



Redland
CITY COUNCIL

AGENDA

GENERAL MEETING

Wednesday, 10 August 2016
commencing at 9.30am

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

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

Recognition of the Traditional Owners

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

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

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

3 DEVOTIONAL SEGMENT

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

4 RECOGNITION OF ACHIEVEMENT

Mayor to present any recognition of achievement items.

5 RECEIPT AND CONFIRMATION OF MINUTES**5.1 GENERAL MEETING MINUTES 27 JULY 2016**

Motion is required to confirm the Minutes of the General Meeting of Council held on 27 July 2016.

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

Nil.

7 PUBLIC PARTICIPATION

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

1. In each meeting (other than special meetings), a period of 15 minutes may be made available by resolution to permit members of the public to address the local government on matters of public interest relating to the local government. This period may be extended by resolution.
 2. Priority will be given to members of the public who make written application to the CEO no later than 4.30pm two days before the meeting. A request may also be made to the chairperson, when invited to do so, at the commencement of the public participation period of the meeting.
 3. The time allocated to each speaker shall be a maximum of five minutes. The chairperson, at his/her discretion, has authority to withdraw the approval to address Council before the time period has elapsed.
 4. The chairperson will consider each application on its merits and may consider any relevant matter in his/her decision to allow or disallow a person to address the local government, e.g.
 - a) Whether the matter is of public interest;
 - b) The number of people who wish to address the meeting about the same subject
-

- c) The number of times that a person, or anyone else, has addressed the local government previously about the matter;
 - d) The person's behaviour at that or a previous meeting' and
 - e) If the person has made a written application to address the meeting.
5. Any person invited to address the meeting must:
- a) State their name and suburb, or organisation they represent and the subject they wish to speak about;
 - b) Stand (unless unable to do so);
 - c) Act and speak with decorum;
 - d) Be respectful and courteous; and
 - e) Make no comments directed at any individual Council employee, Councillor or member of the public, ensuring that all comments relate to Council as a whole.

8 PETITIONS AND PRESENTATIONS

Councillors may present petitions or make presentations under this section.

9 MOTION TO ALTER THE ORDER OF BUSINESS

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

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

Councillors are reminded of their responsibilities in relation to a Councillor's material personal interest and conflict of interest at a meeting (for full details see sections 172 and 173 of the *Local Government Act 2009*). In summary:

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

The Councillor must—

- *inform the meeting of the Councillor's material personal interest in the matter; and*
- *leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.*

The following information must be recorded in the minutes of the meeting, and on the local government's website—

- *the name of the Councillor who has the material personal interest, or possible material personal interest, in a matter;*
- *the nature of the material personal interest, or possible material personal interest, as described by the Councillor.*

A Councillor has a **material personal interest** in the matter if any of the following persons stands to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting—

- (a) the Councillor;
 - (b) a spouse of the Councillor;
 - (c) a parent, child or sibling of the Councillor;
-

- (d) a partner of the Councillor;
- (e) an employer (other than a government entity) of the Councillor;
- (f) an entity (other than a government entity) of which the Councillor is a member;
- (g) another person prescribed under a regulation.

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

The Councillor must—

- *deal with the real conflict of interest or perceived conflict of interest in a transparent and accountable way.*
- *Inform the meeting of—*
 - (a) *the Councillor's personal interests in the matter; and*
 - (b) *if the Councillor participates in the meeting in relation to the matter, how the Councillor intends to deal with the real or perceived conflict of interest.*

The following must be recorded in the minutes of the meeting, and on the local government's website—

- (a) *the name of the Councillor who has the real or perceived conflict of interest;*
- (b) *the nature of the personal interest, as described by the Councillor;*
- (c) *how the Councillor dealt with the real or perceived conflict of interest;*
- (d) *if the Councillor voted on the matter—how the Councillor voted on the matter;*
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.*

A *conflict of interest* is a conflict between—

- (a) *a Councillor's personal interests (including personal interests arising from the Councillor's relationships, for example); and*
- (b) *the public interest;*

that might lead to a decision that is contrary to the public interest.

11 REPORTS TO COUNCIL**11.1 ORGANISATIONAL SERVICES****11.1.1 OPERATIONAL PLAN QUARTERLY PERFORMANCE REPORT JUNE 2016**

Objective Reference: A124442
Reports and Attachments (Archives)

Attachment: [Operational Plan Quarterly Performance Report June 2016](#)

Authorising Officer: 
Nick Clarke
General Manager Organisational Services

Responsible Officer/Author: **Jo Jones**
Acting Group Manager Corporate Governance

PURPOSE

The purpose of this report is to provide a progress report against the Operational Plan 2015/16 for the fourth quarter from 1 April to 30 June, 2016. This report is the final progress report for the Operational Plan 2015/16.

BACKGROUND

The *Local Government Act 2009* (the Act) requires Council to adopt an Operational Plan each year. The Operational Plan 2015/16 forms an important part of Council's strategic planning and sets out the work Council planned to deliver towards the achievement of the Corporate Plan 2015-2020.

The Act requires the Chief Executive Officer to present a written assessment of the Council's progress towards implementing the annual operational plan at meetings of Council, at least quarterly.

ISSUES

The attached report provides a progress report against the Operational Plan 2015/16 for the fourth quarter from 1 April to 30 June, 2016. The report provides a status update for each project, together with a comment outlining the progress for the quarter.

Three projects were not completed at 30 June 2016 and will continue to be monitored in the quarterly reports until they are complete.

40 projects are continuing and have been included in the Operational Plan 2016/17

Projects	Number
Completed	32
Carried forward for ongoing monitoring	3
Included in Operational Plan 2016/17	40
Total	75

STRATEGIC IMPLICATIONS

Legislative Requirements

Council's Operational Plan 2015/16 is an important statutory plan which sets out Council's plans to deliver the Corporate Plan 2015-2020. The Operational Plan 2015/16 included a wide range of projects which contribute to the delivery of the outcomes in the Corporate Plan 2015-2020. Tracking progress against this plan provides an assessment of Council's performance in delivering against its plans.

The Local Government Regulation 2012 (section 174) states that "the chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals not more than 3 months". Under the same section of the regulation, Council is allowed to amend the plan at any time before the end of the financial year.

Risk Management

The risk of not delivering against Council's operational plan is that Council does not achieve the commitments set out in the longer term corporate and community plans. Each project has associated risks which are managed by the relevant areas of Council.

Financial

The Operational Plan 2015/16 is funded from the annual budget.

People

Projects listed in the Operational Plan 2015/16 are managed by the individual area of Council responsible for the project. The status and comments of the projects in the attached report have been provided by the relevant officer for each project and compiled by Council's Corporate Governance Group.

Although the delivery of the plan itself is dependent on staff resources and some projects relate to people issues, there are no direct impacts on people resulting from this monitoring report.

Environmental

Some projects within the Operational Plan 2015/16 directly contribute to Council's environmental commitments. However, this report does not have any direct environmental impacts.

Social

Some projects in the Operational Plan 2015/16 directly contribute to Council's social commitment. However, this report does not have any direct social impacts.

Alignment with Council's Policy and Plans

Council's Operational Plan 2015/16 outlines planned activities and projects against the eight outcomes in the Corporate Plan 2015-2020.

As such, it is a key planning document and consistent with both the Corporate Plan 2015-2020 and the Redlands 2030 Community Plan.

CONSULTATION**OPTIONS**

1. That Council resolves to note the Quarterly Operational Plan Performance report for June 2016.
2. That Council resolves to note the Quarterly Operational Plan Performance Report for June 2016, but requests additional information to be provided after the meeting.

OFFICER'S RECOMMENDATION


That Council resolves to note the Operational Plan Quarterly Performance Report for June 2016.

11.2 COMMUNITY & CUSTOMER SERVICES

11.2.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 & 3 DEVELOPMENTS

Objective Reference: A124442
Reports and Attachments (Archives)

Attachment: [Decisions Made Under Delegated Authority 10.07.2016 to 23.07.2016](#)

Authorising Officer: 
Louise Rusan
General Manager Community and Customer Services

Responsible Officer: David Jeanes
Group Manager City Planning and Assessment

Report Author: Natalie Manning
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

That Council resolves to note this report.

11.2.2 APPEALS LIST CURRENT AS AT 28 JULY 2016

Objective Reference: A124442
Reports and Attachments (Archives)

Authorising Officer:



Louise Rusan
General Manager Community and Customer Services

Responsible Officer:

David Jeanes
Group Manager City Planning & Assessment

Report Author:

Kim Peeti
Service Manager Planning Assessment

PURPOSE

The purpose of this report is for Council to note the current appeals.

BACKGROUND

Information on appeals may be found as follows:

1. Planning and Environment Court

- a) Information on current appeals and declarations with the Planning and Environment Court involving Redland City Council can be found at the District Court web site using the "Search civil files (eCourts) Party Search" service: <http://www.courts.qld.gov.au/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/gjudgment/>

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.
-

ISSUES

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:		A minor change to the application was allowed by the Court on 4 November 2015. Matter adjourned for further review on 17 August 2016. Mediation scheduled for 12 August if required.

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 18 February 2016. Mediation held on 9 March 2016. The matter is listed for review on 29 July 2016.

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. Orders to progress to October 2016 hearing.

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 was initially scheduled for August. Matter now set for review on 17 August 2016 and listed for 19 August for call-over to allocate trial dates in September.

5.	File Number:	Appeal 2082 of 2016 - (MCU013558)
Applicant:		John Munro Sinclair
Application Details:		Material Change of Use for Rooming Accommodation 4 Wardley Street, Capalaba
Appeal Details:		Applicant appeal against Council refusal.
Current Status:		Appeal filed in Court on 31 May 2016. Mediation held 15 July 2016. Matter listed for review 29 July 2016.

6.	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.

7.	File Number:	2771, 2772 and 2774 of 2016
Applicant:		KFA Investments Pty Ltd
Application Details:		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:		Appeal against Enforcement Notices
Current Status:		Appeal filed 15 July 2016.

OFFICER'S RECOMMENDATION

That Council resolves to note this report.

**11.2.3 MCU013700 – 21-31 BLOOMFIELD STREET AND 143 SHORE STREET
CLEVELAND – REFRESHMENT ESTABLISHMENT (EAT STREET FOOD
MARKET)**

Objective Reference: A1874727
Reports and Attachments (Archives)

Attachment: [MCU013700 - Attachment 1 - Locality Plan](#)
[MCU013700 - Attachment 2 - Aerial Plan](#)
[MCU013700 - Attachment 3 - Zoning Map](#)
[MCU013700 - Attachment 4 - Site Plan](#)
[MCU013700 - Attachment 5 - Ground Level Plan](#)
[MCU013700 - Attachment 6 - First Level Plan](#)
[MCU013700 - Attachment 7 - Public Transport](#)
[MCU013700 - Attachment 8 - Traffic Survey Zone
\(North\)](#)
[MCU013700 - Attachment 9 - Traffic Survey Zone
\(South\)](#)

Authorising Officer:



Louise Rusan
General Manager Community and Customer
Services

Responsible Officer:

David Jeanes
Group Manager City Planning and Assessment

Report Author:

Frances Eastall
Planning Officer

PURPOSE

Council has received an application seeking a Development Permit for Material Change of Use on land at 21-31 Bloomfield Street, Cleveland and 143 Shore Street, Cleveland for the purpose of a Refreshment Establishment.

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*.

The proposal did not require public consultation.

The application has been assessed against the relevant provisions of the Redlands Planning Scheme and the proposed development is considered to comply with the scheme. The key issues identified in the assessment are:

- Carparking;
- Noise;
- Odour;
- Lighting;

- Amenity;
- Security/safety;
- Toilet facilities;
- Traffic/Pedestrian access;
- Infrastructure and Services ; and
- Impact on traders.

The issues listed above have been addressed in the report. It is therefore 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 commencement of the use.

BACKGROUND

The proposal is over part of a Lot that contains the Council Library Building (including Council offices) and associated carparking and part of a lot which is used as road (Kyling Lane) and carparking. There are no previous approvals that relate to the current proposal. The application has been lodged following a memorandum of understanding (MOU) with Council for the lease of Council land (library car park) for a 5 year period with an optional 5 year extension if mutually agreed by both parties. The MOU is agreement in principle and is not binding.

ISSUES

Development Proposal & Site Description

Proposal

The proposal is for a Refreshment Establishment (food market) which will consist of an open air food market ("Eat Street" style markets) within the Cleveland CBD. The proposed area to be used for the food market is approximately 2,400m² and will consist of:

- 10 food containers (converted shipping containers approximately 6m x 2.5m each);
- Space for 5 food trucks or pop-up stands (to be moved off site after trade each weekend);
- 1 bar/wine bar;
- 1 entertainment platform (above a shipping container);
- 1 new covered car park for undercover seating;
- 2 existing covered seating areas;
- Covered/partial covered seating for 332 patrons;
- Non-covered seating for 84 patrons;
- Alfresco seating outside outlets;
- 9 additional containers stacked on top of food containers for storage and administration space.

The operating hours are as follows:

- Friday 5:00pm to 10:00pm (set up time to commence from 5:00pm and trading to cease at 9:00pm);
- Saturday 10:00am to 10:00pm (set up time to commence from 10:00am and trading to cease at 9:00pm); and

- Sunday 10:00am to 9:00pm (set up time to commence from 10:00am and trading to cease at 8:00pm).

The finishing time will include the 1 hour clean up time at the end of each night.

The market will involve temporary foodstalls and vans/trucks with dining/seating areas located in the middle of the site and around the southern and eastern sides for patrons to eat after having purchased food. The market operators will 'lease' the foodstalls to independent proprietors who will require their own food service licence as a 'Temporary Food Stall'. A bar/wine bar will be positioned at the western end of the precinct and entertainment in the form of live music is proposed with the use of a bandstand atop the bar container at the western end of the site (music to be directed to the east away from the residential properties to the west). Street buskers are also proposed when the bandstand is not in use with any amplified music located at the western end.

Vehicular access to the site will be from Kyling Lane and will only be required by the food trucks/vans at the start and finish times and for waste collection. Pedestrian access will be gained from Kyling Lane and from the pathway at the eastern end.

An administration space will be within a container at the western end and toilet facilities available at the ground level of the library building.

Site & Locality

The site is located at 21-31 Bloomfield Street and 143 Shore Street West, Cleveland forming part of the Cleveland Library Building grounds (car park area) having an area of approximately 2,400m² and frontages to Kyling Lane, Shore Street and the pedestrian path/park that links Middle Street with Shore Street. The land is included within the Major Centre Zone (sub-area MC3) of the Redlands Planning Scheme. The land is generally flat on account of its carpark use, although is raised from Shore Street, with vegetation (primarily landscaping) existing around its fringes as well as some internal shade trees. Development in the surrounding area consists of the Cleveland Library Building to the south, a mixed use apartment building and commercial development to the east and on the opposite side of Shore Street to the north is the Raby Bay Park and Cleveland Train Station/Bus interchange. Adjoining to the east is the meandering pathway/park that links Middle Street and Bloomfield Street with the Raby Bay Marina. The Cleveland Sands Hotel is located further east on the other side of the pathway area.

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.

Cleveland is identified as a Principal Regional Activity Centre within the SEQ Regional Plan which seeks to encourage:

- economic growth by co-locating a mix of land uses;
- provide appropriate locations for “*cultural and entertainment facilities*”;
- provide “*a focus for community and social interaction*” and.
- “*Integrate land use and transport to support walking, cycling and public transport*”.

State Planning Policies & Regulatory Provisions

State Planning Policy/ Regulatory Provision	Applicability to Application
SEQ Koala Conservation SPRP	The site is largely within a non-assessable area with only the north western corner located within in an assessable area of the SPRP. The majority of the site is identified as “generally not suitable” with the northern most part of the site identified as “low value rehabilitation” and is not considered to have high connectivity value being located in an established urban area within a major centre with surrounding high order roads. The Applicant has stated that no significant vegetation is to be removed to facilitate the use however, pruning of some trees will be required to allow placement of structures within the site.
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>The Redlands Planning Scheme predates the State Planning Policy 2014 (SPP). As such it is not considered to integrate the following state interests. Part E of the SPP Interim Development Assessment Requirements therefore applies to the assessment of this application.</p> <p><u>Public Passenger Transport Facility</u></p> <p>The site has an area less than 5,000m² and as such the Interim DA requirements do not apply to the proposal in this case.</p> <p><u>Water Quality</u></p> <p>No stormwater management plan was provided with the application, however, the proposal is not considered to further impact on water quality as it is located on a site that contains an existing impervious carpark. No further impervious areas will be created and stormwater will be discharged as existing. It is therefore considered that the requirements of the SPP have been addressed.</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;
- Access and Parking Code;
- Centre Design Code;
- Erosion Prevention and Sediment Control Code;
- Excavation and Fill Code;
- Infrastructure Works Code;
- Landscape Code;
- Stormwater Management Code;
- Acid Sulfate Soil Overlay; and
- Road and Rail Noise Impact Overlay.

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.

Use

The proposal is for an “Eat Street” type food market. The Redlands Planning Scheme does not identify this as a specific use under Schedule 3, Division 1 – Uses. Notwithstanding, it is considered that the definition of Refreshment Establishment, which means “*the use of premises for a cafe, fast food outlet, milk bar, refreshment kiosk, restaurant, snack bar, take-away food premises, tea garden, tea room or uses of a like nature. The term includes ancillary activities that involve entertainment or the consumption of liquor*” is the best and most appropriate fit for the proposed development. A Refreshment Establishment is a consistent use within the Major Centre zone and therefore requires code assessment.

Major Centre Zone

Specific Outcome S1.5 (1) of the Major Centre Zone Code seeks that:

“Sub-area MC3 - being the centre core and the heart of the Cleveland Centre encourages key businesses and facilities to concentrate in this area and pursue opportunities for mixed use development”.

The proposal is located in sub area MC3 being the Cleveland town centre and is a key business being a refreshment establishment. The RPS defines a mixed use development as “*A use of premises that integrates residential activities and tourist accommodation with commercial, retail or industry activities where a minimum of 30 percent of the total gross floor area is used for residential purposes*”. The proposal could be construed as being part of a mixed use development on account of the site containing the Cleveland Library building and the part of the site used for the proposal will be used for car parking when the refreshment establishment (food market) is not operating. More importantly, the proposal is considered to provide economic activity to the centre as it is expected to attract a larger number of people and is easily accessible by all modes of transport. It is therefore envisaged that a

flow on effect may result in people attending other establishments in the centre due to the early finishing time and therefore adding to the revitalisation of the Cleveland Centre.

Overall, the proposal is for a type of use expected in the zone, is code assessable only and is considered to meet the overall outcomes of the Major Centre Zone Code as described below.

Section 4.12.17 of the Overall Outcomes of the zone code seeks as follows (emphasis added):

“(a) Uses, Role and Function

(i) Provide for a range of centre uses that:

- a. enhance the primacy, vitality and vibrancy of the City’s major centres;*
- b. service the primary retail, commercial, administrative, entertainment, cultural and community needs of the City;*
- c. provide a key source of economic activity and employment;*
- d. provide a major focus for community interaction and civic life;*
- e. And are highly accessible by private vehicle, public transport and pedestrian and cycle routes.”*

And

“(iv) Sub-areas MC3, MC4, MC5, MC6, MC7 and MC8 comprise the Cleveland Major Centre which provides for a range of uses that -

- f. recognise Cleveland as a Principal Centre for south east Queensland and one of two secondary retail and commercial centres in the City;*
- g. serve a catchment less than 50 000 people;*
- h. include one (1) discount department store, supermarkets, specialty stores and commercial activities;*
- i. reflect the primary administrative functions of the City including the local government administrative headquarters and State and Commonwealth government services;*
- j. encourage residential and tourist mixed use development;*
- k. recognise Cleveland as the major tourist centre for events and displays including markets, fairs, carnivals and tourist information for the City;*
- l. recognise Cleveland as a centre for performing arts, galleries, and restaurants;*

These overall outcomes reflect the outcomes sought by the SEQ Regional Plan 2009-2031. The site and surrounding area is zoned Major Centre and is located close to public transport including Cleveland Railway Station, and major bus routes, providing easy pedestrian and cycle access. As detailed above, the proposal is code assessable and is for a use type that is anticipated in the zone.

Car parking

While the proposal is on a site occupied by the Council administration offices, library and associated car parking, the hours of operation are proposed at times when the Council is not operating and the car park area under utilised. It is acknowledged that library users will still need to be provided with car parking, but it is considered that sufficient parking is provided throughout the centre and should not adversely affect library users.

A Traffic Impact Assessment was provided by Rytenskild Traffic Group (RTG) that addressed issues of car parking, traffic volumes and any potential impact on residential streets.

The Access and Parking Code of the Redlands Planning Scheme seeks a parking rate for a refreshment establishment of *“1 space per 2.5 persons assessed on the maximum capacity of the refreshment establishment or 1 space per 10m² of GFA whichever is greater”*. The total lease area for the proposal is approximately 2,400m², therefore based on 1 space per 10m², the above rate indicates a peak parking demand of 240 vehicles. The report by RTG stated that given the location of the site in relation to public transport, this number is considered to be a *“conservative (high) estimate of potential demands”*.

Further, the report argues that *“traffic generated by the use will be spread throughout the CBD road network rather than focused on individual intersections”* and that *“the proposed use will generate a marginal increase in traffic volumes throughout the CBD network”*. The report also states that the peak traffic demand for the proposal is *“outside of normal weekday road traffic periods”*. RTG also undertook a demand survey during the proposed operational hours of each proposed evening (Friday to Sunday) up until 8.00pm. The survey indicated that there is a large surplus of car parking available during that time. The survey did not include car parking within the Redland Performing Arts Centre or private developments, including the Sands Hotel, within the CBD.

The summary of conclusions and recommendations of the RTG report was favourable in terms of location, traffic impacts, pedestrian access and car parking availability.

The proposal will result in the loss of 19 car parks of which 14 are currently occupied by Council fleet vehicles. These vehicle spaces can be catered for elsewhere within the Cleveland Activity Centre, for example integrated with the existing Council parking area within the Doig Street carpark. Due to the existing parking restrictions to limit the hours for other vehicles that park in this area, there should provide sufficient turnover to allow for library patrons and other users. These details can be included as part of the lease agreement between the operator and Redland City Council as necessary.

In summary, the proposal does not include on site car parking and therefore does not meet the Probable Solution. However, it is considered to meet the overall outcomes based on the above report findings as the overall public parking available throughout the Cleveland Centre is sufficient to cater for the proposal and other similar existing refreshment establishment uses which operate outside of the standard peak business hours. A traffic management plan has also been conditioned in accordance with the recommendations of this report. It is also worth noting that the Centre

Activity Code does not seek additional car parking for a change of tenancy within the Major Centre Zone. While the proposal is a new use, it is considered to be temporary in nature and the loss of some on-site parking therefore outweighs the potential to generate economic growth within the area.

Noise

A noise management plan has been submitted (as amended) which addresses patron noise, mechanical plant, music performances, vehicle departures and waste collection and clean-up.

The key issue with regards to noise is the location of the residential apartments to the west.

Specific Outcome 4.7(1) of the Major Centre zone code seeks:

“noise generated by the use is compatible with the experience in a centre environment”; and

Specific outcome S4.9 (1) seeks:

“Uses and other development reinforce the maintenance of high standard of centre amenity by –

- (a) locating air conditioning units and/or refrigeration units so that they are not visually obtrusive and do not cause adverse visual or noise impacts on adjoining premises;*
- (b) locating car parking and servicing areas to minimise impacts on adjoining premises and on the streetscape.”*

Noise generated from the proposal is considered to be that expected within a major centre as the site and surrounding area is zoned for that purpose as opposed to purely residential. The main noise sources will be from patrons, mechanical plant and amplified music which can be managed as follows:

- Noise from patrons will be conditioned through hours of operation;
- Noise from plant and equipment can be minimised by mechanical plant such as air conditioning, compressors, refrigeration equipment and the like to be located as far away as practical from nearby residential uses and through the use of the plant only during operational hours;
- Noise nuisance from the stage will be directed to the east while amplified music from buskers will be minimised through being located at the eastern end of the site and directed to the north; and
- Amplified music can be gradually decreased in the evenings.

Car door closures are mentioned in the report and identified as breaching the night time noise criteria of the *Environmental Protection Act 1994* (EP Act). A justification was provided stating that the original use is as a car park located within the Major Centre Zone and therefore this type of noise would generally be expected. Proposed operational hours of trading are intended to cease from 9pm on Friday and Saturday evenings and 8pm on Sunday evenings. Council’s Health and Environment Team has provided conditions to address the above issues and to ensure compliance with

the EP Act. The plan can also be included as part of the lease agreement between the operator and Redland City Council. It is therefore considered that the proposal complies with the specific outcomes.

Odour

Specific Outcome 4.8 seeks:

“air quality impacts are eliminated or mitigated to a level that is compatible with a centre environment”.

The applicant provided a detailed odour management plan by Air Noise Environment which has been assessed by Council’s Health and Environment Team. The plan includes procedures to minimise odour impacts, such as:

- collection of waste bins located at the eastern end of the site, away from the residential units, each morning (Saturday, Sunday and Monday);
- the site to be cleaned after each event ensuring all waste is disposed of and that any rubbish or food left on the ground is removed;
- cooking activities with a greater potential for odour impacts to be located on the eastern half of the site, furthest away from the nearest sensitive receptor; and
- cooking activities that result in complaints and nuisance impacts, should be removed from future operations unless appropriate odour controls can be put in place (e.g. mechanical ventilation and odour control filters).

The plan is considered to have adequately addressed minimisation of odour nuisance and will be conditioned. The plan can also be included as part of the lease agreement between the operator and Redland City Council. It is therefore considered that the specific outcome has been met.

Lighting

Specific Outcome S4.6 of the Major Centre zone code seeks that artificial light does not result in unreasonable disturbance to any person or activity. Each of the containers will be fitted with a downlight that will be appropriately shielded and soft fairy lights will be hung throughout the trees and on the shelters. Two ‘lightboxes’, which will act as signage for patrons to identify the site, are also proposed to be installed, with one at the Kyling Lane entry and one attached to the library building. These lightboxes will both face north to minimise light spill on the nearby residential and other surrounding uses. Additionally, it is worth noting that the lighting for the containers and lightboxes will only be used whilst the market is operating and will also need to comply with the *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

Natural daylight to ground floor Council offices is already somewhat reduced through the wall being setback further than the upper floors by approximately 3.5m. This area is north facing and the gap between the wall of the upper floors and back of the food containers will be approximately 3.5m which may reduce daylight to the ground floor Council offices. This is not considered to detrimentally affect daylight infiltration to the Council offices as the ground floor wall is located beneath the upper level by approximately 3.5m. It is also noted that a lot of the blinds in these office windows have been mostly closed during site visits.

Based on the above, it is considered that artificial lighting from the proposal will not adversely impact on adjoining uses and will not significantly reduce daylight to the ground floor office space and is therefore considered to comply with the specific outcome.

Safety and Security

Specific Outcome S4.10 of the Major Centre zone code seeks:

- (1) *“Uses and other development are designed in accordance with the principles of Crime Prevention through Environmental Design (CPTED) to assist in crime prevention by –*
 - “(a) orientating building towards the street to provide opportunities for casual surveillance of public places;*
 - (b) being designed and well lit to ensure safety and casual surveillance of car parking areas, public places, open spaces and pedestrian and cycle paths.”*

While no new buildings are proposed and the proposal consists of a number of shipping containers spread around the site, casual surveillance can be provided from overlooking windows of nearby residential buildings and from pedestrians using Kyling Lane or the pathway connecting Middle and Shore Streets.

The two existing lightpoles (containing 2 lights each) in the centre of the car park will provide the main lighting for the proposed use and will provide lighting when the market is not operating. The distance between the wall of the building at ground level and the kerb is 10m. The four food containers located along the kerb on the southern side of the carpark will be setback 7.5m from the wall of the building providing a pedestrian thoroughfare between the building and back of the food containers.

The landscaping beds will be removed from this area to provide seating for the food market and therefore results in a more open thoroughfare when the market is not operating.

It is considered that installation of security screens on Council building windows, convex mirrors on pillars and and/or security cameras could provide sufficient surveillance to discourage unruly or suspicious behaviour which could be negotiated as part of the lease agreement and therefore the Specific Outcome has been met.

It is worth noting that the proposal will be required to hold a liquor licence where it involves serving alcohol. This will include its own requirements to further address security issues during operating times.

Amenity/Streetscape

Probable Solution P2.1 seeks that buildings or structures do not exceed the height limits as shows on Map 2 for Cleveland height. Specific Outcome 2.1(1) seeks:

- “(1) The height of buildings*
 - (a) does not overwhelm or dominate the centre;*
-

- (b) respects the desired streetscape;*
- (c) ensures a high quality appearance when viewed from both within and external to the centre;”.*

The proposal is less than the 20m height limit for the Cleveland Centre and does not include any medium to highrise structures and will therefore not introduce any overshadowing or impact on solar access for surrounding uses.

The proposal will include the use of painted shipping containers with a maximum height of approximately 3m for the food containers and 4.6m for the stacked containers and stage, and will be partially screened from the street frontages by the existing vegetation. The central covered area will be setback from the kerb on Shore Street by approximately 16m.

With regard to the containers, whilst those along the northern side will be slightly closer being approximately 3m, they are not of a scale that would affect the streetscape noting that the site is well screened from the street by way of vegetation which ensures they will only be partly visible from the street or from the access points. Nonetheless, the proposed height is less than other predominant building heights nearby and therefore will not overwhelm or dominate the centre or cause overshadowing of the adjoining Bloomfield Street parkland.

The proposal therefore complies with Specific Outcome S2.1(3)(a) and (c) which seeks that building height limits overshadowing impacts on public places and (e) as the proposal is considered to contribute to the revitalisation of the Cleveland Major Centre.

Probable Solution P2.3 of the Major Centre zone code seeks:

- “(1) Setbacks on the primary street frontage are -*
 - (a) a minimum of 6 metres from the kerb at pavement level to provide pedestrian space; or*
 - (b) setback to match existing or approved buildings in the street;”.*

The proposal is located over an existing car park area with two (2) road frontages, Shore Street and Kyling Lane, and predominantly surrounded by landscaping as noted above and therefore will not impact on the current pedestrian paths. While Probable Solution P2.3(2) refers to side setbacks where development adjoins a residential zone, it is noted that the site adjoins a public footpath to the east and does not directly adjoin a residential zone. It is therefore considered that the Specific Outcome S2.3 has been met.

Specific Outcome S2.5(2) of the Major Centre zone code seeks:

- “(2) Building design and layout incorporates architectural elements that -*
 - (a) reinforce a high quality centre environment;*
 - (b) exhibit a high degree of interest through the use of colour, angles, materials and shadows;*

- (c) *provide functional and attractive facades that contribute to a high quality built form and streetscape along all road frontages;*
- (d) *ensures high levels of physical and visual interaction and access with adjoining pedestrian areas at ground level;*
- (e) *minimise any adverse overshadowing and reflective impacts on public and civic places and adjoining zones;*
- (f) *provide physical connections and linkages between buildings, and between buildings and public places, to encourage pedestrian movement;*
- (g) *ensure buildings have their primary address to the primary street frontage and provide an active frontage to all secondary street frontages;*
- (h) *incorporate covered pedestrian walkways that provide direct access to shops and civic places and links all areas of the centre;*

As discussed above, the proposal is located within an existing car park area and will be partially screened from view from Shore Street and will not be viewed from Bloomfield Street. However, while no new buildings are proposed, the proposed structures will be of different heights and will be painted in a variety of vibrant colours, therefore providing visual interest.

The height of the structures will not cause any adverse overshadowing impacts on the site or adjoining uses. The proposal is considered to provide a high level of physical connection and linkages, as existing, while the existing primary building focus (library building) addresses the primary street frontage. Covered pedestrian walkways are as existing. Overall, it is considered to meet the specific outcome.

Specific Outcome S4.1 of the Major Centre zone code seeks:

“High quality landscape and streetscape treatments, including planting, street art and furniture are provided to contribute to and enhance the overall attractiveness and function of the centre.”

No further landscape or streetscape treatment is proposed as the proposed use is on a site that does not directly address the street frontage due to the existing vegetation. Given the location of the site (effectively being a carpark), no streetscape works or the like are necessary noting that the site adjoins the pathway/park to the east which incorporates a high level of treatment. Regardless, the containers will be painted in colours to present a vibrant addition to the area, noting the space will be used as a car park when the food market is not operating. This will form conditions of approval and/or form part of the lease agreement.

A fence is also proposed to be located within the site along the northern boundary and parts of the western and eastern boundaries between the containers and existing vegetation. Further planting can be conditioned to minimise any impacts from fencing and the fence can be a product and of a colour that is not so intrusive on the streetscape or when viewed internally from the car park. This will form a condition of approval and can be further negotiated as part of a lease agreement with Council.

Toilet facilities

The applicant advised that the proposal is not expected to be an all night event, but rather a short term dining experience. Therefore the applicant has demonstrated that the proposed toilet facilities available on site would be sufficient to cater for the expected number of patrons in accordance with the Redland City Council Event Information Kit, through the direct provision of 7 toilets, 2 urinals and 6 hand basins which are located at the ground level facing the car park. Council's Health and Environment Team has advised that the applicant has appropriately addressed this issue.

Infrastructure and Services

The site is serviced by all relevant infrastructure, although the containers / food stalls and food trucks will not be connected to reticulated water or sewer. Due to the specialised nature of the use, the containers / food stalls and food trucks will need to be self-contained. Electricity will be required to be provided to the food containers, rather than from individual generators and likely to connect to the existing electricity servicing the site. This will need to form part of a lease agreement with Council.

Wastewater will be managed in association with temporary food licence requirements with each stall holder being required to have their own permit. The applicant has advised that each proprietor will be required to have a waste water container inside each food container that is taken from the site at the end of trade each evening.

Other waste from the proposed use, such as food scraps, eating utensils and food wrappings, will be managed through the placement of 16 general waste bins and 8 recycling bins throughout the precinct. At the end of trade each night, general waste will be emptied into the bulk bins provided for the proposed use (contained within the existing screened enclosure) at the eastern end of the site where they will be serviced each morning.

Redwaste advised that the number of general waste and recycle bins proposed is adequate to service the proposal as long as the site is less than 3,200m² (proposed use area is approximately 2,400m²). The size of the bulk bins has been conditioned. In terms of waste oils, an oil receptacle will be located in the waste storage area for individual stalls to empty their used oil into. This will be collected by an appropriate contractor on Monday mornings.

A waste collection vehicle is able to access the bin service area with the collection method to be as the current situation (that is, the bin location will not change from the current situation).

Infrastructure Charges

The proposed refreshment establishment (food markets) are considered a temporary use (due to the limited approval period) under the *Redland City Council Adopted Infrastructure Charges Resolution (No. 2.2.) 2015*, therefore do not incur infrastructure charges.

State Referrals

The application did not trigger any referral requirements.

Public Consultation

The proposed development is Code assessable and did not require public notification. However, three (3) not properly made submissions were received. The key issues raised in the submissions and relevant to the application are as follows:

1. Carparking/Traffic
 - Insufficient car parking within the CBD.
 - Management of car parking.
 - Proposal is relying on the Cleveland Rail and Sands Hotel as parking location for patrons.
 - Conflicting use of space and loss of car parks will further aggravate parking problems.
 - Restriction of access to residential properties.

Officer comment

A Traffic Impact Assessment report was provided and has been addressed in the car parking section of the report.

2. Safety and security – reduction of natural surveillance and sight lines.

Officer comment

Casual surveillance can be provided to parts of the development. Conditions will be included to address further surveillance and has been addressed in the safety section of the report.

3. Building height and design

Officer comment

These issues have been addressed in the report.

4. Roof Design

Officer comment

The food containers will be of a height less than the surrounding uses and the roofs will not be cluttered by any service structures.

5. Impact to local policing with liquor in open space has not been considered well.

Officer comment

The proposal will be subject to application for a liquor licence from the Office of Liquor and Gaming Regulation (OLGR). This application will need to consider all aspects of serving alcohol which will include security.

6. Impacts on surrounding uses and other night/weekend markets.

Officer comment

The proposal is a refreshment establishment (food market). It is not likely that people attending the proposed "food market" will detract from those attending farmers or twilight markets and the like in the Cleveland area. The food market is likely to attract a different demographic of people which may increase patronage to other markets. This has been addressed in the report.

7. Amenity

- Setbacks
- Noise
- Odour
- Impact on lifestyle of nearby residents
- Visual amenity of containers and chain wire fence will make it look like building construction site.
- Converted shipping containers will look ugly, will remain on the site as permanent fixtures and no matter how well they are painted, it will still look like "lipstick on a pig".

Officer comment

These issues have been addressed in the report.

8. Lack of any positive architectural character of the shipping containers and shade shelter is the opposite of the architectural intents of the Cleveland Centre Master Plan.

Officer comment

The proposal is located within an existing car park area and largely screened from view from the wider Cleveland Centre. The carpark shade structure is the type of structure that is expected for a covered car parking area. The Cleveland Master Plan is not relevant for consideration as part of this application.

9. Length of lease.

Officer comment

The lease agreement will be between the Council and Chefs Inc and is proposed for a 5 year term plus a possible further 5 year term on agreement by both parties. There is no guarantee how long the lease term will be or if any extensions will be granted. This is a matter for negotiation with Council.

10. Converted shipping containers are buildings requiring a building approval in accordance with the Sustainable Planning Act 2009 and the Building Act 1975.

Officer comment

The proposal will be subject to a further building works application as necessary and this will be listed in the further approval section of the decision notice.

11. Proposed use does not meet definition of “temporary use” in the RPS.

Officer comment

The proposal has been lodged as a Refreshment Establishment and assessed against the relevant codes. The temporary terminology used in respect to the proposed use is that the food stalls are temporary in that they will be restricted to weekend hours only. The term could also be used in respect that the containers can be easily dismantled and removed.

12. Existing premises are located in permanent buildings and pay a rent that is commensurate with those quality buildings. The food market outlets will not compete on a level playing field in terms of those (and other) business on-costs.

Officer comment

This is not a relevant issue in the assessment of the application.

13. Many of the existing food and drink outlets in Cleveland are owned by Redland residents and they employ Redland residents, whereas the operators and employees in the proposed market are likely to be from locations external to the Redlands.

Officer comment

There is no guarantee that existing or proposed businesses in the Redlands employ people that only reside in the Redlands. The proposed food market will however provide an opportunity for local food businesses to promote their product and may also provide employment opportunities for local people.

14. No economic benefit to the Redland community.

Officer comment

The proposal is expected to attract a larger number of people into the centre and it is therefore envisaged that a flow on effect will result in people attending other establishments in the centre. This is further addressed in the report.

15. Doesn't comply with the higher-order desired outcomes of the Cleveland Centre.

Officer comment

The proposal is considered to meet the overall and specific outcomes of the Major Centre Zone code and the South East Queensland Regional Plan. This has been addressed in the report.

As noted above, the application is code assessable and does not require public notification. However, the issues raised above have been considered in the assessment of the proposal and are considered to have been adequately addressed.

Deemed Approval

The approval of this application has not been issued 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.

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 Refreshment Establishment on land described as Part of Lot 17 on RP 212514 and Part of Lot 32 RP 904128 and situated at 21-31 Bloomfield Street and 143 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	Plan/Doc. Date
Site Plan	MCU013700/1	Applicant	Received in Council 01/03/2016
Ground Level Plan	MCU013700/2	Applicant	Received in Council 01/03/2016
First Level Plan	MCU013700/3	Applicant	Received in Council 01/03/2016
Container Specifications	MCU013700/4	Applicant	Received in Council 01/03/2016
Traffic Impact Assessment	16118 - 1	RTG	23/05/2016
Odour Management Plan – Chefs Inc Food Market, Cleveland -	4474-OMP-02	Air Noise Environment Pty Ltd	18 /02/2016

Final			
Cleveland Eat Street Application – Noise Assessment Response to Information Request - Letter	4474_Letter_Respons e.odt	Air Noise Environme nt Pty Ltd	20 July 2016
Noise Assessment – Cleveland Eat Street – Revised Final – 4 Simplicity Pty Ltd	4474-Noise-04	Air Noise Environme nt	20/07/2016

Table 1: Approved Plans and Documents

<u>Limit of Approval</u>	
3. The following restrictions on the development apply: a. The use must cease after 10 years from the commencement of use.	Ongoing.
<u>Access</u>	
4. Prepare a traffic control/management plan for the site operation in accordance with the approved Traffic Impact Assessment, and maintain on site at all times.	Prior to the use commencing and ongoing.
<u>Design</u>	
5. Locate, design and install outdoor lighting 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.
6. Maintain all structures to be of a continually clean, tidy and structurally sound condition.	Prior to the use commencing and ongoing.
7. Design and construct the fence along the northern boundary and part of the western and eastern boundaries in a colour to blend with the boundary vegetation (eg, black or green) Note: Fencing is to be located internal to the site between the structures and existing vegetation where possible.	Prior to the use commencing and ongoing.
<u>Hours of Operation</u>	
8. Operate the approved use as follows: • Friday – 5:00pm to 10:00pm (set up time to commence from 5:00pm and trading to cease at 9:00pm to allow for cleaning and vacating the site); • Saturday – 10:00am to 10:00pm (set up time to commence at 10:00am and trading to cease at 9:00pm to allow for cleaning and vacating the site); and	Ongoing.

<ul style="list-style-type: none"> • Sunday – 10:00am to 9:00pm (set up time to commence from 10:00am and trading to cease at 8.00pm to allow for cleaning and vacating the site). 	
<u>Acoustic Requirements</u>	
<p>9. Incorporate acoustic recommendations and attenuation into the development as specified in the acoustic report titled <i>Noise Assessment – Cleveland Eat Street – Revised final – 4 Simplicity Pty Ltd, prepared by Air Noise Environment dated July 2016, project reference 4474.</i></p>	<p>Prior to the use commencing and ongoing.</p>
<p>10. Implement the noise management plan listed in Table 1: Approved Plans and Documents of this approval. Review the plan annually. Submit to Council, and receive approval for, Compliance Assessment for any amendments to the plan.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>11. Cease amplified entertainment by Friday and Saturday at 9pm and Sunday by 6pm as specified in <i>Noise Assessment – Cleveland Eat Street – Revised final – 4 Simplicity Pty Ltd, prepared by Air Noise Environment dated July 2016, project reference 4474.</i></p>	<p>Ongoing.</p>
<p>12. Conduct garbage collection between the hours of 7am to 6pm Monday to Saturday and 8am to 6pm Sunday as specified in <i>Noise Assessment – Cleveland Eat Street – Revised final – 4 Simplicity Pty Ltd, prepared by Air Noise Environment dated July 2016, project reference 4474.</i></p>	<p>Prior to the use commencing and ongoing.</p>
<p>13. Enclose all refrigeration plant and locate within container areas where there is no line of sight to neighbouring sensitive receivers.</p>	<p>Prior to the use commencing and ongoing.</p>
<u>Air Quality Requirements</u>	
<p>14. Implement the odour management plan listed in Table 1: Approved Plans and Documents of this approval. Review the plan annually. Submit to Council, and receive approval for, Compliance Assessment for any amendments to the plan.</p>	<p>Prior to the use commencing and ongoing.</p>
<u>Stormwater Management</u>	
<p>15. 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 using existing drainage system of the area. <p>The existing stormwater system within the development area is to be maintained as functional, without causing any blockage or localised ponding of surface runoff.</p>	<p>Prior to the use commencing and ongoing.</p>

<p>16. 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>	<p>Prior to the use commencing and ongoing.</p>
<u>Infrastructure and Utility Services</u>	
<p>17. 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.</p>	<p>At the time of works occurring.</p>
<u>Waste Management</u>	
<p>18. 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.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>19. Install a screened refuse storage area, co-located with the existing onsite waste storage area as indicated on the approved plan, for the storage of:</p> <ul style="list-style-type: none"> a. A minimum of 1 x 4m³ waste bin and a minimum 3m³ recycle bin. The storage area must be impervious, well drained, provided with a hose cock, enclosed and illuminated for night time use; and b. A waste oil container for the disposal of used cooking oils. <p>Note: As the general waste and recycle bins are to be emptied at the end of each night, it is recommended a bin lifter be used to decant the wheelie bins to the bulk bins.</p>	<p>Prior to the use commencing and ongoing.</p>
<u>Landscape Works</u>	
<p>20. Plant vegetation along the eastern boundary in accordance with the approved Site Plan (as amended).</p>	<p>Prior to the use commencing.</p>
<p>21. Undertake any pruning to existing trees in accordance with <i>Australian Standard AS4373:2007: Pruning of Amenity Trees</i>.</p>	<p>During site works.</p>
<p>22. Ensure no structures, stalls, seating or other constraints are placed along the eastern side of the car park area that prevent or inhibit access and movement to and from the adjoining path and ramps for pedestrians and mobility impaired persons.</p>	<p>Prior to the use commencing and ongoing.</p>

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:

- Food Business Licence – for any development proposing to conduct a food business under the *Food Act 2006*.
- Liquor Licence
- Trade Waste permit

ASSESSMENT MANAGER ADVICE

- **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.

- **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.

- **Removal of Landscaping and Pruning of Trees**
Contact Council's Senior Trees and Landscapes Services Officer on 07 3829 8999 to confirm timing and extent of works prior to removal of any landscape planter beds or trees from the site, or any pruning of trees.
- **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*.

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- **Road and Rail Noise Overlay**
Council's *Redland Planning Scheme Road and Rail Noise Overlay Map* identifies that the development application site is within the road and rail noise overlay and triggers Part 5 – Overlays, Division 10 – Road and Rail Noise Impacts Overlay Code of the Redlands Planning Scheme. It is recommended that any future development be designed and constructed to minimise noise impacts from the nearby roadway.

 - **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
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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.

11.3 INFRASTRUCTURE & OPERATIONS**11.3.1 DELEGATED AUTHORITY TO CHIEF EXECUTIVE OFFICER – CONTRACT FOR CONSTRUCTION OF SEWERAGE PUMP STATION 35 OVER \$2,000,000**

Objective Reference: A124442
Reports and Attachments (Archives)



Authorising Officer:
Gary Soutar
General Manager Infrastructure & Operations

Responsible Officer: Bradley Taylor
Group Manager Water & Waste Infrastructure

Report Author: Herbert David
Infrastructure Project Officer

PURPOSE

The purpose of this report is to seek resolution from Council to delegate authority to the Chief Executive Officer (CEO) to accept the tenders and make, vary and discharge a contract to purchase over \$2,000,000 within the 2016/17 financial year approval budget.

This delegation will assist Council by reducing the timeframe for the tender process so that awarding of the contract is not dependent on Council meeting dates which will expedite the procurement process.

BACKGROUND

In 2013, the Logan Water Alliance (Allconnex Water) investigated the condition of pump station 35 at Birkdale, regarding the water hammer, ragging and daily excessive running time. Since that time, the decision to upgrade the pump station was made, not only to improve the efficiency of the asset but also because of future demand on this catchment area.

ISSUES

A process has been utilised whereby Council has delegated the authority to approve/award a successful bid to the CEO prior to the tender closing and being evaluated. This saves significant time in the procurement process. The alternative is for council officers to evaluate and recommend and then send a report to Council for approval for the awarding of a specific contract and associated delegation. This may add up to 3-4 weeks to the process.

STRATEGIC IMPLICATIONS

There will be significant benefit in council making a formal decision (resolution) on this matter which would develop our procurement practices to increase value for money in an effective governing framework. The significant benefit relates to

- meeting statutory timeframes;
- meeting submission timeframes;

- meeting budget timeframes;
- financial benefits to all parties.

Legislative Requirements

Delegated authority and obligations of Council under the *Local Government Act 2009* legislative requirements are that:

1. Council may, by resolution, delegate authority to the CEO, under s.257(1)(b) of the *Local Government Act 2009*, to accept the tenders and make, vary and discharge a contract over \$500,000;
2. The estimated total cost of the purchase will be in the vicinity of \$2.5 million which will exceed the CEO's delegation which is currently \$2,000,000.

Risk Management

This project will be a more efficient asset that can service that catchment area until at least 2035.

Financial

This 64035 project - Sewerage Pump Station 35 upgrade, has been budgeted in the 2016/17 financial year.

People

Not applicable.

Environmental

Not applicable.

Social

Not applicable.

Alignment with Council's Policy and Plans

This report and ensuing actions align with council's policies and plans.

CONSULTATION

The following have been consulted in the preparation of this report and are supportive of the recommendation.

- General Manager Infrastructure & Operations;
- Group Manager Water & Waste Infrastructure;
- Group Manager Water & Waste Operations;
- Business Partnering Unit.

OPTIONS

Option 1

To delegate authority to the Chief Executive Officer to accept the tenders and make, vary and discharge a contract for the provision of the construction of a new Pump Station over \$2,000,000 including GST budgeted for in the 2016/2017 financial year.

Option 2

To not delegate this authority to the Chief Executive Officer and accept the risk with the lack of funds necessary for the construction of the pump station.

OFFICER'S RECOMMENDATION

That Council resolves to delegate authority to the Chief Executive Officer (under s.257(1)(b) of the *Local Government Act 2009*) to:

1. Negotiate, make, vary and discharge a contract, for the construction of a new pump station, over \$2,000,000 (including GST) within the 2016/2017 financial year approved budget; and
2. Sign all relevant documentation.

11.3.2 REDLAND WATER SOLE SUPPLIERS

Objective Reference: A1875149
Reports and Attachments (Archives)

Attachment: [Redland Water Sole Suppliers](#)



Authorising Officer:
Gary Soutar
General Manager Infrastructure & Operations

Responsible Officer: Kevin McGuire
Group Manager Water & Waste Operations

Report Author: Matthew Worrall
Service Manager Operations Maintenance

PURPOSE

The purpose of this report is to seek resolution from council to enter into a contractual arrangement with various suppliers (suppliers) without first inviting written quotes or tenders pursuant to section 235 of the *Local Government Regulation 2012 (LGR2012)* for a period of 12 months.

Section 235 provides a number of exceptions to inviting written quotes or tenders in relation to medium-sized (\$15,000 or more but less than \$200,000 in a financial year) and large-sized (\$200,000 or more in a financial year) contractual arrangements, however many of the goods and services that may be procured from the suppliers during the relevant period will be worth less than these threshold amounts.

The relevant exceptions in section 235 are where council resolves:

It is satisfied that there is only one supplier who is reasonably available (s235(a)); or because of the specialised nature of the services that are sought, it would be impractical or disadvantageous for council to invite quotes or tenders (s235(b)).

Council's Water & Waste Operations requires goods and services from the suppliers due to, in most circumstances, there being only one supplier that is reasonably available and, in one other circumstance, the specialised nature of the maintenance works to be performed at council's various wastewater treatment plants (WWTPs).

BACKGROUND

Council's Water & Waste Operations use specialised equipment manufactured, supplied and installed by the suppliers, or that can only be reasonably serviced and maintained by the suppliers.

In most cases, the proprietary nature of this specialised equipment means that servicing and maintenance can only be provided by the supplier, or parts can only be supplied by the supplier. Further, these goods and services are not reasonably available from other suppliers, either because there is only one supplier, or because the supply from alternative suppliers will not result in a value for money procurement. In particular:

- Council's Water & Waste Infrastructure and Water & Waste Operations groups use various equipment that requires ongoing servicing, maintenance, renewal and repair;
- The use of non-original or non-proprietary products often results in reduced reliability or failure, and the resulting cost implications;
- The cost benefit of using the suppliers to supply the goods and services;
- The consequences of failure result is an unacceptable risk to council, including the unavailability of council's water and waste infrastructure, environmental impact, environmental protection obligations and safety;
- The increased costs, reduced reliability and risk of failure associated with servicing and maintenance carried out by suppliers not familiar with the original or proprietary equipment or products, or from the use of non-original or non-proprietary parts during servicing and maintenance;
- Council's requirements in having repairs carried out reliably and without delay, and the unacceptable risk of the unavailability of council's water and waste infrastructure, environmental impact, environmental protection obligations and safety;
- The impact on the community in the event of any interruption to council's water and waste operations.

ISSUES

Sound contracting principles

In considering this procurement plan, the establishment of this arrangement and the list of suppliers, council's Water & Waste Operations have had regard to the sound contracting principles. In doing so, the principles of value for money and environmental protection were given more consideration, noting that there is only one supplier who is reasonably available for each of the goods and services required.

It should also be noted that despite the resolution, if made, and the establishment of this arrangement, consideration will be given to the sound contracting principles throughout the period of the arrangement and on each occasion that goods or services are procured. In particular:

- Council's Water & Waste Operations will continuously monitor the performance of the suppliers, and the value for money achieved from the suppliers, throughout the period of the arrangement;
- Where appropriate and practical, a written quote will be sought from a supplier before goods or services are procured.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with Section 235(a) and (b) of *LGR2012*, a local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if:

- a) The local government resolves it is satisfied that there is only one supplier who is reasonably available; or
- b) The local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite written quotes or tenders.

Risk Management

The resolution, if made, and the establishment of this arrangement, will assist in the management of the following identified risks:

- Reduced reliability or failure, and the resulting cost implications resulting from the use of non-original or non-proprietary products;
- The consequences of failure, including the unavailability of council's water and waste infrastructure, environmental impact, environmental protection obligations and safety;
- The increased costs, reduced reliability and risk of failure associated with servicing and maintenance carried out by suppliers not familiar with the original or proprietary equipment or products, or from the use of non-original or non-proprietary parts during servicing and maintenance;
- Council's requirements in having repairs carried out reliably and without delay, and the unacceptable risk of the unavailability of council's water and waste infrastructure, environmental impact, environmental protection obligations and safety;
- The impact on the community in the event of any interruption to council's water and waste operations.

Financial

There are no financial implications.

People

There are no implications.

Environmental

Environmental issues and potential impact have been considered, including council's EPA and relevant licence obligations, general environmental considerations and staff and public safety. As noted above, various suppliers have been identified to assist with meeting council's obligations, including the selection of suppliers to:

- Meet Council's EPA and WWTP licence requirements;
- Ensure reliability of equipment, maintenance, servicing, parts and products;
- Ensure the supply of equipment, chemicals and consumables to monitor and control odour;
- Ensure repairs are carried out reliably and without delay to avoid the unavailability of council's water and waste infrastructure, environmental impact and breaches of safety obligations.

Social

There are no social implications.

Alignment with Council's Policy and Plans

This report is consistent with Council's procurement policy and legislative requirements.

CONSULTATION

Consultation in this process has included the following:

- General Manager Infrastructure & Operations;
- Group Manager Water & Waste Operations;
- Service Manager Operations Maintenance;
- Senior Procurement Officer; and
- Business Partnering Unit.

OPTIONS

1. Approve the suppliers listed in the attachment as the only suppliers reasonably available to supply the goods or services required by council; or
2. Not approve the suppliers listed in the attachment as the only suppliers reasonably available to supply the goods or services required by Council. This would result in the delay and/or inability to reasonably acquire goods and services to deliver projects, impacting negatively on council operations and service delivery.

OFFICER'S RECOMMENDATION

That Council resolves to approve the suppliers listed in the attachment as the only suppliers reasonably available to supply the goods or services required by Council.

11.3.3 ENDORSEMENT OF CYCLE NETWORK PLAN PRIORITY ROUTE MAPS

Objective Reference: A1852068
Reports and Attachments (Archives)

Attachment: [Redland City Council Priority Route Maps](#)



Authorising Officer:
Gary Soutar
General Manager Infrastructure and Operations

Responsible Officer: Murray Erbs
Group Manager City Infrastructure

Report Author: Christine Cartwright
Adviser Infrastructure Programming

PURPOSE

The purpose of this report is for Council to formally endorse the Priority Route Maps (PRMs) which form an addendum to the south-east Queensland (SEQ) Principal Cycle Network Plan (PCNP).

These maps guide the planning, design and investment in the principal cycleway network by Redland City Council (RCC) and the Department of Transport & Main Roads (DTMR) over the next 10 years.

Written endorsement has been requested to be provided to DTMR and is required to support future applications by Council to seek funding for the priority network.

BACKGROUND

A letter was received by Council on 27 May 2016 from the Director-General (DTMR) requesting endorsement of PRMs as an addendum to the SEQ PCNP.

The maps were developed in consultation with DTMR staff. They reflect the intended priority that has been assigned to routes and endorse routes of the PCNP that RCC is eligible to apply for under the Queensland Government "Cycle Network Local Government Grants" Program.

It is significant as it informs DTMR in the assessment of applications under the program with higher priority routes being given the greater weighting.

ISSUES

Formal endorsement is required by DTMR prior to finalisation and publication on the DTMR website.

STRATEGIC IMPLICATIONS**Legislative Requirements**

Not applicable.

Risk Management

Not applicable.

Financial

Not applicable.

People

Not applicable.

Environmental

Not applicable.

Social

Not applicable.

Alignment with Council's Policy and Plans

This report aligns with Council's Corporate Plan 2015-2020:

2. Green Living

- 2.5 Transport planning reflects a desire to maximise economic, environmental and liveability outcomes through quality road design, public transport, pedestrian and cycling strategies.

CONSULTATION

- Principal Engineer City Infrastructure
- Roadside Asset Engineer

OPTIONS**Option 1**

To endorse the Redland City Council Priority Route Maps (as an addendum to the South East Queensland Principal Cycle Network Plan).

Option 2

Not to endorse the Redland City Council Priority Route Maps (as an addendum to the South East Queensland Principal Cycle Network Plan).

OFFICER'S RECOMMENDATION

That Council resolves to endorse the Redland City Council Priority Route Maps (as an addendum to the South East Queensland Principal Cycle Network Plan).

12 MAYORAL MINUTE

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

13 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS

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

14 NOTICES OF MOTION

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

15 URGENT BUSINESS WITHOUT NOTICE

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

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

16 CLOSED SESSION**16.1 INFRASTRUCTURE & OPERATIONS****16.1.1 REDLAND AQUATIC PRECINCT REDVELOPMENT**

Objective Reference: A1850439
Reports and Attachments (Archives)

Authorising Officer:



Gary Soutar
General Manager Infrastructure & Operations

Responsible Officer:

Lex Smith
Group Manager City Spaces

Report Author:

Sven Ljungberg
Program Manager Aquatic & Emergency Precinct

EXECUTIVE SUMMARY

Council or Committee has a broad power under Section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

OFFICER'S RECOMMENDATION

That the meeting be closed to the public to discuss this matter pursuant to Section 275(1) of the *Local Government Regulation 2012*.

The reason that is applicable in this instance is as follows:

- (h) *other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage*

16.2 OFFICE OF CEO**16.2.1 SALE OF LAND FOR OVERDUE RATES**

Objective Reference: A1751725
Report and Attachments (Archives)

Authorising Officer:



Deborah Corbett-Hall
Chief Financial Officer

Responsible Officer:

Noela Barton
Manager, Financial Operations

Report Author:

Thomas Turner
Team Leader, Accounts Receivable &
Payments

EXECUTIVE SUMMARY

Council or Committee has a broad power under Section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

OFFICER'S RECOMMENDATION

That the meeting be closed to the public to discuss this matter pursuant to Section 275(1) of the *Local Government Regulation 2012*.

The reason that is applicable in this instance is as follows:

- (h) *other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage*

16.2.2 AMENDMENTS TO CURRENT 2016/17 FEES AND CHARGES SCHEDULE**Objective Reference:** A124337**Authorising Officer:****Deborah Corbett-Hall
Chief Financial Officer****Responsible Officer:****Richard Cahill
Finance Manager – Business Partnering****Report Author:****Julia Dyer
Senior Management Accountant – Business
Partnering**

EXECUTIVE SUMMARY

Council or Committee has a broad power under Section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

OFFICER'S RECOMMENDATION

That the meeting be closed to the public to discuss this matter pursuant to Section 275(1) of the *Local Government Regulation 2012*.

The reason that is applicable in this instance is as follows:

- (h) *other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage***

17 MEETING CLOSURE