



Redland
CITY COUNCIL

AGENDA

GENERAL MEETING

Wednesday, 11 March 2015
commencing at 9.30am

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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The Mayor is the Chair of the General Meeting. The following Portfolios are included in the General Meeting and Council's nominated spokesperson for that portfolio as follows:

PORTFOLIO	SPOKESPERSON
1. Office of the CEO (including Internal Audit)	Cr Mark Edwards
2. Organisational Services (excluding Internal Audit and Emergency Management)	Mayor Karen Williams
3. City Planning and Assessment	Cr Julie Talty
4. Community & Cultural Services, Environment & Regulation	Cr Lance Hewlett
5. Infrastructure & Operations	Cr Paul Gleeson
6. Emergency Management	Cr Alan Beard

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 25 FEBRUARY 2015

Motion is required to confirm the Minutes of the General Meeting of Council held on 25 February 2015.

5.2 SPECIAL MEETING MINUTES 26 FEBRUARY 2015

Motion is required to confirm the Minutes of the Special Meeting of Council held on 26 February 2015.

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

6.1 REQUEST FOR REPORT – SHARK NET ENCLOSURE, RABY BAY FORESHORE

This item is listed as Item 11.2.1 of this agenda.

6.2 REQUEST FOR REPORT - PUBLIC VEHICLE ACCESS TO THE BASIN AT AMITY

At the General Meeting of 25 February 2015 (Item 11.4.1 refers) Council resolved to:

Defer this item so that further discussions can be held with the State Government regarding other alternatives to the proposed access route.

A report will be presented to a future General Meeting for consideration.

7 PUBLIC PARTICIPATION

In accordance with s.42 Redland City Council Meetings – Standing Orders:

1. Council may by resolution set aside a maximum of 15 minutes to permit members of the public to address the local government on matters of public interest relating to local government. The time given to each member of the public for their address will not exceed 5 minutes and the maximum number of speakers will be decided by the Chairperson.
2. A member of the public wishing to attend and address a meeting may either:
 - (a) make a [Written Application](#) to address the meeting, which must be received by the Chief Executive Officer, no later than 4.30pm two days before the meeting; or
 - (b) make a request to the Chairperson at the commencement of the public participation period, when invited to do so by the Chairperson.
3. The right of any member of the public to address the local government is at the absolute discretion of Council. Priority will be given to persons who have made a written application to speak at a meeting, in accordance with Council's Meetings Standing Orders.
4. If any address or comment made by a member of the public addressing a meeting is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease their address.
5. Any person addressing a meeting will -
 - (a) unless they are incapacitated or it is otherwise unreasonable for them to do so, stand; and
 - (b) speak with decorum; and
 - (c) frame any remarks in respectful and courteous language.
6. If a person is considered by the local government, Mayor or Chairperson to be unsuitably dressed, the person may be directed to immediately withdraw from the meeting. Failure to comply with a direction may be considered an act of disorder.

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 PORTFOLIO 3 (CR JULIE TALTY)****CITY PLANNING AND ASSESSMENT****11.1.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1,2 & 3 DEVELOPMENT APPLICATIONS**

Datworks Filename: Reports to Council - Portfolio 3 Planning & Development

Attachment: [Decisions Made Under Delegated Authority 08.02.2015 to 21.02.2015](#)

Authorising Officer: 
Louise Rusan
General Manager Community & Customer Services

Responsible Officer: **David Jeanes Louise Rusan**
Group Manager City Planning & Assessment

Author: **Debra Weeks**
Group 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 Development for a decision.

OFFICER'S RECOMMENDATION

That Council resolves to note this report.

Decisions Made Under Delegated Authority 08.02.2015 to 14.02.2015

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
Category 1								
MCU013369	Dwelling House	Category1	Valerie Ann Morris	224A Main Road, Wellington Point QLD 4160	Code Assessment	11/02/2015	Development Permit	1
MCU013388	Combined Dwelling House and Pool	Category1	AMD Quality Constructions	43 Main Road, Wellington Point QLD 4160	Code Assessment	10/02/2015	Development Permit	1
BWP002717	Design & Siting - Carport & Storage	Category1	Nathan Ross Brown Mimi Cooper	29 Blue Water Avenue, Thornlands QLD 4164	Concurrence Agency Response	12/02/2015	Approved	3
BWP002749	Combined Design & Siting- Domestic Additions (Deck)	Category1	Reliable Certification Services	29 Cupania Street, Victoria Point QLD 4165	Concurrence Agency Response	11/02/2015	Approved	4
MCU013405	Dwelling House - ADA	Category1	Bay Island Designs	17 Frenchem Terrace, Macleay Island QLD 4184	Code Assessment	11/02/2015	Development Permit	5
MCU013411	Dwelling House - ADA	Category1	Bay Island Designs	117-123 Beelong Street, Macleay Island QLD 4184	Code Assessment	11/02/2015	Development Permit	5
BWP002734	Design & Siting - Outbuilding	Category1	Joshua Amato Butturini	24 Peart Parade, Mount Cotton QLD 4165	Concurrence Agency Response	11/02/2015	Approved	6
BWP002744	Design & Siting- Dwelling House	Category1	Professional Certification Group	77 Balthazar Circuit, Mount Cotton QLD 4165	Concurrence Agency Response	10/02/2015	Approved	6
BWP002750	Design and Siting - Dwelling House	Category1	Anthony Cregan	17 Brut Street, Mount Cotton QLD 4165	Concurrence Agency Response	11/02/2015	Approved	6
BWP002683	Design and Siting - Carport	Category1	Metropolitan Certification Services Pty Ltd	37 Rosella Street, Wellington Point QLD 4160	Concurrence Agency Response	12/02/2015	Approved	8

Decisions Made Under Delegated Authority 08.02.2015 to 14.02.2015

BWP002748	Design & Siting-Domestic Additions	Category1	Building Certification Consultants Pty Ltd	4 Wren Street, Birkdale QLD 4159	Concurrence Agency Response	11/02/2015	Approved	8
MCU013275	Multiple Dwelling x 14	Category1	Macdale Developments Pty Ltd	120 Mount Cotton Road, Capalaba QLD 4157	Code Assessment	12/02/2015	Development Permit	9
MCU013390	Dwelling House	Category1	Develothis	16 Lucy Street, Thorneside QLD 4158	Code Assessment	11/02/2015	Development Permit	10
BWP002738	Building Over/near relevant infrastructure	Category1	Jeffery Lynne Bourke Lorraine Helen Bourke	62 Mary Pleasant Drive, Birkdale QLD 4159	Concurrence Agency Response	10/02/2015	Approved	10
Category 2								
ROL005842	Standard Format: 1 INTO 5 LOTS	Category2	Philip Impey Architect	285 Main Road, Wellington Point QLD 4160	Code Assessment	13/02/2015	Development Permit	1
OPW001768	Operational Works - MCU - Multiple dwelling x 5	Category2	Legacy Engineers Pty Ltd	285 Main Road, Wellington Point QLD 4160	Compliance Assessment3	10/02/2015	Compliance Certificate	1
MCU013382	Warehouse	Category2	Development Management Solutions Pty Ltd	12-16 Wellington Street, Cleveland QLD 4163	Code Assessment	13/02/2015	Development Permit	2
OPW001734	Operational Works for ROL 1 into 7	Category2	Golden Golden Ponds Estates Pty Ltd	262 Boundary Road, Thornlands QLD 4164	Code Assessment	11/02/2015	Permissible Change - Development Permit	3
OPW001796	Landscaping Works - Retirement Villa - Stage 13	Category2	Renaissance Victoria Point Pty Ltd	36-40 Bunker Road, Victoria Point QLD 4165	Compliance Assessment2	12/02/2015	Approved	6

Decisions Made Under Delegated Authority 08.02.2015 to 14.02.2015

OPW001758	Operational Works - 1 into 3	Category2	DRW Consulting Sentinel Holdings (Qld) Pty Ltd	43 Dawson Road, Alexandra Hills QLD 4161	Code Assessment	10/02/2015	Development Permit	7
BWP002742	Building Over/near relevant infrastructure - Dwelling House	Category2	Bartley Burns Certifiers & Planners	23A Burbank Road, Birkdale QLD 4159	Concurrence Agency Response	10/02/2015	Approved	8
OPW001793	Operational Works – ROL 1 into 2	Category2	Christopher John Peters	1 Elmhurst Street, Capalaba QLD 4157	Code Assessment	10/02/2015	Development Permit	9
OPW001781	Operational Works - MCU - Combined (civil and landscaping) Shops & Refreshment Establishment	Category2	Burchills Engineering Solutions	Birkdale Fair Shopping Centre, 2-12 Mary Pleasant Drive, Birkdale QLD 4159	Code Assessment	11/02/2015	Compliance Certificate	10

Decisions Made Under Delegated Authority 15.02.2015 to 21.02.2015

Application	Description	Category	Applicant	Property Address	Application Type	Decision Date	Decision	Division
Category 1								
BWP002759	Design & Siting- Dwelling House	Category1	Clarendon Homes Qld Pty Ltd	264 Wellington Street, Ormiston QLD 4160	Concurrence Agency Response	17/02/2015	Approved	1
BWP002761	Design & Siting - Roofed Deck	Category1	Grant John Boutcher Allyson Mongan	2 Hilliards Park Drive, Wellington Point QLD 4160	Concurrence Agency Response	19/02/2015	Approved	1
BWP002767	Design and Siting - Outbuilding	Category1	Bartley Burns Certifiers & Planners	2 Heritage Drive, Wellington Point QLD 4160	Concurrence Agency Response	20/02/2015	Approved	1
ROL005876	Standard Format: 1 into 2 Lots	Category1	East Coast Surveys Pty Ltd	41 Blue Water Avenue, Thornlands QLD 4164	Code Assessment	16/02/2015	Development Permit	3
OPW001769	Advertising Device x 5	Category1	Greater Group	Victoria Point Town Centre, 349-369 Colburn Avenue, Victoria Point QLD 4165	Code Assessment	16/02/2015	Development Permit	4
BWP002769	Design and Siting - Outbuilding	Category1	Strickland Certification Pty Ltd	10 Darescott Court, Victoria Point QLD 4165	Concurrence Agency Response	19/02/2015	Approved	4
MCU013326	Dwelling House ADA	Category1	Bay Island Designs	70 Deenya Parade, Russell Island QLD 4184	Code Assessment	20/02/2015	Development Permit	5
BWP002752	Design & Siting - Shed	Category1	Ronald William John Leader	11 Bahah Street, Macleay Island QLD 4184	Concurrence Agency Response	16/02/2015	Approved	5
BWP002763	Design and Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	4 Noah Court, Redland Bay QLD 4165	Concurrence Agency Response	19/02/2015	Approved	5

Decisions Made Under Delegated Authority 15.02.2015 to 21.02.2015

BWP002701	Domestic Outbuilding	Category1	The Planning Place	72-82 Henderson Road, Sheldon QLD 4157	Code Assessment	19/02/2015	Development Permit	6
MCU013403	Indoor Recreation Facility	Category1	Powercat Partners Pty Ltd	101 Valley Way, Mount Cotton QLD 4165	Code Assessment	17/02/2015	Development Permit	6
BWP002740	Building over/near relevant infrastructure - Dwelling	Category1	Bartley Burns Certifiers & Planners	102 Balthazar Circuit, Mount Cotton QLD 4165	Concurrence Agency Response	18/02/2015	Approved	6
BWP002743	Dwelling House - Secondary Dwelling	Category1	Hoek Modular Homes	101-103 Henderson Road, Sheldon QLD 4157	Code Assessment	16/02/2015	Development Permit	6
BWP002753	Design and Siting - Dwelling House	Category1	Coral Homes (Qld) Pty Ltd	2 Maree Place, Redland Bay QLD 4165	Concurrence Agency Response	17/02/2015	Approved	6
BWP002760	Design & Siting - Garage	Category1	Beverley Kaye Dewar Stephen Charles Dewar	9 Barcrest Drive, Victoria Point QLD 4165	Concurrence Agency Response	19/02/2015	Approved	6
ROL005878	Standard Format 1 into 2 lots	Category1	William Economidis	70 Randall Road, Birkdale QLD 4159	Compliance Assessment	18/02/2015	CompPermit	8
BWP002758	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	74 Spurs Drive, Wellington Point QLD 4160	Concurrence Agency Response	17/02/2015	Approved	8
BWP002762	Design and Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	9 Cashmere Court, Wellington Point QLD 4160	Concurrence Agency Response	19/02/2015	Approved	8
BWP002764	Design & Siting - Dwelling House	Category1	Building Code Approval Group Pty Ltd	70 Spurs Drive, Wellington Point QLD 4160	Concurrence Agency Response	17/02/2015	Approved	8

Decisions Made Under Delegated Authority 15.02.2015 to 21.02.2015

MCU013413	Dwelling House - Overlay assessment	Category1	Statewide Survey Group Pty Ltd Consulting Surveyors	41 Banks Street, Capalaba QLD 4157	Code Assessment	19/02/2015	Development Permit	9
BWP002765	Design & Siting - Dwelling House	Category1	The Certifier Pty Ltd	19 Badgen Road, Birkdale QLD 4159	Concurrence Agency Response	19/02/2015	Approved	10
Category 2								
MCU013349	Multiple Dwellings x 3	Category2	Shane Keeffe Architects Pty Ltd	124 Princess Street, Cleveland QLD 4163	Impact Assessment	17/02/2015	Development Permit	2
MCU013384	Multiple Dwelling x 4	Category2	Javica Property Solutions Pty Ltd	13 Channel Street, Cleveland QLD 4163	Code Assessment	18/02/2015	Development Permit	2
OPW001792	Landscape Works - MCU - Warehouse	Category2	Energex Limited	36 Enterprise Street, Cleveland QLD 4163	Compliance Assessment	16/02/2015	Compliance Certificate	2
ROL005819	Stage 1 _ Standard Format 2 into 48 lots	Category2	JFP Urban Consultants	61-79 King Street, Thornlands QLD 4164	Code Assessment	20/02/2015	Development Permit	4
ROL005820	Stage 2 - Standard Format 2 into 35 Lots	Category2	JFP Urban Consultants	61-79 King Street, Thornlands QLD 4164	Code Assessment	20/02/2015	Development Permit	4
ROL005647	Standard Format Reconfiguration - 1 Lot into 17 Lots	Category2	Harridan Pty Ltd (Loganholme)	58-98 Donald Road, Redland Bay QLD 4165	Permissible Change	19/02/2015	Development Permit	6
OPW001790	Operational Works - Town house Development (Earthworks, Storm water and Erosion and Sediment Control)	Category2	Intelara Pty Ltd	Serafina Court, 25 Pittwin Road North, Capalaba QLD 4157	Compliance Assessment	20/02/2015	Compliance Certificate	9

Decisions Made Under Delegated Authority 15.02.2015 to 21.02.2015

OPW001775	Operational Works- Combined - Landscaping and	Category2	TFA Project Group Woolworths Limited	114 Birkdale Road, Birkdale QLD 4159	Compliance Assessment	17/02/2015	Compliance Certificate	10
Category 3								
MCU013260	Aged Person & Special Needs Facility	Category3	Clemwell Pty Ltd	174-180 Wellington Street, Ormiston QLD 4160	Impact Assessment	20/02/2015	Development Permit	1

11.1.2 APPEALS LIST CURRENT AS AT 23 FEBRUARY 2015

Datworks Filename: Reports to Council - Portfolio 3 Planning & Development

Authorising Officer: 

Louise Rusan
General Manager Community & Customer Services

Responsible Officer: David Jeanes
Group Manager City Planning & Assessment

Author: Chris Vize
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/qjudgment/>

2. Department of State Development, Infrastructure and Planning (SDIP)

The DSDIP provides a Database of Appeals (<http://services.dip.qld.gov.au/appeals/>) 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 1963 of 2009 (MC010715)
Applicant:		JT George Nominees P/L
Application Details:		Preliminary Approval for MCU for neighbourhood centre, open space and residential uses (concept master plan). Cnr Taylor Rd & Woodlands Dve, Thornlands.
Appeal Details:		Applicant appeal against refusal.
Current Status:		The appellant has submitted amended plans that are considered a minor change to the application. Council and other parties are currently considering the amended plans. The matter has been adjourned to 27 March 2015.

2.	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:		The appellant has submitted amended plans that are considered a minor change to the application. The matter has been adjourned to 25 February 2015.

3.	File Number:	Appeal 4521 of 2013 (MCU012995)
Applicant:		D Polzi and ML Polzi
Application Details:		Material Change of Use for a Landscape Supply Depot.
Appeal Details:		Submitter appeal against development permit approval.
Current Status:		Listed for review 4 March 2015.

4.	File Number:	Appeal 4564 of 2013 (ROL005669)
Applicant:		Ausbuild Projects Pty Ltd
Application Details:		Reconfiguration of Lots (6 into 259) and Material Change of Use (Dwelling Houses).
Appeal Details:		Applicant appeal against refusal.
Current Status:		Adjourned until 9 April 2015.

5.	File Number:	Appeal 1760 of 2014 (ROL005698)
Applicant:		Ausbuild Pty Ltd
Application Details:		Reconfiguration of Lots (8 lots) and Material Change of Use (Dwelling Houses).
Appeal Details:		Applicant appeal against refusal.
Current Status:		Matter taken to the general meeting of 10 December and is now adjourned to 25 February 2015 to allow parties to undertake the identified actions.

6.	File Number:	Appeal 4802 of 2014 (OPW001288)
Applicant:		Birkdale Flowers Pty Ltd
Application Details:		Operational Works subsequent to reconfiguring a lot (1 into 28 lots).
Appeal Details:		Originating application seeking enforcement orders for removal of encroachments upon adjoining land and compliance with relevant approvals.
Current Status:		The parties will attend a without prejudice mediation in March 2015 to discuss the matter.

7.	File Number:	Appeals 178, 179, 180 & 181 of 2015 (ROL005722 – ROL005725 inclusive)
Applicant:		Villa World Development Pty Ltd
Application Details:		Reconfiguring a Lot - 1 into 37 lots (Stage 4), 1 into 32 lots (Stage 5), 1 into 32 lots (Stage 6) and 1 into 33 lots (Stage 7).
Appeal Details:		Applicant appeals against refusal of request for Negotiated Infrastructure Charges Notices.
Current Status:		Parties are to attend a without prejudice mediation on or before 13 March 2015.

OFFICER'S RECOMMENDATION

That Council resolves to note this Report.

11.2 PORTFOLIO 5 (CR PAUL GLEESON)**INFRASTRUCTURE & OPERATIONS****11.2.1 RABY BAY SWIMMING ENCLOSURE**

Datworks Filename: RTT Planning Marine General

Authorising/Responsible Officer:

**Gary Soutar
General Manager Infrastructure and
Operations**

Author:

**Benjamin Bruce
Adviser Marine Investigations**

PURPOSE

The purpose of this report is to provide Council with the opportunity to consider the need and opportunity for a shark net enclosure to be installed on the Raby Bay (Masthead Drive) foreshore with the possibility of inclusion in the Capital Works program.

BACKGROUND

Members of the community have requested that Council install shark net enclosures on the Raby Bay (Masthead Drive) foreshore to improve safety at a popular swimming location. Council has resolved to undertake the following:

1. investigate the need and opportunity for a shark net enclosure to be installed on the Raby Bay (Masthead Drive) foreshore; and
2. that a report to Council include financial implications so that consideration can be given to possible inclusion in the Capital Works program.
3. A Council workshop was held on 4 December, 2014 providing the opportunity for initial discussion regarding possible solutions.

ISSUES

The investigation into the installation of a new shark net enclosure on the Raby Bay (Masthead Drive) foreshore has identified the following issues:

1. Significant upfront investment to install the facility;
2. On-going budget and resource requirements to ensure facility is maintained to an acceptable standard;
3. Minimal impact on the risk rating of a shark event due to installation of the enclosure;
4. No community consultation has been undertaken regarding the potential location of an enclosure at the Raby Bay (Masthead Drive) foreshore location.

STRATEGIC IMPLICATIONS

Legislative Requirements

Currently, there are no legislative requirements to provide swimming enclosures for public use.

Risk Management

Redland City Council's Risk Services team were asked to undertake a risk analysis of a potential shark incident occurring at this location. The following outcomes were noted:

1. The risk of a shark related incident (death or injury) occurring within Moreton Bay is considered to be rare, but would have severe consequences;
2. This risk is considered M-10 on the Redland City Council risk table. This outcome requires attention but can be prioritised according to budget;
3. If a swimming enclosure were to be installed at this location, the risk of a shark-related incident would still remain as rare, and the consequence would remain severe;
4. The installation of the swimming enclosure has minimal impact on the risk management strategy for Council.

Financial

Council currently manages 7 existing shark net enclosure facilities throughout the Redlands resulting in the following financial implications (based on the 14/15 financial year):

- Total operations and maintenance budget allocation of \$45,000 per annum;
- Breaks down to approximately \$6,500 per facility, per annum;
- As of December 2014, total expenditure already exceeded \$35,000 for the current financial year;
- Many of the existing facilities are in poor condition resulting in higher maintenance expenditure and most have been scheduled for renewal.

Quotations and estimated operations and maintenance costs were requested from three suppliers for the potential installation of a new shark net enclosure at Raby Bay (Masthead Drive) foreshore. The following information was received:

1. Installation costs ranged from \$75,300 + GST to \$240,000 + GST;
2. Expected operational costs varied from \$9,000 to \$41,000 per annum depending on the product selected, purchase and/or lease arrangements.

People

Installation of a new shark net enclosure would make use of Council's existing staff resource as the facility would be added to the management regime for existing enclosure facilities.

Environmental

All three barrier solutions explored were considered environmentally friendly and encouraged a 'no by-catch' philosophy. Impact on the surrounding environment is expected to be minimal.

Social

City Infrastructure Group (CIG) believes the locations of the existing shark net enclosures are not at Council's most popular swimming locations and may not be providing best value for money support for Council's services.

Although the proposed location encourages a facility at one of Redland's most popular swimming destinations, a separate review has been identified as a future task in the Marine Infrastructure Asset & Service Management Plan. The review to be undertaken by CIG will address the long term planning of swimming enclosures and their locations.

Alignment with Council's Policy and Plans

Installation of a shark net enclosure would align with the following Council policies and plans:

- Community Plan - Embracing the Bay (Goal 6); and
- Corporate Plan - Embracing the Bay (S3.4).

CONSULTATION

Local shark experts were contacted to obtain information regarding the potential for sharks to be located in the Raby Bay (Masthead Drive) foreshore area. The following responses were obtained:

1. Fisheries Queensland

- a) There is a strong likelihood of several species of Whaler sharks, including the Bull Whaler, being located between Hilliard's Creek to the north and Eprapah Creek to the south.
- b) There has been regular contact from residents in Gold/Sunshine Coast canals regarding shark sightings. There have been two fatal shark attacks in these systems to date.
- c) Links were provided as examples of systems other Councils have employed to manage the risk.

2. Ocean & Coast Research

- a) Can almost guarantee there will be bull sharks (between 1.2 to 1.5 m and larger) moving through the area.
- b) These sharks tend to remain near the bottom as they move during the day and come to the surface at night, hence they largely remain unnoticed.

3. Council's Business & Infrastructure Finance team.

Consultation with potential enclosure suppliers was undertaken to gain an understanding of options and their installation and maintenance costs.

A Council workshop was held on 4 December 2014 providing the opportunity for initial discussion regarding possible solutions and the outcome of consultation with local shark experts and barrier providers.

OPTIONS

1. That the request to consider a shark barrier at Raby Bay (Masthead Drive) foreshore be included into the planned review for swimming enclosures assets across the City, which has been identified within the Marine Infrastructure Asset & Service Management Plan.
2. That the report be noted and no further action be taken.
3. That Council list the project for design and construction in the 2016/17 Capital Works Program.

OFFICER'S RECOMMENDATION

That Council resolves that the request to consider a shark barrier at Raby Bay (Masthead Drive) foreshore be considered in reviewing the citywide need for swimming enclosures as identified within the Marine Infrastructure Asset & Service Management Plan.

12 MAYORAL MINUTE

In accordance with s.35 *Redland City Council Meetings – 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**14.1 NOTICE OF MOTION – CR BISHOP****14.1.1 RECOVERING COSTS FOR REMOVAL OF MANGROVES FROM AQUATIC PARADISE SEA-WALL**

On 3 March 2015, in accordance with s.7(3) *Redland City Council Meetings – Standing Orders*, Cr Bishop gave notice that he intends to move as follows:

That Council resolves to recover the cost for the removal of mangroves from Aquatic Paradise sea-wall from the ‘General Reserve’ rather than the ‘Aquatic Paradise Canal Reserve’.

14.2 NOTICE OF MOTION – CR BISHOP**14.2.1 RECOVERING COSTS FOR RUBBISH REMOVAL FROM THE AQUATIC PARADISE CANALS**

On 3 March 2015, in accordance with s.7(3) *Redland City Council Meetings – Standing Orders*, Cr Bishop gave notice that he intends to move as follows:

That Council resolves to recover the cost of rubbish removal from the Aquatic Paradise Canals from the ‘General Reserve’, rather than the ‘Aquatic Paradise Canal Reserve’.

15 URGENT BUSINESS WITHOUT NOTICE

A Councillor may bring forward an item of urgent business if the meeting resolves that the matter is urgent.

16 MEETING CLOSURE