



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 25 January 2017

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 9.30am 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 K Williams	Mayor
Cr W Boglary	Deputy Mayor and Councillor Division 1
Cr P Mitchell	Councillor Division 2
Cr P Gollé	Councillor Division 3
Cr L Hewlett	Councillor Division 4
Cr M Edwards	Councillor Division 5
Cr J Talty	Councillor Division 6
Cr M Elliott	Councillor Division 7 – entered at 9.55am
Cr T Huges	Councillor Division 8
Cr P Gleeson	Councillor Division 9
Cr P Bishop	Councillor Division 10

EXECUTIVE LEADERSHIP TEAM:

Mr B Lyon	Chief Executive Officer
Mr A Ross	A/General Manager Organisational Services
Mrs K Kerwin	A/General Manager Community & Customer Services
Mr P Best	General Manager Infrastructure & Operations
Mrs D Corbett-Hall	Chief Financial Officer
Ms A Saxby	A/Head of Human Resources

MINUTES

Mrs J Parfitt	Corporate Meetings & Registers
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3 DEVOTIONAL SEGMENT

Rev Linda Hamill, Uniting Church Wellington Point and a member of the Ministers' Fellowship led Council in a brief devotional segment.

4 RECOGNITION OF ACHIEVEMENT

4.1 AUSTRALIA DAY AWARDS 2016

On 21 January 2016, Redland City Council named the recipients of the Redland City Australia Day Awards 2016.

Congratulations to the 27 award nominees, 23 award finalists and all award recipients.

- Citizen of the Year: Adrian Addicott
 - Young Citizen of the Year: Kirra Longmuir
 - Senior Citizen of the Year: Ken Thackeray OAM
 - Local Hero Award: Peter Gould
 - Local Hero, Highly Commended: Jill Lindley
-

- Community Organisation Award: The CAGE Youth Foundation
- Cultural Award: Anita Taylor
- Environment and Sustainability Award: Deirdre Hargreaves
- Sports Award: Sandra Middleton
- International Achievement in Sport: Jake Eve

Adrian Addicott, citizen of the year

Adrian Addicott is a face well-known across the Redlands. He is a dedicated volunteer with a strong work ethic who devotes his time to helping out at community events across the city – events that rely on volunteers for their success.

Organisers in the Redlands are fortunate that Adrian is almost guaranteed to be there lending a hand, be it lifting or carrying, putting something up, pulling something down, or collecting rubbish. He always has a smile on his face and nothing is too much trouble. Adrian's nomination for the awards came from a member of the community who didn't know Adrian's surname yet knew his face from many events over the years, including RedFest, Redlands Easter Family Festival, Faith Funfest, and Relish Festival.

Adrian also mows the grounds of the Lutheran Church in Cleveland and helps out at their monthly car boot sale. He even travelled to Brisbane to help out in the aftermath of the floods in 2011. In 2013, he notched up 30 years of service volunteering for RedFest, an initiative he commenced as an eight-year-old boy and one that was commemorated with a special plaque and commendation on the main stage during the event. He remains a member of the RedFest Committee. Adrian has worked for the Horizon Business Enterprises for the past 20 years and is a committed volunteer who enjoys helping the community.

Kirra Longmuir, young citizen of the year

Kirra Longmuir is no ordinary hairdresser – she is a role model for countless young Redlanders who are inspired by her wide ranging business and personal achievements.

A successful young businesswoman, 28-year-old Kirra works tirelessly in fashion and modelling. She has operated her own hair salon since 2007 and is driven to turn her dreams into reality. Trendz Hair and Beauty Salon is now one of Redland's busiest salons and Kirra has just opened a second salon on the Gold Coast.

Her parallel modelling career has seen her among the finalists of Miss Indy and Miss F1 Australia, and she has featured in a range of lifestyle magazines. Kirra placed second in her first ever sports model competition, a result that saw her on stage in Las Vegas competing against some of the finest fitness models in the world. As a newcomer to the event, Kirra cracked the top 10, taking home 5th place in both the Tall Bikini America and the Model America classes.

With her burgeoning international fitness modelling career and continued business successes in the Redlands, the future is bright for Kirra.

Ken Thackeray OAM, senior citizen of the year

Known for his big heart and outstanding charity work, which extends well beyond the boundaries of the Redlands, Ken Thackeray OAM is a driving force behind one of the largest cruise yachting networks in the country.

A keen boatie, Ken founded the Shag Islet Cruising Yacht Club in 2009, which raises funds for the Prostate Cancer Foundation of Australia and Volunteer Marine Rescue. He is one of its 2,947 “vice commodores” from 14 nations. Since its inception, the club has donated more than \$250,000 to the Prostate Cancer Foundation.

A former president of the RAAF Association’s 2 Squadron, he has also served with distinction as the volunteer pensions officer for the South East District RSL at Greenslopes Hospital. Ken received an Order of Australia Medal in 2014 for service to charitable organisations and to veterans, yet remains very modest of his community achievements.

Peter Gould, local hero award

Currently acting as Local Controller for the Redland City State Emergency Service (SES) Unit, Peter Gould is on hand to respond to the Redland community during times of need, 24-hours a day, seven days a week.

Leading more than 200 volunteers, his involvement in the SES dates back almost 25 years. Peter has worked to develop both the capability and capacity of our SES unit to serve the Redlands effectively by commissioning new resources and developing the skills of volunteers to be able to respond, lead and manage other volunteers. In recent years, he has worked hard to develop collaboration between the city’s volunteer emergency services so that they work closely and can respond effectively in times of need.

Peter not only finds time to lead and manage the unit but is actively involved in the delivery for training courses for volunteers on a variety of subjects. In addition to his commitment to the SES, Peter is also the Regional Commissioner for Scouts Qld, leading in excess of 1,300 members across the Brisbane eastern suburbs, Redlands and parts of Logan.

In this voluntary role, Peter works with three District Commissioners to facilitate scouting in 23 groups across his region, as well as support the overall strategic direction of the organisation. He also finds time to be an Adventurous Activities Instructor and Assessor for bushwalking, canoeing, kayaking, sailing and sea kayaking for youth members and adults. Over the years, Peter has given service to the Australian Navy Cadets, Surf Life Saving Queensland, St John Ambulance, Volunteer Marine Rescue and the sport of sailing, in addition to his family responsibilities and full-time job in workplace health and safety. Peter has a long list of honours and awards to his name, including the Emergency Services Medal – Australia Day Honours List in 2012.

The CAGE Youth Foundation, community organisation award

The CAGE Youth Foundation is committed to Creating a Good Environment, in both name and spirit. This self-funded charity provides support and information for young people and their families across the Redlands.

The CAGE provides youth engagement workshops and programs at local schools; counselling service, mentoring, personal development, life skills and art workshops; practical assistance and support; community events; music workshops and a recording studio; children's and youth club and playgroup; and a fully equipped multipurpose centre available for hire featuring a BBQ area with playground, trampoline and volleyball court. Through their drug and alcohol-free events and direct youth engagement, the CAGE works towards re-establishing respect in our community – respect for what they are trying to do, respect for property, respect for others, and respect for ones' self.

The CAGE's counselling services specialise in crisis intervention, suicide prevention and practical support, providing a safe, non-judgemental environment where young people can feel heard. The service takes a holistic approach to empowering individuals for their best life. The CAGE is committed to making a difference for disengaged young people in the Redlands. Their Work for the Dole project focuses on personal development, to get young people work ready. Upcoming initiatives include a driver prepare program, in partnership with Yellow Cabs.

Anita Taylor, cultural award

Local singer, songwriter and musician Anita Taylor has demonstrated significant achievement in producing and promoting outstanding creative work in the Redlands. Anita has combined her passion for music and community enrichment through the formation of the Redland City Choir in 2013.

Under Anita's leadership, this non-auditioned community choir has grown from a handful of members to a vocal ensemble of more than 80 members of all ages and abilities. Since establishing the choir, Anita has brought joy and artistic and cultural enrichment to countless audiences. Anita has also contributed to creating awareness of domestic and family violence and is helping to create a cultural change around the 'secrecy' of this issue. In 2014, the choir produced a CD with the support of a grant, with all proceeds going to the Redland Centre

Deirdre Hargreaves, environment and sustainability award

Environmental advocate Deirdre Hargreaves is a powerhouse in the Redlands community. An enthusiastic and dedicated member of a variety of community groups, she is currently the co-ordinator of Friends of the Black Swamp Bushcare Group, president of The Friends of St Andrew's, and member of the Ormiston Garden Club.

Deirdre leads by example and has a unique ability to inspire others. As a founding member of Friends of the Black Swamp group, the earliest bushcare group in the Redlands, she initiated a number of key projects including the construction of a boardwalk, viewing platform and signage. Passionate and knowledgeable about bushcare, Deirdre has worked with Redland City Council over many years on a range of issues, including the most effective means of controlling invasive weeds, new plantings, water quality monitoring, flora and fauna surveys, and signage wording.

An active member of The Friends of St Andrew's for more than 40 years, Deirdre has devoted many hours towards the preservation of one of Queensland's oldest churches. She has been unwavering in her pastoral role at St Andrew's, visiting the sick and arranging transport for those unable to get to church or visit family in hospital. Deirdre has long been associated with Cleveland Meals-on-Wheels and was

appointed a life member in 2013, in recognition of more than 35 years of service, volunteering for double duty (and serving twice a month) for the past 15 years. Deirdre has been a member of the Ormiston Garden Club for more than nine years, including a three-year term as president, and has also volunteered at Redlands Museum for the past 10 years, working in the collections area once a week.

Sandra Middleton, sports award

Sandra Middleton has become a major contributor to the surf lifesaving movement in the Redlands since she signed up with the Point Lookout Surf Lifesaving Club (SLSC) 18 years ago to help her children become surf savvy for their visits to the beach. At that time, she was not a confident swimmer in the surf, but by 2000, she had gained her Bronze Medallion and went on to play a role in many life-saving situations, as well as a nippers' leader and club secretary before becoming president of the club five years ago.

Sandra has encouraged many young Redlanders to become involved in the sport, as well ensuring the beaches of North Stradbroke Island are safer places for locals and residents alike. It was while training for her Bronze Medallion that the Ormiston College teacher began to fully appreciate what life savers were volunteering to do on patrol and wanted to help out where she could.

Sandra has been involved in many rescues and was honoured with a Medal for Lifesaving Excellence by Surf Life Saving Queensland in 2014 for her role in recovering and resuscitating a fisherman who had fallen into the ocean at North Gorge the previous year. Sadly, the man died in hospital a few days later. Sandra's contribution is one of high achievements in surf lifesaving, which has also involved significant community service and mentoring. The service that Sandra and her club provide is quite literally a matter of life and death. In 2014-15 alone, Point Lookout SLSC made 73 rescues, took preventative action more than 3500 times and administered 141 first-aid treatments.

4.2 CR MITCHELL - NSI SURFER ETHAN EWING – WORLD CHAMPION

Newly crowned World Junior Surfing Champion Ethan Ewing has put North Stradbroke Island on the world surfing map. The 18-year-old has the surfing world at his feet and the ability to follow in the footsteps of so many Aussie surf greats.

When you are tagged the “next big thing” in any sport, there's plenty of pressure to perform. When you are compared to the world champs you idolise, the pressure is even greater. But Ethan takes it all in his stride. He's used to making waves.

Ethan's recent victory in the World Junior Surfing Championship at Kiama on the NSW South Coast came as no surprise to those in the know. He is so good they would have been stunned had he not won. Ethan did win – to provide Australia with its first world title of 2017.

He had previously swept all before him in the junior pros with four wins last year before his world crown. But people really sat up and took notice when he finished second as a wild card in the US Open of Surf in August 2016. His was the name on everyone's lips. His performances during 2016 earned him the Rookie of the Year title and a spot on the senior pro tour.

The experts predict even bigger and better things from the young man who has been compared with the legendary Andy Irons, who happens to be Ethan's favourite surfer. Ex-world champ Mick Fanning says Ethan's "the real deal". He has been described by another surfing sage as "a hybrid of the best surfers on tour".

Those within surfing circles have known for years that Ethan Ewing was destined for greatness. He's now being talked about as a future world pro champion. For Point Lookout Boardriders president Chris Semple, it was only a matter of time before Ethan cracked the big time. Chris has no doubt that Ethan will follow in the footsteps of fellow Straddie Boardrider Bede Durbidge and excel on the world tour.

"These two boys making it to the pro tour gives new hope to everyone. They know that with media coverage, sponsorship and prizemoney they can make surfing their career," Chris says. Chris remembers Ethan as the kid who was always better than others in his age group. The kid who matched it on the waves with some of the best surfers on Straddie. The kid who knocked elder brother Curtis from his perch as the best surfer on the island.

Ethan's improvement over the past 12 months is "out of sight" according to the proud president of a club that has helped nurture the young champ since he was five years old. "Cracking the pro circuit is a huge achievement. We hoped and thought he could do it and he has gone to a whole new level over the past year," says Chris. "Everyone is so proud of him making the world tour. This is the big stage."

Ethan Ewing will be a wonderful ambassador for surfing and for Straddie and Redland City. I know I speak for my colleagues when I wish Ethan the very best on the 2017 Championship Tour. We will be watching the results with great interest.

5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 14 DECEMBER 2016

COUNCIL RESOLUTION

Moved by: Cr Gollé
Seconded by: Cr P Gleeson

That the minutes of the General Meeting of Council held 14 December 2016 be confirmed.

CARRIED 10/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Elliott was not present when the motion was put.

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

There are no matters outstanding.

7 PUBLIC PARTICIPATION**MOTION TO ADJOURN MEETING AT 9.47AM**

Moved by: Cr P Bishop
Seconded by: Cr M Edwards

That Council adjourn the meeting for a 20 minute public participation segment.

CARRIED 10/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Elliott was not present when the motion was put.

1. Ms G Nemeth of Macleay Island, addressed Council in relation to transport infrastructure including a bridge to the islands.

MOTION TO EXTEND PUBLIC PARTICIPATION AT 10.06AM

Moved by: Cr P Bishop
Seconded by: Cr P Gleeson

That Council extend the public participation segment for a further 10 minutes.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

2. Mr A Sutton of Russell Island, addressed Council in relation the recent fires on Russell Island and Disaster Management of SMBI.
3. Mr J Derbyshire of Cleveland, addressed Council in relation to development application MCU013612 Mixed Use Development at 4 Harbourview Court, Cleveland.
4. Mr A Carlton of Cleveland, addressed Council in relation to development application MCU013612 Mixed Use Development at 4 Harbourview Court, Cleveland.

MOTION TO RESUME MEETING AT 10.32AM

Moved by: Cr P Bishop
Seconded by: Cr J Talty

That the meeting proceedings resume.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

8 PETITIONS AND PRESENTATIONS

8.1 PRESENTATION – CR WILLIAMS – GLOBAL ECO ASIA-PACIFIC TOURISM CONFERENCE

Mayor Karen Williams presented a report on a Global Eco Asia-Pacific Tourism Conference in Hobart, Tasmania she attended in November 2016.

The conference, which has been held annually for 24 years, attracts the world's best ecotourism operators and tourism professionals. These include leading speakers on ecotourism, sustainability and responsible tourism as well as tourism operators, protected area managers, tourism organisations, indigenous bodies and researchers.

[Attachment: Full Report Global Eco Asia-Pacific Tourism Conference](#)

8.2 PETITION – CR TALTY – CHANGE OF ZONING OF LAND AT 847-897 GERMAN CHURCH ROAD, REDLAND BAY (MCU013561)

COUNCIL RESOLUTION

Moved by: Cr J Talty
Seconded by: Cr M Edwards

That a petition, which reads as follows, is of an operational nature (relating to an application currently being assessed under the *Sustainable Planning Act 2009*) be received and referred to the Chief Executive Officer for consideration.

“Request from residents that the zoning of land at 847-897 German Church Road, Redland Bay be changed from Light Industrial to Residential.”

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

9 MOTION TO ALTER THE ORDER OF BUSINESS

Nil

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

Nil

COUNCILLOR ABSENCES DURING MEETING

Cr Elliott entered the meeting at 9.55am during public participation segment.
Cr Mitchell left the meeting at 10.33am and returned at 10.35am during Item 8.1.
Cr Huges left the meeting at 10.33am and returned at 10.36 am during Item 8.1.
Cr Bishop left the meeting at 10.39am and returned at 10.40am during Item 8.1.
Cr Gleeson left the meeting at 10.44am and returned at 10.49am during Item 8.1.

11 REPORTS TO COUNCIL

11.1 OFFICE OF CEO

11.1.1 DECEMBER 2016 MONTHLY FINANCIAL REPORT

Objective Reference: A2137665
Reports and Attachments

Attachment: [December 2016 Monthly Financial Report](#)

Authorising Officer: 
Deborah Corbett-Hall
Chief Financial Officer

Responsible Officer: Udaya Panambala Arachchilage
Acting Finance Manager Corporate Finance

Report Author: Quasir Nasir
Corporate Accountant

PURPOSE

The purpose of this report is to note the year to date financial results as at 31 December 2016.

BACKGROUND

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

ISSUES

The financials at the end of December 2016 marks the half-year point for Council's financial performance and position. There are no issues to note.

STRATEGIC IMPLICATIONS

Council continued to report a strong financial position and favourable operating result at the end of December 2016.

Council has either achieved or favourably exceeded the following key financial stability and sustainability ratios as at the end of December 2016:

- Operating surplus ratio;
 - Net financial liabilities;
 - Level of dependence on general rate revenue;
 - Ability to pay our bills – current ratio;
 - Ability to repay our debt – debt servicing ratio;
 - Cash balance;
 - Cash balances – cash capacity in months;
 - Longer term financial stability – debt to asset ratio;
 - Operating performance ratio; and
 - Interest coverage ratio.
-

The asset sustainability ratio did not meet the target at the end of December 2016.

Council's asset sustainability ratio target is an average long term target and at the end of December 2016, Council's renewal spend on infrastructure assets was \$15.75M compared to depreciation expense on infrastructure assets of \$24.26M for the financial year to date. Council continues to focus on renewal capital works to move this long term measure upwards towards the target zone.

Legislative Requirements

The December 2016 financial results are presented in accordance with the legislative requirement of section 204(2) of the *Local Government Regulation 2012*, requiring the Chief Executive Officer to present the financial report to a monthly Council meeting.

Risk Management

The December 2016 financial results have been noted by the Executive Leadership Team and relevant officers who can provide further clarification and advice around actual to budget variances.

Financial

There is no direct financial impact to Council as a result of this report; however it provides an indication of financial outcomes at the end of December 2016.

People

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

Environmental

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

Social

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

Alignment with Council's Policy and Plans

This report has a relationship with the following items of the 2015-2020 Corporate Plan:

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision-making to achieve the community's Redlands 2030 vision and goals.

8.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans that guide project planning and service delivery across the city.

CONSULTATION

Council departmental officers, Financial Services Group officers and the Executive Leadership Team are consulted on financial results and outcomes throughout the period.

OPTIONS

1. That Council resolves to note the financial position, results and ratios for December 2016 as presented in the attached Monthly Financial Report.
2. That Council requests additional information.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**


Moved by: Cr M Edwards
Seconded by: Cr P Gollé

That Council resolves to note the financial position, results and ratios for December 2016 as presented in the attached Monthly Financial Report.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

11.1.2 QUEENSLAND AUDIT OFFICE FINAL MANAGEMENT REPORT 2015-16

Objective Reference:	A2118805 Reports and Attachments
Attachment:	<u>QAO Final Management Report</u>
Authorising/Responsible Officer:	 Deborah Corbett-Hall Chief Financial Officer
Report Author:	Lisa Horan Group Support Officer, Financial Services

PURPOSE

The purpose of this report is to present the Queensland Audit Office final management report for 2015-16 to Council. Section 213 of the *Local Government Regulation 2012* requires the Mayor to present a copy of the auditor-general's observation report at the next ordinary meeting of Local Government following receipt of the auditor-general's report.

As defined in the *Local Government Regulation 2012*:

“An **auditor-general's observation report**, about an audit of a local government's financial statements, is a report about the audit prepared under section 54 of the *Auditor-General Act 2009* that includes observations and suggestions made by the auditor-general about anything arising out of the audit.”

The audit referred to in the extract above is the independent financial statement audit conducted by the Queensland Audit Office (QAO).

BACKGROUND

Following receipt of QAO certification at the end of October 2016, Council completed the 2015-16 Annual Financial Statements, Annual Community Financial Report and Annual Report and all three documents were tabled at the General Meeting on 23 November 2016.

The auditor-general report is historically received after the QAO certification and the actions within the report are coordinated by Council's Internal Audit Group. Actions and implementation dates are agreed to by the business areas so the necessary corrective action is known prior to receipt of the final management report. To support the business in ensuring progress is made on the findings and agreed action, the Executive Leadership Team reviewed the final management report in December. On a monthly basis, audit recommendations are updated to ensure progress is made in a timely fashion and is reviewed and noted by Council's Executive Leadership Team monthly.

ISSUES

Council's audit committee was held on 13 October 2016 and although the auditor-general report had not been received at this date, the key findings were discussed with audit committee members.

An audit committee meeting is not scheduled to accommodate the discussion of the QAO final management report to meet the legislative requirements for the Mayor to table the report at the next ordinary meeting.

STRATEGIC IMPLICATIONS

Legislative Requirements

Section 213 of the *Local Government Regulation 2012* requires the Mayor to present a copy of the auditor-general's observation report at the next ordinary meeting of Local Government following receipt of the auditor-general's report.

Financial Services has offered to table the report from 2017 to ensure compliance with legislation, noting coordination of the corrective actions and improvements will be undertaken by Council's Internal Audit Group.

Risk Management

Risk management is undertaken during the year with respect to the financials – Council reviews its actual performance against budget on a monthly basis and formally reviews its budget on a regular basis throughout the year. At the conclusion of the financial statement audit, QAO provided feedback to Council on the general appropriateness of key internal controls to ensure financial information is reasonably complete and accurate.

Financial

There are no additional financial implications arising from this final management letter.

People

No impact as the purpose of the report is to present the 2015-16 final management report.

Environmental

No impact as the purpose of the report is to present the 2015-16 final management report.

Social

No impact as the purpose of the report is to present the 2015-16 final management report.

Alignment with Council's Policy and Plans

This report has a relationship with the following items of the Corporate Plan:

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals.

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

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

CONSULTATION

Council's audit committee received a presentation from the external auditors on 13 October 2016 which outlined the main points to be included in the auditor-general's observation report. The minutes of the October Audit Committee were tabled at the General Meeting on 23 November 2016 although this does not suffice to meet the requirement of the legislation.

The management responses from the responsible business areas are coordinated by the Financial Services Group during the creation of the auditor-general's observation report. The QAO final management report was issued in November. Following adoption of Council's Annual Report and accompanying documents, the final management report was reviewed by the Executive Leadership Team in December to commence progress against the audit findings.

After this date Council's Internal Audit Group coordinates the action items agreed to in the observation report and provides a progress report to the Executive Leadership Team on a monthly basis.

OPTIONS

1. That Council resolves to note the findings from the QAO final management report (referred to as the auditor-general's observation report in the *Local Government Regulation 2012*) for 2015-16; or
2. That Council requests further information.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr M Edwards
Seconded by: Cr P Mitchell

That Council resolves to note the findings from the QAO final management report (referred to as the auditor-general's observation report in the *Local Government Regulation 2012*) for 2015-16.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

11.2 COMMUNITY & CUSTOMER SERVICES**11.2.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 & 3 APPLICATIONS**

Objective Reference: A2133302
Reports and Attachments (Archive)

Attachment: [Decisions Made Under Delegated Authority 27.11.2016 to 07.01.2017](#)

Authorising Officer:



Louise Rusan
General Manager Community & Customer Services

Responsible Officer:

David Jeanes
Group Manager City Planning & Assessment

Report Author:

Debra Weeks
Senior Business Support Officer

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.

This information is provided for public interest.

BACKGROUND

At the General Meeting of 27 July, 2011, Council resolved that development assessments be classified into the following four Categories:

Category 1 – Minor Complying Code Assessments and Compliance Assessments and associated administrative matters, including correspondence associated with the routine management of all development applications;

Category 2 – Complying Code Assessments and Compliance Assessments and Minor Impact Assessments;

Category 3 – Moderately Complex Code & Impact Assessments; and

Category 4 – Major and Significant Assessments

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

- Category 1 criteria - defined as complying code and compliance assessable applications, including building works assessable against the planning scheme, and other applications of a minor nature, including all accelerated applications.
 - Category 2 criteria - defined as complying code assessable and compliance assessable applications, including operational works, and Impact Assessable
-

applications without submissions of objection. Also includes a number of process related delegations, including issuing planning certificates, approval of works on and off maintenance and the release of bonds, and all other delegations not otherwise listed.

- Category 3 criteria that are defined as applications of a moderately complex nature, generally mainstream impact assessable applications and code assessable applications of a higher level of complexity. Impact applications may involve submissions objecting to the proposal readily addressable by reasonable and relevant conditions. Both may have minor level aspects outside a stated policy position that are subject to discretionary provisions of the Planning Scheme. Applications seeking approval of a plan of survey are included in this category. Applications can be referred to General Meeting for a decision.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Huges

Seconded by: Cr J Talty


The Council resolves to note this report.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

**11.2.2 PLANNING & ENVIRONMENT COURT MATTERS LIST - CURRENT AT
10 JANUARY 2017**

Objective Reference: A2136957
Reports and Attachments (Archive)

Authorising Officer: 
Louise Rusan
General Manager Community and Customer
Services

Responsible Officer: Jon Herron
Acting Group Manager City Planning &
Assessment

Report Authors: Kim Peeti
Acting Service Manager Planning Assessment
Damien Jolley
Acting Service Manager Development Control

PURPOSE

The purpose of this report is for Council to note the current appeals and other matters/proceedings in the Planning and Environment Court.

BACKGROUND

Information on these matters 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/esearching/party.asp>
 - b) Judgements 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. **Department of Infrastructure, Local Government and Planning (DILGP)**

The DILGP provides a Database of Appeals (<http://www.dlg.qld.gov.au/resources/tools/planning-and-environment-court-appeals-database.html>) that may be searched for past appeals and declarations heard by the Planning and Environment Court.

The database contains:

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

APPEALS

1.	File Number:	Appeal 2675 of 2009 - (MC010624)
	Applicant:	L M Wigan
	Application Details:	Material Change of Use for residential development (Res A & Res B) and preliminary approval for operational works. 84-122 Taylor Road, Thornlands.
	Appeal Details:	Applicant appeal against refusal.
	Current Status:	Settled by consent on 15 December 2016.

2.	File Number:	Appeal 3641 of 2015 - (MCU012812)
	Applicant:	King of Gifts Pty Ltd and HTC Consulting Pty Ltd
	Application Details:	Material Change of Use for Combined Service Station (including car wash) and Drive Through Restaurant 604-612 Redland Bay, Road, Alexandra Hills
	Appeal Details:	Applicant appeal against refusal.
	Current Status:	Appeal filed in Court on 16 September 2015. Without Prejudice meeting held December 2015. Direction orders obtained on 24 August 2016. Minor change application heard in court on 12 October 2016. Matter set down for five day hearing commencing 6 February 2017.

3.	File Number:	Appeal 4541 of 2015 - (ROL005873)
	Applicant:	Loncor Properties Pty Ltd
	Application Details:	Reconfiguring a Lot (1 into 43 lots) 35-41 Wrightson Road, Thornlands
	Appeal Details:	Applicant appeal against refusal.
	Current Status:	Appeal filed in Court on 20 November 2015. Trial held 25 to 28 October 2016. Final submissions 31 October 2016. Awaiting Judgment.

4.	File Number:	Appeals 4940 of 2015, 2 of 2016 and 44 of 2016 - (MCU013296)
	Applicant:	Lipoma Pty Ltd, Lanrex Pty Ltd and Victoria Point Lakeside Pty Ltd
	Application Details:	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
	Appeal Details:	Submitter appeals against approval.
	Current Status:	Appeals filed in Court on 18 December 2015, 4 January 2016 and 6 January 2016. Directions orders obtained 19 February 2016. Trial held 27-30 September 2016. Final submissions 7 October 2016. Awaiting Judgment.

5.	File Number:	Appeal 2709 of 2016 - (ROL005993)
	Applicant:	Golden Ponds Estates Pty Ltd
	Application Details:	Reconfiguration of Lots by 1 into 2 lots subdivision at 60 Korsman Drive, Thornlands.
	Appeal Details:	Applicant appeal against Council refusal
	Current Status:	Appeal filed 12 July 2016. Experts being briefed.

6.	File Number:	Appeal 3348 of 2016 - (MCU013632)
Applicant:		Gregory Mark Wood
Application Details:		Home Business at 31 Drevesen Avenue, Cleveland (Lot 42 on RP118194)
Appeal Details:		Applicant appeal against conditions
Current Status:		Appeal settled by consent on 9 December 2016.

7.	File Number:	Appeal 4004 of 2016 - (BD155692)
Applicant:		Michelle Maree Webb
Application Details:		Dwelling House at 236-246 Queen Street, Cleveland Building works (deemed material change of use in accordance with s265 of the <i>Sustainable Planning Act 2009</i>)
Appeal Details:		Applicant appeal against Council refusal
Current Status:		Appeal filed 5 October 2016.

8.	File Number:	Appeal 4807 of 2016 - (MCU013719)
Applicant:		IVL Group Pty Ltd and Lanrex Pty Ltd
Application Details:		Car Park at 32A Teak Lane, Victoria Point (Lot 12 on SP147233)
Appeal Details:		Applicant appeal against Council refusal
Current Status:		Appeal filed 6 December 2016.

OTHER PLANNING & ENVIRONMENT COURT MATTERS/PROCEEDINGS

9.	File Number:	2771, 2772 and 2774 of 2016
Applicant:		KFA Investments Pty Ltd
Development:		Unlawful filling at 91-101, 91-141 and 115 Rocky Passage Road, Redland Bay (Lot 1, Lot 2 and Lot 4 on SP117632)
Appeal Details:		Appeals against Enforcement Notices
Current Status:		Appeals filed 15 July 2016. Without prejudice discussions continuing.

10.	File Number:	3075 of 2016
Applicant:		Michelle Maree Webb
Development:		Dwelling House at 236-246 Queen Street, Cleveland (Lot 20 on SP175602)
Proceeding Details:		Council application for declarations that the Building Works approval (BD155692) be set aside, a Material Change of Use be applied for, the premises be revegetated and associated orders
Current Status:		Proceedings filed in Court on 5 August 2016. Court ordered mediation to occur before 14 March 2017.

11.	File Number:	3870 of 2016
Applicant:		Redland City Council
Respondent:		John Alexander Anderson
Development:		Outdoor storage of goods, machinery and vehicles at 79 and 81 Harvey Street, Russell Island
Appeal Details:		Unlawful use
Current Status:		Draft orders proposed. Response due Council to list documents and lodge affidavits 10 November 2016. Mr Anderson to lodge affidavit material by 16 December 2016. Hearing to be scheduled March 2017.

12.	File Number:	3871 of 2016
Applicant:		Redland City Council
Respondent:		John Alexander Anderson
Development:		Outdoor storage of goods, machinery, containers and vehicles at 24 Pia Street, Russell Island
Appeal Details:		Unlawful use
Current Status:		Council to list documents and lodge affidavits 10 November 2016. Mr Anderson to lodge affidavit material by 16 December 2016. Hearing to be scheduled March 2017.

13.	File Number:	3873 of 2016
Applicant:		Redland City Council
Respondent:		Clint John McDonald and Lucas John McDonald
Development:		Dwelling House or Warehouse at 3 Basil Court, Lamb Island
Appeal Details:		Unlawful use
Current Status:		Proceedings filed 23 September 2016. Hearing to be scheduled for March 2017.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr T Huges

Seconded by: Cr J Talty

That Council resolves to note this report.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

11.2.3 CP&A AMENDMENTS TO FEES AND CHARGES SCHEDULE 16/17 – SPLIT VALUATION CONTRIBUTION (SVC) FEE

Objective Reference: A2133254

Authorising Officer: 
Louise Rusan
General Manager Community and Customer Services

Responsible Officer: **David Jeanes**
Group Manager City Planning and Assessment

Report Author: **Hayley Saharin**
Business Process and Performance Officer

PURPOSE

The purpose of this report is to seek Council approval to amend the 2016-2017 Fees and Charges Schedule as detailed.

BACKGROUND

The 2016-2017 Fees & Charges Schedule was approved by Council on the 14 July 2016. Amendments to the approved fee/charge are required.

ISSUES

Changes to 2016-2017 Fees and Charges Schedule: The current fees and charges schedule states that the fee for a Split Valuation Contribution is \$34.10, the fee that was listed for the 2015-2016 Financial Year. Proposed update to the 2016-2017 Fees and Charges is detailed below:

Change Required	<u>Existing</u> Fee/Charge Description	<u>New</u> Fee/Charge Description	Base & Final Charge (\$)
Amend charge only	Split Valuation Contribution	Not Applicable – No amendment required on fee/charge description	\$34.10 \$35.25

STRATEGIC IMPLICATIONS

Legislative Requirements

This fee is determined by the Queensland Government Department of Natural Resources and Mines and is determined annually.

Risk Management

No risk identified.

Financial

There are no financial implications for this amendment. The current fee was originally calculated into the City Planning & Assessment Group 2016-2017 Fees and Charges predicted revenue.

People

No impact identified.

Environmental

There is no known impact to the environment.

Social

No impact identified.

Alignment with Council's Policy and Plans

The recommendation primarily supports Council's Operational Plan strategic outcome 5.3 – “An effective and efficient development assessment process delivers quality development that is consistent with legislation, best practice and community expectations”.

CONSULTATION

The Group Manager City Planning and Assessment has been consulted on this matter and supports the recommendation of this report.

OPTIONS

1. That Council resolves to approve the amendment to the 2016-2017 Fees and Charges Schedule.
2. That Council resolves to not approve the amendment to the 2016-2017 Fees and Charges Schedule.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr T Huges

Seconded by: Cr J Talty

That Council resolves to approve the amendment to the 2016-2017 Fees and Charges Schedule effective immediately.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

**11.2.4 MCU013612 – MIXED USE DEVELOPMENT – 4 HARBOURVIEW COURT
AND 144A SHORE STREET, CLEVELAND**

Objective Reference: A1777576
Reports and Attachments (Archives)

Attachments: [MCU013612 Attachment 1 Aerial Map](#)
[MCU013612 Attachment 2 Locality Map](#)
[MCU013612 Attachment 3 Zone Map](#)
[MCU013612 Attachment 4 Plans](#)
[MCU013612 Attachment 5 TOD Parking Rates](#)
[MCU013612 Attachment 6 Staging Plan](#)
[MCU013612 Attachment 7 Infrastructure Agreement](#)

Authorising Officer: 
Louise Rusan
General Manager Community and Customer Services

Responsible Officer: David Jeanes
Group Manager City Planning & Assessment

Report Author: Eskinder Ukubimichael
Acting Senior Planner

PURPOSE

Council has received an application seeking a Development Permit for a Material Change of Use (Code Assessment) for Mixed Use Development (Apartment Building (X118), Tourist Accommodation (X6), Refreshment Establishment and Shop on an allotment zoned Major Centre - MC5, on land at 4 Harbourview Court and 144A Shore Street, Cleveland. The proposal is for a nine storey building with a maximum height of 29m.

The proposal is code assessable as per section 4.12.4 of the Major Centre zone code - Table of Assessment for Material Change of Use of Premises. The application was made in accordance with the *Sustainable Planning Act 2009*.

While the proposal did not require public consultation, it did require referral to the State as a concurrence agency.

Key Issues with the application are summarised below:

- Land use;
 - Building Design and Gateway Site;
 - Setbacks;
 - Communal Open Space;
 - Car parking;
 - Pedestrian Path; and
 - Impact on Trees.
-

The application has been assessed against the relevant sections of the Redlands Planning Scheme (RPS). The proposal is considered to comply with the relevant RPS codes, policies and legislation. The issues described above have been addressed in the report.

It is recommended that the application be granted a Development Permit, subject to conditions. The applicant will be required to obtain a number of additional permits prior to construction of the development.

BACKGROUND

Development Agreement

The State of Queensland is the owner of the subject lots, Lot 1 on SP273106, Lot 2 on SP273106 and Lot 3 on SP273106. The proposed development includes a commuter car park at ground level on Lot 1 on SP273106 and Lot 2 on SP273106. Lot 1 on SP273106 is a triangular parcel at the western end of the development site having an area of 692m². Council has recently surrendered its trusteeship of Lot 1 and returned the tenure to the State. Whilst this parcel forms part of the overall development, it does not form part of this application. In accordance with Schedule 4 of the Sustainable Planning Regulation and Section 232(2) of the *Sustainable Planning Act 2009*, all uses associated with the 'rail transport infrastructure' are exempt developments. Therefore the commuter car park and associated works on Lot 1 and Lot 2 are not assessable development as it is 'rail transport infrastructure'. The commuter car park is an integral part of the overall development; the apartments above could not proceed without it being developed.

The developer has a Development Agreement with the State of Queensland (as represented by the Department of Main Roads). Some of the details of the agreement (disclosed to Council and referenced in the application material submitted by the Applicant) that are relevant to the assessment of the proposal include:

- provide an all-weather, covered commuter car park with an additional 17 parking spaces;
- provide a 'crash barrier' to be built along the entire southern edge of the site to protect the building and car park users in the event of a train derailment;
- provide an anti-throw screen along the southern side of the residents car park and podium deck;
- maintain the chain link fence along the northern and southern boundary;
- provide service areas at ground level (loading zone and refuse collection etc) for the proposed uses; and
- provide temporary car parking facilities at an alternative location while construction is underway. This will be managed by way of a Construction Management Plan to be provided prior to commencement of site works in consultation with Council.

Cleveland Centre Masterplan

The Cleveland Centre Master Plan and Implementation Plan is currently a non-statutory document that provides a long term vision to guide growth and development in the Cleveland centre over the next 20 years and beyond. The master plan will lead to a number of changes to the future Redlands Planning Scheme in accordance with

the requirements of the *Sustainable Planning Act 2009*. The proposal is generally in line with the Master Plan as a mixed use development; however the Master Plan is not relevant to the assessment of the subject development.

The Cleveland Master Plan height requirement is incorporated to RPS V7 as part of major amendment package 01/2013 that was adopted in 30 July 2014. The future planning scheme (City Plan) is expected to incorporate the rest of the Cleveland Master Plan.

ISSUES

Development Proposal & Site Description

Proposal

The proposal is for a Mixed Use Development comprising Apartment Building (X118), Tourist Accommodation (X6), Refreshment Establishment and Shop. The proposed building form consists of two separate towers that are integrated across the first level car park and podium level (second level) reaching a maximum height of 29m, with pedestrian access via a ground level lobby fronting Harbourview Court. The building up to the podium level is built to boundary and has a maximum height of 9m. These levels contain the public car park and separate resident's car park, with the top of the podium effectively forming the ground level for the two towers. Above podium, the two towers are separated by 15m with tower one located to the west and tower 2 to the east.

The proposal involves two stages as follows:

- **Stage 1** – involves extending the existing commuter car park to the west (Lot 1 on SP273106) and building a structure above, which will act as a roof for the car park and provide a platform for building above it and construction of the shop and refreshment establishment.
- **Stage 2** – Construction of the residential car park and the two towers for the apartment Building and Tourist accommodation use.

Commuter Car Park

As described in the background section of the report, all works associated with rail transport infrastructure is exempt. While the commuter car park is part of the overall development, it is not part of the subject application. The commuter car park is to be the first stage constructed as part of the development and involves extending the existing car park to the west (Lot 1 on SP273106) and building a structure above, which will act as a roof for the car park and provide a platform for building above it. Upon completion, 163 commuter parking spaces (a net gain of 17 commuter parking spaces) will be provided as well as bike racks, 2 SRV bays, 1 MRV bay, 2 Kiss and Ride bays and 6 motorcycle spaces.

Apartment Building and Tourist Accommodation

The development will consist of an Apartment Building (X118) and Tourist Accommodation (X6). The podium (level 2) consists of a business centre (23m²), gym (74m²), communal open space, landscaping area, access between the towers and private courtyards for the 'ground level' units. Tower 1 is located to the west and tower 2 to the east with a separation of 15m.

The podium level is built to the front alignment of Lot 2 and setback 2.46m to the southern boundary and 0.796m to the northern boundary. The proposed setbacks for the towers are as follows:

Tower 1

- 7.8m to the wall and 5m to balconies from the northern boundary; and
- 8m from the southern boundary.

Tower 2

- 7.8m to the wall and 5m to balconies from the northern boundary;
- 8m from the southern boundary; and
- between 5m - 12m from the front boundary (above podium).

The details of the proposal on each level of the towers are as follows:

Levels	Tower 1	Tower 2
Level 2	<ul style="list-style-type: none"> • 3X1 bedroom (Tourist Accommodation) • 5X2 bedrooms • 1X3 bedroom • gym 	<ul style="list-style-type: none"> • 3X1 bedroom (Tourist Accommodation) • 5X2 bedrooms • 1X3 bedroom • Business centre
Level 3-7	<ul style="list-style-type: none"> • 2X1 bedroom • 6X2 bedrooms • 2X3 bedroom 	<ul style="list-style-type: none"> • 2X1 bedroom • 6X2 bedrooms • 2X3 bedroom
Level 8	<ul style="list-style-type: none"> • 3X3 bedrooms (penthouses) • Communal open space with BBQ 	<ul style="list-style-type: none"> • 3X3 bedrooms (penthouses) • Communal open space with BBQ

Shop and Refreshment Establishment

A Shop and Refreshment Establishment (café / convenience kiosk) is proposed to be constructed as part of the development on the corner of Harbour View Court and Shore Street with a floor area of 130m². The Shop will be the primary use and the Refreshment Establishment is an ancillary use to primarily provide services to commuters who can “grab a coffee and paper” or the like before catching the train.

Site & Locality

The subject site is located at 4 Harbourview Court and 144A Shore Street, Cleveland and is described as Lot 2 on SP273106 and Lot 3 on SP273106. The site has a total area of 4,548m². The overall slope is described as reasonably flat with a fall of 1m from 2.75m AHD in the north east corner of the lot (along Harbourview Court) to 3.75m AHD in the south western corner of the lot. Lot 1 on SP273106 is a triangular parcel at the western end of the development site having an area of 692m². Lot 1 forms part of the development; it does not form part of this application.

Development in the surrounding area consists of a mix of uses forming the southern side of central Cleveland. The land to the south comprises the Cleveland Railway Station including the platform and standing area due to the station being the ‘end of line’. Further to the south (across Shore Street) is a seven storey apartment building with ground level commercial, the Cleveland library car park and a smaller commercial development adjacent to the Waterloo Street roundabout. The property to the north and west is a large townhouse development containing 74 units and fronting Columbus canal / Raby Bay Marina. A 3.95m wide parcel exists between the subject site and this neighbouring development, being used as a public pathway that

links Harbourview Court with Nautilus Drive. On the opposite side of Harbourview Court is the Raby Bay Harbour Park which contains passive recreation facilities and also forms part of the pedestrian link between the harbour and central Cleveland.

Application Assessment

Sustainable Planning Act 2009

The application has been made in accordance with the *Sustainable Planning Act 2009* Chapter 6 – Integrated Development Assessment System (IDAS) and constitutes an application for Material Change Of Use under the Redlands Planning Scheme.

SEQ Regional Plan 2009-2031

The site is located within the Urban Footprint in the SEQ Regional Plan 2009-2031.

A review of the SEQRP indicates that the proposal accords with the intent of this planning instrument and more specifically will contribute to the achievement of *Desired Regional Outcome 8 – Compact Settlement* as follows:

- The proposal will deliver higher density and mixed-use development in and around regional activity centres and public transport nodes. Cleveland is identified as a Principal Regional Activity Centre;
- The proposal is located in an area that provides reliable and effective transportation choices (bus, train) and reduces car use; and
- The proposal will make efficient use of existing urban land and associated urban infrastructure including services such as reticulated water, sewer, telecommunications, electricity, major transport corridors, parks, supporting community services and public transport services.

Passenger rail duplication between Cleveland and Manly is identified amongst key projects identified in the South East Queensland Infrastructure Plan and Program (SEQIPP). The proposal is not considered to compromise the duplication of the rail infrastructure, as the proposal is located on a commuter car parking area and the State has given consent for the proposal.

Therefore the area where the development is proposed is not a key site for the achievement of *Desired Regional Outcome 10 – Plan, coordinate and deliver regional infrastructure and services in a timely manner to support the regional settlement pattern and desired community outcomes*.

State Planning Policies & Regulatory Provisions

State Planning Policy/Regulatory Provision	Applicability to Application
SEQ Koala Conservation SPRP	The majority of the subject site is mapped as Non Assessable. Lot 3 SP273106 which is zoned as Major Centre falls within the Assessable area of the SPRP being Low value Rehabilitation. The area is not considered to have high connectivity value being in an established urban area with a train line and higher order roads. As outlined in the background section of the report all development on Lot 1 SP273106 is exempt development, including tree clearing.

State Planning Policy/Regulatory Provision	Applicability to Application
SPRP (Adopted Charges)	The development is subject to infrastructure charges in accordance with the SPRP (adopted charges) and Council's adopted resolution. Details of the charges applicable have been provided under the Infrastructure Charges heading of this report.
State Planning Policy July 2014	<p>SPP2014 – Water Quality- Due to the assessment criteria of the single State Planning Policy 2014, a Site Based Stormwater Management Plan was submitted. The report identifies that the proposed development will retain the existing car park hardstand area and will be extended to cover approximately 100% of the site. The report proposes to direct the majority of the sites water to the bio-retention area located on the podium level for stormwater quality treatment. Additionally, all field inlets will be fitted with Stormwater 360 Enviropods (or approved equivalent) prior to discharging to the bio-retention area for extra treatment.</p> <p>The supplied stormwater quality management report shows that appropriate pollutant reduction will be achieved on the subject site.</p>

Redlands Planning Scheme

The application has been assessed under the Redlands Planning Scheme Version 7.

The application is subject to code assessment and the following codes are applicable to the assessment:

- Major Centre Zone Code;
- Apartment Building Code;
- Tourist Accommodation Code;
- Centre Design Code;
- Access and Parking Code;
- Erosion Prevention and Sediment Control Code;
- Excavation and Fill Code;
- Infrastructure Works Code;
- Landscape Code;
- Stormwater Management Code;
- Acid Sulphate Soils Overlay; and
- Road and Rail Noise Impact Overlay.

The subject site is zoned Major Centre Zone (sub-area MC5). The proposed development is determined to be code assessable as follows:

Use	Level of Assessment	Proposal
Apartment Buildings	Code Assessable (1) Not self-assessable; (2) Not in sub-area – (a) MC7; or (b) MC9; or (c) MC10; or (d) MC11; or	(1) Not self-assessable; (2) MC5; (3) mixed use development (Apartment Building, Tourist Accommodation, Refreshment Establishment/Shop); (4) Building height is 29m in

Use	Level of Assessment	Proposal
	(e) MC12; (3) The use is undertaken as part of a mixed use development; (4) Building height does not exceed the height limits shown on – (a) Map 1 - Capalaba Height Limit Map; or (b) Map 2 - Cleveland Height Limit Map	accordance with Map 2. Note: The proposed Tourist Accommodation, Refreshment Establishment and Shop are code assessable on the subject lots.

The proposed development has been assessed against the applicable codes and is considered to comply. The most relevant parts of this assessment are discussed below.

Land Use

Specific Outcome S1.5 (3) of the MC zone code states the following:

Sub-area MC5 – encourages mixed use development that is compatible with rail uses and incorporates a passenger terminal, interchange, apartment buildings, commercial activities, retail uses of a limited floor area and tourism opportunities;

The proposal is a mixed use development that incorporates apartment buildings, tourist accommodation, shop and refreshment establishment integrated with existing rail transport infrastructure. The proposal meets Specific Outcome S1.5 (3) of the MC zone.

Building Design and Gateway Site

Specific Outcome S1.2 (1) of the MC zone code states the following:

Significant centre development greater than 4000m² in gross floor area demonstrates -

- (a) positive economic and social benefits to the community;*
- (b) enhances and protects the role and function of the City's major centres;*
- (c) integration of the building with the desired built form and character of the centre.*

Further, the relevant Specific Outcome is as follows:

Specific Outcome S2.7 (1)

Building design in sub-area MC5 ensures

- (a) activity within the mixed use development focuses on public places including Shore Street and in particular the Harbour Side Park;*
- (b) retail elements and other activity generating uses within the centre are located primarily on the ground floor interacting with the adjacent public space;*

- (c) *multi-deck car parking areas are designed to ensure they do not become the dominant element of the development through external articulation and façade treatments;*
- (d) *a landmark development is created to announce entry to the centre that -*
 - (i) *reinforces it's public role and function;*
 - (ii) *has an effective interface with the public domain;*
 - (iii) *respects but takes advantage of its visual prominence;*
 - (iv) *uses high quality finishes.*

The proposal has public benefit by providing additional parking spaces that are undercover and amenities for commuters as well as revitalising an underutilised site. The proposal enhances and protects the City Centre by maximising accessibility for a residential and tourist population to the range of services, facilities and employment opportunities provided within the centre. The proposed Shop and Refreshment Establishment is primarily intended to serve commuters, it will have minimal impact on similar uses in the City Centre.

The development has been designed to increase interaction and pedestrian amenity with the ground level café / kiosk opening onto Shore Street, noting that Harbourview Court is more residential in nature and would not attract a high level of pedestrian traffic with the exception of residents of the unit developments. Irrespective, the awning will add to public amenity, providing shade and weather protection with existing pedestrian interaction to Harbour Side Park across Harbour Court.

By integrating the car parking into the development it results in a marked improvement on the current situation. The large expanse of car park will no longer be the visually dominant feature in Harbourview Court. Access to the commuter car park will remain in its current location and the residential entry is sufficiently separated from the adjoining property. The only noticeable part of the car park will become the entry/exit point. The proposed residential parking level will not be dominant and is appropriately treated with the southern edge of the podium level featuring deep planting and screens.

The café / kiosk has been designed to integrate with the train station building such that it has the appearance of being an extension reinforcing its function. The main area for street activation and activity in the immediate precinct is on the corner (where the café / kiosk is proposed) and along Shore Street. To the rest of the development at ground level there is a limited scope to incorporate building elements as the majority of the frontage is taken by access to commuters and residential car parks. A prominent entry to the apartments is provided in the form of a lobby that opens directly onto the street and given the extensive floor to ceiling height of the ground level, a grand entry statement is able to be achieved.

The visual prominence of the site is recognised and distinctive features are incorporated with curvilinear facades to all elevations, separation of the two towers, prominent street interface treatment and deep podium planting.

All external materials including walls, columns, podium and facades are coated with high build, textured finishes or suitably factory finished and powder-coated.

Setbacks

Probable Solution P2.3 (1) and (2) of the MC zone code seeks for setbacks to be:

Front Setbacks

- *a minimum of 6 metres from the kerb at pavement level to provide pedestrian space; or*
- *setback to match existing or approved buildings in the street;*
- *above podium development is setback a minimum of 6 metres from the building alignment.*

Where rear and/or side boundary adjoins a residential zone –

- *the building is setback from the boundary a minimum of 3 metres or half the height of the building at that point, whichever is greater;*
- *this boundary is landscaped with trees that are capable of growing to 5 metres in height within 5 years of planting;*
- *is supported by a 2 metre high acoustic and visual screen fence along the entire length of the boundary;*
- *above podium development is setback a minimum of –*
 - *5 metres from any side boundary; or*
 - *where the adjoining site contains a blank wall on a common boundary with the site, the new building is built to that boundary;*

The podium level is built to the front alignment on account of the commuter car park location and entry and providing a continuous and matching setback between the station entry and along Harbourview Court to the north. Sufficient pedestrian space exists between the front of the buildings and the kerb, with amenity improved by the awning over footpath and decorative aluminium louvers. The front tower (above podium) has a setback from Harbourview Court of between 5m-12m (to balconies) due to the curvilinear facades design. The proposed front setback meets the Specific Outcome S2.3 (1) of the MC zone in that the proposed setbacks are consistent with the desired streetscape for the area.

While the Probable Solution refers to side setbacks where development adjoins a residential zone, the development adjoins a public footpath and does not directly adjoin a residential zone. To the north, the podium is setback at least 4.5m to the townhouse property boundary (half the podium height) due to the 3.95m pathway lot between the properties. Above podium, balconies are at least 5m from the northern boundary making them 8.95m from the adjoining development boundary.

The proposed side setbacks meet Probable Solution 2.3 (1) and (2) of the MC zone code.

Communal Open Space

Probable Solution P7 of the apartment building code seeks 20 percent of the site is provided as communal open space at ground level which has a minimum dimension of 3 metres and consists of at least one area with a minimum area of 100m² with a minimum dimension of 5 metres.

The ground level of the building is occupied by the commuter car park. Technically the proposal cannot provide communal open space at ground level. The top of the podium effectively forms the ground level for the two towers. Site cover above podium is approximately 50% (including balconies), which allows an appropriate balance of built form and open space. The podium incorporates a high level of planting and areas for recreation.

The proposal did not provide 100m² of communal open space in one location. The podium level has various communal open spaces, including a lap pool, two BBQ areas, gym and informal seating areas throughout.

The proposal is considered to comply with the Specific Outcome S7 of the apartment building code as follows:

- All units have private open space that is directly accessible from the main living area;
- Communal open space that is more than 20% of the podium level is provided that is accessible, functional and receives sufficient sunlight;
- The podium level has various communal open spaces, including a lap pool, BBQ area, gym and informal seating areas throughout; and
- The primary communal open space area for the development will ultimately be in the area bound by Lot 1 as part of a future application (it is not able to be included as part of this application as described in the background section of the report).

Car Parking

The commuter car parking is not part of the subject application and is not for Council to consider in the subject assessment as described in the background section of the report.

In accordance with the Access and Parking Code of the RPS, the car parking Probable Solution for the proposed apartment building (X118), tourist accommodation (X6), Refreshment Establishment and Shop (130m²) is as per Table 1 – minimum onsite vehicle parking requirements (Schedule 1- Access and Parking) and is summarised as follows:

Apartment Building

1 space per dwelling unit plus 1 visitor space per 4 dwelling units.

Tourist Accommodation

1 space per room plus 1 space for the manager plus 1 space per 2 employees plus the requirement for any associated activities such as a restaurant or function room.

Refreshment Establishment

1 space per 2.5 persons assessed on the maximum capacity of the refreshment establishment or 1 space per 10m² whichever is the greater.

Shop

5.0 spaces per 100m² gross leaseable area

The car parking sought/provided for the apartment building, tourist accommodation, refreshment establishment and shop is as follows:

Use	Residents Parking Space		Visitors/Manager/ Customer Parking	
	Probable Solution	Provided	Probable Solution	Provided
Apartment Building	118	118	30	0
Tourist Accommodations	6	6	1	0
Refreshment Establishment/Shop (the car parking rate for the shop is used as it has a higher rate)	N/A	N/A	7	0
Sub total	124	124	38	0
Total parking space as per Probable Solution	162			
Total parking space provided	124			

The table above shows that a total of 162 car parking spaces are necessary to comply with the Probable Solution of the access and parking code. The proposal includes 124 car parking spaces and 4 Motorcycle spaces and 28 bicycle racks. In situations where a proposal does not provide car parking numbers in accordance with the Probable Solution, compliance with the Specific Outcome needs to be considered.

Redland City Council has established an incentives package to facilitate further development of the Cleveland Central Business District (CBD) as well as contribute to jobs and growth across the region. The subject lots are located in the incentive area. The incentive package was adopted by resolution of Council in February 2013 to be in place until 30 June 2015. The incentive package was further endorsed by Council at the General Meeting on 15 July 2015 to be continued until 30 June 2017. The incentive package includes car-parking rates for complying developments as follows:

- Utilise the base maximum car parking rates for Activity Centres as identified in the "Transit Oriented Development (TOD) – Guide for Practitioners in Queensland" released by the Queensland State Government for new material change of use development applications (involving building works) which:

- Are consistent with the RPS and outcomes envisaged by the Cleveland Master Plan;
 - Are for a land use identified as eligible for the Incentive Program;
 - Are lodged with Council prior to 30 June 2017; and
 - Involve building works which can demonstrate substantial completion by 30 June 2018.
- Where Council is satisfied that the MCU application (involving building works) for an eligible use is capable of providing on site car parking in accordance with the base maximum rates of the TOD guideline for Activity Centres it **will be deemed to satisfy** the relevant Specific Outcome of the Access and Parking Code of the RPS.

Cleveland is an Activity Centre as per the TOD precinct typology of the SEQ 2009 regional plan. As per “TOD – Guide for Practitioners in Queensland”, the Base Maximum car parking rate for an Activity Centre is 1 parking space per residential unit (Attachment 5).

The proposal is an eligible use identified in the incentive Program area and proposes 124 car parking spaces that comply with the Base Maximum car parking rate for an Activity Centre which is 1 parking space per residential unit. Therefore the proposal has complied with the Specific Outcome of the Access and Parking Code of the RPS.

The proposal has an office (business centre) of 23m². As per “TOD – Guide for Practitioners in Queensland”, the Base Maximum car parking rate for an Activity Centre is 1 parking space per 100m² of office space. One manager and employee parking space is not provided on site. Manager and employees could use public transport as the proposal is a TOD and there are options for shared use arrangements. It is considered that the development could function effectively in this regard without providing a car parking space for manager and employees.

The proposed Refreshment Establishment/Shop is integrated with the railway station and is intended to primarily provide services to commuters who can ‘grab a coffee and paper’ or the like before catching the train, being aligned with the transit oriented focus of the development, whilst having the secondary function of providing convenience retail items for apartment residents. Therefore it is considered that the proposed Refreshment Establishment/Shop will not demand additional car parking.

Pedestrian Path

Specific Outcome S10 (1) (b) of the Apartment Building code states that site layout, building design and lighting provides for casual surveillance of the street, building entries, communal areas, car parking areas and pedestrian paths.

A 3.95m wide parcel exists between the subject site and this neighbouring development, being used as a public pathway that links Harbourview Court with Nautilus Drive. The shared footpath has a width of 1.5m to 2m. Currently there are concerns with safe pedestrian movement along the existing pathway. It will be reasonable to widen the existing pedestrian path to be 3m wide and implement Crime Prevention through Environmental Design (CPTED) measures that includes lighting the footpath. This will form part of the recommended conditions.

The proposal has adequately demonstrated that the Specific Outcome is met as follows:

- The car park is entirely open at ground level (with the exception of the vehicle access ramp location), ensuring that visibility through the site at ground level is maintained. The path will not be visually 'closed off' through the maintenance of the chain wire fence as opposed to solid fencing. The end of the path where the ramp is located opens onto Harbourview Court and Raby Bay Harbour Park;
- Lighting will be improved on account of the commuter parking being undercover (within a building) with improved passive surveillance and there is also the ability for improved security cameras / CCTV services;
- Casual surveillance of the pathway (towards the west) will be improved on account of the north facing balconies and podium courtyards which will have a view of the space; and
- Lot 1 will be a commuter car park. Casual surveillance of the pathway along this part of the lot will be improved unlike the current situation that has seen the space used for anti-social activities. It is also prudent to remember that the ground level works are primarily rail transport infrastructure and essentially exempt from assessment.

Impact on Trees

As described in the background section of the report Lot 1 on SP273106 is a triangular parcel at the western end of the development site having an area of 692m². It is included within the Open Space Zone of the Redlands Planning Scheme and contains a number of trees which have limited ecological significance. In any case, development and associated works are not assessable development on this lot as it is 'rail transport infrastructure' and therefore 'exempt' development. Therefore these trees could be removed to give way to development and works.

Similarly on Lot 3 on SP273106 there is a single tree (Eucalyptus Saligna) that has limited ecological significance. It is stated by the environmental consultant that there are underground infrastructure assets within 5m of the tree. The environmental consultant has asserted that it is a matter of time for the owner of the lot to remove the tree due to its impact on infrastructure, safety for the public in extreme weather conditions and most efficient use of the land.

The provision of a café / kiosk is a key aspect of the proposal that will assist to 'enhance the commuter experience' as stipulated by the development agreement between the State and the developer. It ultimately should be viewed as an extension to the station (rail transport infrastructure) and has been designed to integrate with the train station both in built form and function. This allows the village character of the train station building to be retained whilst providing direct services to commuters when they are within the train station precinct.

On balance, and given the location of the site, the extension to the train station provides a greater benefit to the community than the retention of a single tree in this case. It would, however, be appropriate that the removal of the tree be compensated through the planting of trees in a more suitable location as shown on the landscaping

plan. The landscaping plan shows that the amenity from the loss of the existing street tree will be compensated by podium planting, three native street trees along Harborview Court and garden beds with native plant species in front of the café / kiosk.

Infrastructure Charges

The proposed development is subject to infrastructure charges in accordance with the State Planning Regulatory Provision (adopted charges). The infrastructure charge applicable to this development is:

Redland Water:	\$548,382.00
Redland City Council:	\$2,063,858.00
Combined charge:	\$2,612,240.00

This charge has been calculated as follows in accordance with Council's [Adopted Infrastructure Charges Resolution \(No. 2.2\) September 2015](#).

Redland Water	Notice #001373
Residential Component	
((6 X 1-2 bedroom short term accommodation X \$10,000) X 0.21 (RW Split))	\$12,600.00
((90 X 1-2 bedroom multiple dwellings X \$20,000) X 0.21 (RW Split))	\$378,000.00
((28 X 3+ bedroom multiple dwellings X \$28,000) X 0.21 (RW Split))	\$164,640.00
Non-Residential Component	
((129m2 GFA refreshment establishment & shop x \$180m) X 0.21 (RW Split))	\$4,902.00
Demand Credit	
((2 X existing lot X \$28,000) X 0.21 (RW Split))	\$11,760.00
Total Redland Water Charge:	\$548,382.00

Redland City Council	Notice #001373
Residential Component	
((6 X 1-2 bedroom short term accommodation X \$10,000) X 0.79 (RCC Split))	\$47,400.00

((90 X 1-2 bedroom multiple dwellings X \$20,000) X 0.79 (RCC Split))	\$1,422,000.00
((28 X 3+ bedroom multiple dwellings X \$28,000) X 0.79 (RCC Split))	\$619,360.00
Non-Residential Component	
((129m2 GFA refreshment establishment & shop x \$180m) X 0.79 (RCC Split))	\$18,318.00
Stormwater Infrastructure	
((102m2 Impervious Area X \$10m)	\$1,020.00
Demand Credit	
((2 X existing lot X \$28,000) X 0.79 (RCC Split))	\$44,240.00
Total Council Charge:	\$2,063,858.00

OFFSETS

The application may be eligible for an offset to construct a 2.5m-3m wide shared off-road path (part of Moreton Bay Cycleway) to connect Harbourview Court to Nautilus Drive.

The alignment will have to be confirmed with Councils engineers and a Bill of Quantities will need to be submitted to Council confirming the costs of the work.

REFUNDS

There are no refunds that apply under Chapter 8 Part 2 of the *Sustainable Planning Act 2009*.

Cleveland CBD Incentives Package

The proposed development may be eligible for the Cleveland CBD Incentives Package that offers a potential 75%-100% discount on infrastructure charges depending on the "Use" and the incentive area the application falls under.

As the proposed development is considered a 'mixed use' development and is located in the secondary incentive area, a 75% discount on infrastructure charges may be granted for the 'apartment building', the 'shop and 'refreshment establishment' use and a 100% discount on infrastructure charges for the short term accommodation use should the development fulfil the eligibility criteria.

There is a limited pool of money (\$1.5million) available to fund the incentives package and is offered on a first come, first served basis, where development can

demonstrate substantial completion (plumbing final) before the Cleveland CBD Incentives Package program period ends.

Infrastructure Agreement

During the construction of stage 1 of the proposed development the existing car parking spaces on the subject lot will not be available for commuters. The applicant needs to have alternative car parking spaces for commuters during construction stage. The applicant has proposed to construct up to 78 additional car parking spaces at Redlands Performing Arts Centre (RPAC) to standards. The additional car parking space is estimated to incur a construction cost of approximately \$468,000 (\$6,000 per car parking space) to the developer. Once the use on stage 1 of the proposed development commences, the temporary use of the RPAC car parking ceases and the asset will be left to RPAC as a permanent car park free of charge. The applicant and Council are facilitating the implementation of the RPAC car parking space through infrastructure agreement. This will form part of the recommended conditions.

State Referral Agencies

- **State Assessment & Referral Agency (SARA)**

The proposal was referred to SARA in accordance with Schedule 7, Table 3, Item 14 – Public passenger transport and Table 3, Item 15A – Railways. SARA provided a referral agency response dated 24 March 2016. The Department indicated no objection to the proposed development subject to referral agency conditions in regards to stormwater management, earthworks, anti-throw measures, collision barriers and construction management plan. The Department's referral response, including conditions, will be attached to Council's Decision Notice.

Public Consultation

The proposed development is Code assessable and did not require public notification.

Even though the proposal is code assessable, a total of 12 not properly made submissions were received. The key issues raised by the submitters are as follows:

1. **Community Engagement**

The proposal was not publicly notified.

Officer's Comment

Council's role is assessment of the application in accordance with the *Sustainable Planning Act 2009* and the Redlands Planning Scheme and other relevant planning instruments. The proposal is code assessable as it is a form of development anticipated by the planning scheme. Code assessable development is not subject to public notification.

2. **Residential Use is Inappropriate on the Subject Site**

- The site should be kept for government oriented uses, including some commercial and possibly tertiary education.
- The proposal is not a mixed use and is inappropriate development.

Officer's Comment

The proposed development is envisaged by the planning scheme and is in accordance with TOD principles. The proposal is a mixed use development.

3. Shortage of Car park

There is insufficient commuter and visitor car parks.

Officer's Comment

The proposal is a TOD. The proposal also complies with the CBD incentives scheme and TOD principles in terms of resident and visitor parking. This matter is addressed in the car parking section of the report.

4. Vegetation Clearing

- the location of the proposed refreshment establishment and shop requires the removal of a visually important gum tree;
- Gum trees of ecological and visual value will also be removed from Lot 1.

Officer's Comment

Development on Lot one is not part of the application, the State can remove the trees at any time on their land. In general tree removal must be considered on merit, in context and having regard to other relevant matters such as safety and most efficient use of land as addressed in the 'impact on trees' section of the report.

5. Car parking at Construction Stage

The proposal needs to address car parking during construction stage of the development. This should have been addressed prior to the development application being made and have been subject to community consultation.

Officer's Comment

The applicant has proposed to construct temporary car parking space at RPAC site to be used at the time of construction for stage 1. As the proposal is code assessable public notification is not required.

6. Privacy, Shadowing and Safety

- Privacy of residential dwellings to the north will be compromised by the development;
- The proposal will worsen the safety of pedestrians along the northern side of the subject development;
- The proposal will have shadowing impact on the residential units to the north;
- Noise impact from the residential parking area to residential uses to the north.

Officer's Comment

The podium is setback at least 4.5m to the residential property to the north. Above podium, balconies are at least 5m from the northern boundary making them 8.95m from the adjoining development boundary. The proposal meets the side setback requirement of the code in that the proposed setback minimises impacts on adjacent residential areas.

The proposal has provided casual surveillance to the pedestrian path along the northern boundary of the development. This matter is addressed in the pedestrian path section of the report.

The proposal includes shadow diagrams that have been generated for summer and winter shading at 9am and 3pm respectively. Summer months had minimal shading impacts on adjoining properties on account of being to the north, while the winter shading effects are entirely isolated to the adjacent rail station and rail infrastructure.

The proposal includes an Environmental Noise Assessment Report that has demonstrated that noise from the proposed development is addressed. The ramp from ground level to the first floor car park is proposed to be enclosed on the northern side and hence vehicle activity noise will be screened from the nearest residential receivers. In general, the acoustic consultant has asserted that acoustic benefits are expected from the construction of this development such that the rail noise component of the existing noise environment at the nearest off-site residential receivers is expected to be reduced significantly due to screening by the building.

Deemed Approval

This application has not been deemed approved under Section 331 of the *Sustainable Planning Act 2009*.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Redlands Planning Scheme V7 and other relevant planning instruments.

Risk Management

Standard development application risks apply. In accordance with the *Sustainable Planning Act 2009* the applicant may appeal to the Planning and Environment Court against a condition of approval or against a decision to refuse.

Financial

If the development is refused, there is potential that an appeal will be lodged and subsequent legal costs may apply.

If approved, Council will collect infrastructure contributions in accordance with the State Planning Regulatory Provisions (adopted charges) and Council's Adopted Infrastructure Charges Resolution. This development may be eligible for the Cleveland CBD Incentives Package which has the potential of discounting a portion of the applied infrastructure charges.

People

Not applicable. There are no implications for staff.

Environmental

Environmental implications are detailed within the assessment in the "issues" section of this report.

Social

Social implications are detailed within the assessment in the “issues” section of this report.

Alignment with Council's Policy and Plans

The assessment and officer’s recommendation align with Council’s policies and plans as described within the “issues” section of this report.

CONSULTATION

The assessment manager has consulted with other internal assessment teams where appropriate. Advice has been received from relevant officers and forms part of the assessment of the application. Officers have also consulted with the relevant asset owners in City Spaces, City Infrastructure and Redland Water.

OPTIONS

The development application has been assessed against the Redlands Planning Scheme and relevant State planning instruments. The development is considered to comply with the instruments and it is therefore recommended that the application be approved subject to conditions.

Council’s options are to:

1. Adopt the officer’s recommendation to approve the application subject to conditions.
2. Resolve to approve the application, without conditions or subject to different or amended conditions.
3. Resolve to refuse the application.

OFFICER’S RECOMMENDATION

That Council resolves that a Development Permit approval be issued subject to conditions for the Apartment Building (X118), Tourist Accommodation (X6), Refreshment Establishment and Shop on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street, Cleveland, subject to the following conditions:

<u>ASSESSMENT MANAGER CONDITIONS</u>	<u>TIMING</u>
1. Comply with all conditions of this approval, at no cost to Council, at the timing periods specified in the right-hand column. Where the column indicates that the condition is an ongoing condition, that condition must be complied with for the life of the development.	
<u>Approved Plans and Documents</u>	
2. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval and any notations by Council on the plans.	Prior to the use commencing and ongoing

Plan/Document Title	Reference Number	Prepared By	Date Received by Council
Cover Sheet	SK1001 (Rev: D dated 11/09/15)	Crone Architects	30 March 2016
Location Plan	SK1002 (Rev: A dated 11/26/15)	Crone Architects	30 March 2016
Site Plan	SK1003 (Rev: B dated 11/09/15)	Crone Architects	30 March 2016
Existing Condition Plan	SK1004 (Rev: A dated 11/26/15)	Crone Architects	30 March 2016
Ground Floor	SK1005 (Rev: B dated 05/23/11)	Crone Architects	30 March 2016
Level 1	SK1006 (Rev: A dated 11/04/15)	Crone Architects	30 March 2016
Level 2	SK1007 (Rev: A dated 11/05/15)	Crone Architects	30 March 2016
Level 3-7	SK1008 (Rev: A dated 11/05/15)	Crone Architects	30 March 2016
Level 8	SK1009 (Rev: A dated 11/12/15)	Crone Architects	30 March 2016
Area Schedule	SK1010 (Rev: B dated 11/26/15)	Crone Architects	30 March 2016
Layout Coffee Shop	SK1011 (Rev: B dated 17/11/15)	Crone Architects	30 March 2016
Building Section	SK1012 (Rev: C dated 11/09/15)	Crone Architects	30 March 2016
Elevations 1	SK1013 (Rev: C dated 11/05/15)	Crone Architects	30 March 2016
Elevation 2	SK1014 (Rev: D dated 11/05/15)	Crone Architects	30 March 2016
Shadow Diagram	SK1015 (Rev: B dated 11/09/15)	Crone Architects	30 March 2016
Footpath Section	SK1016 (Rev: B dated 11/11/15)	Crone Architects	30 March 2016
Northern Footpath Section	SK1017 (Rev: A dated 03/01/16)	Crone Architects	30 March 2016
Eastern Footpath Section	SK1018 (Rev: A dated 03/14/16)	Crone Architects	30 March 2016

Entry Lobby	SK1019 (Rev: A dated 03/14/16)	Crone Architects	30 March 2016
External Perspective	SK1030 (Rev: C dated 11/09/15)	Crone Architects	30 March 2016
Refuse Truck Swept Path Analysis - West	Sheet 1 of 2 (Rev: A dated 22/03/16)	TTM Consulting PTY LTD	30 March 2016
Refuse Truck Swept Path Analysis - East	Sheet 2 of 2 (Rev: A dated 22/03/16)	TTM Consulting PTY LTD	30 March 2016
Project Staging Plan	Page 13 (dated April 2015)	Crone Partners	14 June 2016
Landscape Design Report Page 1- 15	14080 Page 1-15 (Issue E dated 27/11/15)	Vee Design	01 December 2015
Site Based Stormwater Management Plan - Quantity	Publication Ref: C16-161 SBSM - Quantity (Rev: 1 dated 18/11/15)	BG Group Engineers	01 December 2015
Site Based Stormwater Management Plan - Quality	Publication Ref: C16-161 SBSM - Quality (Rev: 1 dated 18/11/15)	BG Group Engineers	01 December 2015
Response to Council IR Noise Impacts for Cleveland Train Station Redevelopment	15BRA0220 L01_0 RFI.docx (dated 17/02/16)	TTM Consulting Pty Ltd	31 March 2016
Environmental Noise Assessment Report	15BRA0220 R01_1.1.docx Rev: 1 (dated 27/11/15)	TTM Consulting Pty Ltd	01 December 2015

Table 1: Approved Plans and Document

<u>Design</u>		
3.	Install and maintain the lighting fixtures so that they do not emit glare or light above the levels stated in <i>Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting</i> (or the current applicable standard).	Prior to the use commencing and ongoing.
4.	Submit certification to Council from a licensed surveyor, at the stages of building construction listed below, that floor levels and maximum overall height of the building are in accordance with the development approval. All levels must be provided to Australian Height Datum (AHD). a) At completion of the slab for each level to demonstrate that the building complies with the approved plans at that stage; and b) After completion of the construction of the building but prior to the	At the building stages specified in the condition.

<p>issue of the Certificate of Classification or Final Building Approval to demonstrate that the highest point of the building complies with the approval.</p>	
<p>5. Ensure that no service utilities (air conditioning and the like) are constructed over the roof of the two towers. Where such utilities are located on balconies, ensure design provides sufficient screening from public view.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>6. Comply with the infrastructure agreement related to the subject land.</p>	<p>Prior to works commencing for stage 1 and ongoing.</p>
<p><u>Access, Roadworks and Parking</u></p>	
<p>7. Provide 124 car parks in accordance with approved plan Level 1 SK1006 (Rev: A dated 11/04/15). The total number of car parks must include:</p> <ul style="list-style-type: none"> • 1 disability parking space; • 118 resident/owner parking spaces; • 6 customer (tourist) parking spaces; and • 4 motorcycle parking spaces. <p>Access to car parking spaces, bicycle spaces, bin bays and driveways must remain unobstructed and available for their intended purpose.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>8. Construct a car washing facility to incorporate the following design criteria:</p> <ul style="list-style-type: none"> • A roof and bund surrounding the carwash area with drainage to the sewer through an approved oil interceptor/separator. The oil interceptor cannot be shared; • Limit the entry of rainfall and overland flow into the sewerage system; and • Minimise water usage. 	<p>Prior to the use commencing.</p>
<p>9. Submit to Council for approval, engineering plans and details showing the following frontage works are in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval:</p> <ol style="list-style-type: none"> a) Footpath earthworks, topsoiling and turfing of all disturbed footpath areas; b) Reinstatement of concrete kerb and channel where required; c) Removal of all redundant vehicle crossovers; d) Entry treatment/access to the site; e) Adjustment and relocations necessary to public utility services resulting from these works; f) A minimum 6m wide type A permanent vehicular crossover to the Harborview Court frontage at the access point to the public car park; g) A minimum 5.5m wide type A permanent vehicular crossover to the Harborview Court frontage at the access point to the private (resident) car park; h) A minimum of 3m wide concrete shared footpath connecting Harbourview Court with Nautilus Drive; and 	<p>As part of request for compliance assessment.</p>

<p>i) Traffic calming measures towards the entry/exit of the private (resident) car park.</p>	
<p><u>Compliance Assessment</u></p>	
<p>10. Submit to Council, and receive approval for, Compliance Assessment for the documents and works referred to in Table 2:</p>	<p>Prior to site works commencing.</p>

Document or Works Item	Compliance Assessor	Assessment Criteria
Stormwater Management Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 9 – Stormwater Management Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 6 – Stormwater Management • Water Sensitive Urban Design Technical Guidelines for South East Queensland • Queensland Urban Drainage Manual • Australian Standard 3500.3:2003 – Plumbing and Drainage – Stormwater Drainage.
Water and Wastewater Supply and Reticulation	Redland City Council	<ul style="list-style-type: none"> • SEQ Water Supply and Sewerage Design and Construction Code • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 7 – Water Reticulation and Chapter 8 – Sewerage Reticulation.
Waste Management Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 11 Policy 9 Chapter 16 – Waste Management.
Access and Parking Plans	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 1 – Access and Parking Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 15 – Access and Parking • Australian Standard 2890.1:2004 – Parking Facilities – Off-street car parking • Australian/New Zealand Standard

		2890.6:2009 – Parking Facilities – Off-street parking for people with disabilities
Road and Footpath Works	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 7 Division 4 – Domestic Driveway Crossover Code • Redlands Planning Scheme Part 8 Division 7 – Infrastructure Works Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 5 – Road and Path Design.
Sediment and Erosion Control Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 8 Division 6 – Erosion Prevention and Sediment Control Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 4 – Erosion Prevention and Sediment Control • Institution of Engineers Australia Erosion and Sediment Control Guidelines.
Earthworks Plans	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 7 Division 6 – Excavation and Fill Code • Redlands Planning Scheme Part 8 Division 5 – Development Near Underground Infrastructure Code • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 12 – Excavation and Fill and Chapter 13 – Development Near Underground Infrastructure • Australian Standard 2870:2011 – Residential Slabs and Footings • Australian Standard 4678:2002 – Earth-retaining Structures • Australian Standard 3798:2007 – Guidelines on Earthworks for Commercial and Residential Development.
Construction Management Plan	Redland City Council	<ul style="list-style-type: none"> • Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions • Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding.
Electricity	Redland City Council	Redlands Planning Scheme Part 8 Division 7 –

Reticulation Plan		<p>Infrastructure Works Code</p> <ul style="list-style-type: none"> Redlands Planning Scheme Part 11 Policy 3 Chapter 4 – Security Bonding Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions and Chapter 9 – Electrical Reticulation and Street Lighting
Landscape Plan	Redland City Council	<ul style="list-style-type: none"> Redlands Planning Scheme Part 8 Division 8 – Landscape Code Redlands Planning Scheme Part 9 Schedule 9 – Street Trees Redlands Planning Scheme Part 11 Policy 3 Chapter 3 – Landscaping and Chapter 4 – Security Bonding Redlands Planning Scheme Part 11 Policy 9 Chapter 2 – Documentation and General Conditions, Chapter 10 – Parks and Open Space and Chapter 11 – Landscaping Redlands Planning Scheme Part 11 Policy 16 – Safer by Design Redlands Planning Scheme Part 11 Policy 17 – Streetscape Design Manuals. Redlands Planning Scheme Part 8 – Division 4 – Apartment Building Code
Pre-construction building certification	Redland City Council	<ul style="list-style-type: none"> RPS – Policy 5 Environmental Emissions

Table 2: Compliance Assessment

<u>Stormwater Management</u>		
11.	<p>Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management to:</p> <ul style="list-style-type: none"> A lawful point of discharge. 	Prior to the use commencing and ongoing.
12.	<p>Manage stormwater discharge from the site in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, so as to not cause an actionable nuisance to adjoining properties.</p>	Prior to the use commencing and ongoing.
13.	<p>Submit to Council, and receive Compliance Assessment approval for, a stormwater assessment that is generally in accordance with the Site Based Stormwater Management Plan – Quality by BG Group – Civil Division dated November 2015, and addresses both quality and quantity in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, and the following:</p> <ol style="list-style-type: none"> Design of allotment drainage. Detailed drawings of the proposed stormwater quality treatment systems and any associated works. The drawings must include longitudinal and cross sections as well as details of treatment 	As part of request for compliance assessment.

media and any associated vegetation.	
c) An electronic copy of the MUSIC model.	
<u>Infrastructure and Utility Services</u>	
14. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval. Any cost incurred by Council must be paid at the time the works occur in accordance with the terms of any cost estimate provided to perform the works, or prior to plumbing final or the use commencing, whichever is the sooner.	At the time of works occurring.
15. Connect the development to external reticulated sewer, external reticulated water and underground electricity supply in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval.	Prior to the use commencing.
16. Remove any redundant sewerage connections within the site or servicing the development and provide documentary evidence to Council or its delegate that this has occurred.	Prior to site works commencing.
<u>Waste Management</u>	
17. Submit to Council a copy of a written agreement with a waste services provider to provide and maintain a bulk bin collection service to the development.	Prior to the use commencing and ongoing.
18. Install a screened refuse storage area, located at the ground level car park of the development as indicated on approved plans, for the storage of waste and recycling bins as determined in the TTM Waste Management Report. The storage area must be impervious, well drained, provided with a hose cock, enclosed and illuminated for night time use.	Prior to the use commencing and ongoing.
<u>Acoustic Requirements</u>	
19. Incorporate acoustic attenuation into the development as specified in Cleveland Train Station Redevelopment – Residential Apartment Development – Environmental Noise Assessment Report prepared by TTM Consulting Pty Ltd dated 27th November 2015, reference: 15BRA0220 R01_1.1.docx and letter dated the 17 March 2016 by TTM Consulting Pty Ltd reference 15BRA0220 L01_0 RFI.docx.	Prior to the use commencing and ongoing.
20. Submit the building and construction plans for the acoustic attenuation for the apartments to Council for Compliance Assessment in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval. The plans must be certified by a qualified acoustic consultant to confirm the development complies with this approval and the assessment criteria detailed in Table 2: Compliance Assessment.	As part of request for compliance assessment.
<u>Landscape Works</u>	
21. Submit landscape plans to Council for Compliance Assessment in accordance with the assessment criteria listed in Table 2: Compliance Assessment of this approval. Include the following items: a) Designs that are generally in accordance with the landscape design report;	As part of request for compliance assessment.

- b) Details of street tree planting in accordance with the Redlands Planning Scheme Landscape Code with species selected from Schedule 9 of the Redlands Planning Scheme, unless otherwise approved as part of the compliance assessment approval;
- c) A maintenance plan for the entire landscaping component of the development;
- d) Details of lighting to communal open space, driveways, public car parks and footpaths within the site;
- e) A tree management plan prepared in accordance with Section 9.11.6.3 of the Redlands Planning Scheme Policy 9; and
- f) Details of lighting to be provided in the Council footpath along the sites northern boundary linking Harbourview Court and Nautilus drive. The design should also be compliant with general CPTED principles outlined in RPS Policy 16 – Safer by Design.

ADDITIONAL APPROVALS

The following further Development Permits and/or Compliance Permits are necessary to allow the development to be carried out.

- Building Works approval.

Further approvals, other than a Development Permit or Compliance Permit, are also required for your development. This includes, but is not limited to, the following:

- Compliance assessment as detailed in Table 2 of the conditions.
- Plumbing and drainage works.
- Capping of Sewer – for demolition of existing buildings on site.
- Road Opening Permit – for any works proposed within an existing road reserve.
- Food Business Licence – for any development proposing to conduct a food business under the Food Act 2006.

REFERRAL AGENCY CONDITIONS

- Queensland Department of State Development, Infrastructure and Planning (DSDIP)
Refer to the attached correspondence from the DTMR dated 24 March 2016 (DSDIP reference SDA-0116-027606).

ASSESSMENT MANAGER ADVICE

- Infrastructure Charges
Infrastructure charges apply to the development in accordance with the State Planning Regulatory Provisions (adopted charges) levied by way of an Infrastructure Charges Notice. The infrastructure charges are contained in the attached Redland City Council Infrastructure Charges Notice.
- Live Connections
Redland Water is responsible for all live water and wastewater connections. Contact *must* be made with Redland Water to arrange live works associated with the development.

Further information can be obtained from Redland Water on 07 3829 8999.
- Release of Water Contaminants
Please be aware that prescribed water contaminants must not be released to waters, a roadside gutter, stormwater drainage or into another place so that contaminants could reasonably be expected to move into these areas. Refer to the *Environmental Protection Act 1994* for further information on the release of prescribed water contaminants.

-
- Coastal Processes and Sea Level Rise
Please be aware that development approvals issued by Redland City Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on coastal processes and sea level rise. Independent advice about this issue should be sought.
-
- Hours of Construction
Please be aware that you are required to comply with the *Environmental Protection Act* in regards to noise standards and hours of construction.
-
- Survey and As-constructed Information
Upon request, the following information can be supplied by Council to assist survey and engineering consultants to meet the survey requirements:
 - a) A map detailing coordinated and/or levelled PSMs adjacent to the site.
 - b) A listing of Council (RCC) coordinates for some adjacent coordinated PSMs.
 - c) An extract from Department of Natural Resources and Mines SCDM database for each PSM.
 - d) Permanent Survey Mark sketch plan copies.This information can be supplied without charge once Council received a signed declaration from the consultant agreeing to Council's terms and conditions in relation to the use of the supplied information.
- Where specific areas within a lot are being set aside for a special purpose, such as building sites or environmental areas, these areas should be defined by covenants. Covenants are registered against the title as per Division 4A of the *Land Title Act 1994*.
-
- Services Installation
It is recommended that where the installation of services and infrastructure will impact on the location of existing vegetation identified for retention, an experienced and qualified arborist that is a member of the Australian Arborist Association or equivalent association, be commissioned to provide impact reports and on site supervision for these works.
-
- Fire Ants
Areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence. It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23. The Fire Ant Restricted Area as well as general information can be viewed on the Department of Agriculture and Fisheries (DAF) website www.daf.qld.gov.au/fireants
-
- Cultural Heritage
Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during the course or construction or operation of the development, the *Aboriginal and Cultural Heritage Act 2003* requires all activities to cease. For indigenous cultural heritage, contact the Department of Environment and Heritage Protection.
-
- Fauna Protection
It is recommended an accurate inspection of all potential wildlife habitats be undertaken prior to removal of any vegetation on site. Wildlife habitat includes trees (canopies and lower trunk) whether living or dead, other living vegetation, piles of discarded vegetation, boulders, disturbed ground surfaces, etc. It is recommended that you seek advice from the Queensland Parks and Wildlife Service if evidence of wildlife is found.
-
- Environment Protection and Biodiversity Conservation Act
Under the Commonwealth Government's *Environment Protection and Biodiversity Conservation Act* (the EPBC Act), a person must not take an action that is likely to have a significant impact on a matter of national environmental significance without Commonwealth approval. Please be aware that the listing
-

of the Koala as vulnerable under this Act may affect your proposal. Penalties for taking such an action without approval are significant. If you think your proposal may have a significant impact on a matter of national environmental significance, or if you are unsure, please contact Environment Australia on 1800 803 772. Further information is available from Environment Australia's website at www.ea.gov.au/epbc

Please note that Commonwealth approval under the EPBC Act is independent of, and will not affect, your application to Council.

COUNCIL RESOLUTION

Moved by: Cr T Huges
Seconded by: Cr P Mitchell

That Council resolves to issue a Preliminary Approval for the material change of use for Apartment Building, Tourist Accommodation, Refreshment Establishment and Shop on land described as Lot 2 and 3 on SP273106 and situated at 4 Harbourview Court and 144A Shore Street West, Cleveland, subject to the following matters being addressed:

- 1. Provide sufficient car parking for the apartment building use that meets specific outcome S8 of the Apartment Building Code and specific outcome S1 of the Access and Parking Code.**

Advice: One way to achieve these outcomes would be to provide car parking at a rate of 1 space per unit for residents and 1 space for every 4 apartment building units for visitors in accordance with the car parking rate in Schedule 1 – Access and Parking of the Redlands Planning Scheme 2006.

- 2. Design the development in a way that retains and protects the existing Eucalyptus species located on Lot 3 on SP273106 intact.**

CARRIED 7/4

Crs Mitchell, Gollé, Edwards, Elliott, Huges, Talty and Williams voted FOR the motion.

Crs Boglary, Hewlett, Gleeson and Bishop voted AGAINST the motion.

11.3 INFRASTRUCTURE & OPERATIONS**11.3.1 REDLANDS SPORTING CLUB AND REDLAND CRICKET CLUB INC –
LEASE RENEWAL AND NEW LEASE**

Objective Reference: A2065876
Reports and Attachments (Archives)

Attachments: [Attachment 1 – Redlands Sporting Club Inc](#)
[Attachment 2 – Redlands Cricket Inc](#)

Authorising Officer:



Lex Smith
**Acting General Manager Infrastructure &
Operations**

Responsible Officer: David Katavic
Acting Group Manager City Spaces

Report Author: Laura Twining
Acting Senior Leasing Officer

PURPOSE

The purpose of this report is to gain Council approval to renew the current lease with Redlands Sporting Club over the building occupied by Redlands Cricket Inc., and to issue a new lease to Redlands Cricket Inc. over their privately owned cricket nets.

A term of 30 years is requested for both leases.

BACKGROUND**Redlands Sporting Club**

Redlands Sporting Club Inc. currently holds two leases with Council, one over their main building and the second over the premise located towards the East of EGW Wood Sportsfield, on Lot 2 RP107142 described as 347-371 Birkdale Road Wellington Point. This premise includes a clubhouse and grandstand which were built by Redlands Sporting Club and are occupied by their sporting affiliate Redlands Cricket Inc.

The second lease commenced on 1 June 1997 and expires on 31 May 2017; a lease renewal is requested for a term of 30 years.

Redlands Sporting Club was established in 1983, has a membership of approximately 22,000 and is financially sound.

The club is a not-for-profit organisation that supports the Redlands community through donations to individuals and teams participating in national and international competitions, voluntary contributions to charities, schools and their sporting affiliates. Support to other community groups such as Lions and Rotary is also provided by donation of vouchers for raffles, etc.

Redlands Cricket Inc.

Redlands Cricket Inc. is an affiliate of Redlands Sporting Club and occupies their second leased premise.

The club holds a 3 year Licence to Occupy over part of the EGW Wood Sportsfield. The Licence expires on 31 June 2018 and provides the club with non-exclusive permission to use the area.

Redlands Cricket Inc. recently installed two cricket nets within their licence area on Lot 2 RP14192 at an approximate cost of \$200,000; a new 30 year lease over the improvements is requested.

Redlands Cricket Inc. is financially sound; the club was established in 2000 as an amalgamation of Easts-Redlands Cricket Club, Redlands Cricket Association and Redlands Junior Cricket Association. Their teams have been in the Brisbane Grade competition for over 100 years and took occupancy of this facility in 1995. They now play in the Queensland Cricket competition under the name 'Redlands Tigers'.

ISSUES**Redlands Sporting Club**

Renewal of the second lease held by Redlands Sporting Club will give the club more viability to continue their community support through the provision of sporting facilities.

The new lease would comply with Council's policy in respect to leasing for a 30-year term where the lessee invests significant funds into infrastructure.

Redlands Cricket Inc.

Although Redlands Cricket Inc. has a current Licence to Occupy over the area containing the new cricket nets, the short term of the agreement is not suitable to effectively depreciate the assets in line with ATO standards.

The new lease would comply with Council's policy in respect to leasing for a 30-year term where the lessee invests significant funds into infrastructure.

STRATEGIC IMPLICATIONS**Legislative Requirements**

The *Local Government Regulation 2012* s.236(1)(b)(ii) requires that Council agree by resolution that it is appropriate to dispose of an interest in land to a community organisation, other than by tender or auction. As these sporting clubs meet the definition of a community organisation, s.236(1)(b)(ii) applies and allows the leases of Council land.

Risk Management

All new leases require building and public liability insurance to be maintained by the lessee.

Facilities Services will conduct inspections to ensure compliance with occupant safety and building condition, and there are clauses under the proposed leases to address any non-compliance to these.

Financial

Council will not incur any expenses with either lease as lease preparation costs and registration in the Titles Office are to be paid by the lessee in all cases.

People

This recommendation does not have Council staff implications.

Environmental

This recommendation does not have environmental implications.

Social

Granting leases as outlined above will provide support to both sporting clubs who are community-focussed within the Redlands area.

Alignment with Council's Policy and Plans

Council Policy POL-3071 Leasing of Council Land & Facilities supports leases to not-for-profit community organisations.

The Redland City Council Corporate Plan 2015-2020 is supported by this proposal, particularly:

7. Strong and connected communities

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

CONSULTATION

The Acting Senior Leasing Officer has consulted with:

- Community Land & Facilities Panel;
- Divisional Councillor;
- Acting Service Manager Facility Services;
- Service Manager City Sport and Venues;
- Acting Group Manager City Spaces; and
- Business Partnering Unit

All of whom agree with the recommendations in this report.

OPTIONS**Option 1**

That Council resolves to:

1. Make, vary or discharge a renewed lease to Redlands Sporting Club Inc. over Lot 2 RP 107142 situated at 347-371 Birkdale Road Wellington Point, as shown on the attached site plan, for a term of 30 years;

2. Make, vary or discharge a new lease to Redlands Cricket Inc. over Lot 2 RP 14192 situated at 347-371 Birkdale Road Wellington Point, as shown on the attached site plan, for a term of 30 years;
3. Agree in accordance with s.236(2) of the *Local Government Regulation 2012* that s.236(1)(b)(ii) of the *Local Government Regulation 2012* applies allowing the proposed lease to a community organisation, other than by tender or auction;
4. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to sign all documents in regard to this matter;
5. Agree to costs for lease preparation to be paid by the lessee.

Option 2

That Council does not renew the lease to Redlands Sporting Club Inc. or grant a new lease to Redlands Cricket Inc. and investigates alternative arrangements.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr W Boglary
Seconded by: Cr M Edwards

That Council resolves to:

1. Make, vary or discharge a renewed lease to Redlands Sporting Club Inc. over Lot 2 RP 107142 situated at 347-371 Birkdale Road Wellington Point, as shown on the attached site plan, for a term of 30 years;
2. Make, vary or discharge a new lease to Redlands Cricket Inc. over Lot 2 RP 14192 situated at 347-371 Birkdale Road Wellington Point, as shown on the attached site plan, for a term of 30 years;
3. Agree in accordance with s.236(2) of the *Local Government Regulation 2012* that s.236(1)(b)(ii) of the *Local Government Regulation 2012* applies allowing the proposed lease to a community organisation, other than by tender or auction;
4. Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to sign all documents in regard to this matter;
5. Agree to costs for lease preparation to be paid by the lessee.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

11.3.2 WILSON ESPLANADE – VICTORIA POINT – FORESHORE PROTECTION OPTIONS

Objective Reference: A2025001

Attachment: [Wilson Esplanade Community Submissions Report on Proposed Foreshore Protection Works \(August 2016\)](#)

Authorising Officer:



Lex Smith
Acting General Manager Infrastructure & Operations

Responsible Officer:

Brad Salton
Acting Group Manager City Infrastructure

Report Author:

Michael Holland
Advisor Waterway and Shoreline Assets

PURPOSE

The purpose of this report is to present the results of the community engagement activity undertaken for the Wilson Esplanade, Victoria Point, foreshore protection project; and to outline the options to reduce foreshore erosion and protect the values associated with the site.

BACKGROUND

Planning for foreshore protection at Wilson Esplanade, Victoria Point commenced during 2014.

During the concept design phase, a coastal process study (CPS) was undertaken to identify foreshore protection options. The completed CPS assessed six beach nourishment options and one seawall option for comparison. Each beach nourishment option corresponded to a different beach height and width. The beach nourishment/seawall options were compared using a multi-criteria assessment (MCA) that included financial assessment and shoreline erosion protection capacity. From the MCA, the beach nourishment options ranged in cost (net present value over 50 years) from \$164,000 to \$236,000, whilst the seawall cost (net present value over 50 years) was \$348,000.

From the CPS MCA the seawall option provided the highest protection from shoreline erosion, and was the most costly. A summary of the advantages/ disadvantages of beach nourishment versus a rock seawall for foreshore protection at this location are provided in the 'Options' section.

During 2015/16 preliminary concept and detailed design of a combined rock-armour seawall, sand nourishment and beach access ramp was undertaken within Council.

Subsequent to completion of internal design work, community engagement featuring the seawall option was undertaken by Council during August 2016 with involvement by Divisional Councillor, Lance Hewlett.

The results of the community engagement activity are presented under 'Issues'.

The draft coastal adaption strategy (CAS) identifies the following **management option, priority** and **estimated cost**, for Wilson Esplanade:

- Defend (sea wall), very high and \$450,000

ISSUES

Proposed design

Detailed design plans have been completed for a rock-armour seawall, beach nourishment and foreshore access ramp for the foreshore adjacent to Wilson Esplanade. Subsequent re-consideration of the planned seawall depicted in the detailed design engineering plans, triggered by community engagement feedback, has highlighted issues concerning:

- i. the slope and depth of excavation required to install the seawall;
- ii. the amount of sand below the finished seawall – in the context of the site;
- iii. access ramp turning radius unsuitable for water craft;
- iv. orientation of ramp causing collection of marine debris;
- v. seawall slope will not match the existing batter slope of 1:3; and
- vi. material composition of access ramp handrail.

The existing detailed design plans for a seawall/foreshore access ramp would require review and amendment to ensure an appropriate design was carried forward to construction.

Community engagement

The community engagement (CE) activity undertaken during August is considered to be a reliable measure of users of the Wilson Esplanade foreshore. Several CE channels were used, for completeness. However it should be noted that feedback was mostly provided by residents in close proximity to the site, with no feedback sought from residents in other parts of the city.

The analysed results of the CE activity show that, from the CE responders' perspective, the proposed rock-armour seawall/foreshore access ramp solution is not an acceptable solution for the foreshore erosion issue. The main design issues that were commented on through the CE responses are:

- i. aesthetics;
- ii. access to foreshore; and
- iii. ramp access to foreshore by non-motorised water craft, specifically ramp orientation, turning circle and width.

The CE activity results also identified the value that residents have for the foreshore, including:

- maintenance of the sandy beach;
- easy, safe, soft access to the beach; and
- the area's existing natural look, beauty and simplicity.

Foreshore protection options

The CPS by Cardno consultants identified that beach nourishment is a viable option to address shoreline recession (erosion) at Wilson Esplanade. The comparative

lifecycle costs of beach nourishment compared to a seawall shows that beach nourishment is a lower-cost option. However, there is a risk that severe weather events may remove the sand from the foreshore, requiring higher-frequency of re-nourishment.

Monitoring, through annual inspection and after severe weather events, would be implemented in conjunction with the beach nourishment option.

STRATEGIC IMPLICATIONS

Legislative Requirements

Implementation of a foreshore protection engineering solution at this location is influenced by commonwealth and state Government legislation. The legislation requires that Council apply for and obtain permits to implement the proposed solution. The following legislation and triggers apply to the Wilson Esplanade foreshore location:

Legislation	Trigger
<i>Environment Protection and Biodiversity Act 1999</i> (Commonwealth)	<ul style="list-style-type: none"> Ramsar wetlands (Moreton Bay waters below highest astronomical tide (HAT))
<i>Marine Parks Act 2004</i>	<ul style="list-style-type: none"> Matters of state environment significance (SES) - wildlife habitat MSES – high ecological significance wetlands
<i>Coastal Protection and Management Act 1995</i>	<ul style="list-style-type: none"> Coastal management district

Risk Management

The opportunities and risks associated with the management options for this site are:

Management option & cost (\$)	Opportunity	Risks
Beach nourishment Initial cost = \$54,600	Improved recreation amenity Low initial cost Short life span Maintains natural visual amenity Operational costs estimated at \$31,000	Loss of sand due to storm event-related changes to currents and wave action Frequency of re-nourishment has been estimated, but is dependent on actual conditions encountered over time Low or medium level of shoreline protection (dependant on monitoring and re-nourishment)
Seawall Initial cost = \$306,000	High level of shoreline protection Long life span High initial cost Low maintenance cost	Loss of direct access for beach users Perceived loss of amenity for residents and users Higher lifecycle cost compared to beach nourishment
Monitor and review	Minor cost and resources for implementation	Foreshore remains vulnerable to severe weather events

Management option & cost (\$)	Opportunity	Risks
Annual cost = \$25,000	Responsive to changing conditions	causing erosion
Do nothing	Cost and resource saving	Unprotected foreshore continues to erode / risk to open space and road infrastructure

Financial

Capital funds to implement a seawall high-level protection solution at this location have been included in the seawall program business case and the 10-year capex schedule in the Marine Foreshore Asset & Services Management Plan (ASMP) 2017/18.

The alternative, to treat the site as beach nourishment to maintain amenity and recreation access, would be an operational cost.

People

There are no direct impacts on Council staff arising from this issue.

The foreshore protection outcome arising from Council's decision would be implemented through the internal process for delivery of marine infrastructure projects.

Environmental

The environmental impacts arising from the management options will be identified and assessed during the application and approval of state government permits, prior to construction. Potential environmental effects relate to disturbance to migratory/wader bird habitat (Ramsar).

Social

Resident/foreshore user preferences for foreshore protection were clearly identified through the CE activities.

A summary of the CE activity responses is included as Attachment 1.

Alignment with Council's Policy and Plans

The Wilson Esplanade foreshore protection project is consistent with Council's Corporate Plan outcome for:

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

CONSULTATION

The following Council Officers have been consulted during production of this report:

- Senior Engineer, Marine and Water Assets;
- Group Manager City Infrastructure;
- General Manager, Infrastructure and Operations.

OPTIONS

Option 1

That Council resolves to:

1. Implement a beach nourishment programme at Wilson Esplanade, Victoria Point foreshore;
2. Agree that this is the most suitable method of achieving foreshore protection, whilst maintaining the community's values; and
3. Note the initial and ongoing operational costs incurred on a five year interval would be approximately \$54,000.

Option 2

That council resolves to:

1. Build a seawall at Wilson Esplanade, Victoria Point foreshore;
2. Agree that this would be a high level protection against erosion; and
3. Note the capital cost of \$348,000 and that ongoing operational costs consist of periodic re-stacking.

Option 3

That Council resolves to:

1. Monitor and review Wilson Esplanade, Victoria Point foreshore;
2. Agree that this would be a minor resource and cost (internal cost); and
3. Note the foreshore will be vulnerable to erosion from severe weather events.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr L Hewlett

Seconded by: Cr P Bishop

That Council resolves to:

1. Implement a beach nourishment programme at Wilson Esplanade, Victoria Point foreshore;
2. Agree that this is the most suitable method of achieving foreshore protection, whilst maintaining the community's values; and
3. Note the initial and ongoing operational costs incurred on a five year interval would be approximately \$54,000.

CARRIED 10/1

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Bishop and Williams voted FOR the motion.

Cr Gleeson voted AGAINST the motion.

12 MAYORAL MINUTE

Nil

13 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS

Nil

14 NOTICES OF MOTION

Nil

15 URGENT BUSINESS WITHOUT NOTICE

Nil

16 CLOSED SESSION**16.1 OFFICE OF CEO****16.1.1 REDLAND INVESTMENT CORPORATION – QUARTERLY REPORT
SEPTEMBER 2016**

Objective Reference: A124439
Reports and Attachments (Archives)



Authorising Officer:
Bill Lyon
Chief Executive Officer

Responsible Officer: Peter Kelley
CEO Redland Investment Corporation

Report Author: Grant Tanham-Kelly
Redland Investment Corporation

EXECUTIVE SUMMARY

A confidential report from the Chief Executive Officer was presented to Council for consideration.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr W Boglary

That Council resolves to note the RIC Quarterly Financial Report September 2016.

CARRIED 11/0

Crs Boglary, Mitchell, Gollé, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

17 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 12.50pm.

Signature of Chairperson: _____

Confirmation date: _____