
CD1

File No: 58196-2

Id No: 7306722

CONDOLENCE REPORT

REPORT OF: GOVERNANCE MANAGER*Created: 07/09/2011*

Her Worship the Mayor advised that messages of sympathy have been forwarded to the following residents of Logan City:

DIVISION 2

The family of John Melhuish on his passing
The family of John Connors on his passing

DIVISION 4

The family of Victor (Vic) Rogers on his passing

DIVISION 9

The family of Frederick Alfred (Fred) Challen on his passing

DIVISION 12

The family of Domenico (Nick) Tagliabue on his passing

Council extends its condolences to the relatives and friends of the following:

Alma Lehamn late of Carbrook
Iris Clifton Priebe late of Beenleigh
Phyllis Eleanor Simpson late of Rochedale South
James Charles (Jim) Bolton late of Rochedale South
Robert Bundura (Bob) Shedden late of Mt Warren Park
Catherine Ross Wardley late of Beenleigh
Betty Oppermann late of Beenleigh
Richard (Dick) Louis Vincent late of Forestdale
Jen Gadd late of Rochedale South
Annette Faye (Faye) O'Brien late of Rochedale South
Anna Maria Catharina Van Hoof late of Springwood
Evlyn Rose Mullings late of Waterford West
Barbara Ann Bettiol late of Daisy Hill
Stephen William Reidy late of Windaroo

Her Worship the Mayor, Councillor P L Parker, spoke about the recent tragedy where eight (8) lives were lost in a house fires in Slacks Creek and expressed her deepest sympathies. The Tongan and Samoan Communities have been deeply impacted by the tragedy as well as the Logan Community as a whole.

CD1

File No: 58196-2

Continued:

Councillor Power requested that condolences be forwarded to the family of former Shailer Park resident and the most recent soldier killed in Afghanistan, Matthew Lambert. The 26 year old was a dedicated man who lost his life serving his country.

Councillor Smith requested that condolences be forwarded to the family of Jay Towel for his recent passing.

The meeting observed a moment's silence in respect for the deceased.

Council of 13/09/2011

**MINUTES OF THE 651ST ORDINARY MEETING
OF THE COUNCIL OF THE CITY OF LOGAN
HELD AT THE COUNCIL CHAMBERS,
CITY ADMINISTRATION CENTRE, LOGAN CENTRAL
TUESDAY, 13 SEPTEMBER 2011**

ID # 7315794

MEETING COMMENCED

10.01am, 13 September 2011

PRESENT

Her Worship the Mayor, Councillor P L Parker (Chairperson) ... 10.01am - 10.43am; 10.44am - 11.20am
Councillor R B Lutton..... 10.01am - 11.12am; 11.15am - 11.20am
Councillor J B Grant..... 10.01am - 11.07am; 11.09am - 11.20am
Councillor S D Black
Councillor G J Able
Councillor T L Smith..... 10.01am - 11.03am; 11.04am - 11.20am
Councillor L J Clarke..... 10.05am - 11.20am
Councillor C M Dalley
Councillor P W Pidgeon..... 10.01am - 10.51am; 10.52am - 11.20am
Councillor D R Power..... 10.03am - 11.20am
Councillor H D Black
Councillor R W Hackwood

IN ATTENDANCE

Chief Executive Officer	C C Rose
Deputy CEO - Organisational Services	J W Oberhardt
Deputy CEO - Infrastructure Services	S Trinca
Deputy CEO - Community & Customer Services	O C Simon
Deputy CEO - Strategy & Outcomes	M G Pickering
Meetings Support Officer	S Hinch
Minute Clerk	C Wood

APOLOGIES

322/2011 **Resolved:** Cr Able, Cr Clarke

That Councillor Bradley be granted leave of absence.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 3**

PRAYERS

Pastor Mike Warman from Parklands Christian Church led the Council in prayers.

During prayers, the time being 10.03am, Councillor Power attended the meeting.

Her Worship the Mayor moved a vote of thanks to Pastor Warman.

Following prayers, the time being 10.05am, Councillor Clarke attended the meeting.

CONDOLENCES

CD1 File No: 58196-2

Id No: [7306722](#)

CONDOLENCE REPORT

Her Worship the Mayor advised that messages of sympathy have been forwarded to the following residents of Logan City:

DIVISION 2

The family of John Melhuish on his passing
The family of John Connors on his passing

DIVISION 4

The family of Victor (Vic) Rogers on his passing

DIVISION 9

The family of Frederick Alfred (Fred) Challen on his passing

DIVISION 12

The family of Domenico (Nick) Tagliabue on his passing

Council extends its condolences to the relatives and friends of the following:

Alma Lehamn late of Carbrook
Iris Clifton Priebe late of Beenleigh
Phyllis Eleanor Simpson late of Rochedale South
James Charles (Jim) Bolton late of Rochedale South
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Catherine Ross Wardley late of Beenleigh
Betty Oppermann late of Beenleigh
Richard (Dick) Louis Vincent late of Forestdale
Jen Gadd late of Rochedale South
Annette Faye (Faye) O'Brien late of Rochedale South
Anna Maria Catharina Van Hoof late of Springwood
Evlyn Rose Mullings late of Waterford West

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....

Barbara Ann Bettiol late of Daisy Hill
Stephen William Reidy late of Windaroo

Her Worship the Mayor, Councillor P L Parker, spoke about the recent tragedy where eleven (11) lives were lost in a house fires in Slacks Creek and expressed her deepest sympathies. The Tongan and Samoan Communities have been deeply impacted by the tragedy as well as the Logan Community as a whole.

Councillor Power requested that condolences be forwarded to the family of former Shailer Park resident and the most recent soldier killed in Afghanistan, Matthew Lambert. The 26 year old was a dedicated man who lost his life serving his country.

Councillor Smith requested that condolences be forwarded to Mrs Ker Thao and family on the recent passing of Mr Ye Thao.

The meeting observed a moment's silence in respect for the deceased.

CONGRATULATIONS

CG1 File No: 142930-2 Id No: [7317567](#)
SLACKS CREEK HOUSE FIRE

Councillor Smith requested that congratulations be forwarded to the Deputy Mayor, Councillor Lutton for all the effort and hard work he has done in relation to the Slacks Creek house fire tragedy. Councillor Lutton acted as a leader for the community and understood the cultural needs of the community and it is a testament to years of dedication as the Divisional Councillor. Councillor Smith also requested that congratulations be forwarded to Mr Francis Mills, Council's Community Development & Safety Program Leader, for his efforts and assistance in relation to the tragic house fire.

Her Worship the Mayor, Councillor P L Parker, also personally thanked Councillor Lutton for his efforts with all the arrangements and his excellent leadership and compassion in relation to the Slacks Creek house fire tragedy. Both the Samoan and Tongan Communities as well as the Logan Community have been gravely affected by the tragedy and Councillor Lutton's assistance, leadership and support is to be commended.

CG2 File No: 142930-2 Id No: [7317618](#)
ILLEGAL DUMPING - CITY STANDARDS BRANCH

Councillor Able requested that congratulations be forwarded to the City Standards Branch for their recent actions under the Environmental Protection Act in response to significant and multiple illegal waste dumping on Council land. The outcomes of resolving these matters are a great achievement and the Officers directly involved should be commended for their success and hard work.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 5**.....

CG3 File No: 126001-4 Id No: [7317637](#)
WINDAROO PEACEKEEPERS 10TH ANNIVERSARY MEMORIAL - BOB WILEY

Councillor S Black requested that congratulations be forwarded to Bob Wiley of Peacekeepers who held their 10th Annual Peacekeepers Memorial at Windaroo on Saturday, 10 September 2011.

CG4 File No: 126001-4 Id No: [7317653](#)
JIMBOOMBA CANCER COUNCIL DAFFODIL BALL

Councillor S Black requested that congratulations be forwarded to the Jimboomba Cancer Council for the Daffodil Ball held on Saturday, 27 August 2011. The evening was a great success and raised thousands of dollars for cancer.

In accordance with Section 9 (b) of Council's Local Law No. 1 (Meetings) 1997, Councillor Parker determined to change the Order of Business so that Item MR1 will be discussed following congratulations.

MAYOR'S REPORTS

MR1 File No: 404995-1 Id No: [7312283](#)
**INSTITUTE OF PUBLIC ADMINISTRATION AUSTRALIA (IPPA)
QUEENSLAND PUBLIC SECTOR EXCELLENCE AWARDS 2011**

323/2011 **Resolved:** Cr Lutton, Cr S Black

That Item MR1 be received for discussion.

The Deputy Chief Executive Officer - Strategy & Outcomes, Mr Mike Pickering spoke briefly about the Institute of Public Administration Australia (IPAA) Queensland Public Sector Excellence Awards 2011 that were held on 8 September 2011.

Councils' Strategy & Planning Branch were finalists for the award and Mr Pickering spoke about the submission made for the award. The award is a great achievement and the Strategy & Planning Branch are to be commended for their efforts.

Her Worship the Mayor, Councillor P L Parker and the Chairperson for the Planning & Development Committee, Councillor Dalley, congratulated and presented the awards to the Strategy & Planning Branch team:

- (a) Cath Swift;
- (b) Cheryl Pollitt;
- (c) Sherry She; and
- (d) De Wit Visser.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 6**.....

Mr Pickering then outlined the Development Assessment Branch's submission for the award and commended the team for their tremendous achievement. Winning the award is extremely humbling and is a wonderful accomplishment.

Her Worship the Mayor, Councillor P L Parker, and the Chairperson for the Planning & Development Committee, Councillor Dalley congratulated and presented the awards to Development Assessment Branch team:

- (a) Todd Rohl;
- (b) Marco Alberti;
- (c) Toni Finn;
- (d) Shane Murrhiy;
- (e) Christian Parks;
- (f) Fiona Walker;
- (g) Rebekah Sheppard;
- (h) Martin Jones; and
- (i) Stephen Ball.

324/2011 **Resolved:** Cr Lutton, Cr S Black

That the report be received.

CONFIRMATION OF MINUTES OF THE 650TH ORDINARY MEETING HELD ON 23 AUGUST 2011

325/2011 **Resolved:** Cr Smith, Cr Dalley

That the Minutes of the 650th Ordinary meeting held on 23 August 2011 be confirmed.

RECOMMENDATIONS OF THE CITY ROADS INFRASTRUCTURE COMMITTEE MEETING HELD ON 5 SEPTEMBER 2011

326/2011 **Resolved:** Cr Hackwood, Cr Grant

That the recommendations of the City Roads Infrastructure Committee meeting held on 5 September 2011 be received for discussion.

ADOPTION OF THE RECOMMENDATIONS OF THE CITY ROADS INFRASTRUCTURE COMMITTEE MEETING HELD ON 5 SEPTEMBER 2011

327/2011 **Resolved:** Cr Hackwood, Cr Smith

That the Committee's recommendations in respect of Items IN1 to IN4 inclusive be adopted.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 7**.....

**RECOMMENDATIONS OF THE ENVIRONMENT & SUSTAINABILITY COMMITTEE
MEETING HELD ON 5 SEPTEMBER 2011**

328/2011 **Resolved:** Cr Able, Cr Smith

That the recommendations of the Environment & Sustainability Committee meeting held on 5 September 2011 be received for discussion.

**ADOPTION OF THE RECOMMENDATIONS OF THE ENVIRONMENT &
SUSTAINABILITY COMMITTEE MEETING HELD ON 5 SEPTEMBER 2011**

329/2011 **Resolved:** Cr Able, Cr Dalley

That the Committee's recommendations in respect of Items ES1 to ES9 inclusive be adopted.

**RECOMMENDATIONS OF THE ANIMALS & CITY STANDARDS COMMITTEE
MEETING HELD ON 6 SEPTEMBER 2011**

330/2011 **Resolved:** Cr Able, Cr Pidgeon

That the recommendations of the Animals & City Standards Committee meeting held on 6 September 2011 be received for discussion.

**ADOPTION OF THE RECOMMENDATIONS OF THE ANIMALS & CITY
STANDARDS COMMITTEE MEETING HELD ON 6 SEPTEMBER 2011**

331/2011 **Resolved:** Cr Able, Cr Power

That the Committee's recommendations in respect of Items AS1 and AS2 be adopted.

**RECOMMENDATIONS OF THE PLANNING & DEVELOPMENT COMMITTEE
MEETING HELD ON 6 SEPTEMBER 2011**

332/2011 **Resolved:** Cr Dalley, Cr Clarke

That the recommendations of the Planning & Development Committee meeting held on 6 September 2011, with the exception of Item PD4, be received for discussion.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 8**

PD2 File No: 698927-1 Id No: 7280250
 MCUI/25/2011 - INTENSIVE AGRICULTURE (WHOLESALE PLANT
 NURSERY) AND RETAIL PLANT NURSERY
 URBAN PLANNERS (applicant)
 2319-2329 WATERFORD TAMBORINE ROAD, TAMBORINE (location)
 LOT 5 RP 217531 (RPD)
 S KEEN AND N D KEEN (owner)

Moved: Cr S Black, Cr H Black

That the Development Application MCUI/25/2011, located at 2319-2329 Waterford Tamborine Road, Tamborine, be refused on the grounds that it does not meet the Beaudesert Shire Town Plan and it is impact inconsistent.

LOST

ADOPTION OF THE BALANCE OF THE RECOMMENDATIONS OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING HELD ON 6 SEPTEMBER 2011

333/2011 **Resolved:** Cr Dalley, Cr Grant

That the Committee's recommendations in respect of Items PD1 to PD3 inclusive and Items PD5 and GB1 be adopted.

PD2 File No: 698927-1 Id No: 7280250
 MCUI/25/2011 - INTENSIVE AGRICULTURE (WHOLESALE PLANT
 NURSERY) AND RETAIL PLANT NURSERY
 URBAN PLANNERS (applicant)
 2319-2329 WATERFORD TAMBORINE ROAD, TAMBORINE (location)
 LOT 5 RP 217531 (RPD)
 S KEEN AND N D KEEN (owner)

Councillor S Black requested that his name be recorded against the resolution for Item PD2.

PD4 File No: 698740-1 Id No: 7230030
*Refer to Confidential Agenda in accordance with
 Section 72.(1)(h) of the Local Government (Operations) Regulation 2010*
LOGANHOLME NEIGHBOURHOOD PLAN AREA

Councillor Parker declared a perceived conflict of interest in accordance with section 173 (Councillor's conflict of interest at a meeting) of the *Local Government Act 2009* as follows:

Councillor Parker declared to the meeting a perceived conflict of interest due to "I have property in Loganholme."

Councillor Parker left the meeting at 10.43am, thus making herself unavailable to discuss this item. Councillor Lutton assumed the chair during the absence of Councillor Parker.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 9**.....

334/2011 **Resolved:** Cr Dalley, Cr Smith

That the recommendation of the Planning & Development Committee in relation to Item PD4 be adopted.

In accordance with Section 173(7) of the *Local Government Act 2009*, the majority of Councillors who were entitled to vote at the meeting voted in favour of the resolution as detailed above.

At this stage of the meeting, the time being 10.44am, Councillor Parker returned to the meeting. Councillor Lutton then vacated the chair and Councillor Parker resumed the chair.

RECOMMENDATIONS OF THE HEALTH, SPORT & COMMUNITY SERVICES COMMITTEE MEETING HELD ON 7 SEPTEMBER 2011

335/2011 **Resolved:** Cr Pidgeon, Cr Clarke

That the recommendations of the Health, Sport & Community Services Committee meeting held on 7 September 2011 be received for discussion.

ADOPTION OF THE RECOMMENDATIONS OF THE HEALTH, SPORT & COMMUNITY SERVICES COMMITTEE MEETING HELD ON 7 SEPTEMBER 2011

336/2011 **Resolved:** Cr Pidgeon, Cr Able

That the Committee's recommendations in respect of Items HC1 to HC4 inclusive and Item GB1 be adopted.

RECOMMENDATIONS OF THE CUSTOMER SERVICE, MARKETING & PARKS COMMITTEE MEETING HELD ON 7 SEPTEMBER 2011

337/2011 **Resolved:** Cr Clarke, Cr Lutton

That the report of the Customer Service, Marketing & Parks Committee meeting held on 7 September 2011 be received.

RECOMMENDATIONS OF THE GOVERNANCE, FINANCE & ECONOMIC DEVELOPMENT COMMITTEE MEETING HELD ON 8 SEPTEMBER 2011

338/2011 **Resolved:** Cr Smith, Cr Pidgeon

That the recommendations of the Governance, Finance & Economic Development Committee meeting held on 8 September 2011 be received for discussion.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....

ADOPTION OF THE RECOMMENDATIONS OF THE GOVERNANCE, FINANCE & ECONOMIC DEVELOPMENT COMMITTEE MEETING HELD ON 8 SEPTEMBER 2011

339/2011 **Resolved:** Cr Smith, Cr Pidgeon

That the Committee's recommendations in respect of Items GF1 to GF9 inclusive be adopted.

GENERAL BUSINESS (Commencing with Councillor Power)

GB1 File No: 712248-1 Id No: [7318110](#)
NEW SOUTH WALES COURT DECISION IN RELATION TO URBAN LAND DEVELOPMENT AUTHORITY PLANNING INSTRUMENTS

During discussion on Item GB1, the time being 10.51am, Councillor Pidgeon left the meeting.

During discussion on Item GB1, the time being 10.52am, Councillor Pidgeon returned to the meeting.

PROCEDURAL MOTION

Councillor S Black moved a motion of dissent in the Chairperson.

LOST

Councillor Lutton moved that the motion be put.

CARRIED

340/2011 **Resolved:** Cr H Black, Cr S Black

That the Deputy Chief Executive Officer - Strategy & Outcomes be requested to prepare a report to the next Planning & Development Committee meeting to be held on 27 September 2011 detailing the possible impacts on Logan as a result of the recent New South Wales court decisions made in relation to the decision made by the Minister relating to planning instruments that were struck out.

GB2 File No: 142405-3 Id No: [7318132](#)
INSURANCE CLAIMS

341/2011 **Resolved:** Cr H Black, Cr Able

That the Deputy Chief Executive Officer - Organisational Services be requested to prepare a report to a future Governance, Finance & Economic Development Committee meeting detailing:

- (a) the Council process for managing claims relating to private vehicle damage allegedly caused by potholes in the City; and
- (b) the number of insurance claims made to Council over the last twelve (12) months in relation to private vehicle damage allegedly caused by potholes in the City.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 11**.....

GB3 File No: 712249-1 Id No: [7318142](#)
BOYCOTTING JEWISH BUSINESSES (BDS) CAMPAIGN

During discussion on Item GB3, the time being 11.03am, Councillor Smith left the meeting.

During discussion on Item GB3, the time being 11.04am, Councillor Smith returned to the meeting.

342/2011 **Resolved:** Cr H Black, Cr Able

That the Deputy Chief Executive Officer - Community & Customer Services be requested to prepare a report to a future Health, Sport & Community Services Committee meeting in relation to the Boycotting Jewish Businesses (BDS) Campaign including details of the Marrickville Council decision relating to this campaign.

During general business discussion, the time being 11.07am, Councillor Grant left the meeting.

During general business discussion, the time being 11.09am, Councillor Grant returned to the meeting.

During general business discussion, the time being 11.12am, Councillor Lutton left the meeting.

During general business discussion, the time being 11.15am, Councillor Lutton returned to the meeting.

CLOSE

The meeting terminated at 11.20am.

Confirmed at the Ordinary Meeting of Council held on 4 October 2011

Chairperson.....**Page 12**.....

**RECOMMENDATIONS OF THE MEETING OF THE
CITY ROADS INFRASTRUCTURE COMMITTEE
MONDAY, 5 SEPTEMBER 2011**

ID 7300328

MEETING COMMENCED

10.06am, 5 September 2011

PRESENT

Councillor R W Hackwood (Chairperson)

Councillor L C Bradley

Councillor S D Black

Councillor G J Able

Councillor T L Smith.....10.06am - 11.00am; 11.02am - 11.20am

Councillor C M Dalley.....10.06am - 11.12am; 11.14am - 11.19am

Councillor P W Pidgeon.....10.06am - 10.52am; 10.54am - 11.20am

Councillor D R Power.....10.06am - 10.40am

Councillor H D Black.....10.06am - 10.30am; 10.33am - 11.20am

IN ATTENDANCE

D/CEO - Infrastructure Services

Road Construction & Maintenance Manager

A/Road Infra Management Manager

Road Infra Planning & Design Manager

Transportation Program Leader

Administration Officer

Minute Clerk

S Trinca

M Wallace11.09am - 11.20am

D Reilly.....11.09am - 11.20am

K Ranaweera.....10.53am - 11.20am

S Osiyemi11.00am - 11.09am

S van-Cuylenburg

S Hinch

APOLOGIES

Councillor R B Lutton

Councillor J B Grant

Councillor L J Clarke

MEETING TERMINATED

11.20pm, 5 September 2011

**ORDER IN WHICH AGENDA ITEMS WERE CONSIDERED BY THE CITY ROADS
INFRASTRUCTURE COMMITTEE:**

IN4, IN1, IN2, IN3

IN4 File No: 635643-1 Id No: [7296492](#)
Confidential Deputation
Refer to Confidential Agenda in accordance with
Section 72.(1)(g) of the Local Government (Operations) Regulation 2010
DEPARTMENT OF TRANSPORT AND MAIN ROADS - PARK RIDGE
CONNECTOR

At this stage of the meeting the time being 10.06am, the meeting was closed to the public in accordance with Section 72.(1) (h) of the *Local Government (Operations) Regulation 2010*.

The general discussions, opinions of others and documentation presented to the closed meeting are to be kept confidential until otherwise resolved by Council.

Messrs Jack Donaghey and Malcolm Imrie of the Department of Transport & Main Roads attended the meeting from 10.06am to 10.51am and discussions took place.

During discussion on Item IN4, the time being 10.30am, Councillor H Black left the meeting.

During discussion on Item IN4, the time being 10.33am, Councillor H Black returned to the meeting.

During discussion on Item IN4, the time being 10.40am, Councillor Power left the meeting.

At this stage of the meeting the time being 10.52am, the meeting was re-opened to the public in accordance with Section 71 (h) of the *Local Government (Operations) Regulation 2010*.

The City Roads Infrastructure Committee recommended:

1. That the public display program for the Park Ridge Connector Corridor Preservation - Review of Environmental Factors (to Granger Road) being held from 17 October to 11 November 2011, be endorsed.
2. That, upon formal announcement of the public display program for the Park Ridge Connector Corridor Preservation - Review of Environmental Factors, the Governance Manager be requested to place the confidential report of the Deputy Chief Executive Officer - Infrastructure Services dated 31 August 2011 (Id: 7296327) and associated background papers into the public records.
3. That the Deputy Chief Executive Officer - Infrastructure Services be requested to thank Messrs Jack Donaghey and Malcolm Imrie from the Department of Transport & Main Roads for their presentation.

IN1 File No: 482234-1 Id No: [7281026](#)
TRANSLINK BUS STOP UPGRADE PROGRAM (BSUP) 2011/12

The City Roads Infrastructure Committee recommended:

That the report be received and adopted.

IN2 File No: 143106-2 Id No: [7250183](#)
CYCLE NETWORK PROJECTS 2011-2012

During discussion on Item IN2, the time being 10.52am, Councillor Pidgeon left the meeting.

During discussion on Item IN2, the time being 10.54am, Councillor Pidgeon returned to the meeting.

During discussion on Item IN2, the time being 11.00am, Councillor Smith left the meeting.

During discussion on Item IN2, the time being 11.02am, Councillor Smith returned to the meeting.

The City Roads Infrastructure Committee recommended:

1. That the Road Infrastructure Management Manager be requested to prepare an amended Logan City Council 2011/12 Protocols and Grants program including the 2011/12 Cycle Network Program bikeway projects detailed in the report of the Road Infrastructure Planning & Design Manager dated 1 August 2011 (Id: 7250183) and prepare a further report to a future City Roads Infrastructure Committee meeting for consideration.
2. That the Chief Executive Officer be delegated authority to sign the 2011/12 Cycle Network Program 'Deed of Agreement' with the Department of Transport and Main Roads on behalf of Logan City Council.
3. That Council reaffirm its previous position that no Council funding be allocated to the Bethania to Beaudesert Rail Trail.
4. That the Deputy Chief Executive Officer - Infrastructure Services be requested to advise the Council of Mayors South East Queensland of Clause 3 above, noting the inclusion in the Council of Mayors South East Queensland document titled 'Getting SEQ Moving: 2011-2012'.

IN3 File No: 708877-1 Id No: [7291413](#)
**PROPOSED EASEMENT ACQUISITION FOR DRAINAGE PURPOSES
FROM COMMON PROPERTY ON GTP1944, 4 AMIE COURT,
SPRINGWOOD**

The City Roads Infrastructure Committee recommended:

That the report be received and adopted.

During general business discussion, the time being 11.12am, Councillor Dalley left the meeting.

During general business discussion, the time being 11.14am, Councillor Dalley returned to the meeting.

During general business discussion, the time being 11.19am, Councillor Dalley left the meeting.

CLOSE

The meeting terminated at 11.20am.

Councillor R W Hackwood (Chairperson)
CITY ROADS INFRASTRUCTURE COMMITTEE

**RECOMMENDATIONS OF THE MEETING OF THE
ENVIRONMENT & SUSTAINABILITY COMMITTEE
MONDAY, 5 SEPTEMBER 2011**

ID 7300169

MEETING COMMENCED

11.31am, 5 September 2011

PRESENT

Councillor L C Bradley (Chairperson)
Councillor S D Black
Councillor G J Able
Councillor T L Smith
Councillor C M Dalley
Councillor P W Pidgeon..... 11.31am - 12.08pm; 12.18pm -
12.22pm
Councillor H D Black
Councillor R W Hackwood..... 11.31am - 11.39am; 11.43am -
11.59am; 12.01pm - 12.22pm

IN ATTENDANCE

D/CEO - Infrastructure Services	S Trinca..... 11.31am - 11.58am
D/CEO - Strategy & Outcomes	M G Pickering..... 11.58am - 12.22pm
Environment & Sustainability Manager	J McDonnell..... 11.58am - 12.22pm
A/Waste Services Manager	B Lee 11.31am - 11.58am
Administration Officer	B De Costa
Minute Clerk	C Wood

APOLOGIES

Councillor R B Lutton
Councillor J B Grant
Councillor L J Clarke
Councillor D R Power

MEETING TERMINATED

12.22pm, 5 September 2011

**ORDER IN WHICH AGENDA ITEMS WERE CONSIDERED BY THE ENVIRONMENT
& SUSTAINABILITY COMMITTEE:**

ES1, ES2, ES9, ES3, ES4, ES5, ES6, ES7, ES8

ES1* File No: 156312-4 Id No: [7277658](#)
WASTE SERVICES MONTHLY REPORT FOR JULY 2011

The Environment & Sustainability Committee recommended:

That the report be received.

ES2* File No: 142551-2 Id No: [7283188](#)
WASTE SERVICES ANNUAL PERFORMANCE PLAN REPORT

The Environment & Sustainability Committee recommended:

That the report be received.

ES9 File No: 708791-1 Id No: [7296030](#)
*Refer to Confidential Agenda in accordance with
Section 72.(1)(c, d and h) of the Local Government (Operations) Regulation 2010*
COMMERCIAL GREENWASTE CHARGES

At this stage of the meeting the time being 11.33am, the meeting was closed to the public in accordance with Section 72.(1) (c, d and h) of the *Local Government (Operations) Regulation 2010*.

The general discussions, opinions of others and documentation presented to the closed meeting are to be kept confidential until otherwise resolved by Council.

During discussion on Item ES9, the time being 11.39am, Councillor Hackwood left the meeting.

During discussion on Item ES9, the time being 11.43am, Councillor Hackwood returned to the meeting.

At this stage of the meeting the time being 11.54am, the meeting was re-opened to the public in accordance with Section 71 of the *Local Government (Operations) Regulation 2010*.

The Environment & Sustainability Committee recommended:

1. That the amended option 1 for the Schedule of Commercial and Other Charges 2011/2012 for greenwaste, as attached to recommendations of the Environment & Sustainability Committee meeting dated 5 September 2011 (Id: 7296030), be adopted.
2. That the amended fees for the Schedule of Commercial and Other Charges 2011/2012 for greenwaste detailed in Clause 1 above, take effect as of 1 October 2011.

3. That the Finance Manager be requested to amend the 2011/2012 Register of Cost-Recovery Fees and Schedule of Commercial and other Charges to reflect the amendments to greenwaste charges, as detailed in Clause 1 above.
4. That, upon adoption, the Governance Manager be requested to place the confidential report of the Deputy Chief Executive Officer - Infrastructure Services dated 31 August 2011 (Id: 7295917) and associated background papers into the public records.

ES3* File No: 142847-2 Id No: [7281525](#)
**REPEAL OF THE DANGEROUS GOODS SAFETY MANAGEMENT ACT
2001**

The Environment & Sustainability Committee recommended:

That the report be received.

ES4 File No: 490732-1 Id No: [7291232](#)
2011 LOGAN WATERWAYS SUMMIT - POST SUMMIT REPORT

During discussion on Item ES4, the time being 11.59am, Councillor Hackwood left the meeting.

During discussion on Item ES4, the time being 12.01pm, Councillor Hackwood returned to the meeting.

The Environment & Sustainability Committee recommended:

That the report be received and adopted.

ES5 File No: 589681-1 Id No: [7294783](#)
**HEALTHY WATERWAYS LIMITED - NETWORK MEMBER
CONFIRMATION - CORRESPONDENCE TO LOGAN CITY COUNCIL**

During discussion on Item ES5, the time being 12.08pm, Councillor Pidgeon left the meeting.

The Environment & Sustainability Committee recommended:

That the report be received and adopted.

- ES6 File No: 589685-1 Id No: [7293431](#)
**THE LOGAN AND ALBERT RIVERS CATCHMENT ASSOCIATION
'IMPROVING THE WETLANDS OF THE LOGAN-ALBERT RIVERS'
BOOKLET - REQUEST TO RE-ALLOCATE FUNDING**

The Environment & Sustainability Committee recommended:

That the report be received and adopted.

- ES7 File No: 154613-3 Id No: [7269468](#)
CSIRO HOME ENERGY EVALUATION STUDY

The Environment & Sustainability Committee recommended:

That the report be received and adopted.

- ES8 File No: 696311-1 Id No: [7287538](#)
DRAFT CORNUBIA FOREST MANAGEMENT PLAN

The Environment & Sustainability Committee recommended:

That the report be received and adopted.

During general business discussion, the time being 12.18pm, Councillor Pidgeon returned to the meeting.

CLOSE

The meeting terminated at 12.22pm.

Councillor L C Bradley (Chairperson)
ENVIRONMENT & SUSTAINABILITY COMMITTEE

BACKGROUND PAPERS

RECOMMENDATIONS OF THE MEETING OF THE
ENVIRONMENT & SUSTAINABILITY COMMITTEE
5 SEPTEMBER 2011

COMMERCIAL GREENWASTE CHARGES

(REFER ITEM ES9)

Background Papers

Option 1

**LOGAN CITY COUNCIL
SCHEDULE OF COMMERCIAL AND OTHER CHARGES
2011/2012**

Description	Unit	2011/2012 Final Charge \$	GST (Y/N)
CLASS B - GREEN WASTE			
Cars (includes other vehicles with minimal loads only)	Each	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers (Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)	Each	16.00	Y
Cars with trailers - Domestic Load	Each	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Each	16.00	Y
Cars with trailers - Commercial Load	Each	16.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
Utilities / Commercial type vans (without trailers) - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Each	16.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load	Each	16.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Each	16.00	Y
Utilities / Commercial type vans with trailers - Commercial Load	Each	16.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Other vehicles or configurations	Tonne	45.00	Y
- minimum charge	Each	16.00	Y
Large tree stumps	Tonne	79.00	Y
- minimum charge	Each	11.00	Y
Sites without Weighbridge - Up to loads of less than two cubic metres			
Cars (includes other vehicles with minimal loads only)	Less than 2 cubic metres	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers	Less than 2 cubic metres	16.00	Y
Cars with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	16.00	Y
Cars with trailers - Commercial Load	Less than 2 cubic metres	16.00	Y
Utilities / Commercial type vans (without trailers) - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	16.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load	Less than 2 cubic metres	16.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	29.00	Y
Utilities / Commercial type vans with trailers - Commercial Load	Less than 2 cubic metres	16.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Sites without Weighbridge - For loads greater than two cubic metres			
Cars	For each extra m ³ or part thereof	20.00	Y
Cars – non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Cars with trailers	For each extra m ³ or part thereof	20.00	Y
Cars with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Utilities / Commercial type vans without trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans without trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			

**RECOMMENDATIONS OF THE MEETING OF THE
ANIMALS & CITY STANDARDS COMMITTEE
TUESDAY, 6 SEPTEMBER 2011**

ID 7299949

MEETING COMMENCED

8.52am, 6 September 2011

PRESENT

Councillor G J Able (Chairperson)
Councillor L C Bradley
Councillor S D Black9.16am - 9.35am
Councillor T L Smith
Councillor C M Dalley8.52am - 9.31am
Councillor P W Pidgeon
Councillor D R Power
Councillor H D Black9.16am - 9.35am
Councillor R W Hackwood

IN ATTENDANCE

D/CEO - Community & Customer Services	O C Simon
City Standards Manager	S Mansfield
Administration Officer	K Lyons
Minute Clerk	S Hinch

APOLOGIES

Councillor R B Lutton
Councillor J B Grant
Councillor L J Clarke

MEETING TERMINATED

9.35am, 6 September 2011

<u>ORDER IN WHICH AGENDA ITEMS WERE CONSIDERED BY THE ANIMALS & CITY STANDARDS COMMITTEE:</u>
--

AS1, AS2

AS1* File No: 68048-3 Id No: 7282129
ABANDONED VEHICLE AUCTION

The Animals & City Standards Committee recommended:

That the report be received.

AS2 File No: 128667-2 Id No: 7295697
COUNCIL'S RESPONSE TO BUILDING CERTIFICATION IN QUEENSLAND

During discussion on Item AS2, the time being 9.16am, Councillors S Black and H Black attended the meeting.

The Animals & City Standards Committee recommended:

1. That the response to the State's "Improving Building Certification in Queensland" discussion paper, as attached to the recommendations of the Animals & City Standards Committee meeting held 6 September 2011 (Id: 7299949), be endorsed.
2. That the City Standards Manager be requested to forward a copy of Council's response detailed in Clause 1 above to all local state members and the Local Government Association of Queensland.

During general business discussion, the time being 9.31am, Councillor Dalley left the meeting.

CLOSE

The meeting terminated at 9.35am.

Councillor G J Able (Chairperson)
ANIMALS & CITY STANDARDS COMMITTEE

BACKGROUND PAPERS

RECOMMENDATIONS OF THE MEETING OF THE
ANIMALS & CITY STANDARDS COMMITTEE
6 SEPTEMBER 2011

COUNCIL'S RESPONSE TO BUILDING CERTIFICATION IN
QUEENSLAND

(REFER ITEM AS2)

**Improving Building
Certification in Queensland
Discussion Paper
August 2011**



LOGAN
CITY COUNCIL

***Logan City Council's
Response***

Background Papers

PART A - Preliminary Comments

Logan City Council wishes to express in the first instance this review is targeted to specific questions which are confined to only some issues/concerns with Building Certification in Queensland.

Logan City Council wishes to highlight as a preliminary that other issues need to be critically addressed as a priority as part of the private certification system in Queensland.

It is noted in your introduction you highlight building certification to be:

Building certifiers, also known as building surveyors, are involved in many aspects of the building industry. A building certifier:

- Determines building applications and grants or refuses building approvals*
- Inspects buildings to ensure that they meet minimum standards and comply with the building approval*
- Informs the builder when work does not comply with the minimum standards or building approval*
- Performs building compliance and enforcement roles by ensuring that the builder attains compliance with the standards and building approval.*

Council believes the following needs to be addressed also:

1. The processes for finalising assessable building work is not effective and builder responsibility is not adequately legislated; and
2. The duplication of the new Pool Safety Certificate System and Certification of Swimming Pool Fencing.

1. The processes for approving and finalising assessable building work - builder responsibility is not adequately legislated.

1.1 Improving building legislation to ensure appropriate 'finalisation' of building approvals

Local government experiences the negative consequences of this where it discharges its statutory obligations to either advise owners of premises their building/structure does not comply with an approval or that such is not 'finalised' and consequently further actions are required of them.

1.2 Data for unfinalised building work

To crystallise the situation a 'snapshot' has been taken of building approvals in the former Logan area in 2007. The reason the year 2007 was used as a case study is that building approvals in normal circumstances lapse after two (2) years, if work has not substantially started, therefore if the buildings have been constructed all inspections should be recorded. This is included in Table 1:

Background Papers

Table 1: 2007 Building Finals/Inspections in the Former Logan Area

REVISED 2007		Inspections			
Building Type	Total	Footings	Slab	Frame	Final
Class 1 (a) and (b)	1728	856 Approved	800 Approved	948 Approved	1411 Approved 31 C of C
Class 10 (Not Pools)	648	24 Approved	14 Approved	35 Approved	355 Approved
Class 10 Pools	381	NA	NA	NA	Final 151 Approved Pool Fence 97 Approved
Class 2-9	247	4 Approved	4 Approved	3 Approved	C of C 183 Approved

Summary Table:

Class of Building	% of Buildings with no. final Approval
Class 1	19%
Class 10 (pools)	35%
cClass to (other)	45%
Class 2-9	25%

The reason for the final approval not being attained may be any one or more of the following:

- (i) The responsible builder has not notified the Building Certifier and requested the final inspections or previous inspections;
- (ii) The responsible builder has not rectified work or provided information to the Building Certifier to consider a final inspection or previous required inspection;
- (iii) The Building Certifier has not provided the required documentation to Council in respect to the final inspection or previous inspections.

1.3 Overview of Building Approval/Finalisation Process

Assessable building work cannot commence without a 'Decision Notice' being issued by a private Building Certifier or a Local Government Certifier. The "Decision Notice" is an approval to commence building work subject to the conditions of approval and in accordance with approved plans.

Integral to the building approval process in State legislation is the process to ensure what is built is actually in accordance with the "Decision Notice". This is achieved through "stage" inspections and ultimately a "Final Inspection Certificate" for class 1 (a) and 10 structures or "Certificate of Classification" for class 1 (b) and 2 to 9 buildings. The "Final Inspection Certificate" and the "Certificate of Classification" are the "authority" that attests to the building work being completed in accordance with the "Decision Notice" i.e. the approval.

Before a "Final Inspection Certificate" or a "Certificate of Classification" can be completed, the respective stages of the assessable building work, which the building development approval relates, must be inspected.

Background Papers

1.4 The Builder is the Initiator for Inspections of Stages of Building Work

(a) Current Legislation:

The builder is responsible for ensuring the required inspections by a Building Certifier for the respective stages of building work. Sections 27 and 28 of the Building Regulation 2006 prescribes as follows:

27 Builder's obligation to give notice for inspection at completion of each stage

- (1) *This section applies to a building for assessable building work if it has been carried out to the completion of a stage of the work, other than a stage exempted under section 25.*
- (2) *The builder must ensure the building certifier is given a notice (a **notice for inspection**) claiming the stage has been completed.
Maximum penalty - 20 penalty units.*
- (3) *The notice for inspection may be written or verbal.*
- (4) *If the building certifier is a local government building certifier, the notice for inspection may be given to the certifier by giving it in writing to the local government.*

28 Prohibition on further building work until stage complies

- (1) *This section applies if a builder for assessable building work has given a notice for inspection for a stage of work (the relevant stage).*
- (2) *The builder must not start the next stage of the work until the building has been given a certificate of inspection for the relevant stage stating that stage complies with the building development approval.
Maximum penalty - 20 penalty units.*

(b) Comments on current legislation:

The legislation is appropriate in theory as it prescribes the builder as being the responsible person to initiate the inspection by the Building Certifier. The information at section 3 of this report however illustrates despite the current legislation a significant proportion of building approvals do not attain the "final" status of their approval.

The following amendments are considered appropriate to ensure the "accountability" of the builder:

- (i) Increasing the penalty unit amount at section 27(2) and 28(2) to 1,000 penalty units i.e. a PIN of \$10,000 by the BSA. The current penalty represents only a maximum Magistrates Court fine of \$2000 or a \$200 Penalty Infringement Notice (PINs) by the QBSA. It should be noted the QBSA annual report does not detail how many PINs were issued for these offences.
- (ii) A significant license demerit offence for the registered Builder with escalation to license suspension if the other offences are determined.

In submitting these positions, the requirement for a builder to call for the inspection at the respective stage for building work is fundamentally the critical stage to achieving either a "Final Inspection Certification" or "Certificate of Classification". The continuation of building works without an inspection will either protract the progression of a final or prevent such from being finalised as important building code elements may not be able to be determined.

Council continues to experience the net effect on the unaware consumer who is left in a complicated system to resolve potentially financially burdening positions.

Background Papers

1.5 The Building Certifier Must Report a Builder for not Giving Notice of Inspection

(a) Current Legislation:

29 Notifying BSA if notice for inspection not given

If-

- (a) *the builder for assessable building work is a licensed building; and*
- (b) *the builder does not give a notice for inspection for a stage of the work, as required under section 27;*

the building certifier must, as soon as practicable after becoming aware of the failure to give the notice for inspection, give BSA a notice stating that fact.

(b) Comments:

Whilst this section presents a statutory requirement on the Building Certifier to report builders for not calling for required inspections, there is not 'accountability' on the Building Certifier. This section has a notable absence of a penalty provision. Essentially legislation should include:

- (i) An appropriate penalty for not reporting a builder to the amount of 1,000 penalty units or \$10,000 penalty infringement notice by the BSA.
- (ii) A significant license d emerit offence for the registered Building Certifier with escalation to license suspension if the other offences are determined.

This submission is warranted on the basis that the Building Certifier is reasonably aware if inspections are not called for by the Builder. Without a report being initiated by the Building Certifier the Builder cannot be held accountable for their inactions at Section 27 and 28 of the Building Regulation 2006.

1.6 Inspection Procedure

(a) Current Legislation

31 Inspection procedure

- (1) *This section applied if, under section 30, the inspecting person inspects a stage of assessable building work.*
- (2) *The inspecting person must inspect the work to ensure the person is satisfies all relevant aspects of the stage under the building development approval have been completed and comply with the approval.*
- (3) *The inspection must be carried out under best industry practice.*

32 Certificate of inspection

- (1) *This section applies only if the inspecting person--*
 - (a) *has complied with section 31 for a stage of assessable building work; and*
 - (b) *is satisfied as mentioned in section 31(2) in relation to the stage.*
- (2) *The inspecting person must give the builder for the work a certificate of inspection for the stage.*

Notes--

Background Papers

1. *If the stage is the final stage, 2 certificates must be given--the certificate of inspection for the final stage and, if particular requirements under the Act are complied with, a final inspection certificate to the owner of the building.*
 2. *For final inspection certificates and the giving of inspection documentation see chapter 5, part 1 and section 124 of the Act.*
- (3) *The certificate of inspection must--*
- (a) *be in the approved form; and*
 - (b) *be signed by the inspection person; and*
 - (c) *state in detail--*
 - (i) *the basis for giving the certificate; and*
 - (ii) *the extent to which the inspecting person has, in carrying out the inspection, relied on tests, specifications, rules, standards, codes of practice or other publications.*

33 Non-compliance notice

- (1) *This section applies if the inspecting person--*
 - (a) *has complied with section 31 for a stage of assessable building work; and*
 - (b) *is not satisfied as mentioned in section 31(2) in relation to the stage.*
- (2) *The inspecting person must give the builder for the work a notice (a non-compliance notice) stating--*
 - (a) *the stage does not comply with the building development approval; and*
 - (b) *how it does not comply with the approval.*
- (3) *If the inspecting person is a competent person (inspections), the person must also give the building certifier a copy of the non-compliance notice.*

34 Builder's obligation to ensure stage complies with development approval

If a builder for assessable building work is given a non-compliance notice--

- (a) *the builder must perform the work required to ensure the stage the subject of the notice complies with the building development approval; and*
- (b) *after paragraph (a) has been complied with, the building must, under section 27, give the building certifier another notice for inspection for the work.*

Notes--

For the relevant appeal right, see the Planning Act, section 532.

35 Consequences of builder not complying with obligation

- (1) *If a builder for assessable building work does not comply with section 34, the building certifier must, under chapter 9 of the Act, take enforcement action against the builder for the work.*
- (2) *However, if the non-compliance notice was given by a competent person (inspections), the building certifier need only take the enforcement action if the certifier agrees the stage the subject of the notice does not comply with the building development approval.*

Background Papers

- (3) *If, under subsection (2), the building certifier decides not to take the enforcement action, the certifier must give--*
- (a) *the competent person written reasons for not taking the action; and*
 - (b) *the builder a certificate of inspection for the stage*
- (4) *If the building certifier gives the builder an enforcement notice and the builder does not comply with it, the certifier must notify the following of that fact--*
- (a) *The BSA:*
 - (b) *if the assessment manager was a private certifier (class A)-- the local government.*

Different Inspection Requirements Pool Work

"Subdivision 4A Additional inspections for chapter 8 pools and their fencing in particular circumstances

35A Application of sdiv 4A

- (1) (1) *This subdivision applies if--*
- (a) *a building development approval is given on or after 1 December 2009 for building work that is construction of, or alteration to, a chapter 8 pool or its fencing (the pool work); and*
 - (b) *the relevant entity for the pool work is not given a notice for inspection for the final stage of the pool work--*
 - (i) *for a building development approval that is only for the pool work-- by the earlier of the following days (the **inspection day**)--*
 - (a) *the day that is 6 months after the building development approval is given;*
 - (b) *the day that is 2 weeks before the building development approval lapses; or*
 - (ii) *for a building development approval that includes work that is the construction of, or alteration to, a class 1 building or class 2 building-- by the earlier of the following days (also the inspection day)--*
 - (a) *the day that is 2 years after the building development approval is given;*
 - (b) *the day that is 2 weeks before the building development approval lapses.*
- (2) *In this section--*
- relevant entity**, *for the pool work, means--*
- (a) *generally-- the building certifier for the pool work; or*
 - (b) *if the building certifier for the pool work is a local government building certifier-- the local government.*

(b) Comments:

The legislative amendment of Section 35A introduced in December 2009 with respect to the requirement for the Building Certifier to 'follow up' on swimming pools and their fencing approvals is considered imperative to all classes of Building Work.

It is considered the system and current legislation make it 'easy' for the Building Certifier to issue a Decision Notice and a building situation to be completed without a catalyst or the Building Certifier to determine if such has occurred without their required inspection being called for. The extension of Section 35A to all classes of building work

Background Papers

provides weighting to Section 29 and inherently a catalyst for accountability of the builder at Sections 27 and 28 of the Building Regulation 2006.

7.8 Conclusion

It is considered the case study of 2007 is representative for all years in terms of 'unfinalised building work'.

Building legislation prescribes a process for assessable building work to be approved to commence, complete and become 'finalised'.

The critical part of the process is ensuring 'finalisation' of completed building work and currently the State's legislation does not ensure this.

It is appropriate for the State to introduce legislative changes to ensure that all building work completed is actually finalised by either a 'Final Inspection Certificate' or a "certificate of classification".

Background Papers

2. The duplication of the new Pool Safety Certificate System and Certification of Swimming Pool Fencing allow the new Requirement for a Pool Safety Certificate to be "one system"

2.1 Summary of the Issue

The introduction of the State's Swimming Pool Safety Legislation, specifically the request for a Pool Safety Certificate has essentially created 'red tape' for pool owners particularly where no building work certification exists or the pool fence has been changed to require new building certification.

The legislation is flexible in that where a final inspection certificate or a certificate of classification has been issued by a private Building Certifier as such documents are accepted as a Pool Safety Certificate.

2246AN Final inspection certificate or certificate of classification instead of pool safety certificate

- (1) *This section applies to the following (each a **building certificate**) --*
 - (a) *A final inspection certificate given for building work that is, or includes, the construction of, or alteration to, a regulated pool;*
 - (b) *A certificate of classification given for --*
 - (iii) *A building that includes a regulated pool; or*
 - (iv) *A building on land on which a regulated pool is situated.*
- (2) *To the extent the building certificate applied to the pool, the building certificate may be used instead of a pool safety certificate for the pool for the relevant period.*
- (3) *In this section --*

Relevant period means --

 - (c) *For a pool that is a shared pool-- 1 year after the building certificate is given; or*
 - (d) *Otherwise-- 2 years after the building certificate is given.*

However, a Pool Safety Inspector may issue a Pool Safety Certificate, irrespective if there is no building certification in the form of a final inspection certificate or a certificate of classification

246AA Obligation to give pool safety certificate on inspection in particular circumstances

- (1) *This section applies if a pool safety inspector inspects a regulated pool and the inspector is reasonably satisfied that pool is a complying pool.*
- (2) *The pool safety inspector must, within 2 business days after the inspection, give the owner of the pool a pool safety certificate for the pool.*
- (3) *The pool safety inspector must not refuse to give a pool safety certificate for the pool only on the ground that --*
 - (a) *there is not development approval to carry out building work that is the construction of, or alteration to, the pool (the pool work); or*
 - (b) *the pool does not comply with the development approval for the pool work.*

2.2 Proposal for Amendment to Legislation

It is considered the duplication of systems (red tape) has and will continue to create customer and industry confusion. Council has already experienced customer frustration where they have obtained a Pool Safety Certificate however Council's notice required building works certification as there was either no certification or the change in pool fence configuration was substantial to void the current pool fence certification.

Background Papers

It is considered reasonable that State Legislation can be amended to repeal swimming pool fencing as assessable building work therefore not requesting certification via a final inspection certificate or certificate of classification on the basis of the new requirement for a Pool Safety Certificate.

The new pool provisions would retain the same requirements for pool fencing with private Building Certifiers remaining authorised as Pool Safety Inspectors to issue a Pool Safety Certificate. Existing pools would require Pool Safety Certificates as per the current legislation however with the additional requirement of where a pool fence is replaced or amended outside the scope of current "minor" repair provisions a new Pool Safety Certificate would only be required.

2.3 Conclusion

The proposal to request the State to amend its swimming pool safety legislation as detailed in this report is considered reasonable on the basis of:

- red-tape reduction for the community and industry.
- reducing confusion for pool owners and industry by clarifying one system of pool fence certification, that being the Pool Safety Certificate.

Background Papers

PART B - DISCUSSION PAPER QUESTIONS - ITEM 1 CONFLICTS OF INTEREST

Have your say:

1.4.1 If legislation provided more examples of what a conflict of interest is, do you think it would help building certifiers know when they have a potential conflict of interest?

Logan City Council Response:

- Council agrees with the proposal in principle on the basis that it would provide clarification for the building certifier, builder, building owner and the authority (QBSA) that enforces breaches of conflict of interest by building certifiers.
- It is noted Sections 128 and 137 of the Building Act 1975 clearly legislate on the principle.

Have your say:

1.4.2 If penalties were introduced for people who influence the way a building certifier carries out their duties, do you think it would help the certifier act in the public interest?

Logan City Council Response:

- Council agrees with this proposal in principle. A potential example is where the building certifier is contracted to a large company requires a defined number of 'decision notices' for a defined number of buildings for the company in a specific period.
- Increased penalties for breaches of this type may well serve as a deterrent, however the role, responsibilities and resources of the QBSA need to be reviewed to ensure such would be effective as part of any change.
- The QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine its current capability to perform its roles and responsibilities. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.

Background Papers

Have your say:

1.4.3 Will an increase in targeted auditing of building certifiers by the QBSA reduce the likelihood of certifiers developing inappropriate relationships with clients?

Logan City Council Response:

- Council agrees to this proposal in principle.
- Council however requires further information as to the definition of 'inappropriate relationship' and concise examples of what constitutes 'inappropriate relationship' before it can be reasonably satisfied as to the true intent in this position.
- If the consideration for 'inappropriate relationship' is where building certifiers are to supply high volumes of work to one client, the legislative principles for such must be clearly defined in the Act or Regulation.
- The QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of implementing such a targeted auditing program. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.
- A direction from this consultation process must be a comprehensive review of the discharge of roles and responsibilities of the QBSA.

Have your say:

1.4.4 Do you think having the QBSA oversee the appointment of building certifiers in certain cases would reduce the potential for inappropriate relationships between certifiers and clients?

Logan City Council Response:

- Council agrees to this proposal in principle. Council requires further information as to the definition of 'inappropriate relationship' and concise examples of what constitutes 'inappropriate relationship'
- If the consideration for inappropriate relationship is where build certifiers are to supply high volumes of work to one client, the legislative principles for such must be clearly be defined in the act of regulation.
- Council is of the view that it is the current role of the QBSA to oversee conflicts of interest by building certifiers and in this respect any definition of conflict of interest in legislation as per item 1.4.1 would assist their capacity in this respect.
- In this respect, Council repeats its position at 1.4.3 that the QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of implementing such a targeted auditing program. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.
- A Code of conduct between officers of the QBSA and building certifiers would also be required to ensure the integrity of this position.

Background Papers

Have your say:

- 1.4.5 If a mandatory limit were to be introduced for the amount of repeat work a certifier can undertake for a single client, would this reduce the potential for inappropriate relationships between certifiers and clients?

Logan City Council Response:

- Council's current response to this position is no.
- Council is concerned that the discussion paper does not clearly articulate how a system can be successfully legislated, monitored and therefore be effective. The discussion paper also does not clearly detail examples of repeat work for certifiers being the cause of inappropriate relationships. The discussion paper is making an assumption in this respect.
- It is further considered for this position to be effectively implemented, a defined code of conduct for officers of the QBSA in terms of their relationship with Building Certifiers would also be required to be reflected in legislation.

Have your say:

- 1.4.6 If the owner is required to engage the building certifier rather than the builder or developer, do you think it would reduce the commercial pressures currently being placed on certifiers?

Logan City Council Response:

- Council agrees with this position.
- Council however, would like to understand the legislative provisions proposed to effect this requirement as it is not detailed in full in the discussion paper.
- Specifically the current legislation needs to align to the scenario of the Building Certifier 'serving' the building owner and not the builder or developer.
- This position would need to be supported by a significant education program, as the vast majority of owners are completely ignorant of the building approval process. This makes them far more willing to accept advice from their builder who could simply present them with the documents necessary to "engage" the certifier nominated by the builder.
- Council regularly deals with inquiries from the public about aspects of building work where the owner has no idea who their certifier is.
- A further enhancement to ensure public awareness would be to require a QBSA approved 'building certification' card to be presented by building certification at all times with the building owner during the certification process. If a licence was suspended or cancelled such licence therefore could not be presented.

Background Papers

Have your say:

1.4.7 By introducing legislation to improve public availability of a building certifier's past performance, do you think they would act more responsibly when carrying out their functions?

Logan City Council Response:

- Council agrees with this position.
- It is acknowledged that the QBSA currently contains this information on its website however, the general ease of access to this info is convoluted and confusing to the general public and specific enhancements must be considered for this to be truly effective.
- A potential issue occurs prior to the registration of any performance issue of building certifiers in that the QBSA is considered to be under resourced in attending to complaints in relation to building certifiers and critically licensed builders. The current process and form required by the QBSA is considered to deterring complaints rather than reasonably allowing such to be made.
- A further enhancement to ensure public awareness would be to require a QBSA approved 'building certification' card to be presented by building certification at all times with the building owner during the certification process. If a licence was suspended or cancelled such licence therefore could not be presented.

Have your say:

1.4.8 By improving the auditing of building certifiers, do you think the most important issues such as commercial relationships, safety, health and amenity will be better addressed?

Logan City Council Response:

- Council agrees with the proposal however is concerned that the QBSA is considered to be under resourced in to effectively administer a credible auditing programme.
- Council is concerned the audit process is confined to Building Certifiers. The audit programme must critically be expanded to ensure builders are discharging their statutory obligations in the Building Certification process.
- In this respect, Council repeats its position at 1.4.3 that the QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of implementing such a targeted auditing program. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.
- An alternative proposal is that Certifiers should be required to engage, at their own cost, an external auditor who inspects their records, for example, on an annual basis, in much the same way as businesses are required to submit to audits to maintain their quality assurance endorsement

Background Papers

Have your say:

1.4.9 Would clarifying the legislation relative to a building certifier's involvement in the design phase help them to avoid potential conflict of interest when approving building work?

Logan City Council Response:

- Council supports this proposal and considers the role of the certifier is vital in major building projects in particular the design phase.

Have your say:

1.4.10 Do you think mandatory peer review of decisions where a building certifier is involved in the design of a building, would help avoid situations relating to a potential conflict of interest?

Logan City Council Response:

- Council agrees in principle to the proposal subject to it being applicable to substantial commercial building projects that involve the application of alternative solutions in the approval.

Background Papers

PART B - DISCUSSION PAPER QUESTIONS - ITEM 2 - DISENGAGING BUILDING CERTIFIERS

Have your say:

2.4.1 If all disengagements were to be referred to the QBSA, do you think it would ensure continuity in the assessment, approval and inspection of building work?

Logan City Council Response:

- Council agrees with this position in principle.
- Council however requires further information as to the definition of 'inappropriate relationship' and concise examples of what constitutes 'inappropriate relationship' before it can be reasonably satisfied as to the true intent in this position.
- If the consideration for 'inappropriate relationship' is where building certifiers are to supply high volumes of work to one client, the legislative principles for such must be clearly defined in the Act or Regulation.
- The QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of implementing such a targeted auditing program. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.
- A direction from this consultation process must be a comprehensive review of the discharge of roles and responsibilities of the QBSA.

Have your say:

2.4.2 If the QBSA approves appointment of a replacement certifier in cases where disengagement is allowed, should the applicant for the building development approval have any say in who the new certifier should be?

Logan City Council Response:

- Council agrees to this proposal in principle, subject to the new certifier being a private building certifier and not a local government certifier.
- Council is of the view that a fundamental issue is actually the rules around disengagement and that they should be tightened significantly to control Certifier's ability to implement disengagements.

Background Papers

PART B - DISCUSSION PAPER QUESTIONS **ITEM 3 - THE ROLE OF A BUILDING CERTIFIER**

Have your say:

3.4.1 Would the best approach to improving the current disciplinary system for building certifiers be for QCAT to hear all disciplinary matters?

Logan City Council Response:

- Council agrees to this proposal in principle subject to the QBSA retaining responsibility for investigations into all building certifier and licensed builder 'conduct and complaint' issues with essentially the QBSA providing the 'brief of evidence' to QCAT.
- In this respect, Council repeats its position at 1.4.3 that the QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine its effectiveness in undertaking its roles and responsibilities. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.

Have your say:

3.4.2 Or would the establishment of a new independent industry council, such as the Building Certification Council, be the best approach to improving the current disciplinary system for building certifiers?

Logan City Council Response:

- Council does not agree to duplication of licensing watchdogs for builders and certifiers. The Pool Safety Council has already stretched State Government resources and the QBSA is considered to have been better placed to regulate pool safety inspectors.
- QBSA needs to be made accountable and discharge its roles and responsibilities in accordance with the current state legislation. In this respect, Council repeats its position at 1.4.3 that the QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of effectively discharging its roles and responsibilities. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.
- If after this the QBSA proves to be ineffective in its roles and responsibilities the State should consider the establishment of a new Council for disciplinary action against building certifiers and the QBSA's future reconsidered.

Background Papers

Have your say:

3.4.3 If a new independent industry council were to set annual audit targets, detect building certification issues and trends, and identify training needs for certifiers, would this help clarify the role of building certifiers?

Logan City Council Response:

- Council does not agree to duplicating licensing watchdogs for builders and certifiers. The Pool Safety Council has already stretched Government resources and the QBSA is considered to have been better placed to regulated pool safety inspectors.
- QBSA needs to be made accountable and discharge its roles and responsibilities in accordance with the current state legislation. In this respect, Council repeats its position at 1.4.3 that the QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of effectively discharging its roles and responsibilities. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.
- If however, the QBSA proves to continue to be ineffective in its roles and responsibilities the State should consider the establishment of a new Council for disciplinary action against building certifiers and the QBSA's future reconsidered.

Have your say:

3.4.4 Would a guideline help consumers to better understand the role of building certifiers, and the building approval and inspection process?

Logan City Council Response:

- This is the current policy position of the LGAQ on behalf of all local governments. The state has received many submissions from Logan City Council itself and it is imperative that the State implement a comprehensive consumer education program on the role of building certifiers and licensed builders to provide a reasonable understanding of the entire certification and building process.

Background Papers

Have your say:

3.4.5 If additional training packages were to be provided by the Department of Local Government and Planning, do you think it would improve building certifiers' understanding of new regulations and key issues?

Logan City Council Response:

- Council support this position provided it is tailored to the delivery of private building certifiers' roles and responsibilities to the consumer and client.
- This should include a comprehensive assessment program to be developed, implemented and administered by the department as part of the current CPD system for building certifiers.

Have your say:

3.4.6 Would confusion over a building certifier's role be reduced if the building legislation more clearly outlined the limits of their functions?

Logan City Council Response:

- Council does not support this position.
- Council is of the opinion the roles are clearly defined in current legislation.

Have your say:

3.4.7 If the building legislation were to be amended to better define the role of competent persons, would this help to clarify the requirements of building certifiers and reduce the incidence of unlicensed competent persons performing certifiers functions?

Logan City Council Response:

- Council supports this position subject to such legislation clearly articulating who can or cannot be utilised in this capacity.
- Consideration should be afforded as part of this to the management of a register of competent persons by QBSA to ensure consumer education and protection.

Background Papers

PART B - DISCUSSION PAPER QUESTIONS **ITEM 4 - STANDARD OF BUILDING CERTIFIERS WORK**

Have your say:

4.3.1 Would a demerit point system that resulted in referrals for appropriate disciplinary action and the identification of targeted training opportunities for building certifiers help to improve certifiers conduct?

Logan City Council Response:

- Council supports this proposal in principle however without further information on such a system Council will not support such a proposal.
- The conduct breach by building certifiers must be thoroughly investigated by the QBSA on an impartial basis. The demerit point system must correlate with the severity of conduct issues as well as professional negligence issues.
- In this respect, Council repeats its position at 1.4.3 that the QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of implementing such a targeted auditing program. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.

Have your say:

4.3.2 If building certifiers were required to undertake additional training if they breached their obligations and existing education programs focused more on the certifier code of conduct, would this help to improve certifiers' understanding of their requirements?

Logan City Council Response:

- Council supports this proposal however, without further information on such a system Council will not support such a proposal.
- The conduct breach by building certifiers must be thoroughly investigated by the QBSA on an impartial basis. Any breach of their obligations/certifier code of conduct must have a correlating penalty. Training would not be appropriate for substantial code of conduct/obligation issues.
- In this respect, Council repeats its position at 1.4.3 that the QBSA, the current licensing body for building certifiers, must experience a credible review of its current business practices to determine if it is capable of implementing such a targeted auditing program. It is considered that the QBSA is not resourced to effectively administer this task currently or any other task they currently perform.

Background Papers

Have your say:

4.3.3 If local governments were to be required to provide certain information within specified timeframes, subject to the payment of a reasonable fee, would this help building certifiers to perform their functions in a more timely manner?

Logan City Council Response:

- This requirement is already provided in legislation. Form 19 'request for building information' is available to building certifiers. The State needs to determine why building certifiers are not accessing this information from local governments. Logan City Council's current fee of \$77.50 is considered reasonable.

Have your say:

4.3.4 Would measures to increase the number of accredited courses and cadet programs in Queensland lead to an increase in the availability of building certifiers?

Logan City Council Response:

- Council agrees with this position. Council's position is that a larger pool of building certifiers will inherently create competition for certification in the market place and enhance alignment to legislation.

Have your say:

4.3.5 If a requirement were introduced that building certifiers who assess alternative designs for fire-related matters must undertake an approved fire engineering course, do you think this would result in a better fire safety outcome?

Logan City Council Response:

- Council agrees with this position.

Background Papers

PART B - DISCUSSION PAPER QUESTIONS

ITEM 5 - ENFORCEMENT OF BUILDING WORK REGULATIONS

Have your say:

5.3.1 If a private building certifier finds non-compliant work that they have been engaged to certify, should they be required to direct that it be made to comply and then follow up to see if the problem is resolved?

Logan City Council Response:

- Council agrees with this position and considers such is already provided in legislation.
- Section 34 of the Building Regulations 2006 places an obligation on builders to ensure each stage complies with development approval.
- Section 35 of the Building Regulations 2006 places an obligation on certifiers to take action under chapter 9 of the Act and take enforcement action against the builder for the work.
- Pursuant to Section 34(4) of the Building Regulation 2006, should the enforcement notice not be complied with by the builder, the certifier must notify the BSA and the local government authority.
- Please note Council's comments at part A of this response paper.

Have your say:

5.3.2 If the work still does not comply, should the certifier be required to issue and enforcement notice and should the current requirement to issue a show-cause notice first be removed?

Logan City Council Response:

- Council supports this position and in particular supports the ability for a building certifier to 'stop work' where non-compliance continues.
- Council supports significant penalties for building certifiers who fail to discharge this action.
- Please note Council's comments at Part A of this response paper.

Background Papers

Have your say:

5.3.3 If the enforcement notice is not met, should the certifier be required to notify the local government and, for fire safety issues, the QFRS?

Logan City Council Response:

- Council supports this position and considers such requirement is already facilitated by Section 35(4) of the Building Regulation 2006.

Have your say:

5.3.4 To better clarify their role in the enforcement process, should the private building certifier's enforcement powers and responsibilities end once they have notified the local government and, for fire safety issues, the QFRS?

Logan City Council Response:

- Council does not support this position. Legislation should clarify the building certifier will be required to attend as a 'witness' to provide evidence at any legal/tribunal proceeding.

**RECOMMENDATIONS OF THE MEETING OF THE
PLANNING & DEVELOPMENT COMMITTEE
TUESDAY, 6 SEPTEMBER 2011**

ID 7306578

MEETING COMMENCED

9.45am, 6 September 2011

PRESENT

Councillor C M Dalley (Chairperson)
Councillor L C Bradley9.45am - 11.28am; 11.30am - 11.38am
Councillor S D Black9.45am - 10.50am; 10.51am - 11.38am
Councillor G J Able9.45am - 10.51am; 10.53am - 11.38am
Councillor T L Smith.....9.45am - 10.59am; 11.00am - 11.38am
Councillor D R Power.....9.46am - 11.38am
Councillor H D Black
Councillor R W Hackwood.....9.45am - 9.46am

IN ATTENDANCE

D/CEO - Strategy & Outcomes	M G Pickering
A/Development Assessment Manager	M Alberti.....9.45am - 10.09am
Strategy & Planning Manager	B James10.10am - 11.38am
A/Road Infrastructure Management Manager	D Reilly.....10.20am - 11.17am; 11.20am - 11.38am
Building & Plumbing Program Leader	M Jones.....9.45am - 10.09am
A/Development Assessment Program Leader	S Ball9.45am - 10.09am
A/Development Engineering Program Leader	B Appleton.....9.45am - 10.09am
DAAS Program Leader	S Murrhy9.45am - 10.09am
Senior Development Planner	J Bunting.....11.13am - 11.17am
Administration Officer	B De Costa
Minute Clerk	C Wood

APOLOGIES

Councillor R B Lutton
Councillor J B Grant
Councillor L J Clarke

MEETING TERMINATED

11.38am, 6 September 2011

ORDER IN WHICH AGENDA ITEMS WERE CONSIDERED BY THE PLANNING & DEVELOPMENT COMMITTEE:

PD1, PD2, PD3, PD4, PD5, GB1

Prior to discussion on Item PD1, the time being 9.46am, Councillor Power attended the meeting.

Prior to discussion on Item PD1, the time being 9.46am, Councillor Hackwood left the meeting.

PD1* File No: 643499-1 Id No: [7275273](#)
DEVELOPMENT ASSESSMENT RESOLVED APPEALS

The Planning & Development Committee recommended:

That the report be received.

PD2 File No: 698927-1 Id No: [7280250](#)
MCUI/25/2011 - INTENSIVE AGRICULTURE (WHOLESALE PLANT NURSERY) AND RETAIL PLANT NURSERY URBAN PLANNERS (applicant) 2319-2329 WATERFORD TAMBORINE ROAD, TAMBORINE (location) LOT 5 RP 217531 (RPD) S KEEN AND N D KEEN (owner)

The Planning & Development Committee recommended:

That the report be received and adopted.

Against: Councillor S Black

PD3 File No: 550444-1 Id No: [7285816](#)
PREPARATION OF NEW LOGAN PLANNING SCHEME UNDER THE SUSTAINABLE PLANNING ACT 2009

The Planning & Development Committee recommended:

That the report be received and adopted.

PD4 File No: 698740-1 Id No: [7230030](#)
Refer to Confidential Agenda in accordance with Section 72.(1)(h) of the Local Government (Operations) Regulation 2010
LOGANHOLME NEIGHBOURHOOD PLAN AREA

At this stage of the meeting the time being 10.10am, the meeting was closed to the public in accordance with Section 72.(1) (h) of the *Local Government (Operations) Regulation 2010*.

The general discussions, opinions of others and documentation presented to the closed meeting are to be kept confidential until otherwise resolved by Council.

During discussion on Item PD4, the time being 10.50am, Councillor S Black left the meeting.

During discussion on Item PD4, the time being 10.51am, Councillor S Black returned to the meeting.

During discussion on Item PD4, the time being 10.51am, Councillor Able left the meeting.

During discussion on Item PD4, the time being 10.53am, Councillor Able returned to the meeting.

During discussion on Item PD4, the time being 10.59am, Councillor Smith left the meeting.

During discussion on Item PD4, the time being 11.00am, Councillor Smith returned to the meeting.

At this stage of the meeting the time being 11.14am, the meeting was re-opened to the public in accordance with Section 71 of the *Local Government (Operations) Regulation 2010*.

The Planning & Development Committee recommended:

That the report be deferred to a future Planning & Development Committee meeting for further consideration following the completion of the revised draft Loganholme Neighbourhood Plan.

PD5

File No: 700100-1

Id No: [7289279](#)

Refer to Confidential Agenda in accordance with Section 72.(1)(g) of the Local Government (Operations) Regulation 2010

LOGAN CENTRAL DRAFT MASTER PLAN

At this stage of the meeting the time being 10.10am, the meeting was closed to the public in accordance with Section 72.(1) (g) of the *Local Government (Operations) Regulation 2010*.

The general discussions, opinions of others and documentation presented to the closed meeting are to be kept confidential until otherwise resolved by Council.

At this stage of the meeting the time being 11.14am, the meeting was re-opened to the public in accordance with Section 71 of the *Local Government (Operations) Regulation 2010*.

The Planning & Development Committee recommended:

1. That the Logan Central Draft Master Plan and background studies and strategies, as attached to the confidential report of the Strategy & Planning Manager dated 26 August 2011 (Id: 7289254), be endorsed in-principle for public consultation purposes.

2. That the Strategy & Planning Manager be requested to prepare a further report to a future Planning & Development Committee meeting upon finalising the Logan Central Draft Master Plan including an Implementation Programme.
3. That, upon public release of the Logan Central Draft Master Plan by the Chairperson of the Planning & Development Committee, in consultation with the Division Two (2) Councillor and the Logan Central Working Group, the Governance Manager be requested to place the confidential report of the Strategy & Planning Manager dated 26 August 2011 (Id: 7289254) and associated background papers, excluding the School Sites Planning Study, into the public records.
4. That the confidential background paper titled 'School Sites Planning Study', as attached to the confidential report of the Strategy & Planning Manager dated 26 August 2011 (Id: 7289254) be deemed confidential and be treated as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential.

GB1 File No: 529469-1

Id No: [7305983](#)

LOCAL AREA/NEIGHBOURHOOD PLANS AND ASSOCIATED COSTS

During discussion on Item GB1, the time being 11.28am, Councillor Bradley left the meeting.

During discussion on Item GB1, the time being 11.30am, Councillor Bradley returned to the meeting.

The Planning & Development Committee recommended:

That the Strategy & Planning Manager, in conjunction with the Finance Manager, be requested to prepare a report to a future Planning & Development Committee meeting detailing the following:

- (a) the full costs and proposed funding sources associated with the implementation of Local Area/Neighbourhood Plans; and
- (b) the commercial vulnerability of the infill area land acquisitions required and projected revenue, including timelines.

CLOSE

The meeting terminated at 11.38am.

Councillor C M Dalley (Chairperson)
PLANNING & DEVELOPMENT COMMITTEE

**RECOMMENDATIONS OF THE MEETING OF THE
HEALTH, SPORT & COMMUNITY SERVICES COMMITTEE
WEDNESDAY, 7 SEPTEMBER 2011**

ID 7300347

MEETING COMMENCED

8.35am, 7 September 2011

PRESENT

Councillor P W Pidgeon (Chairperson)
Councillor S D Black
Councillor G J Able
Councillor T L Smith
Councillor L J Clarke
Councillor C M Dalley
Councillor D R Power
Councillor R W Hackwood

IN ATTENDANCE

D/CEO - Community & Customer Services	O C Simon
Major Venues & Facilities Manager	N Brown.....8.47am - 8.53am
A/Community Services Manager	L Baker8.35am - 8.40am
Administration Officer	S van-Cuylenburg
Minute Clerk	S Hinch

APOLOGIES

Councillor L C Bradley
Councillor R B Lutton
Councillor J B Grant
Councillor H D Black

MEETING TERMINATED

8.53am, 7 September 2011

**ORDER IN WHICH AGENDA ITEMS WERE CONSIDERED BY THE HEALTH, SPORT
& COMMUNITY SERVICES COMMITTEE:**

HC1, HC2, HC3, HC4, GB1

HC1* File No: 394400-1 Id No: [7285710](#)
**COMMUNITY SERVICES BRANCH MONTHLY REPORT FOR
JULY/AUGUST 2011**

The Health, Sport & Community Services Committee recommended:

That the report be received.

HC2 File No: 710977-1 Id No: [6876135](#)
LEASE TO THE ROCHEDALE SOUTH CRICKET CLUB INC

The Health, Sport & Community Services Committee recommended:

That the report be received and adopted.

HC3 File No: 696037-1 Id No: [7293932](#)
TRUSTEE LEASE TO THE JIMBOOMBA TENNIS CLUB INC

The Health, Sport & Community Services Committee recommended:

That the report be received and adopted.

HC4 File No: 432-2 Id No: [7293808](#)
**EXPRESSION OF INTEREST FOR OFFICE SPACE LOCATED AT THE
LOGAN WEST COMMUNITY CENTRE**

The Health, Sport & Community Services Committee recommended:

That the matter be deferred to a future Health, Sport & Community Services Committee meeting for further consideration.

GB1 File No: 504020-1 Id No: [7307126](#)
CURRENT STATUS OF CRONULLA PARK, SLACKS CREEK

The Health, Sport & Community Services Committee recommended:

That the Community Services Manager be requested to prepare a report to a future Health, Sport & Community Services Committee meeting detailing outcomes of correspondence to be sent to the state government with regards to the current status of Cronulla Park, Slacks Creek resulting from the relocation of the greyhound track project.

CLOSE

The meeting terminated at 8.53am.

**RECOMMENDATIONS OF THE MEETING OF THE
CUSTOMER SERVICE, MARKETING & PARKS COMMITTEE
7 SEPTEMBER 2011**

ID# 7300112

MEETING COMMENCED

9.04am, 7 September 2011

PRESENT

Councillor L J Clarke (Chairperson)
Councillor S D Black
Councillor G J Able
Councillor T L Smith
Councillor C M Dalley9.07am - 9.30am
Councillor P W Pidgeon
Councillor D R Power
Councillor R W Hackwood

IN ATTENDANCE

D/CEO - Community & Customer Services	O C Simon
Community Engagement & Marketing Mgr	B Raguse.....9.04am - 9.30am
Media Program Leader	N Newell.....9.04am - 9.27am
Administration Officer	K Lyons
Minute Clerk	C Wood

APOLOGIES

Councillor L C Bradley
Councillor R B Lutton
Councillor J B Grant

MEETING TERMINATED

9.30am, 7 September 2011

During general business discussion, the time being 9.07am, Councillor Dalley attended the meeting.

CLOSE

The meeting terminated at 9.30am.

Councillor L J Clarke (Chairperson)
CUSTOMER SERVICE, MARKETING & PARKS COMMITTEE

**RECOMMENDATIONS OF THE MEETING OF THE
GOVERNANCE, FINANCE & ECONOMIC DEVELOPMENT COMMITTEE
THURSDAY, 8 SEPTEMBER 2011**

ID 7300000

MEETING COMMENCED

8.36am, 8 September 2011

PRESENT

Councillor T L Smith (Chairperson)
Councillor S D Black8.55am - 9.08am
Councillor G J Able
Councillor L J Clarke
Councillor C M Dalley
Councillor P W Pidgeon
Councillor D R Power
Councillor H D Black8.55am - 9.08am
Councillor R W Hackwood

IN ATTENDANCE

Chief Executive Officer	C C Rose
A/Outcomes & Performance Manager	G Bennett8.40am - 8.44am
Administration Officer	K Lyons
Minute Clerk	S Hinch

APOLOGIES

Councillor L C Bradley
Councillor R B Lutton
Councillor J B Grant

MEETING TERMINATED

9.08am, 8 September 2011

**ORDER IN WHICH AGENDA ITEMS WERE CONSIDERED BY THE GOVERNANCE,
FINANCE & ECONOMIC DEVELOPMENT COMMITTEE:**

GF8, GF3, GF5, GF6, GF7, GF4, GF2, GF1, GF9

- GF8*** File No: 710218-1 Id No: [7292362](#)
CRITERIA FOR THE NON-OWNER OCCUPIER RATES POLICY
- The Governance, Finance & Economic Development Committee recommended:*
- That the report be received.
- GF3*** File No: 509913-1 Id No: [7283278](#)
DIVISIONAL BOUNDARY REVIEW
- The Governance, Finance & Economic Development Committee recommended:*
- That the report be received.
- GF5** File No: 703499-1 Id No: [7287681](#)
2011/2012 DIVISIONAL INFRASTRUCTURE CAPITAL IMPROVEMENT PROGRAM
- The Governance, Finance & Economic Development Committee recommended:*
- That the report be received and adopted.
- GF6** File No: 126051-7, A03-1, A11-1 Id No: [7280153](#)
MAYOR'S AND COUNCILLORS' COMMUNITY BENEFIT FUND 2011/2012
- The Governance, Finance & Economic Development Committee recommended:*
- That the report be received and adopted.
- GF7** File No: 405306-1 Id No: [7297093](#)
RESCHEDULED SAFE CITY ADVISORY COMMITTEE AND LOGAN ROAD SAFETY ADVISORY COMMITTEE MEETINGS
- The Governance, Finance & Economic Development Committee recommended:*
- That the report be received and adopted.
- GF4** File No: 127526-2, 142587-2, 305357-1 Id No: [7275833](#)
PROPOSED AMENDMENTS TO DELEGATIONS OF AUTHORITY
- The Governance, Finance & Economic Development Committee recommended:*
- That the report be received and adopted.

GF2 File No: 622860-1 Id No: [7256624](#)
**REQUEST FOR EXEMPTION TO SEEK QUOTES AND TENDERS FOR
LIBRARY ON-LINE SUBSCRIPTIONS AND LOGAN ENTERTAINMENT
CENTRE TECHNICAL SERVICES SUPPLIERS**

The Governance, Finance & Economic Development Committee recommended:

That the report be received and adopted.

GF1 File No: 699543-1 Id No: [7283035](#)
**LOGAN LISTENS: 2011 RESIDENTS SURVEY - DRAFT
QUESTIONNAIRE**

At this stage of the meeting the time being 8.39am, the meeting was closed to the public in accordance with Section 72.(1) (h) of the *Local Government (Operations) Regulation 2010*.

The general discussions, opinions of others and documentation presented to the closed meeting are to be kept confidential until otherwise resolved by Council.

At this stage of the meeting the time being 8.43am, the meeting was re-opened to the public in accordance with Section 71 of the *Local Government (Operations) Regulation 2010*.

The Governance, Finance & Economic Development Committee recommended:

1. That questionnaire for the Logan Listens: 2011 Residents Survey, as attached to the report of the Outcomes & Performance Manager dated 23 August 2011 (Id: 7283035), be endorsed.
2. That the Governance Manager be requested to place the confidential background papers as attached to the report of the Outcomes & Performance Manager dated 23 August 2011 (Id: 7283035) into the public records on 14 October 2011.

GF9 File No: 618677-1 Id No: [7288287](#)
WATER BUSINESS PROJECT

During discussion on Item GF9, the time being 8.55am, Councillors S Black and H Black attended the meeting.

The Governance, Finance & Economic Development Committee recommended:

That the report be received and adopted.

CLOSE

The meeting terminated at 9.08am.

Councillor T L Smith (Chairperson)
GOVERNANCE, FINANCE & ECONOMIC DEVELOPMENT COMMITTEE

MR1 File No: 404995-1 Id No: 7312283

INSTITUTE OF PUBLIC ADMINISTRATION AUSTRALIA (IPAA)
QUEENSLAND PUBLIC SECTOR EXCELLENCE AWARDS 2011

REPORT OF: DEVELOPMENT ASSESSMENT MANAGER

Created: 09/09/2011

REPORT OVERVIEW

PURPOSE OF REPORT

The purpose of this report is to advise that Logan City Council's Development Assessment Branch (DA) was presented with the Best Practice in Local Government Award at the 2011 IPAA Queensland Public Sector Excellence Awards held on the evening of 8 September 2011. Notably, Council's Strategy and Planning Branch was a finalist for the same award.

CORPORATE PLAN PRIORITY

3. Growth management

3.5 Provide best practice development solutions

REPORT DETAIL

The IPAA Queensland Public Sector Excellence Awards are facilitated to recognise individual excellence and best practice in public administration and management.

Council's DA and Strategy and Planning Branches nominated for the Best Practice in Local Government award, with the winning nomination to be presented to a team working in local government which has delivered best practice outcomes and made a significant contribution to service delivery for their local community. All entries in this category were evaluated against the following criteria:

- Excellence in public administration and management.
- Active use of best practice in local government through their initiative, program or project.
- Effective engagement with relevant internal and/or external stakeholders.
- Improved service delivery to the local community.

Council's DA Branch won the category for its submission titled "Logan City Council's Development Assessment Transformation from a Bureaucracy to a Business" whilst Strategy and Planning Branch were finalists in the category for their submission titled "Logan Development Projections Model Team".

The nomination summary for DA Branch's winning submission is below:

Logan City Council (Council) has transformed its development assessment business from being one of the worst performing Councils across South East Queensland (SEQ) to be amongst the best in the region.

MR1

File No: 404995-1

Continued:

Whilst development application numbers have reduced between 2008 to 2010 from 1909 to 1089 (43%), assessment timeframes have reduced by 68% over this time, noting this was in parallel with staffing numbers reducing from 128 to 92 (29%).

Council reformed itself from a bureaucratic mindset to a business focus through the development of a business plan, a robust reporting framework, and redesign of the business and engagement processes with its staff and internal and external customers. The focus of the reform was based on improving service delivery and outcomes which benefit our customers and the community.

Council transitioned from a reactive management style to a proactive/consultative approach. Strong support was provided from Councillors and the Strategy, Leadership and Performance Team (CEO and Deputy CEOs), with the full engagement of development assessment staff and open and frank discussions with industry enabled Council to achieve local Government best practice in development assessment.

The outcomes speak for themselves. Council has improved its development assessment efficiency and reputation of Council and local government as a whole. These improvements have also made a significant contribution to housing affordability by significantly reducing red tape.

The nomination summary for Strategy and Planning's winning submission is below:

The Sustainable Planning Act 2009 (SPA, s88) requires that all local government planning schemes to include a Priority Infrastructure Plan (PIP). The purpose of the PIP is to integrate and coordinate land use and infrastructure planning, ensuring the provision of trunk infrastructure in an efficient, equitable and orderly manner.

The PIP identifies projections of residential and non-residential development in the planning scheme area which informs the planning of infrastructure (planning assumptions) and the area that is used or is proposed to be used for urban growth up to the year 2026 (priority infrastructure area). It also identifies for each network of development infrastructure (roads, parks, water supply, sewerage and stormwater), the desired standards of performance, and the existing and planned trunk infrastructure.

The planning assumptions for Logan were prepared by using a computerised model, being the Integrated Accessibility Based Projections Model (IABPM). The IABPM uses cutting edge technology to predict where and when development growth is likely to occur. Using a number of parameters it considers aspects of supply and demand, generates development options and converts them into sequential development over time assuming that the most profitable development is most likely to develop first.

The Logan Development Projections Model (LDPM) is the output from the IABPM and provides a basis for strategic planning (land use, regional, infrastructure and financial) which can be reviewed and used in scenario testing of new policy levers, thereby improving the planning robustness of future growth in our region.

For information.

MR1

File No: 404995-1

Continued:

323/2011 **Resolved:** Cr Lutton, Cr Black

The Deputy Chief Executive Officer - Strategy & Outcomes, Mr Mike Pickering spoke briefly about the Institute of Public Administration Australia (IPAA) Queensland Public Sector Excellence Awards 2011 that were held on 8 September 2011.

Councils' Strategy & Planning Branch were finalists for the award and Mr Pickering spoke about the submission made for the award. The award is a great achievement and the Strategy & Planning Branch are to be commended for their efforts.

Her Worship the Mayor, Councillor P L Parker and the Chairperson for the Planning & Development Committee, Councillor Dalley, congratulated and presented the awards to the Strategy & Planning Branch team:

- Cath Swift;
- Cheryl Pollitt;
- Sherry She; and
- De Wit Visser.

Mr Pickering then outlined the Development Assessment Branch's submission for the award and commended the team for their tremendous achievement. Winning the award is extremely humbling and is a wonderful accomplishment.

Her Worship the Mayor, Councillor P L Parker, and the Chairperson for the Planning & Development Committee, Councillor Dalley congratulated and presented the awards to Development Assessment Branch team:

- Todd Rohl;
- Marco Alberti;
- Toni Finn;
- Shane Murrhiy;
- Christian Parks;
- Fiona Walker;
- Rebekah Sheppard;
- Martin Jones; and
- Stephen Ball.

324/2011 **Resolved:** Cr Lutton, Cr S Black

That the report be received.

Adopted by Council at its meeting of 13/09/2011 Minute No 324/2011

**DOCUMENTS NO LONGER
DEEMED CONFIDENTIAL**

COMMERCIAL GREENWASTE CHARGES

**REFER ITEM ES9 OF THE
ENVIRONMENT & SUSTAINABILITY COMMITTEE MEETING
HELD ON 5 SEPTEMBER 2011**

The Governance Manager has, on 13 September 2011, placed the following documentation into the public records in accordance with Council's resolution of 13 September 2011, Minute No 329/2011.

CONFIDENTIAL BACKGROUND PAPERS

ES9

File No: 708791-1

Id No: 7296030

*Section 72.(1)(c, d and h) of the Local Government (Operations) Regulation
2010*

COMMERCIAL GREENWASTE CHARGES

REFER TO: Environment & Sustainability Committee

REPORT BY: Deputy CEO - Infrastructure Services

BRANCH: DirectIS

ES

File No: 708791-1

Id No: 7295917

*Confidential Report in accordance with
Section 72.(1)(c, d and h) of the Local Government (Operations) Regulation
2010*

COMMERCIAL GREENWASTE CHARGES

REPORT OF: DEPUTY CEO - INFRASTRUCTURE SERVICES

Created: 31/08/2011

REPORT DETAIL

BACKGROUND

At the Environment and Sustainability Committee meeting of 23 August 2011, a report on commercial greenwaste charges for loads up to 750kg was considered. A copy of the report is included in background papers (ID: 7261512). In considering the report, Council resolved:

1. *That the Waste Services Manager be requested to prepare a further report to a future Environment & Sustainability Committee meeting investigating the options within the Waste Services Budget to achieve the savings necessary to fund a possible reduction of fees in accordance with option two (2), as detailed in the report of the Waste Services Manager dated 8 August 2011 (ID: 7261512).*
2. *That, upon finalisation of the matter, the Governance Manager be requested to place the confidential report of the Waste Services Manager dated 8 August 2011 (ID: 7261512) into the public records.*

DISCUSSION

The previous report identified the impact of reducing the fees for commercial greenwaste loads up to 750kg. After discussion, Councillors generally supported an increase in fees in accordance with option 2 presented. This would see a limited increase in commercial fees for businesses based in Logan.

The impact of making this decision was that revenue would be reduced by \$90,000 to \$120,000. Given that the new fees were to be introduced in July 2011 and are currently on hold pending a Council decision, Council has already foregone up to \$32,000 in revenue (ie approximately \$16,000 per month). The longer Council defers a decision, the greater the end of year loss in revenue.

At this stage, it is immaterial whether Council decides to adopt option 2 as previously presented, or a flat \$20 fee for all commercial customers, as the overall loss in revenue does not significantly change from what was previously advised (ie up to \$120,000).

The recommendation adopted also required the Waste Services manager to investigate the options within the Waste Services Budget to achieve the savings necessary to fund the possible reduction in fees.

REFER TO: Environment & Sustainability Committee

ES

File No: 708791-1

Continued: 2

It is too early in the financial year to identify operational savings to achieve savings to the value identified. However, on the basis of the potential loss of revenue, any non-essential auxiliary works at the landfill and transfer stations will be placed on hold. In addition, although additional revenue is possible from the sale of recycled products, in particular scrap metal, this year's budget has already made allowance for a significant increase in revenue as compared to last year.

Therefore, it is possible that savings and additional revenue will not fund the entire loss of revenue from a reduction in the commercial greenwaste fees.

Should the end of year financial position for the Waste Services Branch not be in surplus, any deficit would be made up from the Logan Waste Demand Variation Reserve.

RECOMMENDATION

IT IS RECOMMENDED:-

1. That an option for the Schedule of Commercial and Other Charges 2011/2012 for greenwaste, as attached to report of the Deputy Chief Executive Officer - Infrastructure Services dated 31 August 2011 (Id: 7295917), be adopted.
2. That the Finance Manager be requested to amend the 2011/2012 Register of Cost-Recovery Fees and Schedule of Commercial and other Charges to reflect the amendments to greenwaste charges, as detailed in Clause 1 above.
3. That, upon adoption, the Governance Manager be requested to place the confidential report of the Deputy Chief Executive Officer - Infrastructure Services dated 31 August 2011 (Id: 7295917) and associated background papers into the public records.

The council resolution and minute number relating to this matter will be added to Item ES9, Id: 7296030.

REFER TO: Environment & Sustainability Committee

REPORT BY: Waste Services Manager

BRANCH: Waste Services

ES File No: 708791-1 Id No: 7261512

*Confidential Report in accordance with
Section 72.(1)(c,d,h) of the Local Government (Operations) Regulation 2010*
COMMERCIAL GREENWASTE CHARGES

REPORT OF: WASTE SERVICES MANAGER

Created: 08/08/2011

REPORT DETAIL

BACKGROUND

At the Environment and Sustainability Committee meeting of 25 July 2011, some Councillors expressed concerns about the large increase in gate fees, previously approved by Council for the 2011/2012 financial year for commercial greenwaste customers.

It was determined that a working party of Councillors, together with selected Council staff would develop an alternative fee structure for further consideration by Council.

DISCUSSION

Cost of Providing Greenwaste Services

As noted in previous reports to Council (doc id #7001266/#7043885), it is estimated that the cost of providing greenwaste services for the community will increase by more than \$640,000 (around 150%), due to regulatory obligations associated with fire ant management that necessitate:

- Construction works to upgrade greenwaste pads;
- Ongoing maintenance of hardstand;
- Changes to processing involving grinding greenwaste prior to off-site disposal;
- Chemical treatment of pads and materials; and
- Operational changes involving the storage of greenwaste in windrows.

Funding Considerations

At present, commercial customers represent approximately 11% of the total number of greenwaste transactions for Councils waste transfer stations. In adopting the budget for the 2011/2012 year, Council elected not to charge residential customers for greenwaste. As such, the additional cost of processing and disposing of greenwaste must be either:

- Recovered from the commercial greenwaste customers; or
- Taken from the Demand Variation reserve; or
- A combination of the above.

REFER TO: Environment & Sustainability Committee

ES

File No: 708791-1

Continued: 2

Options for Consideration

On 28 July 2011 and 2 August 2011 Council officers met with Councillors of the Working Group to further develop options for charging commercial greenwaste fees for 2011/2012.

The options considered by the Working Group are briefly summarised below for Councils consideration. It is noted that the financial considerations for the alternative fee structure options focus on the loss of revenue associated with reducing Councils adopted fees for the disposal of greenwaste.

Option 1: No Change to Commercial Greenwaste Fees from 2010/2011

Under Option 1 Council would retain the 2010/2011 charge for commercial greenwaste (of less than 750kg per load), and the standard charge of \$8 per commercial load would be maintained.

Under this proposal, it is estimated that revenue for greenwaste would reduce by approximately \$150,000- to \$200,000. This estimate is based on the number of commercial transactions and the resultant drop in projected income arising from the reduction in charges from \$30 to \$8 per commercial load.

The revenue shortfall associated with this option has potential to negatively impact on Councils Budget. If selected as Councils preferred option, Council will need to also identify a means of funding this initiative prior to its implementation.

Option 2: Limited Fee Increase for Businesses "Based in Logan"

Under Option 2:

- The fee for commercial greenwaste loads (of up to 750 kg), for businesses based in Logan would be decreased from \$30 to \$15
- The fee for commercial greenwaste loads (of up to 750kg), for businesses not based in Logan would remain as per the fees and charges schedule in the 2011/2012 budget.

Under this proposal, it is estimated that revenue from greenwaste would reduce by approximately \$90,000 to \$120,000, based on the number of overall commercial transactions.

The impact of differential charging (on the basis of commercial residency) cannot be readily ascertained at this time as staff do not collect data on residency in relation to commercial customers.

It is also noted that this option may also impact on customer service, as staff manning weighbridges will need to differentiate between commercial customers on the basis of "commercial residency". As such, all customers may experience additional queuing, particularly at the Browns Plains site.

REFER TO: Environment & Sustainability Committee

ES

File No: 708791-1

Continued: 3

The revenue shortfall associated with this option has potential to negatively impact on Councils Budget. If selected as Councils preferred option, Council will need to also identify a means of funding this initiative prior to its implementation.

2011/12 Commercial Greenwaste Disposal Charges of Neighbouring Local Governments

Logan	<750kg	\$ 30.00 per load \$ 45.00 per tonne, thereafter
Brisbane	<100 kg 100kg > 500kg >500kg	\$ 9.50 per load \$ 16.00 per load \$ 78.60 per tonne \$ 10.50 minimum charge
Gold Coast		\$ 39.00 per tonne
Ipswich	<200 kg	\$ 30.00 minimum charge \$ 80.00 per tonne, thereafter
Redlands	<200kg	\$ 20.00 minimum charge \$ 99.00 per tonne, thereafter
Scenic Rim		\$ 30.00 per tonne

For determination.

The council resolution and minute number relating to this matter will be added to Item ES5, Id: 7266220.

Confidential Background Papers

Option 1

**LOGAN CITY COUNCIL
SCHEDULE OF COMMERCIAL AND OTHER CHARGES
2011/2012**

Description	Unit	2011/2012 Final Charge \$	GST (Y/N)
CLASS B - GREEN WASTE			
Cars (includes other vehicles with minimal loads only)	Each	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers (Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)	Each	15.00	Y
Cars with trailers - Domestic Load	Each	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Each	15.00	Y
Cars with trailers - Commercial Load	Each	15.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
Utilities / Commercial type vans (without trailers) - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Each	15.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load	Each	15.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Each	15.00	Y
Utilities / Commercial type vans with trailers - Commercial Load	Each	15.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Other vehicles or configurations	Tonne	45.00	Y
- minimum charge	Each	15.00	Y
Large tree stumps	Tonne	79.00	Y
- minimum charge	Each	11.00	Y
Sites without Weighbridge - Up to loads of less than two cubic metres			
Cars (includes other vehicles with minimal loads only)	Less than 2 cubic metres	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers	Less than 2 cubic metres	15.00	Y
Cars with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	15.00	Y
Cars with trailers - Commercial Load	Less than 2 cubic metres	15.00	Y
Utilities / Commercial type vans (without trailers) - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	15.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load	Less than 2 cubic metres	15.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	29.00	Y
Utilities / Commercial type vans with trailers - Commercial Load	Less than 2 cubic metres	15.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Sites without Weighbridge - For loads greater than two cubic metres			
Cars	For each extra m ³ or part thereof	20.00	Y
Cars – non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Cars with trailers	For each extra m ³ or part thereof	20.00	Y
Cars with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Utilities / Commercial type vans without trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans without trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			

Option 2

**LOGAN CITY COUNCIL
SCHEDULE OF COMMERCIAL AND OTHER CHARGES
2011/2012**

Description	Unit	2011/2012 Final Charge \$	GST (Y/N)
CLASS B - GREEN WASTE			
Cars (includes other vehicles with minimal loads only)	Each	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers	Each	15.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
Cars with trailers - Domestic Load	Each	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Each	15.00	Y
Cars with trailers - Commercial Load for Businesses within the Logan Area	Each	15.00	Y
Cars with trailers - Commercial Load for Businesses outside the Logan Area	Each	30.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
Utilities / Commercial type vans (without trailers) - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Each	15.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load for Businesses within the Logan Area	Each	15.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load for Businesses outside the Logan Area	Each	30.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Each	15.00	Y
Utilities / Commercial type vans with trailers - Commercial Load for Businesses within the Logan Area	Each	15.00	Y
Utilities / Commercial type vans with trailers - Commercial Load for Businesses outside the Logan Area	Each	30.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Other vehicles or configurations	Tonne	45.00	Y
- minimum charge	Each	15.00	Y
Large tree stumps	Tonne	79.00	Y
- minimum charge	Each	11.00	Y
Sites without Weighbridge - Up to loads of less than two cubic metres			
Cars (includes other vehicles with minimal loads only)	Less than 2 cubic metres	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers	Less than 2 cubic metres	15.00	Y
Cars with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	15.00	Y
Cars with trailers - Commercial Load for Businesses within the Logan Area	Less than 2 cubic metres	15.00	Y
Cars with trailers - Commercial Load for Businesses outside the Logan Area	Less than 2 cubic metres	30.00	Y
Utilities / Commercial type vans (without trailers) - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	15.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load for Businesses within the Logan Area	Less than 2 cubic metres	15.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load for Businesses outside the Logan Area	Less than 2 cubic metres	30.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	29.00	Y
Utilities / Commercial type vans with trailers - Commercial Load for Businesses within the Logan Area	Less than 2 cubic metres	15.00	Y
Utilities / Commercial type vans with trailers - Commercial Load for Businesses outside the Logan Area	Less than 2 cubic metres	30.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Sites without Weighbridge - For loads greater than two cubic metres			
Cars	For each extra m ³ or part thereof	20.00	Y
Cars – non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Cars with trailers	For each extra m ³ or part thereof	20.00	Y
Cars with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Utilities / Commercial type vans without trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans without trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			

Option 3

**LOGAN CITY COUNCIL
SCHEDULE OF COMMERCIAL AND OTHER CHARGES
2011/2012**

Description	Unit	2011/2012 Final Charge \$	GST (Y/N)
CLASS B - GREEN WASTE			
Cars (includes other vehicles with minimal loads only)	Each	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers	Each	20.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
Cars with trailers - Domestic Load	Each	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Each	20.00	Y
Cars with trailers - Commercial Load	Each	20.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
Utilities / Commercial type vans (without trailers) - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Each	20.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load	Each	20.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Each	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Each	20.00	Y
Utilities / Commercial type vans with trailers - Commercial Load	Each	20.00	Y
(Up to net waste mass of 750 kgs - Over 750 kgs tonnage rate applies)			
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Other vehicles or configurations	Tonne	45.00	Y
- minimum charge	Each	20.00	Y
Large tree stumps	Tonne	79.00	Y
- minimum charge	Each	11.00	Y
Sites without Weighbridge - Up to loads of less than two cubic metres			
Cars (includes other vehicles with minimal loads only)	Less than 2 cubic metres	No Charge	N
Cars (includes other vehicles with minimal loads only) – non residents who are not ratepayers	Less than 2 cubic metres	20.00	Y
Cars with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Cars with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	20.00	Y
Cars with trailers - Commercial Load	Less than 2 cubic metres	20.00	Y
Utilities / Commercial type vans (without trailers) - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans (without trailers) - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	20.00	Y
Utilities / Commercial type vans (without trailers) - Commercial Load	Less than 2 cubic metres	20.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers - Domestic Load	Less than 2 cubic metres	No Charge	N
Utilities / Commercial type vans with trailers - Domestic Load - non residents who are not ratepayers	Less than 2 cubic metres	29.00	Y
Utilities / Commercial type vans with trailers - Commercial Load	Less than 2 cubic metres	20.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Sites without Weighbridge - For loads greater than two cubic metres			
Cars	For each extra m ³ or part thereof	20.00	Y
Cars – non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Cars with trailers	For each extra m ³ or part thereof	20.00	Y
Cars with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
Utilities / Commercial type vans without trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans without trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			
Utilities / Commercial type vans with trailers	For each extra m ³ or part thereof	20.00	Y
Utilities / Commercial type vans with trailers - non residents who are not ratepayers	For each extra m ³ or part thereof	45.00	Y
('Utility' is defined as a light motor vehicle featuring a separate cabin / rear load area where the gross mass of the vehicle is less than 4.5 tonne)			