the stormwater ponds occurred at the Birkdale landfill.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Reduce the amount of waste going into landfill.	2.4.1	Infrastructure & Operations	Complete	The voluntary kerbside green waste collection service was expanded by 1,247 bins to almost 20% of the City collecting 3,769 tonnes of garden organics. Similarly, promotions of larger recycling bins and improved recycling behaviour have resulted in an improved kerbside resource recovery rate of 26.2% (2017-18) against 25.9% (2016-17). Overall resource recovery for all waste generated in the City reduced to 44.8% (2017-18) from 46.3% (2016-17) as a result of changes to timber management at mainland waste transfer stations.
Deliver transport planning for the city.	2.5.1	Community & Customer Services	Monitor	<p>The draft Redlands Transport Strategy was prepared and is being reviewed. It is intended that the draft Redlands Transport Strategy will be released for community consultation following Council endorsement with the intention of being finalised and adopted by Council in 2018.</p> <p>The Cleveland Traffic and Transport Strategy project has progressed through the community consultation stage and into the final drafting stage. It is intended that this strategy will be finalised in 2018, subject to Council adoption.</p>

### 3. Embracing the bay

2020 Strategic Outcomes

3.1 Council collaborates with partners to understand, nurture and protect Moreton Bay's marine health and values.

3.2 Communities on the islands and foreshores enjoy equitable access to development opportunities and community services.

3.3 Our community is ready for and adapting to changing coastlines, storm tide and severe weather.

3.4 Redland City's residents and visitors can easily access the foreshore and use recreation infrastructure for boating and non-boating activities.

3.5 Priority Development Areas support equitable outcomes for island residents, such as access to transport and facilities.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Partner with Healthy Land and Water to monitor and improve the values of waterways and the bay, and enhance the community's experience of the bay.	3.1.1	Community & Customer Services	Complete	<p>Council continued its ongoing partnership with Healthy Land and Water in regards to monitoring specific waterway sites within the City. The 2017 South East Queensland Healthy Land and Water Report Card was released in November 2017.</p> <p>Other initiatives such as the Lower Brisbane and Redlands Catchment Action Plan 2018-2021 were completed in June in partnership with Brisbane City Council and the Resilient Rivers program.</p> <p>Council continued to progress the Pest Fish Action Plan to enhance the ecological health of local waterways and undertook an Embrace the Bay event in December 2017 to celebrate the recreational and environmental value of the Bay to the City.</p> <p>Council undertook recreational and environmental water quality monitoring during the year as part of its program of improving the health of local waterways and Moreton Bay.</p>
Partner with Education Queensland in activating the community use of schools for sport and recreation purposes.	3.2.1	Infrastructure & Operations	Complete	<p>Council Officers, on behalf of sporting groups, continued to liaise and negotiate with local schools so that school facilities may be used by local sporting clubs. Additionally, Tennis Queensland and Council officers identified 56 tennis courts in Redlands schools that would be suitable for community use.</p>
Develop a coastal adaptation strategic plan.	3.3.1	Infrastructure & Operations	Complete	<p>The Coastal Hazard Adaptation Strategy is progressing with the project plan. In line with the QCoast 2100 Minimum Standards and Guidelines for Queensland Local Governments. The Communication and Engagement Plan (Phase 1), Gap Analysis and Document Review (Phase 2) was completed.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Build community resilience to ensure residents have capacity to prepare, respond and recover from severe weather events.	3.3.2	Organisational Services	Complete	A number of initiatives were undertaken this year to build resilience and improve community capacity to prepare for, respond to and recover from natural disaster events. These initiatives included: Implementing recommendations from the 2017 Fire Review Report. Success of Exercise Afterburn which brought together all levels of government, emergency services, humanitarian organisations and the community to develop recovery strategies following a devastating bushfire. The continued growth of the Community Champions program that was first piloted on the Southern Moreton Bay Islands which has now gained momentum on North Stradbroke Island and Coochiemudlo Island. The Street Speaks disaster education program that delivered hundreds of hours of community contact time in the provision of disaster preparedness and resilience information.
Manage risk and hazards to the public.	3.4.1	Infrastructure & Operations	Complete	In line with the Coast Safe recommendations, final signage type and locations for North Stradbroke Island were confirmed in conjunction with Surf Life Saving Queensland to prepare for installation. Signage installation will commence in the 2018-19 financial year.
Progress development of Priority Development Area (PDA) activities.	3.5.1	Redland Investment Corporation	Complete	Redland Investment Corporation (RIC), in coordination with Economic Development Queensland (EDQ), worked closely with Walker Group as they liaised with the State and Federal Governments to progress the Toondah Harbour Priority Development Area project. In late June 2018, Walker Group lodged a third referral to the Federal Government under the Environment Protection and Biodiversity Act 1999, with an updated proposed master plan for the project. The updated plan incorporated a number of new initiatives and considered feedback from leading environmental and wetland experts, public submissions and the Federal Government.  In early 2018, RIC and EDQ examined a project proposal Walker Group had previously submitted for the Weinam Creek Priority Development Area and came to a decision, in conjunction with Walker Group, not to proceed with the proposal. In June 2018, Redland City Council announced that it would take up the planning for the Weinam Creek PDA, releasing a draft master plan for the project.  RIC was engaged to manage stage one of the PDA project and as at 30 June 2018 had progressed to the advanced stages of planning for stage one.

## 4. Quandamooka Country

### 2020 Strategic Outcomes

4.1 Council's organisational and staff capacity to deliver positive outcomes for Aboriginal communities, including the Quandamooka People, is improved through policy, cultural awareness training and cultural heritage training for elected members and Council staff.

4.2 Council's and the community's respect and understanding of the Quandamooka peoples' relationship with their traditional land and waters continue to improve.

4.3 Council continues to support and resource the delivery of commitments under the Indigenous Land Use Agreement (ILUA) with the Quandamooka People.

4.4 Council works with the Quandamooka Traditional Owners to help them achieve their goal of establishing North Stradbroke Island (Minjerribah) as a global eco-cultural tourism destination.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Increase Redland City Council elected members and staff awareness of cultural heritage.	4.1.1	Human Resources	<b>Complete</b>	Opportunities for Aboriginal cultural heritage training were organised with the Quandamooka Yoolooburabee Aboriginal Corporation (QYAC) with training dates made available for Council employees. Employees involved with Aboriginal cultural heritage matters were encouraged and supported to attend the training.
Embed Indigenous cultural awareness training at Redland City Council.	4.1.2	Human Resources	<b>Complete</b>	Cultural awareness training is included in Council's corporate induction for new employees. Development of further cultural awareness training was completed with employees attending a Quandamooka cultural day. All scheduled training days were fully booked with positive feedback provided.
Update Council's Aboriginal and Torres Strait Island Community Policy and Guidelines.	4.1.3	Organisational Services	<b>Monitor</b>	<p>The Aboriginal and Torres Strait Islanders Community Policy was reviewed and adopted by Council at the General Meeting in April 2018. The Aboriginal and Torres Strait Islanders Community Guideline and Action Plan will be completed in the next financial year.</p> <p>Council observed the cultural protocols of incorporating a welcome to country, smoking ceremony and an acknowledgement of country at significant events including Christmas by Starlight, Australia Day Awards and the Australia Day Citizenship event.</p> <p>Council collaborated with the Department of Aboriginal and Torres Strait Islander Partnerships to present an information session on the Aboriginal Cultural Heritage Act 2003 to Councillors and staff. Council engaged the Quandamooka Yoolooburabee Aboriginal Corporation to manage and protect Aboriginal Cultural Heritage in the Redlands.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Promote awareness and understanding of the local Aboriginal and Torres Strait Islander culture through events.	4.2.1	Organisational Services	Complete	<p>Council engaged and collaborated with Aboriginal and Torres Strait Islander groups and individuals through events including the Christmas by Starlight event, the Queen's Baton Relay for the Commonwealth Games and the Australia Day Awards. A new category, Reconciliation, was introduced to the Council's Australia Day Awards.</p> <p>The National Reconciliation Week/National Aborigines and Islanders Day Observance Committee (NAIDOC) Committee planned events to celebrate the national themes for the two weeks.</p> <p>Council introduced a new reconciliation initiative to acknowledge and thank Aboriginal Elders for their ongoing partnership and collaboration with Council.</p>
Deliver programs, events, displays and exhibitions through Council's libraries, art galleries and performing arts centre to showcase Aboriginal history, art and culture and enhance community understanding of these aspects.	4.2.2	Community & Customer Services	Complete	<p>Libraries delivered six children's activities focusing on Aboriginal culture and history. This included pop-up libraries during NAIDOC week, school visits and story time. Libraries hosted an author event during Reconciliation Week with a local Quandamooka author reading from their latest children's book 'Whale Dreaming'.</p> <p>'Remembering them: Honouring the First World War serviceman and women of the Redlands' was published and launched in April highlighting the contributions of 12 local Indigenous servicemen. Local Aboriginal history, culture and artefacts were also highlighted at an event for seniors for National Reconciliation Week.</p> <p>Council provided sponsorship and in-kind support to Quandamooka Festival and facilitated partnerships between two signature festivals which resulted in the Quandamooka Festival Kunjiel (Corroboree) in the RedFest program. Council delivered corporate and tourism related events that promoted and showcased Quandamooka culture including two Gold Coast Commonwealth Games community celebrations where respected elder Aunty Rose Borey carried the Queens Baton on Quandamooka Country and during Council's Christmas by Starlight event. Council introduced the reconciliation award as part of the Redland City Australia Day Awards program in 2018 which recognised significant achievement by an individual or group who actively worked on reconciliation between Aboriginal and Torres Strait Islander and non-indigenous people in the Redlands.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Partner with QYAC to plan and monitor commitments under the ILUA.	4.3.1	Organisational Services	Complete	<p>Council and the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) held a number of Indigenous Land Use Agreement (ILUA) Business Day meetings. A number of the ILUA commitments continued to progress through these operational meetings. The ILUA Consultative Committee meeting scheduled for December 2017 was postponed and held in June 2018.</p> <p>The ILUA Capital Works Forum held on North Stradbroke Island, was facilitated by Council's General Manager of Infrastructure and Operations. The ILUA Joint Protecting Sea, Land and Environment Committee scheduled to meet in 2018 was postponed until the next financial year.</p> <p>The Land Use Planning Committee reconvened in 2018. ILUA commitments continue to be progressed through these operational meetings. Council conducted two internal ILUA review meetings, in May and June, and endorsed an internal committee structure for coordinating the ILUA commitments and synergies with Council priorities and activities.</p>
Plan and deliver commitments under the ILUA in partnership with QYAC.	4.3.2	Organisational Services	Complete	<p>Council continued to support and resource the delivery of commitments under the Indigenous Land Use Agreement (ILUA) with the Quandamooka People. During the year meetings of the ILUA Consultative Committee, the Capital Works Forum and the Land Use Planning Committee were held along with Business Day meetings.</p>
Support the development of eco-cultural tourism.	4.4.1	Organisational Services	Complete	<p>Council delivered a Quandamooka-focused Gold Coast Commonwealth Games Queen's Baton Relay community event on North Stradbroke Island, resulting in national television coverage of the island as an eco-cultural tourism destination. Council also provided \$30,000 cash sponsorship to the Quandamooka Festival and promoted eco-cultural tourism on North Stradbroke Island through e-newsletters, 'Our Redlands' magazine, and digital media. In conjunction with traditional owners and Brisbane Marketing, Council facilitated international sporting teams to visit the island, resulting in international exposure on Fox Sports, promoting the island as an eco-cultural tourism destination. Council sponsored the Intrust Super Cup Indigenous rugby league round at Dunwich, including Channel 9 coverage of the island's eco-cultural tourism offerings.</p>



## 5. Wise planning and design

### 2020 Strategic Outcomes

5.1 Growth and development in the city is sustainably managed through the adoption and implementation of the Redland City Plan and Local Government Infrastructure Plan.

5.2 Redland City's character and liveability are enhanced through a program of master planning, place-making and centre improvement strategies, including maximising opportunities through the catalyst Toondah Harbour Priority Development Area and Redlands Health and Wellbeing Precinct projects to build a strong and connected Cleveland.

5.3 An effective and efficient development assessment process delivers quality development that is consistent with legislation, best practice and community expectations.

5.4 Regional collaboration and targeted advocacy drives external funding for key infrastructure upgrades and enhanced community outcomes.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Implement the Local Government Infrastructure Plan.	5.1.1	Community & Customer Services	<b>Complete</b>	<p>As an interim measure until such time as the new City Plan commences, an amendment to the current Redlands Planning Scheme will come into effect on 1 July to allow Council to continue to levy infrastructure charges and condition development for compliance with the adopted Local Government Infrastructure Plan (LGIP).</p> <p>Council officers liaised with responsible infrastructure network planners to ensure the inclusion of applicable LGIP Plan projects, estimated costs and anticipated delivery timeframes into Council's Capital Works program.</p>
Implement the Netserv Plan.	5.1.2	Infrastructure & Operations	<b>Complete</b>	<p>In parallel with the Local Government Infrastructure Plan approval process, public consultation of the revised Netserv Plan Part A was undertaken. Changes were made following the consideration of submissions and the preceding (June 2017) endorsement of consistency of the Netserv Plan Part A with the South East Queensland Regional Plan from the State Minister. The revised Netserv Plan Part A was adopted by Council with its commencement linked to the commencement of the Local Government Infrastructure Plan.</p> <p>One of the major components required in the Netserv Plan Part A is the planning for trunk infrastructure. The Netserv Plan also incorporates Redland Water's Asset and Service Management Plans, including the Capital Works program for Redland Water. The current Redland Water Capital Works Program was aligned to the revised Netserv Plan, and Redland Water progressed with the delivery of this aligned Capital Works Program over the 2017-18 financial year.</p>
Commence the Redland City Plan.	5.1.3	Community & Customer Services	<b>Monitor</b>	<p>The draft City Plan was submitted to the State Government in March 2017 seeking final approval. Council received formal advice from the State Government in June 2018 that Council may proceed to adopt the new City Plan subject to a number of ministerial conditions. A special meeting of Council was held on 25 June 2018 seeking a decision to adopt and commence the Redland City planning scheme, with that meeting adjourned until 6 July 2018.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Coordinate a centres master planning and place making program.	5.2.1	Community & Customer Services	Monitor	<p>Council continued stakeholder engagement with property owners in the CBD to help stimulate interest and action in place making and revitalisation endeavours. A number of place-making activities were delivered throughout the year including a public art mural on the Cleveland library building, and approval for installation of public wifi at Raby Bay Harbour Park.</p> <p>Council through a partnership with Mater Health Services and Metro South Health commenced a master planning study for the Redlands Health and Wellness Precinct. The three-stage study, being undertaken by consultants, includes an economic impact assessment, land use and planning study. The Stage 1 report (Demand Drivers Assessment) dated 5 March 2018 was received from the consultant. The report, which includes profiling of the drivers and key opportunities and challenges in the Redlands economy and identification of key learnings and lessons from best practice health precincts elsewhere in Australia and internationally, has informed Stages 2 and 3 which are currently underway. The project will recommend a preferred Structure Plan for the Health and Wellness precinct for consideration by Council and its project partners in 2018/19.</p>
Develop master plan for Redland Aquatic Redevelopment.	5.2.2	Infrastructure & Operations	Complete	Preliminary options and planning investigations were completed to guide future master plan design development.
Plan for future use of surplus commonwealth land at Birkdale.	5.2.3	Community & Customer Services	Monitor	Discussions between Council and the Federal Government regarding the purchase of surplus commonwealth land have continued. Once purchase negotiations are finalised, Council will seek to re-commence a planning exercise to determine the appropriate future land use of the site.
Maintain effective systems and processes that underpin quality, timely decision making for development applications.	5.3.1	Community & Customer Services	Complete	Applications were processed in accordance with the Planning Act 2016. Work continued on the ePlanning project funded by the State Innovation and Improvement Fund with the review and implementation of receipting of development applications. Preparation for commencement of City Plan has commenced following approval by the Minister for State Development, Manufacturing, Infrastructure and Planning.
Advocate for key city building infrastructure including identifying funding paths for delivery.	5.4.1	Community & Customer Services	Complete	Council continued to advocate for key city building infrastructure and the identification of funding paths for delivery through a number of avenues and engagement activities. Joint major events with the Redland City Chamber of Commerce promoted opportunities for business investment in the Redlands and informed about major new projects in South East Queensland (SEQ) including the Queen's Wharf Development and Brisbane Airport upgrades. As a member of the State Government's SEQ City Deal Economic Narrative Reference Group, Council was active in providing input and feedback to the SEQ City Deal Framework and the Brisbane's Future Tourism Infrastructure Needs Discussion Paper. Council continued to actively participate in the SEQ Food Trails User Group to ensure that Redlands is featured in the SEQ Food Trails website initiative.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Plan and develop cross-boundary transport and infrastructure priorities.	5.4.2	Community & Customer Services	Complete	<p>Council officers continued to work with the Department of Transport and Main Roads to develop a business case that prioritises the planning and delivery of major infrastructure projects that will benefit the Redlands. Preparing clear evidenced based planning documents enables Council to advocate more effectively with Federal and State Government and neighbouring Local Governments.</p> <p>Council worked with the Department of Transport and Main Roads to develop a project scope that focuses on upgrading the bus interchange in Capalaba. The project scope compliments a study completed on the Old Cleveland Road Corridor that identified actions to improve bus prioritisation.</p>

## 6. Supportive and vibrant economy

### 2020 Strategic Outcomes

6.1 Council supports infrastructure that encourages business and tourism growth.

6.2 Redland City delivers events, activities and performances that bring economic and social benefits to the community.

6.3 Council's involvement in the State Government's North Stradbroke Island Economic Transition Committee supports and aligns with Council's strategic objectives, which help deliver long-term economic sustainability for North Stradbroke Island (Minjerribah).

6.4 Council receives a return on the community's investment in land to enhance economic and community outcomes.

6.5 Growth in key sectors identified in Council's Economic Development Framework is supported through the development and implementation of action plans by the Industry Economic Development Advisory Board.

6.6 Development will be facilitated specifically in the Toondah Harbour Priority Development Area (PDA) and Weinam Creek PDA with a focus on economic growth.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Partner with external stakeholders to deliver key city building infrastructure to support Council's priorities.	6.1.1	Community & Customer Services	Complete	<p>Council secured funding through the Queensland Government Advancing Regional Innovation Program (\$500,000 over three years), which aims to support innovation and entrepreneurship in regional Queensland. Council, and project partners including Griffith University and Logan City Council worked to deliver a program of innovation and entrepreneurship activities in the Logan Redlands region. Program outcomes included appointment of a regional program coordinator, delivery of a workshop series with local schools and businesses to grow and foster local innovation, representation at the annual Myriad Festival in Brisbane by local robotics/entrepreneurial businesses, and delivery of a Redlands Focus on Aged Care event in June 2018 that was attended by more than 65 people from aged care and community care networks, as a lead in to a major innovation forum to be held in 2018-19.</p> <p>Council collaborated with StartUp Redlands to secure the delivery of events during 2018-19 with an entrepreneurship and innovation focus for the Redlands community and businesses. This initiative met Advancing Regional Innovation program deliverables to help further enhance the local innovation ecosystem.</p> <p>Council secured funding for the preparation of an early stage assessment of a potential Cleveland Innovation Precinct through the Queensland Government's Maturing the Infrastructure Pipeline Program (MIPP). The MIPP, administered by the Department of State Development, Manufacturing, Infrastructure and Planning supports the development of a robust project pipeline by enabling projects to be matured from conceptually good ideas into solid proposals. The consultant appointed by the State Government Aurecon, completed an early stage assessment incorporating feedback from external stakeholders and Council outlining future options for a potential Cleveland Innovation Precinct.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Develop tourism infrastructure.	6.1.2	Organisational Services	Complete	<p>Council's tourism subcommittee met seven times to provide advice on a broad range of tourism initiatives including the new city destination brand, promotional opportunities and industry development programs including digital capacity workshops, experience development programs, tourism and event forums and marketing initiatives.</p> <p>Council completed procurement and design of a new mobile-accessible destination website for launch in August 2018. The new website is part of the new destination place brand 'Redlands Coast - Naturally Wonderful'.</p>
Develop and deliver a unique Redland City brand.	6.1.3	Organisational Services	Complete	<p>A new city brand was completed and adopted by Council on 6 June 2018. The brand includes the name 'Redlands Coast' for marketing purposes and the tagline 'Naturally Wonderful'. A visual identity, including a logo incorporating Quandamooka design elements, was also developed and launched. The brand was developed after extensive consultation with about 5,000 locals, businesses and visitors to the City.</p>
Develop strategies and activities to support key events.	6.2.1	Organisational Services	Complete	<p>Council continued to progress through the 19 actions in the Events Strategy and Action Plan 2017-2022, including delivering connectivity to events through Translink partnerships, operator networking opportunities, two tourism and events forums, event bundling and packaging, a new online system for applying for in-kind sponsorship, signature event development, a venue famil for event organisers, leveraging opportunities from the 2018 Commonwealth Games, event surveys and establishment of a dedicated unit for community events.</p> <p>Redland Art Gallery delivered 23 exhibitions and 80 community workshops, attracting 45,829 attendees. Redland Performing Arts Centre delivered 329 events, with 29,423 ticket sales and overall attendance of 51,666 people.</p> <p>Council delivered 29 corporate events attended by 24,886 people. Events included Christmas by Starlight, Lighting of the Christmas tree, two Gold Coast Commonwealth Games Queen's Baton Relays and Diner en Rouge.</p> <p>Council facilitated delivery of 86 community events attended by 250,000 people. Events included Quandamooka Festival, RedFest, Island Vibe and Greazefest.</p> <p>Council commenced development of an online events permit form and coordinated 27 Red Team event meetings to ensure a streamlined event permit allocation for community events.</p>
Plan and coordinate Redland's participation in the Gold Coast Commonwealth Games legacy events.	6.2.2	Community & Customer Services	Complete	<p>Council's Commonwealth Games Liaison Committee, which included representation from business areas across Council and from the Office of the Commonwealth Games - Department of Tourism, Events and Small Business, met on a monthly basis to plan for delivery of the Queen's Baton Relay community celebrations and other Gold Coast 2018 (GC2018) Commonwealth Games related initiatives including the Trade 2018 program.</p>

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Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
				<p>Council successfully applied for funding through the Office of the Commonwealth Games to support delivery of two Queen's Baton Relay (QBR) community celebrations. Council successfully hosted a QBR Community Celebration on 8 January 2018 on North Stradbroke Island, which attracted more than 1,000 attendees and achieved national media coverage. Quandamooka Elder Aunty Rose Borey was the baton bearer for the celebration. On Saturday 31 March 2018, the Cleveland leg of the QBR commenced at the Cleveland Lighthouse and a community celebration was held in Raby Bay Harbour Park. The celebration event attracted more than 5000 attendees and featured a Welcome to Country by Uncle Robert Anderson OAM, a smoking ceremony and performance by the Yulu Burri Ba Dancers, entertainment by Casey Donovan as well as free activities. QBR sponsor Q-Super selected the Cleveland community celebration as one of the best celebrations in Queensland and offered Council the opportunity to apply for \$10,000 towards a community initiative. Council was successful in its application to contribute the funding toward extending the Redlands Healthy and Active program.</p> <p>The Redlands Healthy and Active program, backed by generous grants from the Australian and Queensland Governments, through the Embracing 2018 Legacy program for the GC2018 Commonwealth Games, delivered a community based physical activity program to the Redlands contributing to building healthier, happier and more vibrant communities. As part of the same funding package Redlands was able to deliver the Redlands Games Carnivale event which brought the Games to Raby Bay Harbour Park (4-15 April 2018).</p> <p>Council organised a welcome to more than 60 Team England representatives on Easter Monday, which included a cultural talk from Quandamooka Man Matt Burns and gifts from Quandamooka artist Delvene Cockatoo-Collins, who designed the GC2018 Commonwealth Games gold, silver and bronze medals. Redland Art Gallery featured an art exhibition by Delvene Cockatoo-Collins, whose artwork Migalu Yalingbilla – White Humpback was featured at the GC2018 Commonwealth Games opening ceremony. Maryann Talia Pau of the One Million Stars to End Violence Project made Redland Art Gallery the 100th Star Weave Community, pledging to weave and collect 10,000 stars for a major installation for the GC2018 Commonwealth Games.</p> <p>Redlands IndigiScapes Centre featured in the special edition GC2018 Commonwealth Games themed Nature Play Passport to encourage children and families to get outside, and increase participation in outdoor, unstructured and active play.</p> <p>Council participated in Trade 2018 events including Queensland Opportunities in E-Health, Gold Coast Health and Knowledge Precinct Showcase, Canada Connect and an International Education and Training Agent Engagement Reception. Council collaborated with Logan City Council and staffed a RDA Logan Redlands booth at the Queensland and Commonwealth Collaboration and Showcase 12 April 2018 as part of the Trade 2018 program. Council met with the office of the Lord Mayor of the City of Birmingham, England, which is the next Commonwealth Games host city.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Support economic transition for North Stradbroke Island (NSI).	6.3.1	Community & Customer Services	Complete	<p>Council continued to work with key stakeholders on the transition to a sustainable post-mining economy for North Stradbroke Island under the State Government's North Stradbroke Island Economic Transition Strategy (NSI ETS). Council remained lead for Project 13: Location and Interpretive Signage and partner on a further 17 of 23 projects. A revised scope for Project 13 was approved by the State Government, funding agreement was finalised and the project commenced. An internal working group established by Council, with representation from the Department of State Development, Manufacturing, Infrastructure and Planning continued to meet regularly to coordinate Council communications and participation in projects being funded under the NSI ETS. Council continued to attend NSI ETS Implementation Committee meetings.</p>
Develop strategic opportunities for Redland City Council land holdings.	6.4.1	Redland Investment Corporation	Complete	<p>Redland Investment Corporation (RIC) commenced construction of its Ava Terraces townhouse development, located at 9-11 Oaklands Street, Alexandra Hills, in August 2017. The architecturally designed development comprises 13 three and four-bedroom townhouses and adjoins a community garden. The development was completed in June 2018, having attracted strong interest with 10 of the 13 townhouses sold and the remaining three under contract at 30 June.</p> <p>In late 2017 RIC purchased Cleveland Plaza in Bloomfield Street, Cleveland. RIC continued to assess opportunities on other various sites.</p>
Develop action plans for key industry sectors.	6.5.1	Community & Customer Services	Monitor	<p>Council commissioned REMPLAN to undertake a data validation and assessment exercise to determine if the eight key industry sectors identified in the Redland City Economic Development Framework 2014–2041 were still relevant based on the latest 2016 Australian Bureau of Statistics Census. The validation exercise confirmed that the eight industry sectors continue to perform well in terms of output, value-add and employment, accounting for three-quarters of total regional exports, and are still considered future employment growth sectors. Building on the data validation and assessment exercise, REMPLAN commenced a gap analysis study to identify opportunities for key sectors with the potential to re-capture some of the workforce currently leaving the region, and identify import replacement opportunities for the South East Queensland economy.</p> <p>Council received the Health Care and Social Assistance and Education and Training consultant reports at its General Meeting in September 2017. Following an extensive validation process with industry stakeholders and the Redlands Economic Development Advisory Board, draft industry sector plans were developed for both sectors, including accountable parties, timeframes and resource considerations for their implementation. The finalised Health Care and Social Assistance Plan 2018-2023 and Education and Training Plan 2018-2023 will support the objectives of the Redlands Economic Development Framework 2014-2041 and set out how Council will work with industry, businesses and governments to meet the challenges and capitalise on employment and economic opportunities in each sector. Both plans will be presented to Council for consideration in early 2018-19.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Facilitate process with Economic Development Queensland.	6.6.1	Redland Investment Corporation	Complete	<p>Redland Investment Corporation (RIC), in coordination with Economic Development Queensland (EDQ), worked closely with Walker Group as they liaised with the State and Federal Governments to progress the Toondah Harbour Priority Development Area project. In late June 2018, Walker Group lodged a third referral to the Federal Government under the Environment Protection and Biodiversity Act 1999, with an updated proposed master plan for the project. The updated plan incorporated a number of new initiatives and considered feedback from leading environmental and wetland experts, public submissions and the Federal Government.</p> <p>In early 2018, RIC and EDQ examined a project proposal Walker Group had previously submitted for the Weinam Creek Priority Development Area (PDA) and came to a decision, in conjunction with Walker Group, not to proceed with the proposal. In June 2018, Redland City Council announced that it would take on planning for the Weinam Creek PDA, releasing a draft master plan for the project.</p> <p>RIC was engaged to manage stage one of the PDA project and as at 30 June 2018 had progressed to the advanced stages of planning for stage one.</p>



## 7. Strong and connected communities

### 2020 Strategic Outcomes

7.1 Festivals, events and activities bring together and support greater connectivity between cross-sections of the community.

7.2 Council maximises community benefit from the use of its parklands and facilities by improving access to, and the quality and shared use of, public spaces and facilities by groups for sporting, recreational and community activities.

7.3 Council's assessment of community issues and needs provides timely opportunities to pursue grants and partnerships that realise long-term benefits.

7.4 Council supports volunteerism and participation in civic projects through clear and supportive Council processes to reduce red-tape, and engage and recruit volunteers for Council projects.

7.5 The community's preparedness for disasters is improved through community education, training and strong partnerships between Council and other agencies.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Design and deliver an annual calendar with a range of festivals, events and activities across the city.	7.1.1	Community & Customer Services	<b>Complete</b>	Council delivered 29 corporate events in 2017-2018 attended by 24,886 people and notably, Council delivered major events such as Christmas by Starlight, Lighting of the Christmas Tree, two Gold Coast Commonwealth Games Queen's Baton Relays, Diner en Rouge. Council delivered two tourism and event forums in November 2017 and June 2018 attended by 240 industry representatives.  Council facilitated delivery of 86 community events in 2017-2018 attended by 250,000 people and included destination events such as Quandamooka Festival, RedFest, Island Vibe, Straddie Salute and Greazefest.
Develop a public art strategy for Council that maximises community benefits from grant funding and ensures a vibrant public art program across the city.	7.1.2	Community & Customer Services	<b>Complete</b>	The Public Art Framework was developed and adopted by Council at the General Meeting on 20 June, 2018. This document will be used by Council and its various collaborators to grow the City's public art collection with high quality public art. The framework recognises the Redlands Coast place branding, honours Quandamooka Country and acknowledges the overlay of agrarian, industrial, colonial and settler heritage that has imprinted the Redlands.
Plan for effective sport and recreation areas.	7.2.1	Infrastructure & Operations	<b>Complete</b>	2016 Sports Demand Study was reviewed. Council acquired the additional sporting land at Heinemann Road Mount Cotton and funding has been approved for the next phases of planning. A funding application that will assist with planning studies was lodged with the State Government.
Develop master plan for Cleveland activities precinct.	7.2.2	Infrastructure & Operations	<b>Complete</b>	The master plan was prepared and consultation held with community.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Finalise and implement Council's library strategy to align library services to ongoing and changing customer needs.	7.2.3	Community & Customer Services	Complete	<p>In 2017-18, Council made excellent progress with implementation of the Library Services Strategy 2017-2022. The strategy, adopted by Council in October 2017, includes four goals: welcoming and flexible destinations; innovative and accessible services; activate and engage through programs and partnerships and skilled and cohesive team.</p> <p>To create welcoming and flexible destinations, Redland Libraries reviewed library spaces and made improvements to layout and furniture, including the creation of a news lounge and the replacement shelving in Cleveland Library. Opening hours for Russell Island were extended in August 2017. Council also launched a new Customer Service Centre at Victoria Point library in July to provide improved access to Council services for our community.</p> <p>Council's innovative and accessible services were improved through a new online booking system for events, upgraded public computers in all our mainland libraries and installation of WiFi at Dunwich, Point Lookout and Russell Island libraries. Detailed planning was undertaken for further improvements in 2018/19.</p> <p>Library Services worked with local stakeholders to activate and engage through a diverse range of activities events and programs. The First 5 Forever program was delivered across the City, with programs and activities designed to support early literacy. Redland Libraries developed a volunteer adult literacy program to support adults to improve their literacy skills which will be launched in 2018/19. Words for wellbeing was launched which promotes free access to books and online resources which have been recommended by medical professionals. In April 2018, Redland Libraries launched 'Remembering them', a book honouring the First World War servicemen and women of the Redlands. Design and specification for a replacement mobile library vehicle was developed. Awareness of Quandamooka culture continues to be incorporated into library programming. Library Services represented Council at key library industry events including the Queensland Public Libraries Association Conference where the team received recognition for the work done through programs and social media.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Partner with community organisations and the private sector to deliver social infrastructure supporting community needs.	7.3.1	Community & Customer Services	Complete	<p>Council completed an evidence base to support the review of the current Redlands Social Infrastructure Strategy. This evidence base was built through engagement with community organisations and community groups. Feedback from engagement was compared with Census demographic data for the Redlands Local Government Area.</p> <p>Through community input, Council has been able to validate and analyse areas of emerging community need, and trends that will likely continue to impact on the community. These emerging needs were also considered in remodelling how existing community centres and halls can be utilised to support community partnerships to create long-term benefits for local areas.</p> <p>Council completed early engagement with several community organisations on the concept of a community service hub in Capalaba. Conceptual designs were generated and costed to support early consultation activities.</p> <p>In partnership with a range of support services, Council led the review of a Memorandum of Understanding for the Southern Moreton Bay Island Community and Wellbeing Hub. This review supported a community driven approach, ensuring that services and Southern Moreton Bay Island community groups would collectively work toward a sustainable service structure to enhance the wellbeing of island residents.</p>
Provide opportunities for volunteers to participate in a range of existing Council projects and activities.	7.4.1	Community & Customer Services	Complete	<p>Approximately 8,000 hours of volunteer participation was recorded this year in a broad range of community programs including Redlands Wildlife Ambulance, Bushcare, Citizen Science and IndigiScapes events and services. The annual Bushcare day out was held on Stradbroke Island to celebrate the Bushcare volunteers, and the annual Mayor volunteer breakfast was held in December 2017.</p>
Promotion and delivery of multi-agency education programs.	7.5.1	Organisational Services	Complete	<p>Multi-agency disaster education programs were delivered across the City, including bay islands and mainland areas. The multi-faceted education program provided disaster preparedness and resilience information to the community through Street Speaks and pop-up stalls at emergency service open days, community events and the Community Champions program.</p> <p>Community specific education programs were delivered across the communities of the Southern Moreton Bay Islands, Coochiemudlo Island and North Stradbroke Island, recognising that these communities face unique challenges during natural disaster events due to their inherent isolation as islands. The Red Cross, Queensland Fire and Emergency Services, Queensland Police Service, Department of Communities, Volunteering Queensland and State Emergency Service partnered with Council to deliver these programs.</p>

## 8. Inclusive and ethical governance

### 2020 Strategic Outcomes

8.1 Council's Information Management Strategy and technology systems are engineered to increase efficiency and provide excellent customer service outcomes.

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.

8.3 Implementation of the Corporate Plan is well coordinated across Council and through a delivery mechanism that provides clear line of sight, accountability and performance measurement for all employees.

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

8.5 Council uses meaningful tools to engage with the community on diverse issues so that the community is well informed and can contribute to decision making.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Transform Council's systems and processes.	8.1.1	Organisational Services	Monitor	The Information Management Group continues to assist in the delivery of new Asset Management System and Human Resource Information System as part of the core application refresh. Business Intelligence Dashboarding continues to be deployed throughout the organisation which assists with Information and decision making. Cloud Strategy including Mobility and Integration and Road Map was delivered which includes a framework for normalising core systems and data sets as part of digital transition.
Improve Council's e-service capability.	8.1.2	Organisational Services	Complete	A total of 83% of the 8,206 users who completed the useful/not useful survey on pages within Council's website recorded the pages as useful. Council averages 60,000 page views on the Council corporate website each month.
Optimise Redland City Council's asset management governance.	8.2.1	Organisational Services	Monitor	Phase 1 of the Asset Management Project successfully delivered asset management governance, asset management planning training, and led to the establishment of a strategic asset management function to lead Council's ongoing asset management improvements and increase asset management maturity. The procurement of an asset management system was completed and contract negotiations commenced with a preferred supplier. It is anticipated that the final contract will be awarded by August 2018.

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Establish governance over strategic and operational planning.	8.3.1	Organisational Services	Complete	<p>Line of sight and accountability were improved through the updated Corporate Plan 2018-2023 which incorporated the review and update of commitments to recognise work delivered to date and the inclusion of Council's strategic priorities. Strategic alignment, consistency and transparency were further improved with the development and implementation of the Strategic Planning Policy and Guideline which provides governance over the development and implementation of Council's strategies and plans. A strategic planning framework was drafted to establish standardised planning processes within Council, and changes were made to Council's annual planning cycle to improve integrated planning and the cascade of delivery accountabilities.</p> <p>Corporate performance measures were reviewed to ensure alignment with organisational objectives, and reporting on Council's strategic priorities is now included in the quarterly Operational Plan performance report as well as the Annual Report.</p> <p>Significant progress was made in maturing Council's approach to planning and prioritisation of projects. The Portfolio Management Office facilitated the coordination of required information and decision making processes to enable a more informed planning approach to prioritisation of the future project portfolio. In March 2018 the 2018/19 portfolio program was reviewed by Councillors with the program receiving Council final endorsement in June 2018.</p>
Align staff capability and performance to deliver the Corporate Plan 2020 Outcomes.	8.3.2	Human Resources	Complete	<p>The Leadership and Corporate Development programs were redesigned and rebranded to 'LEAP' (Lead, Engage, Adapt, Perform). The programs included a career pathway aligned to Council's Core Capability Framework at three levels: foundational, practice and mastery.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Further enhance the continual improvement culture supporting service delivery.	8.4.1	Organisational Services	Complete	<p>Council's annual planning process was improved to include a stronger focus on service planning, delivery and improvements. A number of business transformation initiatives were also undertaken to further enhance Council's continual improvement culture and service delivery. Service design workshops were developed and tested within the organisation to improve customer centricity and the efficient delivery of value. Following a pilot workshop held with Human Resources, technology and process improvements were implemented to improve quality and timeliness of Council's recruitment practices. Training sessions and workshops were held to further build continuous improvement and customer centric culture and capability, with over 53 employees attending.</p> <p>A discovery project commenced to understand current procurement practices, and where possible savings can be made in sourcing and processing goods and services purchased by Council. A series of internal workshops and interviews were facilitated to gauge a current state of the organisation and to understand what strategic procurement practices could be implemented.</p> <p>Delivery of the 2017-2018 Projects and Programs was improved by increased reporting to improve governance of project delivery and project understanding and awareness training was conducted to develop more strategically aligned project planning.</p>
Embed change management capability within continual improvement programs.	8.4.2	Human Resources	Complete	<p>There was a focus on building change management capability across the organisation through: rolling out foundational training for the Human Resource Team, supporting the Asset Management project through a dedicated change management specialist role, aligning processes with the Portfolio Management Office to identify and monitor the enterprise change portfolio and modifying and improving the change management toolkit for ease of use and simplicity. The toolkit resource was successfully used in active projects.</p>
Align the organisation to meet changing operational requirements.	8.4.3	Human Resources	Monitor	<p>To enable greater strategic impact, workforce planning activities included the creation of a new process utilising the toolkit provided by the Local Government Association of Queensland.</p> <p>Following a review of the Award Modernisation 2016/2017, changes in the Industrial Relations Act 2016 and the impact of industrial instruments on Council operations, bargaining for new Council Certified Agreements was initiated during June 2018. It is anticipated that the two agreements will be finalised by December 2018.</p>
Drive innovation and improvement through capable leadership.	8.4.4	Human Resources	Complete	<p>The Mate to Manager Program targeting 'leading self' and 'managing teams' was completed with a presentation and award session. The Innovation / Change Management Culture Workshop for the Executive Leadership and Senior Management Teams was developed. The Leadership and Corporate development programs were redesigned to the LEAP (Lead, Engage, Adapt, Perform) Development Programs.</p>

Significant Activity	Op Plan Ref	Key Accountable	Status	Comment
Improve organisational performance through employee feedback.	8.4.5	Human Resources	Monitor	The MySay survey was conducted in May 2018 with an employee completion rate of almost 90%. Analysis of the results was completed by ORIMA Research and presented to the Executive Leadership Team and the Operational Leadership Group. Development of actions plans has commenced and will be completed by December 2018.
Deliver a healthy and safe Redland City Council environment.	8.4.6	Human Resources	Complete	The wellbeing of our workers has been the primary focus of Council in delivering the Safety Management Plan. Actions were taken to address reported hazards and incidents to improve and protect the health and safety of our workers.
Review Council's community engagement model and framework.	8.5.1	Organisational Services	Complete	<p>Growth of the yoursay digital community engagement panel exceeded target (target 10%, actual 28%).</p> <p>The Citizens' Advisory Panel comprised 40 randomly selected residents representative of the four distinct Redland communities – canal and lake, coastal, inland and island. These residents came together over three occasions from December 2017 to February 2018 and heard from a range of independent experts, residents and council officers. They then deliberated on how council should fund and manage repairs of our canals, lakes and revetment walls.</p> <p>Citizens' Advisory Panels have been found to provide fair and well considered advice to governments and organisations across the world. They show what everyday citizens would support or advise if they had access to valid information, a variety of perspectives and time to consider and discuss the issues with other citizens.</p> <p>The Citizens' Advisory Panel was a key part of citywide engagement on the issue. Representatives of the Redland community were also surveyed through a telephone survey undertaken by an independent market research firm. Engagement with those most affected by the community consultation outcomes also included separate meetings with ratepayer associations, or estate ratepayers if no association exists.</p> <p>The Citizens' Advisory Panel was managed by two of Australia's best community engagement consultants: Articulous Communications and Max Hardy Consulting.</p> <p>Following the consultation, Council introduced new ways of managing and funding the canals and lake maintenance activities.</p>

**12.3 TRANSFER OF FUNDS HELD IN TRUST TO GENERAL ACCOUNT****Objective Reference:** A3254959**Authorising Officer:** Deborah Corbett-Hall, Chief Financial Officer**Responsible Officer:** Deborah Corbett-Hall, Chief Financial Officer**Report Author:** Joy Manalo, Finance Manager Corporate Finance**Attachments:** Nil**PURPOSE**

To seek Council approval for the transfer from funds held in trust (TR 132 –Bulk Water Developers Contribution) to the general account the amount of \$3,766,624.69 (\$3.8 million) in compliance with Section 201(3) of the *Local Government Regulation 2012*.

**BACKGROUND**

There is an existing trust account amounting to \$3.8 million that has been dormant since February 2012. The amount represents infrastructure charges collected by Council following the State Government's acquisition of bulk water assets on 1 July 2008.

The development application decision notices issued by Council to the respective developers indicate that the nature of the collection was for development contribution towards the augmentation of water supply headworks.

These funds are currently in an account held in trust and consequently have not been available for Council's operational use.

Since the return of Redland Water to Council on 1 July 2012, officers have carried out efforts to resolve the issue related to the \$3.8 million funds held in trust. Council officers have liaised with the Minister for Energy and Water Utilities, the South East Queensland (SEQ) Water Grid Manager and the Department of Infrastructure, Local Government and Planning to determine the proper treatment of the funds collected. Several avenues were considered but the legal complexity of the matter impeded the determination of an appropriate action.

**ISSUES**

The proper treatment of the \$3.8 million funds held in trust that were collected by Council during the period February 2009 to February 2012 has been an issue due to the complexity of Council's legal and rightful claim before, during and after the operation of Allconnex Water (1 July 2010 to 30 June 2012 inclusive).

**Collection of Contributions**

The contributions were lawfully collected by Council pursuant to the Planning Scheme Policy 3 'Water Supply and Sewer Headworks Contribution Policy'. In order to maintain the intent of the collections, the monies ought to be put towards the same purpose for which they were collected.



### Accounting treatment

The nature of the collections was in respect of developer contributions towards the augmentation of water supply headworks. It is considered appropriate to transfer the \$3.8 million from funds held in trust to the general account; recognise it as a prior period adjustment to retained capital revenue and allocate it to constrained works reserve – water supply trunk infrastructure. The recognition as a prior period adjustment is in accordance with *Australian Accounting Standard AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors*.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

A Council resolution is required to transfer the \$3.8 million funds from trust to the general account in compliance with *Section 201(3)* of the *Local Government Regulation 2012* that stipulates: *if the purpose for which an amount of trust money was credited to the trust fund no longer exists, the local government may, if it has resolved the purpose no longer exists, transfer the amount from the trust fund.*

### Risk Management

Consultation with various stakeholders supports the transfer of the \$3.8 million funds held in trust to general account.

### Financial

The purpose for which these trust monies were credited no longer exists, consequently the cash should be moved 'on balance sheet' to increase Council's, cash and cash equivalents. It is no longer appropriate to have the trust assets and liabilities off balance sheet, the liability will be extinguished as it no longer exists. The transfer of the monies from trust to 'on balance sheet' will increase Council's cash and cash equivalents. Retained earnings will also increase with the recognition of prior period revenue in the 2017-2018 general purpose financial statements.

The \$3.8 million funds will be allocated into constrained cash reserves which will be available for future capital works to augment water supply trunk infrastructure.

### People

Nil impact as the purpose of the report is to transfer funds held in trust to general account.

### Environmental

Nil impact as the purpose of the report is to transfer funds held in trust to general account.

### Social

Nil impact as the purpose of the report is to transfer funds held in trust to general account.

### Alignment with Council's Policy and Plans

This report has a relationship with the following items of the 2018-2023 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

Following the return of Redland Water to Council, on 1 July 2012, email correspondences were sent to the Minister for Energy and Water Utilities and the SEQ Water Grid Manager to determine the proper treatment of the funds collected. Council officers also consulted and met with the Department of Local Government, Infrastructure and Planning to seek advice regarding the appropriate recognition of the funds held in trust.

Consultation with the Council's Legal Services team has been undertaken. The Group Manager – Water & Waste Infrastructure, Group Manager City Planning and Assessment and Principal Advisor Infrastructure Planning and Charging were also consulted regarding the reasonableness of the proposed transfer of funds from trust to general account.

Through a technical position paper for the 2017-2018 financial year accounts, Finance consulted the Queensland Audit Office (QAO) and its contracted external auditor, Bentleys, regarding the accounting treatment of the proposed transfer of funds from trust to general account. Both QAO and Bentleys agree with the accounting treatment for the proposed transfer of funds from trust to general account and its recognition as a prior period adjustment.

### OPTIONS

#### Option One

Council resolves to transfer \$3,766,624.69 from funds held in trust (TR 132 – Bulk Water Developers Contribution) to the general account as part of the 2017-2018 financial year accounts finalisation.

#### Option Two

Council requests additional information.

### COUNCIL RESOLUTION 2018/103



**Moved by:** Cr Lance Hewlett

**Seconded by:** Cr Paul Gollè

**Council resolves to transfer \$3,766,624.69 from funds held in trust (TR 132 – Bulk Water Developers Contribution) to the general account as part of the 2017-2018 financial year accounts finalisation.**

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

**13 REPORTS FROM COMMUNITY & CUSTOMER SERVICES****13.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS****Objective Reference:** A3254982**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning & Assessment**Report Author:** Hayley Saharin, Senior Business Support Officer**Attachments:** 1. Decisions Made under Delegated Authority 01.07.2018 to 14.07.2018  **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 only.

This information is provided for public interest.

**BACKGROUND**

At the General Meeting of 21 June 2017, Council resolved that development assessments be classified into the following four categories:

Category 1 – minor code and referral agency assessments;

Category 2 – moderately complex code and impact assessments;

Category 3 – complex code and impact assessments; and

Category 4 – major assessments (not included in this report)

The applications detailed in this report have been assessed under:-

**Category 1** - Minor code assessable applications, concurrence agency referral, minor operational works and minor compliance works; minor change requests and extension to currency period where the original application was Category 1 procedural delegations for limited and standard planning certificates.

Delegation Level: Chief Executive Officer, General Manager, Group Managers, Service Managers, Team Leaders and Principal Planners as identified in the officer's instrument of delegation.

**Category 2** - In addition to Category 1, moderately complex code assessable applications, including operational works and compliance works and impact assessable applications without objecting submissions; other change requests and variation requests where the original application was Category 1, 2, 3 or 4\*. Procedural delegations including approval of works on and off maintenance, release of bonds and full planning certificates.

*\* Provided the requests do not affect the reason(s) for the call in by the Councillor (or that there is agreement from the Councillor that it can be dealt with under delegation).*

Delegation Level: Chief Executive Officer, General Manager, Group Managers and Service Managers as identified in the officer's instrument of delegation.

**Category 3** - In addition to Category 1 and 2, applications for code or impact assessment with a higher level of complexity. They may have minor level aspects outside a stated policy position that are subject to discretionary provisions of the planning scheme. Impact applications may involve submissions objecting to the proposal readily addressable by reasonable and relevant conditions. Assessing superseded planning scheme requests and approving a plan of subdivision.

Delegation Level: Chief Executive Officer, General Manager and Group Managers as identified in the officer's instrument of delegation.

**COUNCIL RESOLUTION 2018/104**

**Moved by:** Cr Peter Mitchell

**Seconded by:** Cr Wendy Boglary

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

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

### Decisions Made under Delegate Authority 01.07.2018 to 07.07.2018

#### CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0222	Design and Siting / Build Over Relevant Infrastructure	Metricon Homes Qld	65 Fitzroy Street Cleveland QLD 4163	Referral Agency Response - Planning	06/07/2018	NA	Approved	2
CAR18/0249	Design and Siting	The Certifier Pty Ltd	32 Gonzales Street Amity QLD 4183	Referral Agency Response - Planning	04/07/2018	NA	Approved	2
DBW18/0014	Domestic Additions and Private Swimming Pool	Karen Lynne DENT	24A Caravel Court Cleveland QLD 4163	Code Assessment	02/07/2018	NA	Development Permit	2
		Ronald Martin DENT						
MCU18/0069	Combined - Dwelling House and Private Swimming Pool	REA Taylah'd Homes	2 Voyagers Court Cleveland QLD 4163	Code Assessment	02/07/2018	NA	Development Permit	2
CAR18/0245	Design and Siting	Easy As Designs	17 Jay Crescent Redland Bay QLD 4165	Referral Agency Response - Planning	04/07/2018	NA	Approved	4
CAR18/0254	Design and Siting	Site Town Planning	5 Wilson Esplanade Victoria Point QLD 4165	Referral Agency Response - Planning	06/07/2018	NA	Approved	4

### Decisions Made under Delegate Authority 01.07.2018 to 07.07.2018

#### CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0219	Amenity and Aesthetics - Dwelling house less than 60m2	Joseph ELLUL	226 Centre Road Russell Island QLD 4184	Referral Agency Response - Planning	02/07/2018	NA	Approved	5
CAR17/0091.02	Minor Change - Design and Siting - GARAGE/ CARPORT	Reliable Certification Services	8 Estaway Court Capalaba QLD 4157	Minor Change to Approval	03/07/2018	NA	Approved	7
CAR18/0238	Build Over or Near Relevant Infrastructure	Bartley Burns Certifiers & Planners	8 Berkingham Street Thornlands QLD 4164	Referral Agency Response - Engineering	26/06/2018	NA	Approved	7
DBW18/0039	Secondary Dwelling	Brian Matthews Ptp Pty Ltd	5 Pampas Court Capalaba QLD 4157	Code Assessment	02/07/2018	NA	Development Permit	7
CAR18/0248	Design and Siting	Fluid Building Approvals	167-173 Collingwood Road Birkdale QLD 4159	Referral Agency Response - Planning	02/07/2018	NA	Approved	8
CAR18/0253	Design and Siting	Fastrack Building Certification	3 Eastcote Lane Wellington Point QLD 4160	Referral Agency Response - Planning	02/07/2018	NA	Approved	8
CAR18/0224	Build Over or Near Relevant Infrastructure	Westera Partners Newstead	2 Kensington Place Birkdale QLD 4159	Referral Agency Response - Engineering	05/07/2018	NA	Approved	10

### Decisions Made under Delegated Authority 08.07.2018 to 14.07.2018

#### CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0259	Design and Siting - Patio Roof	Building Approvals Qld	24 Nelson Street Ormiston QLD 4160	Referral Agency Response - Planning	09/07/2018	NA	Approved	1
MCU17/0144.01	Request to Change Approval - Dwelling House	Ms Suzanne K Hembrow	8-10 Station Street Wellington Point QLD 4160	Minor Change to Approval	11/07/2018	NA	Approved	1
		Madison Homes Qld Pty Ltd						
MCU18/0045	Extension to Currency Period (MC012017)	Felco Pty Ltd	234-236 Shore Street North Cleveland QLD 4163	Minor Change to Approval	13/07/2018	NA	Approved	2
MCU18/0046	Extension to Currency Period (MC012018)	Mr Colin R Mellish	232 Shore Street North Cleveland QLD 4163	Minor Change to Approval	13/07/2018	NA	Approved	2
		Mrs Riitta A Mellish						
MCU18/0128	Change to development approval (MC012018) - Dwelling House	Mr Colin R Mellish	232 Shore Street North Cleveland QLD 4163	Minor Change to Approval	11/07/2018	NA	Development Permit	2
		Mrs Riitta A Mellish						
MCU18/0129	Change to development approval (MC012017) - Dwelling House	Felco Pty Ltd	234-236 Shore Street North Cleveland QLD 4163	Minor Change to Approval	11/07/2018	NA	Development Permit	2
CAR18/0250	Design and Siting	DBR Building Certification	6 Jane Court Cleveland QLD 4163	Referral Agency Response - Planning	09/07/2018	NA	Approved	3
RAL18/0039	Reconfiguration of Lot - 1 into 5	Sutgold Pty Ltd	104-112 Thornlands Road Thornlands QLD 4164	Code Assessment	13/07/2018	NA	Development Permit	3

### Decisions Made under Delegated Authority 08.07.2018 to 14.07.2018

#### CATEGORY 1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0204	Design and Siting - Carport	Bartley Burns Certifiers & Planners	8 Torello Crescent Victoria Point QLD 4165	Referral Agency Response - Planning	13/07/2018	NA	Approved	4
CAR18/0251	Referral Agency response - Dwelling House	William Robert LYTTLE	12 Nugent Street Macleay Island QLD 4184	Referral Agency Response - Planning	13/07/2018	NA	Approved	5
CAR18/0244	Design and Siting	Valeco Homes	9 Daughtrey Street Thornlands QLD 4164	Referral Agency Response - Planning	12/07/2018	NA	Approved	7
CAR18/0271	Design and Siting	Bartley Burns Certifiers & Planners	12 Silverash Court Capalaba QLD 4157	Referral Agency Response - Planning	13/07/2018	NA	Approved	7
RAL18/0052	Reconfiguring a Lot - Rearranging Boundaries - 2 into 2 lots	Hickey Oatley Planning & Development	239 Redland Bay Road Capalaba QLD 4157	Code Assessment	10/07/2018	NA	Development Permit	7
CAR18/0256	Design and Siting And Building Over/Near Infrastructure - domestic outbuilding	Titan Enterprises (Qld) Pty Ltd	4 Brolga Street Thorneside QLD 4158	Referral Agency Response - Planning	09/07/2018	NA	Approved	10



**Decisions Made under Delegated Authority 08.07.2018 to 14.07.2018****CATEGORY2**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU18/0068	Multiple Dwelling x 3	Building Code Approval Group Pty Ltd	1 Harris Street Wellington Point QLD 4160	Code Assessment	09/07/2018	NA	Development Permit	1

**13.2 LIST OF DEVELOPMENT AND PLANNING RELATED COURT MATTERS AS AT 23 JULY 2018****Objective Reference:** A3255010**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning & Assessment**Report Author:** Emma Martin, Senior Appeals Planner**Attachments:** Nil**PURPOSE**

The purpose of this report is for Council to note the current development and planning related Court matters/proceedings.

**BACKGROUND**

Information on appeals may be found as follows:

**1. Planning and Environment Court**

- a) Information on current appeals and declarations with the Planning and Environment Court involving Redland City Council can be found at the District Court web site using the "Search civil files (eCourts) Party search" service:  
<http://www.courts.qld.gov.au/services/search-for-a-court-file/search-civil-files-ecourts>
- b) Judgments 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. Court of Appeal**

Information on the process and how to search for a copy of Court of Appeal documents can be found at the Supreme Court (Court of Appeal) website:  
<http://www.courts.qld.gov.au/courts/court-of-appeal/the-appeal-process>

**3. Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP)**

The DSDMIP provides a Database of Appeals that may be searched for past appeals and declarations heard by the Planning and Environment Court.

(<https://planning.dsdmip.qld.gov.au/planning/spa-system/dispute-resolution-under-spa/planning-and-environment-court/planning-and-environment-court-appeals-database>)

The database contains:

- a) 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.
- b) Information about the appeal or declaration, including the appeal number, name and year, the site address and local government.

#### 4. Department of Housing and Public Works (DHPW)

Information on the process and remit of development tribunals can be found at the DHPW web site:

<Http://www.hpw.qld.gov.au/construction/BuildingPlumbing/DisputeResolution/Pages/default.aspx>

#### PLANNING & ENVIRONMENT COURT APPEALS

<b>1.</b>	<b>File Number:</b>	Appeal 3641 of 2015 (MCU012812)
<b>Appellant:</b>		<b>King of Gifts Pty Ltd and HTC Consulting Pty Ltd</b>
<b>Proposed Development:</b>		Material Change of Use for Service Station (including car wash) and Drive Through Restaurant 604-612 Redland Bay Road, Alexandra Hills
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		Appeal filed on 16 September 2015. Trial held 1-3 August 2017. Judgment handed down on 6 November 2017. Appeal allowed subject to finalising conditions. Conditions resolved and final orders delivered on 18 June 2018. Council has until 30 July to appeal the decision.

<b>2.</b>	<b>File Number:</b>	Appeal 4515 of 2017 (ROLO06084)
<b>Appellant:</b>		<b>Australian Innovation Centre Pty Ltd</b>
<b>Proposed Development:</b>		Reconfiguring a Lot (1 into 22 lots and park) 289-301 Redland Bay Road, Thornlands (Lot 5 on RP14839)
<b>Appeal Details:</b>		Deemed refusal appeal
<b>Current Status:</b>		Appeal filed on 23 November 2017. On 31 January 2018 Council solicitors notified the parties that it opposed the proposed development. A mediation was held on 6 March 2018. The next Court review is 22 August 2018.

<b>3.</b>	<b>File Number:</b>	Appeal 339 of 2018 (MCU013949)
<b>Appellant:</b>		<b>Hosgood Company 3 Pty Ltd &amp; DPK Injection Pty Ltd</b>
<b>Proposed Development:</b>		Material Change of Use for a Dual Occupancy 2 Starkey Street, Wellington Point (Lot 11 on SP284567)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		Appeal filed on 30 January 2018. Mediation held on 10 April 2018. The next Court review is 9 August 2018.

<b>4.</b>	<b>File Number:</b>	Appeal 461 of 2018 (MCU013977)
<b>Appellant:</b>		<b>Robyn Edwards &amp; Ronald Edwards</b>
<b>Proposed Development:</b>		Material Change of Use for an Undefined Use (Rooming Accommodation) 41 Ziegenfusz Road, Thornlands (Lot 291 on RP801793)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		Appeal filed on 8 February 2018. A Directions Order was set down on 27 April 2018 detailing a timetable for the proceedings. Mediation held 31 May 2018. The next Court review is 3 August 2018.

<b>5.</b>	<b>File Number:</b>	Appeal 894 of 2018 (MCU013921)
<b>Appellant:</b>		<b>Palacio Property Group Pty Ltd</b>
<b>Proposed Development:</b>		Infrastructure Conversion Application (relating to the Development Permit for a Material Change of Use for Multiple Dwellings (22 units)) 4-8 Rachow Street, Thornlands (Lot 5 on SP149013)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		Appeal filed on 9 March 2018. A without prejudice meeting was held on 17 May 2018.

<b>6.</b>	<b>File Number:</b>	Appeal 1506 of 2018 (MCU17/0149)
<b>Appellant:</b>		<b>Barro Group Pty Ltd</b>
<b>Proposed Development:</b>		Request to Extend the Currency Period (relating to the Development Permit for a Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8 (Chemical Storage), 16 (Extractive and Screening Activities) and 21 (Motor Vehicle Workshop Operation)) 1513 and 1515-1521 Mount Cotton Road, Mount Cotton 163-177 and 195 Gramzow Road, Mount Cotton (Lot 162 on S31962, Lot 238 on SP218968, Lot 370 on S311071, Lot 1 on RP108970, Lot 17 on RP108970, Lot 1 on SP272090, Lot 2 on SP272091, Lot 3 on SP272092 and the land comprising part of Greenhide (California) Creek located between Lot 162 on S31962 and Lot 238 on SP218968, which is the property of the State)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		Appeal filed on 24 April 2018.

<b>7.</b>	<b>File Number:</b>	Appeal 1774 of 2018 (OPW002206)
<b>Appellant:</b>		<b>Jexville Pty Ltd</b>
<b>Proposed Development:</b>		Operational Works for an Advertising Device 39 Old Cleveland Road, Capalaba (Lot 1 on RP137310)
<b>Appeal Details:</b>		Appeal against a condition of the Development Permit
<b>Current Status:</b>		Appeal filed on 15 May 2018. Mediation was held on 27 June 2018.

<b>8.</b>	<b>File Number:</b>	Appeal 1834 of 2018 (RCC reference CAR17/058 and Development Tribunal reference 58 of 2017)
<b>Appellant:</b>		<b>Redland City Council</b>
<b>Respondents:</b>		<b>Michael Van Dyck</b> <b>Sean Carroll</b> <b>Jane Carroll</b>
<b>Proposed Development:</b>		Building Works for a Domestic Outbuilding (Carport) 22 Sommerssea Court, Cleveland (Lot 666 on CP853643)
<b>Appeal Details:</b>		Appeal against the decision of the Development Tribunal (58-17)
<b>Current Status:</b>		Appeal filed on 18 May 2018. Review scheduled for 27 July 2018.

9.	<b>File Number:</b>	Appeal 2142 of 2018 (MCU013782)
<b>Appellant:</b>		<b>Binnaton Holdings Ltd</b>
<b>Proposed Development:</b>		Material Change of Use for an Apartment Building (39 units) 7, 9 & 11 Fernbourne Road, Wellington Point (Lots 1 & 2 on RP14166 and Lot 2 on RP14166)
<b>Appeal Details:</b>		Appeal against Council decision to issue a Preliminary Approval
<b>Current Status:</b>		Appeal filed on 11 June 2018. Without prejudice meeting held on 19 July 2018.

10.	<b>File Number:</b>	Appeal 2171 of 2018 (ROLO06209)
<b>Appellant:</b>		<b>Lorette Margaret Wigan</b>
<b>Proposed Development:</b>		Reconfiguring a Lot for 1 into 29 lots and road 84-122 Taylor Road, Thornlands (Lot 1 on RP123222)
<b>Appeal Details:</b>		Appeal against Council decision to issue a Preliminary Approval
<b>Current Status:</b>		Appeal filed on 13 June 2018. Mediation held on 29 June 2018.

11.	<b>File Number:</b>	Appeal 2519/18 (MCU17/0123)
<b>Appellant:</b>		<b>Wellington Property Management Pty Ltd</b>
<b>Proposed Development:</b>		Material Change of Use for a Child Care Centre 100-102 Collins Street, Redland Bay (Lot 1 on RP190688)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		Appeal filed on 9 July 2018.

#### APPEALS TO THE QUEENSLAND COURT OF APPEAL

12.	<b>File Number:</b>	CA11075 of 2017 (4940 of 2015, 2 of 2016 and 44 of 2016) (MCU013926)
<b>Applicant:</b>		<b>Nerinda Pty Ltd</b>
<b>Proposed Development:</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 (Lot 3 on SP117065)
<b>Appeal Details:</b>		Co-respondent appeal against the decision of the P&E Court
<b>Current Status:</b>		Application for leave to appeal filed on 23 October 2017. The application and outline of arguments were heard on 30 April 2018. Judgment handed down on 29 June 2018 granting leave to appeal, allowing the appeal, setting aside the decision of the Planning and Environment Court and remitting the matter to the Planning and Environment Court to be determined according to the law.

**DEVELOPMENT TRIBUNAL AND OTHER MATTERS**

<b>13.</b>	<b>File Number:</b>	1568 of 2018
<b>Applicant:</b>		<b>Redland City Council</b>
<b>Respondents:</b>		<b>Paul Michael McManus Approved Realty Pty Ltd Approved Pty Ltd</b>
<b>Development:</b>		Undefined Use (Rooming Accommodation) 1/139 Mount Cotton Road, Capalaba (Lot 1 on SP258938)
<b>Application Details:</b>		Unlawful Use
<b>Current Status:</b>		Application filed on 30 April 2018. Mediation held 14 June 2018. A second mediation is required before 23 August 2018.

**COUNCIL RESOLUTION 2018/105**

**Moved by: Cr Peter Mitchell**





**Seconded by: Cr Wendy Boglary**

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

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

**13.3 RENEWAL OF LEASE - COUNCIL OWNED LAND****Objective Reference:** A3255039**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** Graham Simpson, Group Manager Environment & Regulation**Report Author:** Damien Jolley, Senior Property Officer**Attachments:**

1. **Locality map - 223-251 Gordon Road Redland Bay**  
2. **Agreement Setting out Resolution of Issues Raised in Appeal between Council, Fanet Pty Ltd, Redlands Greenhouses Pty Ltd, Redlands Nursery Pty Ltd , Bunker and Gordon**  

**PURPOSE**

To renew a lease for Council owned land located at Jack Gordon Park 223-251 Gordon Road Redland Bay described as Lot 2 on SP115959 (the land).

**BACKGROUND**

On 23 February 1999 Council entered into an agreement with the owners of the Redlands Nursery, following the resolution of a Planning and Environment Court appeal to a subdivision development approval.

The appeal and subsequent agreement conditioned that the land between the Redlands Nursery property and new residential blocks being created, was to be transferred to Council and to be to be maintained as vegetated buffer by the owners of the Nursery. The agreement also required that Council grant a lease with the terms of the lease to effectively mirror the terms of the agreement.

The lease was executed on 10 June 1999 for the initial term of 10 years (27 May 1999 to 26 May 2009), with provision for an extension of a further 3 x 10 year terms. The agreement (and lease) is to remain in effect until such time as the Redlands Nursery ceases operation for agriculture, horticultural or nursery purposes or commences another use.

The agreement and subsequently the lease provided exclusive use for the lessee to the lease area for the purposes of being a buffer to development impacts and maintenance of the vegetated area.

**ISSUES**

The Redlands Nursery is still operating and to ensure consistency and compliance with the agreement and good governance a new lease is required.

Though the intent of the lease has remained valid by way of the Agreement since the expiration of the formal lease in 2009, there has not been a renewal of the lease. For the sake of completeness and ensuring Council is complying with current requirements under Section 236 of the *Local Government Regulation 2012*, it is recommended that Council resolve to renew the lease.

It is also considered appropriate that to align with the original timeline of the agreement, that a new 2 x 10 year lease be negotiated.

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

The *Local Government Regulation 2012 (LGR 2012)* describes land as a “Valuable Non-Current Asset” and prescribes a number of options available to enter into a contract to dispose of the land including granting of a lease. Sale by tender or auction is the prescribed method of disposing of land, however the LGR 2012 provides for exceptions to this rule in certain circumstances.

In particular reference is made to sub paragraph 236(1)(c)(iii) of the *LGR 2012* which state exceptions apply as follows:-

*236(1)(c)(iii) - The disposal is for the purpose of renewing the lease of land to the existing tenant of the land*

It is considered that the proposed new lease is able to be made in accordance with the exception contained within the *LGR 2012* provisions.

**Risk Management**

The new lease will provide some measure of security for both Council and the Lessees’ ensuring the land is maintained and managed within the terms of the lease.

**Financial**

The original lease amount was for \$100.00 per year and there is no proposal to change. The lessees are responsible for any maintenance of the land which is a cost saving for Council.

In the 2019/20 financial year the introduction of a new accounting standard AASB16 Leases may impact on the way Council will report on this lease. The full impact of this is currently being reviewed.

**People**

There are no staff implications.

**Environmental**

The maintenance of the land as a buffer is to ensure there is minimal impact on neighbouring residences from activity associated with an operational nursery.

**Social**

There are no social implications identified.

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

No non alignment with Council Policy and Plans has been identified.

**CONSULTATION**

- Division 5 Councillor
- Group Prosecutor Environment and Regulation



**OPTIONS****Option One**

That Council resolves to:

1. apply the exception to dispose of land or an interest in land, other than by tender or auction, under sub paragraph 236(1)(c)(iii) for renewing the lease for 223-251 Gordon Road Redland Bay with 2 x 10 year term leases; and
2. delegate the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary, negotiate and discharge the lease of the property.

**Option Two**

That Council resolves as follows:

1. That the exceptions under the *Local Government Regulation 2012* do not apply; and
2. A lease is not granted.

**COUNCIL RESOLUTION 2018/106**

**Moved by:** Cr Mark Edwards

**Seconded by:** Cr Julie Talty

That Council resolves to:

1. apply the exception to dispose of land or an interest in land, other than by tender or auction, under sub paragraph 236(1)(c)(iii) for renewing the lease for 223-251 Gordon Road Redland Bay with 2 x 10 year term leases; and
2. delegate the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to make, vary, negotiate and discharge the lease of the property.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.



MinterEllison

LAWYERS

19 March 1999

WATERFRONT PLACE 1 EAGLE STREET BRISBANE  
PO BOX 7844 WATERFRONT PLACE QLD 4001 AUSTRALIA  
DX 102 BRISBANE www.minters.com.au  
TELEPHONE +61 7 3226 6333 FACSIMILE +61 7 3229 1066

SB403901.

LD3411 !  
FILE

CASO12.

Attention Mr Merv Elliott

The Chief Executive  
Redland Shire Council  
P O Box 21  
CLEVELAND QLD 4163



Dear Sir

**Bunker v. Redland Shire Council & Gordon**  
Your ref: MC005032 SB0403901

For your records, we enclose a stamped copy of the Agreement. Would you please acknowledge receipt of this Agreement by signing the attached duplicate of this letter and returning it to us.

We confirm that the Council is attending to the transfer of the vegetated strip from Mr Gordon to the Council.

If you have any further instructions, please let us know. Otherwise, we will close our file, and take this opportunity to thank you for your instructions.

Yours faithfully  
MINTER ELLISON

Contact: Leanne Bowie (07) 3226 6246 blmb@minters.com.au  
Partner responsible: Russell Bowie (07) 3226 6281  
Our reference: MTL LMB RRB 9806164

enclosure

MTL  
B\_MATT43574\_1

MINTER ELLISON GROUP AND ASSOCIATED OFFICES  
SYDNEY MELBOURNE BRISBANE CANBERRA ADELAIDE PERTH GOLD COAST  
LONDON HONG KONG AUCKLAND WELLINGTON CHRISTCHURCH JAKARTA SINGAPORE

DATED 23rd February 1999

FANET PTY LTD (ACN 010 878 403)  
REDLANDS GREENHOUSES PTY LTD (ACN 010 917 316)  
REDLANDS NURSERY PTY LTD (ACN 010 917 316)  
EDWARD JOHN BUNKER AND  
MARY ALICE BUNKER

IAN CHARLES GORDON

REDLAND SHIRE COUNCIL

---

AGREEMENT

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ALLEN ALLEN & HEMSLEY  
Riverside Centre  
123 Eagle Street  
BRISBANE QLD 4000

Telephone: 3334 3000  
Ref: RMM:IAH  
Draft: 3, 11/02/99  
J:\M504\06817

INTERIM ASSESSMENT  
Estimated Total Rent \$ 1000  
AGREEMENT

DUTY PAID ON INSTRUMENT  
for Leah \$3.50  
Commissioner of Stamp Duties,  
Queensland 8.3.1999

THIS AGREEMENT is made on 23rd February, 1999

BETWEEN:

**FANET PTY LTD** (ACN 010 878 403), **REDLANDS GREENHOUSES PTY LTD** (ACN 010 917 316),  
**REDLANDS NURSERY PTY LTD** (ACN 010 917 316), **EDWARD JOHN BUNKER** and **MARY ALICE BUNKER** of 905-907 German Church Road, Redland Bay ("Redlands Nursery")

**IAN CHARLES GORDON** of 111 Esplanade, Redland Bay ("Gordon")

**REDLAND SHIRE COUNCIL** of Bloomfield Street, Cleveland (the "Council")

WHEREAS:

- A. Redlands Nursery Pty Ltd conducts the business of a wholesale production nursery on land described as Lot 1 RP 30563 and Lot 3 RP 102104 situated at 905-907 German Church Road, Redland Bay. Lot 1 RP 30563 is owned by Fanet Pty Ltd and Redlands Greenhouses Pty Ltd. Lot 3 RP 102104 is owned by Edward John Bunker and Mary Alice Bunker.
- B. Gordon owns land described as Lot 1 RP 161025 situated at 1 Queen Street, Redland Bay.
- C. A development application in relation to the Gordon Land for a development permit for a material change of use for residential purposes and reconfiguration of a lot was approved by Council on 18 November 1998 and the decision notice is contained in Schedule A.
- D. Redlands Nursery made a submission to the Council on 13 October 1998 with respect to that part of the development application for a material change of use and is entitled to appeal against the Council's decision to the Planning and Environment Court.
- E. On 20 January 1999 Redlands Nursery appealed to the Planning and Environment Court against the decision of the Council made on 18 November 1998.
- F. As a result of negotiations between Redlands Nursery, Gordon and the Council a resolution of the issues raised in the appeal has been reached.
- G. The resolution is contained in this Agreement and the draft consent Judgment contained in Schedule D.

NOW THIS AGREEMENT WITNESSES as follows -

1. DEFINITIONS

1.1 Definitions in Agreement

In this Agreement, unless the subject or context is inconsistent the following expressions shall have the following meanings -

"Abandoned" the use means:

- (a) to discontinue the use with the evident intention of abandoning the use; or
- (b) discontinue the use for a continuous period of 12 months or more;

"Agreement" means this agreement and the Schedules as amended or supplemented in writing;

"Buffer" means the land depicted as buffer on Drawing No. 1 - 161081-1C prepared by John Wilson and Partners Pty Ltd dated 27 January 1999 and contained in Schedule C;

"Commencement Date" means the date following the date of registration of a transfer of the Vegetated Strip from Gordon to the Council;

"Development" means the residential development of the Gordon Land approved by Council on 18 November 1998;

"Gordon Land" means Lot 1 RP 161025;

"Lease" means a lease of the Vegetated Strip in the form contained in Schedule B;

"Maintain" in relation to the Vegetated Strip includes water, irrigate, fertilise, mow, prune, lop, top, till and employ weed control measures generally in accordance with clause 6;

"Park" means the land depicted as Park to be Dedicated to the State on Drawing No. 1-161081-1C prepared by John Wilson and Partners Pty Ltd dated 27 January 1999 and contained in Schedule C;

"Planning Guidelines" means the Planning Guidelines Separating Agricultural and Residential Land Uses published by the Department of Natural Resources, August 1997;

"Redlands Nursery Land" means Lot 1 RP 30563 and Lot 3 RP 102104 and situated at 905-907 German Church Road, Redland Bay;

"Schedule" means a schedule to this Agreement and includes all the information contained in it;

"Term" in relation to the Lease means ten (10) years commencing on the Commencement Date.

"Statute" means an Act of the Parliament of the State of Queensland and an Act of the Parliament of the Commonwealth of Australia;

"Vegetated Strip" means the land depicted as vegetated strip on Drawing No. 1 - 161081 - 1C prepared by John Wilson and Partners Pty Ltd dated 27 January 1999 and contained in Schedule C.

## 2. ACKNOWLEDGMENTS

- 2.1 Gordon and Council acknowledge that Redlands Nursery has settled the appeal against the decision of the Council to approve the Development on the basis of this Agreement and the draft consent Judgment contained in Schedule D.
- 2.2 Council acknowledges that the intent of this Agreement is to allow Redlands Nursery to design, plant, fence and maintain the Vegetated Strip in accordance with this Agreement and without interference from Council.
- 2.3 To the extent permitted by law, the Council agrees that in formulating any local law, planning scheme policy, planning scheme or other requirement which directly or indirectly affects the rights granted to Redlands Nursery pursuant to this Agreement, the Council will have regard to, and give significant weight to, this Agreement and the fact that this Agreement has been entered into to satisfy condition B10 of the decision notice imposed by the Council in relation to the Development.
- 2.4 The parties acknowledge that this Agreement is based upon the Principles set out in section 1.13 of the Planning Guidelines, particularly Principle No. 1.
- 2.5 Council acknowledges that the road and building line setback requirements depicted on Drawing No. 1-161081-1C in Schedule C are integral to the buffer established in accordance with the Planning Guidelines.
- 2.6 To the extent permitted by law, the Council will not make any decision or take any action in relation to the Vegetated Strip which is inconsistent with the Planning Guidelines including Principle No. 1 in section 1.13 which may potentially or actually impact directly or indirectly on the operations of Redlands Nursery.

3. CONDITIONAL AGREEMENT

- 3.1 This Agreement is conditional upon the Vegetated Strip being transferred by Gordon to the Council in fee simple.
- 3.2 This Agreement shall commence on the date the Vegetated Strip is transferred by Gordon to the Council in fee simple.

4. PUBLIC ACCESS TO VEGETATED STRIP

- 4.1 The Vegetated Strip shall not be available for public access for so long as any part of the Redlands Nursery Land is used for agricultural, horticultural or nursery purposes.

5. ACCESS

- 5.1 Redlands Nursery may have access over the Vegetated Strip to plant, construct and maintain a buffer area at the expense of Redlands Nursery for so long as any part of the Redlands Nursery Land is used for agricultural, horticultural or nursery purposes.
- 5.2 The rights conferred by this Agreement:
- (a) may be exercised by Redlands Nursery and their servants, agents, employees and other persons authorised by them;
  - (b) may be exercised with or without vehicles or other equipment;
  - (c) permit passing and repassing over the Vegetated Strip at all times and from time to time; and
  - (d) include, without limitation, rights to:
    - (i) plant, replant, remove, and maintain vegetation in the Vegetated Strip;
    - (ii) construct, reconstruct, maintain, remove or partly remove a fence, fences, gate, gates or other means of access to the Vegetated Strip erected pursuant to clause 7; and
    - (iii) carry out earthworks necessary for the exercise of rights referred to in clause 5.2(d)(i) and clause 5.2(d)(ii).

6. VEGETATED STRIP PRINCIPLES

- 6.1 Redlands Nursery shall plant, design and maintain the Vegetated Strip in accordance with the following principles:
- (a) A continuous band of porous trees are to be planted to minimise air disturbance while still providing a large number of droplet catching surfaces.
  - (b) Four to five rows of trees are to be planted across the Vegetated Strip with trees planted in a pattern along these rows which ensures the canopies are complementary, creating an open network of foliage such that air moving through any part of the Vegetated Strip is effectively filtered.
  - (c) Thin rough foliage should extend from the base to the crown of each tree.
  - (d) The vegetation should provide a permeable barrier which allows air to pass through the Vegetated Strip, achieving a porosity of approximately 50% (that is, approximately 50% of the vegetation "screen" should be air space).
  - (e) Mixed plantings of trees may be required to ensure there are no gaps in the lower canopy.

- (f) Tree height should generally be at least 1.5 to 2.0 times the release height of the spray.
- (g) Some planting of Eucalyptus species may be undertaken to improve biodiversity. Such planting should ensure the normal development of the foliage in the Vegetated Strip is not restricted by competition and/or shading effects from the Eucalyptus species.
- (h) Suitable species for planting in the Vegetated Strip include the following:

Casuarina cunninghamiana  
 Casuarina glauca  
 Casuarina turulosa  
 Callitris columellaris  
 Grevillea species  
 Melaleuca leucadendra  
 Melaleuca linariifolia  
 Melaleuca alternifolia  
 Melaleuca bracteata  
 Callistemon viminalis  
 Eucalyptus species (in compliance with principle (g) above).

- (i) Maintenance of the Vegetated Strip should generally have regard to the growth habit of the species present, the need to maintain foliage to ground level, the environment and the desired overall buffer structure.
- (j) Maintenance of the Vegetated Strip should ensure that the tree canopies establish an open network of foliage within 3 to 4 years from planting, to function as an effective catching zone for small droplets.
- (k) Maintenance of the Vegetated Strip should replace appropriate plants lost through natural or other causes.
- (l) Maintenance of the Vegetated Strip should ensure that particular plant species do not become dominant to the detriment of other species.
- (m) Maintenance of the Vegetated Strip should include routine pruning to maintain the desired canopy characteristics so that gaps do not develop in the overall structure of the Vegetated Strip.
- (n) Maintenance of the Vegetated Strip should control growth of unwanted vegetation, including weeds.

#### 7. FENCE

- 7.1 Redlands Nursery may construct, reconstruct and maintain fences, gates and other means of access as required within and along the boundaries of the Vegetated Strip.
- 7.2 Notwithstanding clause 7.1, Redlands Nursery shall not be permitted to construct any gate, gates or other means of access along that part of the eastern boundary of the Vegetated Strip which abuts the Park as shown on Drawing No. 1-161081-1C in Schedule C.
- 7.3 Redlands Nursery shall construct, within three (3) months of completion of the adjoining roadworks as shown on Drawing Number 1-161081-1C in Schedule C, a 1.8m high chain wire fence along the eastern boundary of the Vegetated Strip, restricting public access and allowing for maintenance only.
- 7.4 Redlands Nursery shall keep any fences, gates and other means of access erected by Redlands Nursery in good order and condition.



8. SIGNAGE

- 8.1 Redlands Nursery may erect appropriate signage on the fence or fences referred to in clause 7 identifying the purpose of the Vegetated Strip.

9. MAINTENANCE OF OPEN SPACE PORTION

- 9.1 The Council shall maintain the Park shown on Drawing No. 1-161081-1C contained in Schedule C which may be used as public open space.

10. SURVEY

- 10.1 Gordon shall cause the limits of the Vegetated Strip to be surveyed and pegged by a qualified surveyor.
- 10.2 Gordon shall pay all costs associated with the survey and pegging.

11. COUNCIL'S COVENANTS

- 11.1 Council must not, without the prior written consent of Redlands Nursery which consent must not be withheld unreasonably prevent or restrict or interfere with Redlands Nursery in the exercise of the rights given by this Agreement.

12. OTHER RIGHTS

- 12.1 The Council shall not grant other rights (including, without limitation, by way of easement, licence or lease) over the Vegetated Strip to any person without the consent of Redlands Nursery which consent must not be withheld unreasonably.

13. INDEMNITY

- 13.1 Redlands Nursery shall indemnify Council against all claims arising from:
- (a) the negligent use of the Vegetated Strip by Redlands Nursery or its employees, agents, contractors or invitees or any person claiming through or under the Redlands Nursery;
  - (b) the death or injury to any person or damage to property in the Vegetated Strip caused or contributed to by the Redlands Nursery; or
  - (c) nuisance caused or contributed to by the activities of Redlands Nursery in the Vegetated Strip.

14. THE LEASE

14.1 Grant of Lease

The Council shall grant to Redlands Nursery Pty Ltd and Redlands Nursery Pty Ltd shall accept the Lease for the Term commencing on the Commencement Date.

14.2 Execution of Lease

- (a) Following registration of the transfer of the Vegetated Strip from Gordon to the Council, the Council shall promptly notify Redlands Nursery Pty Ltd by way of written notice of the fact of registration.
- (b) Upon receiving notification pursuant to clause 14.2(a), Redlands Nursery Pty Ltd shall provide the Council with three (3) copies of the Lease in registrable form.

- (c) The Council must sign the Lease within seven (7) days of receiving the copies of the Lease in registrable form and return the executed copies to Redlands Nursery Pty Ltd.

14.3 Completion of Lease

The Council irrevocably authorises the solicitors for Redlands Nursery Pty Ltd to complete the Lease by the insertion of:

- (a) the Commencement Date and Expiry Date of the Term;
- (b) the commencement and expiry dates of any further terms with those commencement dates being the day after the expiry of the relevant preceding term;
- (c) the then current description of the Vegetated Strip;
- (d) a lease plan in registrable form; and
- (e) such other details as may be necessary to complete the Lease and allow the Lease to be registered.

14.4 Expiration of the Lease

At the expiration of the Lease, if the use of the Redlands Nursery Land for any agricultural, horticultural or nursery use has not been abandoned, the parties shall use their best endeavours to negotiate a new lease of the Vegetated Strip from the Council to Redlands Nursery Pty Ltd.

15. TERMINATION OF AGREEMENT

- 15.1 The Council may terminate this Agreement by one (1) months notice in writing to Redlands Nursery in the event that the use of the Redlands Nursery Land for any agricultural, horticultural or nursery purpose is abandoned.
- 15.2 Redlands Nursery may terminate this Agreement by one (1) months notice in writing to the Council in the event that Redlands Nursery abandons the use of the Redlands Nursery Land for any agricultural, horticultural or nursery purpose or commences to use the Redlands Nursery Land for another purpose.

16. CONTINUANCE OF THIS AGREEMENT

- 16.1 Despite the expiration of the Lease or the inability of Redlands Nursery Pty Ltd to obtain the Lease the parties agree that this Agreement will continue to bind the parties until such time as the Agreement is terminated in accordance with clause 15.

17. ASSIGNMENT

- 17.1 Redlands Nursery may, with the consent of the Council which consent shall not be unreasonably withheld, assign this Agreement, in which event Redlands Nursery will be released from any further obligations to the Council and Gordon under this Agreement.
- 17.2 Redlands Nursery may assign this Agreement without the consent of Gordon.

18. COVENANT ON SALE

- 18.1 If Redlands Nursery or any of the relevant entities comprising Redlands Nursery shall -
- (a) sell the whole or any part of the Redlands Nursery Land; or
  - (b) otherwise dispose of the whole or any part of the Redlands Nursery Land,

Redlands Nursery shall, at its own expense, before executing -

- (c) a transfer of the whole or any part of the Redlands Nursery Land; or
- (d) an assignment or other form of disposition of the whole or any part of the Redlands Nursery Land,

procure from the purchaser or disponent a covenant in favour of the Council, on terms and conditions satisfactory to the Council, that the purchaser or disponent shall observe and be bound by the provisions of this Agreement including this clause and upon production of such covenant Redlands Nursery or any of the relevant entities comprising Redlands Nursery shall thereupon be released from the obligations under this Agreement.

19. GENERAL

19.1 Costs

- (a) Gordon shall pay the costs (including, without limitation, legal costs and stamp duty) of this Agreement.
- (b) Redlands Nursery shall pay the costs (including, without limitation, legal costs and stamp duty) on the Lease.

19.2 Headings

The headings of parts and clauses have been inserted in this Agreement for guidance only and shall be deemed not to form any part of this Agreement.

19.3 Parts or Clauses

References in this Agreement to parts or clauses shall, unless the context otherwise requires, be references to parts or clauses of this Agreement.

19.4 Persons Include Bodies Corporate

Words importing natural persons shall include bodies corporate.

19.5 Obligations Joint and Several

Any obligation on the part of or for the benefit of two or more persons shall be deemed to bind or benefit (as the case may be) any two or more of them jointly and each of them severally.

19.6 Gender

Wording importing any gender shall include every gender.

19.7 Number

Wording importing the singular number shall include the plural number and vice versa.

19.8 Writing

References to writing shall include typing, telex, facsimile and all other means of reproducing words in a permanent and visible form.

19.9 Modification by Legislation

The provisions of any Statute which alter the effect of any provision of this Agreement shall not apply to this Agreement so far as this lawfully can be done.

19.10 Sever Obligations

If any provision of this Agreement cannot be given effect or full force and effect by reason of statutory invalidity that provision shall be severed or read down but so as to maintain and uphold so far as possible the remaining provisions of this Agreement.

19.11 Bind all Signatories

This Agreement shall bind each of the signatories to the full extent provided in this Agreement despite that -

- (a) the execution of this Agreement by any of the parties to this Agreement (other than the person sought to be made liable) is or may become void or voidable.

19.12 Counterparts

This Agreement may be signed in any number of counterparts with the same effect as if the signatories to each counterpart were upon the same instrument.

19.13 Warranty of Authority

Each person signing this Agreement -

- (a) as attorney for any party warrants to the other parties that at the date of execution by him he has not received any notice or information of the revocation of the power of attorney appointing him; and
- (b) as an authorised officer, agent or trustee of any party warrants to the other parties that at the date of execution by him he has full authority to execute this Agreement in that capacity.

19.14 Governing Law - Queensland

Despite the domicile or residence of any of the parties to this Agreement, the parties -

- (a) agree that this Agreement shall be governed by and construed in all respects in accordance with the law of the State of Queensland; and
- (b) submit to the non-exclusive jurisdiction of the Courts of the State of Queensland with respect to any legal proceedings relating to this Agreement.

19.15 Whole Agreement

The parties to this Agreement agree that -

- (a) the obligations contained in this Agreement comprise the whole of the agreement between the parties;
- (b) no further obligations shall be deemed to be implied in this Agreement or to arise between the parties by way of collateral or other agreement by reason of any statement, representation, warranty or undertaking given or made by any party to any other party or any person on their behalf on or prior to the date of this Agreement; and
- (c) the existence of any implied or collateral or other agreement is negated.

19.16 Reference to Statute

Any reference to a Statute is to be construed as including all statutory provisions consolidating, amending or replacing the Statute and all regulations, rules, by-laws, proclamations, orders and other authorities under the Statute.

IN WITNESS the parties have executed this Agreement.

THE COMMON SEAL of FANET PTY LTD (ACN 010 878 403) was affixed in the presence of:

*[Signature]*  
X  
Witness



X *[Signature]*  
Director  
X *[Signature]*  
Director/Secretary

THE COMMON SEAL of REDLANDS GREENHOUSES PTY LTD (ACN 010 917 316) was affixed in the presence of:

*[Signature]*  
X  
Witness



X *[Signature]*  
Director  
X *[Signature]*  
Director/Secretary

THE COMMON SEAL of REDLANDS NURSERIES PTY LTD (ACN 010 917 316) was affixed in the presence of:

*[Signature]*  
X  
Witness



X *[Signature]*  
Director  
X *[Signature]*  
Director/Secretary

SIGNED by EDWARD JOHN BUNKER in the presence of:

*[Signature]*  
X  
Witness

X *[Signature]*  
Edward John Bunker

SIGNED by MARY ALICE BUNKER in the presence of:

X *[Signature]*  
Witness

X *[Signature]*  
Mary Alice Bunker

THE COMMON SEAL of the REDLAND SHIRE COUNCIL was hereunto affixed on the day of 1999 by 24 FEB 1999 (Mayor) and AA  
 (Chief Executive Officer) pursuant to a resolution of the Council passed on day of 1999 24 FEB 1999 in the presence of:



Witness



SIGNED by IAN CHARLES GORDON in the presence of:

x *[Signature]*  
 Ian Charles Gordon

x *[Signature]*  
 Witness

11

**SCHEDULE A  
DECISION NOTICE**



19 November, 1998

Mr I C Gordon  
111 The Esplanade  
REDLAND BAY Q 4165

Redland Shire Council  
Cnr Bloomfield & Middle Sts  
Cleveland Qld 4163  
PO Box 21  
Cleveland Qld 4163  
Telephone (07) 3286 8686  
Facsimile (07) 3286 8765  
E-Mail: redland@redland.qld.gov.au  
Homepage: http://www.redland.net.au

Your Ref:  
Our Ref: AE:jmh  
File No: MC005032 SB403901  
Contact: Development Services  
Email: landdev@redland.qld.gov.au

**Development Application Decision Notice**

Dear Applicant

Registered Owner/Developer: I C Gordon  
Proposed Development: Material Change of Use/Reconfiguration  
Application Reference No: MC005032/SB403901  
Site Description: Lot 1 on RP161025  
Gordon Road & Queen Street, Redland Bay

The Development Application for Material Change Of Use and Reconfiguration was assessed and after considering all relevant matters has been approved with conditions.

The following schedule provides all the relevant details.

1. Referral Agencies: Not  Applicable Yes  See below  
Department of Main Roads

2. Conditions: (If applicable)  
Assessment Manager's  
Conditions

This matter was considered by Council at a recent meeting and you are advised that the combined application for a Development Permit for the Material Change of Use for Lot 1 on RP 161025 from Rural Non Urban to Residential A and Reconfiguration of Lots 25-35 and 40-42 cancelling Lot 1 on RP 161025, situated at 1 Queen Street Redland Bay, as Stage 1 of a multiple Stage development is approved subject to the following conditions:



- A. Standard conditions adopted by resolution of Council 11 March, 1992:-
- D1 The layout indicated on John Wilson and Partners Pty Ltd drawing number 1/161081/1B dated 28/9/98 is approved.
- D2 The area of land shown as a vegetated strip on drawing number 1/161081/1B shall be transferred to the State with Council as trustee free of cost for Town Planning (Park and buffer) purposes in association with Council being required to sign and seal a plan of survey for reconfiguring of allotments in Stage 1 of the development.
- D5 The applicant shall pay to the Council in respect of the proposed development a contribution towards the augmentation of water supply headworks, in accordance with the Council's adopted policy in that regard, prior to the Council being required to seal and release a plan of reconfiguration of the land at the rate current under that policy at the time of payment. This contribution does not cover the cost of water reticulation to individual allotments or connection of the land to the Council's water supply system and that all such costs are the responsibility of the applicant. Further, it is advised that the rates of contribution under policy are reviewed annually in July. (Rate for 1998/99 is \$ 3221 per additional equivalent tenement).
- D6 The applicant shall pay to the Council in respect of the proposed development a contribution towards the sewerage augmentation in accordance with the Council's adopted policy in that regard, prior to the Council being required to seal and release a plan of reconfiguration of the land at the rate current under that policy at the time of payment. This contribution does not cover the cost of sewerage connection to individual allotments or connection of the land to the Council's sewerage system and that all such costs are the responsibility of the applicant. Further, it is advised that the rates of contribution under policy are reviewed annually in July. (Rate for 1998/99 is \$ 4300 per additional equivalent tenement).
- D14 All relevant Council Local Laws, Regulations and Policies together with all conditions of material change of use shall be complied with fully and to the complete satisfaction of the Council.
- D19 These conditions imposed by Council on its approval are binding on successors in title unless amended or superseded by a subsequent application for material change of use or staged material change of use pursuant to the Integrated Planning Act, 1998.
- B. The following additional conditions:
1. A development permit for operational works associated with this development will be required. Those operational works, in the first instance in the form of engineering designs, will be reviewed in accordance with relevant codes including Council's Design Standards for Developments.
  2. The applicant shall be required to enter into a legal agreement with Council and provide indemnity and Public Liability insurance with respect to the proposed temporary access easement from Gordon Road into the development.

The applicant shall be required to provide acoustic fencing and streetscaping to soften the visual impact as per the requirements of Council's Town Planning Scheme.

The widths of the proposed drainage reserves are not approved and at the time of submission of Engineering Designs for Operational Works, the applicant shall be required to provide the minimum widths required for the drainage reserves and a concrete footpath within the reserve, in accordance with Council Standards.

3. Prior to Council being required to sign and seal a Plan of Survey for reconfiguration, the applicant shall contribute to the Road Works Infrastructure Charge in accordance with Amendment 11 to the Development Control Plan for the Redland Bay Area. Such contributions shall be on lot basis and at a rate to be determined by Council resolution from time to time. (Rate as adopted by Council resolution of 24 September, 1997 is \$4186).
4. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard AS/NZ.1158 and the requirements of ENERGEX and Council.
5. Installation of underground telephone conduits to service each lot in accordance with requirements of Australian Standards to accommodate carriers and submission of documentary evidence that an agreement has been entered into with a carrier for the provision of such a service to each lot prior to release of survey plans by Council.
6. Full allotment drainage shall be provided to drain upstream allotments which contribute a potential catchment area in excess of 0.5 hectares to downstream allotments.
7. Provision of roof water and allotment drainage, as specified in Council's "Design Standards for Developments", in allotments which cannot drain to kerb and channel. Where roof water drainage is directed to kerb and channel, a kerb adaptor shall be cast in situ to the kerb
8. The applicant shall construct an internal water supply network capable of supplying water to the proposed allotments as per Council Standards.

A water connection shall be provided to each lot in accordance with Council's approved Standard Drawings. The services into each of the proposed allotments shall be on an 0.5 metre alignment, 0.2 metres into the allotment, end capped and buried at 0.45 metres depth ready to receive a water meter.

If any connections are to be made from existing live mains the applicant shall request "Redland Water" to make such connections at the applicant's expense. In addition to the standard "As Constructed" plans a separate A3 size plan indicating the "ghost" water connections to individual allotments shall be submitted prior to "On Maintenance" inspections. A stake marked "W" shall be provided in allotments to indicate the exact location of the "ghost" connections.

9. Provision of sewerage reticulation to each lot.

10. A forty (40) metre buffer shall be maintained between the wholesale nursery and the proposed residential development as indicated on John Wilson and Partners Pty Ltd drawing number 1/161081/1B dated 28/9/98. This buffer shall be fenced, planted and maintained in accordance with details contained in the Buffer Zone Resolution Agreement which has been provided by the applicant to address the interface issue. The applicant shall by way of covenant advise future purchasers of proposed Lots 3, 4, 5 and 6 of the 6 metre building setback from the street alignment and the 4.4 metre setback from the western boundary of proposed Lot 2. A submission shall be put to Council in relation to the preparation of a legally binding agreement which shall relate to the erection of fencing, and the planting and maintenance of the vegetated strip in accordance with details indicated in the Buffer Zone Resolution Agreement and the legal agreement shall be at no cost to Council.
11. Landscaping Plan.
  - a) The applicant shall prepare a landscape plan for the area to be dedicated as park and road reserves (street tree planting) for the approval of the Manager Landscape Services and shall carry out the works in accordance with details indicated on the approved plan.
  - b) The landscape plan shall be forwarded and agreed in writing prior to Council being required to determine an application for operational works.
  - c) Landscaping shall utilise the combination of endemic species and other species to the satisfaction of the Manager Landscape Services.
  - d) The landscape plans shall be authorised by the applicants' hydraulic consultant to ensure stormwater overland flow paths are not affected.
12. The area indicated as a vegetated strip on Drawing No 1/161081/1B shall be dedicated to the State free of cost for Town Planning Purposes. In substitution of the full land dedication as per Council's policy not being provided a pro-rata contribution commensurate with the number of allotments shall be provided (calculated to be \$41,300 for the whole of the development).

Council will apply the cash contributions from this development to the provision of public recreation in the vicinity of the proposed development.
13. The following treatment shall be undertaken in that land to be dedicated for Town Planning (Park & buffer) purposes:
  - a) graded, levelled and grass seeded in areas as directed on site;
  - b) tree planting:- 20 semi advanced trees, species and location of planting to be agreed with the Director, Parks and Recreation. All planted stock to be protected with mulch and other tree protection methods as directed on site;
  - c) a 32mm water service complete with water meter shall be installed by Council at the Developer's cost. A quick coupling bayonet fitting and a cast iron service box shall be installed in a location as directed by Council supervisors;
  - d) log bollard fencing to be installed to that part of the park where abutting road reserves and where no chain wire fencing is provided;
  - e) all existing structures (shed) and associated fixtures are to be removed from the area to be dedicated:

- f) No vegetation is to be removed within the area to be dedicated without express approval of Council or its delegated officer.
14. Construction of roads and drainage to Council's standards including provision for an ARI 100 year overland flowpath through roads, parks and drainage reserves. An assessment of the effect of 50% blockage of the inlets shall be included in the drainage calculations.
15. The applicant shall provide appropriate intersection treatments and traffic calming devices to ensure traffic speeds are kept to an acceptable level in residential street environment within the development to the satisfaction of Council's Manager Development Services.
- Bicycle safe grates as approved by A.S.3996-92 shall be used on all catch pits and anti ponding pits.
16. Road base reporting actual soluble sulphate in excess of 250mg/kg SO<sub>4</sub> and/or total sulphate after oxidation by peroxide of 2000 mg/kg SO<sub>4</sub> is regarded as having substantial potential for causing damage to asphalt by sulphate induced blistering.
- Prior to the use of road base material, the developer shall submit certified evidence from a qualified geotechnical consultant that the proposed unbound material to be used does not contain sulphate amounts in excess of quantities that may induce sulphate blistering in the bitumen seal.
17. If the development of the subject property requires soil to be imported or exported, the applicant shall identify the allotments which would be used for borrowing or filling and shall obtain Council approval for such works in addition to engineering approval for the development. In this regard, the applicant shall obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development. A sum of \$2,000 shall be bonded with Council, prior to prestart meeting, to be used to clean up public roads as a result of spillage of material where not promptly cleaned up.
- Council reserves the right to require the applicant to provide a report from a qualified consultant to determine the impact the material placement and removal may have on the environment at the fill and the borrowing sites.
18. Permanent Survey Marks shall be located at positions as determined by the Manager Engineering Design.
19. Survey control information to establish AHD, co-ordinate systems and location of permanent survey marks shall be provided by Council. Survey information shall be supplied to Council in association with engineering designs and as constructed drawings as per Chapter 2 Section D of Council's Interim Design Standards for Developments.
20. At the time of submission of a plan of survey for signing and sealing by Council, the applicant shall also provide Digital Cadastral Survey Information in accordance with Chapter 2 Section D of Council's Interim Design Standards for Developments.

21. Erosion and Sediment Control
- a) During the construction phase of this development the applicant shall be responsible for the installation and maintenance of erosion and sediment management facilities until the development has been accepted as completed by Council.
  - b) The applicant shall submit details of erosion and sediment management procedures for approval by Council at the same time as engineering drawings for each stage of the development. The silt management plans shall include a schedule detailing the stages at which various management techniques would be in place.
  - c) Recommended erosion control techniques include:
    - \* soil disturbance, particularly within nominated building envelopes, should be restricted to a minimum;
    - \* runoff should be diverted away from disturbed areas;
    - \* disturbed areas should be stabilised using mulches (straw, forest mulch, etc.) or other techniques. These mulches must be free of exotic, weed and declared pest plant seeds and other material capable of propagation.
  - d) Sediment control shall include but not be limited to the provision of gross pollutant traps, cut off drains, silt fences, straw bales and turfing.
  - e) Council reserves the right to enter the site for the purposes of rectifying any erosion and sediment management facilities which are inadequate, improperly maintained or not operating in a satisfactory manner, in accordance with the approved plan.
  - f) The applicant shall be responsible for the restoration of the site and any adjoining affected lands where sediment deposition has occurred as a consequence of the development. Such restoration shall be completed in a reasonable time determined by the Manager Development Services.
  - g) Prior to commencement of construction the applicant shall submit a program of works for the control of dust on the development site and on roads for the approval of the Manager Development Services.
22. Construction shall comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.
23. The applicant shall contribute \$20.00 per allotment to Council for the purpose of paying the State Government Split Valuation Fees. Such amount shall be paid prior to signing and sealing of the Plan of Survey and be for each allotment contained on the Plan of Survey, excluding balance lots.

#### 24. Site Contamination

A Site Contamination Report from a suitably qualified person to the satisfaction of the Manager of Environmental Protection is to be prepared for the subject site. The report is to include, but not be limited to, details of any contamination and remediation measures proposed. A copy of the report shall be forwarded to the Manager of Environmental Protection prior to the submission of any application for operational works for the proposed development.

The applicant shall complete all remediation of the site, to the satisfaction of the Manager of Environmental Protection and as required by the approved contamination report, prior to Council being required to approve any application for operational works.

You are further advised that the Council has noted the proposal to name the parkland contained in this development in honour of Mr Jack Gordon and this will be considered at the time of development of the property.

Also for your information as from the 1<sup>st</sup> of December, 1998 the prosecution powers contained in the Environment Protection Policy (Water) will be devolved to Local Authorities. This may translate to on the spot fines and prosecutions for failures to comply with the environmental duty of care during construction on development site.

The requirements of survey for this development are:

1. That the standard requirements of the "Design Standards for Developments" and Redland Shire Council's Standard Drawings – Road, Sewerage and Water Supply are met.
2. As it appears that PM35626 will/may be destroyed due to earthworks, two permanent marks are to be placed on this subdivision. The desired locations being at the intersection of Gordon Road and Queen Street, to replace PM35626, and adjacent to new Lot 33. The exact locations being determined by the Consultant Surveyor, with each site being suitable for future GPS observations.
3. That survey data be provided on Redland Shire Council co-ordinates.
4. That PM35626 be adopted for the vertical control of this subdivision.

So that these requirements can be met the following information is supplied.

- a) An extract from the Redland Shire Council Control.
- b) A list of Redland Shire Council co-ordinates and SCDB data for adjacent PSMs.
- c) A map showing adjacent PSMs.
- d) Redland Shire Council Control Accuracy Definitions.

You are further advised that \$109.00 in outstanding application fees is to be made payable to Council prior to signing and sealing a plan of survey.

3. Reasons for Refusal: (not applicable)

4. Approval Type:

	Development Permit	Preliminary Approval
Building works	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
Material Change of Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Further Development Permits Required:

- ◆ A development permit for operational works associated with this development will be required. Those operational works, in the first instance in the form of engineering designs, will be reviewed in accordance with relevant codes including Council's Design Standards for Developments.

6. Rights of Appeal:

A copy of the rights of appeal under Section 4.1.27 and Section 4.1.28 of the Act for Applicants and Submitters are appended, together with Division 10 Part 1 (Chapter 4) of the Act which deals with the making of an Appeal to the Planning and Environment Court.

7. In addition to the above information, I advise that:

(a) Submissions Received

Council has accepted a total of (1) submissions to this Development Application.

(b) Written Notice:

The Applicant may wish to give the Assessment Manager (Council) written notice of its intention not to make representations on conditions of this approval (decided by Council) in advance of the ending of the Applicant's Appeal period; so that further action(s) can be initiated by the Assessment Manager (Council).

- (c) Prior to Council receiving applications for Operational Works associated with any stage of this development the Applicant should submit to Council evidence of notification to service providers.

Yours faithfully,

G.S.White  
Director  
Environment, Planning and Development



12  
SCHEDULE B  
LEASE

Form 7 Version 3  
Land Title Act 1994 and Land Act 1994

QUEENSLAND LAND REGISTRY

### LEASE/SUB LEASE

Dealing No

Stamp Duty Imprint

1. Lessor  
REDLAND SHIRE COUNCIL

Lodger Name, address and phone number LODGER CODE

Tel: Ref:

2. Description of Lot County Parish Title Reference  
Stanley Redland

3. Lessee Given Names Surname/Company Name and Number (include tenancy if more than one)  
REDLANDS NURSERY PTY LTD ACN 010  
917 316

4. Interest being leased  
Fee simple

5. Description of premises being leased  
The whole of the Land.

6. Term of Lease  
Commencement Date  
\*Expiry Date

7. Rental/Consideration  
See Schedule

#### 8. Grant/Execution

The Lessor leases the premises described in item 5 to the Lessee for the term stated in item 6 subject to the covenants and conditions contained in the attached Schedule.

Witnessing Officer Execution Date Lessor's Signature

..... signature / /

..... full name  
**SEE ENLARGED PANEL**

..... qualification  
as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

#### 9. Acceptance

The Lessee accepts the lease and acknowledges the amount payable or other considerations for the lease.

Witnessing Officer Execution Date Lessee's Signature

..... signature / /

..... full name  
**SEE ENLARGED PANEL**

..... qualification  
as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

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FORM 20 Version 1  
Land Title Act 1994 and Land Act 1994

ENLARGED PANEL

QUEENSLAND LAND REGISTRY

This relates to the Lease/Sublease over title reference ~.

8. Grant/Execution

The Lessor leases the premises described in item 5 to the Lessee for the term stated in item 6 subject to the covenants and conditions contained in the attached Schedule.

Execution Date  
/ /

Lessor's Signature

The Signatories certify they are the proper officers to affix the seal, and are authorised to do so

Mayor  
signature  
.....  
Full Name

..... Chief Executive Officer  
..... Full Name

(Affix seal in space above)

9. Acceptance

The Lessee accepts the lease and acknowledges the amount payable or other considerations for the lease.

Execution Date  
/ /

Lessee's Signature

The Signatories certify they are the proper officers to affix the seal; and are authorised to do so

Director/  
Secretary  
signature  
.....  
Full Name

..... Director Signature  
..... Full Name

(Affix seal in space above)

JWPB:lmmb/J:\m504\06818

FORM 20 Version 1  
Land Title Act 1994 and Land Act 1994

**SCHEDULE/ENLARGED PANEL/  
ADDITIONAL PAGE/DECLARATION**

Page 3 of 12  
QUEENSLAND LAND REGISTRY

This relates to the Lease/Sublease over title reference ~.

PARTICULARS

<u>Term</u>	<u>Definition</u>
<b>Landlord</b>	Redland Shire Council of Bloomfield Street, Cleveland
<b>Tenant</b>	Redlands Nursery Pty Ltd of 905-907 German Church Road, Redland Bay
<b>Land</b>	The whole of the land in Title Reference
<b>Premises</b>	The premises described in Item 5 of the Form 7
<b>Term</b>	Ten (10) years commencing on      and expiring on
<b>Further Term(s)</b>	(a) Ten (10) years commencing on      and expiring on . (b) Ten (10) years commencing on      and expiring on . (c) Ten (10) years commencing on      and expiring on .
<b>Rent</b>	\$100.00 per annum
<b>Permitted Use</b>	(a) Plant, replant, remove and maintain vegetation as a buffer between the wholesale production nursery on Lot 1 RP 30563 and Lot 3 RP 102104 and the residential development on Lot 1 RP 161025; (b) Construct, reconstruct, maintain, remove or partly remove a fence, fences, gate, gates or other means of access to the Premises; (c) Carry out earthworks necessary for (a) and (b); (d) Any other activity directly related to and required by (a), (b) or (c).
<b>Public Risk Insurance Amount</b>	\$10,000,000

JWPB:lmmb/J:\m504\06818

FORM 20 Version 1  
Land Title Act 1994 and Land Act 1994

**SCHEDULE/ENLARGED PANEL/  
ADDITIONAL PAGE/DECLARATION**

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QUEENSLAND LAND REGISTRY

This relates to the Lease/Sublease over title reference ~.

**1. INTERPRETATION**

**1.1 Definitions**

The following definitions, together with those on the Form 7 and in the Particulars, apply unless the context requires otherwise.

"**Agreement**" means the agreement dated \_\_\_\_\_ made between, amongst others, the Landlord and the Tenant for the planting, maintenance and construction of a buffer on the Premises.

"**Lease Year**" means each period of 12 months (or part of it) starting on the Commencement Date.

"**Maintain**" in relation to the Premises includes water, irrigate, fertilise, mow, plant, lop, top, till and employ weed control measures generally in accordance with clause 5.3.

**1.2 General**

The following apply to this lease:

- (a) This lease is governed by Queensland law.
- (b) The provisions of sections 105, 107 and 109 of the Property Law Act 1974 are separately covered in this lease and are excluded from it.

The following rules of interpretation apply unless the context requires otherwise:

- (c) Headings are for convenience only and do not affect interpretation.
- (d) The singular includes the plural and the plural includes the singular.
- (e) A gender includes all genders.
- (f) A person includes an individual and a corporation.
- (g) A reference to any party to this lease includes its successors and assigns.
- (h) A reference to a right or obligation of any party comprising two or more people confers that right, or imposes that obligation, on each of them individually and both (or all) of them together.
- (i) A reference to legislation includes an amendment of or substitution for it and a regulation or statutory instrument issued under it.
- (j) Unless stated otherwise, one word or provision does not limit the effect of another.
- (k) Reference to the whole includes part.
- (l) All obligations are taken to be required to be performed properly and punctually.
- (m) Where anything is permitted in an "emergency" the opinion of the Landlord as to the existence or non-existence of an emergency is conclusive.
- (n) Anything to be done on a Saturday, Sunday or a public holiday in Queensland may be done on the next business day.
- (o) Every obligation by the Tenant is taken to include an obligation by the Tenant to ensure that each of the Tenant's employees and others under the Tenant's control comply with that obligation.
- (p) If under this lease the Tenant requires the consent, approval or agreement of the Landlord for any action, the Tenant must obtain it in writing before the Tenant starts to take that action.

FORM 20 Version 1  
Land Title Act 1994 and Land Act 1994

**SCHEDULE/ENLARGED PANEL/  
ADDITIONAL PAGE/DECLARATION**

Page 5 of 12  
QUEENSLAND LAND REGISTRY

This relates to the Lease/Sublease over title reference ~.

**2. TERM**

**2.1 Length of lease**

This lease starts on the Commencement Date and its provisions bind the parties on and from that date, whenever the lease is signed or dated. It ends at midnight on the Expiry Date.

**2.2 Further Term**

If the Tenant-

- (a) wishes to have a lease of the Premises granted to it for the Further Term to commence immediately after the Expiry Date; and
- (b) gives a notice to the Landlord not more than nine months' nor less than six months' before the Expiry Date,

the Landlord will grant to the Tenant a lease of the Premises for the Further Term upon the same provisions as are contained in this Lease, except that-

- (c) the next Further Term (if any) shall be renumbered in the Particulars and any subsequent Further Terms shall be renumbered appropriately; and
- (d) if there is only one Further Term, this sub-clause shall be deleted from the lease for that Further Term.

**3. RENT**

**3.1 Payment**

Unless otherwise agreed in writing with the Landlord or authorised by the terms of the Lease the Tenant must pay Rent without any deduction or set off in advance on or before the first day of each Lease Year, at the Landlord's address in the Particulars or at any other address notified by the Landlord to the Tenant.

**4. OTHER MONEYS PAYABLE BY TENANT**

**4.1 Interest for late payment**

If the Tenant does not pay any money owing to the Landlord under this lease within 7 days after the due date, the Tenant must pay interest on that money at a rate 2% above the prime, reference, benchmark or other like rate charged on a relevant date by the Landlord's bank on overdrafts in excess of \$100,000 as the Landlord decides. That interest will be charged from the due date until the money is paid.

**4.2 Costs**

The Tenant must pay:

- (a) stamp duty on this lease;
- (b) for registration of this lease; and
- (c) the Landlord's reasonable costs as a result of a default by the Tenant under this lease.

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Land Title Act 1994 and Land Act 1994

**SCHEDULE/ENLARGED PANEL/  
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QUEENSLAND LAND REGISTRY

This relates to the Lease/Sublease over title reference ~.

**5. USE OF LAND**

**5.1 Use of Land**

The Tenant may use the Premises only for the Permitted Use, unless the Landlord consents to another use.

**5.2 Compliance with law**

- (a) The Tenant must at the Tenant's cost comply with all laws, and with the requirements of each authority, relating to the Premises or its use.
- (b) The Tenant may remove any existing vegetation required for the conduct of the Permitted Use.

**5.3 Planting and Maintaining the Premises**

The Tenant shall plant, design and maintain the buffer on the Premises in accordance with the following principles:

- (a) A continuous band of porous trees are to be planted to minimise air disturbance while still providing a large number of droplet catching surfaces.
- (b) Four to five rows of trees are to be planted across the buffer with trees planted in a pattern along these rows which ensures the canopies are complementary, creating an open network of foliage such that air moving through any part of the buffer is effectively filtered.
- (c) Thin rough foliage should extend from the base to the crown of each tree.
- (d) The vegetation should provide a permeable barrier which allows air to pass through the buffer, achieving a porosity of approximately 50% (that is, approximately 50% of the vegetation "screen" should be air space).
- (e) Mixed plantings of trees may be required to ensure there are no gaps in the lower canopy.
- (f) Tree height should generally be at least 1.5 to 2.0 times the release height of the spray.
- (g) Some planting of Eucalyptus species may be undertaken to improve biodiversity. Such planting should ensure the normal development of the foliage in the buffer is not restricted by competition and/or shading effects from the Eucalyptus species.
- (h) Suitable species for planting in the buffer include the following:
  - Casuarina cunninghamiana
  - Casuarina glauca
  - Casuarina turulosa
  - Callitris columellaris
  - Grevillea species
  - Melaleuca leucadendra
  - Melaleuca linariifolia
  - Melaleuca alternifolia
  - Melaleuca bracteata
  - Callistemon viminalis
  - Eucalyptus species (in compliance with principle (g) above).
- (i) Maintenance of the buffer should generally have regard to the growth habit of the species present, the need to maintain foliage to ground level, the environment and the desired overall buffer structure.
- (j) Maintenance of the buffer should ensure that the tree canopies establish an open network of foliage within 3 to 4 years from planting, to function as an effective catching zone for small droplets.
- (k) Maintenance of the buffer should replace appropriate plants lost through natural or other causes.

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**SCHEDULE/ENLARGED PANEL/  
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QUEENSLAND LAND REGISTRY

This relates to the Lease/Sublease over title reference ~.

- (l) Maintenance of the buffer should ensure that particular plant species do not become dominant to the detriment of other species.
- (m) Maintenance of the buffer should include routine pruning to maintain the desired canopy characteristics so that gaps do not develop in the overall structure of the buffer.
- (n) Maintenance of the buffer should control growth of unwanted vegetation, including weeds.

**5.4 Fence**

- (a) The Tenant may construct, reconstruct and maintain fences, gates and other means of access as required within and along the boundaries of the Premises.
- (b) Notwithstanding clause 5.4(a), the Tenant shall not be permitted to construct any gate, gates or other means of access along that part of the eastern boundary of the vegetated strip as shown on Drawing No. 1-161081-1C prepared by John Wilson and Partners Pty Ltd dated 27 January 1999 which abuts the Park as shown on the said Drawing.
- (c) The Tenant shall construct, within three (3) months of completion of the adjoining roadworks as shown on Drawing Number 1-161081-1C prepared by John Wilson and Partners Pty Ltd and dated 27 January 1999, a 1.8m high chain wire fence along the eastern boundary of the Premises, restricting public access and allowing for maintenance only.
- (d) The Tenant shall keep any fences, gates or other means of access erected by the Tenant in good order and condition.

**5.5 Signage**

- (a) The Tenant may erect appropriate signage on the fence or fences referred to in clause 5.4 identifying the purpose of the buffer.

**6. INSURANCE AND RISK**

**6.1 Insurance by Tenant**

The Tenant must maintain with reputable insurers insurance policies covering public liability for the Public Risk Insurance Amount.

**6.2 Evidence of insurance**

The Tenant must upon request give the Landlord satisfactory evidence of the Tenant's insurance.

**6.3 Tenant's risk**

The Tenant uses and occupies the Premises, and carries out all work in on it, at the Tenant's own risk.

**6.4 Release of Landlord**

The Tenant releases the Landlord from any liability for loss, damage, injury or death occurring on the Premises, except to the extent that it is caused by negligence on the part of the Landlord, its employees or others under its control.

**6.5 Indemnity by Tenant**

The Tenant indemnifies the Landlord against all claims arising from:

- (a) the negligent use of the Premises by the Tenant, the Tenant's employees, agents, contractors or invitees or any person claiming through or under the Tenant; or
- (b) the death or injury to any person or damage to property on the Premises caused or contributed to by the Tenant;



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- (c) nuisance caused or contributed to by the activities of the Tenant on the Premises.

**7. DEALINGS WITH LEASE AND PREMISES**

**7.1 Assignment and subletting**

- (a) The Tenant may, with the consent of the Landlord, assign this Lease or sublet the Premises.
- (b) If the Landlord consents to an assignment or sublease under this paragraph, the Tenant will be released from any further obligation to the Landlord under this Lease from the date of assignment.
- (c) As a condition of giving its consent to an assignment or sublease, the Landlord may require:
- (i) that the proposed Tenant execute a deed of consent in a form reasonably required by the Landlord; and
  - (ii) that the Tenant pay the Landlord's reasonable costs in relation to giving its consent.

**8. LANDLORD'S OBLIGATIONS**

**8.1 Quiet enjoyment**

The Landlord must permit the Tenant to occupy and use the Premises without interruption or disturbance, except where otherwise allowed by this lease.

**8.2 Rates and taxes**

The Landlord must pay all rates and taxes charged on the Land.

**8.3 Consents**

The Landlord will promptly consider any request by the Tenant for the Landlord's consent or approval. The Landlord will not unreasonably withhold its consent or approval or impose any unreasonable conditions on its consent or approval.

**9. LANDLORD'S RIGHTS**

**9.1 Inspection of Premises**

The Landlord may at any time on reasonable notice enter the Premises to inspect the condition of it.

**9.2 Remedy of default by Tenant**

The Landlord may do anything which is the liability of the Tenant under this lease, but which the Tenant has failed to do on time. The Tenant must promptly reimburse the Landlord's costs of doing so.

**10. DEFAULT**

**10.1 Tenant's default**

The Tenant will be in default under this lease if the Tenant:

- (a) fails to pay any money payable to the Landlord, within 14 days after the due date; or
- (b) fails to comply with any other obligation under this lease, and does not make good that default within a reasonable time after notice from the Landlord.

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**10.2 Landlord's rights**

In any of those events, the Landlord may do any one or more of the following:

- (a) re-enter and take possession of the Premises;
- (b) terminate this lease; and
- (c) exercise any of its other legal rights.

**10.3 Landlord's default**

If the Landlord breaches this lease, the Tenant must give a notice to the Landlord specifying the breach and allow the Landlord a reasonable time within which to remedy the breach.

**11. NOTICES**

**11.1 Must be in writing**

All notices required by this Lease must be in writing.

**11.2 Methods of service**

- (a) The Landlord may serve a notice on the Tenant by:
  - (i) giving it to the Tenant personally; or
  - (ii) delivering, posting or faxing it to the Tenant's registered office.
- (b) The Tenant may serve a notice on the Landlord by delivering, posting or faxing it to the Landlord's address in the Particulars or any other address notified by the Landlord to the Tenant.

**12. EARLY TERMINATION BY TENANT**

**12.1 Tenant's notice**

Notwithstanding the Term of this Lease, the Tenant may at any time by notice in writing to the Landlord determine this Lease effective from the date which is 1 month after the date of service of that notice on the Landlord (the "Surrender Date").

**12.2 Surrender documents**

The surrender of this Lease is conditional on the Tenant executing and delivering to the Landlord promptly on request -

- (a) a surrender of its interest in this Lease in a form capable of immediate registration (after stamping) to be effective from the Surrender Date; and
- (b) statutory declaration for stamp duty purposes.

**12.3 Power of attorney upon surrender**

If the Tenant does not execute and deliver to the Landlord the surrender documents required to be executed by the Tenant under this clause within fourteen (14) days of submission, the Tenant at its cost irrevocably appoints -

- (a) the Landlord; and
- (b) each Officer of the Landlord,

and their substitutes, jointly and severally, to be the attorney(s) of the Tenant to execute the surrender

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documents lodged by the Tenant affecting the Land and to procure the same to be stamped and registered.

**12.4 Legal costs**

The Landlord and the Tenant shall bear their own legal costs of the preparation, execution, stamping and registration of the surrender of this Lease, and the Tenant shall pay all stamp duty.

**13. EARLY TERMINATION BY LANDLORD**

**13.1 Landlord's Notice**

If the Agreement is terminated, the Landlord may at any time by notice in writing to the Tenant determine the Lease effective from the date which is 1 month after the date of service of that notice on the Tenant ("the Surrender Date").

**13.2 Surrender documents**

The Tenant shall execute and deliver to the Landlord promptly on request -

- (a) a surrender of its interest in this Lease in a form capable of immediate registration (after stamping) to be effective from the Surrender Date; and
- (b) statutory declaration for stamp duty purposes.

**13.3 Power of attorney upon surrender**

If the Tenant does not execute and deliver to the Landlord the surrender documents required to be executed by the Tenant under this clause within fourteen (14) days of submission, the Tenant at its cost irrevocably appoints -

- (a) the Landlord; and
- (b) each Officer of the Landlord,

and their substitutes, jointly and severally, to be the attorney(s) of the Tenant to execute the surrender documents lodged by the Tenant affecting the Land and to procure the same to be stamped and registered.

**13.4 Legal costs**

The Landlord and the Tenant shall bear their own legal costs of the preparation, execution, stamping and registration of the surrender of this Lease, and the Tenant shall pay all stamp duty.

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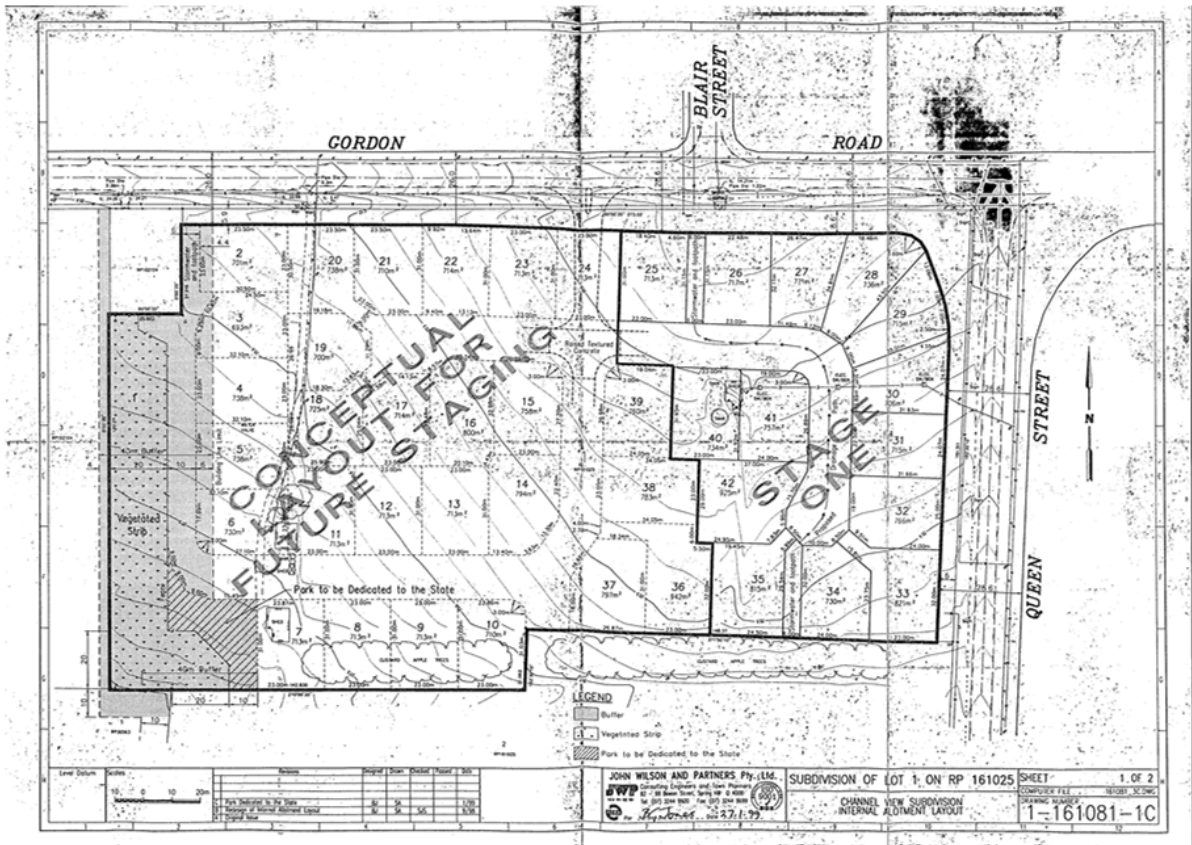
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**SCHEDULE C**

**DRAWING NO 1-161081 0 1C  
PREPARED BY JOHN WILSON AND PARTNERS PTY LTD**



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**SCHEDULE D  
DRAFT CONSENT JUDGMENT**



IN THE PLANNING AND ENVIRONMENT  
COURT

HELD AT BRISBANE  
QUEENSLAND

Planning and Environment  
Appeal No. 210 of 1999

BETWEEN: EDWARD JOHN BUNKER, MARY  
ALICE BUNKER, REDLANDS  
NURSERY PTY LTD (ACN 010 917 316),  
FANET PTY LTD (ACN 010 878 403)  
AND REDLANDS GREENHOUSES PTY  
LTD (ACN 009 959 924)  
Appellants

AND: REDLAND SHIRE COUNCIL  
Respondent

AND: IAN CHARLES GORDON  
Co-Respondent

BEFORE HIS HONOUR JUDGE QUIRK  
THE 26TH DAY OF FEBRUARY, 1999.

CONSENT  
JUDGMENT

(Filed on Behalf  
of Appellants)

THIS MATTER having on the 26th day of February, 1999, come on for hearing by way of appeal from the decision of the Respondent Council whereby the Respondent gave notice of its approval of an application for a development permit for a material change of use of premises and reconfiguration of a lot with respect to land situated at Gordon Road and Queen Street, Redland Bay, described as Lot 1 on RP 161025, Parish of Redland.

UPON HEARING Mr Rackemann of Counsel for the Appellants, the solicitors for the Respondent and Mr B Jones for the Co-Respondent.

IT IS DIRECTED that it be taken that notwithstanding that sections 3.4.3 and 3.4.5(a)(i) of the Integrated Planning Act 1997 have not been complied with, that non-compliance has not adversely affected the awareness of the public of the existence and nature of the application nor restricted the opportunity of the public to exercise the rights conferred by those provisions.

Allen Allen &  
Hemsley  
Solicitors & Notaries  
Riverside Centre  
123 Eagle Street  
BRISBANE Q 4000

Tele: 3334 3000  
Fax: 3334 3444

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IT IS ORDERED by consent that the said appeal be allowed and the application for a development permit be approved subject to the following conditions:

A. Standard conditions adopted by resolution of Council 11 March, 1992:-

- D1 The layout indicated on John Wilson and Partners Pty Ltd drawing number 1/161081/1C dated 27 January 1999 is approved.
- D2 The area of land shown as Park on drawing number 1/161081/1C shall be transferred to the State with Council as trustee free of cost for Town Planning (Park) purposes in association with Council being required to sign and seal a plan of survey for reconfiguring of allotments in Stage 1 of the development.
- D5 The applicant shall pay to the Council in respect of the proposed development a contribution towards the augmentation of water supply headworks, in accordance with the Council's adopted policy in that regard, prior to the Council being required to seal and release a plan of reconfiguration of the land at the rate current under that policy at the time of payment. This contribution does not cover the cost of water reticulation to individual allotments or connection of the land to the Council's water supply system and that all such costs are the responsibility of the applicant. Further, it is advised that the rates of contribution under policy are reviewed annually in July. (Rate of 1998/99 is \$3221 per additional equivalent tenement).
- D6 The applicant shall pay to the Council in respect of the proposed development a contribution towards the

sewerage augmentation in accordance with the Council's adopted policy in that regard, prior to the Council being required to seal and release a plan of reconfiguration of the land at the rate current under that policy at the time of payment. This contribution does not cover the cost of sewerage connection to individual allotments or connection of the land to the Council's sewerage system and that all such costs are the responsibility of the applicant. Further, it is advised that the rates of contribution under policy are reviewed annually in July. (Rate for 1998/99 is \$4300 per additional equivalent tenement).

D14 All relevant Council Local Laws, Regulations and Policies together with all conditions of material change of use shall be complied with fully and to the complete satisfaction of the Council.

D19 These conditions imposed by Council on its approval are binding on successors in title unless amended or superseded by a subsequent application for material change of use or staged material change of use pursuant to the Integrated Planning Act 1997.

B. The following additional conditions:

1. The area of land shown as the Vegetated Strip on Drawing No. 1/161081/1C shall be transferred by the applicant to the Council prior to Council being required to sign and seal a plan of survey for reconfiguration of allotments in Stage 1 of the Development.
2. A development permit for operational works associated with this development will be required. Those operational works, in the first instance in the form of engineering designs, will be reviewed in

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accordance with relevant codes including Council's Design Standards for Developments.

3. The applicant shall be required to enter into a legal agreement with Council and provide indemnity and Public Liability insurance with respect to the proposed temporary access easement from Gordon Road into the development.

The applicant shall be required to provide acoustic fencing and streetscaping to soften the visual impact as per the requirements of Council's Town Planning Scheme.

The widths of the proposed drainage reserves are not approved and at the time of submission of Engineering Designs for Operational Works, the applicant shall be required to provide the minimum widths required for the drainage reserves and a concrete footpath within the reserve, in accordance with Council Standards.

4. Prior to Council being required to sign and seal a Plan of Survey for reconfiguration, the applicant shall contribute to the Road Works Infrastructure Charge in accordance with Amendment 11 to the Development Control Plan for the Redland Bay Area. Such contributions shall be on a lot basis and at a rate to be determined by Council resolution from time to time. (Rate as adopted by Council resolution of 24 September, 1997 is \$4186).
5. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard AS/NZ.1158 and the requirements of ENERGEX and Council.

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6. Installation of underground telephone conduits to service each lot in accordance with the requirements of Australian Standards to accommodate carriers and submission of documentary evidence that an agreement has been entered into with a carrier for the provision of such a service to each lot prior to release of survey plans by Council.
7. Full allotment drainage shall be provided to drain upstream allotments which contribute a potential catchment area in excess of 0.5 hectares to downstream allotments.
8. Provision of roof water and allotment drainage, as specified in Council's "Design Standards for Developments", in allotments which cannot drain to kerb and channel. Where roof water drainage is directed to kerb and channel, a kerb adaptor shall be cast in situ to the kerb.
9. The applicant shall construct an internal water supply network capable of supplying water to the proposed allotments as per Council Standards.

A water connection shall be provided to each lot in accordance with Council's approved Standard Drawings. The services into each of the proposed allotments shall be on an 0.5 metre alignment, 0.2 metres into the allotment, end capped and buried at 0.45 metres depth ready to receive a water meter.

If any connections are to be made from existing live mains the applicant shall request "Redland Water" to make such connections at the applicant's expense. In addition to the standard "As Constructed" plans a separate A3 size plan indicating the "ghost" water connections to individual allotments shall be submitted prior to "On Maintenance" inspections. A

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stake marked "W" shall be provided in allotments to indicate the exact location of the "ghost" connections.

10. Provision of sewerage reticulation to each lot.
11. A forty (40) metre buffer shall be maintained between the wholesale nursery and the proposed residential development as indicated on John Wilson and Partners Pty Ltd drawing number 1/161081/1C dated 27 January 1999. This buffer shall be fenced, planted and maintained in accordance with details contained in the Buffer Zone Resolution Agreement which has been provided by the applicant to address the interface issue. The applicant shall by way of covenant advise future purchasers of proposed Lots 3, 4, 5 and 6 of the 6 metre building setback from the street alignment and the 4.4 metre setback from the western boundary of proposed Lot 2. A submission shall be put to Council in relation to the preparation of a legally binding agreement which shall relate to the erection of fencing, and the planting and maintenance of the vegetated strip in accordance with details indicated in the Buffer Zone Resolution Agreement and the legal agreement shall be at no cost to Council.
12. Landscaping Plan.
  - (a) The applicant shall prepare a landscape plan for the area to be dedicated as park and road reserves (street tree planting) for the approval of the Manager Landscape Services and shall carry out the works in accordance with details indicated on the approved plan.
  - (b) The landscape plan shall be forwarded and agreed in writing prior to Council being

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required to determine an application for operational works.

- (c) Landscaping shall utilise the combination of endemic species and other species to the satisfaction of the Manager Landscape Services.
  - (d) The landscape plans shall be authorised by the applicants' hydraulic consultant to ensure stormwater overland flow paths are not affected.
13. The area indicated as Park on Drawing No. 1/161081/1C shall be dedicated to the State free of cost for Town Planning Purposes. In substitution of the full land dedication as per Council's policy not being provided a pro-rata contribution commensurate with the number of allotments shall be provided (calculated to be \$41,300 for the whole of the development).
14. The following treatment shall be undertaken in that land to be dedicated for Town Planning (Park) purposes:
- (a) graded, levelled and grass seeded in areas as directed on site;
  - (b) tree planting;- 20 semi advanced trees, species and location of planting to be agreed with the Director, Parks and Recreation. All planted stock to be protected with mulch and other tree protection methods as directed on site;
  - (c) a 32mm water service complete with water meter shall be installed by Council at the Developer's cost. A quick coupling bayonet

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fitting and a cast iron service box shall be installed in a location as directed by Council supervisors;

- (d) log bollard fencing to be installed to that part of the park where abutting road reserves and where no chain wire fencing is provided;
  - (e) all existing structures (shed) and associated fixtures are to be removed from the area to be dedicated;
  - (f) No vegetation is to be removed within the area to be dedicated without express approval of Council or its delegated officer.
15. Construction of roads and drainage to Council's standards including provision for an ARI 100 year overland flowpath through roads, parks and drainage reserves. An assessment of the effect of 50% blockage of the inlets shall be included in the drainage calculations.
16. The applicant shall provide appropriate intersection treatments and traffic calming devices to ensure traffic speeds are kept to an acceptable level in residential street environment within the development to the satisfaction of Council's Manager Development Services.
- Bicycle safe grates as approved by A.S.3996-92 shall be used on all catch pits and anti ponding pits.
17. Road base reporting actual soluble sulphate in excess of 250mg/kg SO<sub>4</sub> and/or total sulphate after oxidation by peroxide of 2000 mg/kg SO<sub>4</sub> is regarded as having substantial potential for causing damage to asphalt by sulphate induced blistering.



Prior to the use of road base material, the developer shall submit certified evidence from a qualified geotechnical consultant that the proposed unbound material to be used does not contain sulphate amounts in excess of quantities that may induce sulphate blistering in the bitumen seal.

18. If the development of the subject property requires soil to be imported or exported, the applicant shall identify the allotments which would be used for borrowing or filling and shall obtain Council approval for such works in addition to engineering approval for the development. In this regard, the applicant shall obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development. A sum of \$2,000 shall be bonded with Council, prior to prestart meeting, to be used to clean up public roads as a result of spillage of material where not promptly cleaned up.

Council reserves the right to require the applicant to provide a report from a qualified consultant to determine the impact the material placement and removal may have on the environment at the fill and the borrowing sites.

19. Permanent Survey Marks shall be located at positions as determined by the Manager Engineering Design.
20. Survey control information to establish AHD, co-ordinate systems and location of permanent survey marks shall be provided by Council. Survey information shall be supplied to Council in association with engineering designs and as constructed drawings as per Chapter 2 Section D of

Council's Interim Design Standards for Developments.

21. At the time of submission of a plan of survey for signing and sealing by Council, the applicant shall also provide Digital Cadastral Survey Information in accordance with Chapter 2 Section D of Council's Interim Design Standards for Developments.
22. Erosion and Sediment Control
  - (a) During the construction phase of this development the applicant shall be responsible for the installation and maintenance of erosion and sediment management facilities until the development has been accepted as completed by Council.
  - (b) The applicant shall submit details of erosion and sediment management procedures for approval by Council at the same time as engineering drawings for each stage of the development. The silt management plans shall include a schedule detailing the stages at which various management techniques would be in place.
  - (c) Recommended erosion control techniques include:
    - soil disturbance, particularly within nominated building envelopes, should be restricted to a minimum;
    - runoff should be diverted away from disturbed areas;

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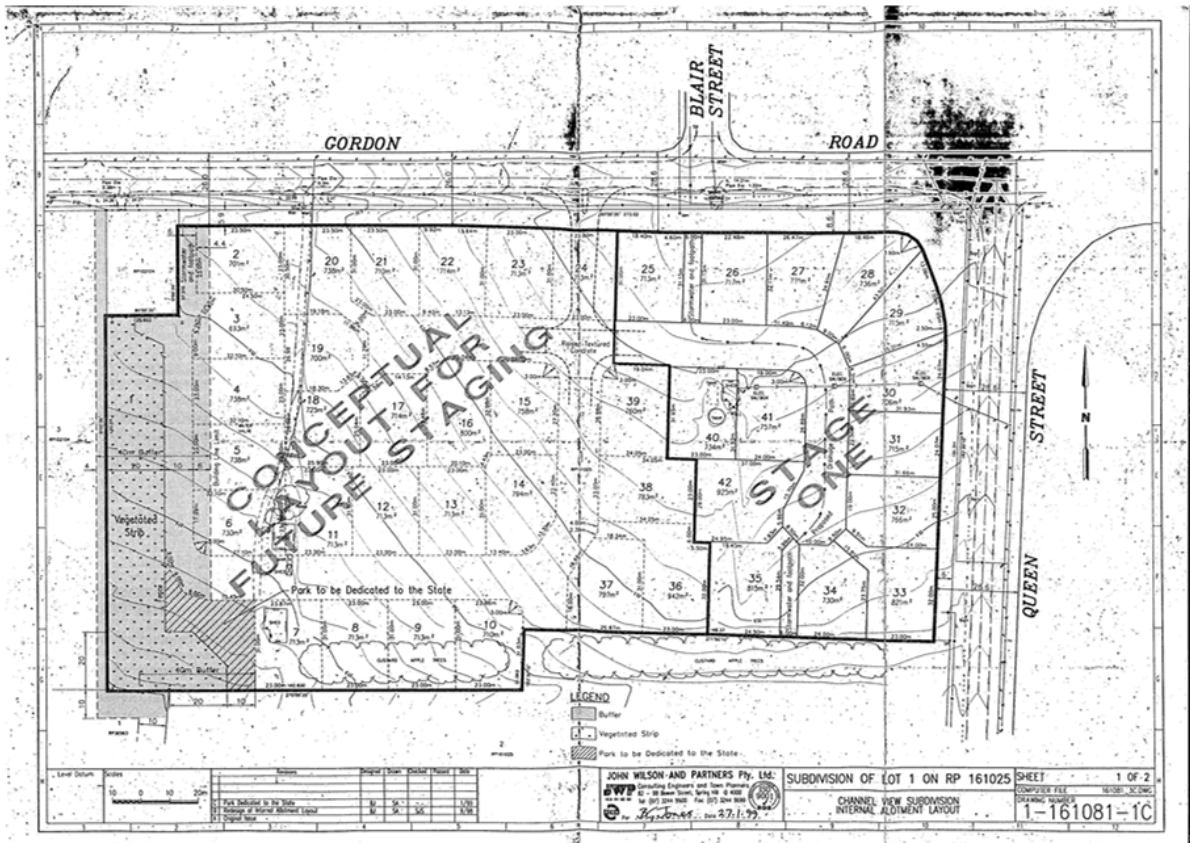
- disturbed areas should be stabilised using mulches (straw, forest mulch, etc.) or other techniques. These mulches must be free of exotic, weed and declared pest plant seeds and other material capable of propagation.
- (d) Sediment control shall include but not be limited to the provision of gross pollutant traps, cut off drains, silt fences, hay bales and turfing.
- (e) Council reserves the right to enter the site for the purposes of rectifying any erosion and sediment management facilities which are inadequate, improperly maintained or not operating in a satisfactory manner, in accordance with the approved plan.
- (f) The applicant shall be responsible for the restoration of the site and any adjoining affected lands where sediment deposition has occurred as a consequence of the development. Such restoration shall be completed in a reasonable time determined by the Manager Development Services.
- (g) Prior to commencement of construction the applicant shall submit a program of works for the control of dust on the development site and on roads for the approval of the Manager Development Services.
23. Construction shall comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

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24. The applicant shall contribute \$20.00 per allotment to Council for the purpose of paying the State Government Split Valuation Fees. Such amount shall be paid prior to signing and sealing of the Plan of Survey and be for each allotment contained on the Plan of Survey, excluding balance lots.
- C. 1. The Council at the termination of the legally binding agreement referred to in condition B(11) shall place the land shown as the Vegetated Strip on Drawing No. 1/161081/1C in State ownership for Town Planning (Park) Purposes.

BY THE COURT

DEPUTY REGISTRAR



**13.4 INDIGISCAPES EXPANSION PROJECT UPDATE****Objective Reference:** A3255068**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** Graham Simpson, Group Manager Environment & Regulation**Report Author:** Pippa Donaldson, Service Manager Environment & Education**Attachments:**

1. IndigiScapes Southern Garden Concept Report  
2. Redlands IndigiScapes Centre Preliminary Concept  

**PURPOSE**

The purpose of this report is to provide an update on progress to date of the IndigiScapes Expansion Project, and provide relevant information on upcoming preparation for construction commencement.

**BACKGROUND**

The Redlands IndigiScapes Centre (IndigiScapes) is a multi-purpose environmental education and visitor centre located in Capalaba. Opening in February 2000 the Centre caters for a wide range of uses, creating a unique environment for visitors and locals alike.

IndigiScapes provides a hub for tourism, community engagement and environmental education which specialises in showcasing local indigenous flora and fauna, the Redlands Coast natural environment and promoting sustainable living across the Redlands community. The Centre is located in a family friendly natural bush setting.

The overarching vision and purpose of the IndigiScapes Centre and its supporting community programs is “Growing environmentally connected communities” under Council’s *Corporate Plan 2018-2023* themes of Healthy Natural Environment; Green Living; and Embracing the Bay.

The IndigiScapes Expansion project (in conjunction with the current IndigiScapes new nursery building) commenced following a Council resolution on 23 November, 2016. The project involves refurbishment and extension to the current Centre, as well as additional new buildings and infrastructure including the following:

- upgrade to internal ablutions
- relocation and refurbishment of the Café
- upgrade to front entry (roof)
- front entry statement
- environmental interpretation space
- new build of theatriette/ conference building
- new build of administration building
- new build of southern gardens ablutions block
- new build of southern garden landscape area
- new build of skywalk

The current schedule details main construction commencement in the 2<sup>nd</sup> quarter of 2018/19 financial year, continuing in the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2019. Some elements, such as the skywalk, will be finalised in the 2019/20 financial year.

A detailed review of the 50% detail design documentation was completed in early 2018, to determine if the design was currently realising the vision and benefits as identified in the original business plan. In response to this review an improved revised design was presented to relevant stakeholders for consideration. The revised design consisted of:

- relocation of the current café location to the Tallowood (event/ hall) room
- relocation of the proposed Interpretation area location to the current café area (deck)
- diversifying the proposed theatrette building, to accommodate both audio/ visual (theatre) and modernised conference facilities
- construction of an 'outdoor classroom' by constructing grand stand bleachers adjacent to the Tallowood room walkway

The revised design was accepted on 26 March 2018 by the Project Steering Committee and the current schedule has progressed with these internal changes.

## ISSUES

### Construction schedule

Given the upcoming physical construction phases of the project are scheduled to commence shortly, the following details are provided for information purposes. For completeness, the new nursery building and surrounds is also included for information.

Current Status/Progress

#### 1. Nursery Project

##### a. Internal fit out progress

- i. 85% complete - partial completion achieved 30 June 2018
- ii. solar installation of 15kW system complete (funded under Council's Renewable Energy project)

##### b. Outstanding works progressing

- i. shade/ hail sails
- ii. fence and irrigation
- iii. roads and car-park
- iv. electrical and sewer connection

##### c. Nursery Road and car-park

- i. scheduled for 1st quarter 2018/19 commencement
- ii. design completed in house
- iii. internal Council deliverable

#### 2. Stage 2 Expansion

**General:** Material Change of Use and Operational Works applications being finalised – Draft conditions received 11 June 2018.

##### a. Southern gardens ablutions block and nursery pump station connection

- i. scheduled for 1st quarter 2018/19 commencement
- ii. building delivered awaiting placement and connection to infrastructure

**b. Southern garden landscape design**

- i. design completed in house – (see Attachment 1 - IndigiScapes Southern Garden Concept Report)
- ii. design provided to Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) as confirmation of approved design
- iii. QYAC providing quotation on artwork and hard landscape design and construct for areas of interest marked within the design documents
- iv. Skills Queensland funding being sought for provision of Project Manager and labour for delivery of construction and landscaping works – funding part of Department of Aboriginal and Torres Strait Islander Partnerships future funding program

**c. Interpretation area**

- i. concept design received (See Attachment 2 - Redlands IndigiScapes Centre Preliminary Concept)

**d. Main building schedule**

- i. 75% design drawings received 29 June 2018
- ii. 100% construction drawings due 8 August 2018
- iii. tender and evaluation for principal contractor occurring September - December 2018
- iv. on track for construction commencement January 2019, including first stage café/ front entrance roof, internal ablutions, Interpretative area, internal office space and potentially theatre

**Environmental interpretation area**

The environmental interpretation area is proposed to support digital/ audio/ sensory technology while maintaining the existing theme of the Centre, natural wonder and environmental engagement and education.

Potential resources include digital screens showcasing Council's environmental education campaigns and themes, opportunities for sensory experiences, touch and feel technology, utilising equipment suitable for all ages and capabilities, such as microscopes, sand/ seed tables, quiet spaces and interactive mapping.

Relocating the interpretation area closely aligns with the future skywalk location and creates a natural pathway through the Centre from the front entrance, to an interactive education space and flow through to the outdoor skywalk experience.

The interpretation concept aligns with current interpretation innovation and presents capacity for future digital and centre capability growth.

**Relocated and new café**

The current café supports long term clientele and offers a unique experience amongst the native flora and fauna. The kitchen functionality presents limited improved food service capability and poses potential safety risks during high occupancy due to the close confines.



The ground levels in the existing café location prevent further occupancy growth and limit design options.

Relocation of the café to the Tallowwood room and deck allows for an increase in customer space and potential increase in subsequent occupancy rates, and provides a larger kitchen area with increased serviceability and improved kitchen safety operations. The Tallowwood Room has significantly improved thermal control; therefore relocation will address the current issues of seasonal temperature variations associated with the current café.

The proposed refurbishment retains the unique atmosphere with utilisation of the (existing walkway/deck space) for table settings, increased and refurbished open window space and bi-fold doors, and allows for potential future expansion as the Centre realises proposed increased visitor numbers and business partnerships. The redesigned café retains the original Bush Tucker experience while introducing sustainability and habit changing possibilities.

### **Theatrette**

The current use of the Tallowwood room is for event/conference meeting hire. The room has limited audio/visual capabilities and requires maintenance and upgrade to accommodate the increase in use for conferences including VIP events. The current use of the Tallowwood room for hire requires the entire centre to remain open and unlocked for the duration, incurring additional security expenditure and increased risk of liability.

The new theatrette building is designed as a state of the art audio visual centre, available for internal and external conference hire. The new build is designed for separate accessibility from the main centre and presents an opportunity for significant increased usage and revenue through ongoing hire and use.

Converting the theatrette into a multi-purpose building allows for increased functionality and associated financial benefits. The revised design allows for conference room facilities in a sound proof room, with audio visual capabilities. The room will be easily adapted to conference or theatre with an additional storeroom, kitchenette and outdoor servery. The proposed design is simple and elegant, incorporating the natural surrounds with large windows and outdoor decking.

### **Outdoor auditorium**

The area adjacent to the existing Tallowwood room, consisting of open space, a timber deck/stage and picnic table is significantly underutilised with the potential for multi-purpose use. Maintaining the core business theme of Council's vision for Indigiscapes, the redesign incorporates the provision for a new separate walkway adjacent to the new café deck and an outdoor classroom.

The design is simple 'grandstand style' bleachers, providing unique opportunities for further increased partnerships and usage via community open air educational lectures for schools/universities/community groups.

The area is designed to also accommodate audio/visual presentations, with return linkage to the atrium, introducing further contingency for increased events, such as outdoor cinema, speaking tours, art displays etc.

**Southern gardens**

The Southern gardens' concept is an opportunity to incorporate an indigenous culture overlay into the IndigiScapes native gardens. When established it will incorporate indigenous culture into a form of 'cross cultural' experience for all visitors to the IndigiScapes Centre. An elder engagement workshop, with various Redlands elders was held on 9 April 2018 to introduce the garden and workshop ideas.

As a result of this workshop, the vision emerged indicating the Southern gardens as a restorative place, connecting people to country. The meandering networks of pathways and interconnected spaces will create a sense of discovery and harmony with the land. The gardens will provide the community with an engaging landscape for respite, education and immersion in nature's diversity and beauty.

To shape the way visitors and community experience the Southern Cultural Gardens the following place-making themes have been developed:

- a web of connected and inclusive spaces
- a narrative of people, place and culture
- an interactive and sensitive natural environment

These themes have informed the design to create a unified and responsive outcome which extends on the core values of Council's IndigiScapes vision.

The overall theme and design of the gardens is to compliment future QYAC cultural developments on North Stradbroke Island with provision of supporting business partnerships for mutual benefit. Further engagement with QYAC involves incorporation of artwork and hard landscaping (furniture) fitting with the theme and historical cultural use of the area.

**Operational centre shutdown**

In November 2017, the State Government committed a significant amount of funding (\$900,000) to the delivery of some of the listed work packages, which requires a completion date of 31 May 2019. These work packages are a large portion of the main construction works, so therefore define a critical path for completion.

Planning for the overall completion of the Expansion Project originally considered a staged approach in order to minimise disturbance to current Centre operations. However, a number of factors now require that in order to advance the construction schedule, the Centre needs to be shut-down during the prime construction period, currently envisaged to be January to end of May 2019.

These factors for requiring the shut-down include the conditions around the State funding imposing a 31 May 2019 deadline, which triggers a need to accelerate the works program.

In addition, retaining a staged construction program exposes Council to unnecessary risks, as follows:

- safety in construction – having a large scale active construction site whilst retaining a community and employee interface elevates risks to those at the Centre
- delays to the construction program resulting from Centre operations and events
- contract variations and increased expenditure resulting from delayed or prevented access to construction or community interface areas

- extended disruption to the IndigiScapes Centre resulting in reputational damage and community disengagement
- withdrawal of State Government funding resulting from failure to meet designated completion dates

Based on these factors and driven by the timeline, the construction schedule, project budgeting and contingency arrangements have been developed to align accordingly to deliver the project.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

The project delivery is subject to relevant development approvals and workplace, health and safety requirements.

### **Risk Management**

As detailed in the Issues component of this report, in order to accommodate the completion date set by the State Government funding, opportunity exists to accelerate the current construction schedule to facilitate completion of the State Government works package by 31 May 2019.

Acceleration of the schedule is to be achieved with the temporary closure of the IndigiScapes Centre, to allow for the principal contractor, to deliver the construction program concurrently with unimpeded full site access.

Enabling unimpeded site access to the principal contractor will allow for concentrated delivery of contracted works in a more cost-effective way.

### **Financial**

The Indigiscapes Expansion Project has been allocated Council funds across 2017/18 and 2018/19 financial years, with additional State funding provided, subject to completion date conditions.

### **People**

The closure of IndigiScapes Centre results in a temporary disruption to both internal and external stakeholders.

Temporary closure of the IndigiScapes Centre results in additional stakeholder impacts during the closure period as follows:

#### Community

- disruption to some environmental extension services, including possible workshops and events (noting alternative options are available at other Council facilities during the shut-down period)
- prevention of access to gardens and walking trails during construction period
- closure of café, gift shop and hall hire
- disruption to community face to face interactions – plant identification/wildlife enquiries (noting alternative options will be available at other Council facilities during the shut-down period)

### Internal RCC officers

- potential disruption to delivery of daily operational requirements
- relocation of current Council officers located at Indigiscapes
- employee job reallocation for some Centre service staff, including café and centre operations personnel

To facilitate the least disruption, actions are currently underway for relocation of approximately 15 officers to other Council accommodation/facilities, and internal opportunities for remaining operational staff including temporary role reallocations and skill development.

A Change Management Plan and Internal/External Communications Plan have been developed to coordinate and manage potential identified issues and provide reassurance to affected stakeholders.

### **Environmental**

Standard construction environmental impacts as a result of construction activities will be managed by the project team and the principal contractor appointed for the redevelopment. Given the environmental values and natural bushland setting associated with the Indigiscapes Centre, high levels of environmental compliance on construction activities is a priority focus.

### **Social**

The refurbishment and upgrade of the IndigiScapes Centre continue to align with the identified benefits, as detailed in the original business case and Council resolution.

- Improve and enhance the visitor experience at IndigiScapes by improving facilities and experiences and increase recognition of IndigiScapes as an educational and recreational facility for the Redlands community.
- Provide appropriate accommodation for Council's Environment and Education Team staff at the IndigiScapes Centre.
- Capitalise on opportunities to increase visitation and utilisation of IndigiScapes flowing from the location of the Horizons development and other future developments within the City.

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

The IndigiScapes Expansion Project continues to align with:

- Natural Environment Policy - Statement 6 states:
- Work in partnership with the community through action-oriented collaboration, partnerships, and extension programs that empower landholders and the broader community as environmental stewards and citizen scientists.
- Council's Operational Plan 2018-2019 for a Healthy Natural Environment, by specifically delivering on Strategic Outcome 1.4 and Significant Activity 1.4.2:
  - 1.4 Visitors experience our natural assets through high standard facilities, trails, interpretation and low impact commercial ventures – the redevelopment being a significant activity for this outcome in 2018/19;

- 1.4.2 Continue to improve the customer experience at IndigiScapes by progressing construction of the IndigiScapes expansion.

### CONSULTATION

- Division 7 Councillor
- IndigiScapes Redevelopment Steering Committee members:
  - General Manager Community and Customer Services
  - General Manager Infrastructure and Operations
  - Chief Financial Officer
- Group Manager Communications, Engagement and Tourism
- Group Manager Project Delivery
- Indigiscapes Redevelopment Project Team
  - Design Services Manager
  - Construction Projects Service Manager
  - Service Manager Project Management
  - Finance Manager Business Partnerships
  - Principal Portfolio Management Advisor
  - External Funding Manager
  - Principal Senior Design Technician
  - Landscape Architect
  - IM Solutions Architect
  - Service Manager Business Information Systems

### OPTIONS

#### Option One

That Council resolves to note the Indigiscapes Expansion Project Update, including the requirement to close the Indigiscapes Centre temporarily to facilitate construction.

#### Option Two

That Council resolves to request additional information.

### COUNCIL RESOLUTION 2018/107

**Moved by:** Cr Murray Elliott

**Seconded by:** Cr Tracey Huges

**That Council resolves to note the Indigiscapes Expansion Project Update, including the requirement to close the Indigiscapes Centre temporarily to facilitate construction.**

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.



*IndigiScapes Southern Gardens*  
Landscape Concept Design

Revision A  
May 2018



*Redland City Council acknowledges the Traditional Owners of the Redlands, and pays respects to their Elders past, present and future, and their ongoing connection on and responsibilities in caring for Country. Redland City Council will continue to work with the Traditional Owners to achieve the aspirations outlined within this document.*

# 01 Context

The Southern Cultural Gardens is located within the Redlands IndigiScapes Centre in Alexandra Hills.

IndigiScapes is located on Runnymede Road and is nestled within a valley along a natural creek corridor. The IndigiScapes Centre has been built on old farming land and the grounds surrounding the visitor centre have been re-vegetated and designed to provide environmental education to the community.

IndigiScapes vision is to be an environmental education hub which specialises in local indigenous flora and fauna, sustainable living, and the wider Redland Bay area, in a family friendly natural bush setting. The IndigiScapes role, which links to The Redlands 2030 Community Plan, is to provide education on:

- Healthy and Natural Environment
- Green Living
- Embracing the bay

The Southern Gardens' concept is an opportunity to incorporate an indigenous culture overlay into the already IndigiScapes native gardens. When established it will incorporate indigenous culture into a form of 'cross cultural' experience for all visitors to the IndigiScapes Centre.

Council undertook a workshop with Elders on 9th May 2018 to introduce the garden and workshop ideas.

## Connections

Bordering the IndigiScapes site to the North is the Runnymede site. The Runnymede site has been recently developed and houses the 'myhorizon' and the IndigiScapes Nursery which is currently under construction.

The IndigiScapes Nursery directly adjoins the Southern gardens to the north and future connections between these sites should be considered within the design of the Southern Gardens.

Redland City Council are currently undertaking an renovation to the IndigiScapes Environmental Education & Visitor Centre. The renovation includes a new interpretive centre and theatre. There will exist an opportunity to connect the Southern Gardens and Visitor centre through displays and educational information.

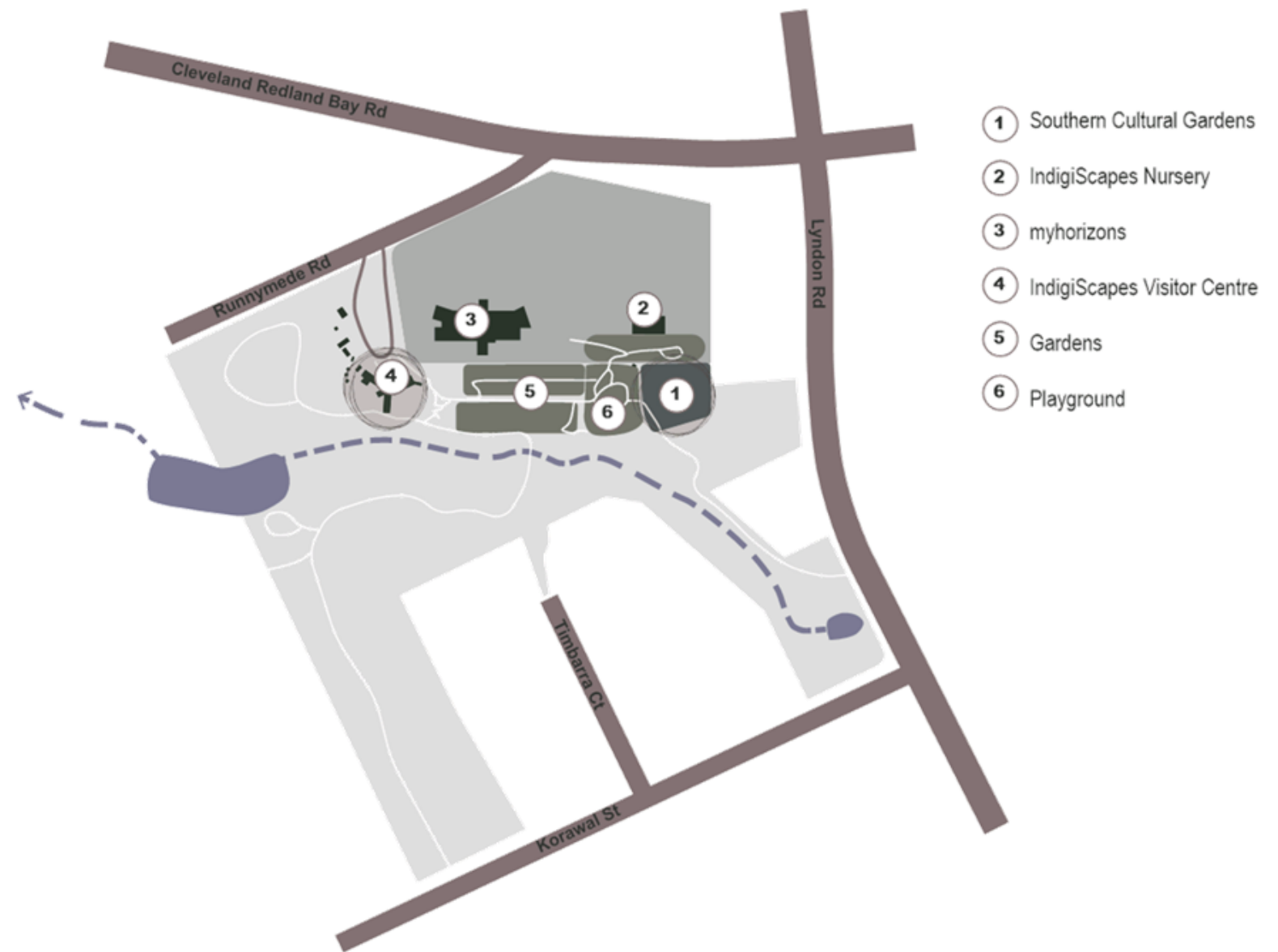


Fig 1. Context Plan



## 02 Vision

*The Southern Cultural Gardens will be a restorative place, connecting people to country. The meandering networks of pathways and interconnected spaces will create a sense of discovery and harmony with the land. The gardens will provide the community with an engaging landscape for respite, education and immersion in nature's diversity and beauty.*



### 03 Placemaking Themes

Key to the success of the gardens lies in creating a deep sense of attachment by the community.

The overarching theme 'Caring for Country' draws upon the indigenous ethos that land and culture are one and by looking after their country they are caring for their culture. The idea of 'caring for country' aligns with the IndigiScapes' ethos of environmental conservation and education.

To shape the way visitors and community experience the Southern Cultural Gardens the following placemaking themes have been developed:

- A web of connected and inclusive spaces
- A narrative of people, place and culture
- An interactive and sensitive natural environment

These themes have informed the design to create a unified and responsive outcome which extends on the core values of IndigiScapes.

The gardens like a living plant will grow and develop overtime. Future interventions should refer to the placemaking themes to ensure a rich and meaningful tapestry underpins the visitors experience of the gardens.



Fig 2 Placemaking Themes

## ***THEME 1***

### ***'a web of connected and inclusive spaces***

Spaces are intuitively connected to create a welcoming experiences for visitors to explore and discover the gardens. The design will deliver a garden that can be enjoyed by all in a peaceful setting. It will offer a series of spaces connected by a network of pathways that encourages exploration and discovery.



## THEME 2

### *'an interactive and sensitive natural environment'*

The design draws from the natural ebbs and flows of the site to create spaces and networks which will educate through all the five senses. Visitors will be invited to slow down and retreat from the hustle and bustle of life, to really engage with the space through a meandering pathway network of discovery. The gardens will ask visitors to look to the natural environment and see beyond the 'tree, the grass and the pathway' and instead embrace the connections between people and land to see 'The shelter, the food and the gathering space'.



### **THEME 3**

#### ***'a narrative of people place and culture'***

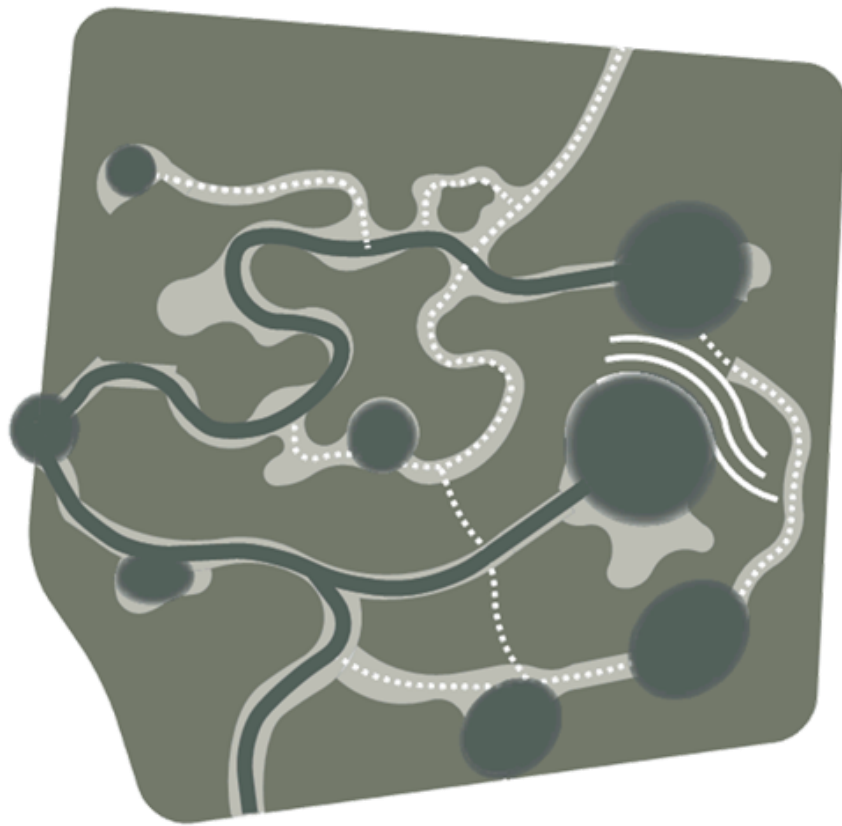
Artwork, storytelling and interpretive elements will be woven through the fabric of the gardens to provide a sense of stewardship, interaction and connection to the gardens. Visitors will be welcomed to 'return to nature' and experience the holistic frameworks of 'caring for country' of Indigenous culture, creating a 'cross cultural' experience for visitors to IndigiScapes.

All indigenous cultural elements should be developed in consultation with the Traditional Owners of the Redlands.

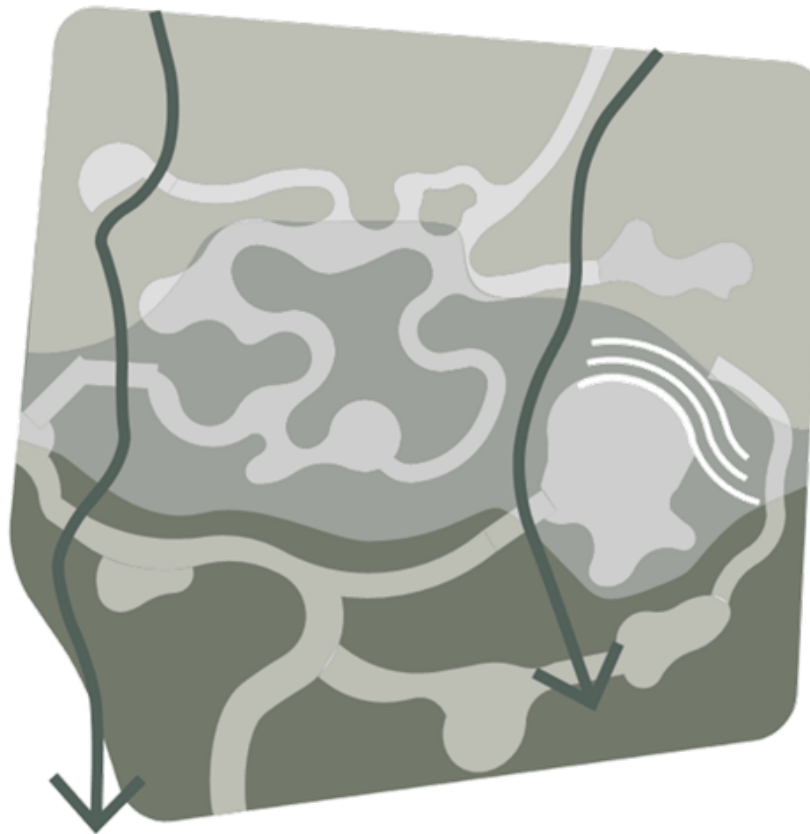


## 04 Design Principles

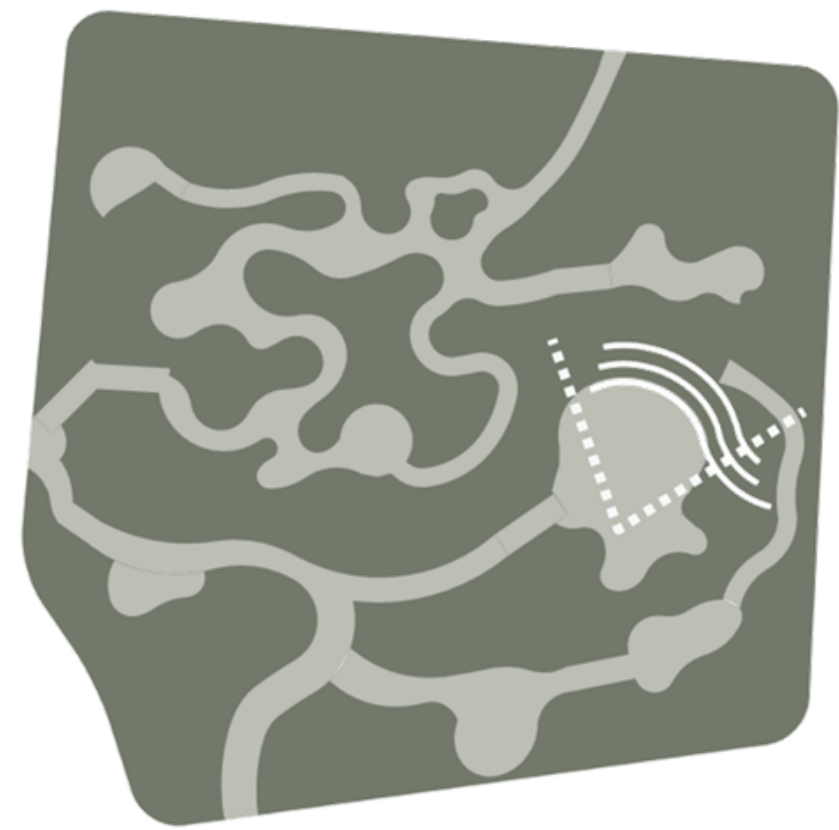
The following design principles draw from the placemaking themes to build and immersive experience of cultural interpretation and underpin the proposed concept design.



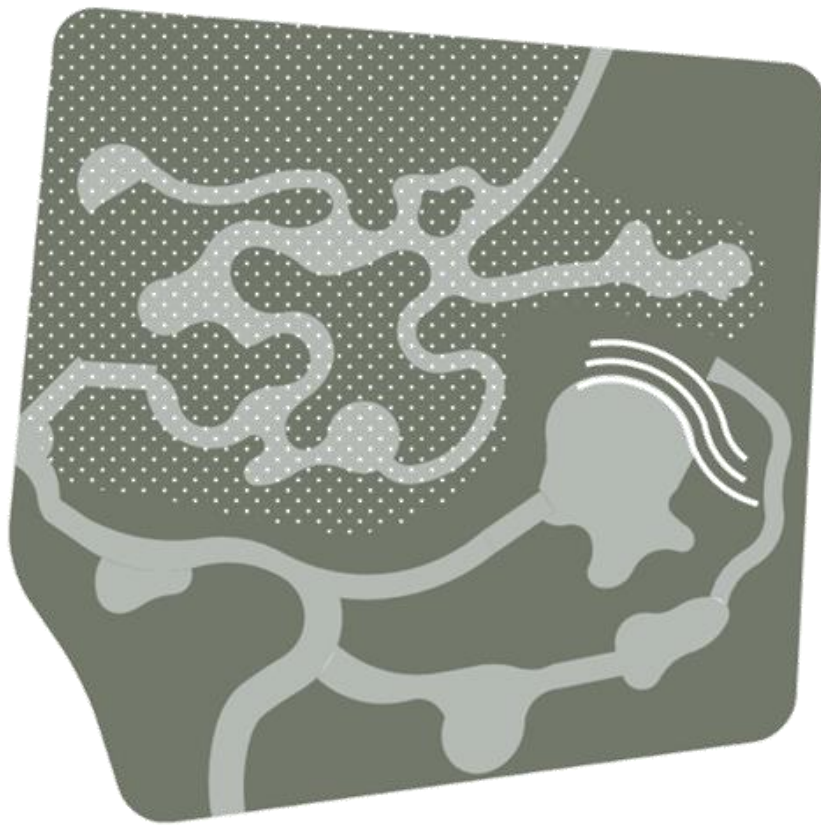
**Spatial Threads** - a network of meandering paths to create defined spaces set within the landscape that create pockets of discovery and wonder.



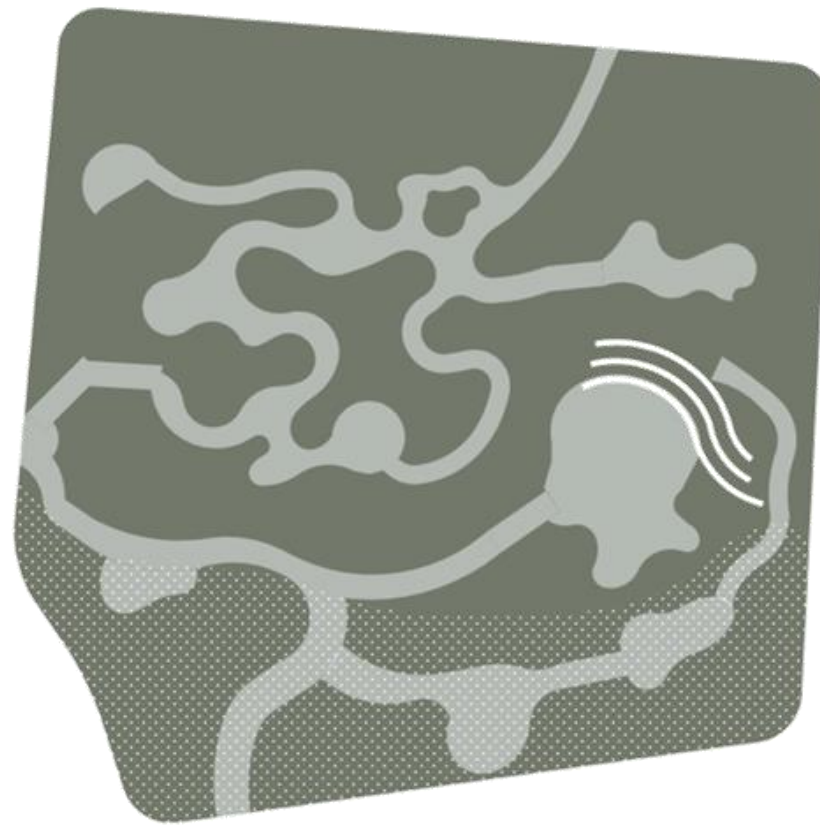
**Terraces** - Terraces sculpted from the landscape will address the steep slope of the land and provide equitable access to various elements through the gardens.



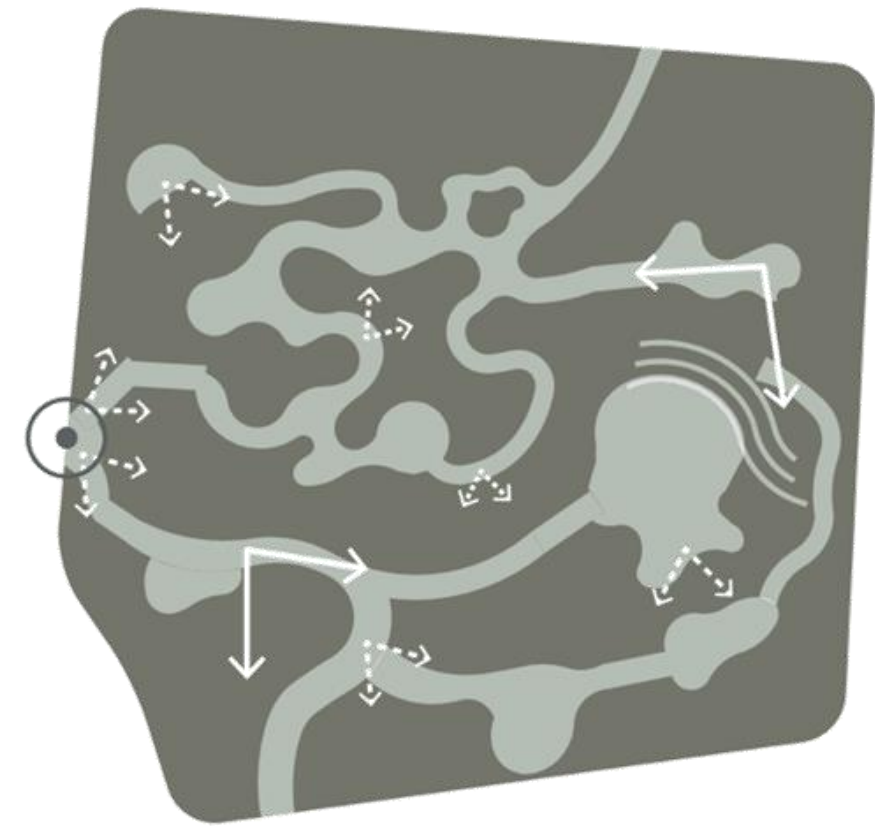
**Events Space** - Amphitheatre creates a space of spectacle and everyday recreation.



**Storytelling** - a delightful storytelling garden will enhance the experience of visitors. Meandering pathways, planting and artwork will provide a framework for storytelling of traditional indigenous stories.



**Lower Creek-lands** - Lower areas of the gardens will be open and provide opportunities to learn about traditional indigenous interactions with creeks and how they contribute to culture.



**Views** - A hierarchy of views and vistas will provide interest and delight. Minor glimpses of the pathway ahead will entice visitors to explore the gardens.

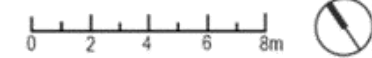
# 05 Landscape Concept Design





**KEY ELEMENTS**

- 1 WELCOME TO GARDENS - A space to welcome visitors to the gardens and acknowledge traditional owners.
- 2 STORYTELLING - Storytelling of traditional indigenous stories through planting and art.
- 3 MEANDERING PATHWAYS - Sense of discovery and wonder
- 4 FIRE PIT - Traditional indigenous fire space.
- 5 CREEKBEDS - A creek bed to address overland flow that provides opportunity to contemplate and relax.
- 6 AMPHITHEATRE - A event space at a scale appropriate for events.
- 7 CREEK-LAND - Existing space providing opportunity to highlight connection to creek and indigenous connection.
- 8 PROGRAMMABLE SPACES - Spaces which can be used to highlight and inform elements of cultural heritage and connection to country. I.e. Scar trees, traditional canoe, weaving etc.
- 9 CONTEMPLATIVE SPACES - Quiet spaces for rest and contemplation.
- 10 DISCOVERY PATHWAYS - to encourage exploration





## 06 Garden's Character & Details

The cohesion, integration and relationship of the following landscape components represent the richness of the landscape that will contribute to the overarching desired outcomes.

The design of individual components is intended to primarily offer amenity to users and instil a sense of uniqueness and quality into the landscape that draw inspiration from the natural and cultural environment.





## *Materiality*

Hardscape elements of the will be defined by earthy tones, leafy greens and rich textures, which will enhance the natural setting of the gardens. Materials such as stone, hardwood timber, organic and inorganic mulches and planting will be used in a variety of ways to create contrasting textures and interest.

The design and application of the material palette will be manageable from a maintenance perspective.

## Pathways

The hierarchy of the path network will be defined by materiality and dimension. Primary paths will be accessible and comfortably support higher volumes of usage and service vehicles. Secondary pathways are defined by a narrowing and more informal materiality such as decomposed granite. They connect to contemplative spaces and provide further opportunities for discover and immersion.

Discovery pathways are defined by informality and allow people to engage and immerse in the landscape encouraging exploration of the natural environment.



Major Pathways



Minor Pathways



Discovery Paths



## *Furniture & Elements*

A comprehensive and unifying natural landscape furniture suite will provide a distinctive character for the gardens. Furniture through the landscape will be minimal to ensure that it does not impede visually on sites natural setting. The furniture will:

- Use natural finishes such as hardwood, stone, weathered steel.
- Be sculpted to reflect natural forms and shapes.
- Ensure that all ages and capabilities are catered for.

## Planting

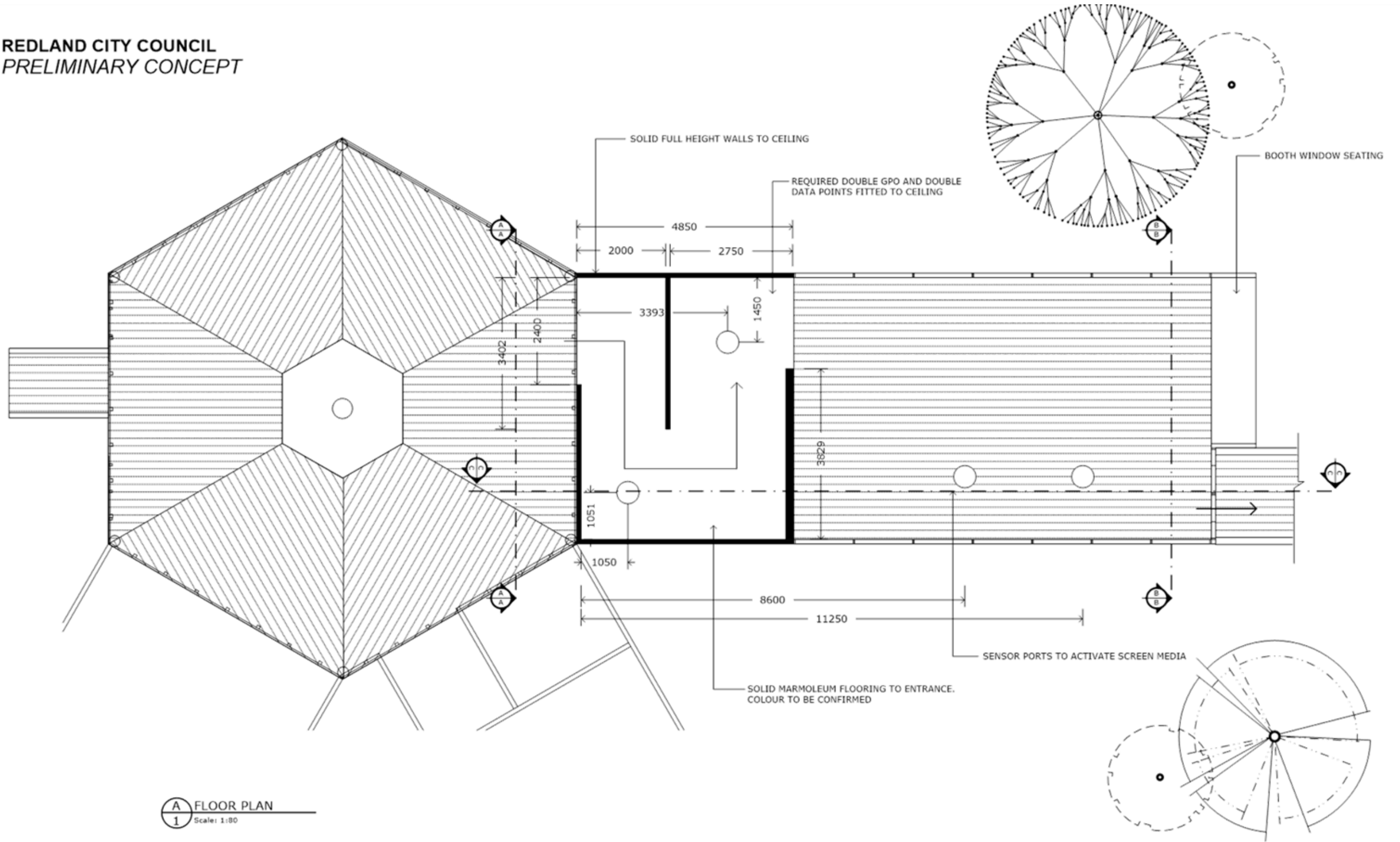
The planting will be a layering of native species that deliver textural and colour displays offering visitors visual interest and delight.

By layering the planting with storytelling and connections to cultural heritage it will help create a vibrant garden which reinforces connection to country.

Species to be work-shopped and developed in conjunction with Elders and IndigiScapes.



REDLAND CITY COUNCIL  
PRELIMINARY CONCEPT



**A** FLOOR PLAN  
1 Scale: 1:80



Project: INDIGISCAPE INTERPRETIVE CENTRE

Drawing: PLAN VIEW

Scale: A3

Revision: 1

Page: 1

Install Date: 30/04/2018

Stand# / Address:

Site:

City/Country:

Designer: JG

Production Manager: SD

Project Manager: KN

Workshop Builder:

Installer:

Checked by:

Date:

Client Contact: REDLANDS CITY COUNCIL

Client Approval: Date:

Job #: 1104

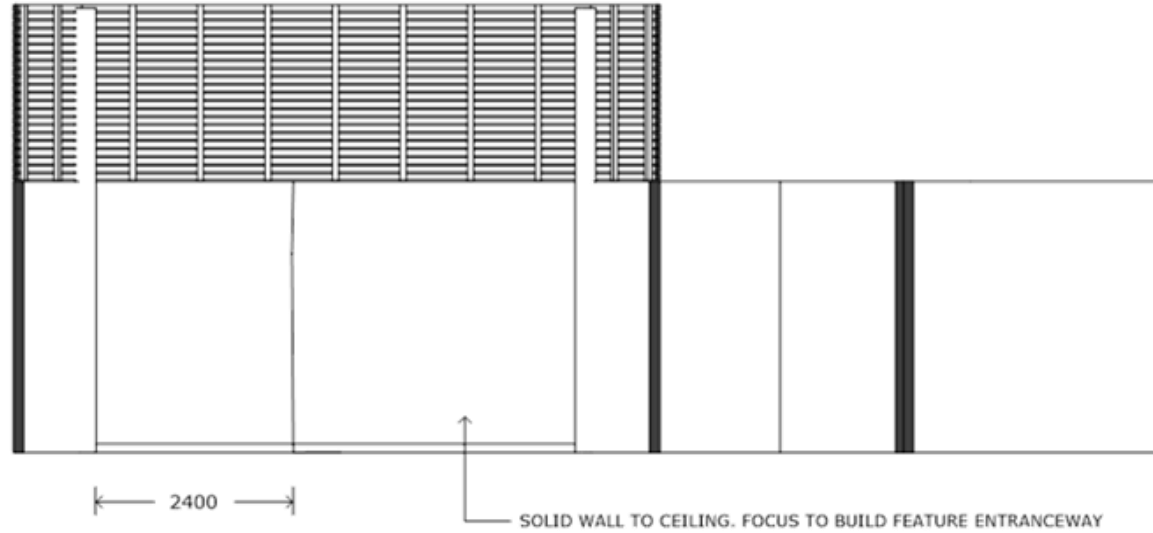
Date: 06/07/18

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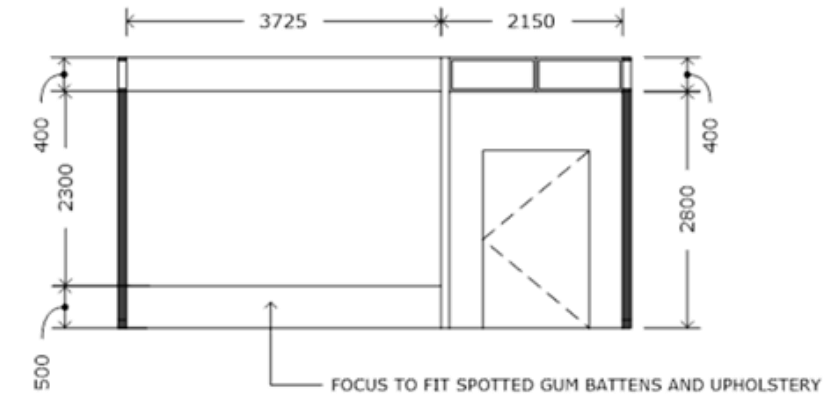




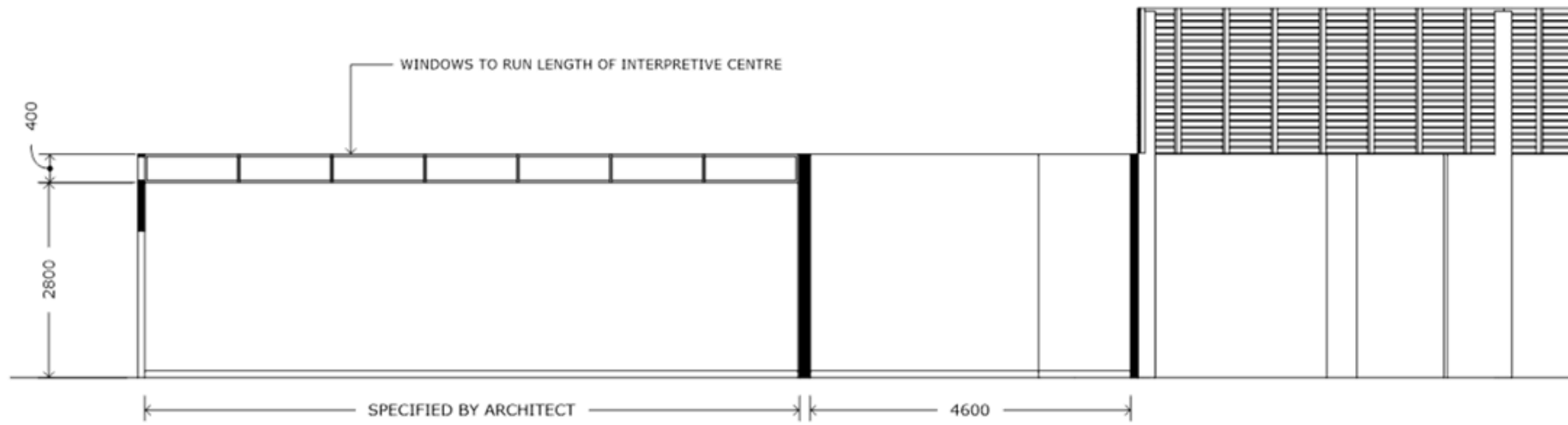
REDLAND CITY COUNCIL  
PRELIMINARY CONCEPT



**A** SECTION A-A  
2 Scale: 1:80



**A** SECTION B-B  
3 Scale: 1:80



**A** SECTION C-C  
4 Scale: 1:80



Project: INDIGISCAPE INTERPRETIVE CENTRE

Drawing: ELEVATIONS

Scale: A3

Revision: 1

Page: 2

Install Date: 30/04/2018

Stand# / Address:

Site:

City/Country:

Designer: JG

Production Manager: SD

Project Manager: KN

Workshop Builder:

Installer:

Checked by:

Date:

Client Contact: REDLANDS CITY COUNCIL

Client Approval: Date:

Job # 1104

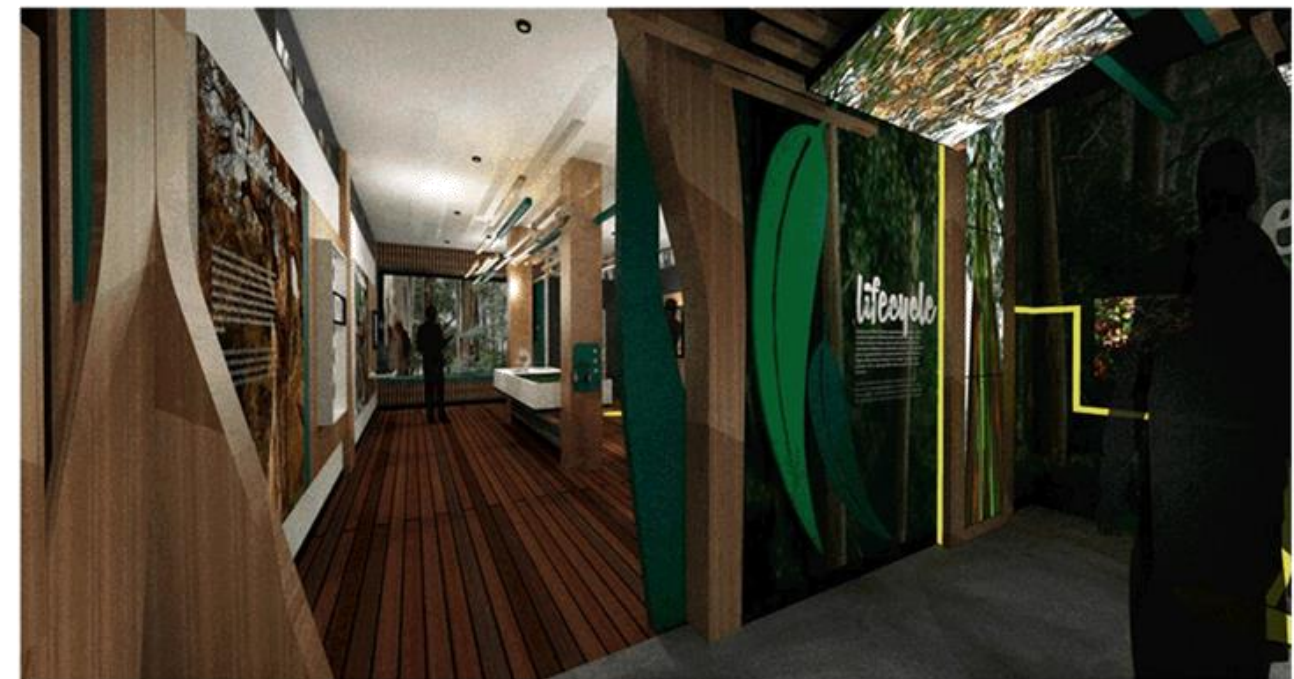
Date: 06/07/18

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	Project: INDIGISCAPE INTERPRETIVE CENTRE		Install Date: 30/04/2018		Designer: JG		Client Contact: REDLANDS CITY COUNCIL		COPYRIGHT 2017 FOCUS PRODUCTIONS PTY	
	Drawing: RENDER VIEWS		Stand# / Address:		Production Manager: SD		Client Approval: _____ Date: _____			
	Scale: A3	Revision: 1	Page: 3	Site:	City/Country:	Project Manager: KN	Checked by: _____ Date: _____	Job # 1104		



 <b>Redland CITY COUNCIL</b>		Project: INDIGISCAPE INTERPRETIVE CENTRE		Install Date: 30/04/2018		Designer: JG		Workshop Builder:		Client Contact: REDLANDS CITY COUNCIL	
		Drawing: RENDER VIEWS		Stand# / Address:		Production Manager: SD		Installer:		Client Approval: Date:	
Scale: A3	Revision: 1	Page: 4	Site:	City/Country:	Project Manager: KN	Checked by:	Date:	Job #: 1104	Date: 06/07/18	<small>COPYRIGHT 2017 FOCUS PRODUCTIONS PTY</small> <b>FOCUS</b> PRODUCTIONS	



		Project: INDIGISCAPE INTERPRETIVE CENTRE		Install Date: 30/04/2018		Designer: JG		Workshop Builder:		Client Contact: REDLANDS CITY COUNCIL	
		Drawing: RENDER VIEWS		Stand# / Address:		Production Manager: SD		Installer:		Client Approval: Date:	
Scale: A3		Revision: 1		Page: 5		Site: City/Country:		Project Manager: KN		Checked by: Date:	
										Job # 1104 Date: 06/07/18	

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**14      REPORTS FROM INFRASTRUCTURE & OPERATIONS**

Nil

**15      MAYORAL MINUTE**

Nil

**16      NOTICES OF MOTION TO REPEAL OR AMEND A RESOLUTION**

Nil

**17      NOTICES OF MOTION**

Nil

**18      URGENT BUSINESS WITHOUT NOTICE**

**19 CONFIDENTIAL ITEMS****19.1 NORTH STRADBROKE ISLAND - ECONOMIC TRANSITION STRATEGY PROJECT 13 - SIGNAGE****COUNCIL RESOLUTION 2018/108**

Moved by: Cr Peter Mitchell

Seconded by: Cr Paul Bishop

That Council resolves to:

1. prepare a Tender Consideration Plan under section 230(1) of the *Local Government Regulation 2012* for the design and installation of two Quandamooka-inspired township entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island, funded by the State Government's North Stradbroke Island Economic Transition Strategy and led by Redland City Council;
2. adopt Tender Consideration Plan (Attachment 1);
3. delegate authority to the Chief Executive Officer (CEO), under section 257(1)(b) of the *Local Government Act 2009* to make, vary and discharge the resulting contract, and sign all relevant documentation; and
4. retain this report as confidential, until it has been assessed for release in accordance with the public interest pursuant to the factors identified in the *Right to Information Act 2009*.

**CARRIED 10/1**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges and Paul Bishop voted FOR the motion.

Cr Paul Gleeson voted AGAINST the motion.

**19.2 SHORELINE - SEWER SERVICING STRATEGY****COUNCIL RESOLUTION 2018/109**

Moved by: Cr Murray Elliott

Seconded by: Cr Julie Talty

That Council resolves to:

1. advise the applicant that its preferred location for the wastewater treatment plant is the Shoreline private site;
2. advise the applicant that its preference is that the wastewater treatment plant is sized and designed to cater for the sub-regional catchment;
3. note that this resolution is subject to completion of a future Infrastructure Agreement between Redland City Council and the proponent(s), which will be presented to Council prior to execution; and
4. retain this report and attachments as confidential until an Infrastructure Agreement referenced in point 3 is executed by Council's delegate.

**CARRIED 8/3**

Crs Karen Williams, Peter Mitchell, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges and Paul Gleeson voted FOR the motion.

Crs Wendy Boglary, Paul Gollè and Paul Bishop voted AGAINST the motion.

**19.3 DELEGATED AUTHORITY - WATER AND WASTEWATER REGULATORY COMPLIANCE MONITORING SERVICES**

**COUNCIL RESOLUTION 2018/110**

Moved by: Cr Murray Elliott

Seconded by: Cr Mark Edwards

That Council resolves as follows:

1. To delegate authority to the Chief Executive Officer, under section 257(1)(b) of the *Local Government Act 2009*, to enter into a Schedule of Rates Contract over \$2,000,000 with the preferred supplier and to negotiate, make, vary and discharge the contract Q-1774-1516 RWW Water Sample Analysis in accordance with the agreed contract terms and conditions, and sign all relevant documentation; and
2. That this report remains confidential until the contract is awarded and details published in accordance with legislative requirements, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

**CARRIED 11/0**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

**20 MEETING CLOSURE**

The Meeting closed at 10.05am.

The minutes of this meeting were confirmed at the General Meeting held on 22 August 2018.

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**CHAIRPERSON**