

Redland
CITY COUNCIL

AGENDA

GENERAL MEETING

Wednesday, 19 April 2023
commencing at 9:30am

The Council Chambers
91 - 93 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

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

Recognition of the Traditional Owners

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

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

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

3 DEVOTIONAL SEGMENT

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

4 RECOGNITION OF ACHIEVEMENT

Mayor to present any recognition of achievement items.

5 RECEIPT AND CONFIRMATION OF MINUTES

General Meeting - 15 March 2023.

6 DECLARATION OF PRESCRIBED CONFLICT OF INTERESTS AND DECLARABLE CONFLICT OF INTERESTS

Councillors are reminded of their responsibilities in relation to a Councillor's Prescribed Conflict of Interest and Declarable Conflict of Interest at a meeting. For full details see Chapter 5B of the *Local Government Act 2009*.

In summary:

Obligation of Councillor with Prescribed Conflict of Interest

Section 150EL of the *Local Government Act 2009* requires Councillors to declare a Prescribed Conflict of Interest in a matter as soon as they become aware of their interest in the matter, either:

- (1) *at a local government meeting, or*
- (2) *as soon as practicable, by giving the Chief Executive Officer written notice of the prescribed conflict of interest.*
- (3) The declaration must include the following particulars:
 - (a) *For a gift, loan or contract – the value of the gift, loan or contract;*
 - (b) *For an application for which a submission has been made – the matters the subject of the application and submission;*
 - (c) *The name of any entity, other than the Councillor, that has an interest in the matter;*
 - (d) *The nature of the Councillor's relationship with the entity mentioned in (c) above;*
 - (e) *Details of the Councillor's, and any other entity's, interest in the matter.*

Dealing with Prescribed Conflict of Interest at a Meeting

Pursuant to Section 150EM of the *Local Government Act 2009*, if a Councillor declares a Prescribed Conflict of Interest in a matter, ***the Councillor must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is discussed and voted on.***

Obligation of Councillor with Declarable Conflict of Interest

Section 150EQ of the *Local Government Act 2009* requires Councillors to declare a Declarable Conflict of Interest in a matter as soon as they become aware of their interest in the matter, either:

- (1) *at a local government meeting, or*
- (2) *as soon as practicable, by giving the Chief Executive Officer written notice of the declarable conflict of interest.*
- (3) The declaration must include the following particulars:
 - (a) *The nature of the declarable conflict of interest;*
 - (b) *If the declarable conflict of interest arises because of the councillor's relationship with a related party:*
 - (i) *The name of the related party; and*
 - (ii) *The nature of the relationship of the related party to the Councillor; and*
 - (iii) *The nature of the related party's interests in the matter;*

(c) *If the Councillor's or related party's personal interests arise because of the receipt of a gift or loan from another person:*

- (i) The name of the other person; and*
- (ii) The nature of the relationship of the other person to the Councillor or related party; and*
- (iii) The nature of the other person's interests in the matter; and*
- (iv) The value of the gift or loan, and the date the gift was given or loan was made.*

Procedure if Councillor has Declarable Conflict of Interest

Pursuant to Section 150ES of the *Local Government Act 2009*, eligible Councillors at the meeting must, by resolution, decide whether the Councillor who has declared the interest:

- (1) May participate in a decision about the matter at the meeting, including by voting on the matter; or*
- (2) Must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the eligible Councillors discuss and vote on the matter.*

Duty to report another Councillor's Prescribed Conflict of Interest or Declarable Conflict of Interest

Pursuant to section 150EW of the *Local Government Act 2009*, a Councillor who reasonably believes or reasonably suspects another Councillor has a Prescribed Conflict of Interest or a Declarable Conflict of Interest in a matter must:

- (1) Immediately inform the person who is presiding at the meeting about the belief or suspicion; or*
- (2) As soon as practicable, inform the Chief Executive Officer of the belief or suspicion.*

The Councillor must also inform the person presiding, or the Chief Executive Officer, of the facts and circumstances forming the basis of the belief or suspicion.

Record of Prescribed and Declarable Conflicts of Interest

Where a Councillor informs the meeting of a Prescribed or Declarable Conflict of Interest, section 150FA of the *Local Government Act 2009* requires the following information to be recorded in the minutes of the meeting:

- (1) The name of the Councillor who may have a prescribed or declarable conflict of interest in the matter;*
- (2) The particulars of the prescribed or declarable conflict of interest;*
- (3) If another Councillor informs the meeting of a belief of suspicion, about another Councillor's Conflict of Interest:*
 - (a) The action the Councillor takes;*
 - (b) Any decision by eligible Councillors; and*
 - (c) The name of each eligible Councillor who voted in relation to whether the Councillor has a declarable conflict of Interest, and how each eligible Councillor voted.*
- (4) Whether the Councillor participated in deciding the matter, or was present for deciding the matter;*
- (5) For a matter to which the Prescribed or Declarable Conflict of Interest relates:*
 - (a) The name of the Councillor who has declared the conflict of interest;*

- (b) The nature of the personal interest, as described by the Councillor;*
 - (c) The decision made;*
 - (d) Whether the Councillor participated in the meeting under an approval by the Minister;*
 - (e) If the Councillor voted on the matter, how they voted; and*
 - (f) How the majority of Councillors voted on the matter.*
- (6) If the Councillor has a Declarable Conflict of Interest, in addition to the information above, the following information must be recorded in the minutes:
- (a) The decision and reasons for the decision as to whether the Councillor with the Declarable Conflict of Interest may participate in the decision, or must not participate in the decision; and
 - (b) The name of each eligible Councillor who voted on the decision, and how the eligible Councillor voted.

7 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETINGS

7.1 NOTICE OF MOTION - INVESTIGATION INTO LOCATION FOR WILDLIFE HOSPITAL

At the General Meeting 15 June 2022 (Item 17.1 refers), Council resolved as follows:

- 1. To note and acknowledge the work of Council over a number of years in regard to the situation of a wildlife hospital, as well as the ongoing investigations being undertaken through Council to identify appropriate locations for a wildlife hospital, which may attract private investment within the Redland Local Government Area.*
- 2. To support the ongoing discussions on this matter with stakeholders in this endeavour and to have a workshop provided to Councillors by 16 November 2022 and a report back to Council as to the outcome of those discussions.*

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

7.2 NOTICE OF MOTION - CR ADELIA BERRIDGE - REQUEST FOR ELECTED REPRESENTATIVES TO UNDERGO REGULAR DRUG & ALCOHOL TESTING

At the General Meeting 25 January 2023 (Item 18.1 refers), Council resolved as follows:

That Council resolves, following the finalisation of the updates to the Employee Drug & Alcohol Guideline and Procedures, that a similar Drug and Alcohol Policy be developed specifically for Councillors and brought back to Council for a decision prior to 30 June 2023.

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

7.3 SUBORDINATE LOCAL LAW NO. 4 (LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES AND ROADS) 2015) 2023 COMMUNITY CONSULTATION

At the General Meeting 15 February 2023 (Item 13.3 refers), Council resolved as follows:

That in accordance with Council's Local Law-Making Process adopted on 20 March 2019; pursuant to section 29 of the Local Government Act 2009, Council resolves as follows:

- 1. To receive and note the Community Consultation Feedback Review (Attachment 3) of this report.*
- 2. To request officers provide Councillors with a detailed briefing of the proposed changes, discuss concerns including pedestrian and rider safety, infrastructure requirements and solutions at a Councillor workshop to be held on 13 March 2023.*
- 3. To request officers to bring back a further report to a future General Meeting with recommendations and the amended Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015 to a future meeting of Council.*

A report will be brought to a future meeting of Council addressing dot point 3 above.

7.4 LOCAL GOVERNMENT INFRASTRUCTURE DESIGNATION CONSULTATION STRATEGY FOR THE BIRKDALE COMMUNITY PRECINCT

At the General Meeting 15 March 2023 (Item 14.3 refers), Council resolved as follows:

That Council resolves as follows:

- 1. To endorse the Birkdale Community Precinct Local Government Infrastructure Designation Consultation Strategy as outlined in Attachment 1.*
- 2. To note that the consultation period will be undertaken for a period of 20 business days from Friday 21 April 2023 to Monday 22 May 2023.*
- 3. That a report will be brought to a future meeting of Council to consider submissions made during the Local Government Infrastructure Designation statutory consultation period.*

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

7.5 NOTICE OF MOTION - CR PAUL GOLLÈ - KOALA CONSERVATION AND CITY PLAN

At the General Meeting 15 March 2023 (Item 18.1 refers), Council resolved as follows:

That Council resolves as follows:

1. *To undertake an urgent review regarding options to provide an enhanced level of statutory planning protections to individual koala habitat and food trees (based on species type and size) within the area identified as the 'Thornlands Koala Safe Neighbourhood', and in particular on Fitzroy Street, in the Koala Conservation Plan 2022-2027.*
2. *To request officers undertake the following:*
 - a) *Prepare a report to Council outlining the findings of the review, as well as recommended changes to City Plan by the end of June 2023.*
 - b) *Prepare a major amendment pursuant to Part 4 of the Minister's Guidelines and Rules under the Planning Act 2016, if required, incorporating the proposed changes to City Plan as supported by Council by the end of September 2023.*

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

7.6 NOTICE OF MOTION - CR WENDY BOGLARY - HEINEMANN ROAD SPORTS PRECINCT

At the General Meeting 15 March 2023 (Item 18.2 refers), Council resolved as follows:

That Council resolves as follows:

- 1. To provide a public report for councillors at the July 2023 General Meeting that contains information relating to the increase in costs of Stage 1 Heinemann Road Sports Precinct.*
- 2. To provide Councillors with a copy of the Initial Heinemann Road Sports Precinct Masterplan and an outline of how it has evolved to determine the final detailed design for Stage 1 and delivery timeframes.*
- 3. To provide a general scope of works for Stage 2 excluding costings due to potential commercial confidentiality, and recognising that Stage 2 delivery timing is subject to future budget decisions and long-term financial planning*

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

8 MAYORAL MINUTE

In accordance with s.6.9 of Council Meeting Standing Orders, the Mayor may put to the meeting a written motion called a 'Mayoral Minute', on any matter. Such motion may be put to the meeting without being seconded, may be put at that stage in the meeting considered appropriate by the Mayor and once passed becomes a resolution of Council.

9 PUBLIC PARTICIPATION

In accordance with s.6.10 Council Meeting Standing Orders:

1. In each meeting (other than special meetings), a period of 15 minutes may be made available by resolution to permit members of the public to address the local government on matters of public interest relating to the local government. This period may be extended by resolution.
2. Priority will be given to members of the public who make written application to the CEO no later than 4.30pm two days before the meeting. A request may also be made to the chairperson, when invited to do so, at the commencement of the public participation period of the meeting.
3. The time allocated to each speaker shall be a maximum of five minutes. The chairperson, at his/her discretion, has authority to withdraw the approval to address Council before the time period has elapsed.
4. The chairperson will consider each application on its merits and may consider any relevant matter in his/her decision to allow or disallow a person to address the local government, e.g.
 - a) Whether the matter is of public interest;
 - b) The number of people who wish to address the meeting about the same subject
 - c) The number of times that a person, or anyone else, has addressed the local government previously about the matter;
 - d) The person's behaviour at that or a previous meeting; and
 - e) If the person has made a written application to address the meeting.
5. Any person invited to address the meeting must:
 - a) State their name and suburb, or organisation they represent and the subject they wish to speak about;
 - b) Stand (unless unable to do so);
 - c) Act and speak with decorum;
 - d) Be respectful and courteous; and
 - e) Make no comments directed at any individual Council employee, Councillor or member of the public, ensuring that all comments relate to Council as a whole.

10 PETITIONS AND PRESENTATIONS**10.1 PETITION - CR WENDY BOGLARY - REQUEST FOR YELLOW LINE MARKING OUTSIDE ORMISTON RISE RETIREMENT VILLAGE****Objective Reference: A7406062****Attachments: Nil**

In accordance with s.6.11 of Council Meeting Standing Orders, Cr Wendy Boglary will present the petition and motion as follows:

That the petition is of an operational nature and be received and referred to the Chief Executive Officer for consideration.

11 MOTION TO ALTER THE ORDER OF BUSINESS

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

12 REPORTS FROM THE OFFICE OF THE CEO

Nil.

13 REPORTS FROM ORGANISATIONAL SERVICES

13.1 MARCH 2023 MONTHLY FINANCIAL REPORT

Objective Reference: A7443243

Authorising Officer: Deborah Corbett-Hall, Executive Group Manager Financial Services & Chief Financial Officer

Responsible Officer: Deborah Corbett-Hall, Executive Group Manager Financial Services & Chief Financial Officer

Report Author: Udaya Panambala Arachchilage, Corporate Financial Reporting Manager

Attachments: 1. March 2023 Monthly Financial Report [↓](#)

PURPOSE

To note the year to date financial results as at 31 March 2023.

BACKGROUND

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

ISSUES

Interim audit 2022-2023

During March 2023, Bentleys, on behalf of Queensland Audit Office, conducted the 2022-2023 interim audit. As per previous years, this visit affords the opportunity for interim reviews to be undertaken on Council's systems and controls. The interim management report will be reviewed as part of the 2022-2023 year-end audit.

Monitoring of the capital program progress

As mentioned in the risk management section below, the Executive Leadership Team reviews the progress of the capital program on a regular basis. The global pandemic and emerging world conditions have played a role in the procurement lead time, availability of contractors and price of materials. Constant focus, review and mitigation where possible is occurring by the organisation's senior leaders and these factors are considerations when management reviews the organisation risk registers.

Development of Budget 2023-2024

Council officers are currently compiling submissions for the 2023-2024 annual budget.

STRATEGIC IMPLICATIONS

Council has either achieved or favourably exceeded the following key financial stability and sustainability ratios as at the end of March 2023.

- Operating surplus ratio
- Net financial liabilities
- Level of dependence on general rate revenue
- Ability to pay our bills – current ratio

- Ability to repay our debt – debt servicing ratio
- Cash balance
- Cash balances – cash capacity in months
- Longer term financial stability – debt to asset ratio
- Operating performance
- Interest coverage ratio

The asset sustainability ratio did not meet the target at the end of March 2023 and continues to be a stretch target for Council with renewal spends of \$21.61M and depreciation expense of \$47.11M year to date on infrastructure assets. This ratio is an indication of how Council currently maintains, replaces and renews its existing infrastructure assets as they reach the end of their useful lives. Capital spend on non-renewal projects increases the asset base and therefore increases depreciation expense, resulting in a lower asset sustainability ratio.

Council's Capital Portfolio Prioritisation Administrative Directive demonstrates its commitment to maintaining existing infrastructure and the adoption of a renewal strategy for its existing assets ahead of 'upgrade' and/or 'new' works.

Legislative Requirements

The March 2023 financial report is presented in accordance with the legislative requirement of section 204(2) of the *Local Government Regulation 2012*, requiring the Chief Executive Officer to present the financial report to a monthly Council meeting.

Risk Management

The March 2023 financial report has been noted by the Executive Leadership Team and relevant officers who can provide further clarification and advice around actual to budget variances.

Financial

There is no direct financial impact to Council as a result of this report, however it provides an indication of financial outcomes at the end of March 2023.

People

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

Environmental

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

Social

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

Human Rights

There are no human rights implications for this report as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

Alignment with Council's Policy and Plans

This report has a relationship with the following items of Council's *Our Future Redlands – A Corporate Plan to 2026 and Beyond*:

Efficient and effective organisation objectives

- 7.1 Improve the efficiency and effectiveness of Council's service delivery to decrease costs and enhance customer experience and community outcomes.
- 7.4 Demonstrate good governance through transparent, accountable processes and sustainable practices and asset management.

CONSULTATION

Consulted	Date	Comment
Council departmental officers	Year to date 31 March 2023	Consulted on financial results and outcomes
Financial Services Group officers	Year to date 31 March 2023	Consulted on financial results and outcomes
Executive Leadership Team and Senior Leadership Team	Year to date 31 March 2023	Recipients of variance analysis between actual and budget. Consulted as required

OPTIONS

Option One

That Council resolves to note the financial position, results and ratios for March 2023 as presented in the attached Monthly Financial Report.

Option Two

That Council resolves to request additional information.

OFFICER'S RECOMMENDATION

That Council resolves to note the financial position, results and ratios for March 2023 as presented in the attached Monthly Financial Report.



Monthly Financial Report

March 2023



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1. EXECUTIVE SUMMARY

This monthly report illustrates the financial performance and position of Redland City Council compared to its adopted budget at an organisational level for the period ended 31 March 2023. The year to date annual revised budget referred to in this report incorporates the changes from the budget review adopted by Council on 15 February 2023.

Key Financial Highlights and Overview

Key Financial Results (\$000)	Annual Revised Budget	YTD Budget	YTD Actual	YTD Variance	YTD Variance %	Status Favourable ✓ Unfavourable ✗
Operating Surplus / (Deficit)	105	7,796	19,915	12,119	155%	✓
Recurrent Revenue	334,268	249,581	251,489	1,908	1%	✓
Recurrent Expenditure	334,163	241,785	231,574	(10,211)	-4%	✓
Capital Works Expenditure	126,390	78,150	48,390	(29,760)	-38%	✓
Closing Cash & Cash Equivalents	221,056	239,931	249,139	9,208	4%	✓

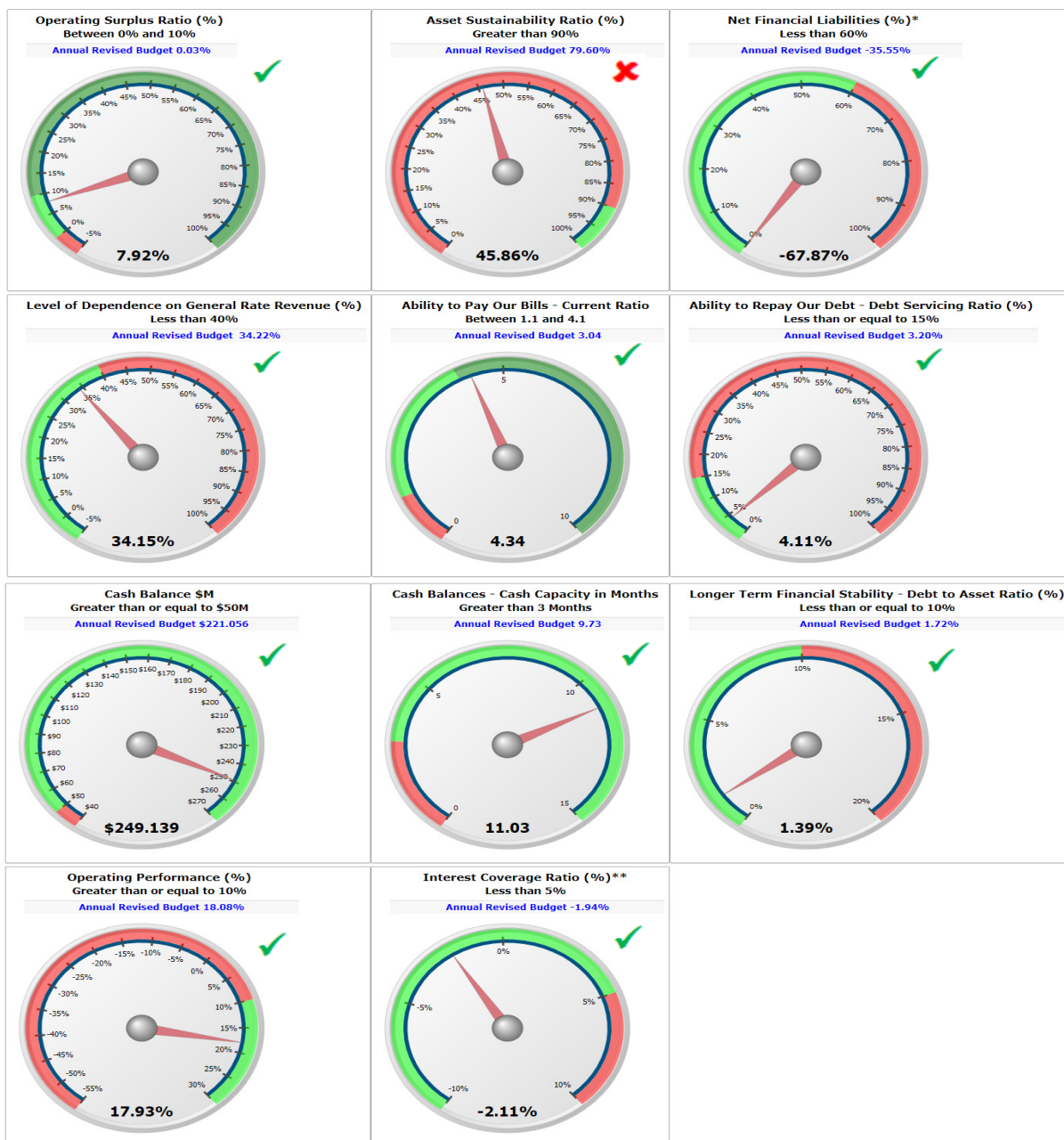
Council reported a year to date operating surplus of \$19.92M which is favourable to budget by \$12.12M. This is mainly due to lower than budgeted materials and services expenses, employee costs and depreciation, combined with higher than budgeted fees, levies & utility charges and interest revenue, offset by lower than expected grants, subsidies and contributions.

Council's capital works expenditure is below budget by \$29.76M due to timing of works for a number of infrastructure projects.

Council's cash balance is ahead of budget mainly due to lower than budgeted payments for property, plant and equipment partially offset by higher than budgeted payment to suppliers and lower than anticipated receipts from capital grants, subsidies and contributions. Constrained cash reserves represent 48% of the cash balance.

2. KEY PERFORMANCE INDICATORS

■ Target met
 ■ Target exceeded
 ■ Target not met



* The net financial liabilities ratio is negative as current assets are greater than total liabilities

** The interest coverage ratio is negative as interest revenue is greater than interest expense

3. STATEMENT OF COMPREHENSIVE INCOME

STATEMENT OF COMPREHENSIVE INCOME					
For the period ending 31 March 2023					
	Annual	Annual	YTD	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Budget \$000	Actual \$000	Variance \$000
Recurrent revenue					
Rates charges	117,211	118,058	88,618	88,630	12
Levies and utility charges	177,511	177,620	134,450	135,745	1,295
Less: Pensioner remissions and rebates	(3,661)	(6,773)	(5,866)	(5,847)	19
Fees	18,412	17,779	13,218	14,600	1,382
Rental income	1,140	1,140	884	953	69
Interest received	4,196	7,909	5,700	6,437	737
Sales revenue	3,989	5,029	3,789	3,873	84
Other income	465	3,719	3,595	3,862	267
Grants, subsidies and contributions	9,053	9,786	5,193	3,236	(1,957)
Total recurrent revenue	328,316	334,268	249,581	251,489	1,908
Recurrent expenses					
Employee benefits	101,228	102,296	76,207	73,502	(2,705)
Materials and services	160,436	161,135	112,607	107,065	(5,542)
Finance costs	1,980	1,980	1,423	1,410	(13)
Depreciation and amortisation	70,578	70,578	52,938	51,047	(1,891)
Other expenditure	525	525	383	380	(3)
Net internal costs	(2,314)	(2,352)	(1,773)	(1,830)	(57)
Total recurrent expenses	332,434	334,163	241,785	231,574	(10,211)
OPERATING SURPLUS / (DEFICIT)	(4,118)	105	7,796	19,915	12,119
Capital revenue					
Grants, subsidies and contributions	39,249	35,760	19,788	9,853	(9,935)
Non-cash contributions	2,250	2,250	359	-	(359)
Total capital revenue	41,499	38,010	20,147	9,853	(10,294)
Capital expenses					
(Gain) / loss on disposal of non-current assets	289	289	170	1,987	1,817
Total capital expenses	289	289	170	1,987	1,817
TOTAL INCOME	369,815	372,278	269,728	261,342	(8,386)
TOTAL EXPENSES	332,722	334,452	241,955	233,561	(8,394)
NET RESULT	37,093	37,826	27,773	27,781	8
Other comprehensive income / (loss)					
Items that will not be reclassified to a net result					
Revaluation of property, plant and equipment	-	-	-	-	-
TOTAL COMPREHENSIVE INCOME	37,093	37,826	27,773	27,781	8

3. STATEMENT OF COMPREHENSIVE INCOME - CONTINUED

LEVIES AND UTILITY CHARGES ANALYSIS

For the period ending 31 March 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Levies and utility charges					
Refuse collection rate charge	33,206	33,206	24,885	24,658	(227)
SES separate charge	500	500	375	375	-
Environment & Coastal Management Separate Charge	11,762	11,771	8,822	8,808	(14)
Separate charge landfill remediation	3,545	3,545	2,655	2,652	(3)
Wastewater charges	53,189	53,289	40,042	40,516	474
Water access charges	21,740	21,740	16,305	16,325	20
Water consumption charges	53,569	53,569	41,366	42,411	1,045
Total levies and utility charges	177,511	177,620	134,450	135,745	1,295

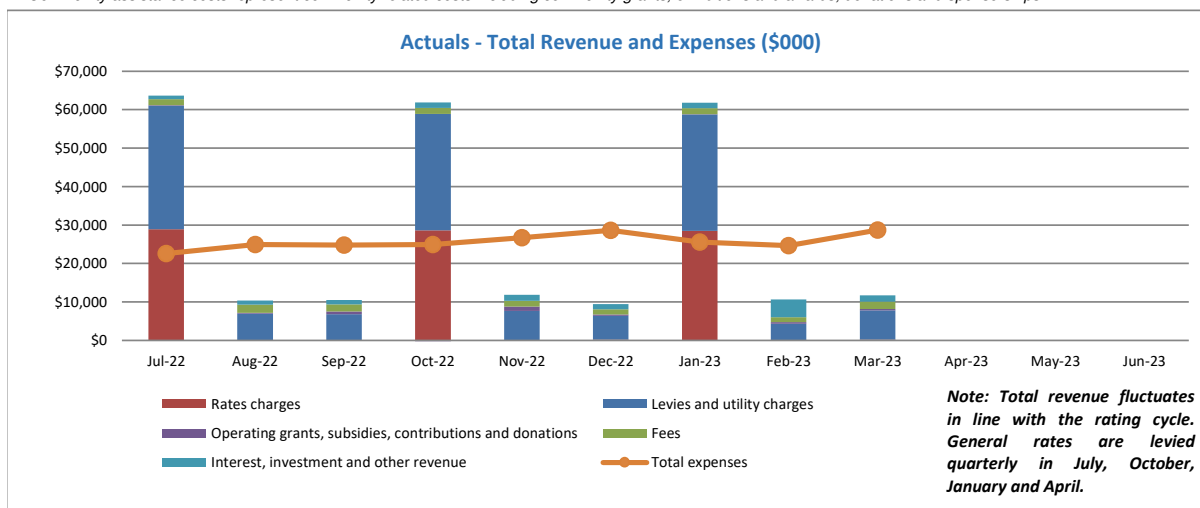
MATERIALS AND SERVICES ANALYSIS

For the period ending 31 March 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Materials and services					
Contractors	39,275	42,634	26,035	24,574	(1,461)
Consultants	5,435	5,977	4,026	2,918	(1,108)
Other Council outsourcing costs*	33,279	27,753	19,507	19,259	(248)
Purchase of materials	56,766	57,705	42,864	42,161	(703)
Office administration costs	7,181	7,337	5,495	4,737	(758)
Electricity charges	5,921	5,863	4,391	3,955	(436)
Plant operations	3,682	3,791	2,824	3,171	347
Information technology resources	4,493	5,848	4,554	3,743	(811)
General insurance	1,785	1,639	1,229	1,208	(21)
Community assistance**	1,975	1,945	1,204	900	(304)
Other material and service expenses	644	643	478	439	(39)
Total materials and services	160,436	161,135	112,607	107,065	(5,542)

* Other Council outsourcing costs are various outsourced costs including refuse collection and disposal, waste disposal, legal services, traffic control, external training, valuation fees, etc.

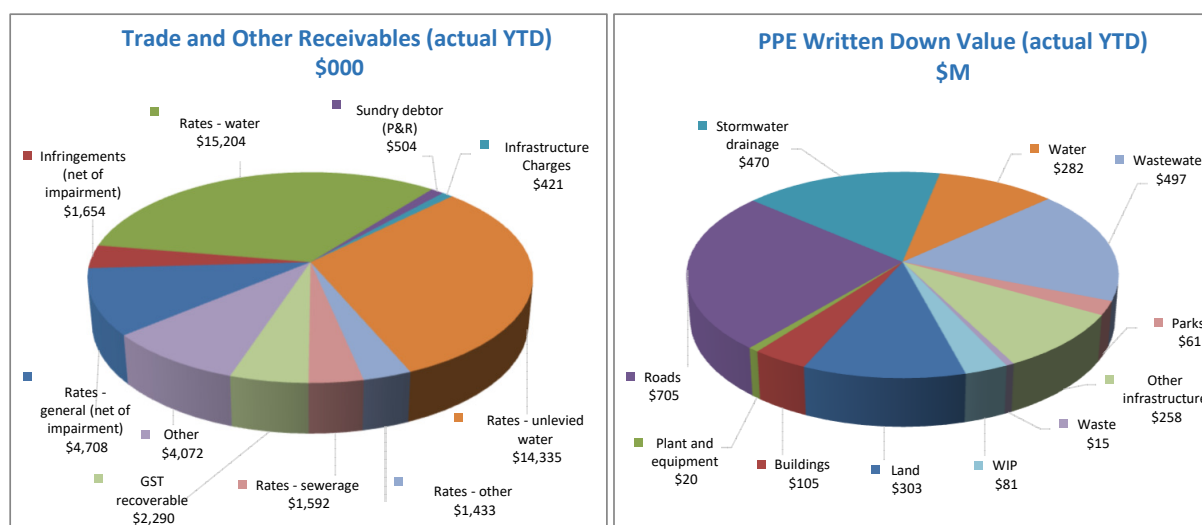
** Community assistance costs represent community related costs including community grants, exhibitions and awards, donations and sponsorships.



4. STATEMENT OF FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITION As at 31 March 2023				
	Annual	Annual	YTD	YTD
	Original Budget \$000	Revised Budget \$000	Budget \$000	Actual \$000
CURRENT ASSETS				
Cash and cash equivalents	208,298	221,056	239,931	249,139
Short-term investment - CBA	-	10,068	10,068	10,122
Trade and other receivables	43,669	43,794	44,828	46,213
Inventories	818	928	915	925
Other current assets	4,172	5,486	5,486	5,099
Total current assets	256,956	281,332	301,228	311,498
NON-CURRENT ASSETS				
Investment property	1,225	1,293	1,293	1,293
Property, plant and equipment	2,735,181	2,858,961	2,826,494	2,796,821
Intangible assets	584	1,285	1,432	1,213
Right-of-use assets	3,963	4,017	4,265	4,324
Other financial assets	73	73	73	73
Investment in other entities	12,657	12,657	12,657	12,657
Total non-current assets	2,753,683	2,878,286	2,846,214	2,816,381
TOTAL ASSETS	3,010,640	3,159,618	3,147,442	3,127,879
CURRENT LIABILITIES				
Trade and other payables	43,417	49,354	55,401	33,737
Borrowings - current	8,919	9,355	9,355	9,355
Lease liability - current	1,130	1,044	1,044	1,044
Provisions - current	16,125	18,257	18,632	17,232
Other current liabilities	3,569	14,426	10,433	10,441
Total current liabilities	73,160	92,437	94,865	71,809
NON-CURRENT LIABILITIES				
Borrowings - non-current	40,684	40,262	29,120	29,200
Lease liability - non-current	3,742	3,689	3,969	4,006
Provisions - non-current	22,073	15,499	16,086	19,456
Other non-current liabilities	-	10,628	16,350	16,350
Total non-current liabilities	66,498	70,078	65,525	69,012
TOTAL LIABILITIES	139,658	162,514	160,390	140,821
NET COMMUNITY ASSETS	2,870,982	2,997,104	2,987,052	2,987,058
COMMUNITY EQUITY				
Asset revaluation surplus	1,106,353	1,225,400	1,225,400	1,225,400
Retained surplus	1,667,474	1,659,067	1,645,594	1,641,414
Constrained cash reserves	97,154	112,638	116,058	120,244
TOTAL COMMUNITY EQUITY	2,870,982	2,997,104	2,987,052	2,987,058

4. STATEMENT OF FINANCIAL POSITION - CONTINUED



RIGHT-OF-USE ASSETS As at 31 March 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual Balance \$000
Right-of-use asset				
Buildings	1,548	1,282	1,431	1,484
Land	2,134	2,451	2,540	2,546
Plant and Equipment	281	284	294	294
Closing balance	3,963	4,017	4,265	4,324

PROPERTY, PLANT AND EQUIPMENT (PPE) MOVEMENT*

For the period ending 31 March 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual Balance \$000
PPE movement				
Opening balance (includes WIP from previous years)	2,687,627	2,800,792	2,800,792	2,800,792
Acquisitions and WIP in year movement	118,025	128,640	78,509	48,390
Depreciation in year	(68,978)	(68,978)	(51,734)	(49,681)
Disposals	(1,493)	(1,493)	(1,073)	(2,675)
Other adjustments**	-	-	-	(5)
Closing balance	2,735,181	2,858,961	2,826,494	2,796,821

* This table includes movement relating to property, plant and equipment only and is exclusive of intangible assets.

** Other adjustments include transfers between asset classes, revaluation adjustments, prior period adjustments and depreciation thereon.

5. STATEMENT OF CASH FLOWS

STATEMENT OF CASH FLOWS For the period ending 31 March 2023				
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts from customers	312,698	314,204	235,661	237,006
Payments to suppliers and employees	(269,244)	(270,979)	(188,236)	(201,637)
	43,454	43,225	47,425	35,369
Interest received	4,196	7,909	5,700	6,306
Rental income	1,140	1,140	884	953
Non-capital grants and contributions	14,301	9,442	5,111	3,340
Borrowing costs	(1,466)	(1,466)	(1,466)	(1,483)
Right-of-use assets interest expense	(114)	(114)	(86)	(83)
Net cash inflow / (outflow) from operating activities	61,511	60,136	57,568	44,402
CASH FLOWS FROM INVESTING ACTIVITIES				
Payments for property, plant and equipment	(115,776)	(126,390)	(78,150)	(47,547)
Proceeds from sale of property, plant and equipment	1,205	1,205	903	688
Capital grants, subsidies and contributions	39,249	35,760	19,788	11,753
Net cash inflow / (outflow) from investing activities	(75,322)	(89,425)	(57,459)	(35,106)
CASH FLOWS FROM FINANCING ACTIVITIES				
Proceeds of borrowings	10,805	10,805	-	-
Repayment of borrowings	(7,982)	(7,982)	(7,982)	(7,952)
Right-of-use lease payment	(1,143)	(1,143)	(863)	(872)
Net cash inflow / (outflow) from financing activities	1,679	1,679	(8,845)	(8,824)
Net increase / (decrease) in cash held	(12,132)	(27,611)	(8,736)	472
Cash and cash equivalents at the beginning of the year	220,429	248,667	248,667	248,667
Cash and cash equivalents at the end of the financial year / period	208,298	221,056	239,931	249,139

Cash Inflow (actual YTD)

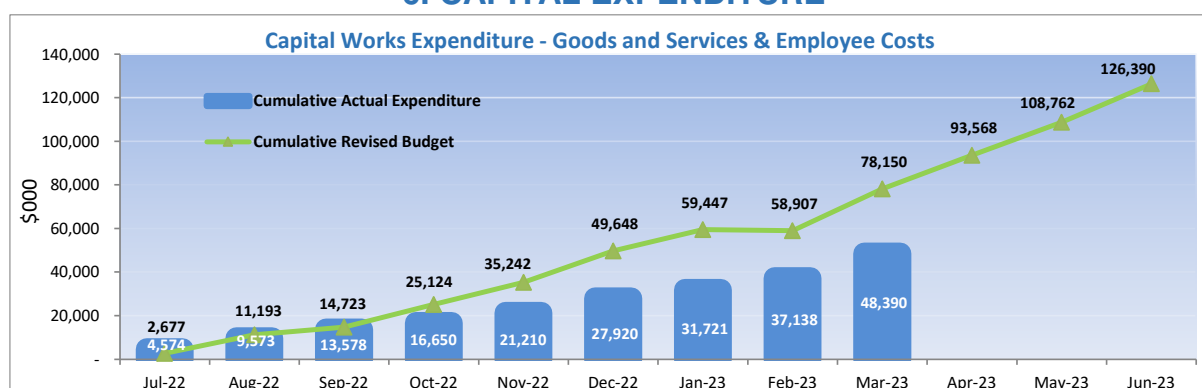
Category	Percentage
Utility charges	50%
Rates charges	32%
Other cash receipts	4%
Capital grants, subsidies and contributions	4%
Interest received	2%
Fees	7%
Operating grants and contributions	1%

Cash Outflow (actual YTD)

Category	Percentage
Materials and services	49%
Employee costs	29%
Payments for property, plant and equipment	18%
Repayment of borrowings	3%
Borrowing costs	1%

Total Cash Funding (Actual YTD)	260,046	Total Cash Expenditure (Actual YTD)	259,574
Total Cash Funding (Annual Revised Budget)	380,463	Total Cash Expenditure (Annual Revised Budget)	408,074
% of Budget Achieved YTD	68%	% of Budget Achieved YTD	64%

6. CAPITAL EXPENDITURE

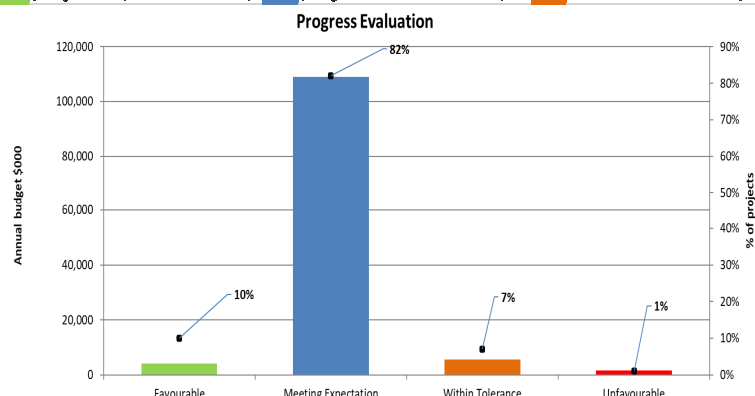


	Annual Revised Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000
Capitalised goods and services*	117,729	71,593	43,055	(28,538)
Capitalised employee costs	8,661	6,557	5,335	(1,222)
Total	126,390	78,150	48,390	(29,760)

* Excludes capital prepayments.

7. PROGRAM AND PROJECT UPDATE

Favourable (budget under/schedule on track)	Meeting expectations (budget and schedule on track)	Within tolerance (either budget and schedule not on track)	Unfavourable (budget and schedule not on track)
---	---	---	--



- Programs and projects are what Council uses to introduce change to achieve corporate outcomes. They allow new infrastructure, products, systems, procedures and services to be delivered. Projects may be undertaken on a standalone basis or as part of a program. Programs and projects may span multiple financial years.
- Council is currently progressing more than 100 programs and projects.

Notable Projects

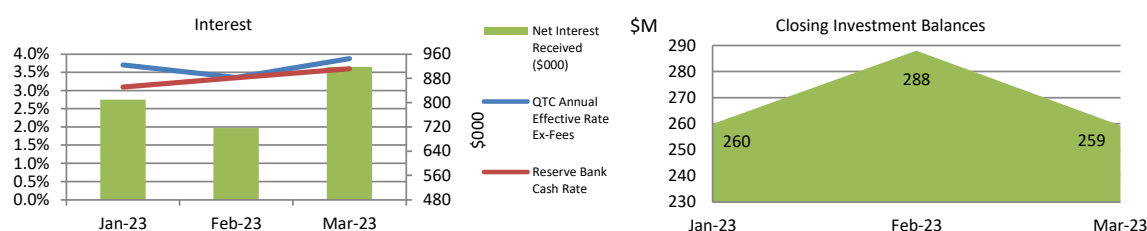
The status of two notable projects are as follows:

Project description	Progress
Koala Conservation Program – this program has partnered with Bushcare, Griffith University and Capalaba Police in activities including community information sessions and koala tree planting for the purpose of koala conservation.	Meeting Expectations
Marine Public Transport Facility Program – in addition to the Southern Moreton Bay Island ferry terminal work the following associated works have been undertaken: on Russell Island the amenities finishing works are ongoing and septic tank installed. On Macleay Island the landside slab was poured, steel super structure on site and pontoon fit out progressing. On Lamb Island, the landside foundation is complete, and landside slab poured. On Karragarra Island, the landside foundations have been poured.	Meeting Expectations

8. INVESTMENT & BORROWINGS REPORT

For the period ending 31 March 2023

INVESTMENT RETURNS



Total Investment at End of Month was \$259.26M

Council investments are currently held predominantly in the Capital Guaranteed Cash Fund, which is a fund operated by the Queensland Treasury Corporation (QTC). In October 2022 \$10.12M was re-invested in a term deposit of Commonwealth Bank of Australia (CBA) to maximise interest earnings.

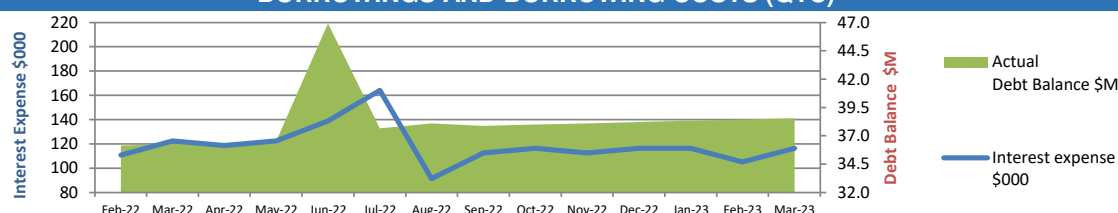
The movement in interest earned is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by business cash flow requirements on a monthly basis as well as the rating cycle. The interest income increased from February to March due to increase in QTC annual effective rate (excluding fee) from 3.36% to 3.88%.

Note: the Reserve Bank increased the cash rate to 3.60% during March 2023.

On a daily basis, cash surplus to requirements is deposited with QTC to earn higher interest as QTC is offering a higher rate than what is achieved from Council's transactional bank accounts. The current annual effective interest rate paid by QTC is 3.88%. Term deposit rates are being monitored to identify investment opportunities to ensure Council maximises its interest earnings.

Council adopted its Investment Policy (FIN-001-P) in June 2022 for the 2022/2023 financial year

BORROWINGS AND BORROWING COSTS (QTC)



The existing loan accounts were converted to fixed rate loans on 1 April 2016 following a QTC restructure of loans and policies. In line with Council's debt policy, debt repayment of \$9.43M, being \$7.95M principal and \$1.48M interest has been made in July 2022 for 2022/2023, which will result in the loans being repaid approximately one year earlier.

The debt balance increased in June 2022 due to new borrowings of \$10.30M as part of Council's Capital Works Plan.

In July 2022 the debt balance showed a decrease due to the Annual Debt Service Payment (ADSP). Interest will accrue monthly on a daily balance until next ADSP in July 2023 which is reflected in the increasing debt balance.

Total Borrowings at End of Month were \$38.56M

Council adopted its Debt Policy (FIN-009-P) in June 2022 for the 2022/2023 financial year

BORROWINGS

For the period ending 31 March 2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual Balance \$000
Borrowings				
Opening balance	(46,924)	(46,938)	(46,938)	(46,938)
Accrued interest on borrowings	(1,322)	(1,322)	(985)	(1,052)
Interest paid on borrowings	1,466	1,466	1,466	1,483
Principal repaid	7,982	7,982	7,982	7,952
Loan drawdown	(10,805)	(10,805)	-	-
Closing balance	(49,603)	(49,617)	(38,475)	(38,555)

9. CONSTRAINED CASH RESERVES

Reserves as at 31 March 2023	Purpose of reserve	Opening Balance \$000	To Reserve \$000	From Reserve \$000	Closing Balance \$000
Special Projects Reserve:					
Aquatic Paradise Revetment Wall Reserve	To fund Aquatic Paradise revetment wall works program	-	16	(6)	10
Weinam Creek Reserve	Maintenance and improvements associated with Weinam Creek projects	652	428	(2)	1,078
Waste Levy Reserve	To fund Waste Levy Program	379	4,223	(4,363)	239
Raby Bay Revetment Wall Reserve	To fund Raby Bay revetment wall works program	3,677	2,122	(401)	5,398
Fleet Plant & Capital Equipment Reserve*	To support the long term fleet replacement program	4,599	-	(4,599)	-
		9,307	6,789	(9,371)	6,725
Constrained Works Reserve:					
Public Parks Trunk Infrastructure Reserve	Capital projects for public parks trunk infrastructure	4,309	1,913	(986)	5,236
Marine Trunk Infrastructure Reserve	Provision of marine facilities south of Redland Bay	-	183	-	183
Land for Community Facilities Trunk Infrastructure Reserve	Land for community facilities trunk infrastructure	5,297	54	-	5,351
Water Supply Trunk Infrastructure Reserve	Upgrade, expansion or new projects for water supply trunk infrastructure	14,952	543	-	15,495
Sewerage Trunk Infrastructure Reserve	Upgrade, expansion or new projects for sewerage trunk infrastructure	13,341	1,433	(268)	14,506
Local Roads Trunk Infrastructure Reserve	Capital projects for local roads trunk infrastructure	40,631	3,372	(3,424)	40,579
Cycleways Trunk Infrastructure Reserve	Capital projects for cycleways trunk infrastructure	14,819	1,022	(161)	15,680
Stormwater Trunk Infrastructure Reserve	Capital projects for stormwater trunk infrastructure	10,559	288	-	10,847
Tree Planting Reserve	Acquisition and planting of trees on footpaths	259	63	(4)	318
Koala Tree off-set Planting Reserve	Acquisition and planting of trees for koala habitat	259	-	(1)	258
Special Property Reserve	Acquisition of property in line with the strategic property framework	1,654	941	-	2,595
		106,080	9,812	(4,844)	111,048
Separate Charge Reserve:					
Environment & Coastal Management Separate Charge Reserve	Ongoing conservation and maintenance operations	2	8,808	(7,342)	1,468
SES Separate Charge Reserve	On-going costs of maintaining the Redland SES	119	375	(366)	128
		121	9,183	(7,708)	1,596
Special Charge Reserve - Canals:					
Aquatic Paradise Canal Reserve	Maintenance and repairs of Aquatic Paradise canals	758	10	-	768
Sovereign Waters Lake Reserve	Maintenance and repairs of Sovereign Lake	430	6	-	436
1718 Raby Bay Canal Reserve	Service, facility or activity of works in respect of the canals of the Raby Bay canal estate	219	3	-	222
1718 Aquatic Paradise Canal Reserve	Service, facility or activity of works in respect of the canals of the Aquatic Paradise canal estate	(495)	-	-	(495)
1718 Sovereign Waters Lake Reserve	Service, facility or activity of works in respect of the lake	(56)	-	-	(56)
		856	19	-	875
TOTALS		116,364	25,803	(21,923)	120,244
		Closing cash and cash equivalents		249,139	
		Reserves as percentage of cash balance		48%	

*Council does not require to constrain cash for fleet plant and capital equipment. The cash has been made available for general use and the reserve was closed following the end of year accounts finalisation.

10. CITY WATER STATEMENTS

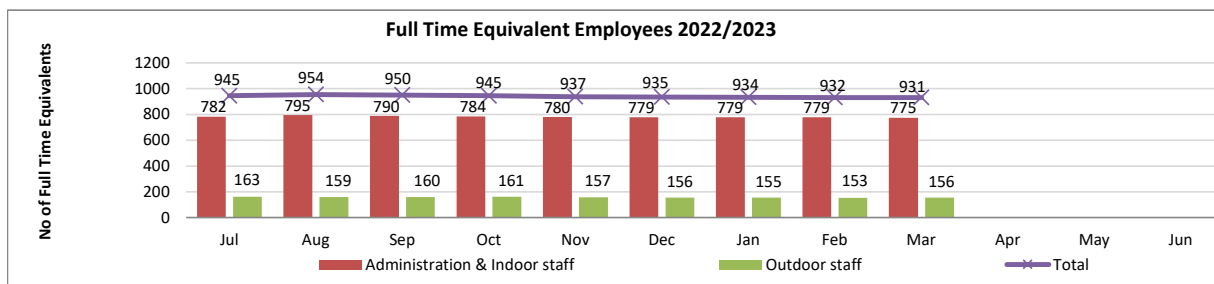
CITY WATER SUMMARY OPERATING STATEMENT					
For the period ending 31 March 2023					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Total revenue	134,826	137,720	104,408	105,729	1,321
Total expenses	78,703	78,783	59,301	57,308	(1,993)
Earnings before interest, tax and depreciation (EBITD)	56,123	58,937	45,107	48,421	3,314
External interest expense	355	228	171	172	1
Internal interest expense	14,750	14,750	11,062	11,062	-
Depreciation	25,587	25,587	19,190	19,047	(143)
Operating surplus / (deficit)	15,432	18,373	14,684	18,140	3,456
CITY WATER CAPITAL FUNDING STATEMENT					
For the period ending 31 March 2023					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Capital contributions, donations, grants and subsidies	4,847	5,618	4,013	1,977	(2,036)
Net transfer (to) / from constrained capital reserves	(502)	(1,441)	(484)	(1,709)	(1,225)
Non-cash contributions	652	652	-	-	-
New loans	-	-	-	-	-
Funding from utility revenue	11,941	17,214	9,299	3,897	(5,402)
Total sources of capital funding	16,937	22,042	12,828	4,165	(8,663)
Contributed assets	652	652	-	-	-
Capitalised expenditure	15,512	20,612	12,112	3,426	(8,686)
Loan redemption	774	779	716	739	23
Total application of capital funds	16,937	22,042	12,828	4,165	(8,663)

11. CITY WASTE STATEMENTS

CITY WASTE OPERATING STATEMENT					
For the period ending 31 March 2023					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Total revenue	35,765	36,388	26,899	27,335	436
Total expenses	26,515	26,663	19,471	20,400	929
Earnings before interest, tax and depreciation (EBITD)	9,249	9,725	7,428	6,935	(493)
External interest expense	6	6	5	5	-
Depreciation	556	556	417	306	(111)
Operating surplus / (deficit)	8,687	9,163	7,006	6,624	(382)
CITY WASTE CAPITAL FUNDING STATEMENT					
For the period ending 31 March 2023					
	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000
Capital contributions, donations, grants and subsidies	1,577	671	-	-	-
Funding from utility revenue	828	697	272	209	(63)
Total sources of capital funding	2,405	1,368	272	209	(63)
Capitalised expenditure	2,366	1,328	243	182	(61)
Loan redemption	39	39	29	27	(2)
Total application of capital funds	2,405	1,368	272	209	(63)

12. APPENDIX: ADDITIONAL AND NON-FINANCIAL INFORMATION

Workforce Reporting



March 2023: Headcount		Employee Type			
Department Level	Casual	Full Time	Part Time	Total	
Office of CEO and People and Culture	3	38	9	50	
Organisational Services	3	183	17	203	
Community and Customer Services	68	269	71	408	
Infrastructure and Operations	2	322	14	338	
Advocacy Major Projects and Economic Development	1	32	3	36	
Total	77	844	114	1,035	

Note: Full Time Equivalent Employees includes all full time employees at a value of 1 and all other employees, at a value less than 1. The table above demonstrates the headcount by department. Following Ourspace, the table includes contract of service and temporary personnel. It includes casual staff in their non-substantive roles as at the end of the period where relevant.

Overdue Rates Debtors & Statistics

Comparison March 2023 to March 2022									
Days Overdue	Mar-23	% Overdue	Mar-22	% Overdue	\$ Variance	% Variance	Rates & Charges Statistics		
0 - 30	\$2,358	0.0%	\$1,132	0.0%	\$1,226	0.0%	Levied (Billed) Rates & Charges since 1 July 2022	Mar-23	Mar-22
31 - 60	\$3,799,314	1.6%	\$3,969,712	1.7%	-\$170,398	-0.1%		\$230,836,679	\$221,458,147
61 - 90	\$1,198	0.0%	\$278	0.0%	\$920	0.0%	Rate arrears b/fwd 1 July 2022	\$9,031,746	\$10,693,344
91 - 180	\$1,768,262	0.7%	\$1,660,768	0.7%	\$107,494	0.0%	Total	\$239,868,425	\$232,151,491
>180	\$3,833,110	1.6%	\$3,529,370	1.5%	\$303,740	0.1%	Balance of overdue rates & charges	\$9,404,242	\$9,161,260
Total	\$9,404,242	3.9%	\$9,161,260	3.9%	\$242,982	0.0%	Percentage Overdue	3.9%	3.9%

13. GLOSSARY

Key Terms

Written Down Value:

This is the value of an asset after accounting for depreciation or amortisation, and it is also called book value or net book value.

Work In Progress:

This represents an unfinished project that costs are still being added to. When a project is completed, the costs will be either capitalised (allocated to relevant asset class) or written off.

Definition of Ratios

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

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

** Debt includes lease liabilities.

*** Interest expense includes interest on leases.

^ Loan redemption includes lease redemption.

13.2 REVIEW OF ADMINISTRATIVE DELEGATION

Objective Reference: A7428147

Authorising Officer: Amanda Pafumi, General Manager Organisational Services

Responsible Officer: Amanda Pafumi, General Manager Organisational Services

Report Author: Tony Beynon, Group Manager Corporate Governance

Attachments: Nil

PURPOSE

To reverse the Administrative Delegation made on 30 April 2008 to delegate full and complete authority to the Mayor to deal with all matters relating to the employment of the Chief Executive Officer, including matters relating to the cessation of that employment.

BACKGROUND

At the General Meeting of Council held on 30 April 2008, Council unanimously resolved to delegate authority to the Mayor to deal with the administrative arrangements regarding employment conditions and performance management matters pertaining to the Chief Executive Officer in accordance with Section 1129 of the *Local Government Act 1993* (relevant Act at that time).

ISSUES

A review of the Administrative Delegation in place from the resolution of 30 April 2008, and discussion with Councillors, has identified the opportunity to reverse this earlier decision, to align with the current intent of the Act and the Regulation. Whilst the current Administrative Delegation and appointment process is lawful, it is more contemporary practice that this is now done via a resolution of the full Council.

STRATEGIC IMPLICATIONS

Legislative Requirements

Section 194(1) of the *Local Government Act 2009* and section 254J(3)(a) of the *Local Government Regulation 2012* refer to the local government appointing a Chief Executive Officer and discussing the appointment, discipline and dismissal of the Chief Executive Officer.

Risk Management

The reversal of this delegation provides for all Councillors working collectively as the local government, to determine all matters relating to the employment of the Chief Executive Officer in accordance with current legislation.

Financial

There are no financial impacts associated with this report.

People

There are no people implications associated with this report. This report does not affect any part of the current Chief Executive Officer's employment arrangements.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Human Rights

Queensland's *Human Rights Act 2019* has been considered in the preparation of this report.

Alignment with Council's Policy and Plans

Our Future Redlands – A Corporate Plan to 2026 and Beyond:

Goal 1 City Leadership – 1.1 Display quality leadership by our elected Council through transparent and accountable processes and effective communication that builds community trust.

Goal 7 – Efficient and Effective Organisation – 7.3 – Continue building a thriving organisation, characterised by employees who are performing their best, are energised, connected and continually getting better at what they do.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Various senior officers	March 2023	Matter discussed and via email correspondence to determine the most appropriate motion to effect this change.
Councillors at a Councillor Workshop	27 March 2023	Matter discussed at Councillor Workshop.

OPTIONS**Option One**

That Council resolves to reverse the Administrative Delegation made on 30 April 2008 to delegate full and complete authority to the Mayor to deal with all matters relating to the employment of the Chief Executive Officer, including matters relating to the cessation of that employment.

Option Two

That Council resolves to retain the Administrative Delegation made on 30 April 2008 to delegate full and complete authority to the Mayor to deal with all matters relating to the employment of the Chief Executive Officer, including matters relating to the cessation of that employment.

OFFICER'S RECOMMENDATION

That Council resolves to reverse the Administrative Delegation made on 30 April 2008 to delegate full and complete authority to the Mayor to deal with all matters relating to the employment of the Chief Executive Officer, including matters relating to the cessation of that employment.

13.3 MAKING AMENDING LOCAL LAW NO. 1 (LOCAL LAW NO. 3 (COMMUNITY AND ENVIRONMENTAL MANAGEMENT) 2015) 2023

Objective Reference: A7372384

Authorising Officer: Amanda Pafumi, General Manager Organisational Services
Louise Rusan, General Manager Community & Customer Services

Responsible Officer: Tony Beynon, Group Manager Corporate Governance
Graham Simpson, Group Manager Environment & Regulation

Report Author: Kristene Viller, Service Manager Ethics & Integrity

Attachments:

1. Local Law No. 3 (Community & Environmental Management) 2015 [↓](#)
2. Amending Local Law No. 1 (Local Law No. 3 (Community & Environmental Management) 2015) 2023 [↓](#)
3. Community Consultation Report [↓](#)
4. State Interest Check Results Report [↓](#)

PURPOSE

To present the results of the community consultation and state interest check that was undertaken for *Local Law No. 3 (Community and Environmental Management) 2015* and to proceed with the making of *Amending Local Law No. 1 (Local Law No.3 (Community and Environmental Management) 2015) 2023*.

BACKGROUND

At the General Meeting on 25 January 2023 Council resolved to undertake community consultation and a state interest check on proposed changes to *Local Law No. 3 (Community and Environmental Management) 2015*. The proposed changes remove the current provisions prohibiting the feeding of native birds at residential premises in a way that causes, or may cause a nuisance.

In lieu of the provisions in the local law, Council officers will manage the public health risks and the environmental nuisance issues associated with native bird feeding under the existing State legislation. The *Public Health Act 2005* can effectively deal with the issue of accumulation of bird seeds, bird droppings and the attraction of rodents, while the *Environmental Protection Act 1994* can address issues of odour.

Please note that in the consolidated version of *Local Law No.3 (Community and Environmental Management) 2015* (Attachment 1), the only changes made are:

Provision	Amendment
Part 8, item 23	Remove whole item
Part 9	Rename as Part 8
Part 9, item 24	Rename as Part 8, item 23

ISSUES

State Interest Checks

In accordance with section 29A of the *Local Government Act* a state interest check was conducted for *Local Law No. 3 (Community and Environmental Management) 2015*, the agencies that were contacted are listed in attachment 4 to this report along with any comments received.

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.

The *Local Government Regulation 2012* provides that the procedure for review of anti-competitive provisions is set out in the National Competition Policy- guidelines for conducting reviews of anti-competitive provisions in local laws (guidelines).

Review of *Local Law No. 3 (Community and Environmental Management) 2015* found that the proposed amendment did not create an anti-competitive provision.

Community Consultation

Community consultation was undertaken on *Local Law No. 3 (Community and Environmental Management) 2015* between 1 February 2023 and 21 February 2023. The consultation was conducted at inform level in accordance with IAP2 Standards. Inform level public participation is not consultation and is used as a means to provide the public with balanced and objective information to assist them in understanding the change in the local law but does not seek submissions regarding the change.

A total of 92 visits were made to the Your Say page, there were four comments received. Details of the feedback is contained in Attachment 3.

Local Law Implementation

Should Council resolve to make *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023*, notice must be given to the public within one month, through publication in the Queensland 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 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 set the framework that the local government must adhere to. Council has adopted a Local Law Making Process that is consistent with the *Local Government Act 2009* provisions. This process has been followed in the making of the Subordinate Local Law attached to this report.

The Local Law has been drafted in accordance with the *Local Government Act 2009*, the Guidelines for Drafting Local Law issued by the Parliamentary Counsel and the principles under the *Legislative Standards Act 1992*. The Amending Local Law has been reviewed by the Department of State Development, Infrastructure, Local Government and Planning for adherence to the Guideline.

Part D of Council's adopted Local Law Making Process sets out the required steps for making the Amending Instrument. The first six steps in the Local Law Making Process involve making the Amending Instrument and steps seven to ten relate to notifying the public and Minister about the Amending Instrument.

Risk Management

The risks associated with amending the Subordinate Local Law were managed by:

- a) Utilising a solicitor to draft the amendments.
- b) Ensuring the process to amend the Subordinate Local Law is in accordance with legislative standards and the adopted Redland City Council Local Law Making Process.
- c) Comprehensive internal stakeholder engagement to ensure the Subordinate Local Law will promote effective governance to the community.
- d) Review of the identified anti-competitive provisions identified and adhering to the National Competition Policy Guidelines.

Financial

The costs of drafting the Local Law and publications are funding through existing budget allocation with the Strategy and Governance Unit.

People

The Local Law will have positive impacts for the Environmental Health team resource levels, it is anticipated this will be absorbed into current budget allocations.

Environmental

Environmental implications as they relate to Public Health will be managed under State Legislation.

Social

Local Government provides for the good governance of the local government area through its local laws. The Subordinate Local Law attached to this report has the potential to impact all members of the Redlands Community.

Human Rights

All human rights have been considered against the proposed amendments and it has been determined that none of the proposed changes impact on human rights.

Alignment with Council's Policy and Plans

The process for making the proposed Subordinate Local Laws is in accordance with Council's adopted practice for making local laws.

This process is in keeping with Council's *Our Future Redlands – A Corporate Plan to 2026 and Beyond* goal for Strong Communities – Laws and Regulations.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Group Manager Corporate Governance	March 2023	Review and approved report.
Service Manager Ethics and Integrity	January – March 2023	Reviewed consultation results, drafted the amended local laws, conducted state interest check and prepared report and attachments.
Service Manager Health and Environment	November 2022 – March 2023	Reviewed consultation results and report.
Group Manager Environment and Regulation	November 2022 – March 2023	Reviewed and approved report.
Senior Adviser Strategic Communications and Community Engagement	January – February 2023	Prepared materials and conducted community consultation and provided results.
Councillors	November 2022	Councillor Workshop 14 November 2022
State Agencies	February – March 2023	Provided comments as part of State Interest Check process

OPTIONS**Option One**

That, in accordance with Council's Local Law Making Process adopted on 20 March 2019, pursuant to section 29 of the *Local Government Act 2009*, Council resolves as follows:

1. To receive and note the results of the State Interest Check (Attachment 4).
2. To receive and note the Community Consultation report (Attachment 3) and to implement the recommendation of this report.
3. To proceed:
 - a) As advertised with the making of *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023*.
 - b) To make *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023*.
 - c) To adopt the consolidated version of *Local Law No. 3 (Community and Environmental Management) 2015*.
 - d) To give notice of the making of *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023* by publication in the Queensland Government Gazette.
4. To authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.

Option Two

That, in accordance with Council's Local Law Making Process adopted on 20 March 2019, pursuant to section 29 of the *Local Government Act 2009*, Council resolves as follows:

1. To note the Community Consultation Report – Attachment 3.
2. To not make *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023*.

OFFICER'S RECOMMENDATION

That, in accordance with Council's Local Law Making Process adopted on 20 March 2019, pursuant to section 29 of the *Local Government Act 2009*, Council resolves as follows:

1. To receive and note the results of the State Interest Check (Attachment 4).
2. To receive and note the Community Consultation report (Attachment 3) and to implement the recommendation of this report.
3. To proceed:
 - a) As advertised with the making of *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023*.
 - b) To make *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023*.
 - c) To adopt the consolidated version of *Local Law No. 3 (Community and Environmental Management) 2015*.
 - d) To give notice of the making of *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023* by publication in the Queensland Government Gazette.
4. To authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.



Redland City Council

Local Law No. 3 (Community and Environmental Management) 2015

It is hereby certified that this a true and correct copy of *Local Law No. 3 (Community and Environmental Management) 2015* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 19 April 2023

A. Chesterman
Chief Executive Officer

BNEDOCs Draft Local Law 3 (Community and Environmental Management) 2015 (A3384878).docx



Redland City Council

Local Law No. 3 (Community and Environmental Management) 2015

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 3 (Community and Environmental Management) 2015*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to protect the environment and public health, safety and amenity within the local government's area.
- (2) The purpose is to be achieved by providing for the elimination or reduction of risks and threats to the environment and public health, safety and amenity resulting from—
 - (a) inadequate protection against animal and plant pests; and
 - (b) vegetation overgrowth; and
 - (c) visual pollution resulting from accumulation of objects and materials; and
 - (d) fires and fire hazards not regulated by State law; and
 - (e) community safety hazards; and
 - (f) noise that exceeds noise standards.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Relationship with other laws¹

This local law is—

- (a) in addition to and does not derogate from laws for pest management, regulation of fires and environmental protection; and
- (b) to be read with *Local Law No. 1 (Administration) 2015*.

Part 2 Declared local pests

Division 1 Application

5 Application of part

- (1) This part does not apply to an animal or plant that is restricted matter or prohibited matter under the *Biosecurity Act 2014*.²

¹ This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or the Commonwealth. See the Act, section 27.

² See the *Biosecurity Act 2014*, sections 19 and 21, regarding prohibited and restricted matter for the State or part of the State.

- (2) In this section—

prohibited matter, see the *Biosecurity Act 2014*, section 19

restricted matter, see the *Biosecurity Act 2014*, section 21

Division 2 Declaration of local pests

6 Declaration of local pests

- (1) The local government may, by subordinate local law, declare an animal or plant of a specified species to be a local pest.
- (2) Before the local government makes a declaration under this section, it must consult with the chief executive about the desirability of the declaration.
- (3) A declaration under this section—
- (a) must be published in a newspaper circulating generally in the local government's area; and
 - (b) comes into force on the date of publication.
- (4) In this section—
- chief executive** means the chief executive of the department in which the *Biosecurity Act 2014* is administered.

7 Emergency declarations

- (1) This section applies if the local government is satisfied urgent action is needed to avoid or minimise an immediate risk of environmental harm posed by a plant or animal.
- (2) The local government may, by resolution, declare an animal or plant of the relevant species to be a local pest.
- (3) A declaration under this section—
- (a) must be published in a newspaper circulating generally in the local government's area; and
 - (b) comes into force on the date of publication; and
 - (c) comes to an end three months after the date of publication.
- (4) In this section—
- environmental harm** see *Environmental Protection Act 1994*, section 14.

8 Application of declaration

A declaration may apply—

- (a) to the whole of the local government's area or in a specified part or parts of the area; and
- (b) generally or only in specified circumstances.

Division 3 Control of local pests

9 Power to search for declared local pests

- (1) This section applies if an authorised person wants to enter a property to search for declared local pests.
- (2) After giving reasonable written notice to the owner and the occupier of the property, the authorised person may—
 - (a) enter the property without the permission of the occupier; and
 - (b) take reasonable action to search for declared local pests.
- (3) However, the authorised person—
 - (a) must, as soon as the authorised person enters the property, inform any occupier of the property—
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property, excluding a home on the property, without the permission of the occupier; and
 - (b) may enter a home that is on the property only with the permission of the occupier of the relevant part of the property.
- (4) If the occupier gives permission under subsection (3)(b), the authorised person may ask the occupier to sign a document that confirms that the occupier has given permission.

10 Pest control notices

- (1) An authorised person may, by compliance notice³ given to the owner of land, require the owner⁴ to take specified action to control declared local pests.
- (2) The specified action may include action to—
 - (a) destroy declared local pests on the land; or
 - (b) minimise the risk of an outbreak of declared local pests on the land; or
 - (c) prevent or minimise seeding or reproduction by declared local pests; or
 - (d) contain infestation by declared local pests within a localised area; or
 - (e) reduce the density or extent of infestation by declared local pests; or
 - (f) remove harbour provided to declared local pests.
- (3) The notice may require the repetition of a specified action at stated intervals or

³ See *Local Law No.1 (Administration) 2015*, section 28, regarding the requirements for compliance notices and the offence for not complying with a compliance notice.

⁴ See the Act, section 140, in relation to the owner's right to enter property where the owner is not the occupier to take action to comply with a remedial notice, and section 141, in relation to an occupier's right to recover amounts incurred to satisfy an owner's obligations.

on the reappearance of the declared local pest within a specified period.

Division 4 Prohibition of sale and propagation

11 Prohibition on sale

A person must not—

- (a) sell or supply a declared local pest; or
- (b) offer or display a declared local pest for sale or supply.

Maximum penalty—50 penalty units.

12 Prohibition on introducing, propagating etc a declared local pest

- (1) A person must not—

- (a) introduce, propagate or breed a declared local pest; or
- (b) provide harbour to a declared local pest.

Maximum penalty for subsection (1)—50 penalty units.

- (2) However, subsection (1) does not apply to a person who has been prescribed under a subordinate local law for this subsection as exempt from the offence in subsection (1) in relation to a specified pest.

Example of persons that might be exempted from subsection (1) in relation to specified pests—

- Staff of research organisations such as universities or the CSIRO who require a particular pest for research purposes.
- An employee of a circus using a particular pest to provide entertainment to the public.
- Staff of an organisation using a particular pest as part of an education program.
- An employee of a zoo that keeps a particular pest.

- (3) In this section—

introduce means to introduce, or cause to introduce, into the local government's area.

Part 3 Overgrown and unsightly allotments

13 Unsightly objects, materials or vegetation

- (1) The responsible person for an allotment must not—

- (a) bring on to the allotment; or
- (b) allow to remain on the allotment; or
- (c) allow to accumulate on the allotment; or
- (d) place on the allotment,

any objects, materials or vegetation which, in the opinion of an authorised person, is unsightly or not in accordance with the amenity of the locality in which the allotment is located.

Examples of objects or materials which may be unsightly or not in accordance with the amenity of the locality—

- Broken down vehicles and car bodies;
- Broken down boats, boat trailers and dilapidated boat parts;
- Scrap machinery or machinery parts;
- Discarded bottles, containers or packaging;
- Dilapidated or unsightly building hoardings;
- Shopping trolleys;
- Overgrown vegetation that seriously affects the visual amenity of the allotment or is likely to attract or harbour reptiles.

Maximum penalty—20 penalty units.

- (2) The authorised person may, by compliance notice⁵ given to the responsible person for the allotment, require the responsible person to—
- (a) remove objects, materials or vegetation that is causing the circumstance mentioned in subsection (1)(a), (b), (c) or (d); or
 - (b) take other specified action to remedy the circumstance mentioned in subsection (1)(a), (b), (c) or (d).

Example of action that might be required under paragraph (b)—

Erecting an appropriate structure (in accordance with requirements under the Planning Act) to screen unsightly objects or materials from public view.

- (3) A notice issued under subsection (2) may also require the repetition of the specified action at stated intervals or on the reappearance of the accumulation of objects, materials or vegetation on the allotment within a specified period.
- (4) Without limiting subsection (2), subsection (5) applies if:
- (a) the responsible person does not comply with a compliance notice given to the responsible person pursuant to subsection (2); and
 - (b) the time for making an application for review of the compliance notice under section 22 of Local Law No. 1 (Administration) 2015 has expired; and
 - (c) the compliance notice includes a requirement that the responsible person remove objects, materials or vegetation from the allotment; and
 - (d) an authorised person enters the allotment pursuant to section 142 of the *Local Government Act 2009* to take the action that is required under the compliance notice.

⁵ See footnote 3.

- (5) Subject to subsection (4), an authorised person may seize (by dismantling if necessary) and impound any objects, materials or vegetation removed from the allotment.
- (6) However, the notice cannot prevent a use of land authorised under the Planning Act⁶ or the *Environmental Protection Act 1994*.
- (7) In this section—
vegetation includes a tree, bush, shrub, plant or grass, but does not include vegetation that is protected under a law⁷ of the State or Commonwealth or under the local government's planning scheme.

Part 4 Fires and fire hazards

14 Regulation of lighting and maintaining fires in the open

- (1) This section does not apply to the lighting or maintaining of a fire that is authorised or excluded under the *Fire and Emergency Services Act 1990*.⁸
- (2) The local government may, by subordinate local law, prohibit or restrict the lighting or maintaining of fires in the open in the whole, or designated parts, of the local government's area.

Example—

The subordinate local law might prohibit the lighting of fires, or a particular type of fire, in the open, unless 1 or more of the following conditions is met—

- the fire is contained in an approved incinerator;
 - the fire is established in a specified way and specified precautions are taken to prevent the spread of fire;
 - the fire is lit and extinguished within a specified time.
- (3) A person must comply with a prohibition or restriction imposed under this section.
Maximum penalty for subsection (3)—50 penalty units.
 - (4) A person must not light or maintain a fire if the fire exposes property to the risk of damage or destruction by fire.
Maximum penalty for subsection (4)—50 penalty units.
 - (5) However, a person does not commit an offence under subsection (3) or (4) if

⁶ See definition of *Planning Act* in the Act, schedule 4

⁷ For example, vegetation may be protected under the *Nature Conservation Act 1994*, the *Vegetation Management Act 1999*, the *Planning Act*, the *Queensland Heritage Act 1992*, the *Fisheries Act 1994* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth).

⁸ See the *Fire and Emergency Services Act 1990*, section 63, regarding fires authorised by notification, section 65 regarding fires authorised by permit and section 69, regarding notices requiring occupiers to take measures to reduce the risk of fire. For fires authorised by notification under section 63, see the Notification by the Commissioner of the Queensland Fire and Emergency Service published in the gazette on 6 August 2004.

the person is authorised or required to light or maintain the fire in the performance of duties under another Act.

15 Fire hazards

- (1) This section applies where an authorised person forms the opinion that a fire hazard exists on an allotment.
- (2) The authorised person may, by compliance notice⁹ given to the responsible person for the allotment, require the responsible person to take specified action to reduce or remove the fire hazard.¹⁰
- (3) In this section—

fire hazard means—

- (a) anything that, because of its flammable nature, its position or its quantity, exposes property to significant risk of damage or destruction by fire; or
- (b) a thing that is declared to be a fire hazard under a subordinate local law for this paragraph.

Examples of fire hazards for paragraph (a)—

- Live cinders or hot ash that is not enclosed in a fireplace so constructed as to prevent the escape of cinders or ash.
- A substantial accumulation of grass clippings that is liable to spontaneous combustion.
- Dry vegetation that could be easily ignited or other flammable materials.

Part 5 Community safety hazards

16 What is a community safety hazard

A community safety hazard is—

- (a) a fence or structure on land that, because of its nature or its position, poses a significant risk of causing injury to a person or damage to property; or
- (b) objects or materials on land that are likely to become airborne in periods of high wind in a way that poses a significant risk of causing injury to a person or damage to property; or
- (c) a thing that is declared to be a community safety hazard under a subordinate local law for this paragraph.

Examples of a fence or structure that may be a community safety hazard for paragraph (a)—

⁹ See footnote 3.

¹⁰ See also the *Fire and Emergency Services Act 1990*, section 69, under which the Queensland Fire and Emergency Service Commissioner can publish a general notification in the gazette requiring occupiers of land to take measures to reduce the risk of fire occurring or the risk to persons, property or environment in the event of fire occurring.

- Barbed wire fencing adjoining a public park or reserve or located in an urban area.
- Electric fences adjoining public land.
- An unfenced dam adjacent to a public park or reserve.

17 Power to enter property to inspect for community safety hazards

- (1) This section applies if an authorised person wants to enter a property to inspect it to identify any community safety hazards.
- (2) After giving reasonable written notice to the owner and the occupier of the property, the authorised person may—
 - (a) enter the property without the permission of the occupier; and
 - (b) take reasonable action to inspect the property for community safety hazards.
- (3) However, the authorised person—
 - (a) must, as soon as the authorised person enters the property, inform any occupier of the property—
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property, excluding a home on the property, without the permission of the occupier; and
 - (b) may enter a home that is on the property only with the permission of the occupier of the relevant part of the property.
- (4) If the occupier gives permission under subsection (3)(b), the authorised person may ask the occupier to sign a document that confirms that the occupier has given permission.

18 Removal or reduction of community safety hazards

- (1) This section applies where an authorised person forms the opinion that a community safety hazard exists on an allotment.
- (2) The authorised person may, by compliance notice¹¹ given to the responsible person for the allotment, require the responsible person to take specified action in relation to the community safety hazard to—
 - (a) remove the hazard; or
 - (b) reduce the level of risk to persons or property.

Example of specified action that might be required under paragraph (b) to reduce the risk to the community from a community safety hazard—

Securing objects or materials that may become airborne in periods of high wind.

¹¹ See footnote 3.

19 Prescribed requirements

- (1) The local government may, by subordinate local law, prescribe requirements that must be met by responsible persons relating to specified types of community safety hazards located on the owner's land.

Example of prescribed requirements—

- A requirement to place signs on electric fences or barbed wire fences adjoining public land to warn persons of the risk of injury.
 - A requirement to install and maintain an electric fence in accordance with appropriate standards.
- (2) A responsible person must comply with requirements prescribed under this section.

Maximum penalty for subsection (2)—50 penalty units.

Part 6 Noise standards

20 Prescribed noise standards

- (1) This section applies if the local government is the administering authority for the *Environmental Protection Act 1994*, chapter 8, part 3B.¹²
- (2) The local government may, by subordinate local law, prescribe a noise standard in the whole, or designated parts, of the local government's area by—
- (a) prohibiting the making of a stated noise (for example, by reference to the activity making the noise and the time at which the noise is made);¹³ and
 - (b) stating the section, in the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3, for which the subordinate local law provision is prescribing a noise standard.¹⁴

Part 7 Shopping Trolleys

21 Removal of shopping trolleys

¹² See the *Environmental Protection Act 1994*, section 514, for the making of a regulation to devolve the administration and enforcement of parts of the Act to local governments as the administering authority. The *Environmental Protection Regulation 2008*, section 99, devolves the administration and enforcement of noise standards to local governments. Section 109 of the Regulation declares local government authorised persons to be authorised persons under the *Environmental Protection Act 1994*, section 445(1)(c). Chapter 9 of that Act provides for the investigation and enforcement powers of authorised persons.

¹³ See, however, *Local Law No.1 (Administration) 2015*, section 10(4)(a), regarding conditions of approvals that may authorise an act or omission that contravenes a noise standard.

¹⁴ Section 440O(3) provides that a local law that prescribes a noise standard replaces the nominated default noise standard in the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3.

A person must not, without the consent of the shopping trolley's owner or a reasonable excuse, remove a shopping trolley from a shopping centre precinct or leave a shopping trolley at a place that is not a shopping centre precinct.

Maximum penalty—20 penalty units.

22 Retailers

- (1) A retailer must take all reasonable measures to ensure that all shopping trolleys provided by the retailer for customer use remain within the shopping centre precinct.

Maximum penalty for subsection (1)—20 penalty units.

- (2) A retailer must ensure that the following information is conspicuously and legibly displayed on each shopping trolley provided by the retailer for customer use:

- (a) the name of the retailer; and
- (b) contact details, including a telephone number for the retailer; and
- (c) any other information prescribed by subordinate local law.

Maximum penalty – 20 penalty units.

- (3) The information displayed on a shopping trolley under subsection (2) must be permanently affixed and not easily removed.

Part 8 Subordinate local laws

23 Subordinate local laws

The local government may make subordinate local laws about—

- (a) declaring animals or plants of specified species to be local pests;¹⁵ or
- (b) lighting and maintaining of fires in the open;¹⁶ or
- (c) fire hazards;¹⁷ or
- (d) community safety hazards;¹⁸ or
- (e) prescribed requirements relating to community safety hazards;¹⁹ or
- (f) prescribed noise standards for the *Environmental Protection Act 1994*;²⁰ or
- (g) shopping trolleys.²¹

¹⁵ See section 6(1).

¹⁶ See section 14(2).

¹⁷ See section 15(3)(b).

¹⁸ See section 16(c).

¹⁹ See section 19(1).

²⁰ See section 20(2).

²¹ See section 22(3).

Schedule Dictionary

Section 3

allotment means an individual parcel or piece of land.

animal means an organism (other than a human being) that is not a plant and includes eggs and semen.

compliance notice means a compliance notice mentioned in *Local Law No.1 (Administration) 2015*, section 28.

declared local pest means a plant or animal declared to be a pest under section 6 or 7.

plant means vegetation of any type, including its flowers, roots, seeds and other parts.

reasonable written notice means a written notice given at least 7 days before a property is to be entered, that informs the owner and the occupier of the property of—

- (a) the local government's intention to enter the property; and
- (b) the reason for entering the property; and
- (c) the days and times when the property is to be entered.

responsible person (for an allotment) means the person who has control or management of the allotment and includes a person in charge of activities or structures on the allotment that may result in a contravention of this local law.

retailer means any person who, in the connection with a retail or wholesale business, makes shopping trolleys available by whatever means for customer use.

shopping centre precinct means the entire area utilised by a retailer including any area provided for the parking of vehicles, pedestrian walkways or common areas within a shopping centre.

shopping trolley means any wheeled container primarily used for the carriage of goods by a customer to a retailer while at a shopping centre precinct.

the Act means the *Local Government Act 2009*.



Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023

It is hereby certified that this a true and correct copy of *Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 19 April 2023

A. Chesterman
Chief Executive Officer



Redland City Council

Amending Local Law No. 1 (Local Law No. 3 (Community and Environmental Management) 2015) 2023

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1
Redland City Council
Amending Local Law No. 1
(Local Law No. 3 (Community and Environmental Management) 2015) 2023

Redland City Council
Amending Local Law No. 1
(Local Law No. 3 (Community and Environmental Management)
2015) 2023

Part 1 Preliminary

1 Short title

This amending local law may be cited as *Amending Local Law No. 1*
(Local Law No. 3 (Community and Environmental Management) 2015) 2023.

2 Object

The object of this amending local law is to amend—
Local Law No. 3 (Community and Environmental Management) 2015 to remove
the prohibition on the feeding of native birds.

3 Commencement

This amending local law commences on the date of publication of the notice of
the making of *Amending Local Law No. 1 (Local Law No. 3 (Community and*
Environmental Management) 2015) 2023 in the gazette.

Part 2 Amendment of Local Law No. 3 (Community and
Environmental Management) 2015

4 Local law amended

This part amends *Local Law No. 3 (Community and Environmental Management)*
2015

5 Amendment of Part 8 (Miscellaneous)

- (1) Section 23—
omit.

6 Amendment of Part 9 (Subordinate local laws)

- (1) Part 9 –
Re-number as Part 8.
- (2) Section 24 -

2
Redland City Council
Amending Local Law No. 1
(Local Law No. 3 (Community and Environmental Management) 2015) 2023

Renumber as Section 23

Local Law 3 (Community & Environmental Management) 2015

Community Consultation Report

Prepared by Corporate Governance
March 2023



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Executive summary

This document provides an overview of the community consultation activities and feedback that occurred in relation to Redland City Council's proposed amendments to *Local Law No. 3 (Community & Environmental Management) 2015*.

In February 2023 those proposed amendments were presented to the community and feedback sought.

Council received 4 comments.

Background

At the General Meeting on 25 January 2023 Council resolved to undertake a community consultation on proposed changes to *Local Law No. 3 (Community & Environmental Management) 2015*. The proposed changes remove the current provisions prohibiting the feeding of native birds at residential premises in a way that causes or may cause a nuisance.

Community Consultation Summary

Community consultation opened on 1 February 2023 and closed 21 February 2023.

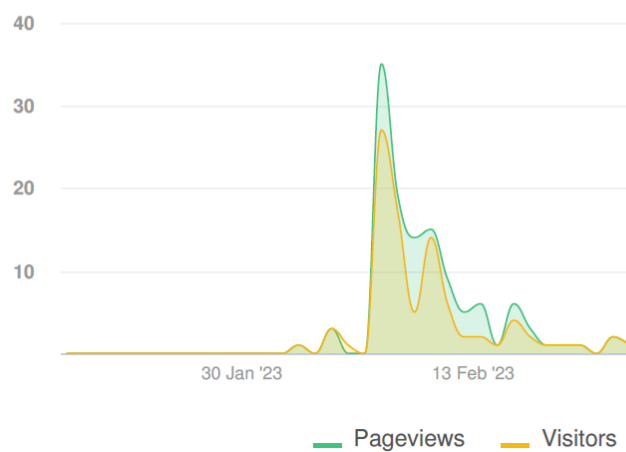
The IAP2 Public Participation spectrum is designed to assist with the selection of the level of participation that defines the public's role in any community engagement program. This community engagement was conducted at the 'Inform' level of participation with the goal being to provide the public with balanced and objective information to assist them in understanding the change in the local law but does not seek submissions regarding the change.

A total of 4 comments were received.

Community Consultation Metrics

Summary of Visitors to the Your Say site

Visitors Summary

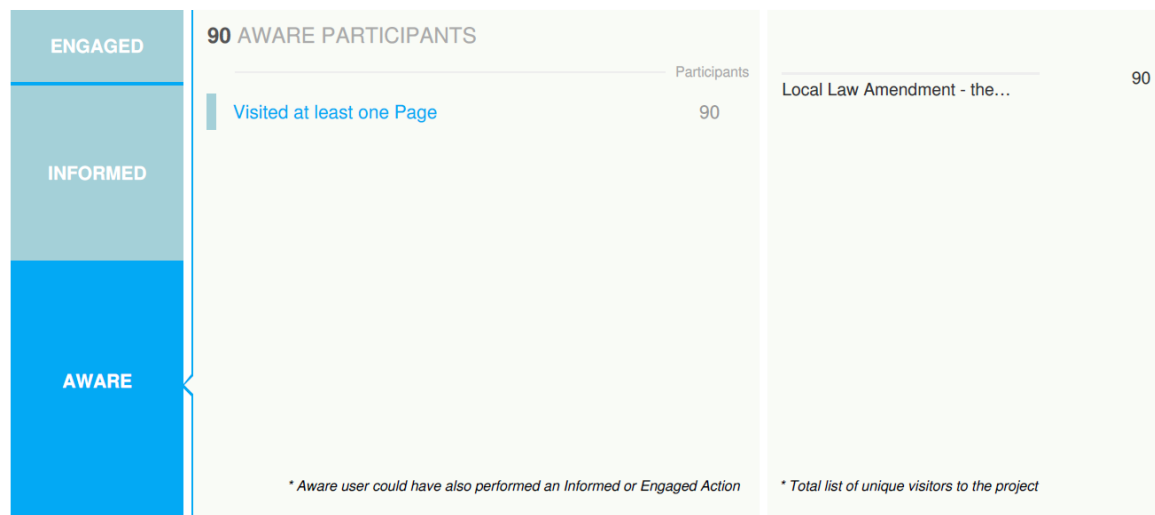
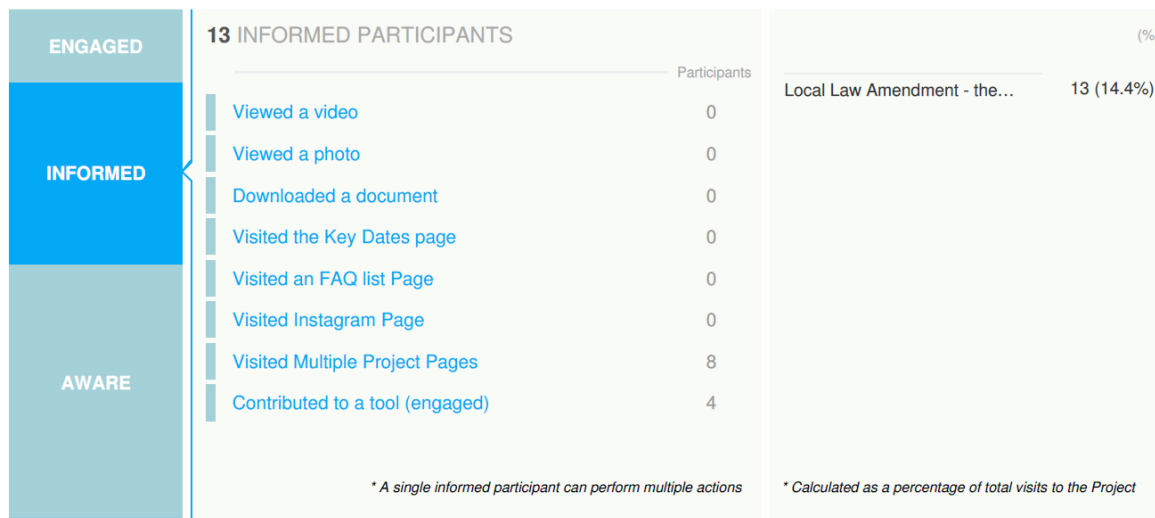


Highlights

TOTAL VISITS	92	MAX VISITORS PER DAY	27
NEW REGISTRATIONS	2		
ENGAGED VISITORS	4	INFORMED VISITORS	13
		AWARE VISITORS	90

	4 ENGAGED PARTICIPANTS				(%)
	Registered	Unverified	Anonymous		
ENGAGED					
INFORMED	Contributed on Forums	0	0	0	
	Participated in Surveys	4	0	0	
	Contributed to Newsfeeds	0	0	0	
	Participated in Quick Polls	0	0	0	
AWARE	Posted on Guestbooks	0	0	0	
	Contributed to Stories	0	0	0	
	Asked Questions	0	0	0	
	Placed Pins on Places	0	0	0	
	Contributed to Ideas	0	0	0	
* A single engaged participant can perform multiple actions					* Calculated as a percentage of total visits to the Project
				Local Law Amendment - the...	4 (4.4%)

Community Consultation Report – March 2023



Analysis

Statement: If you wish to provide any comments on the amendment to Local Law No. 3 (Community & Environmental Management) 2015, please include them in the text below.

Results

Only four comments were received –

A summary of this feedback is contained in Appendix A.

Recommendation

Following a review of the data received it is evident that the community concerns over the amendment being proposed to the local law can be managed under State Legislation or through civil means. It is therefore recommended that Council proceeds with the proposed changes to *Local Law No. 3 (Community & Environmental Management) 2015*.

Appendix A – Community Consultation Commentary and Council response

The community consultation sought to inform the community of the proposed change only.


The below feedback was received via the Your Say page.

Comments opposed to the proposed changes

Feedback	Council comment
<p>We as a community / group of neighbours had these laws introduced at our previous address [REDACTED] due to a nuisance neighbour who feed thousands of lorikeets, bats, possums 3-5 times a day. We had endless rat problems and excess feed and bird faeces splattered all over our properties. We engaged Karen Williams when she was our local councillor, Michael Choi state member at the time, the head of the state DPI officer all to come down to our house and they inspected for themselves the issues we were having. After this, the laws were introduced as the loophole our neighbour was using was the fact the state law had an exemption to native birds unless they were Cassowary's or any dangerous native animal which could cause harm to the public. We are not talking about the average Jo Blow and their kids who feeds a few birds or lizards in their back yards here guys, or the Nan and Pop who love to have a Kookaburra sit next to them on their outdoor table setting. We are talking about the extremists who don't care about what they are doing and are making the birds reliant on them for a feed. They don't care about the affect they are having on the personal wellbeing and health of those affected around them. We are talking here from experience and hope to hell that you DO NOT change these laws that so many fought hard to introduce. We ended up moving from the address above because of the stress and the effects to our</p>	<p>The proposal to repeal the Local Law will not affect Council's ability to enforce the requirements under other environmental health legislation. The <i>Public Health Act 2005</i> provides Council the ability to investigate a request in relation to excessive food attracting vermin and the accumulation of waste (including bird food and faeces). Where a request may be raised in relation to odour, the <i>Environmental Protection Act 1992</i> provides Council the ability to investigate whether an environmental nuisance is present at a property where bird feeding is occurring.</p> <p>Unfortunately, the Local Law provisions for bird feeding are difficult to enforce and do conflict with other State Legislation that protects the welfare of the birds, in relation to ceasing the immediate feeding of birds which results in lengthy mediation focused investigations. Given the nature and behaviour of wild birds Officers are restricted in their ability to enforce the provisions of the local law effectively.</p> <p>Information will be provided to the community, including information on bird feeding and how to manage nuisance, plus mediation services to assist with neighbourhood issues/disputes. As well as education to on the impacts of feeding wild birds including appropriate food sources, animal wellbeing and supplementary feeding.</p>

Feedback	Council comment
<p>health due to this ongoing fight at the time, and do you know what, the neighbour that used to break this law just up and left one day soon after and left all the native wildlife that become so reliant on him to fend for themselves. Now where is the justice in that ! Have a good hard look at what you chose to vote on and put yourselves in those people's shoes that have lived with the hell. Cheers</p>	
<p>A repeal of the law should be accompanied by an education program for householders about what not to feed to birds and what food is suitable for birds. A good starting point for people who want to provide supplementary food is Darryl Jones' "Feeding the birds at your table: a guide for Australia". As part of such a program, signage about not feeding bread to water birds, and including suggestions for appropriate food, should be erected in all council parks where there are watercourses, e.g., at the bridge at the southern edge of Henry Ziegenfusz Park. These signs should then be regularly monitored for legibility or indeed existence - the ones at Crystal Waters Park were either defaced or removed very shortly after being erected. It would be informative if such signage included identification of the different birds, e.g., Pacific black duck, Dusky Moorhen, Australasian Swamphen, Australasian grebe, so that not everything is a duck!</p>	<p>While not enforceable under the current Local Law, as part of our investigation Officers will provide education to community members around appropriate food sources. Should the Local Law be repealed Council will be providing additional education to the community on bird feeding, including webpage updates and factsheets available with this information.</p> <p>The Department of Environmental and Science also provide information for the general public on feeding wildlife and explains the associated risks, how to do so to avoid a nuisance and in such a manner that protects the bird's health.</p>
<p>Some people feed homing pigeons, Ibis and Crows in their yards. Homing pigeons' nest under solar cells and cause fire hazard and pollute water tanks, People are spending up to \$1000 per house to have mesh installed. Ibis waits on adjacent roofs and defecate and pollute tanks and storm water drains. Some feed bread to crows and this is dropped in</p>	<p>Homing pigeons that are domesticated birds are captured under Local Law 2 – Animal Management. This Local Law has minimum standards for keeping pigeons, including that they are kept without nuisance and appropriately contained. If pigeons are kept in urban areas, they are also not permitted to be released, also known as "free-lofting" to avoid causing nuisance.</p>

Feedback	Council comment
neighbour's yards and eaten by dogs. I have previously emailed Council about this with zero success!!	In relation to Ibis and Crows being fed bread and it being carried and dropped mid-flight in other properties then eaten by dogs, Local Law 3 is limited in enforcement provisions and does not provide the capacity to appropriately enforce this type of behaviour. Information however can be provided to customers on the types of food being fed to birds to discourage this from occurring, particularly where the feeding of bread and other processed foods are not recommended for the welfare of the bird.
I do not support the proposed amendment. If a resident causes a nuisance to others by excessive or inappropriate feeding of native birds, then this local law gives Redland City Council an opportunity to intervene. Instead of trying to shed responsibilities, Council could better serve the community by identifying matters that require action and dealing with them such as proper enforcement of local laws requiring dogs to be kept on leash. Council could also amend local laws to make it an offence for horse riders to leave horse manure in public places.	<p>Repealing the Local Law will not impact on Council's ability to enforce legislation around bird feeding where it becomes a public health or environmental health nuisance, whether this be odour, accumulation of food waste, attracting vermin or the accumulation of faeces.</p> <p>Given the nature and behaviour of wild birds Officers are restricted in their ability to enforce the general nuisance provisions under local law 3 effectively, with the <i>Public Health Act 2005</i> and <i>Environmental Protection Act 1994</i> providing Council with appropriate and effective enforcement tools to investigate and manage bird feeding where it causes a public health risk.</p>

 Redland CITY COUNCIL	Redland City Council - Form for State Agency – Comments/Interest Check Responses	
Title of Local Law: - <i>Local Law No. 3 (Community and Environmental Management) 2015</i>		
Agency -	Comments	
Department of Agriculture and Fisheries	No comment	
Department of Transport and Main Roads	No comment	
Department of Resources	No comment	
Queensland Police Service	No comment	
Department of Regional Development, Manufacturing & Water	No comment	
Department of Children, Youth Justice & Multicultural Affairs	No comment	
Department of Energy and Public Works	No comment	
Department of Communities, Housing & Digital Economy	No comment	
Department of State Development, Infrastructure, Local Government and Planning	No comment	
Department of Environment and Science	No comment	

13.4 MAKING AMENDING SUBORDINATE LOCAL LAW NO. 4 (SUBORDINATE LOCAL LAW NO. 1.8 (OPERATION OF ACCOMMODATION PARKS) 2015) 2023

Objective Reference: A7324488

Authorising Officer: Amanda Pafumi, General Manager Organisational Services
Louise Rusan, General Manager Community & Customer Services

Responsible Officer: Tony Beynon, Group Manager Corporate Governance
Graham Simpson, Group Manager Environment & Regulation

Report Author: Kristene Viller, Service Manager Ethics & Integrity

Attachments:

1. Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015 [↓](#)
2. Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023 [↓](#)
3. Public Interest Test Report [↓](#)
4. Community Consultation Feedback Report [↓](#)

PURPOSE

To present the results of the community consultation and public interest test that was undertaken for *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* and to proceed with the making of *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023*.

BACKGROUND

At the General Meeting on 14 December 2022 Council resolved to undertake community consultation on proposed changes to *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*. The changes include removing reference to standards that have been revoked (e.g., Australian Standard regarding Fire Safety Audits); update the documents required to be provided with an approval; inclusion of new definitions for self-contained recreation vehicle and other administrative changes. The changes are intended to enhance governance of the Redlands community and improve operational outcomes by managing risks within the community.

Please note that in the consolidated version of *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* (Attachment 1) the only changes made are to:

Section	Amendment
Schedule 1, section 2(1)(a)(ii)	Omit 'or'
Schedule 1, section 2(1)(a)(iii)	Omit 'and' replace with 'or'
Schedule 1, section 2(1)(a)	Insert new (iv) Self-contained caravans or recreational vehicles; and
Schedule 1, section 2(1)(b)(iii)	Omit, and replace with new provision
Schedule 1, section 2(1)(b)(vii) to (Xii)	remove
Schedule 1, section 2(1)(b)(xiii) to (xiv)	Renumber as (vii) to (viii)
Schedule 1, section 2(1)(b)(xv)	omit
Schedule 1, section 2(1)(b)(xvi) to (xviii)	Renumber as (ix) to (xi)
Schedule 1, section 2(1)(b)(xix)	Omit
Schedule 1, section 2(1)(b)(xx) to (xxi)	Renumber as (xii) to (xiii)
Schedule 1, section 2(1)(b)(xiii)	Omit 'and' insert "."
Schedule 1, section 2((1)(b)(xxii)	omit
Schedule 1, section 3(2)	Omit 'the' insert 'If the accommodation park is proposed to have a resident manager, the'

Section	Amendment
Schedule 1, section 3(3)(c)	Omit 'and bearing a distinguishing mark or number'
Schedule 1, section 3(3)(e)	Omit 'details of the water supply system, including the position of all water points' and insert 'the water supply system and drainage'
Schedule 1, section 3(3)(g)	Omit 'details of the sewerage system including the position of each sanitary convenience, ablution and laundry building' and insert 'the location and number of sanitary conveniences, ablution and laundry facilities'
Schedule 1, section 3(3)(h)	Omit 'details of the on-site sewerage facilities' and insert 'the sewerage'
Schedule 1, section 3(3)(i)	Omit 'the position of all 'fireplaces' and insert 'the carparking facilities'
Schedule 1, section 3(3)(j)(i) to (v)	omit
Schedule 1, section 3(3)(j)	Omit ' _ ' and insert recreational facilities and food preparation areas. Example: camp kitchens
Schedule 1, section 3(4) to (5)	Omit
Schedule 1, section 3(6)	Re-number at 3(4)
Schedule 1, section 3(7) to (9)	Omit
Schedule 1, section 3	Insert '(5) An evacuation plan for the accommodation park.'
Schedule 1, section 4	Insert '(4) The operation and management of the accommodation park must be adequate to protect public health and safety, amenity and prevent environmental harm.'
Schedule 1, section 5	Omit 'no conditions stated' and insert new provisions
Schedule 1, section 6(2)	Omit 'water'
Schedule 1, section 6(4) to (5)	Omit
Schedule 1, section 6(6) to (18)	Re-number 6(4) to (16)
Schedule 1, section 6(6)(a) to (b)	Omit
Schedule 1, section 6(6)	Omit '- ' and insert new provision
Schedule 1, section 6(19)	Omit
Schedule 1, section 6(20) to (24)	Re-number as 6(17) to (21)
Schedule 1, section 6(18)	After 'must not' insert ', unless the local government agrees in writing.'
Schedule 1, section 6(19)	Omit '(20) and (21) and insert (17) and (18)
Schedule 1, section 6(19)	Omit 'a nuisance or annoyance to any person' and insert 'an environmental nuisance'
Schedule 1, section 6(25)	Omit
Schedule 1, section 6(26) to (27)	Re-number to section 6(22) to (23)
Schedule 1, section 6(22)	Omit 'a nuisance or inconvenience' and insert 'an environmental nuisance'
Schedule 1, section 6(28)	Omit
Schedule 1, section 6(29) to (31)	Re-number as section 6(24) to (26)
Schedule 1, section 6(32) to (34)	Omit
Schedule 1, section 6(35) to (37)	Re-number as section 6(27) to (29)
Schedule 1, section 6(28)(a) to (b)	Omit
Schedule 1, section 6(28)	Omit '- ' insert new provision
Schedule 3, definition accommodation	Updated
Schedule 3, definition accommodation	Insert new (c)
Schedule 3	Insert new definition of recreational vehicle and self-contained caravan or recreational vehicle
Schedule 3	Omit definition of sanitary convenience and vermin

ISSUES

State Interest Checks

Section 29A of the *Local Government Act 2009* does not require state interest checks to be completed on Subordinate Local Laws.

Public Interest Review

The *Local Government Act 2009* requires that any Subordinate 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.

The *Local Government Regulation 2012* provides that the procedure for review of anti-competitive provisions is set out in the National Competition Policy – guidelines for conducting reviews on anti-competitive provisions in local laws (Guidelines).

Review of *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* found that the proposed amendment created an anti-competitive provision which could not be satisfied by one of the available exemptions. In accordance with the *Local Government Regulation 2012* a Public Interest Test Plan was developed and a review conducted between 16 January 2023 – 6 February 2023. The Public Interest Test complied with the following principles as outline in the Guidelines:

- 1) Meaningful consultation with relevant businesses about the anti-competitive provisions
- 2) Examination of the reasonable alternatives to the anti-competitive provisions
- 3) A cost benefit analysis that involves calculating the value of the impacts, both positive and negative, of the anti-competitive provisions including:
 - i. The local governments costs in implementing and enforcing the provisions
 - ii. The costs of compliance for business
 - iii. Comparison of the total costs for each of the reasonable alternatives
 - iv. The benefits to the community from the anti-competitive provisions
- 4) Determining whether on balance, the anti-competitive provisions should be retained in the proposed local law in the overall public interest.

Following the public interest test it has been determined that the anti-competitive provision be retained. A public interest test report is provided (Attachment 3).

As it is recommended that the anti-competitive provisions be retained Council must resolve under section 29(2) of the *Local Government Act 2009* to make a local law that contains an anti-competitive provision that has not been excluded under the guidelines. This will be reflected in the resolution and by publishing a notice on Council's website.

Community Consultation

Community Consultation was undertaken on *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* between 16 January 2023 and 6 February 2023. The consultation was conducted at consult level in accordance with IAP2 Standards. Consult level public participation is designed to obtain public feedback on the proposed amendments and as such the public was encouraged to make submissions regarding the changes.

A total of 69 visits were made to the Your Say page, however only one properly made submissions was received, a summary of this is contained in Attachment 4.

Local Law Implementation

Should Council resolve to make *Amending Subordinate Local Law No. 4 (Operation of Accommodation Parks) 2015) 2023*, notice must be given to the public within one month, through publication in the Queensland 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 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 set the framework that the local government must adhere to. Council has adopted a Local Law Making Process that is consistent with the *Local Government Act 2009* provisions. This process has been followed in the making of the Subordinate Local Law attached to this report.

The Subordinate Local Law has been drafted in accordance with the *Local Government Act 2009*, the Guidelines for Drafting Local Law issued by the Parliamentary Counsel and the principles under the *Legislative Standards Act 1992*.

Part D of Council's adopted Local Law Making Process sets out the required steps for making the Amending Instrument. The first six steps in the Local Law Making Process involve making the Amending Instrument and steps seven to ten relate to notifying the public and Minister about the Amending Instrument.

Risk Management

The risks associated with amending the Subordinate Local Law were managed by:

- a) Engaging external solicitors to draft the amendments.
- b) Ensuring the process to amend the Subordinate Local Law is in accordance with legislative standards and the adopted Redland City Council Local Law Making Process.
- c) Comprehensive internal stakeholder engagement to ensure the Subordinate Local Law will promote effective governance to the community.
- d) Review of the identified anti-competitive provisions identified and adhering to the National Competition Policy Guidelines.

Financial

The costs of drafting the Subordinate Local Law and publications are funding through existing budget allocation with the Strategy and Governance Unit and Legal Services.

People

The Subordinate Local Law will have impacts for the Environmental Health team resource levels, it is anticipated this will be absorbed into current budget allocations.

Environmental

There are no environmental implications associated with this report.

Social

Local Government provides for the good governance of the local government area through its local laws. The subordinate local law attached to this report has the potential to impact all members of the Redlands Community.

Human Rights

All human rights have been considered against the proposed amendments and it has been determined that none of the proposed changes impact on human rights.

Alignment with Council's Policy and Plans

The process for making the proposed Subordinate Local Laws is in accordance with Council's adopted practice for making local laws.

This process is in keeping with Council's *Our Future Redlands – A Corporate Plan to 2026 and Beyond* goal for Strong Communities – Laws and Regulations.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Group Manager Corporate Governance	March 2023	Reviewed and approved reports
Senior Adviser Strategic Communications and Community Engagement	December 2022 – February 2023	Prepared materials and conducted community consultation and provided results
Service Manager Ethics and Integrity	December 2022 to March 2023	Reviewed consultation results, drafted amending instrument, conducted public interest test.
Service Manager Health and Environment	December 2022 – March 2023	Contributed to community consultation materials and correspondence. Responded to questions from the community in relation to the proposed changes

OPTIONS

Option One

That, in accordance with Council's Local Law Making Process adopted on 20 March 2019, pursuant to section 29 of the *Local Government Act 2009*, Council resolves as follows:

1. To receive and note the Public Interest Test Report (Attachment 3) and to implement the recommendation of this report.
2. To proceed:
 - a) As advertised with the making of *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023*.
 - b) To make *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023* (Attachment 2).
 - c) To adopt the consolidated version of *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* (Attachment 1).
 - d) To adopt the consolidated version of *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* noting it contains anti-competitive provisions that are not excluded under the National Competition Policy Guidelines.
 - e) To give notice of the making of *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023* by publication in the Queensland Government Gazette.
3. To give notice on Council's website that *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* contains anti-competitive provisions and that the local law may be inspected and purchased at Council's office in Cleveland and viewed on the Department of State Development, Infrastructure, Local Government and Planning website.
4. To authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.

Option Two

That, in accordance with Council's Local Law Making Process adopted on 20 March 2019, pursuant to section 29 of the *Local Government Act 2009*, Council resolves as follows:

1. To note the Community Consultation report and recommendations.
2. To not make *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023*.

OFFICER'S RECOMMENDATION

That, in accordance with Council's Local Law Making Process adopted on 20 March 2019, pursuant to section 29 of the *Local Government Act 2009*, Council resolves as follows:

1. To receive and note the Public Interest Test Report (Attachment 3) and to implement the recommendation of this report.
2. To proceed:
 - a) As advertised with the making of *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023*.
 - b) To make *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023* (Attachment 2).
 - c) To adopt the consolidated version of *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* (Attachment 1).
 - d) To adopt the consolidated version of *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* noting it contains anti-competitive provisions that are not excluded under the National Competition Policy Guidelines.
 - e) To give notice of the making of *Amending Subordinate Local Law No. 4 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023* by publication in the Queensland Government Gazette.
3. To give notice on Council's website that *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* contains anti-competitive provisions and that the local law may be inspected and purchased at Council's office in Cleveland and viewed on the Department of State Development, Infrastructure, Local Government and Planning website.
4. To authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.



Redland City Council

Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015

It is hereby certified that this a true and correct copy of *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 19 April 2023.

A. Chesterman
Chief Executive Officer



Redland City Council

Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*.

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.
 - (a) The purpose is to be achieved by providing for—
 - (b) various matters regarding the granting of approvals for prescribed activities; and
 - (c) further specification of the definitions relevant to various prescribed activities.
- (2) 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) For the purposes of the definition of complementary accommodation in schedule 1 of the authorising local law, a manufactured home is other accommodation approved by the local government as appropriate to an accommodation park.
- (3) The dictionary in schedule 3 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), (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 2 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.
- (10) For section 12 of the authorising local law, in Table 1 of schedule 1—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 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.

Schedule 1 Operation of accommodation parks

Section 5

1. Prescribed activity

Operation of accommodation parks

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 operation of accommodation parks if—
 - (a) the only accommodation in the accommodation park is one or more of the following—
 - (i) cabins with self-contained facilities;
 - (ii) manufactured homes with self-contained facilities;
 - (iii) semi-permanent style tents (glamping, for example) that cannot be readily assembled or disassembled with self-contained facilities; or
 - (iv) self-contained caravans or recreational vehicles; and
 - (b) the operator of the accommodation park complies with the following conditions—
 - (i) the operation of the accommodation park must otherwise be lawfully conducted on the premises; and
 - (ii) the operation of the accommodation park must not produce—
 - (A) environmental harm; or
 - (B) environmental nuisance; or
 - (C) inconvenience or annoyance to the occupiers of any adjoining land; and
 - (iii) the operator must ensure all electrical wiring and electrical fittings on the premises are in compliance with—
 - (A) AS/NZS 3760—In-service safety inspection and testing of electrical equipment; and
 - (B) AS/NZS 3001—Transportable structures and vehicles including their sites; and
 - (iv) the operation of the accommodation park must not detrimentally affect the amenity of adjoining land; and
 - (v) the operation of the accommodation park, including any premises, building, structure, vehicle, facility, equipment, recreational water facility or fixture must be maintained in—
 - (A) good working order and condition; and
 - (B) a clean, safe and tidy condition; and
 - (vi) provision must be made for people and vehicles to enter and exit the accommodation park safely; and
 - (vii) The operator must provide appropriate fire safety measures that are

maintained in good working order and where applicable, are in compliance with—

- (A) AS 2444 – Portable fire extinguishers and fire blankets – selection and location; and
 - (B) AS 2293 – Emergency escape lighting and exit signs; and
 - (C) AS 1851 – Maintenance of fire protection system and equipment; and
- (viii) An inspection report regarding the electrical wiring and electrical fittings on the premises must be conducted by an approved electrical contractor once every three years; and
- (ix) The inspection report must take into account—
- (A) AS/NZS 3760 — In-service safety inspection and testing of electrical equipment; and
 - (B) AS/NZS 3001 — Transportable structures and vehicles including their sites; and
- (x) The operator must—
- (A) provide and maintain an adequate supply of water to the accommodation park, including water suitable for drinking, cooking and personal hygiene; and
 - (B) cause hot and cold water to be reticulated to every shower, bath and hand basin; and
- (xi) The water supply for drinking purposes must be potable water; and
- (xii) The operator must ensure that, if water obtained from a particular water outlet in the accommodation park may be unsuitable for drinking, a sign is prominently displayed at the outlet stating “Unsuitable for Drinking”; and
- (xiii) If bed linen is supplied—
- (A) keep it in a clean and sanitary condition; and
 - (B) replace it with clean bed linen after each change of occupation of the accommodation; and
- (xiv) Facilities for the disposal of waste must be sufficient to accommodate the collection and storage of all waste generated as part of the operation of the accommodation park; and
- (xv) The operation of the accommodation park must not—
- (A) create a traffic problem; or
 - (B) increase an existing traffic problem; or
 - (C) detrimentally affect the efficiency of an existing road network; and
- (xvi) The operator must not use an extension telephone bell, open air address system or similar device as part of the operation of the accommodation park if the bell, system or device causes a nuisance or annoyance to any person; and
- (xvii) In the operation of the accommodation park the operator must only use lighting which is angled or shaded so that the lighting does not

cause a nuisance or inconvenience; and

- (xviii) The operator must dispose of all waste generated as part of the operation of the accommodation park in a manner which maintains the operation of the accommodation park and its surrounds in a clean, tidy, sanitary and hygienic condition.
- (2) To remove any doubt, if the operation of accommodation parks is not done in accordance with subsection (1) an approval granted by the local government pursuant to the authorising local law is required.

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

- (1) If the applicant is not the owner of the place at which the accommodation park is to be operated—the written consent of the owner to the application.
- (2) If the accommodation park is proposed to have a resident manager, the name and address of the proposed resident manager of the accommodation park and the proposed resident manager's written agreement accepting the responsibilities of resident manager of the accommodation park.
- (3) A plan of the proposed accommodation park which must be drawn to scale showing—
 - (a) the location and real property description of the place at which the accommodation park is to be operated; and
 - (b) the boundaries of the accommodation park; and
 - (c) the division of the accommodation park into sites, including the location and number of potential sites, separation distance between each site, with each site clearly defined; and
 - (d) the location of each road and building situated within the accommodation park; and
 - (e) the water supply system and drainage; and
 - (f) the position of all waste containers; and
 - (g) the location and number of sanitary conveniences, ablution and laundry facilities; and
 - (h) the sewerage and the waste water disposal system; and
 - (i) the carparking facilities; and
 - (j) the nature and position of recreational facilities and food preparation areas.
Example: camp kitchens
- (4) Details of the maximum number of persons who can be accommodated at—
 - (a) the accommodation park; and
 - (b) each site within the accommodation park.
- (5) An evacuation plan for the accommodation park.

4. Additional criteria for the granting of an approval

- (1) The operation of the accommodation park must be lawfully conducted on the premises.

- (2) The operation of the accommodation park must not produce—
 - (a) environmental harm; or
 - (b) environmental nuisance; or
 - (c) inconvenience or annoyance to the occupiers of any adjoining land.
- (3) All facilities at the accommodation park must be—
 - (a) of an acceptable standard; or
 - (b) able to be brought to an acceptable standard, for use by residents of the accommodation park.
- (4) The operation and management of the accommodation park must be adequate to protect public health and safety, amenity and prevent environmental harm.

5. Conditions that must be imposed on an approval

- (1) The approval holder must produce the approval for inspection by an authorised person upon request.
- (2) The approval holder must display a copy of the approval in a prominent position, so that it is easily visible to persons at the accommodation park.
- (3) The approval holder must allow an authorised person to enter and inspect the activities of the accommodation park to ensure compliance.

6. Conditions that will ordinarily be imposed on an approval

- (1) The operation of the accommodation park must not detrimentally affect the amenity of adjoining land.
- (2) The operation of the accommodation park, including any premises, building, structure, vehicle, facility, equipment, recreational facility or fixture must be maintained in—
 - (a) good working order and condition; and
 - (b) a clean, safe and tidy condition.
- (3) Provision must be made for people, vehicles and caravans, and complementary accommodations to enter and exit the accommodation park safely.
- (4) A fire safety report must be conducted by a suitably qualified person once every three years and a subsequent report be submitted to the local government, taking into account—
 - (a) AS 2444 – Portable fire extinguishers and fire blankets – selection and location; and
 - (b) AS 2293 – Emergency escape lighting and exit signs; and
 - (c) AS 1851 – Maintenance of fire protection system and equipment; and
 - (d) Suitability of fire safety measures.
- (5) An inspection report regarding the electrical wiring and electrical fittings on the premises must be conducted by an approved electrical contractor once every three years and a subsequent report be submitted to the local government.
- (6) The report must take into account—

- (a) AS/NZS 3760 — In-service safety inspection and testing of electrical equipment; and
 - (b) AS/NZS 3001 — Transportable structures and vehicles including their sites.
- (7) The approval holder must provide and maintain an adequate supply of water to the accommodation park, including water suitable for drinking, cooking and personal hygiene.
- (8) The water supply for drinking purposes must be potable water.
- (9) The approval holder must ensure that, if water obtained from a particular water outlet in the accommodation park may be unsuitable for drinking, a sign is prominently displayed at the outlet stating “Unsuitable for Drinking”.
- (10) If bed linen is supplied—
 - (a) keep it in a clean and sanitary condition; and
 - (b) replace it with clean bed linen after each change of occupation of the accommodation.
- (11) All materials of a hazardous or dangerous nature which are used in the operation of the accommodation park must be stored and used in a safe manner.
- (12) Facilities for the disposal of waste must be—
 - (a) sufficient to accommodate the collection and storage of all waste generated as part of the operation of the accommodation park; and
 - (b) provided in the manner, and at the locations, specified by the local government.
- (13) The local government may limit the number of persons who may occupy a site and require the approval holder to—
 - (a) ensure that the limit is displayed on a notice erected in a prominent position at the accommodation park; and
 - (b) take appropriate action to ensure that the limit is not contravened.
- (14) The approval holder must—
 - (a) not locate or permit accommodation to be located at any place within the accommodation park other than on a site approved by the local government under this subordinate local law; and
 - (b) not locate or permit to be located more than 1 accommodation, on a site at any 1 time; and
 - (c) not permit accommodation to be occupied by more persons than the accommodation is designed to accommodate or permitted to accommodate under the conditions of an approval.
- (15) If the local government gives written notice to the approval holder that the local government is not satisfied that the resident manager of the accommodation park is a suitable person to be the resident manager— replace the resident manager with an alternate resident manager who is acceptable to the local government within a time stated in the notice.
- (16) The approval holder must keep and maintain a register which details—
 - (a) the name and address of each person who hires a site at the accommodation park; and
 - (b) an identifying number for the site; and

- (c) if accommodation is brought onto the site—the registration number of the (if applicable) caravan or complementary accommodation and (if applicable) the vehicle towing it; and
 - (d) the dates when the hiring of the site begins and ends.
- (17) The approval holder or the resident manager must, at the request of an authorised person, produce the register for inspection.
- (18) The approval holder must not, unless the local government agrees in writing, change the sites at the accommodation park by—
 - (a) adding to the existing sites; or
 - (b) changing the position or boundaries of a site.
- (19) The approval holder must not, unless the local government agrees in writing, change any building, structure or facility at the accommodation park by—
 - (a) adding new buildings, structures or facilities; or
 - (b) removing existing buildings, structures or facilities; or
 - (c) changing the position of any building, structure or facility.
- (20) However, subsections (17) and (18) do not apply if the proposed change constitutes development under the *Planning Act 2016*.
- (21) The operation of the accommodation park must not—
 - (a) create a traffic problem; or
 - (b) increase an existing traffic problem; or
 - (c) detrimentally affect the efficiency of an existing road network.
- (22) The approval holder must not use an extension telephone bell, open air address system or similar device as part of the operation of the accommodation park if the bell, system or device causes an environmental nuisance.
- (23) In the operation of the accommodation park the approval holder must only use lighting which is angled or shaded so that the lighting does not cause an environmental nuisance.
- (24) The approval holder must dispose of all waste generated as part of the operation of the accommodation park in a manner which maintains the operation of the accommodation park and its surrounds in a clean, tidy, sanitary and hygienic condition.
- (25) Each site used as part of the operation of the accommodation park must be individually numbered and described in the manner specified by the local government.
- (26) The local government may prescribe rules which govern the use of the accommodation park and require the approval holder to ensure compliance with the rules by each user of the accommodation park.
- (27) The rules which govern the use of the accommodation park must be displayed in the manner, and at the locations, specified by the local government so that the rules can be viewed by users of the accommodation park.
- (28) The local government may specify conditions applying to the operation of the accommodation park including—
 - (a) times and days for administration of the arrival and departure of hirers of

- accommodation at the accommodation park; and
- (b) conditions of stay; and
 - (c) minimum requirements for condition and maintenance of caravans and complementary accommodation; and
 - (d) conditions applying to the use of any facilities or services of the accommodation park; and
 - (e) the prohibition of specified activities.
- (29) The local government may require that the approval holder direct a person to leave the accommodation park forthwith, or within a specified time, where the person is found to be contravening a requirement of this local law or a Local Government Act in circumstances where the contravention will, in the opinion of an authorised person, adversely impact on the safety or amenity of other accommodation park users.
- (30) The local government may require that the approval holder remove from the accommodation park a caravan or complementary accommodation which, in the opinion of an authorised person, is dilapidated, unsightly or overcrowded within a specified time.

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.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier

Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015

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Schedule 2 Categories of approval that are non-transferable

Section 6

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

Schedule 3 Dictionary

Section 4

accommodation means—

- (a) a caravan; or
- (b) a complementary accommodation; or
- (c) a recreational vehicle.

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

cabin means a relocatable home, building or fixed structure (other than a building or structure used exclusively as the residence or office of a resident manager).

drainage has the meaning given in the *Plumbing and Drainage Act 2018*.

electrical installation has the meaning given in the *Electricity Act 1994*.

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

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

facilities includes—

- (a) toilets; and
- (b) bathing and showering facilities; and
- (c) facilities for washing and drying clothes; and
- (d) facilities for cooking and food preparation; and
- (e) sporting and other recreational facilities; and
- (f) the facilities for the use or convenience of people using an accommodation park.

fire safety installation has the meaning given in the *Building Act 1975*.

local government public health risk has the meaning given in the *Public Health Act 2005*.

manufactured home has the meaning given in the *Manufactured Homes (Residential Parks) Act 2003*.

nuisance includes anything that—

- (a) disturbs or inconveniences people in the vicinity of an accommodation park; or
- (b) detracts from the use or enjoyment of land adjoining or in the vicinity of an accommodation park.

occupant (of accommodation) means a person who resides at the accommodation.

on-site sewerage facility has the meaning given in the *Plumbing and Drainage Act 2018*.

potable water means water which complies with Australian Drinking Water Guidelines.

premises means the premises used for the operation of the accommodation park. **relocatable**

home means a Class 1 or Class 3 building under the Building Code of Australia (or its equivalent) which is—

- (a) constructed away from the site at which it is erected; and
- (b) designed to be moved from 1 location to another; and

- (c) ordinarily able to be moved within 24 hours of commencement of work associated with the move.

recreational vehicle means a motorised vehicle designed for accommodation, including a motorhome and campervan.

resident (of an accommodation park) means a person who resides in a caravan or complementary accommodation at the accommodation park.

resident manager (of an accommodation park) means—

- (a) a person nominated by the approval holder and accepted by the local government from time to time who—
- (i) is responsible for the management and supervision of the accommodation park; and
 - (ii) resides on or near the accommodation park; and
 - (iii) is present or available at all reasonable times to ensure the operation of the accommodation park; and
- (b) if that person cannot be located, or if no such person is nominated and accepted, the approval holder.

self-contained caravan or recreational vehicle means a caravan or recreational vehicle that includes, or is equipped with, each of the following—

- (a) sleeping facilities; and
- (b) a toilet; and
- (c) a shower; and
- (d) separate holding tanks for grey and black water; and
- (e) capacity to contain and store all wastewater generated until wastewater can be properly disposed of.

self-contained facilities means where the cabin, manufactured home or semi-permanent style tent contains—

- (a) sleeping facilities; and
- (b) toilet facilities that are water flushed and have drainage; and
- (c) showering or bathing facilities with running water.

sewerage system has the meaning given in the *Plumbing and Drainage Act 2018*.

site means a part of an accommodation park which is designated for a single accommodation of a particular type.

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

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

waste has the meaning given in the *Environmental Protection Act 1994*.

water supply system has the meaning given in the *Plumbing and Drainage Act 2018*.



**Amending Subordinate Local Law No. 4
(Redland City Council Subordinate Local
Law No. 1.8 (Operation of
Accommodation Parks) 2015) 2023**

It is hereby certified that this a true and correct copy of *Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 19 April 2023

A. Chesterman
Chief Executive Officer



Redland City Council

Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

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I

Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

Part 1 Preliminary

1 Short title

This amending local law may be cited as *Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023*.

2 Object

The objects of this amending local law are to amend *Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015* by:

- (a) including a definition for ‘recreational vehicle’ and ‘self-contained recreational vehicle’;
- (b) removing unused definitions;
- (c) including self-contained caravans or recreational vehicles to the list of accommodation that does not require an approval;
- (d) removing and updating several conditions that accommodation must comply with to remain an accommodation park that does not require an approval;
- (e) removing and adding several documents that must accompany an application for an approval;
- (f) adding an additional criteria for granting of an approval;
- (g) adding conditions that must be imposed on an approval; and
- (h) removing and adding various conditions that will ordinarily be imposed on an approval.

3 Commencement

This amending subordinate local law commences on the date of publication of the notice of the making of *Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023* in the gazette.

Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

Part 2 Amendment of Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015

4 Local law Amended

This part amends *Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*.

5 Amendment of sch 1 (Operation of accommodation parks)

- (1) Schedule 1, section 2(1)(a)(ii), ‘or’—
omit.
- (2) Schedule 1, section 2(1)(a)(iii), ‘and’—
omit, insert—

or
- (3) Schedule 1, section 2(1)(a)—
insert—

(iv) self-contained caravans or recreational vehicles; and
- (4) Schedule 1, section 2(1)(b)(iii)—
omit, insert—
 - (iii) the operator must ensure all electrical wiring and electrical fittings on the premises are in compliance with—
 - (A) AS/NZS 3760—In-service safety inspection and testing of electrical equipment; and
 - (B) AS/NZS 3001—Transportable structures and vehicles including their sites; and
- (5) Schedule 1, section 2(1)(b)(vii) to (xii)—
omit.
- (6) Schedule 1, section 2(1)(b)(xiii) to (xiv)—
renumber as section 2(1)(b)(vii) to (viii).
- (7) Schedule 1, section 2(b)(1)(b)(xv)—
omit.
- (8) Schedule 1, section 2(1)(b)(xvi) to (xviii)—
renumber as section 2(1)(b)(ix) to (xi).

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Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

- (9) Schedule 1, section 2(1)(b)(xix)—
omit.
- (10) Schedule 1, section 2(1)(b)(xx) to (xxi)—
renumber as section 2(1)(b)(xii) to (xiii).
- (11) Schedule 1, section 2(b)(1)(b)(xiii), ‘; and’—
omit, insert—
.
- (12) Schedule 1, section 2(1)(b)(xxii)—
omit.
- (13) Schedule 1, section 3(2), ‘The’—
omit, insert—
If the accommodation park is proposed to have a resident manager, the
- (14) Schedule 1, section 3(3)(c), ‘and bearing a distinguishing mark or number’—
omit.
- (15) Schedule 1, section 3(3)(e), ‘details of the water supply system, including the position of all water points’—
omit, insert—
the water supply system and drainage
- (16) Schedule 1, section 3(3)(g), ‘details of the sewerage system including the position of each sanitary convenience, ablution and laundry building’—
omit, insert—
the location and number of sanitary conveniences, ablution and laundry facilities
- (17) Schedule 1, section 3(3)(h), ‘details of the on-site sewerage facilities’—
omit, insert—
the sewerage
- (18) Schedule 1, section 3(3)(i), ‘the position of all fire places’—
omit, insert—
the carparking facilities
- (19) Schedule 1, section 3(3)(j)(i) to (v)—
omit.

4

Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

- (20) Schedule 1, section 3(3)(j), ‘—’—
omit, insert—
recreational facilities and food preparation areas. *Example:*
camp kitchens.
- (21) Schedule 1, section 3(4) to (5)—
omit.
- (22) Schedule 1, section 3(6)—
renumber as section 3(4).
- (23) Schedule 1, section 3(7) to (9)—
omit.
- (24) Schedule 1, section 3—
insert—
(5) An evacuation plan for the accommodation park.
- (25) Schedule 1, section 4—
insert—
(4) The operation and management of the accommodation park must be adequate to protect public health and safety, amenity and prevent environmental harm.
- (26) Schedule 1, section 5, ‘No conditions stated.’—
omit, insert—
(1) The approval holder must produce the approval for inspection by an authorised person upon request.
(2) The approval holder must display a copy of the approval in a prominent position, so that it is easily visible to persons at the accommodation park.
(3) The approval holder must allow an authorised person to enter and inspect the activities of the accommodation park to ensure compliance.
- (27) Schedule 1, section 6(2), ‘water’—
omit.
- (28) Schedule 1, section 6(4) to (5)—
omit.
- (29) Schedule 1, section 6(6) to (18)—
renumber as section 6(4) to (16).

Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

- (30) Schedule 1, section 6(6)(a) to (b)—
omit.
- (31) Schedule 1, section 6(6), ‘—’—
omit, insert—
provide and maintain an adequate supply of water to the accommodation park, including water suitable for drinking, cooking and personal hygiene.
- (32) Schedule 1, section 6(19)—
omit.
- (33) Schedule 1, section 6(20) to (24)—
renumber as section 6(17) to (21).
- (34) Schedule 1, section 6(18), after ‘must not’—
insert—
 , unless the local government agrees in writing,
- (35) Schedule 1, section 6(19), ‘(20) and (21)’—
omit, insert—
(17) and (18)
- (36) Schedule 1, section 6(19), ‘Sustainable Planning Act 2009’—
omit, insert—
Planning Act 2016
- (37) Schedule 1, section 6(21), ‘a nuisance or annoyance to any person’—
omit, insert—
an environmental nuisance
- (38) Schedule 1, section 6(25)—
omit.
- (39) Schedule 1, section 6(26) to (27)—
renumber as section 6(22) to (23).
- (40) Schedule 1, section 6(22), ‘a nuisance or inconvenience’—
omit, insert—
an environmental nuisance
- (41) Schedule 1, section 6(28)—
omit.

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Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

- (42) Schedule 1, section 6(29) to (31)—
renumber as section 6(24) to 26).
- (43) Schedule 1, section 6(32) to (34)—
omit.
- (44) Schedule 1, section 6(35) to (37)—
renumber as section (6)(27) to (29).
- (45) Schedule 1, section 6(28)(a) to (b)—
omit.
- (46) Schedule 1, section 6(28), ‘—’—
omit, insert—

contravening a requirement of this local law or a Local Government Act in circumstances where the contravention will, in the opinion of an authorised person, adversely impact on the safety or amenity of other accommodation park users.

6 Amendment of sch 3 (Dictionary)

- (1) Schedule 4, definition **accommodation**, ‘.’—
omit, insert—
; or
- (2) Schedule 3, definition **accommodation**—
insert—
(c) a recreational vehicle.
- (3) Schedule 3—
insert—

recreational vehicle means a motorised vehicle designed for accommodation, including a motorhome and campervan.

self-contained caravan or recreational vehicle means a caravan or recreational vehicle that includes, or is equipped with, each of the following—

- (a) sleeping facilities; and
- (b) a toilet; and
- (c) a shower; and
- (d) separate holding tanks for grey and black water; and

7

Amending Subordinate Local Law No. 4 (Redland City Council Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2023

- (e) capacity to contain and store all wastewater generated until wastewater can be properly disposed of.
- (4) Schedule 3, definitions *sanitary convenience* and *vermin*—
omit.



Public Interest Test Report:

Amending Subordinate Local Law No 2 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015)2022

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PUBLIC INTEREST TEST REPORT

SUBORDINATE LOCAL LAW NO 1.8 (OPERATION OF ACCOMMODATION PARKS) 2015

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. 1.8 (Operation of Accommodation Parks) 2015* (Schedule 1). 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.

The public interest test report has been prepared in accordance with guidelines issued by the Department of Local Government and called up to regulation under the *Local Government Act 2009*.

RESULTS OF CONSULTATION PROCESS

Consultation with the public and key stakeholders occurred over a three-week period. An advertisement was placed in the local paper at the commencement of the consultation period advising of the review and calling for submissions. Notices were posted on notice boards within the local government area during the consultation period and copies of the local laws made available for review in all council customer service centres. Direct notification of the review was sent to all key stakeholders.

As a result of the public consultation process, Council received one written submission. A summary of that submission is outlined below.

Submission Received	Summary
Submission One	<p>There are several clauses which apply only to those accommodation parks that require approval under the authorising local law which are critical to safeguard the public health, safety, and amenity. These clauses create unnecessary restrictions on some businesses, giving others an unnecessary advantage. As these clauses are critical to safeguard the public health, safety, and amenity, <u>they should apply equally to all accommodation park operators</u>. The identified clauses include:</p> <p><i>Schedule 1 Section 3.</i></p> <p><i>(1) If the applicant is not the owner of the place at which the accommodation park is to be operated—the written consent of the owner to the application. And</i></p> <p><i>(2) If the accommodation park is proposed to have a resident manager, the name and address of the proposed resident manager of the accommodation park and the proposed resident manager's written agreement accepting the responsibilities of resident manager of the accommodation park.</i></p> <p>We are unsure why this information is necessary where an approval is required when it is not necessary for activities that do not require an approval under the authorising local law. While this information provides a clear point of contact and clarity that the landowner has approved the land for this use, this information is just as useful to RCC where an approval is not required.</p> <p><i>(3) A plan of the proposed accommodation park which must be drawn to scale showing—</i></p>

Submission Received	Summary
	<p>We believe that at a minimum this information, along with the information required under (3) (especially (a), (b), (c), (e), (f), (g), and (h)), (4) and (5) should be submitted to RCC. While this information may not be used for granting approval in all instances, it does provide RCC with a clear picture of what is to occur at that property and the ability to use this in determining if the property should be required to apply for an approval and enforcing compliance.</p> <p>Schedule 1 Section 4.</p> <p><i>(4) The operation and management of the accommodation park must be adequate to protect public health and safety, amenity and prevent environmental harm.</i></p> <p>This clause should be duplicated in section 2 as this is the purpose of Local Laws, to adequately protect public health and safety, amenity and prevent environmental harm.</p> <p>Schedule 1 Section 5.</p> <p>While we do not disagree with the conditions that have been included in clause 5. (Conditions that must be imposed on an approval), it would be reasonable for (at a minimum) item (3) <i>The approval holder must allow an authorised person to enter and inspect the activities of the accommodation park to ensure compliance</i> be applied to anyone operating an accommodation park.</p> <p>Schedule 1 Section 6.</p> <p><i>(5), (11) All materials of a hazardous or dangerous nature which are used in the operation of the accommodation park must be stored and used in a safe manner.</i></p> <p>If this is necessary to protect the health and safety of guests and the community as well as to prevent damage to community infrastructure this clause should apply equally to activities that do not require an approval under the authorising local law.</p> <p><i>(13) The local government may limit the number of persons who may occupy a site and require the approval holder to—</i></p> <p><i>(a) ensure that the limit is displayed on a notice erected in a prominent position at the accommodation park; and</i></p> <p><i>(b) take appropriate action to ensure that the limit is not contravened.</i></p> <p><i>(14) The approval holder must—</i></p> <p><i>(a) not locate or permit accommodation to be located at any place within the accommodation park other than on a site approved by the local government under this subordinate local law; and</i></p> <p><i>(b) not locate or permit to be located more than 1 accommodation, on a site at any 1 time; and</i></p> <p><i>(c) not permit accommodation to be occupied by more persons than the accommodation is designed to accommodate or permitted to accommodate under the conditions of an approval.</i></p> <p>It is unreasonable that limits to the number of persons who may occupy a site are imposed on accommodation parks which must apply for approval but not on activities that do not require an approval under the authorising local law. This also applies to the location of accommodation and the limits on the number of dwellings located on a site.</p>

Submission Received	Summary
	<p>(16) The approval holder must keep and maintain a register which details— This requirement should also apply to activities that do not require an approval under the authorising local law or should be removed for all accommodation parks. Not only is it good business practice to collect this information, by having a register which can be viewed by RCC, there is the ability to follow up on bad behaviour and concerns about guests at that accommodation park.</p> <p>(25) Each site used as part of the operation of the accommodation park must be individually numbered and described in the manner specified by the local government If the RCC cannot prescribe how sites must be numbered and described for activities that do not require an approval under the authorising local law, then they should not be able to prescribe this information where an approval is required.</p> <p>(26) The local government may prescribe rules which govern the use of the accommodation park and require the approval holder to ensure compliance with the rules by each user of the accommodation park. This clause creates unnecessary restrictions on some businesses, giving other parks an unnecessary advantage over them. Regardless of the requirement for an approval or the waiving of this requirement, the rules of, and the displaying of said rules, which govern the use of the accommodation park should be the same.</p> <p>(28) The local government may specify conditions applying to the operation of the accommodation park including— (a) times and days for administration of the arrival and departure of hirers of accommodation at the accommodation park; and (b) conditions of stay; and (c) minimum requirements for condition and maintenance of caravans and complementary accommodation; and (d) conditions applying to the use of any facilities or services of the accommodation park; and (e) the prohibition of specified activities. It is unreasonable for this clause to only be applied to those properties that are required to apply for an approval when accommodation parks offering accommodation for “self-contained caravans or recreational vehicles” are likely to create similar impacts on the community.</p> <p>(29) The local government may require that the approval holder direct a person to leave the accommodation park forthwith, or within a specified time, where the person is found to be contravening a requirement of this local law or a Local Government Act in circumstances where the contravention will, in the opinion of an authorised person, adversely impact on the safety or amenity of other accommodation park users. If this is necessary to protect the health and safety of guests and the community as well as to prevent damage to community infrastructure this clause should apply equally to activities that do not require an approval under the authorising local law.</p>

POSITIVE AND NEGATIVE IMPACTS ON STAKEOLDERS FROM MOVING TO ALTERNATIVES

Positive and negative impacts on stakeholders from moving to alternatives are particularised in Schedule 1.

SUMMARY OF NET IMPACTS ASSOCIATED WITH ALTERNATIVES

An analysis of the costs and benefits from moving to the identified alternative is detailed in Schedule 2.

SUMMARY OF NET COMMUNITY BENEFIT

The regulatory alternative of full negative licencing regulation is not expected to result in an overall benefit to the community. The current local law ensures that the community is not impacted by the operation of accommodation parks as individual approval conditions apply to each operator. Business are still able to compete effectively in the market with the imposition of the existing restrictions.

The level of restriction on competition under the current regulatory framework is low compared with the impacts under the alternative arrangement. Full negative licencing is not considered a viable alternative because of the increased risk of non-compliance. The current local law requires application and approval and provides Council the opportunity to set site specific conditions as part of the approval.

Whilst the provisions reviewed could be viewed as anti-competitive the benefits to the community of retaining them outweigh the costs and provide the most appropriate way of achieving the objective of the local law.

PUBLIC INTEREST TEST REPORT RECOMMENDATIONS

Each identified anti-competitive provision reviewed is an anti-competitive provision and should be retained in its current form in the public interest.

PUBLIC INTEREST TEST PLAN

A copy of the Public Interest Plan provided to Council – Schedule 3.

SCHEDULE 1 – OPERATION OF ACCOMMODATION PARKS

POSITIVE AND NEGATIVE IMPACTS ON STAKEHOLDERS FROM MOVING TO THE ALTERNATIVE

Negative Licencing

Stakeholders	Impacts	Weighting
Council	Council would be impacted by having to implement a new regulatory system i.e., amend the local laws, educate staff, accommodation park operators and the community.	Low Negative (-1)
	Loss of flexibility and control in the regulation of accommodation parks i.e., loss of ability to set site specific conditions and loss of ability to cancel or suspend an approval.	Moderate Negative (-3)
	Incurring legal costs for enforcement	Low Positive (+1)
	Savings on administration – no applications to approve	Overall - Moderate Negative
Existing Accommodation Park operators	Reduction in 'red tape' i.e. renewal of approval no longer required, which will reduce operating costs	Low Positive (+1)
	Heavier fines for non-compliance	Low Negative (-1) Overall – Neutral
Potential Accommodation Park operators	Removal of barrier to entry	Low Positive (+1)
	Heavier fines for non-compliance	Low Negative (-1) Overall – Neutral
Accommodation Park occupants	Resultant decrease in standards possibly resulting from Council's loss of discretionary power to reuse approval applications and loss of site-specific conditions	Low Negative (-1)

Stakeholders	Impacts	Weighting
	<p>Lower costs if operational savings are passed on</p> <p>Greater consumer choice through increased competition</p>	<p>Low Positive (+1)</p> <p>Low Positive (+1)</p> <p>Overall – Low Positive</p>
General community and residents living nearby	Possible decrease in amenity and corresponding increase in nuisances resulting from Council's loss of discretionary power to refuse an approval and loss of site-specific conditions	<p>Low Negative (-1)</p> <p>Overall – Low Negative</p>
Caravan Parks Association of Queensland	Association may be required to play a larger role in setting standards for the operation of accommodation parks	<p>Low Positive (+1)</p> <p>Overall – Low Positive</p>

SCHEDULE 2 – OPERATION OF ACCOMMODATION PARKS

SUMMARY OF IMPACTS ASSOCIATED WITH ALTERNATIVE

Negative Licence

Council	Existing accommodation park operators	Potential accommodation park operators	Accommodation Park occupants	General community and residents living nearby	Caravan Parks Association of Queensland
<p>Moderate Negative Impact</p> <p>Council would lose the ability to set site specific conditions and to cancel or suspend approvals.</p>	<p>Neutral Impact</p> <p>Reduction in 'red tape' is offset by the risk of heavier fines for non-compliance. The courts rarely impose the maximum fines, so overall impacts lend toward being positive.</p>	<p>Neutral Impact</p> <p>Removal of barrier to entry is offset by the risk of heavier fines for non-compliance. The courts rarely impose the maximum fines, so overall impacts lend toward being positive.</p>	<p>Low Positive Impact</p> <p>The possible reduction in standards from the loss of the ability to set site specific conditions is balanced by lower costs and greater consumer choice.</p>	<p>Low Negative Impact</p> <p>Possible increase in nuisances, however, Council can use its powers under other local laws to address problems.</p>	<p>Low Positive Impact</p> <p>Association may be requested to play a greater role in setting the standards for operation of accommodation parks. The degree of their reach is uncertain.</p>

Overall, the analysis of the costs and benefits has determined that there would be a net cost in moving to a negative licencing regime. Benefits accrue to accommodation park occupants and the Caravan Parks Association of Queensland however a neutral outcome has been determined for existing and potential accommodation park operators. However, a low negative impact has been determined for the general community and those residents living nearby and a moderate negative impact has been assessed for the Council.

SCHEDULE 3 – PUBLIC INTEREST TEST PLAN



Public Interest Test Plan:

Amending Subordinate Local Law No 2 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015)2022

Public Interest Test Plan

Amending Subordinate Local Law No 2 (Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015) 2022

1. INTRODUCTION

In accordance with its obligations under section 38 of *the Local Government Act 2009* (Qld), the Council of the City of Redlands (Council) is conducting a public interest test on possible anti-competitive provisions identified in proposed *Amending Subordinate Local Law No. 2 (Subordinate Local Law No 1.8 (Operation of Accommodation Parks) 2105) 2022* (**Proposed Subordinate Local Law**).

The test will be conducted against the principles and objectives set by the Competition Principles Agreement (CPA).

Under Clause 5(1) of the CPA, Commonwealth and State governments agreed to the principle that legislation should not restrict competition unless it can be demonstrated that:

- the benefits of restriction to the community as a whole outweigh the costs; and
- the objectives of the legislation can only be achieved by restricting competition.

Under clause 5(9) of the CPA, a public interest test of legislation (including local laws) that restricts competition is required to:

- clarify the objectives of the legislation;
- identify the nature of the restriction on competition;
- analyse the likely effect of the restriction on competition and on the economy generally;
- assess and balance the costs and benefits of the restriction; and
- consider alternative means of achieving the same result including non-legislative approaches.

Without limiting the matters to be taken into account in a review, clause 1(3) of the CPA sets out matters which should be taken into account as follows:

- government legislation and policies relating to ecologically sustainable development;
- social welfare and equity considerations, including community service obligations;
- government legislation and policies relating to matters such as occupational health and safety, industrial relations and access and equity;
- economic and regional development, including employment and investment growth;
- the interests of consumers generally or of a class of consumers;
- the competitiveness of Australian businesses; and
- the efficient allocation of resources.

This public interest test plan has been prepared in accordance with the National Competition Policy Guidelines for conducting review on anti-competitive provisions in local laws, version 1 (the **Guidelines**), issued by the Queensland Department of Local Government, Racing and Multicultural Affairs (as it was named at the time the Guidelines were issued) and called-up under the *Local*

Government Regulation 2012. The Guidelines set out the criteria for identifying possible anti-competitive provisions and the process for conducting reviews of those provisions.

This public interest test plan details the activities to be conducted during the test and identifies the depth of analysis to be carried out on the possible anti-competitive provisions.

2. DEFINITIONS

The following expressions used in this plan have the following meanings:

- **Council** means the Council of the City of Redlands
- **PLL1.8** means the proposed *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*

3. PURPOSE OF PLL1.8

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.

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.

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.

4. POSSIBLE ANTI-COMPETITIVE PROVISIONS

The possible anti-competitive provisions which have been identified in PLL1.8 are identified in the table which forms Schedule 1 to this plan.

5. CURRENT ENVIRONMENT

The proposed subordinate local law provides that a person must not carry on the business of operating an accommodation park without an approval issued by Council under the local law. The granting of an approval is subject to Council being satisfied the operation and management of the accommodation park will comply with the criteria laid down under the proposed subordinate local law.

In granting an approval, Council may impose conditions relating to the conduct of the business activity which the operator must comply with. Conditions can, for example, impose limits on the number of persons to be accommodated on a site and require the provision of adequate amenities. However, conditions imposed in an approval must be consistent with any statutory authorisation or approval for the establishment of the accommodation park.

The approval regime established under the local law is directed at a business activity – the operation of an accommodation park. In its conferring of a discretion as to the grant of an approval and to the content of conditions to which an approval issued will be subject, the approval regime imposes both a barrier to entry to a particular market and a restriction on competitive conduct within the market.

Council considers that some form of local government control or regulation over the ‘operation’ of accommodation parks is necessary to safeguard the public health and safety, protect the amenity of the local government area and to minimise nuisances.

Further, it is considered that, without the subordinate local law in place business has the potential to operate without proper regard to adequate standards of health, safety and amenity. In doing so, the resultant costs from environmental damage, loss of amenity, public health and safety risks and loss of quality of life through nuisances, would need to be born by third parties rather than being included in the transaction between business and consumers.

6. CONFIRM IDENTIFIED PROVISIONS ARE ANTI-COMPETITIVE

At this stage, the provisions identified in Schedule 1 are still considered potentially anti-competitive. The provisions will be reviewed again at the conclusion of the public consultation process.

7. DETERMINATION OF EXCLUSIONS

PLL1.8 is not excluded from the review of anti-competitive provisions under the Guidelines.

8. PRELIMINARY ASSESSMENT

A preliminary assessment has been conducted in accordance with the Guidelines. Council is not satisfied that there will not be any significant impacts from the possible anti-competitive provisions. Accordingly, the review process will be conducted in accordance with the principles set out in the Guidelines.

9. REALISTIC REGULATORY AND NON-REGULATORY ALTERNATIVES TO THE PROPOSED LOCAL LAW

The objectives of the prescribed activity are achieved by using a conventional approval based system, whereby, upon application and supply of required documentation to Council, persons are granted approvals to conduct the business of operating accommodation parks subject to conditions.

Regulatory and non-regulatory alternatives to the approval system include:

- No regulation
- Self-regulation
- Co-regulation
- Negative Licencing
- Empowering consumers

As stated earlier, Council believes that some form of local government regulation or control is required to ensure that accommodation parks are appropriately operated and managed. It is therefore considered that there are no non-regulatory alternatives that are viable. Given the need to monitor operations there is only one regulatory alternative which is a realistic option – negative licencing.

Negative Licencing – Under a negative licensing regime there is no requirement to first obtain an approval to enter the market. The presumption in this regime is that an operator is prepared to abide by the ‘rules’ if they know what they are. No approval is required, and no fees are paid. Other characteristics of a negative licensing regime include:

- Notification that an operator is in a particular line of business is ‘gathered’ during the course of day-to-day business, rather than prior to commencement;
- Operators are charged a token fee for certification that their operations comply with standards;
- Operators who wilfully fail to comply are fined heavily and immediately – the greater the breach, the greater the penalty;
- Consumers are educated as well as operators;
- Complaints are responded to swiftly and forcefully.

Changes required to Local Law under a Negative Licensing System and Implications:

Under a negative licensing regime, the proposed local law would need to be amended to remove the requirement for operators to obtain an approval before operating an accommodation park and to set generic conditions which would apply to the operation of accommodation parks (in place of individual approval conditions) in the local government area. The opportunity to set site specific conditions would thus be removed.

As a consequence, if Council wanted to subsequently change the generic conditions, the subordinate local law would need to be amended. Under the approval system, Council could change the conditions imposed in an approval either with the agreement of the operator or after giving written notice. The opportunity to review applications and the discretionary power to reject them if Council is not satisfied the operation of the accommodation park can comply with the criteria laid down under the subordinate local law, would be removed. However, the alternative would be to amend the local law to require written notification to be given to Council when new operators and managers take over the operation or management of an accommodation park. This would be in line with a negative licencing model.

Council would still be able to issue compliance notices however the power to suspend or cancel an approval for failure to comply with such a notice would cease to exist. Under a negative licensing model heavier fines could apply to ensure compliance with the rules. The local law would need to be amended to provide for the heavier fines. The amendment could also consider the introduction of a ‘stop order’ for failure to comply with a compliance notice.

Under a negative licencing regime, Council would be able to have work carried out and seek to recover damages from operators if they do not comply with a compliance notice.

In summary, the main impacts on Council from moving to a negative licensing regime would be a loss of ability to set site specific conditions, loss of discretionary powers as to the grant of an approval and an increase in expenditure of legal costs in enforcing compliance.

10. KEY STAKEHOLDERS AFFECTED BY THE CURRENT SITUATION AND BY A MOVE TO ALTERNATIVE ARRANGEMENTS

The following stakeholders have been identified:

Stakeholder/broad impacts	Impact Rating and rationale
Redland City Council Council would be impacted by having to implement a new regulatory system i.e amend the local laws, educate staff, accommodation park operators and the community. Loss of flexibility and control in the regulation of accommodation parks i.e loss of ability to set site specific conditions and loss of ability to cancel or suspend an approval. Incurring legal costs for enforcement Savings on administration – no applications to approve	Low Negative Mostly a one off impact, however some ongoing impacts with requirement for periodic training and publication of rules. Moderate Negative The local government will incur costs associated with enforcement of the proposed subordinate local laws provisions these can be substantial. Low Positive Administration cost savings not anticipated to be large
Existing accommodation park operators Reduction in 'red tape' i.e renewal of approval no longer required, which will reduce operating costs Heavier fines for non-compliance	Low Positive Reduction in costs would be minimal Low Negative Large fines may not always be imposed by the courts
Potential accommodation park operators Removal of barrier to entry Heavier fines for non-compliance	Low Positive In practice, Council rarely rejected approval applications so this impact would be low Low Negative Large fines may not always be imposed by the courts
Accommodation Park Occupants Resultant decrease in standards possibly resulting from Council's loss of discretionary power to reuse approval applications and loss of site specific conditions Lower costs if operational savings are passed on	Low Negative Generic conditions and conditions of development still apply Low Positive Any price reduction is likely to be minimal at best Low Positive

Stakeholder/broad impacts	Impact Rating and rationale
Greater consumer choice through increased competition	The current market is saturated so growth not likely to be significant
General Community and residents living nearby Possible decrease in amenity and corresponding increase in nuisances resulting from Council's loss of discretionary power to refuse an approval and loss of site-specific conditions	Low Negative Generic conditions still apply. Council can also use its powers under its other local laws to address any nuisance problems
Caravan Parks Association of Queensland Association may be required to play a larger role in setting standards for the operation of accommodation parks	Low Positive Degree of impact and reach uncertain

11. TYPE OF ASSESSMENT AND LEVEL OF RESOURCES REQUIRED

The assessment will comply with the following principles set out in the Guidelines:

- Meaningful consultation with relevant businesses about the anti-competitive provisions
- Examination of the reasonable alternatives to the anti-competitive provisions
- A cost benefit analysis that involves calculating the value of the impacts, both positive and negative, of the anti-competitive provisions
- Determining whether on balance, the anti-competitive provisions should be retained in the proposed local law in the overall public interest.

In conducting the review Council will have regard for the Public Benefit Test Guidelines published by Queensland Treasury. The assessment will be conducted by Council as a minor assessment.

12. EXTENT OF CONSULTATION TO BE CONDUCTED

Consultation will be conducted by giving public notice of the proposed amended local law on the local government's website with feedback collected electronically. Public notices will also be posted on the public notice boards in Council's Customer Service Centres where hardcopy forms will be available.

Meaningful consultation with industry will be conducted with letters being sent to representative bodies to obtain specific comments on any potential anti-competitive provisions.

The public interest test plan and copies of PLL1.8 will also be available for inspection at Council's Customer Service Centres in Cleveland, Capalaba and Victoria Point.

13. DETERMINE TIMEFRAME FOR CONDUCTING THE PUBLIC INTEREST TEST

Commence Public Interest Test	Submissions from Wednesday, 21 December 2022
Estimate of time for completing the public interest test	6 weeks, including consultation period
Community Consultation Period	Minimum of 3 weeks (21 days)
Target date for presenting the report to local government	The Council meeting to be held on Wednesday 15 March 2023

14. DETERMINE CONTENT OF THE PUBLIC INTEREST TEST REPORT

The public interest test report will provide:

- A summary of the consultation process including a list of affected groups consulted and the outcomes of consultation;
- A statement of alternatives which are assessed to be not viable;
- A summary of the positive and negative impacts associated with the alternatives compared to the existing environment;
- A summary of the net impacts (positive and negative) associated with the alternatives; and
- Recommendations.

SUBORDINATE LOCAL LAW NO. 1.8 (OPERATION OF ACCOMMODATION PARKS) 2015**LIST OF LIKELY ANTI-COMPETITIVE PROVISIONS****SCHEDULE 1**

Local Law: *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*

Purpose: 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.

The purpose is to be achieved by providing for—

- (c) various matters regarding the granting of approvals for prescribed activities; and
- (d) further specification of the definitions relevant to various prescribed activities.

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.

Possible Anti-competitive Provisions	Type of anti-competitive provision	Reason for inclusion as possible anti-competitive provision
Schedule 1, section 2	Restricting Competition to the market	The provision has the potential to prohibit particular businesses from undertaking the prescribed activity meaning some businesses are given some advantage over other business operators.
Schedule 1, section 3	Barriers to entering the market	The provision places obligations on the operators of business activities that may impose some hindrance to business operations.
Schedule 1, section 4	Barriers to entering the market	The provision places obligations on the operators of business activities that may impose some hindrance to business operations.
Schedule 1, section 5	Barriers to entering the market	The provision places obligations on the operators of business activities that may impose some hindrance to business operations.
Schedule 1, section 6	Barriers to entering the market	The provision places obligations on the operators of business activities that may impose some hindrance to business operations.

Subordinate Local Law 1.8 (Operation of Accommodation Parks)2015 Community Consultation Report

Prepared by Corporate Governance
March 2023



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Executive summary

This document provides an overview of the community consultation activities and feedback that occurred in relation to Redland City Council's proposed amendments to *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*.

In January – February 2023 those proposed amendments were presented to the community and comments sought.

Council received 1 comment.

Background

At the General Meeting on 14 December 2022 Council resolved to undertake a community consultation on proposed changes to *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*. The proposed changes include removing reference to standards that have been revoked (e.g., Australian Standard regarding Fire Safety Audits); update the documents required to be provided with an approval; inclusion of new definitions for self-contained recreation vehicle and other administrative changes. The changes are intended to enhance governance of the Redlands community and improve operational outcomes by managing risks within the community.

Community Consultation Summary

Community consultation opened on 16 January 2023 and closed 6 February, 2023.

The IAP2 Public Participation spectrum is designed to assist with the selection of the level of participation that defines the public's role in any community engagement program. This community engagement was conducted at the 'Consult' level of participation with the goal being to obtain public feedback on analysis, alternatives and/or decisions.

A total of 1 comment was received.

Community Consultation Metrics

Summary of Visitors to the Your Say site

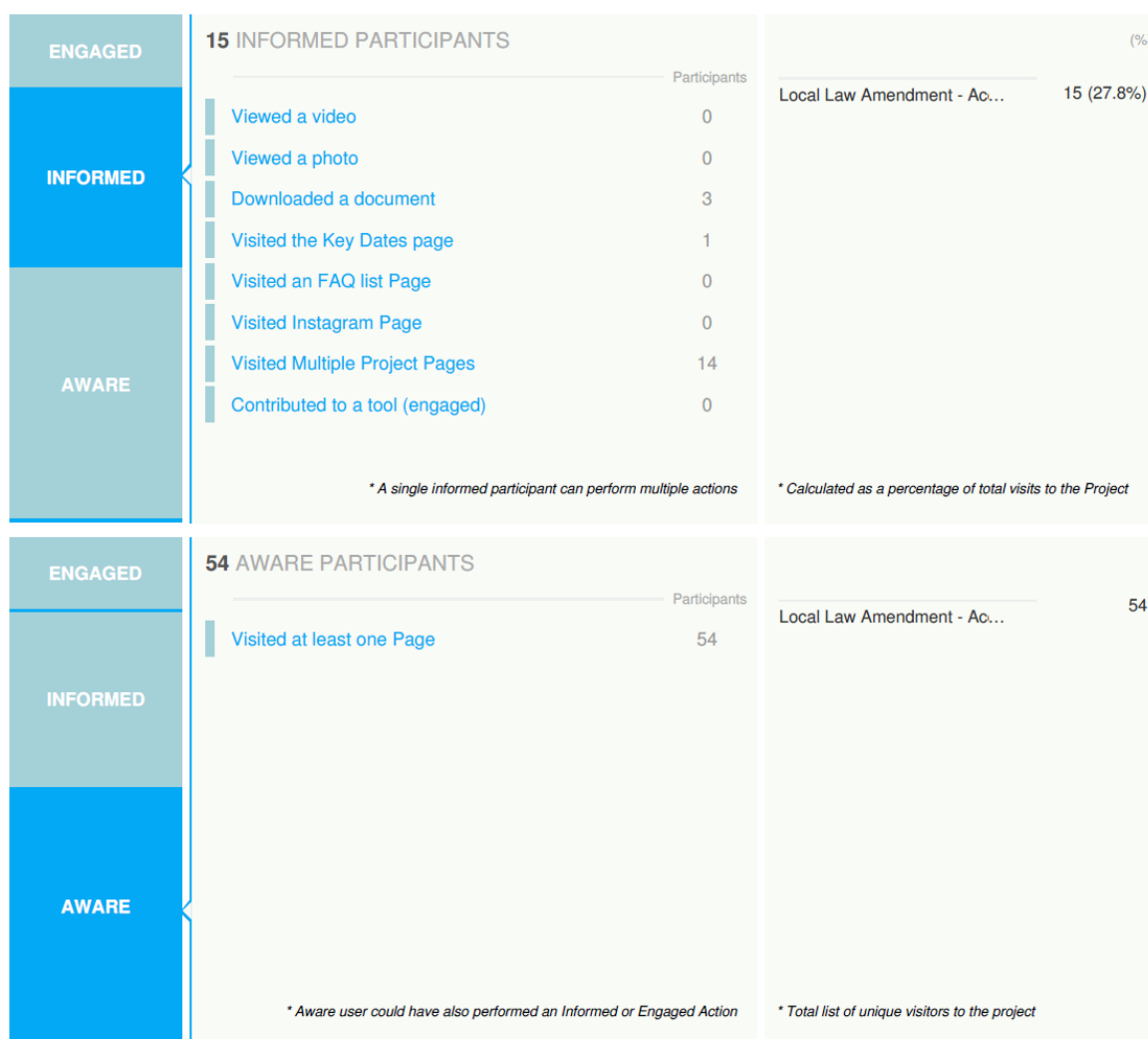
Visitors Summary



Highlights

TOTAL VISITS	MAX VISITORS PER DAY	
69	5	
NEW REGISTRATIONS		
0		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
0	15	54

Community Consultation Report – January 2021



Analysis

Question: Do you agree with the proposed amendments to Subordinate Local Law No.1.8 (Operation of Accommodation Parks) 2015.

Results

Only one response was received.

A summary of this feedback is contained in Attachment 1

Recommendation

Following a review of the data received it is evident that the concerns raised can be managed under the proposed subordinate local law. It is therefore recommended that Council proceeds with the proposed changes to *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*.

Attachment 1

Feedback Received	Council Response
<p><i>“Further many councils are focused on attracting ‘self-contained’ caravan and recreational vehicles (RV) guests to their regions, particularly on rural land. While this may provide additional income for property owners in rural zones, it does not address the potential environment and social impacts”</i></p> <p><i>“Arguably guests in self-contained caravans or RVs are more of a risk to the environment than a traditional caravan and RV guests as the sites where they park are often unable to provide water and waste disposal facilities, resulting in these visitors using community facilities to dispose of waste and to fill up with water. Therefore, these sites should have a higher barrier to entry, or stronger conditions placed on them”</i></p>	<p>The purpose of the proposed amendments to <i>Subordinate Local Law 1.8 (Operation of Accommodation Parks)</i> is to ensure activities relating to the prescribed activity of ‘operation of accommodation parks’ are appropriately regulated based on the risk to public health and safety. Attracting guests to the region is not within the scope of this local law and are covered by other Council policies and plans such as Redlands Coast Destination Marketing plan.</p> <p>While the amendment proposes to include that the operation of an accommodation park with ‘self-contained caravans or recreational vehicles’ as not requiring approval under the local law, this is only when operator follows conditions set out in the subordinate local law section 2(b) (i) –(xiv), if these conditions are not able to be self-complied with then an approval will still be required. The public health risk from these activities is considered low due to the limited activities of self-contained caravans/RVs (as per the definition in the subordinate local law) and that all waste water, including grey water must be contained, with no onsite facilities requiring annual compliance checks.</p> <p>A self-contained caravan or recreation vehicle, is defined as: The self-contained caravan or recreational vehicle is specifically defined being equipped with the following:</p> <ul style="list-style-type: none"> a) Sleeping facilities; and b) Toilet; and c) Shower; and d) Separate holding tanks for grey and black water; and e) Capacity to contain and store all wastewater generated until wastewater can be properly disposed of. <p>Should the activity not be able to meet all the above requirements it will be required to hold an approval under the local law and be subject to approval conditions.</p>

Feedback Received	Council Response
	In addition to this prior to the operation of an accommodation park, the operator is also required to comply with requirements of the Redlands Planning Scheme which specifies the use of land and considers impacts of the use. These impacts are assessed as part of the development approval process for the use of the site.
<p><i>“Therefore, while we are supportive of the inclusion of activities which do not require an approval, we believe that this must either:</i></p> <ul style="list-style-type: none"> <i>• be expanded to include parks which offer powered and unpowered sites to caravans, motorhomes and camping which are not ‘self-contained’; or</i> <i>• all properties should have to make an application for approval.”</i> 	In determining which activities require an approval under the local law, consideration is given to public health, safety, and amenity. It would be unreasonable to presume all accommodation park types have the same risk and all require an approval. Hence the requirement for ‘lower risk’ activities to have minimum conditions to comply with which if they cannot be met then an approval is required. While these activities do not require an approval under the local law they are still subject to Planning Scheme requirements and conditions set under the subordinate local law section 2(b) (i) –(xiv).
<p><i>“Under the proposed amendments to Subordinate Local Law No. 1.8 (Operation of Accommodation Parks), RCC will be able ensure that accommodation parks are appropriately operated and managed but only where they are for non “self-contained” caravans or RV”</i></p>	Requirements of the Redlands Planning Scheme together with conditions set out in the subordinate local law section 2(b) (i) –(xiv) will ensure that all accommodation parks are managed appropriately according to the level of risk of the activity. Compliance with other legislation both State and Local also need to be adhered to including compliance with the <i>Environmental Protection Act 1994</i> and the <i>Public Health Act 2006</i> .
<p><i>“There are several clauses which apply only to those accommodation parks that require approval under the authorising local law which are critical to safeguard the public health, safety and amenity. These clauses create unnecessary restrictions on some businesses, giving others an unnecessary advantage. As these clauses are critical to safeguard the public health, safety and amenity, <u>they should apply equally to all accommodation park operators</u>”</i></p>	It would be unreasonable for Council to apply the same conditions and requirements to all accommodation parks given the variety and scope of type of operations from tent camping to manufactured homes and cabins. Due to a requirement for self-contained caravans and RV’s to be fully self-contained including all waste water and grey water, and the requirement to operate in accordance with specified conditions to protecting public health, safety and amenity any risk is considered lower.

Feedback Received	Council Response
	<p>In circumstances where an approval under the local law is not required, this does not mean these activities are unregulated, they are still required to comply with minimum standards, planning requirements, and State legislation for Public Health and Environmental Protection. The Conditions ordinarily imposed in the subordinate local law are not mandatory for all operators. Each application is assessed, and appropriate conditions are applied based on the activity, assessment, and risk.</p> <p>Feedback around the conditions: In relation to the feedback around the specific conditions in the local law, these conditions are the current conditions listed in the existing local law and are not proposed to be amended at this time, so there will be no change to the approval conditions for existing permit holders.</p>

**14 REPORTS FROM ADVOCACY, MAJOR PROJECTS AND ECONOMIC
DEVELOPMENT**

Nil.

15 REPORTS FROM COMMUNITY & CUSTOMER SERVICES

15.1 LIBRARY SERVICES STRATEGIC PLAN 2023-2028

Objective Reference: A7315370

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

Responsible Officer: Shane Hackett, Group Manager Customer & Cultural Services

Report Author: Laretta Rogers, Library Services Manager

Attachments: 1. Library Services Strategic Plan 2023 - 2028 [↓](#)

PURPOSE

To seek Council's endorsement of the Library Services Strategic Plan 2023-2028 as outline in Attachment 1.

BACKGROUND

Redland City Council Libraries deliver lively spaces and programs that are highly valued by the Redlands Coast community.

Council receives annual funding contribution for its library services from the State Library of Queensland. As part of its funding agreement, Council is required to provide a current strategic and/or operational plan for its library services to the State Library Board by 31 August each year.

The Library Services Strategy 2017-2022 has now expired. Outcomes of the strategy during the five-year period from June 2017 to June 2022 included delivery of the Radio Frequency ID Project, Library Management System Project, an increase in digital usage by 40% with more than 1.69 million customers accessing our digital collection, a total of 7,172 community programs and events, and more than 2.35 million physical visitors to our libraries, mobile library and home delivery service.

The new draft Library Services Strategic Plan 2023-2028 (Attachment 1) was presented at a Councillor Workshop on 27 March 2023.

The Library Services Strategic Plan 2023-2028 delivers on *Our Future Redlands – A Corporate Plan to 2026 and Beyond*. Specifically, the plan will contribute to Goal 2 – Strong Communities and deliver on the Operational Plan KI2.2.1 Key Initiative (b) Investigate and scope the development of appropriate strategic planning instruments for libraries. It sets the strategic direction for library services over the next five years, provides a vision for what Council's library services will be like in 2028 and provides direction about how we will achieve that vision.

ISSUES

The Library Services Strategic Plan 2023-2028 will supersede the Library Services Strategy 2017-2022.

Increasingly, libraries are seen as important places for community connection. In the same way that public open spaces provide a place to meet, socialise and connect with other parts of the community, libraries provide a safe and welcoming space for community members.

The four strategic goals of the plan are:

- Goal 1 – Welcoming destinations and spaces: Council will continue to welcome people by providing attractive, safe and accessible spaces.

- Goal 2 – Innovative and accessible services: Council will continue to use innovative systems and a customer experience focus to ensure our library services are inclusive and accessible to the entire community.
- Goal 3 – Activate and engage through programs and partnerships: Our programs will be extended to increase active members, visitors to our spaces and access to our diverse services.
- Goal 4 – Skilled and cohesive team: Our team will be recognised for their commitment to professional development, passion, flexibility and a strong customer focus.

The Library Services Strategic Plan 2023-2028 will be implemented through an annual business plan, with a review at the end of each financial year to assess progress and inform actions in the following year.

The plan will deliver necessary planning tools to guide Council's future capital investment in library assets over the coming 10-plus years as the city's population changes and grows. These include:

- Library network plan that guides capital investment in library assets such as libraries, pods, kiosks and mobile library.
- Collections plan that guides capital investment in the library collection and recommends alternative uses of the State Library of Queensland collections grant to increase access to our collection.
- Library ICT roadmap that guides capital investment in solutions that increase productivity, realise efficiencies and make it easy for customers to do business with us.

The plan also focusses on partnership initiatives with recipients of the Library Operational Grants, celebrating Quandamooka culture through our programming and collection, increasing 24/7 access to our collection, and marketing library services to those visiting our city.

Whilst most of the actions will be implemented through existing resources, a technology project (rostering system) is proposed in year four of the plan that will be subject to Council's business planning and budget development process.

STRATEGIC IMPLICATIONS

Legislative Requirements

The *Library Act 1988 (Queensland)* states that the local government authority establishes, maintains and conducts a library facility as a function of local government and under the provisions of the *Local Government Act 2009*.

Risk Management

The successful delivery of the Library Services Strategic Plan 2023-2028 will ensure:

- Delivery of quality library services that meet the communities' aspirations
- Library services are adequately resourced to meet customer demands.

Financial

The implementation of the Library Services Strategic Plan 2023-2028 will primarily be undertaken within existing budget and staffing. Development of planning tools such as the library network plan, collections plan and library ICT roadmap will be progressed through Council's budget and project management approval processes.

People

The Library Services Unit will implement the Library Services Strategic Plan 2023-2028 with support from other parts of Council and in partnership with external partners.

Some additional temporary positions may be required to ensure the successful delivery of significant projects, which will be subject to Council's budget and project management approval processes.

Environmental

There are no known environmental implications.

Social

Strong and vibrant library services support the community in terms of growth and sustainability. Library services promotes and encourages literacy and lifelong learning by providing a range of formats that meet the needs of all members of the community.

Human Rights

There are no known human rights implications associated with this report.

Alignment with Council's Policy and Plans

The Library Services Strategic Plan 2023-2028 delivers on *Our Future Redlands – A Corporate Plan to 2026 and Beyond*. Specifically, this plan will contribute to:

- Goal 2 – Strong Communities and KI2.2.1 Key Initiative 2 (b) Investigate and scope the development of appropriate strategic planning instruments for libraries.
- Goal 3 – Quandamooka Country with the promotion of cultural awareness programs and displays.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Councillor Workshop/Briefing	27 March 2023	No amendments suggested.
Executive Leadership Team (ELT)	20 February 2023	ELT feedback to deliver from 1 July 2023, aligned with financial year and reporting frameworks. ELT also provided feedback on ways to maximise the connections library users have in the community to promote Council online/self-service.
Communication, Engagement and Tourism	3-13 February 2023	Feedback on draft strategic plan (one pager). All edits made.
Indigenous Partnerships and Programs Coordinator	7 February 2023	Confirmation on correct use of language (including First Nations and Quandamooka culture). No concerns.
Office of the General Manager	7 February 2023	Feedback on draft strategic plan (one pager). All edits made.
Financial Services	13 January 2023	No amendments suggested.
Department Leadership Team	31 January 2023	No amendments suggested.
Library Services Leadership Team	21-24 November 2022	Strategic Planning undertaken to prepare the draft strategic plan.
People, Culture and Organisational Performance	24 November 2022	Input to workforce plan.
Library Services staff	28 November – 9 December 2022	No amendments suggested.
State Library of Queensland	17 November 2022	No amendments suggested.

OPTIONS**Option One**

That Council resolves as follows:

1. To endorse the Library Services Strategic Plan 2023-2028 as outline in Attachment 1.
2. To note that funding requests may be submitted for consideration as part of upcoming budget processes over the coming five years.

Option Two

That Council resolves to request further information or significant changes to the Library Services Strategic Plan 2023-2028 (Attachment 1) and the revised documents to be brought back to a future General Meeting for consideration by end June 2023.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

1. To endorse the Library Services Strategic Plan 2023-2028 as outlined in Attachment 1.
2. To note that funding requests may be submitted for consideration as part of budget processes over the coming five years.



Library Services Strategic Plan 2023–2028

OUR PURPOSE

Learn. Connect. Innovate.

Redland City Council Libraries will continue to provide facilities, services and programs over the next five years to enable our customers to learn, connect and innovate.

OUR VALUES

Serve with Pride, Own it with Integrity, One Team, Listen and Be Heard, Safety at Heart



GOAL 1

Welcoming destinations and flexible spaces

By 2028:

We will continue to welcome our customers by providing attractive, safe and accessible spaces.

Our focus areas:

1. Develop a library network plan to support future capital planning and investment in library facilities. The Capalaba Library redevelopment will be our priority project.
2. Create a digital library and refresh our website.
3. Improve our meeting room access, booking process and booking system.

GOAL 2

Innovative and accessible services

By 2028:

We will continue to use innovative systems and a customer experience focus to ensure our libraries are inclusive and accessible to the entire community.

Our focus areas:

1. Undertake customer journey mapping of our core customer processes so that we continuously improve.
2. Investigate ways to improve our 24/7 access.
3. Develop a collections plan to guide investment in our printed and online collections.
4. Develop a library information technology roadmap to guide investment in solutions and applications.

GOAL 3

Activate and engage through programs and partnerships

By 2028:

Our programs will be extended to increase active members, visitors to our spaces and access to our diverse services.

Our focus areas:

1. Engage the community to inform our program design.
2. Increase collaboration through partnerships with Redland City Council teams and community groups, with a focus on history, heritage and culture.
3. Celebrate First Nations Peoples and cultures with a focus on the traditional custodians of the area through our programming.
4. Promote library services through marketing and outreach activities.
5. Improve online sign up for new members at our programs and events.

GOAL 4

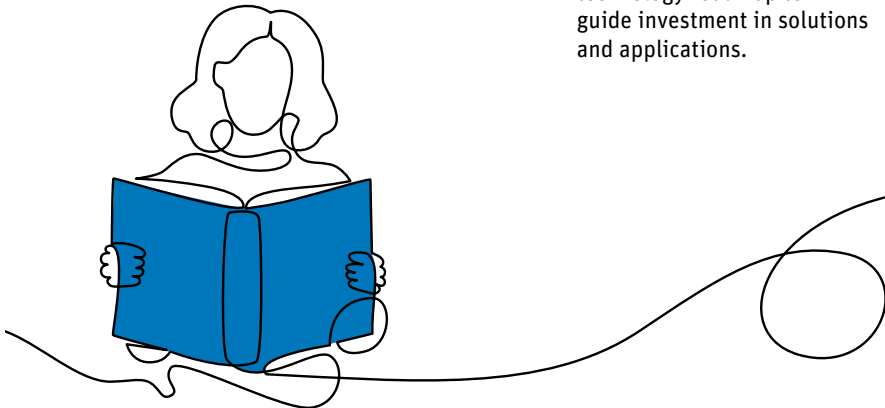
Skilled and cohesive team

By 2028:

Our team will continue to be recognised for their commitment to professional development, passion, flexibility and strong customer focus.

Our focus areas:

1. Develop and deliver a workforce plan so that we are a flexible and agile workforce.
2. Develop and deliver staff training with a focus on diversity and inclusion and digital literacy.
3. Continue to improve the way we work to facilitate whole-of-service activities, including our programs and rostering.
4. Communicate about the progress of our strategic plan in ways that are fun and engaging for our people.



OUTCOMES

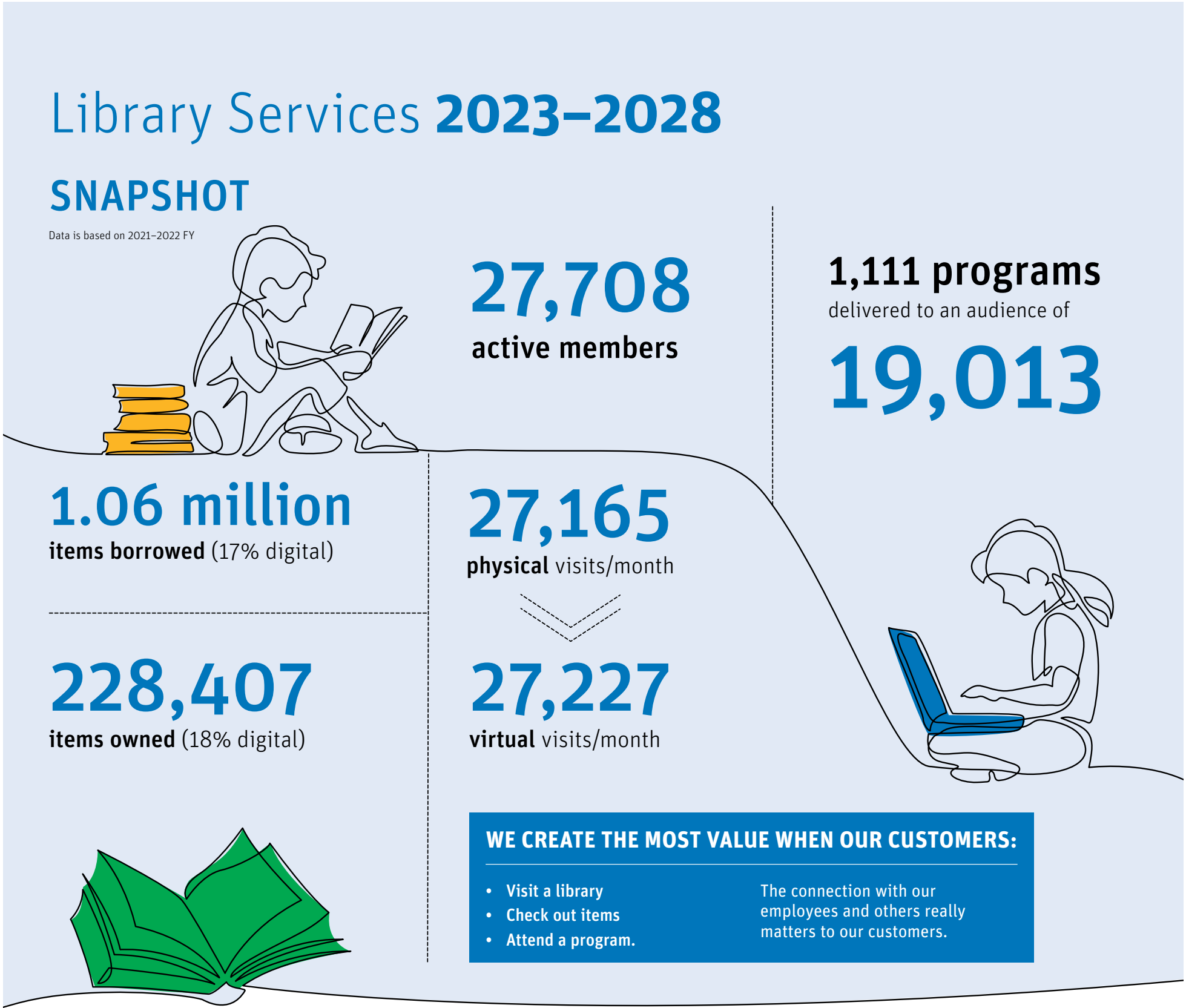
STRONG COMMUNITIES

“Our strong and vibrant community spirit is nurtured through services, programs, organisations, facilities and community partnerships that promote resilience, care and respect for residents of all ages, cultures, abilities and needs.”

Our Future Redlands – A Corporate Plan to 2026 and Beyond

MEASURES OF SUCCESS

Measures	By 2028
Active members as % of population	Increase by 1%
Virtual visits per capita	Increase by 1.0 per capita
Physical visits per capita	Increase by 1.0 per capita
Attendance at programs per capita	Maintain
Total usage of collection per capita	Maintain
% of collection that is digital	Maintain
Customer satisfaction	Maintain



OUR CONTEXT

Our region

Our Redlands Coast population is growing every year, and we expect to welcome 30,000 new residents by 2041¹. We will continue to change and adapt as our region changes. Our services will be locally responsive and we will extend our outreach offering. We will continue to provide our core technology, local history, collection and reference services.

COVID-19

We learnt a lot from the impacts of COVID-19, which required libraries to be even more creative in our service delivery. We increased our online services and resources, and expanded our services. We moved our programs out of libraries, making use of our parks and natural areas. Our Story Time has been popular and is continuing to be delivered online and in our libraries. We have demonstrated our resilience and ability to adapt and improve our library services.

WE ARE PROUD

Over the past five years we have:

- Delivered the radio frequency identification project, which is enabling our customers to quickly and easily check out **more than 560,000 items a year** from our libraries.
- Delivered the library management system project, resulting in **quicker and easier processing of customer requests**.
- Adapted to COVID-19 and new ways of working including delivering **188 online children’s programs between March 2020 and December 2021**.
- **Increased our digital collection usage by 40% from 2017 to 2022**, supported by our Library app and digital library card.
- Continued to deliver our increasingly popular **First 5 Forever programs, with 502 activities held in 2021–2022**, representing a **38% increase** in activities as compared with the previous year.

¹ Queensland Government Statistician’s Office Population Projections by Local Government Area, Medium Series. 2018 edition.

15.2 REDLANDS COAST LOCAL AREA PLANNING FRAMEWORK

Objective Reference: A7413288

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

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

Report Author: Dean Butcher, Acting Principal Strategic Planner

Attachments: 1. Redlands Coast Local Area Planning Framework [↓](#)

PURPOSE

To seek Council's endorsement of the Redlands Coast Local Area Planning (LAP) Framework as outlined in Attachment 1.

BACKGROUND

Preparing an LAP framework is identified as a 2021-2026 key initiative under Goal 5: liveable neighbourhoods of *Our Future Redlands – A Corporate Plan to 2026 and Beyond* (the Corporate Plan).

Over the last 10 to 15 years, Redland City Council has progressively undertaken several LAP investigations across the city to deliver improved land use and infrastructure planning outcomes. For example, structure plans have been prepared for newly emerging urban communities located in South-east Thornlands and Kinross Road estates. More recently, Council prepared a draft structure plan for the newly emerging urban community located to the southwest of Victoria Point, which is expected to progress to public consultation in the short to medium term.

The establishment of a LAP framework will ensure Council has a consistent and transparent process for determining which local area plans are progressed and how they are undertaken. The framework has been informed by research examining how other local government areas prepare their LAPs.

ISSUES

What is an LAP?

LAPs are plans developed at a local scale to account for the unique physical, social and economic characteristics of areas or communities within the city.

What will the LAP framework do?

The proposed LAP framework outlined in Attachment 1 has three main functions. Firstly, it outlines the criteria that will be used to identify and prioritise LAP sites. Secondly, it broadly identifies the matters that may be examined when preparing a LAP (the project scope) and how outcomes can be facilitated through amendments to City Plan. Finally, it outlines the process that will be followed to prepare LAPs in the Redlands context, including when and how public consultation and engagement activities will be undertaken.

Why do we need an LAP framework?

The LAP framework will allow Council to allocate resources to the most important LAP sites, based on an assessment against a set of agreed criteria. The establishment of an LAP framework ensures Council has a consistent and transparent process for determining which LAPs are prioritised and undertaken.

How will LAPs be implemented?

The LAP framework is intended to focus on land use and infrastructure planning outcomes that can be realised through amendments to City Plan. As LAPs are progressed, Council will, as necessary, commence the formal process of amending City Plan in accordance with the Planning Minister's Guidelines and Rules (MGR). How the outcomes of an LAP are incorporated into City Plan will be determined on a case-by-case basis.

STRATEGIC IMPLICATIONS

Legislative Requirements

Amendments to City Plan will be prepared to give effect to LAPs once completed. This will be undertaken in accordance with the MGR, a statutory guideline under the *Planning Act 2016*.

Risk Management

The LAP framework will establish a consistent and transparent process for determining how LAP sites are prioritised. This will ensure Council resources are allocated and used in an efficient manner, reducing financial risks.

Financial

There are no financial implications resulting from this report. However, should Council choose to adopt the LAP framework, it will be used as a basis for prioritising LAP sites and requesting budget allocations to prepare LAPs in the future.

People

Officers within the Strategic Planning Unit will be responsible for project managing delivery of LAPs. To the greatest extent practicable, project work will be delivered in house. However, external consultant teams will need to be engaged where specialised technical input is required.

Environmental

There are no direct environmental implications resulting from this report.

Social

There are no direct social implications resulting from this report.

Human Rights

There are no human rights implications resulting from this report.

Alignment with Council's Policy and Plans

Preparing an LAP framework is identified as a 2021-2026 key initiative under Goal 5: liveable neighbourhoods of *Our Future Redlands – A Corporate Plan to 2026 and Beyond* (the Corporate Plan).

CONSULTATION

Consulted	Consultation Date	Comments/Actions
General Manager – Advocacy, Major Projects and Economic Development (AMPED)	21 March 2023	Discussed the proposed Local Area Planning Framework and its relationship with the Centres planning and placemaking program managed by AMPED.

OPTIONS**Option One**

That Council resolves to endorse the Redlands Coast Local Area Planning Framework as outlined in Attachment 1.

Option Two

That Council resolves to endorse the Redlands Coast Local Area Planning Framework as outlined in Attachment 1 as amended by Council.

Option Three

That Council resolves not to adopt the Redlands Coast Local Area Planning Framework as outlined in Attachment 1.

OFFICER'S RECOMMENDATION

That Council resolves to endorse the Redlands Coast Local Area Planning Framework as outlined in Attachment 1.



Redlands Coast Local Area Planning Framework





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What is a Local Area Plan?

Local Area Plans (LAPs) are plans developed at a local scale to account for the unique physical, social, and economic characteristics of areas and communities within a city. These differences relate to elements that include, but are not limited to built form, infrastructure, character and heritage, traffic and transport, demographic profiles, topography, and environmental values.

An LAP may be developed to achieve one or a combination of the following:

- Establish a local and shared vision, as well as an understanding of key issues and opportunities impacting a local community.
- Enhance and improve a neighbourhood in a manner that is responsive to the expectations and aspirations of the local community.
- Encourage residents to have input on future development that occurs in a locality, by identifying the future land uses, services, and facilities needed.
- Create a sense of community identity, place and belonging.
- Provide direction and guidance for managing development and change, including the identification of specific actions that may need to be undertaken to realise the future vision.



Figure 1: LAP infographic (Source: yourvoice.nedlands.wa.gov.au)



What is the Local Area Planning (LAP) Framework?

The LAP framework serves as a guide for evaluating and prioritising potential future LAP sites on the Redlands Coast. The framework also outlines how LAPs will be prepared and implemented in a Redland City context (the plan formulation process), including for example, what type of stakeholder engagement and consultation activities will be considered.

Benefits of Local Area Planning

- Facilitates community involvement in the planning process, potentially supporting higher levels of understanding and acceptance of planning outcomes.
- Delivers improved amenity, liveability, and vibrancy in local areas across the city.
- Can address specific issues in a locality such as improved access arrangements.
- Can support increased economic activity by attracting public and private investment.
- Can assist with accommodating projected population growth and facilitating delivery of the dwelling and industrial development targets espoused within *ShapingSEQ* in appropriate locations across the city.
- Can be used as a tool to achieve increased densities in appropriate locations, potentially supporting delivery of key state infrastructure such as the eastern busway and duplication of the Cleveland rail line.
- Helps to ensure Council planning, capital budgets, works and actions are undertaken in a coordinated manner.

The LAP Formulation Process

Broadly speaking, the general steps involved in preparing an LAP are as follows:

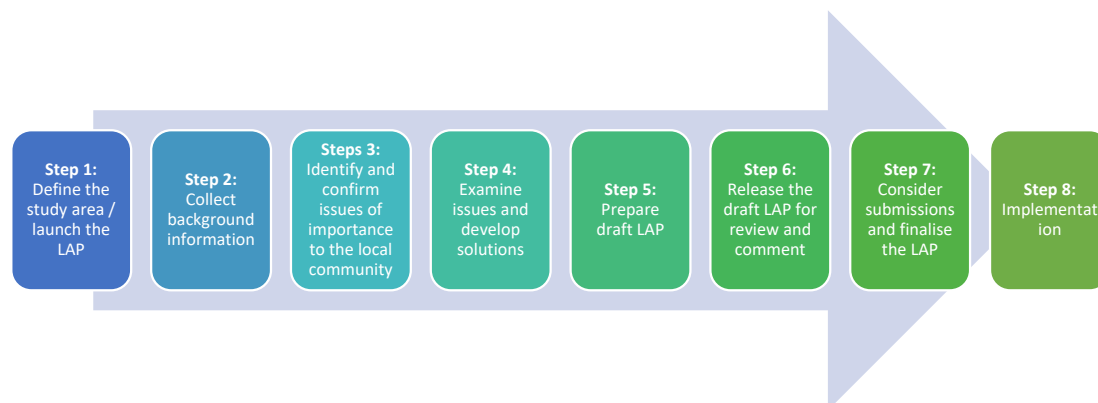


Figure 2: Key steps in preparing a LAP

Preparing a LAP involves collaboration between Council and the local community. The level of local community engagement will vary from site to site and be dependent on factors such as the size of the study area and the scale of potential changes that are likely to occur. Generally speaking, the community will be consulted during the issue identification stage, as well as when formal public engagement activities are undertaken as part of the statutory amendment process.



How will LAPs be Implemented?

LAPs will seek to facilitate the development outcomes sought via amendments to City Plan. For example, this might occur by amending the zoning designation or provisions relating to the following elements:

- Type and scale of uses.
- Built form:
 - Building heights.
 - Setbacks.
 - Site coverage.
 - Architectural styles and design elements.
- Lot sizes.
- How particular constraints and values are addressed and protected.
- Visual amenity.
- Interfaces with surrounding development.
- Connectivity (vehicular, cycling and pedestrian).
- Infrastructure servicing.

Guiding Principles for LAP Site Prioritisation

Eight guiding principles have been identified to determine the prioritisation of specific local areas within Redland City for LAPs. The principles are given equal weighting and therefore, are not presented in any order of significance.

1. Level of Opportunity

This principle looks at the quadruple bottom line (cultural, environmental, social and economic) of benefits and opportunities that could be realised within a specific local area including:

- Cultural benefits: the positive impacts that cultural heritage and expression can have on individuals or communities, such as promoting a sense of identity, connection to the past, and social cohesion.
- Environmental benefits: improvements to the natural environment, such as reducing pollution, preserving biodiversity, mitigating climate change, and enhancing or restoring ecosystem services.
- Social benefits: improvements in well-being, increased access to facilities, services and opportunities, and enhanced social cohesion.
- Economic benefits: increasing employment opportunities, promoting innovation and entrepreneurship, enhancing competitiveness and productivity, and supporting economic growth.

2. Development Pressures

Development pressures can occur for a variety of reasons. Areas under development pressures can benefit from local level planning activity by:

- Providing direction on how the planning outcomes will be achieved.
- Aligning development activity with infrastructure delivery.
- Providing a greater level of certainty for proponents and the local community.



- Addressing competing interests.

3. Social Pressures

This principle takes into consideration the public and social pressures and expectations that may be present in specific areas. The level of social capital within an area can also determine the need for the area to undergo fine grained local level planning. Areas with high social capital facilitate co-operation and mutually supportive relationships in the community between residents, business owners, investors, and visitors.

4. Land and Planning Constraints

Certain values and constraints can affect an area's suitability for structured urban development and/or local level planning. These impacts will vary based on the unique locational context and may include:

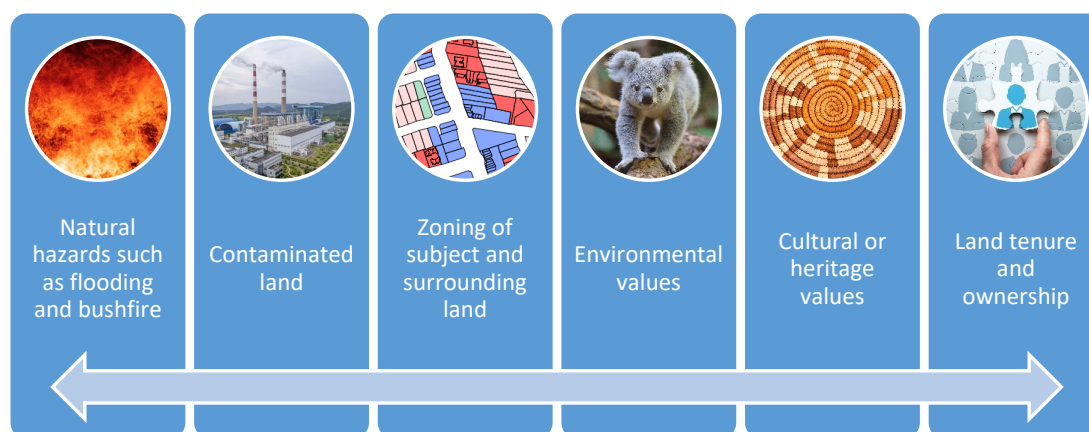


Figure 3: Land and planning constraints

Areas that are subject to development pressures and that have significant constraints can greatly benefit from local level planning.

5. Governance Challenges

Governance challenges (or priorities) which apply to specific local areas within Redlands can manifest through:

- Delivering of election commitments and policy direction.
- Addressing community priorities or conflicting interests.
- Consideration of fiscal constraints.
- Implementing or being compliant with policy directive(s) from other levels of government (e.g., the State Planning Policy and SEQ Regional Plan).
- Past planning commitments and where there are opportunities for broader policy outcomes to be delivered or satisfied.



6. Change Management

An area's capacity to accommodate development change in line with policy outcomes and strategies is an important factor in determining its suitability for an LAP. A brief overview of varying levels of change in relation to local level planning is outlined below.

Significant Change: Significant change is where development will be focused to transform uses, activity and urban character. The area is generally highly accessible by all modes of transport. An intense mixture of uses is proposed to be created in high quality, higher density development.

Medium Change: Medium change is where a level of change will occur which will contribute to the vitality of the area. These areas generally have good accessibility by multiple transport modes. A mixture of uses will be created in high quality, higher density development. The historical fabric and characteristics of the area are incorporated into the new urban character.

Incremental Change: Incremental change is for areas where some change is likely, but where change must be managed to ensure that it does not dilute the focus on redevelopment in major change areas and where interface and urban character issues are significant. These areas generally have good accessibility to multiple transport modes.

7. Level of Planning Risk

The level of planning risk can reduce the potential for development projects to be realised and 'get off the ground'. Local area planning can reduce planning and investment risks by considering matters such as development feasibility, levels of assessment and how assessment provisions are drafted (i.e., to ensure they clearly articulate the desired outcomes and how they can be achieved).

8. Housing Supply, Diversity and Affordability

Housing affordability is a dynamic issue, influenced by several factors including but not limited to:

- Land supply.
- Local Government policy (e.g., zoning & planning controls, providing diverse housing typologies to meet community needs, infrastructure charges, approval timeframes/costs).
- Trunk and public transport infrastructure delivery.
- Interest rates.
- Federal and State Government policy (e.g., stamp duty charges, taxation policy etc.).
- Population growth and demand (e.g., International and interstate migration).
- Lending/finance availability.
- Consumer sentiment.

While local government has an important role to play in the delivery of housing to the market, it must be understood that this is primarily limited to the first three factors mentioned above (i.e., ensuring there is enough supply and a diverse range of housing products to address community needs and managing the delivery of local government infrastructure). In this regard, the ability for an LAP to contribute to 'housing affordability' is limited.

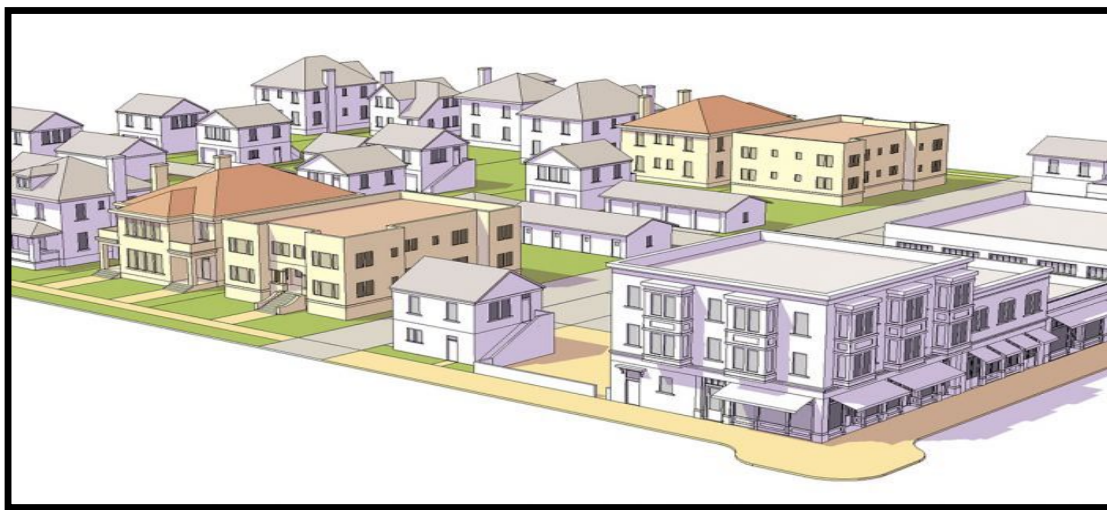


Figure 4: Housing typologies (Source: Opticos design)

15.3 REVIEW OF THE SHAPING SOUTH EAST QUEENSLAND REGIONAL PLAN 2017-2041**Objective Reference:** A7413835**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning & Assessment**Report Author:** Brett Hookway, Principal Strategic Planner**Attachments:** 1. Review of South East Queensland Regional Plan – Key Issues Identified by Redland City Council [↓](#)**PURPOSE**

To seek approval to write to the Minister for State Development, Infrastructure, Local Government and Planning outlining the key matters and policy positions Council expects to be considered as part of the South East Queensland (SEQ) Regional Plan review.

BACKGROUND

August 2017: the Shaping SEQ Regional Plan (SEQRP) 2017–2041 takes effect replacing the SEQ Regional Plan 2009–2031.

20 October 2022: the Queensland Government convened the Queensland Housing Summit. The summit brought together key stakeholders involved in the provision of housing to identify ways to address the existing housing challenges and provide for the future housing needs of Queenslanders. Following the summit, the Planning Minister announced that the review of the SEQRP would be fast tracked, with a focus on addressing the housing crisis.

November 2022: The Queensland Housing Summit Outcomes Report was released, outlining the Queensland Government’s commitment to reviewing the SEQRP. The document included a \$2.5M funding commitment to undertake the review and the following commentary under the key actions section:

‘[increase land supply through]...reviewing the South East Queensland Regional Plan *ShapingSEQ*, [to] ensure land and housing supply settings are fit for purpose and responsive to current growth, and to provide for an enhanced framework to engage with councils to accelerate delivery of more housing’.

March 2023: The Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) confirmed the SEQRP review process had commenced and provided high level details on the intended scope, program, and timing. Currently, officers understand the following:

- The new SEQRP and ‘infrastructure supplement’ is intended to be finalised by the end of 2023, with a draft plan to be prepared by mid-2023.
- The review will be a ‘light touch’, not a full review of the current SEQRP.
- Statutory consultation (30 business days) and submission consideration will occur in the third quarter of 2023.
- Key objectives of the review will be to address the housing needs of SEQ, create jobs in traditional and emerging industries and deliver infrastructure and services where they are needed.

- The supporting document for the SEQRP, the South East Queensland Infrastructure Plan (SEQIP), is currently being developed but will be completed after the finalisation on the SEQRP.

Recognising the very short time frame for undertaking the review of the SEQRP it is important Council articulates the key matters and policy positions it expects to be considered as part of the impending review.

ISSUES

1. Engagement with Council

Like the previous SEQRP review process, DSDILGP's project officers have indicated consultation with elected members will only occur at Mayoral level via the SEQ Regional Planning Committee (SEQRPC). Council officers will be invited to participate in proposed Local Government Working Groups (LGWGs). Both RPC members and officers attending LGWGs will be obliged to maintain confidentiality until the draft SEQRP is released for statutory public notification.

2. Release of key information

To date, the Queensland Government has not released the revised population projections to 2046 or the 2022 Land Supply Development Monitoring (LSDM) reports. Providing input on the review will be problematic if there is a lack of information regarding the future trajectory of population growth and the performance of councils, both individually and collectively, in meeting the dwelling supply benchmarks and employment planning baselines outlined in the SEQRP.

3. Project scope

The Queensland Government has sought to establish the key parameters of the SEQRP review at the outset of the process. The known and potential issues arising from this approach are briefly summarised in the following table.

Parameter	Issue/s
Finalise the SEQRP and 'infrastructure supplement' by the end of 2023.	<p>Limited timeframes to consult with councils and other key stakeholders as well as undertake the statutory public consultation period (30 business days).</p> <p>The scheduled completion date does not align with the timeframe for finalising SEQIP. As a key implementation document, the absence of SEQIP will mean there is likely to be no transparency around how and when the State Government intends to accommodate growth through investments in critical new and upgraded State Infrastructure.</p> <p>There has been limited information provided to explain what the 'infrastructure supplement' is and how it will operate.</p>
Similar to last review of the SEQRP in 2017, it is expected that during plan drafting stage the Queensland Government will limit consultation to Mayors and officers only.	Limits the potential for representatives of local communities to influence the project scope and provide input during the plan drafting stage. The draft SEQRP will, however, have a 30 business day public consultation period where members of the community will be able to review the draft plan and make formal submissions on it.

Undertake a 'light touch', not a full review of SEQRP.	May limit the ability of councils to review the efficacy of other elements within the SEQRP, such as the sub-regional directions, activity centre hierarchy, consolidation versus expansion targets, and performance metrics in the 'measures that matter'.
Focus on reforms that may facilitate accelerated delivery of housing.	Risks further expansion land supply being proposed as a solution to the housing affordability issues currently being experienced, due to a lack of research and understanding of causal factors. This may undermine delivery of good planning outcomes, such as densification within and around existing activity centres (i.e. development within the consolidation area).
It is unclear whether the Queensland Government intends to address the financial sustainability concerns raised by local government in relation to the current capped charge infrastructure framework.	<p>Capped charge infrastructure system limits the ability of Council to use pricing signals to encourage development in consolidation areas. A higher quantum of attached and missing middle housing products are key policy objectives of the SEQRP.</p> <p>The costs associated with servicing expansion areas with infrastructure and the inability to achieve a reasonable level of cost recovery through infrastructure charging threatens the longer terms financial sustainability of councils across SEQ. Councils have responded to this issue by:</p> <ul style="list-style-type: none"> • Removing infrastructure items from the Local Government Infrastructure Plan (LGIP) or pushing out delivery timeframes. • Limiting the spatial extent of the Priority Infrastructure Area (the area in which Council is required to plan for and deliver trunk infrastructure). • Using general revenue to cover the shortfall between actual versus recovered costs.

4. Key issues to be raised by Council in representations to the Queensland Government

This section of this report outlines the key matters and policy positions recommended for inclusion in a Council submission to the Queensland Government on the review of SEQRP.

1. No expansion of the urban footprint or new growth areas to accommodate additional residential growth.
2. Increased employment opportunities and Industrial Land Supply
3. Funding and delivery commitment to provide critical State Infrastructure aligned with growth projections.
4. Continue to recognise and acknowledge koala protection and the role of all levels of government.
5. Specific locations:
 - a. Southern Thornlands Potential Future Growth Area
 - b. Birkdale Community Precinct

- c. Redland Bay Business Park
- d. Mount Cotton Village
- e. Minjerribah (North Stradbroke Island)
- f. Southern Moreton Bay Islands (SMBIs)

Attachment 1: outlines further information on each the above matters.

STRATEGIC IMPLICATIONS

Legislative Requirements

The early identification of key issues for Redland City will assist the Queensland Government in undertaking the review of the SEQRP. The revised SEQRP is intended to be finalised by the end of 2023.

Risk Management

There are no known risks associated with identifying key issues for Redland City in the review of the SEQRP.

Financial

There are no financial implications associated with the recommendations contained in this report. However, if the urban footprint is expanded there is likely to be additional financial impact on Council's ability to fund and deliver trunk infrastructure under the current infrastructure charges framework.

People

There are no people implications associated with the recommendations contained in this report. Council officers will be participating in the LGWGs and advocate on behalf of Council. Officers' involvement and participation in the process can be managed within existing work arrangements.

Environmental

There are no environmental implications associated with the recommendations of this report.

Social

There are no social implications associated with the recommendations of this report.

Human Rights

There are no specific human rights implications associated with the recommendations of this report.

Alignment with Council's Policy and Plans

Council officer advocacy and input to the review of the SEQRP will seek to ensure consistency with existing Council plans and policies.

CONSULTATION

A Regional Planning Committee and a Local Government Officer Working Group Meeting were held in March 2023. Further meetings are expected to be organised by the Queensland Government.

Consulted	Consultation Date	Comments/Actions
Local Government Officer Working Group Meetings	March 2023	State officers provided details on proposed work program and timeframes.
Senior Advocacy and Government Relations Adviser	March 2023	Discuss review of SEQRP and key issues and matters for Council.
Group Manager Economic Development and Investment	March 2023	Discuss key issues and matters to be considered as part of the review of the SEQRP.

OPTIONS

Option One

That Council resolves to write to the Minister for State Development, Infrastructure, Local Government and Planning, outlining the key matters and policy positions it expects to be considered as part of the South East Queensland Regional Plan review, as outlined in this report and Attachment 1.

Option Two

That Council resolves to write to the Minister for State Development, Infrastructure, Local Government and Planning, outlining the key matters and policy positions it expects to be considered as part of the South East Queensland Regional Plan review, as outlined in this report and Attachment 1 as amended by Council.

Option Three

That Council resolves to not write to the Minister for State Development, Infrastructure, Local Government and Planning, outlining the key matters and policy positions it expects to be considered as part of the South East Queensland Regional Plan review.

OFFICER'S RECOMMENDATION

That Council resolves to write to the Minister for State Development, Infrastructure, Local Government and Planning, outlining the key matters and policy positions it expects to be considered as part of the South East Queensland Regional Plan review, as outlined in this report and Attachment 1.

Attachment 1: Review of South East Queensland Regional Plan – Key Issues Identified by Redland City Council

The following provides an overview of key matters and policy options recommended for inclusion in a proposed Council submission to the Queensland Government on the review of the South East Queensland Regional Plan (SEQR).

- 1. No expansion of the Urban Footprint or new Growth Areas to accommodate additional residential growth**
- 2. Increased employment opportunities and Industrial Land Supply**
- 3. Funding and delivery commitment to provide critical State Infrastructure aligned with growth projections**
- 4. Continue to recognise and acknowledge koala protection and the role of all levels of government in koala protection**
- 5. Specific locations:**
 - a. Southern Thornlands Potential Future Growth Area**
 - b. Birkdale Community Precinct**
 - c. Redland Bay Business Park**
 - d. Mount Cotton Village**
 - e. Minjerribah (North Stradbroke Island)**
 - f. Southern Moreton Bay Islands**

1. No expansion of the Urban Footprint or New Growth Areas to accommodate additional residential growth.

The State Government's annual Land Supply and Development Monitoring (LSDM) reporting identifies that Redland City has the capacity to provide approximately 35,000 additional consolidation dwellings (estimated to provide 56 years of supply) and just under 8,000 additional expansion dwellings (estimated to provide 33 years of supply). Recognising the significant dwelling supply that already exists in the city, there would appear to be no need for the State Government to consider the inclusion of additional land within the urban footprint to accommodate future residential development.

2. Increased Employment Opportunities and Industrial Land Supply

A focus of the SEQR review should be on supporting employment growth in proximity to new and existing residential areas. The current SEQR identifies the Cleveland Principal Regional Activity Centre (PRAC), Toondah Harbour Priority Development Area (PDA), Redlands Research Station, Cleveland Health Precinct and adjacent industrial land as an area of economic opportunity. Other similar areas across the SEQ region have been identified as Regional Economic Clusters (RECs) and are supported by enabling policies in the SEQR. Through the review of the SEQR, Council seeks to have the current economic opportunity area considered for designation as a REC so that the regional policy framework is better supportive of employment growth in the city.

The State Government's LSDM reporting indicates Redlands is below the 15 years of industrial land supply sought by the SEQR. While identifying a potential under supply of industrial land

over the medium to longer term, it should be noted that the key reason for this is Council's Local Government Infrastructure Plan (LGIP), which has used an industrial employment growth figure that is lower than the industrial employment figure reflected in the SEQRP. The LGIP is currently under review and the use of higher industrial employment figures and employee densities will largely address this issue when future iterations of the LSDM are released.

Council has engaged CDM Smith to undertake an Industrial Land Supply Review. This work provides a more detailed assessment of employment growth and land demand in the city to 2041. In terms of industrial land supply, the report found:

- Based on SEQRP employment projections and an average employment density of 30 employees per hectare, a minimum of 35.4 hectares of industrial allotments is required to meet industrial land demand over the next 15 years.
- The LSDM 2021 estimated approximately 44 hectares of vacant industrial land exists across the city, indicating Redland City has a sufficient quantum of appropriately zoned industrial land to meet the 15 years zoned land supply as sought by the SEQRP.
- Based on no additions to industrial land supply, there is expected to be a shortfall of industrial land supply of 9.1 hectares from 2035-36, increasing to 25.5 hectares by 2040-41.

CDM Smith's analysis found that the proposed transport uses precinct and the proposed Mixed Industry Business Area (MIBA) precinct within the Southern Thornlands Potential Future Growth Area (STPFGA) would accommodate 7.1 hectares and 7.4 hectares respectively of industrial land supply to 2041. After including these 2 areas as industrial supply there would still be a need to accommodate approximately 11 hectares of industrial land to 2041. To accommodate this need would require a raw land area of approximately 20-25 hectares.

As part of the review of the SEQRP it is recommended that existing Redland Bay Business Park located on German Church Road should be included in the urban footprint to reflect its current use. As part of this change it is recommended that the extent of the urban footprint is expanded by approximately 20 to 25 hectares to accommodate the potential expansion of the business park and to ensure Council has an appropriate level of industrial land supply to 2046 and beyond.

3. Funding and delivery commitment to provide critical State Infrastructure aligned with growth projections

State Government officers have advised that the revised SEQRP will be supported by an infrastructure supplement document. To date, very limited information has been provided on the infrastructure supplement. At this stage it is recommended that Council continue to advocate that the following projects continue to be identified in the proposed Infrastructure Supplement and are supported by relevant details regarding expected delivery timeframes, estimated costs and proposed funding arrangements:

- Eastern busway/transit corridor: the extension of the eastern busway/transit corridor to Capalaba should continue to be identified as priority region shaping infrastructure and a future passenger transport trunk corridor. The delivery of

an eastern busway would likely serve as a catalyst for investment in Capalaba, supporting its role as a PRAC and providing high level accessibility to the Birkdale Community Precinct.

- Duplication of Cleveland train line between Manly and Cleveland.
- High frequency public transport connections to Capalaba, Cleveland, Victoria Point and southern Redland Bay through to Logan Hyperdome.
- Upgrades to the State Road networks including key intersections.

4. Continue to recognise and acknowledge koala protection and the role of all levels of government in koala protection

All levels of government and various legislation are responsible for regulating the impacts of development on koalas and their habitats. However, as the preeminent regional planning document, it is critical that the SEQRP continues to acknowledge that increased attention and action from government, industry and the community is required to ensure the long term survival of koalas in SEQ and Redland City.

5. Specific Locations

5a. Southern Thornlands Potential Future Growth Area

The current SEQRP identifies land in Southern Thornlands as a Potential Future Growth Area (PFGA). The PFGAs identified in the SEQRP are areas that may be needed to accommodate long-term urban growth beyond the life of the SEQRP (i.e. post 2041). However, in the case of Southern Thornlands, the SEQRP includes the following requirement:

Redland City Council is required to investigate this area in the short-term, including its potential as a future employment area. The investigations must determine its appropriate use, with the intent of the area defined, and appropriately reflected in the planning scheme, by the end of 2019 (p. 114).

In accordance with Shaping SEQRP, Council has completed a series of investigations to identify the preferred future use of land within Southern Thornlands.

Council's preferred future land use intents for the STPFGA are outlined in proposed 02/21 – Major Amendment – Southern Thornlands Potential Future Growth Area (STPFGA). The proposed amendment seeks to recognise the following locations as potentially suitable for the following uses:

- land generally in the middle of the area for a MIBA;
- land on Mount Cotton Road for Transport Uses;
- land located along part of Mount Cotton Road and Duncan Road for Storage and Larger Scale Home Business;
- land located to the north, south and west of Sheldon College for Education, Training and Tourism; and
- the remaining area for Rural Residential uses.

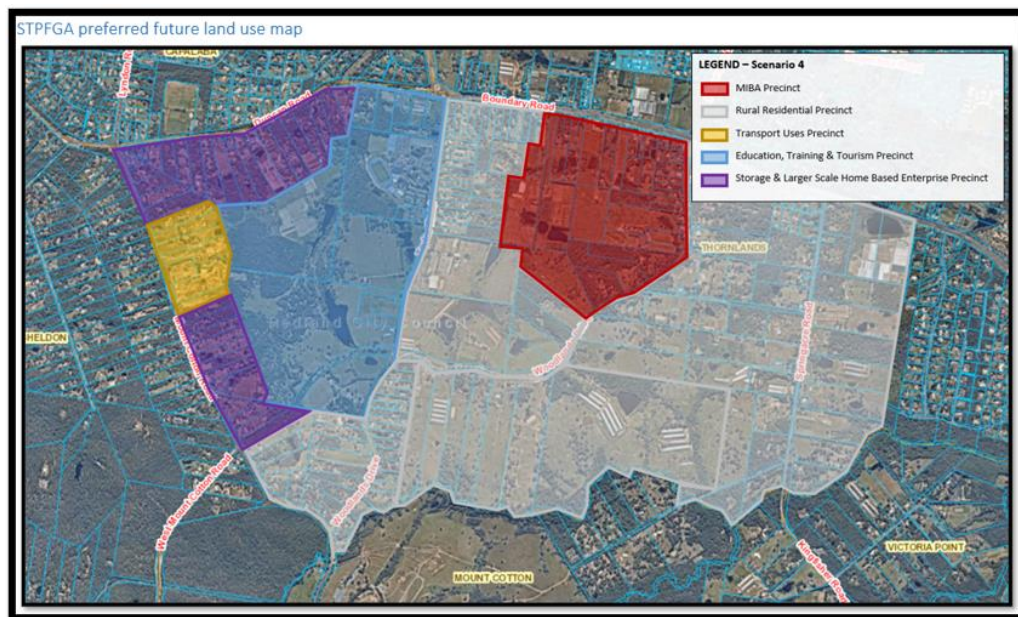


Figure 1: Council's preferred future land use intents for the STPFGA

Currently the entire area is included within the Regional Landscape and Rural Production Area (RLRPA). To support its preferred future land use intents, Council would support changes to regional land use categories within the SEQRP to enable the intended development outcomes as identified proposed in 02/21 – Major Amendment – Southern Thornlands Potential Future Growth Area (STPFGA) to be realised.

Throughout the more than twenty-year planning history of Southern Thornlands, Council has maintained a strong and consistent position that it does not support urban scale residential development in the locality.

Recognising the significant dwelling supply that exists within the city, as documented in the State Government Land Supply and Development Monitoring reports, there is no justification or need for the STPFGA to be identified as an area to accommodate additional residential development at this time.

Should the State Government form an alternative view to Council regarding future land uses to be realised in the STPFGA, it must be acknowledged that significant infrastructure investments will be required by both the State Government and Council to service the area and broader community.

Council reaffirms that its preferred future land use intents for STPFGA are reflected in its proposed major amendment.

5b. Redland Bay Business Park

As noted in section 2 Increased Employment Opportunities and Industrial Land Supply it is recommended that the existing Redland Bay Business Park located on German Church Road be included within the urban footprint to reflect its current use.

In addition, it is recommended that the extent of the urban footprint in this location is expanded by 20-to-25 hectares to accommodate the potential expansion of the business park and to ensure Council has an appropriate level of industrial land supply to 2046.

5c. Birkdale Community Precinct

Since acquisition of the site in 2019, Redland City Council has undertaken a suite of investigations to guide the planning and development of the site.

Council has recently adopted and released the Birkdale Community Precinct Master Plan (the master plan). The master plan intends to accommodate a broad range of community and recreation-based uses on the site

Currently, the site is located wholly within the RLRPA. Although the regulatory provisions contained within the *Planning Regulation 2017* does not unduly limit Council's ability to deliver the uses envisioned on the site, Council is progressing a Local Government Infrastructure Designation to facilitate future development in accordance with the approved masterplan.

It is recommended that as part of the SEQRP review the State consider the inclusion of the Birkdale Precinct within the urban footprint.

5d. Mount Cotton Village

Over the last couple of years the remaining vacant residential zoned land in the Mount Cotton village has been developed. To recognise the existing urban use of this area it is requested that this area is included within the urban footprint.

5e. Minjerribah/North Stradbroke Island

The review and update of the SEQRP should recognise the State Government's economic transition package on Minjerribah. While several Minjerribah Futures projects have been completed, further significant work is required to support a successful economic transition of the island. The Minjerribah Future vision and associated work is of regional significance and should be recognised and supported in the new SEQRP.

One of the Minjerribah Futures major projects, which is yet to be completed, is the Gumpi (Dunwich) Master Plan. The plan's completion is necessary to establish a long term vision for Gumpi (Dunwich) and to facilitate the redevelopment of the Junner Street Barge and Ferry Terminal as identified in SEQ City Deal. Both initiatives will contribute to the expansion and transformation of the North Stradbroke Island (NSI) economy, while also supporting the redevelopment of the Toondah Harbour PDA.

Council also holds significant concerns about the proliferation of building activity that is occurring on the NSI without due regard to the capacity of existing infrastructure networks and natural hazard risks (e.g., bushfire). *ShapingSEQ* should acknowledge the agreements reached between traditional owners and the State Government to facilitate housing and economic opportunities on the island as well as the need to deliver development that has due regard to infrastructure servicing capacity and the safety of residents.

5f. Southern Moreton Bay Islands

The current SEQRP metro sub region commentary acknowledges the unique contextual circumstances of the Southern Moreton Bay Islands (SMBIs). The updated SEQRP should continue to acknowledge that a coordinated response between government and key stakeholders will be necessary to address key opportunities and challenges, including the location of the islands within the environmentally sensitive Moreton Bay Marine Park.

16 REPORTS FROM INFRASTRUCTURE & OPERATIONS

Nil.

17 NOTICES OF INTENTION TO REPEAL OR AMEND A RESOLUTION

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

18 NOTICES OF MOTION

In accordance with s.6.16 Council Meeting Standing Orders.

19 URGENT BUSINESS WITHOUT NOTICE

In accordance with s.6.17 of Council Meeting Standing Orders, a Councillor may bring forward an item of urgent business if the meeting resolves that the matter is urgent.

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

20 CONFIDENTIAL ITEMS

COUNCIL MOTION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with section 254J of the *Local Government Regulation 2012*:

20.1 Redland Investment Corporation Financial Report for period ending 31 December 2022

This matter is considered to be confidential under section 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Overview

For Council to endorse the Redland Investment Corporation quarterly financial statement for period ending 31 December 2022.

20.2 2022-2023 Sponsorship Program - Out-of-Round Application for Major Sponsorship - S23-R2-003-OOR

This matter is considered to be confidential under section 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Overview

To seek Council's approval of the Sponsorship Assessment Panel's recommendations on an out-of-round application for major sponsorship in the 2022-2023 Sponsorship Program.

20.3 Funding Agreements Between Redland City Council and Community Organisations

This matter is considered to be confidential under section 254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Overview

For Council to authorise the Chief Executive Officer (CEO) to exercise their delegations to negotiate new funding agreements with Redland Museum Inc., North Stradbroke Island Historical Museum and Macleay Island Progress Association Inc.

21 MEETING CLOSURE