



**Redland**  
CITY COUNCIL

# **MINUTES**

## **GENERAL MEETING**

**Wednesday, 6 February 2019**

The Council Chambers  
91 - 93 Bloomfield Street  
CLEVELAND QLD

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**GENERAL MEETING**  
**HELD AT THE COUNCIL CHAMBERS, 91 - 93 BLOOMFIELD STREET, CLEVELAND QLD**  
**ON WEDNESDAY, 6 FEBRUARY 2019 AT 9.30AM**

**1 DECLARATION OF OPENING**

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

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

**2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**

**MEMBERS PRESENT:** Cr Karen Williams (Mayor), Cr Wendy Boglary (Division 1), Cr Peter Mitchell (Division 2), Cr Paul Gollè (Division 3), Cr Lance Hewlett (Deputy Mayor and Division 4), Cr Mark Edwards (Division 5), Cr Julie Talty (Division 6), Cr Murray Elliott (Division 7), Cr Tracey Huges (Division 8), Cr Paul Gleeson (Division 9), Cr Paul Bishop (Division 10)

**APOLOGY:** Nil

**LEAVE OF ABSENCE:** Nil

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

**MINUTES:** Debra Weeks (Corporate Meetings & Registers Coordinator)

**COUNCILLOR ABSENCES DURING THE MEETING**

Cr Murray Elliott entered the meeting at 9.37am (after Item 3)

Cr Julie Talty left the meeting at 10.03am (during Item 19.1)

Cr Paul Gollè left the meeting at 10.05am (during Item 19.1)

Cr Julie Talty entered the meeting at 10.06am (during Item 19.1)

Cr Paul Gollè entered the meeting at 10.07am (during Item 19.1)

Cr Murray Elliott left the meeting at 10.15am (during Item 19.2)

Cr Murray Elliott entered the meeting at 10.17am (during Item 19.2)

Cr Paul Gleeson left the meeting at 10.29am (during Item 19.2)

Cr Paul Gollè left the meeting at 10.33am (during Item 19.2)

Cr Paul Gleeson entered the meeting at 10.34am (during Item 19.2)

Cr Paul Gollè entered the meeting at 10.34am (during Item 19.2)

Cr Murray Elliott left the meeting at 11.06am (during Item 19.6)

Cr Murray Elliott entered the meeting at 11.07am (during Item 19.6)

Cr Wendy Boglary left the meeting at 11.07am (during Item 19.7)

Cr Paul Bishop left the meeting at 11.07am (during Item 19.7)

Cr Paul Mitchell left the meeting at 11.07am (during Item 19.7)

Cr Wendy Boglary entered the meeting at 11.09am (during Item 19.7)

Cr Paul Bishop entered the meeting at 11.09am (during Item 19.7)

Cr Paul Mitchell entered the meeting at 11.09am (during Item 19.7)

### **3 DEVOTIONAL SEGMENT**

Reverend Mike Smith from Redlands Church of Christ, also a member of the Minister's Fellowship led Council in a brief Devotional segment.

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

There was no Conflict of Interest or Material Personal Interest declared.

### **5 RECOGNITION OF ACHIEVEMENT**

#### **5.1 PASSING OF JOHN SMALLWOOD**

The Mayor recognised and offered condolences on the passing of John Smallwood.

*The Redlands Coast is mourning the sad and sudden passing this week of local resident John Smallwood.*

*Those who knew John would describe him as a gentleman, a wonderful role model, compassionate citizen and a man who thought much more of others than he did himself.*

*He was a man of many causes – all aimed at helping others.*

*They included cycling around Vietnam for three months in 2009, volunteering at a hostel for people with severe disabilities in that country and being so moved by what he experienced there that he two years later rode 7,000km across America on his pushbike, towing a trailer with his belongings, to raise money for the hostel. Along the way he endured storms, rain, fog, pounding winds, freezing cold - and was even hit by a car on his second last day.*

*Age meant nothing to John. When others were preparing for retirement, he completed the Grafton-Inverell Cycle Classic at age 65, raising \$20,000 for his gruelling 230km effort across the Great Dividing Range for his Vietnam hostel.*

*John never took his good health and fitness for granted. He believed that while he had the capacity to make a difference he had a responsibility to help the less fortunate and disadvantaged.*

*He did that in spades.*

*He turned his trusty bike into a money-maker for charities, riding in the Great Cycle Challenge to raise money for cancer research, after his granddaughter was diagnosed with leukaemia. His enthusiasm was infectious and soon friends had joined him in the annual rides.*

*He also bought a tandem bike to take people with vision impairments for bike rides throughout the Redlands Coast.*

*He could often be seen riding from his Wellington Point home around his beloved city.*

*In between charity fund-raising John somehow found time to assist local sporting clubs and could often be seen volunteering at the Muddies Cricket Club and Redlands Multi-Sport Club. He was instrumental in project managing extensions to the Redlands Multi-Sport Club, organising contractors and overseeing construction.*

*John rarely sought recognition for what he did, and he did so much.*

*I was proud in 2013 to present him with the Redlands Senior Citizen of the Year Award for his contribution to not only Redlands Coast but others in desperate need of help. I recall John being humble and a little embarrassed – despite his great achievements. That's the type of person he was.*

*To have met John Smallwood was to meet a man full of positive thought and actions. He and I shared a belief that Redlands Coast had a bright future as a cycling mecca. He was tireless in working with Council to help us achieve this potential.*

*Even a serious fall in recent years did not dim his enthusiasm.*

*He dreamed of Redlands Coast drawing cyclists from all over, for special races, for mountain biking and for leisure cycling. He was a prime mover with the city's first criterion around the streets of Cleveland.*

*John Smallwood was not a man one easily said 'no' to. He was so enthusiastic about his projects and turning his dreams into reality that you could not help being drawn in. You just wanted to help. John achieved so much for so many.*

*He was a great citizen of the Redlands Coast who will leave a wonderful legacy. He will be sadly missed.*

*On behalf of all councillors and staff I express condolences to John's family.*

## **5.2 REDLAND CITY SES ASSISTING IN TOWNSVILLE FLOODS**

The Mayor recognised the efforts of Redland City SES crews assisting with the Townsville floods.

*Redland City SES crews are paying it forward, working alongside locals and state agencies to help them respond to the unprecedented flooding that is devastating the Townsville community.*

*Four of our dedicated Redlands SES volunteers are already on the ground in Townsville assisting and another seven will deploy on Saturday.*

*Our orange angels never fail to step up when people – both on Redlands Coast and further afield – are in need of help – and we saw this during the Straddie fires last year.*

*Jumping from fire to flood, they are now helping tarp Townsville homes, perform emergency roof repairs and clear fallen trees and debris.*

*Our Local Disaster Coordinator Mike Tait left yesterday and three of our Southern Moreton Bay Island Community Champions left today - to work with the Australian Red Cross to help set up more evacuation centres.*

*I thank everyone who is heading to North Queensland to help out - you take with you the thoughts and best wishes of the Redland City Council and the whole Redlands Coast community.*

### 5.3 CLOSING OF THORNESIDE UNITING CHURCH

On Saturday 2 February 2019, Councillor Paul Bishop, along with Councillor Wendy Boglary attended the closing of Thorneside Uniting Church. Councillor Bishop acknowledged the pastoral commitment the Church has provided the community for 75 years.

*I'd just like to take a moment to acknowledge that on Saturday Cr Boglary and I were able to represent residents of the community of Thorneside at the decommissioning of the Thorneside Uniting Church in John Street.*

*For 75 years, it has served as an active congregation that was initially commenced as a Sunday School underneath the house of some local residents, and it has had many generations of local people come to worship there, including four generations of the Bensley family. Mr Mark Bensley has a moving tribute with a historic record of the area and people's involvement with the church. He was joined by many others who gave moving tributes, recognising the efforts of a very welcoming parish.*

*The community had a pastoral commitment to many youth in the area. In fact, during the 1960s, 70s and 80s there were up to 90 young people meeting as part of the youth fellowship on a weekly basis.*

*That community over the last 75 years has gathered to create a small meeting place, initially making use of a disused World War II army hut in 1949, then building an assembly hall. In the 1960s they raised funds and constructed the main church building with the planning help of former Redland City Councillor, John Goleby who was chairman of then Finance and Works Committee.*

*While the service was uplifting, it was also a very sad day, because the congregation had diminished to the point where the Uniting Church has decided to cease use of the facility and the site has now been deconsecrated.*

*Councillor Wendy Boglary and I have agreed to meet with the members of the church authorities to consider what might be considered as appropriate future community uses of the facility for the area.*

*I believe it is important to acknowledge that any decisions relating to these matters sits with the Uniting Church, and we look forward to doing whatever we can to support the community at this time, when residents and members of the church are suffering such a great loss after an ongoing commitment to our local seaside community over an extended period. Thank you.*

### 6 RECEIPT AND CONFIRMATION OF MINUTES

#### COUNCIL RESOLUTION 2019/30

Moved by: Cr Paul Gollè

Seconded by: Cr Tracey Huges

**That the minutes of the General Meeting held on 23 January 2019 be confirmed.**

**CARRIED 11/0**

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



**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 presented at the General Meeting on 20 February 2019.

**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 presented at the General Meeting on 20 February 2019.

**7.3 OPPORTUNITY TO PARTICIPATE IN A JOINT LOCAL GOVERNMENT ACTIVITY – REGIONAL APPROACH TO WATER AND RESOURCE MANAGEMENT**

At the 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**

There was no public participation at this meeting.

**9 PETITIONS AND PRESENTATIONS**

- 9.1 CR EDWARDS–PETITION TO REDLAND CITY COUNCIL FROM RESIDENTS OF MACLEAY ISLAND TO REQUEST PRIORITY APPROVAL OF PERMIT APPLICATION FOR BAY ISLAND COFFEE AND JUICE VAN TO OPERATE IN OR ADJACENT TO THE MACLEAY ISLAND FERRY TERMINAL**

**COUNCIL RESOLUTION 2019/31**

**Moved by: Cr Mark Edwards**

**Seconded by: Cr Murray Elliott**

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

**CARRIED 11/0**

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

**10 MOTION TO ALTER THE ORDER OF BUSINESS****10.1 MOTION TO WITHDRAW AN ITEM****COUNCIL RESOLUTION 2019/32**

**Moved by: Cr Wendy Boglary**

**Seconded by: Cr Mark Edwards**

**That Item 19.3 *Cleveland Centre Traffic and Transport Strategy* (as listed on the agenda) be withdrawn.**

**CARRIED 11/0**

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

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

There were no reports from the Office of the CEO.

**12 REPORTS FROM ORGANISATIONAL SERVICES**

There were no reports from Organisational Services

**13 REPORTS FROM COMMUNITY & CUSTOMER SERVICES****13.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS****Objective Reference:** A3602632**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.

### **COUNCIL RESOLUTION 2019/33**

**Moved by: Cr Paul Bishop**

**Seconded by: Cr Mark Edwards**

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

**CARRIED 11/0**

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

### Decisions Made under 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 Trevally 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 Macdeay 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 Urwin 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:** A3602664**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

<b>1.</b>	<b>File Number:</b>	CA11075/17 (MCU013296)
<b>Appellants:</b>		<b>Lipoma Pty Ltd</b> <b>Lanrex Pty Ltd</b> <b>Victoria Point Lakeside Pty Ltd</b>
<b>Co-respondent (Applicant)</b>		<b>Nerinda Pty Ltd</b>
<b>Proposed Development:</b>		Preliminary Approval for Material Change of Use for Mixed Use Development and Development Permit for Reconfiguring a Lot (1 into 2 lots) 128-144 Boundary Road, Thornlands (Lot 3 on SP117065)
<b>Appeal Details:</b>		Submitter appeal against Council approval
<b>Current Status:</b>		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.

<b>2.</b>	<b>File Number:</b>	Appeal 4515 of 2017 (ROL006084)
<b>Applicant:</b>		<b>Australian Innovation Centre Pty Ltd</b>
<b>Application Details:</b>		Reconfiguring a Lot (1 into 22 lots and park) at 289-301 Redland Bay Road, Thornlands (Lot 5 on RP14839)
<b>Appeal Details:</b>		Deemed refusal appeal
<b>Current Status:</b>		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.

<b>3.</b>	<b>File Number:</b>	Appeal 461 of 2018 (MCU013977)
<b>Applicant:</b>		<b>Robyn Edwards and Ronald Edwards</b>
<b>Proposed Development:</b>		Material Change of Use for an Undefined Use (Rooming Accommodation) at 41 Ziegenfusz Road, Thornlands (Lot 291 on RP801793)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		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.

<b>4.</b>	<b>File Number:</b>	Appeal 894 of 2018 (MCU013921)
<b>Applicant:</b>		<b>Palacio Property Group Pty Ltd</b>
<b>Proposed Development:</b>		Infrastructure conversion application (relating to the Development Permit for a Material Change of Use for Multiple Dwellings (22 units)) 4-8 Rachow Street, Thornlands (Lot 5 on SP149013)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		Appeal filed 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.

<b>5.</b>	<b>File Number:</b>	Appeal 1506 of 2018 (MCU17/0149)
<b>Applicant:</b>		<b>Barro Group Pty Ltd</b>
<b>Proposed Development:</b>		Request to Extend the Currency Period (relating to the Development Permit for a Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8 (Chemical Storage), 16 (Extractive and Screening Activities) and 21 (Motor Vehicle Workshop Operation)) 1513 and 1515 – 1521 Mount Cotton Road 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)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		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.

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

<b>7.</b>	<b>File Number:</b>	Appeal 2171 of 2018 (ROL006209)
<b>Applicant:</b>		<b>Lorette Margaret Wigan</b>
<b>Proposed Development:</b>		Reconfiguring a Lot for 1 into 29 lots and road 84-122 Taylor Road, Thornlands (Lot 1 on RP123222)
<b>Appeal Details:</b>		Appeal against Council decision to issue Preliminary Approval
<b>Current Status:</b>		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.

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

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

<b>10.</b>	<b>File Number:</b>	Appeal 3344 of 2018 (ROL006039)
<b>Applicant:</b>		<b>Harridan Pty Ltd</b>
<b>Proposed Development:</b>		Reconfiguring a Lot for 1 into 7 Lots 14-20 Bonnie Street, Thornlands (Lot 6 on SP164042)
<b>Appeal Details:</b>		Appeal against Council refusal
<b>Current Status:</b>		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.

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

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



**APPEALS TO THE QUEENSLAND COURT OF APPEAL**

<b>13.</b>	<b>File Number:</b>	Appeal 8114 of 2018 (MCU012812)/ (QPEC Appeal 3641 of 2015)
<b>Appellant:</b>		<b>Redland City Council</b>
<b>Respondent (applicant):</b>		<b>King of Gifts Pty Ltd and HTC Consulting Pty Ltd</b>
<b>Proposed Development:</b>		Material Change of Use for Service Station (including car wash) and Drive Through Restaurant 604-612 Redland Bay, Road, Alexandra Hills
<b>Appeal Details:</b>		Appeal against the decision of the Planning and Environment Court to allow the appeal and approve the development.
<b>Current Status:</b>		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**

<b>14.</b>	<b>File Number:</b>	3201/18
<b>Applicant:</b>		<b>Charles &amp; Howard Pty Ltd</b>
<b>Proposed Development:</b>		Reconfiguring a Lot for 2 into 9 lots 15 & 20 Albert Street, Victoria Point (Lots 1 & 2 on RP178345)
<b>Application Details:</b>		To revive, change and extend the currency period of a lapsed approval
<b>Current Status:</b>		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.

**COUNCIL RESOLUTION 2019/34**

**Moved by:** Cr Mark Edwards

**Seconded by:** Cr Wendy Boglary

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

**CARRIED 11/0**

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

**14 REPORTS FROM INFRASTRUCTURE & OPERATIONS**

There were no reports from Infrastructure & Operations.

**15 MAYORAL MINUTE****15.1 MAYORAL MINUTE - ENDORSE AND SUBMIT THE REDLAND CITY PRIORITIES FOR THE FEDERAL ELECTION****COUNCIL RESOLUTION 2019/35**

Moved by: Cr Karen Williams

That Council resolves as follows:

1. To endorse and submit the Redland City priorities for the Federal election document to all Federal Government political parties and local candidates seeking their support for our priorities;
2. In addition to writing to all political parties and local Federal election candidates, the Mayor also presents the advocacy document to any Members of Parliament during the upcoming Council of Mayors (SEQ) and Local Government Association of Queensland (LGAQ) delegation to Canberra; and
3. Invite all candidates to meet with all councillors to outline their election commitments.

Background

Redland City needs strong representation from candidates in the upcoming Federal election for a range of projects and priorities that are needed in our city. We have developed this document that outlines the commitments we are seeking from all local candidates and political parties based on the highest priority needs of the city.

**CARRIED 11/0**

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

**16 NOTICES OF MOTION TO REPEAL OR AMEND A RESOLUTION**

Nil

**17 NOTICES OF MOTION**

Nil

**18 URGENT BUSINESS WITHOUT NOTICE**

Nil

**19 CONFIDENTIAL ITEMS****MOTION TO MOVE INTO CLOSED SESSION AT 10.03AM****COUNCIL RESOLUTION 2019/36**

**Moved by:** Cr Tracey Huges

**Seconded by:** Cr Paul Bishop

**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 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.

**19.3 Cleveland Centre Traffic and Transport Strategy**

This item was withdrawn from the agenda. (Item 10.1 refers.)

**19.4 Commonwealth Land Birkdale Purchase Negotiations**

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.

**19.5 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.

**CARRIED 11/0**

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

**MOTION TO MOVE OUT OF CLOSED SESSION AT 11.11AM**

**COUNCIL RESOLUTION 2019/37**

**Moved by: Cr Julie Talty**

**Seconded by: Cr Wendy Boglary**

**That Council moves out of Closed Council into Open Council.**

**CARRIED 11/0**

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

**19.1 SALE OF LAND FOR OVERDUE RATE AND CHARGES****COUNCIL RESOLUTION 2019/38**

Moved by: Cr Murray Elliott

Seconded by: Cr Mark Edwards

That, pursuant to Section 140(2) of the *Local Government Regulation 2012*, Council resolves to:

1. sell the lands described in the attachment for overdue rates and charges; and
2. treat confidential the report and attached documents in accordance with sections 171(3) and 200(5) of the *Local Government Act 2009* and that the documents remain confidential unless Council decides otherwise by resolution.

**CARRIED 11/0**

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

**19.2 LAND TENURE ACTIONS, NORTH STRADBROKE ISLAND****COUNCIL RESOLUTION 2019/39**

Moved by: Cr Peter Mitchell

Seconded by: Cr Wendy Boglary

That Council resolves to:

1. write to the relevant State Government Ministers advising Redland City Council's endorsed views that the transfer of any land within the Dunwich Township area be deferred until such time as the Dunwich (Goompi) Master Plan is finalised and includes appropriate solutions for transport and parking developed in consultation with the community.
2. write to the Department of Natural Resources, Mines and Energy advising Redland City Council's endorsed views on the Most Appropriate Use and Tenure Assessment, including that:
  - a) any material change to the existing use or public access to the lands be based on properly informed strategic planning and infrastructure planning requirements which involve appropriate public consultation;
  - b) where there is any consideration of alternative use of land demonstrate that appropriate infrastructure solutions are available and can be readily provided and maintained without the risk of any future cost burden on Council and the broader Redlands Coast community;
3. write to the relevant State Government Ministers advocating the need for a more coordinated and informed approach to all land and tenure dealings on North Stradbroke Island; including the community, is appropriately informed of, and engaged with, in regards to all potential land transfers and land use changes on North Stradbroke Island; and
4. maintain the report and attachments as confidential until the tenure arrangements have been registered in the land record and in accordance with legislative requirements, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

**CARRIED 11/0**

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

**19.3 CLEVELAND CENTRE TRAFFIC AND TRANSPORT STRATEGY**

This item was withdrawn from the agenda. (Item 10.1 refers)



**19.4 COMMONWEALTH LAND BIRKDALE PURCHASE NEGOTIATIONS****COUNCIL RECOMMENDATION**

Moved by: Cr Paul Bishop

Seconded by: Cr Wendy Boglary

That Council resolves to:

1. authorise the Mayor to write to the Prime Minister and responsible Federal Minister requesting an urgent public commitment that the Commonwealth gift the land to the Redland Community;
2. authorise the Mayor to write to the Federal Leader of the Opposition and responsible Federal Shadow Minister requesting an urgent public commitment to gift the land to the Redland Community;
3. delegate authority to the Chief Executive Officer under section 257(1)(b) of the *Local Government Act 2009* to make, vary, negotiate and discharge a contract, including signing all relevant documents, to acquire the land at fair market value or less should the terms of the sale include a Security of Purpose clause;
4. authorise the allocation of sufficient funds to acquire the property and to fund establishment and maintenance and planning costs during the 2018/19 and 2019/20 financial years (including but not limited to the recommended Ecological and Heritage studies); and
5. maintain this report and attachments as confidential until settlement or as required by any legal or statutory obligation, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

**PROCEDURAL RESOLUTION 2019/40**

Moved by: Cr Paul Gleeson

That the motion be put.

CARRIED 9/2

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

Crs Murray Elliott and Paul Bishop voted AGAINST the motion.

**COUNCIL RESOLUTION 2019/41**

The motion was resolved as follows.

CARRIED 11/0

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

- 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)

**COUNCIL RESOLUTION 2019/42**

Moved by: Cr Julie Talty

Seconded by: Cr Mark Edwards

Council resolves to:

1. instruct Council's solicitors to undertake further without prejudice settlement negotiations and any other necessary steps to settle the appeal generally in accordance with the conditions attached to this report; and
2. maintain this report and attachments as confidential until the conclusion of the appeal.

**CARRIED 7/4**

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Mark Edwards, Julie Talty, Murray Elliott and Paul Bishop voted FOR the motion.

Crs Paul Gollè, Lance Hewlett, Tracey Huges and Paul Gleeson voted AGAINST the motion.

**19.6 REQUEST FOR DELEGATED AUTHORITY TO CHIEF EXECUTIVE OFFICER FOR DREDGING WORKS PDG 10911(SP1) & PDG 30019 (SP2)****COUNCIL RESOLUTION 2019/43**

Moved by: Cr Peter Mitchell

Seconded by: Cr Wendy Boglary

That Council resolves to:

1. delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009*, to negotiate, make, vary, and discharge a contract (PDG-10911-1 (SP1) and PDG-30019-1 (SP2)), in accordance with the approved budget; and
2. maintain this report as confidential until the contract is awarded and details are published in accordance with legislative requirements, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

**CARRIED 11/0**

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

**19.7 COLLINS STREET AND SCHOOL OF ARTS ROAD UPGRADE PROJECT****COUNCIL RESOLUTION 2019/44**

Moved by: Cr Julie Talty

Seconded by: Cr Wendy Boglary

That Council resolves to:

1. endorse the allocation of \$4.5 million from the Local Roads Trunk Infrastructure Reserve to fully fund Stage Two of the Collins Street and School of Art Road Upgrade Project as part of the FY 19/20 capital works program; and
2. maintain this report as confidential until the project is complete.

**CARRIED 11/0**

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

19.8 DELEGATED AUTHORITY - PREFERRED SUPPLIER/S FOR WATER AND SEWERAGE RETICULATION MAINTENANCE TENDER: T-1860-18/19-RWW

**COUNCIL RESOLUTION 2019/45**

Moved by: Cr Wendy Boglary

Seconded by: Cr Mark Edwards

That Council resolves as follows:

1. To delegate authority to the Chief Executive Officer, under section 257(1)(b) of the *Local Government Act 2009*, to enter into a Schedule of Rates Contract over \$2,000,000 (including GST) with the preferred tenderer and to negotiate, make, vary and discharge the contract T-1860-18/19-RWW, in accordance with the agreed contract terms and conditions, and sign all relevant documentation for the provision of two years with the option to extend three, one year periods; and
2. That this report remains confidential until the contract is awarded and details published in accordance with legislative requirements, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

**CARRIED 11/0**

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

**20 MEETING CLOSURE**

The Meeting closed at 11.18am.

The minutes of this meeting were confirmed at the General Meeting held on 20 February 2019.

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**CHAIRPERSON**