



Redland
CITY COUNCIL

AGENDA

GENERAL MEETING

Wednesday, 6 February 2019
commencing at 9.30am

The Council Chambers
91 - 93 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

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

Recognition of the Traditional Owners

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

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

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

3 DEVOTIONAL SEGMENT

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

4 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS

Councillors are reminded of their responsibilities in relation to a councillor's material personal interest and conflict of interest at a meeting (for full details see Division 5A of the *Local Government Act 2009*).

In summary:

If a councillor has a material personal interest, in a matter before the meeting:

Under s.175C *Local Government Act 2009*, the councillor must inform the meeting of the councillor's material personal interest in the matter, including the following particulars:

- *The name of the person or other entity who stands to gain benefit or suffer a loss from the outcome of the consideration of the matter at the meeting;*
- *How the person or other entity stands to gain the benefit or suffer the loss;*
- *If the person or other entity who stands to gain the benefit or suffer the loss is not the councillor, the nature of the councillor's relationship to the person or entity.*

If the councillor has a material personal interest they must leave the meeting, including any area set aside for the public while the matter is discussed and voted on, unless the councillor has approval from the Minister to be present while the matter is discussed and voted on pursuant to section 175F.

Record of material personal interest

*Under s.175J of the Local Government Act 2009, if a councillor has a material personal interest under section 175C of the Local Government Act 2009, the following information must **be recorded in the minutes of the meeting, and published on the local government's website**—*

- (a) the name of the councillor who has the material personal interest in the matter;*
- (b) the material personal interest including the particulars mentioned in section 175C(2)(a) as described by the councillor;*

(c) whether the councillor participated in the meeting, or was present during the meeting, under an approval given by the Minister under section 175F.

If a councillor has a conflict of interest (a real conflict of interest), or could reasonably be taken to have a conflict of interest (a perceived conflict of interest) in a matter before the meeting:

The councillor must, under s.175E of the Local Government Act 2009, inform the meeting about the councillor's personal interests in the matter, including the following particulars:

- *The nature of the interest;*
- *If the personal interest arises because of the councillor's relationship with, receipt of a gift from, another person-*
 - *The name of the other person;*
 - *The nature of the relationship or the value and date of the receipt of gift; and*
 - *The nature of the other person's interest in the matter.*

If the other councillors in the meeting are informed about a councillor's personal interests in a matter and the councillor has not voluntarily left the meeting while the matter is discussed and voted on, the other councillors must decide:

- *Whether there is a real or perceived conflict; and*
- *If the councillors decide that there is a real or perceived conflict, whether the councillor-*
 - *Must leave the meeting including any area set aside for the public, while the matter is voted on and discussed; or*
 - *May participate in the meeting in relation to the matter, including voting on the matter.*

Record of conflict of interest

Under s.175J of the *Local Government Act 2009*, if a councillor has a conflict of interest under section 175E, the following information must be **recorded in the minutes of the meeting, and published on the local government's website**—

(a) the name of the councillor who has a real conflict of interest or perceived conflict of interest in the matter;

(b) the councillor's personal interests in the matter, including the particulars mentioned in section 175E(2) as described by the councillor;

(c) the decisions made by the other councillors in relation to the existence and nature of the conflict and whether the councillor was permitted to participate in the meeting in relation to the matter, and the reasons for the decisions;

(d) whether the councillor participated in the meeting, or was present during the meeting, under an approval under section 175F;

(e) if the councillor voted on the matter—how the councillor voted on the matter;

(f) how the majority of councillors who were entitled to vote at the meeting voted on the matter.

Duty to report another councillor's material personal interest or conflict of interest

Section 175G of the *Local Government Act 2009* imposes an obligation on councillors to report undisclosed material personal interests and conflicts of interest at a meeting relating to other councillors.

If a councillor at a meeting reasonably believes, or reasonably suspects:

- *That another councillor at a meeting has a material personal interest or a real or perceived conflict in a matter; and*
- *The other councillor has not informed the meeting about the interest under section 175C(2) or 175E(2);*

The councillor who has the belief or suspicion, must as soon as practicable, inform the person who is presiding at the meeting about the facts and circumstances that form the basis of the belief or suspicion.

Note: Section 175H makes it an offence for a person to prejudice, intimidate or harass a councillor or another person take action that is likely to be detrimental to a councillor because a councillor has complied with their disclosure obligation under s.175G.

5 RECOGNITION OF ACHIEVEMENT

Mayor to present any recognition of achievement items.

6 RECEIPT AND CONFIRMATION OF MINUTES

General Meeting - 23 January 2019

7 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

7.1 PETITION FROM RESIDENTS REQUESTING COUNCIL INCLUDE ANTI-SOCIAL BEHAVIOUR IN POL-3085 SECURITY CAMERA POLICY, FOR THE SAFETY OF THE REDLANDS COMMUNITY

At the General Meeting 12 December 2018 (Item 9.1 refers), Council resolved as follows:

That the petition be received for consideration and stand as an order of the day for the meeting.

This item will be removed from the table at a future General Meeting of Council, as per resolution of Item 17.1 of meeting 12 December 2018.

7.2 NOTICE OF MOTION – CR BOGLARY– POL-3085 SECURITY CAMERA POLICY

At the General Meeting 12 December 2018 (Item 17.1 refers), Council resolved as follows:

That the item lie on the table, so that the officers prepare further information for consideration which also addresses the petition tabled today.

This item will be removed from the table at a future General Meeting of Council.

7.3 OPPORTUNITY TO PARTICIPATE IN A JOINT LOCAL GOVERNMENT ACTIVITY - REGIONAL APPROACH TO WASTE AND RESOURCE MANAGEMENT

At General Meeting 12 December 2018 (Item 19.8 refers) Council resolved as follows:

That Council resolves as follows:

1. *In accordance with section 228 2(b) of the Local Government Regulation 2012 to invite Expressions of Interest for the provision of waste disposal services, including the use of alternative waste disposal and recycling technologies, to service the needs of the Redland City Council (Council) Local Government Area, or as part of a regional arrangement, joint government entity or joint local government with other Councils in South East Queensland.*

2. *To record its reasons for making the resolution, as detailed in Clause 1 above, as follows:*
 - a) *A regional waste management solution may make alternative waste technologies feasible and economical where those technologies would not otherwise be viable options for Council due to the relatively small volume of waste disposed of by Council each year;*
 - b) *A regional waste management solution may enable Council to implement an advanced solution to waste disposal not seen before in Queensland or Australia and be at the forefront of advanced alternative waste technology in Australia;*
 - c) *Redland City Council and the SEQ-West region of councils are each involved in the management of recyclables and residual waste in their respective local government area;*
 - d) *Redland City Council recognises that some existing methods of waste treatment and disposal including landfill disposal may not be sustainable in the long term;*
 - e) *Redland City Council wishes to understand and compare all available options for long term treatment and/or disposal solution(s) for residual waste under their management;*
 - f) *Redland City Council wishes to be positioned to benefit from and respond to developments in Queensland's new Waste Strategy and associated regulatory frameworks and local industry developments. Notably, the recently announced landfill levy (to be introduced in July 2019) may provide direct or indirect incentives for resource recovery projects; and*
 - g) *Redland City Council believes that it is in its interests and its community's interests to investigate a regional approach to waste treatment and disposal, consider alternative waste treatment technologies and solutions, including energy from waste solutions, and derive the benefits from greater waste volumes. Noting that this investigation opportunity does not preclude RCC from pursuing or participating in other market based waste collection and disposal service delivery options and/or maintaining an active engagement with BCC, to understand future waste disposal contract opportunities and costs that may be offered by BCC.*
3. *To delegate to the Chief Executive Officer under s.257 (1)(b) of the Local Government Act 2009, the authority to prepare and adopt a Tender Consideration Plan in accordance with section 230 of the Local Government Regulation 2012 outlining how Redland City Council can proceed to implement a local solution if required following the EOI process;*
4. *To delegate to the Chief Executive Officer under s.257 (1)(b) of the Local Government Act 2009, the authority to execute any agreements between councils participating in the Expression of Interest process, as detailed in Clauses 1 and 3 above; and*
5. *The Group Manager Water and Waste Infrastructure be requested to submit a report to a future meeting detailing the outcomes of the Expressions of Interest, as detailed in Clause 1 and 3 above.*

A report will be presented to a future General Meeting of Council.

8 PUBLIC PARTICIPATION

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

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

9 PETITIONS AND PRESENTATIONS

Councillors may present petitions or make presentations under this section.

10 MOTION TO ALTER THE ORDER OF BUSINESS

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

11 REPORTS FROM THE OFFICE OF THE CEO

Nil

12 REPORTS FROM ORGANISATIONAL SERVICES

Nil

13 REPORTS FROM COMMUNITY & CUSTOMER SERVICES

13.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS

Objective Reference:

Authorising Officer: David Jeanes, Acting General Manager Community and Customer Services

Responsible Officer: David Jeanes, Acting General Manager Community and Customer Services

Report Author: Hayley Saharin, Senior Business Support Officer

Attachments: 1. Decisions Made under Delegated Authority 23.12.2018 to 12.01.2019 [↓](#)

PURPOSE

The purpose of this report is for Council to note that the decisions listed below were made under delegated authority for Category 1, 2 and 3 development applications only.

This information is provided for public interest.

BACKGROUND

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

- Category 1 – minor code and referral agency assessments;
- Category 2 – moderately complex code and impact assessments;
- Category 3 – complex code and impact assessments; and
- Category 4 – major assessments (not included in this report)

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

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

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

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

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

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

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

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

OFFICER'S RECOMMENDATION

That Council resolves to note this report.

Decisions Made under Delegated Authority 23.12.2018 to 29.12.2018

CATEGORY 2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW18/0139	Operational Works for RAL - 1 into 5 Lots	Sutgold Pty Ltd	17-19 Long Street Cleveland QLD 4163	Code Assessment	24/12/2018	NA	Development Permit	2
OPW002278	Dual Occupancy - Stormwater - Access to Parking - Building Near Infrastructure	Laura Kay BUDDING Matthew BINNS	242 Finucane Road Alexandra Hills QLD 4161	SPA - 15 Day Compliance Assessment	24/12/2018	NA	Compliance Certificate Approved	8

Decisions Made under Delegated Authority 30.12.2018 to 05.01.2019**CATEGORY1**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU18/0248	Dwelling House	Christine Luise MARTINECZ	9 Boat Harbour Avenue Macleay Island QLD 4184	Code Assessment	02/01/2019	NA	Development Permit	5

Decisions Made under Delegated Authority 30.12.2018 to 05.01.2019

CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU18/0264	Change to Development Approval - MCU013526 Multiple Dwellings x 59 (44-54 Highgrove Street Thornlands)	Place Design Group Pty Ltd Shiacove Pty Ltd Ausbuild Property Management	399-413 Boundary Road Thornlands QLD 4164	Minor Change to Approval	04/01/2019	NA	Approved	3
MCU17/0088.02	Change to Development Approval - MCU17/0088 Multiple Dwelling x 8	JDC Designs & Planning	116 Mount Cotton Road Capalaba QLD 4157	Minor Change to Approval	04/01/2019	NA	Approved	9

Decisions Made under Delegated Authority 06.01.2019 to 12.01.2019

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU18/0268	Change to Development Approval - Multiple Dwelling X 4	Hunter Construct	11-13 Burnett Street Wellington Point QLD 4160	Minor Change to Approval	10/01/2019	NA	Approved	1
MCU18/0249	Home Based Business - Bed and Breakfast	Ms Arnaliese L Stevens	4 Voyagers Court Cleveland QLD 4163	Code Assessment	08/01/2019	NA	Development Permit	2
CAR18/0467	Design and Siting - Sheds	Queensland Shed Installations ABC Certification Pty Ltd GMA Certification Group (Childers)	7 Trevelly Court Thornlands QLD 4164	Referral Agency Response - Planning	10/01/2019	NA	Approved	3
RAL18/0108	Reconfiguring a Lot - Standard Format - 2 into 5 lots	Sutgold Pty Ltd	56-58 Panorama Drive Thornlands QLD 4164	Code Assessment	11/01/2019	NA	Development Permit	3
CAR18/0465	Design and Siting - Dwelling House	ABC Certification Pty Ltd	272 Victoria Parade West Coochiemudlo Island QLD 4184	Referral Agency Response - Planning	09/01/2019	NA	Approved	4
MCU18/0245	Dwelling house	Site Town Planning Mr Mark A Majerczak Mrs Belinda J Majerczak	7 Pelican Street Victoria Point QLD 4165	Code Assessment	11/01/2019	NA	Development Permit	4
CAR18/0511	Design and Siting - Patio Roof setbacks	Trueline Patios & Extensions	30 Peart Parade Mount Cotton QLD 4165	Referral Agency Response - Planning	07/01/2019	NA	Approved	6
CAR18/0508	Design and Siting - Dwelling House setbacks	The Certifier Pty Ltd	28A Plymstock Street Alexandra Hills QLD 4161	Referral Agency Response - Planning	08/01/2019	NA	Approved	7

Decisions Made under Delegated Authority 06.01.2019 to 12.01.2019

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0478	Design and Siting - Carport and Roofed Deck	The Certifier Pty Ltd	13 Makaha Drive Birkdale QLD 4159	Referral Agency Response - Planning	08/01/2019	NA	Approved	10
MCU18/0254	Dwelling house	The Certifier Pty Ltd	78 Murray Street Birkdale QLD 4159	Code Assessment	11/01/2018	NA	Development Permit	10

Decisions Made under Delegated Authority 06.01.2019 to 12.01.2019

CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU17/0053.01	Change to Development Approval - MCU17/0053 Change to Development Approval	QCR Pty Ltd Amaliese Louise STEVENS Bay Island Designs	2 Michelle Court Cleveland QLD 4163	Minor Change to Approval	10/01/2019	NA	Approved	2
MCU18/0029	Dwelling House	Bay Island Designs	69 Coast Road Macleay Island QLD 4184	Impact Assessment	10/01/2019	NA	Development Permit	5
OPW002274	Landscape & Civil Works - Tourist Accommodation - Sirromet Glamping (Stage 1 & 2)	Sirromet Wines Pty Ltd	Sirromet Winery 850-938 Mount Cotton Road Mount Cotton QLD 4165	SPA - 15 Day Compliance Assessment	11/01/2019	NA	Compliance Certificate Approved	6
OPW18/0093	Operational Works - ROL - 1 into 9 Lots	Southsea's Developments Pty Ltd As Trustee	97-101 Unwin Road Redland Bay QLD 4165	Code Assessment	11/01/2019	NA	Development Permit	6
OPW18/0158	Minor Change to Existing Approval - Retaining Walls	Andiworth Pty Ltd	53-65 Kinross Road Thornlands QLD 4164	Minor Change to Approval	09/01/2019	NA	Development Permit	7
MCU18/0274	Extension to Currency Period - MCU013451 Shop (Alterations and additions to existing ALDI Store)	Aldi Stores	35-37 Mount Cotton Road Capalaba QLD 4157	Minor Change to Approval	08/01/2019	NA	Approved	9

13.2 LIST OF DEVELOPMENT AND PLANNING RELATED COURT MATTERS CURRENT AS AT 16 JANUARY 2019

Objective Reference:

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

Responsible Officer: Chris Vize, Service Manager Planning Assessment

Report Author: Christy Englezakis, Senior Appeals Planner

Attachments: Nil

PURPOSE

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

BACKGROUND

Information on appeals may be found as follows:

1. Planning and Environment Court

a) Information on current appeals and declarations with the Planning and Environment Court involving Redland City Council can be found at the District Court web site using the "Search civil files (eCourts) Party Search" service:

<http://www.courts.qld.gov.au/services/search-for-a-court-file/search-civil-files-ecourts>

b) Judgments of the Planning and Environment Court can be viewed via the Supreme Court of Queensland Library web site under the Planning and Environment Court link:

<http://www.sclqld.org.au/qjudgment/>

2. Court of Appeal

Information on the process and how to search for a copy of Court of Appeal documents can be found at the Supreme Court (Court of Appeal) website:

<http://www.courts.qld.gov.au/courts/court-of-appeal/the-appeal-process>

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

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

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

The database contains:

a) A consolidated list of all appeals and declarations lodged in the Planning and Environment Courts across Queensland of which the Chief Executive has been notified.

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

4. Department of Housing and Public Works (DHPW)

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

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

PLANNING & ENVIRONMENT COURT APPEALS

1.	File Number:	CA11075/17 (MCU013296)
Applicant:		Lipoma Pty Ltd
Proposed Development:		Lanrex Pty Ltd
Application Details:		Victoria Point Lakeside Pty Ltd
Current Status:		Nerinda Pty Ltd
Applicant:		Preliminary Approval for Material Change of Use for Mixed Use Development and Development Permit for Reconfiguring a Lot (1 into 2 lots) 128-144 Boundary Road, Thornlands (Lot 3 on SP117065)
Proposed Development:		Submitter appeal against Council approval
Application Details:		A directions hearing was held on 1 August 2018. A further directions hearing was held on 5 October 2018 to confirm the matters to be determined by the Court. The matter has been set down for a hearing, commencing 4 March 2019.
2.	File Number:	Appeal 4515 of 2017 (ROL006084)
Applicant:		Australian Innovation Centre Pty Ltd
Proposed Development:		Reconfiguring a Lot (1 into 22 lots and park) at 289-301 Redland Bay Road, Thornlands (Lot 5 on RP14839)
Application Details:		Deemed refusal appeal
Current Status:		Appeal filed 23 November 2017. On 31 January 2018 Council solicitors notified the parties that it opposed the proposed development. Mediation was held on 6 March 2018. A review is to be held on 30 January 2019.
3.	File Number:	Appeal 461 of 2018 (MCU013977)
Applicant:		Robyn Edwards and Ronald Edwards
Proposed Development:		Material Change of Use for an Undefined Use (Rooming Accommodation) at 41 Ziegenfusz Road, Thornlands (Lot 291 on RP801793)
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed 8 February 2018. A Directions Order was set down on 27 April 2018 detailing a timetable for the proceedings. Mediation was held on 31 May 2018. A review is to be held on 25 January 2019.

4.	File Number:	Appeal 894 of 2018 (MCU013921)
Applicant:		Palacio Property Group Pty Ltd
Proposed Development:		Infrastructure conversion application (relating to the Development Permit for a Material Change of Use for Multiple Dwellings (22 units)) 4-8 Rachow Street, Thornlands (Lot 5 on SP149013)
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed 9 March 2018. A without prejudice meeting was held on 17 May 2018. Settlement offer went to Council meeting on 10 October 2018. Council resolved to decline the offer. Mediation was held on 3 December 2018. A further mediation is scheduled to be held by 1 March 2019. Hearing to be scheduled for April.

5.	File Number:	Appeal 1506 of 2018 (MCU17/0149)
Applicant:		Barro Group Pty Ltd
Proposed Development:		Request to Extend the Currency Period (relating to the Development Permit for a Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8 (Chemical Storage), 16 (Extractive and Screening Activities) and 21 (Motor Vehicle Workshop Operation)) 1513 and 1515 – 1521 Mount Cotton Road and 163-177 and 195 Gramzow Road, Mount Cotton (Lot 162 on S31962, Lot 238 on SP218968, Lot 370 on S311071, Lot 1 on RP108970, Lot 17 on RP108970, Lot 1 on SP272090, Lot 2 on SP272091, Lot 3 on SP272092 and the land comprising part of Greenhide (California) Creek located between Lot 162 on S31962 and Lot 238 on SP218968, which is the property of the State)
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed on 24 April 2018. A without prejudice meeting was held on 29 October 2018. A pre-call over review is scheduled for 20 February 2019.

6.	File Number:	Appeal 2142 of 2018 (MCU013782)
Applicant:		Binnaton Holdings Ltd
Proposed Development:		Material Change of Use for an Apartment Building (39 Units) 7, 9 & 11 Fernbourne Road, Wellington Point (Lots 1 & 2 on RP14166 and Lot 2 on RP14166)
Application Details:		Appeal against Council decision to issue a Preliminary Approval
Current Status:		Appeal filed on 11 June 2018. A without prejudice meeting was held on 19 July 2018. Appeal is adjourned for 5 months until 18 April 2019.

7.	File Number:	Appeal 2171 of 2018 (ROL006209)
Applicant:		Lorette Margaret Wigan
Proposed Development:		Reconfiguring a Lot for 1 into 29 lots and road 84-122 Taylor Road, Thornlands (Lot 1 on RP123222)
Application Details:		Appeal against Council decision to issue Preliminary Approval
Current Status:		Appeal filed on 13 June 2018. Mediation was held on 29 June 2018. A second mediation was held on 2 October 2018. A third mediation was held on 22 October 2018. A further mediation is booked for 30 January 2019.

8.	File Number:	Appeal 2519 of 2018 (MCU17/0123)
Applicant:		Wellington Property Management Pty Ltd
Proposed Development:		Material Change of Use for a Child Care Centre 100-102 Collins Street, Redland Bay (Lot 1 on RP190688)
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed on 9 July 2018. Mediation was held on 4 October 2018. A further mediation is booked for 17 January 2019.

9.	File Number:	Appeal 3177 of 2018 (MCU17/0153)
Applicant:		Geoffrey David Abbott, Anthony John Baker & Anja Katrin Hoecker
Proposed Development:		Material Change of Use for an Undefined Use 9 & 11 Tascon Street, Ormiston
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed on 31 August 2018.

10.	File Number:	Appeal 3344 of 2018 (ROL006039)
Applicant:		Harridan Pty Ltd
Proposed Development:		Reconfiguring a Lot for 1 into 7 Lots 14-20 Bonnie Street, Thornlands (Lot 6 on SP164042)
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed on 12 December 2018. A directions hearing was held on 28 September 2018. Mediation was held on 8 November 2018. A review is scheduled for 24 January 2019. A without prejudice meeting is to be held before 25 January 2019.

11.	File Number:	Appeal 135 of 2018 (MCU013917)
Applicant:		Maureen Joan Chapman
Proposed Development:		Material Change of Use for a Dwelling House 42 Magnolia Street, Russell Island (Lots 77, 78, 104 & 105 on RP129012)
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed on 21 September 2018.

12.	File Number:	Appeal 4270 of 2018 (MCU013936)
Applicant:		Landmark Homes
Proposed Development:		Material Change of Use for a Dwelling House 10 Water Street, Cleveland (Lot 57 on RP1691)
Application Details:		Appeal against Council refusal
Current Status:		Appeal filed on 29 November 2018. A without prejudice meeting was held on 15 January 2019.

APPEALS TO THE QUEENSLAND COURT OF APPEAL

13.	File Number:	Appeal 8114 of 2018 (MCU012812)/ (QPEC Appeal 3641 of 2015)
Applicant:		Redland City Council
Proposed Development:		King of Gifts Pty Ltd and HTC Consulting Pty Ltd
Application Details:		Material Change of Use for Service Station (including car wash) and Drive Through Restaurant 604-612 Redland Bay, Road, Alexandra Hills
Current Status:		Appeal against the decision of the Planning and Environment Court to allow the appeal and approve the development.
Applicant:		Appeal filed by Council on 30 July 2018. Council's outline of argument was filed on 28 August 2018. The appellant's outline of argument was filed on 20 September 2018. Council has filed a reply and a hearing is set down for 12 March 2019.

DEVELOPMENT TRIBUNAL APPEALS AND OTHER MATTERS

14.	File Number:	3201/18
Applicant:		Charles & Howard Pty Ltd
Proposed Development:		Reconfiguring a Lot for 2 into 9 lots 15 & 20 Albert Street, Victoria Point (Lots 1 & 2 on RP178345)
Application Details:		To revive, change and extend the currency period of a lapsed approval
Current Status:		Application filed on 4 September 2018. A without prejudice meeting was held on 8 November 2018. A review was held on 14 November 2018. The matter is set down for hearing on 29 January 2019.

OFFICER'S RECOMMENDATION

That Council resolves to note this report.

14 REPORTS FROM INFRASTRUCTURE & OPERATIONS

Nil

15 MAYORAL MINUTE

In accordance with s.22 of POL-3127 Council Meeting Standing Orders, the Mayor may put to the meeting a written motion called a 'Mayoral Minute', on any matter. Such motion may be put to the meeting without being seconded, may be put at that stage in the meeting considered appropriate by the Mayor and once passed becomes a resolution of Council.

16 NOTICES OF MOTION TO REPEAL OR AMEND A RESOLUTION

In accordance with s.262 Local Government Regulation 2012.

17 NOTICES OF MOTION

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

18 URGENT BUSINESS WITHOUT NOTICE

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

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

19 CONFIDENTIAL ITEMS

COUNCIL MOTION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the *Local Government Regulation 2012*:

19.1 Sale of Land for Overdue Rate and Charges

This matter is considered to be confidential under Section 275(1)(h) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

19.2 Land Tenure Actions, North Stradbroke Island

This matter is considered to be confidential under of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with .

19.3 Cleveland Centre Traffic and Transport Strategy

This matter is considered to be confidential under Section 275(1)(h) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

19.4 Commonwealth Land Birkdale Purchase Negotiations

This matter is considered to be confidential under of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with .

19.5 Edwards & Edwards v Redland City Council - P&E Court Appeal 461/2018 (MCU013977 Material Change of Use for an Undefined Use [Rooming Accommodation] at 41 Zeigenfusz Road, Thornlands)

This matter is considered to be confidential under Section 275(1)(f) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with starting or defending legal proceedings involving the local government.

19.6 Request for Delegated Authority to Chief Executive Officer for Dredging Works PDG 10911(SP1) & PDG 30019 (SP2)

This matter is considered to be confidential under Section 275(1)(e) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by it.

19.7 Collins Street and School of Arts Road Upgrade Project

This matter is considered to be confidential under Section 275(1)(c) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the local government's budget.

19.8 Delegated Authority - Preferred Supplier/s for Water and Sewerage Reticulation Maintenance Tender: T-1860-18/19-RWW

This matter is considered to be confidential under Section 275(1)(e) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by it.

20 MEETING CLOSURE