



REPORT

Coordination Committee Meeting

Tuesday 2 July 2019

commencing at 10.49am

Strathpine Chambers
220 Gympie Road, Strathpine

ENDORSED GM20190702

Membership = 13

Mayor and all Councillors

Quorum = 7

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Coordination Committee meeting held 2 July 2019 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)
CHAIRPERSON
COORDINATION COMMITTEE

**12.1 Coordination Committee Meeting - 2 July 2019 - ITEM 4.1 CONSIDERED SEPARATELY
(Pages 19/1385 - 19/1389)**

ITEM 4.1 - PETRIE - YOUNGS CROSSING ROAD - ROAD REHABILITATION - DIVISION 7

Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Allan Sutherland (Mayor) declared a perceived conflict of interest in Item 4.1 as BMD Constructions (a tenderer of Item 4.1) provided \$2200 on 2 November 2010 to Moreton Futures Trust. Cr Sutherland advised that Moreton Futures Trust contributed \$110,500 between 12 April 2012 and 25 May 2012 to the Mayor's 2012 election campaign.

Cr Allan Sutherland (Mayor) retired from the meeting at 4.12pm taking no part in the debate or recommendation regarding same.

Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Mike Charlton (Deputy Mayor) declared a perceived conflict of interest in Item 4.1 as BMD Constructions (a tenderer of Item 4.1) provided \$2200 on 2 November 2010 to Moreton Futures Trust for his 2012 election campaign. Cr Charlton advised that he received an interest free loan in the amount of \$5000 from Moreton Futures Trust in late September 2011 which was repaid in full on 25 January 2012. Cr Charlton has not received a donation since that time.

Cr Mike Charlton (Deputy Mayor) retired from the meeting at 4.12pm taking no part in the debate or recommendation regarding same.

RESOLUTION - APPOINT CHAIRPERSON

Moved by Cr Koliana Winchester

Seconded by Cr Mick Gillam

CARRIED 10/0

That pursuant to s267(3) of the Local Government Regulation 2012, Cr Adam Hain be appointed as Chairperson of the General Meeting for Item 12.1 (adoption of Item 4.1 of the Coordination Committee 2 July 2019 considered separately) in the absence of the Mayor and the Deputy Mayor.

RESOLUTION - Item 4.1 of Coordination Committee - 2 July 2019

Moved by Cr Denise Sims

Seconded by Cr Mick Gillam

CARRIED 10/0

Cr Allan Sutherland (Mayor) and Mike Charlton (Deputy Mayor) had declared a Conflict of Interest and had left the meeting

That the report and recommendations for Item 4.1 of the Coordination Committee meeting held 2 July 2019, be adopted.

ATTENDANCE

Cr Allan Sutherland (Mayor) and Mike Charlton (Deputy Mayor) returned to the meeting at 4.14pm after Item 12.1 (adoption of Item 4.1 of the Coordination Committee 2 July 2019 considered separately).

Cr Allan Sutherland (Mayor) resumed the Chair at that time.

**12.2 Coordination Committee Meeting - 2 July 2019 - BALANCE OF ITEMS EXCLUDING ITEM 4.1
(Pages 19/1347 - 19/1446)**

RESOLUTION - Balance of Items excluding Item 4.1

Moved by Cr Koliana Winchester

Seconded by Cr Mick Gillam

CARRIED 12/0

That the report and recommendations of the Coordination Committee meeting held 2 July 2019 be adopted, excluding Item 4.1 considered separately.

LIST OF ITEMS

1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)

- ITEM 1.1** 1348
REVIEW OF CORPORATE STRUCTURE - REGIONAL
COMMITTEE RECOMMENDATION
REPORT DETAIL

2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)

- ITEM 2.1** 1352
DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK OUTLET (LOT 6) AND RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 9 LOTS) AND DEVELOPMENT PERMIT FOR BUILDING WORK (TO CARRY OUT BUILDING WORK ON A QUEENSLAND HERITAGE PLACE) - 1613 ANZAC AVENUE, KALLANGUR - DIVISION 7
COMMITTEE RECOMMENDATION
REPORT DETAIL

3 CORPORATE SERVICES SESSION (Cr M Constance)

- ITEM 3.1** 1381
LOCAL GOVERNMENT MUTUAL MEMBERSHIP RENEWAL 2019/20 - REGIONAL
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.1 - DECLARATION OF INTEREST** 1384
Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)
Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)
COMMITTEE RECOMMENDATION - APPOINT CHAIRPERSON

4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

- ITEM 4.1** 1385
PETRIE - YOUNGS CROSSING ROAD - ROAD REHABILITATION - DIVISION 7
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.2** 1390
TENDER - 2019-2020 REGIONAL WATERBODY MAINTENANCE PROGRAM - REGIONAL
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.3** 1396
PROPOSED LEASES - BRUCE HIGHWAY ROAD UPGRADE WORKS - DIVISION 1
COMMITTEE RECOMMENDATION
REPORT DETAIL

Moreton Bay Regional Council

ITEM 4.4 1399
TENDER - MAINTENANCE AND MONITORING OF SEWER TREATMENT SYSTEMS
(MBRC008397) - DIVISIONS 1 & 11

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.5 1403
TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS AND
ANCILLARY EQUIPMENT - REGIONAL

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.6 1410
TENDER - 2019/2020 SPORTS FIELD RENEWAL PROJECTS - DIVISIONS 7 AND 10

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.7 1416
TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL

COMMITTEE RECOMMENDATION

REPORT DETAIL

5 PARKS, RECREATION & SPORT SESSION (Cr K Winchester)

ITEM 5.1 - WITHDRAWN 1425
OUTCOME OF EXPRESSION OF INTEREST - 3 MUNDIN STREET PETRIE - DIVISION 7

ITEM 5.2 1426
NEW LEASE - REDCLIFFE CITY CLAY TARGET CLUB INC - DIVISION 6

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 5.3 1429
NAMING OF JIM & CLARICE GIBSON PARK - WOODCLIFFE CRESCENT WOODY POINT
- DIVISION 6

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 5.4 1433
NAMING OF AUDREY HALL PLACE - ESPLANADE TOORBUL - PROPOSED PARK
NAMING - DIVISION 1

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 5.5 1437
PROPOSED PARK NAMING OF RAINBOW BEE-EATER PARK - BAPTISIA CIRCUIT
CABOOLTURE - DIVISION 3

COMMITTEE RECOMMENDATION

REPORT DETAIL

6 LIFESTYLE & AMENITY SESSION (Cr D Sims)

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)

ITEM 7.1	1441
DISPOSAL OF LAND TO UNITYWATER - BEACHMERE - DIVISION 2	
COMMITTEE RECOMMENDATION	
REPORT DETAIL	

8 REGIONAL INNOVATION (Cr D Grimwade)

9 GENERAL BUSINESS

ITEM 9.1	1444
REGIONAL EVENTS	
COMMITTEE RECOMMENDATION	
COMMITTEE RECOMMENDATION	
COMMITTEE RECOMMENDATION	

CLOSED SESSION (Confidential items)

OPEN SESSION

ITEM C.1 – CONFIDENTIAL	1446
PROPOSED LEASE AT 4/199 GYMPIE ROAD, STRATHPINE - DIVISION 9	
COMMITTEE RECOMMENDATION	

CLOSURE

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

Cr Allan Sutherland (Mayor) (Chairperson)
Cr Brooke Savige
Cr Peter Flannery
Cr Adam Hain
Cr Julie Greer
Cr James Houghton
Cr Koliana Winchester
Cr Denise Sims
Cr Mick Gillam
Cr Mike Charlton (Deputy Mayor)
Cr Matthew Constance
Cr Darren Grimwade

Officers:

Chief Executive Officer	(Mr Daryl Hitzman)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Corporate Services	(Mr Graeme Kanofski)
Director Planning & Economic Development	(Mr Mike Pickering)
Director Infrastructure Planning	(Mr Andrew Ryan)
Manager Development Services	(Ms Kate Isles)
Team Leader Planning	(Mr Marco Alberti)
Acting Property Services Manager	(Mr Alex Smith)
Meeting Support	(Hayley Kenzler)

Apologies:

Suspended:

Under section 182A of the *Local Government Act 2009* Cr Adrian Raedel is currently suspended from office.

The Mayor is the Chairperson of the Coordination Committee.

Coordination Committee meetings comprise of Sessions chaired by Council's nominated Spokesperson for that portfolio, as follows:

Session	Spokesperson
1 Governance	Cr Allan Sutherland (Mayor)
2 Planning & Development	Cr Mick Gillam
3 Corporate Services	Cr Matt Constance
4 Asset Construction & Maintenance	Cr Adam Hain
5 Parks, Recreation & Sport	Cr Koliana Winchester
6 Lifestyle & Amenity	Cr Denise Sims
7 Economic Development, Events & Tourism	Cr Peter Flannery
8 Regional Innovation	Cr Darren Grimwade
9 General Business	Cr Allan Sutherland (Mayor)

1 GOVERNANCE SESSION

(Cr A Sutherland, Mayor)

**ITEM 1.1
REVIEW OF CORPORATE STRUCTURE - REGIONAL**

Meeting / Session: 1 Governance (Cr A Sutherland, Mayor)
Reference: A18745873 : 27 June 2019 - **Refer Supporting Information A18750151**
Responsible Officer: DH, Chief Executive Officer (CEOs Office)

Executive Summary

Moreton Bay Regional Council (MBRC) has experienced substantial growth over the last decade and will continue to do so for the next twenty plus years.

Council has adopted a Planning Scheme that contains a Priority Infrastructure Area (PIA) with a timeline to 2031, while the SEQ Regional Plan 2017 assigns an Urban Footprint to cater for future growth to 2041, with annual population growth predicted to continue at around 9000 people per year.

Significant work was undertaken in MBRC circa 2012 - 2013, where a range of future infrastructure strategies were developed to plan for and deliver major trunk infrastructure to align with and support new developments, and this work also informed the initial Local Government Infrastructure Plan (LGIP).

It is recommended that a new department - Strategic Infrastructure Planning (SIP) be established to create a focussed unit, charged with responsibility around infrastructure strategies for Council adoption. It is considered that this department is best placed within the Infrastructure Planning Division (IPD), to align more closely with the existing specialist skills within the IPD.

COMMITTEE RECOMMENDATION

Moved by Cr Koliانا Winchester

Seconded by Cr James Houghton

CARRIED 12/0

- 1. That the establishment of the Strategic Infrastructure Planning team (within Infrastructure Planning Directorate) as set out in the report be endorsed.**
- 2. That the organisational structure dated 2 July 2019 be approved as contained in the supporting information to this report.**
- 3. That the Chief Executive Officer be authorised to do all things necessary to implement the establishment of the Strategic Infrastructure Planning team.**

ITEM 1.1 REVIEW OF CORPORATE STRUCTURE - REGIONAL - A18745873 (Cont.)

OFFICER'S RECOMMENDATION

1. That the establishment of the Strategic Infrastructure Planning team (within Infrastructure Planning Directorate) as set out in the report be endorsed.
2. That the organisational structure dated 2 July 2019 be approved as contained in the supporting information to this report.
3. That the Chief Executive Officer be authorised to do all things necessary to implement the establishment of the Strategic Infrastructure Planning team.

REPORT DETAIL

1. Background

It is proposed to transfer responsibility for the delivery of Strategic Infrastructure Planning functions from the Planning and Economic Development Division to the Infrastructure Planning Division, and to establish a "Strategic Infrastructure Planning" (SIP) department.

A review has been undertaken to identify the functions that the new department will be allocated, as well as to consider the business processes to support the new department.

The review involved widespread consultation across Planning and Economic Development, Strategic Planning, Development Services, Environmental Services, Community Services, Integrated Transport Planning, Parks and Recreation Planning, and Drainage, Waterways and Coastal Planning departments. There was strong support for the proposal to establish a new stand-alone department. A workshop has also been held with Council to outline the details of the proposal on 11 June 2019.

Attached is the proposed Organisational Structure inclusive of the new position of Manager Strategic Infrastructure Planning.

2. Explanation of Item

The new SIP department will take the lead role within MBRC to progress the development of asset planning strategies (and associated standards of service) and programs to develop and deliver major trunk infrastructure to meet the demands to service new growth areas, and to accommodate infill and densification impacts within the current PIA and the broader urban footprint moving forward.

The SIP department will not be responsible for determining new growth development fronts or infill areas, nor assessing applications, and will be informed by the Planning Scheme, the future Growth Management Strategy (once completed), and impacts of major development applications and / or infill impacts, as determined by the Planning and Economic Development Division and Council.

A proposed structure has been developed that outlines the required roles and their respective responsibilities.

The proposed roles are:

- Manager Strategic Infrastructure Planning
- Strategic Program Coordination Officer
- Network Planning Officer - Transport
- Network Planning Officer - Total Water Cycle Management
- Network Planning Officer - Parks and Community
- Network Planning Officer - Environment and Land Acquisitions
- Infrastructure Finance and Modelling Officer

ITEM 1.1 REVIEW OF CORPORATE STRUCTURE - REGIONAL - A18745873 (Cont.)

It is further proposed that a new role be established in the Integrated Transport Planning department, namely the Corridor Planning Officer, to focus on developing delivery plans and acquiring land for our major future road and bridge upgrade projects:

A GIS officer role has also been identified as being required to support the team as the programs of work progress, however it is proposed at this stage that this role will be held in abeyance until required and a review of current internal GIS staff resources will be undertaken before funding is sought for this role.

There are currently two identified existing vacant positions within the Planning and Economic Development Division that have been identified to be transferred into the new department.

The most significant initial challenge will likely be to attract and recruit suitable skilled people to undertake this body of work; however, the functions to be performed by this team will be both challenging as well as career defining for the staff involved.

Collaboration and cross organisation and industry wide engagement will be critical to ensure the success of the new department.

3. Strategic Implications

3.1 Legislative/Legal Implications

The Council must fulfil its obligations in relation to delivering effective infrastructure planning for Council.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications

The Strategic Infrastructure Planning department will take the lead role in reviewing out of date Council strategies and will develop / upgrade strategies for adoption by Council. These strategies will also inform future planning scheme directions, and may be referred to, where relevant, by the Planning Scheme and associated policies, as core reference documents.

3.4 Risk Management Implications

There are no direct risk implications in the establishment of this department.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

The total annual salary cost of establishing the new division, will require an increased budget allocation of approximately \$1.3m per year, allowing for overheads. Funding will be sought through the upcoming quarterly review process as funding is identified as being required, through a formal budget amendment.

Funding will also be required for consultancies to support the proposed program of works. These will be sought via the quarterly budget review process and / or the annual budget process on a case by case basis.

3.7 Economic Benefit

Well planned and implemented infrastructure underpins the economic growth of our communities. The SIP department will play a lead role in developing plans that assist in facilitating better community connectivity, and the provision of social and environmental infrastructure, critical to the well-being of society.

ITEM 1.1 REVIEW OF CORPORATE STRUCTURE - REGIONAL - A18745873 (Cont.)

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

3.9 Social Implications

No social implications arising as a direct result of this report.

3.10 Consultation / Communication

This proposal has involved widespread consultation across Planning and Economic Development, Strategic Planning, Development Services, Environmental Services, Community Services, Integrated Transport Planning, Parks and Recreation Planning, and Drainage, Waterways and Coastal Planning departments. There was strong support for the proposal to establish a new stand-alone department, charged with the responsibilities of developing long term infrastructure strategies and plans and associated technical and financial models, to underpin our planning scheme and future growth areas.

The proposal was also discussed with Council at a recent workshop, and support was given to the proposal, with a request for a report to be provided to Council to adopt the new department, and to also amend the organisation structure accordingly.

ATTENDANCE

Ms Kate Isles and Mr Marco Alberti and attended the meeting at 10.53am for Item 2.1.

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

ITEM 2.1

DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK OUTLET (LOT 6) AND RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 9 LOTS) AND DEVELOPMENT PERMIT FOR BUILDING WORK (TO CARRY OUT BUILDING WORK ON A QUEENSLAND HERITAGE PLACE) - 1613 ANZAC AVENUE, KALLANGUR - DIVISION 7

APPLICANT: LANDPARTNERS LIMITED

OWNER: DOMINIQUE DEVELOPMENTS PTY LTD

Meeting / Session: 2 PLANNING & DEVELOPMENT

Reference: A18266110 : 1 March 2019 – Refer Supporting Information A18743774 & A18534976

Responsible Officer: LR, Principal Planner (PED Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	LandPartners Limited
Properly Made Date:	21 July 2017
Decision Date:	14 August 2018
No. of Submissions:	N/A

PROPERTY DETAILS	
Division:	Division 7
Property Address:	1613 Anzac Avenue, Kallangur
RP Description	Lot 66 SP285618 and Lot 100 RP910707
Land Area:	5.3 hectares
Property Owner	Dominique Developments Pty Ltd

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	Moreton Bay Regional Council Planning Scheme
Planning Locality / Zone	General Residential Zone - Urban Neighbourhood Precinct
Level of Assessment:	Code

The applicant has made change representations for a Material Change of Use - Development Permit for an Office (Lot 1), Food and Drink Outlet (Lot 2), Food and Drink Outlet (Lot 3), Service Station (Lot 4), Health Care Services, Office, Food and Drink Outlet (Lot 5), Shop, Food and Drink Outlet (Lot 6) and Reconfiguring a Lot - Development Permit for Subdivision (2 into 9 lots) and Development Permit for Building Work (To Carry Out Building Work on a Queensland Heritage Place) at 1613 Anzac Avenue, Kallangur, on land described as Lot 66 SP 285618, Lot 100 RP 910707. The request was lodged with Council on 12 October 2018 and was made within the applicant's appeal period.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

The original development was approved by Council on 14 August 2018. The applicant is requesting to change the following components of the development permit:

Condition number/Plan Reference	Description of Condition
Currency Period of Approval	Amendments to currency period of Reconfiguring a Lot and Building Works components
Condition 2	Staging of Development
Condition 6	Electricity
Condition 11	Access Easements
Condition 12	Access, Internal Roadways, Parking and Servicing Areas
Condition 15	Stormwater Management and Drainage Infrastructure – Design & Construction
Condition 21	Amended Plans Required
Condition 33	Pedestrian Connectivity
Condition 47	Electricity
Condition 53	New Intersection – Design & Construction
Infrastructure Charges Notice	Credit for two (2) existing lots

The Request for change representations does not otherwise alter the extent or density of the development or potential impacts upon the local area. The development remains generally consistent with the original approval.

The representations made by the applicant have been assessed and it is appropriate that the representations be partly accepted subject to the recommendations detailed below. The changes proposed necessitate changes to the list of approved plans.

COMMITTEE RECOMMENDATION

Moved by Cr Koliانا Winchester
Seconded by Cr Adam Hain

CARRIED 12/0

That the Officer’s Recommendation be adopted as detailed in the report.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

OFFICER'S RECOMMENDATION

That Council, in accordance with the *Planning Act 2016*, agree in part to the representations made and approve the granting of a Negotiated Decision Notice for the Material Change of Use - Development Permit for an Office (Lot 1), Food and Drink Outlet (Lot 2), Food and Drink Outlet (Lot 3), Service Station (Lot 4), Health Care Services, Office, Food and Drink Outlet (Lot 5), Shop, Food and Drink Outlet (Lot 6) and Reconfiguring a Lot - Development Permit for Subdivision (2 into 9 lots) and Development Permit for Building Work (To Carry Out Building Work on a Queensland Heritage Place), incorporating necessary changes to the conditions / plans of the original Decision Notice for 1613 Anzac Avenue, Kallangur, on land described as Lot 66 SP 285618, Lot 100 RP 910707, in accordance with the following recommendations:

A. That the Currency Period of the Approval be amended as follows:

Currency Period of Approval

The currency period stated in section 85 of the *Planning Act 2016* apply to each aspect of development in this approval, as outlined below:

- Reconfiguring a Lot requiring or not requiring Operational Works – ~~4~~ **6** years
- Material Change of Use – 6 years
- Building Works – ~~2~~ **6** years

B. That the list of approved plans be amended to read as follows:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Reconfiguration of Lot 100 on RP910707 and Lot 66 on SP285618	BRJD7260.000-004 - Rev L Sheet 1 of 3	LandPartners Pty Ltd	13/06/2018
Proposed Reconfiguration of Lot 100 on RP910707 and Lot 66 on SP285618	BRJD7260.000-004 - Rev L Sheet 2 of 3	LandPartners Pty Ltd	13/06/2018
Proposed Reconfiguration of Lot 100 on RP910707 and Lot 66 on SP285618	BRJD7260.000-004 - Rev L Sheet 3 of 3	LandPartners Pty Ltd	13/06/2018
Air Quality Assessment	17-065	MWA Environmental	21/07/2017

Plans to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Overall Master Plan	DA0-030 - Rev Q	TRG Queensland Pty Ltd	06/02/2019
Site Plan	DA0-031 - Rev L	TRG Queensland Pty Ltd	19/12/2018
Proposed Site Plan - Neighbouring Site	DA0-032 - Rev J	TRG Queensland Pty Ltd	19/12/2018
Access (Pedestrian and Vehicular)	DA0-033 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Area Plans	DA0-034 - Rev M	TRG Queensland Pty Ltd	19/12/2018
Lot Area Plan	DA0-035 - Rev I	TRG Queensland Pty Ltd	08/10/2018

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
2 July 2019

PAGE 19/1355

Report

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

Plans to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Pedestrian Connectivity & Street Activation Plan	DA0-036 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Street Activation Proposal	DA0-040 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Street Activation Plan Proposal	DA0-041 - Rev L	TRG Queensland Pty Ltd	19/12/2018
Site Elevations	DA0-050 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Site Sections	DA0-060 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Lot 1 - Office	DA0-100 - Rev J	TRG Queensland Pty Ltd	19/12/2018
Lot 1 - Office	DA0-110 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Lot 2 - Food & Drink Outlet 1	DA0-200 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Lot 2 - Food & Drink Outlet 1	DA0-210 - Rev L	TRG Queensland Pty Ltd	06/02/2019
Lot 3 - F&D02	DA0-300 - Rev E	TRG Queensland Pty Ltd	19/12/2018
Lot 3 - F&D02	DA0-310 - Rev E	TRG Queensland Pty Ltd	19/12/2018
Lot 3 - F&D02	DA0-311 - Rev E	TRG Queensland Pty Ltd	19/12/2018
Lot 4 - Service Station	DA0-400 - Rev J	TRG Queensland Pty Ltd	19/12/2018
Lot 4 - Service Station	DA0-410 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Lot 4 - Service Station	DA0-411 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Lot 5 - Health Care Services	DA0-500 - Rev K	TRG Queensland Pty Ltd	19/12/2018
Lot 5 - Health Care Services	DA0-510 - Rev L	TRG Queensland Pty Ltd	06/02/2019
Lot 5 - Health Care Services	DA0-511 - Rev L	TRG Queensland Pty Ltd	06/02/2019
Lot 6 - Shop & Food & Drink Outlet	DA0-600 - Rev I	TRG Queensland Pty Ltd	19/12/2018
Lot 6 - Shop & Food & Drink Outlet	DA0-610 - Rev J	TRG Queensland Pty Ltd	19/12/2018
Lot 6 - Shop & Food & Drink Outlet	DA0-611 - Rev J	TRG Queensland Pty Ltd	06/02/2019
Public Plaza (Lot 6)	DA0-900 - Rev I	TRG Queensland Pty Ltd	19/12/2018
Anzac Memorial Wall (Lot 5)	DA0-910 - Rev F	TRG Queensland Pty Ltd	08/10/2018
Hydraulic Impact Assessment Report	7958 Rev 1	HCE Engineers	28/11/2017
Site Based Stormwater Management Plan	5748 Rev 3	Gassman Development Perspectives	10/01/2018
Acoustic Assessment Report	17BRA0043 R01_5	TTM Consulting Pty Ltd	12/01/2018

- C. That the following conditions be changed.
- (i) That Condition 2 be deleted and replaced with a new Condition 2 to read as follows:

2.	Infrastructure Agreement	
	In accordance with Section 65(2)(c) of the <i>Planning Act 2016</i> , carry out development in accordance with the executed '1613 Anzac Avenue, Kallangur Infrastructure Agreement 2019'.	At all times.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

- (ii) That Condition 6 be amended to read as follows:

6.	Electricity	
A	Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an underground electricity supply network has or will be constructed along the frontage of each proposed lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	<p>Remove electrical power poles located along the Anzac Avenue frontage of the site identified in Council records as poles;</p> <p>(i) P21338C;</p> <p>(ii) X14813-A;</p> <p>(iii) P291021;</p> <p>(iv) X12175-B</p> <p>and relocate powerlines below ground.</p> <p>Relocate the Low Voltage Network and the High Voltage 11 KV Network, along the Anzac Avenue frontage of the site, underground. Development is not to result in a reduction in height of the existing High Voltage 33KV Network along the Anzac Avenue frontage or any other associated electrical / telecommunications infrastructure, other than street lights, being located on the following power poles unless agreed to otherwise by the Council in writing:</p> <p>(i) P21338C;</p> <p>(ii) X14813-A;</p> <p>(iii) P291021;</p> <p>(iv) X12175-B.</p>	

- (iii) That Condition 11 remain unchanged.
- (iv) That Condition 12 be deleted from the list of Reconfiguring a Lot conditions and be left instead to remain as Condition 54 in the list of Material Change of Use conditions.
- (v) That Condition 15 remain unchanged:
- (vi) That Condition 21 be amended to read as follows:

21.	Amended Plans Required	
A	<p>Submit an amended development plans package incorporating the following:</p> <p>(i) Remove all proposed signage that will be subject to an operational works application from the development plans;</p> <p>(ii) Fully dimensioned plans;</p> <p>(iii) An internal layout to each of the buildings. In respect to the Health Care Services building on proposed Lot 5 the layout is to ensure rooms and activities are laid out in a manner that is consistent with the creation of an Active Frontage to Anzac Avenue. The layout is to avoid locating rooms or activities along the Anzac Avenue frontage that by their nature require privacy (eg doctor consultation room), darkness (eg radiology) or the like as well as not locating utility rooms along the frontage;</p>	Prior to any approval of Building Works.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

21.	Amended Plans Required	
	<p>(iv) A schedule of materials, finishes and colours for all buildings demonstrating a design outcome consistent with the Performance Outcomes sought by the planning scheme. In addition, details are to also be included on the design treatments to the Brays Road frontage of the building on proposed Lot 6 that uses materials, finishes, lighting and the like to provide an attractive interface with the road frontage themed around the natural landscape;</p> <p>(v) A schedule of materials, finishes and colours for all pathways (internal and external to the site), driveways, alfresco areas, car parking areas and the like demonstrating a design outcome consistent with the Performance Outcomes sought by the planning scheme;</p> <p>(vi) An amended layout of the internal carpark so that in respect to the primary east-west car parking aisle through the site, a hard edge/barrier is provided on the southern side of the aisle integrated with landscaping to prevent any vehicle spaces being accessed directly off the car parking aisle. The number of car parking spaces is to be consistent with the requirements of the MBRC planning scheme.</p> <p>(vii) Provision of two (2) raised, shared pedestrian / vehicle zones (akin to a wombat crossing) along the primary east-west car parking aisle, at the locations shown on the proposal plans as zebra crossings between and connecting Lot 4 to Lot 6 and Lot 5 to Lot 6. The design and surface treatment of this zone is required to provide an aesthetic break in the driveway pavement and to ensure pedestrian priority is maintained for the site.</p> <p>(viii) Relocate the southern vehicular entrance into the car parking area of Lot 2 to the east by 1 car parking space to be more central to entrance into Lot 2 and Lot 3.</p> <p>(ix) A pedestrian crossing across the driveway entrance into the site connecting the footpaths either side of the entrance driveway;</p> <p>(x) The recommendations of the pedestrian connectivity assessment required in other conditions of this development approval.</p> <p>Service Station - Proposed Lot 4</p> <p>(xi) Re-design the north façade of the Service Station building orientated to and facing Anzac Avenue to include glazing allowing views out of the building having a minimum area of 40m² with no part of the minimum required glazing located higher than 2.4 metres above ground level;</p> <p>(xii) Remove all support posts from the awning directly contiguous to the north façade of the Service Station to maximise the opportunity for activation of Anzac Avenue. An awning in this location is require to be cantilevered. To remove any doubt the awning above the alfresco areas can be supported by posts except for the portion above the land required to be dedicated as road reserve;</p>	

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

21.	Amended Plans Required	
	<p>(xiii) Ensure the front edge of the awning extends a minimum distance of 3.0 metres forward of the north façade of the service station building;</p> <p>(xiv) Amend the dwarf walls around the perimeter of the alfresco areas shown on the proposal plans to be raised garden beds.</p> <p>Food and Drink Outlet – Proposed Lot 2</p> <p>(xv) Provide a false façade or landscaped arbour (or combination of both) for the full length of the Food and Drink Outlet drive-through up to a minimum height of 2.4 metres similar to that proposed for the building on proposed Lot 3 along the frontage adjacent to Easement C RP889548;</p> <p>(xvi) Provide a raised pedestrian connection from the Food and Drink Outlet across the drive-through to the edge of the open space area encumbered by Easement C RP889548 similar to the outcome in Council development approval DA/32746/2016/V23C;</p> <p>(xvii) Provide an outdoor dining area to an area between the drive-through and Easement C RP889548 (in addition to or instead of the originally proposed area) having a minimum width of 2.5 metres (measured perpendicular to the drive-through) accessed via the connection mentioned in the previous clause of this condition. Extend an awning over this outdoor area;</p> <p>(xviii) Along the edge of Easement C RP889548, install bench seating or a dwarf wall having a maximum height of 600mm, capping and width capable of being used as a seat orientated to Easement C RP889548.</p> <p>Food and Drink Outlet – Proposed Lot 3</p> <p>(xix) Provide decorative fins or similar architectural elements to the drive-through north-eastern corner;</p> <p>(xx) Provide a raised pedestrian connection from the Food and Drink Outlet across the drive-through to the edge of the open space area encumbered by Easement C RP889548 similar to the outcome in Council development approval DA/32746/2016/V23C;</p> <p>(xxi) Provide an outdoor dining area to an area between the drive-through and Easement C RP889548 (in addition to or instead of the originally proposed area) having a minimum width of 2.5 metres (measured perpendicular to the drive-through) accessed via the connection mentioned in the previous clause of this condition. Extend an awning over this outdoor area;</p> <p>(xxii) Along the edge of Easement C RP889548, install bench seating or a dwarf wall having a maximum height of 600mm, capping and width capable of being used as a seat orientated to Easement C RP889548.</p> <p>Health Care Services, Office and Food and Drink Outlet – Proposed Lot 5</p>	

Moreton Bay Regional Council

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

21.	Amended Plans Required	
	(xxiii) Remove all awning support posts that will be located in road reserve with awnings extending into the road reserve to be cantilevered only.	
B	Obtain approval from Council for the amended development plans package in accordance with (A) above.	Prior to any approval of Building Works.
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to commencement of use.

(vii) That compliance with the executed '1613 Anzac Avenue, Kallangur Infrastructure Agreement 2019' is to be taken as compliance for Condition 33 of the approval;

(viii) That Condition 47 be amended to read as follows:

47.	Electricity	
	<p>Remove electrical power poles located along the Anzac Avenue frontage of the site identified in Council records as poles;</p> <p>(a) P21338C;</p> <p>(b) X14813-A;</p> <p>(c) P291021;</p> <p>(d) X12175-B</p> <p>and relocate powerlines below ground.</p> <p>Ensure all existing overhead power line are unground for the full Anzac Avenue and Brays Road frontage of the development site.</p> <p>Relocate the Low Voltage Network and the High Voltage 11 KV Network, along the Anzac Avenue frontage of the site, underground. Development is not to result in a reduction in height of the existing High Voltage 33KV Network along the Anzac Avenue frontage or any other associated electrical / telecommunications infrastructure, other than street lights, being located on the following power poles unless agreed to otherwise by the Council in writing:</p> <p>(i) P21338C;</p> <p>(ii) X14813-A;</p> <p>(iii) P291021;</p> <p>(iv) X12175-B.</p>	Prior to commencement of use.

(ix) That Condition 53 remained unchanged:

- D. That a Negotiated Infrastructure Charges Notice be issued with the Negotiated Decision Notice.
- E. That all Referral Agencies to the application are notified of this change.
- F. That Council officers write to the Department of Transport and Main Roads with a copy to the local State Member and advise that the Council is of the view that it is necessary that the department expedite an upgrade to the Anzac Avenue and Cecily Street intersection to a signalised intersection to provide safe pedestrian connections across Anzac Avenue and that the Council has negotiated a contribution from the developer towards that outcome available to the department for its use.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

REPORT DETAIL

1. Background

The subject land has been the subject of a number of rezoning approvals that date back to at least 1988. The site also previously contained a Shopping Centre (Tulip Town) however the land use ceased and was subsequently demolished in 2003 with the land remaining vacant since that time.

On 8 November 2017, Council's Delegate approved a Reconfiguring a Lot - Development Permit for Subdivision (1 into 2 Lots) (Council reference: DA/34567/2017/V3RA). The development application the subject of this report relates to proposed Lot 901 under the approved reconfiguring a lot application aligning with proposed Lot 9 in this development application.

On 10 April 2018, Council's Delegate approved a Material Change of Use - Development Permit for Multiple Dwelling (107 Dwellings) (Council reference: DA/34568/2017/V2M) on Lot 902 approved under the previously mentioned Reconfiguring a Lot - Development Permit for Subdivision (1 into 2 Lots) (Council reference: DA/34567/2017/V3RA) aligning with proposed Lot 9 in this development application.

The application was originally lodged by the applicant on 21 July 2017. At Council's meeting of 14 August 2018, the proposal was approved by Council with conditions. The applicant appeal period commenced on 28 August 2018. A letter suspending the applicant's appeal period was received on 17 September 2018 and final representations regarding the decision notice were received by Council on 12 October 2018. Since that time, drafting of an infrastructure Agreement between the parties has been occurring. Representations were made within the statutory timeframe, in accordance with section 75 of the *Planning Act 2016*.

2. Explanation of Item

2.1 Assessment Against Local Categorising Instrument - MBRC Planning Scheme

All matters relating to the development's compliance with the applicable provisions of the Planning Scheme were addressed as part of the previous assessment for the Development Permit. Approved plans, conditions and advices part of the original approval not the subject of or resulting from this negotiation will remain unchanged.

2.2 Assessment of Change Representations

2.2.1 *Applicant Representations*

The applicant has applied for a Negotiated Decision Notice in accordance with section 75 of the *Planning Act 2016*. The applicant has made representations to change the approved plans and conditions as identified in the following sections of this report.

2.2.2 *Currency Period*

The existing wording is as follows;

CURRENCY PERIOD:

The Currency Period of Approval
--

The currency period stated in section 85 of the *Planning Act 2016* apply to each aspect of development in this approval, as outlined below:

- Reconfiguring a Lot requiring or not requiring Operational Works – 4 years
- Material Change of Use – 6 years
- Building Works – 2 years

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

Applicant Representations:

The nominated currency periods stated in the Decision Notice are based on the default periods prescribed under section 85 of the Planning Act 2016. In this instance, given the various development components are intrinsically linked in terms of timing, it is considered prudent to align the respective currency periods of the components to facilitate and allow for a practicable delivery of the overall development.

Therefore, it is requested the stated currency periods in the Decision Notice be amended as follows:

- Reconfiguring a Lot requiring or not requiring Operational Works – ~~(4)~~ **Six (6)** years
- Material Change of Use – **Six (6)** years
- Building Works – ~~(2)~~ **Six (6)** years

Comment:

The applicant's representations are accurate in that the currency periods are the default periods prescribed under section 85 of the Planning Act 2016. All aspects of the development are intrinsically linked in terms of timing and the requirement for currency periods to therefore be aligned is reasonable. Accordingly, Development Planning recommends that the **Currency Period** be amended consistent with the request.

2.2.3 Condition 2

Condition 2 is currently worded as follows;

2.	Staging of Development	
	Ensure any survey plan proposing to create a new lot is not submitted to the Council for endorsement until the building for the Health Care Service component of the Material Change of Use aspect of this development approval on proposed Lot 5 is substantially constructed and at least at the 'lock up' stage of construction.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.

Applicant Representations:

Condition 2 requires the Health Care Service component of the approved Material Change of Use be substantially constructed prior to the endorsement of the survey plan for the new lots.

It is noted the construction of the Health Care Service involves substantial work, including associated Building Work and Operational Work applications, as part of the initial phases of the overall development. Therefore, the current sequencing (as stipulated by Condition 2) places a considerable burden on how the financing for the project is structured.

Notwithstanding, it is understood Council seeks to ensure that the various development components are delivered in a timely manner and sequence, with the Health Care Service building representing a key design statement adjacent to Anzac Avenue.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

As previously discussed with Council, the applicant has investigated potential alternative mechanisms, seeking to untether the Material Change of Use component (i.e. Health Care Service) from the Reconfiguring a Lot condition, whilst giving certainty to the timing and delivery of the Health Care Service building. Please refer to the Legal Advice, prepared by Connor O'Meara Solicitors, included as Appendix A, which outlines two alternative options. As identified in the attached correspondence, Connor O'Meara have proposed a revision of Condition 2, placing a limitation on the commencement of uses on the other lots, or entering into an Infrastructure agreement between Council and the applicant. The applicant seeks a meeting with Council to discuss these alternative options, and requests that Condition 2 ultimately be amended to reflect an agreed upon alternative mechanism in terms of the delivery of the Health Care Service building, while allowing the subject lot to be reconfigured by the applicant as required.

Comment:

As identified in the applicant's representations above, an Infrastructure Agreement has been drafted and accepted by the applicant. The 1613 Anzac Avenue, Kallangur Infrastructure Agreement 2019 includes the following special conditions:

Column 1 Items in the schedule	Column 2 Description of the items in the schedule
1	No use shall be made of any proposed lots the subject of the Development Permit - Material Change of Use (Lots 1 to 7) (including any lot created by the Requested Approval, or in the event that the lot is later amalgamated with another lot, the amalgamated lot) until after the Health Care Services Building is substantially constructed and at least at the Lock-up Stage of Construction. (For the sake of clarity it is noted that this Special Condition does not prevent the Development Land being subdivided in accordance with the Development Permit - Reconfiguring a Lot).
2	The Proponent acknowledges and agrees that the Council will record on its rates record the existence of this document and its requirements in respect of the Health Care Services Building.

The Infrastructure Agreement maintains the intent of condition 2 by requiring the Health Care Service building to be substantially constructed and at least at the Lock-up Stage of Construction prior to any other use being made on any of the proposed lots. Essentially, no other development for a land use on the land under this development approval could proceed and any alternative would need a new development approval from the Council. The change would however allow the applicant to subdivide the land in advance of any building that it has advised is necessary to arrange financing of the project. While advised by the applicant as not the intention, this would allow the lots to be sold to separate entities that the applicant has advised is necessary for the financing of the project to occur. If development of the Health Care Service does not occur first, none of the lots would receive the benefit of this development approval and on this basis Council officers are satisfied the risk of the Health Care Service not proceeding first is low. It is therefore recommended that **Condition 2** be deleted and replaced with a new condition requiring the development to comply with the Infrastructure Agreement.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

2.2.4 Condition 6:

Condition 6 is currently worded as follows;

6.	Electricity	
A	Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an underground electricity supply network has or will be constructed along the frontage of each proposed lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	Remove electrical power poles located along the Anzac Avenue frontage of the site identified in Council records as poles; (i) P21338C; (ii) X14813-A; (iii) P291021; (iv) X12175-B and relocate powerlines below ground.	

Applicant Representations:

Condition 6.B requires the removal of four (4) electrical power poles along Anzac Avenue, and the relocation of the associated powerlines below ground.

As previously discussed with Council, the subject powerlines include 33kV transmission lines (as well as 11kV and street lighting distribution lines) and therefore involve a high degree of complexity and associated costs in relocating such powerlines below ground. A review of the condition has been undertaken by Peter Eustace & Associates (an Energex Design Consultant), included as Appendix B.

As detailed in the abovementioned review, the relocation of the 33kV transmission lines is not standard practice, which is also reflected in Council's Integrated Design – Appendix A (Streets, Road & Utilities) planning scheme policy, which identifies that all existing conductors of 33kV or higher may remain overhead.

A review of recent developments along Anzac Avenue shows that the undergrounding of powerlines has been applied when only involving lower order distribution lines (i.e. not involving 33kV transmission lines), as identified in Council Application Number DA/34287/2017/V2M and DA/35214/2017/V2C. It is also identified that a number of Energex 33kV line relocation projects along Anzac Avenue include replacing overhead lines, specifically at the corner of Anzac Avenue and Stubbins Street; the corner of Anzac Avenue and Regency Street; and along the Anzac Avenue frontage for the Hercules Road State School.

As per the discussions with Council, the applicant has sought advice from Energex as the service provider and asset manager. Energex have advised in an email, included as Appendix C, that they do not support the undergrounding of the 33kV transmission lines, given the lines "are a major feed between Substations in the area and undergrounding the small sections in this area would affect the reliability of the 33kV network" and "the 33kV T-offs adds to the complexity of undergrounding 33kV in this area".

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

Having regard for the above, it is considered that the condition represents an unreasonable imposition on the development, comprising of complex and costly works. The condition is considered unnecessary in terms of the delivery and function of the approved development, inconsistent with standard practice when involving the higher order 33kV transmission lines, and not supported by the associated service provider and asset manager.

Therefore, it is requested that Condition 6.B be amended to require that the power poles and powerlines be relocated aboveground where necessary, instead of requiring the removal of the power poles and relocation of the powerlines below ground.

Comment:

Council officers have had ongoing discussions with Energex and the applicant regarding the technical issues surrounding the undergrounding of the transmissions lines with the following confirmed:

1. The applicant is agreeable to underground the Low Voltage and 11kv High Voltage powerlines in accordance with the Council's Planning Scheme Policy;
2. Energex has confirmed that it is not opposed to the undergrounding of the 33kv High Voltage powerlines and that it is a matter for the Council and the applicant;
3. The works to underground the 33kv transmission lines are required to be undertaken by Energex, as the work is identified as 'not contestable' work and therefore the design and construction cannot be done by the applicants' consultants and contractors;
4. The time estimate for Energex to complete the work required to underground the 33kv transmission line is 18 months, thus resulting in a delay to the project.
5. The Energex alignment for an underground 33kv transmission line is under the edge of the road. The Department of Transport and Main Roads has advised that it does not support the location of the 33kv transmission lines under the road as it represents a risk and constraint to any maintenance works.
6. Sufficient clearance cannot be achieved within the Anzac Avenue verge due to the underground 11kv and LV electrical, water, communications, and medium pressure gas services located along Anzac Avenue.
7. The 33kv transmission line is required to be direct buried (ie. no conduits) and backfilled. It is understood the Department of Transport and Main Roads will not allow trenching along Anzac Avenue as a State Controlled Road.
8. Pole P21338 is a 33kv "tee-off" pole, and there is no underground connection equivalent. Therefore, an additional 270m of trenching and cable would be required, to underground additional lines from pole X843375 along Brays Road.

Separate to the technical issues, the applicant has demonstrated that the existing 33kv powerlines will have the necessary minimum clearances to all awnings proposed along Anzac Avenue and will not interfere with any existing heritage trees along Anzac Avenue or the mature height of the street trees that have been conditioned as part of the development by the Department of Environment and Heritage.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

Further, as stated by the applicant, Planning Scheme Policy - Integrated Design - Appendix A - Streets, Road and Utilities states the following:

b) Existing Dedicated Roads (Including Road Widening)

i) Where the overhead electricity reticulation exists along the frontage of the development and all the proposed allotments are to take access off the existing dedicated road:

A) The lot voltage (240V single phase / 415V three phase) and 11 kV must be converted to underground and all allotments supplied underground from consumer service pillars.

B) Subject to Energex approval redundant overhead lines and power poles must be removed with the exception of small frontage (i.e. the development frontage lies wholly within 2 consecutive electricity poles spaced less than 100.0 metres apart) where the existing overhead lines may remain in parallel.

d) High Voltage Feeders (33 KV and Higher)

i) All existing conductors of 33kV or higher may remain overhead. However if the Developer wishes to remove high voltage feeder lines, the necessary approvals must be obtained direct from Energex/Powerlink.

ii) New or relocated > 33kV systems may be overhead at the discretion of Energex/Powerlink.

Accordingly, it is recommended that Condition 6 be amended to remove the requirement to underground the 33kv High voltage powerlines.

2.2.5 Condition 11:

Condition 11 is currently worded as follows;

11.	Access Easements	
A	Provide a 6m (minimum) wide access easement over proposed Lots 1 and 6 in favour of Lot 67 on RP804912 in accordance with the Approved Plans.	All prior to or with the registration of the plan of subdivision for the development.
B	Provide a 6m (minimum) wide access easement over each of the proposed lots as shown on the approved plans with reciprocal access and services easements in favour of all other lots in the development with the exception of proposed lots 8 and 9.	
C	Construct internal roadways from the edge of bitumen for the full length of all access easements in accordance with Council's standards current at the time of development and the Approved Plans.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

Applicant Representations:

Condition 11.C requires the construction of the internal roadways for the full length of all the new access easements, in accordance with the Council standards, prior to the submission of the survey plan for Council endorsement.

As per the representations made to Condition 2 of these representations, the applicant is seeking to reconfigure the subject site prior to construction works finalising on site.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

In this instance, the internal driveways will be of a temporary function during the construction phase for the approved buildings, until the ultimate driveways are constructed for the approved uses. Therefore, once the buildings have been constructed, the internal driveways will be constructed to their ultimate form, being the carparking areas and internal driveways servicing the approved uses.

Therefore, given the first phase and function is temporary, it is considered that constructing the driveways to their ultimate form is unnecessary, in that a one (1) coat bitumen seal would be adequate to cater for the construction phase, to minimise dust onsite.

Having regard for the above, it is requested that Condition 11.C be amended to allow for a one (1) coat bitumen seal to be constructed within the access easements prior to the submission of the survey plan, and that the Material Change of Use conditions be amended to include a corresponding requirement to complete the full construction of the internal driveways before the commencement of the approved uses.

Comment:

Full construction of the pavement and wearing surface is required to ensure satisfactory operation of the internal roadways during and post construction. There are likely to be differences between the construction programs of various buildings on the new lots.

The Applicant has stated that *“In this instance, the internal driveways will be of a temporary function during the construction phase for the approved buildings, until the ultimate driveways are constructed for the approved uses.”*

Construction of buildings on various lots may not be simultaneous. It is possible that a building may be completed (and therefore require the ultimate driveway) prior to completion of other buildings. There may not be a distinct point in time when the ultimate driveways are to be constructed.

It would not be convenient to attempt to reconstruct (construct AC surfacing on) a section of roadway whilst allowing traffic to access an existing use on a neighbouring lot.

Once the subdivision plans are sealed each lot should be free to access the completed driveway and not be reliant on a further decision to “complete” the driveway to ultimate standard.

Council officers therefore do not support the representations and recommend Condition 11 remain unchanged

2.2.6 Condition 12:

Condition 12 is currently worded as follows;

12.	Access, Internal Roadways, Parking and Servicing Areas	
A	Design, construct and maintain, all line-marking, accesses and internal roadways in accordance with the approved plan(s) of layout, MUTCD and Australian Standard AS2890. The works must be designed, constructed and maintained in accordance with good engineering practices and Council’s Planning Scheme requirements unless conditioned otherwise.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

12.	Access, Internal Roadways, Parking and Servicing Areas	
B	Provide a 'Level V allotment drainage system in accordance with the Queensland Urban Drainage Manual (QUDM). The design ARI for the system shall be in accordance with QUDM but in no circumstance shall the ARI be less than that for the Minor Stormwater System in the adjacent road system.	
C	Provide certification from an RPEQ that all works have been designed and constructed in accordance with this permit condition.	

Applicant Representations:

Condition 12 requires the construction of all line-marking, accesses, internal roadways and the allotment drainage system, certified by a RPEQ, prior to the submission of the survey plan for Council endorsement.

As per the representations provided for Condition 11.C above, the applicant is seeking to permit the reconfiguration of the subject site prior to the MCU component and works being completed on site. Therefore, it is considered that the full design and construction of the internal accesses, driveways and drainage system would be more appropriately included within the MCU conditions, rather than at the time of the registration of the new lots. The works required within Condition 12 are required for the function and operation of the ultimate development.

Having regard for the above, it is requested that Condition 12 be removed from the Reconfiguring a Lot Conditions, and instead incorporated into the Material Change of Use Conditions of Council's Decision Notice.

Comment:

The internal works including parking areas and associated line-marking were incorrectly duplicated into the Reconfiguring a Lot conditions and are only applicable to the Material Change of Use component of the development approval where they are articulated already in Condition 54.

It is therefore recommended that **Condition 12** be deleted.

2.2.7 *Condition 15:*

Condition 15 is currently worded as follows;

15.	Stormwater Management & Drainage Infrastructure – Design & Construction	
	Design and construct at no cost to Council all necessary stormwater management and drainage works (internal and external to the site) in accordance with Council's design standard current at the time of development. The design must consider "Water Sensitive Urban Design" principles, integrating the stormwater infrastructure into the urban design wherever possible. Note:	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

15.	Stormwater Management & Drainage Infrastructure – Design & Construction	
	<p>The current design standards and relevant planning scheme codes are:</p> <ol style="list-style-type: none"> 1. Planning Scheme Policy Integrated Design; 2. Works Code. <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p> <p>Note: External Stormwater Drainage Works must be undertaken in accordance with an Operational Works Permit.</p>	

Applicant Representations:

Condition 15 requires the design and construction of stormwater management and drainage works, prior to the submission of the survey plan for Council endorsement.

As per the representations provided for Condition 11.C above, the applicant is seeking to permit the reconfiguration of the subject site prior to the MCU component and works being completed on site. Therefore, it is considered that the construction of the full stormwater management and drainage infrastructure would be more appropriately included within the MCU conditions, rather than at the time of the registration of the new lots. The works required within Condition 15 are required for the function and operation of the ultimate development.

Having regard for the above, it is requested that Condition 15 be removed from the Reconfiguring a Lot Conditions, and instead incorporated into the Material Change of Use Conditions of Council’s Decision Notice.

Comment:

Stormwater works are generally necessary from the start of any construction works. It is not feasible to defer the stormwater portion to a later stage. Relevantly, the Reconfiguring a Lot component of the development is not a management lot subdivision. The proposed lots are being created to facilitate a commercial development and in line with the requirements of the Reconfiguring a Lot code, these lots are required to be appropriately serviced.

Council officers therefore recommend Condition 15 remain unchanged.

2.2.8 *Condition 21:*

Condition 21 is currently worded as follows;

21.	Amended Plans Required	
A	<p>Submit an amended development plans package incorporating the following:</p> <ol style="list-style-type: none"> (i) Remove all proposed signage that will be subject to an operational works application from the development plans; (ii) Fully dimensioned plans; (iii) An internal layout to each of the buildings. In respect to the Health Care Services building on proposed Lot 5 the layout is to ensure rooms and activities are laid out in a manner that is consistent with the creation of an Active 	<p>Prior to any approval of Building Works.</p>

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

21.	Amended Plans Required	
	<p>Frontage to Anzac Avenue. The layout is to avoid locating rooms or activities along the Anzac Avenue frontage that by their nature require privacy (eg doctor consultation room), darkness (eg radiology) or the like as well as not locating utility rooms along the frontage;</p> <p>(iv) A schedule of materials, finishes and colours for all buildings demonstrating a design outcome consistent with the Performance Outcomes sought by the planning scheme. In addition, details are to also be included on the design treatments to the Brays Road frontage of the building on proposed Lot 6 that uses materials, finishes, lighting and the like to provide an attractive interface with the road frontage themed around the natural landscape;</p> <p>(v) A schedule of materials, finishes and colours for all pathways (internal and external to the site), driveways, alfresco areas, car parking areas and the like demonstrating a design outcome consistent with the Performance Outcomes sought by the planning scheme;</p> <p>(vi) An amended layout of the internal carpark so that in respect to the primary east-west car parking aisle through the site, a hard edge/barrier is provided on the southern side of the aisle integrated with landscaping to prevent any vehicle spaces being accessed directly off the car parking aisle. The number of car parking spaces is to be consistent with the requirements of the MBRC planning scheme.</p> <p>(vii) Provision of two (2) raised, shared pedestrian / vehicle zones (akin to a wombat crossing) along the primary east-west car parking aisle, at the locations shown on the proposal plans as zebra crossings between and connecting Lot 4 to Lot 6 and Lot 5 to Lot 6. The design and surface treatment of this zone is required to provide an aesthetic break in the driveway pavement and to ensure pedestrian priority is maintained for the site.</p> <p>(viii) Relocate the southern vehicular entrance into the car parking area of Lot 2 to the east by 1 car parking space to be more central to entrance into Lot 2 and Lot 3.</p> <p>(ix) A pedestrian crossing across the driveway entrance into the site connecting the footpaths either side of the entrance driveway;</p> <p>(x) The recommendations of the pedestrian connectivity assessment required in other conditions of this development approval.</p> <p>Service Station - Proposed Lot 4</p>	

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

21.	Amended Plans Required	
	<p>(xi) Re-design the north façade of the Service Station building orientated to and facing Anzac Avenue to include glazing allowing views out of the building having a minimum area of 10m² with no part of the minimum required glazing located higher than 2.4 metres above ground level;</p> <p>(xii) Remove all support posts from the awning directly contiguous to the north façade of the Service Station to maximise the opportunity for activation of Anzac Avenue. An awning in this location is require to be cantilevered. To remove any doubt the awning above the alfresco areas can be supported by posts except for the portion above the land required to be dedicated as road reserve;</p> <p>(xiii) Ensure the front edge of the awning extends a minimum distance of 3.0 metres forward of the north façade of the service station building;</p> <p>(xiv) Amend the dwarf walls around the perimeter of the alfresco areas shown on the proposal plans to be raised garden beds.</p> <p>Food and Drink Outlet - Proposed Lot 2</p> <p>(xv) Provide a false façade or landscaped arbour (or combination of both) for the full length of the Food and Drink Outlet drive-through up to a minimum height of 2.4 metres similar to that proposed for the building on proposed Lot 3 along the frontage adjacent to Easement C RP889548;</p> <p>(xvi) Provide a raised pedestrian connection from the Food and Drink Outlet across the drive-through to the edge of the open space area encumbered by Easement C RP889548 similar to the outcome in Council development approval DA/32746/2016/V23C;</p> <p>(xvii) Provide an outdoor dining area to an area between the drive-through and Easement C RP889548 (in addition to or instead of the originally proposed area) having a minimum width of 2.5 metres (measured perpendicular to the drive-through) accessed via the connection mentioned in the previous clause of this condition. Extend an awning over this outdoor area;</p> <p>(xviii) Along the edge of Easement C RP889548, install bench seating or a dwarf wall having a maximum height of 600mm, capping and width capable of being used as a seat orientated to Easement C RP889548.</p> <p>Food and Drink Outlet - Proposed Lot 3</p>	

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

21.	Amended Plans Required	
	<p>(xix) Provide decorative fins or similar architectural elements to the drive-through north-eastern corner;</p> <p>(xx) Provide a raised pedestrian connection from the Food and Drink Outlet across the drive-through to the edge of the open space area encumbered by Easement C RP889548 similar to the outcome in Council development approval DA/32746/2016/V23C;</p> <p>(xxi) Provide an outdoor dining area to an area between the drive-through and Easement C RP889548 (in addition to or instead of the originally proposed area) having a minimum width of 2.5 metres (measured perpendicular to the drive-through) accessed via the connection mentioned in the previous clause of this condition. Extend an awning over this outdoor area;</p> <p>(xxii) Along the edge of Easement C RP889548, install bench seating or a dwarf wall having a maximum height of 600mm, capping and width capable of being used as a seat orientated to Easement C RP889548.</p> <p>Health Care Services, Office and Food and Drink Outlet - Proposed Lot 5</p> <p>(xxiii) Remove all awning support posts that will be located in road reserve with awnings extending into the road reserve to be cantilevered only.</p>	
B	Obtain approval from Council for the amended development plans package in accordance with (A) above.	Prior to any approval of Building Works.
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to commencement of use.

Applicant Representations:

Condition 21 requires a series of amendments to the approved plans for the Material Change of Use component, including layout and design changes, to be submitted to Council prior to the Building Works approval.

It is noted that amended plans have been provided to Council for preliminary review, addressing the layout and design amendments required in Condition 21.

Pending Council's review of these amended plans, the applicant would like to discuss Condition 21 further with Council and any subsequent changes to this condition.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

Comment:

The applicant has submitted amended plans that substantially address the requirements of condition 21. Relevantly, the applicant did not seek to change any aspect of the condition but only for it to be updated to reflect the amended plans. In addition, the applicant has advised of other proposed changes/refinements to the design of the buildings on Lot 5 (Health Care Services, Office, Food and Drink Outlet) and Lot 6 (Shop). Design changes include:

Lot 5 (Health Care Service, Office, Food and Drink Outlet)

- a. The lift, stairs and amenities have been located external to the main building. These facilities are now located to the rear of the building and will not impact on the active frontage design elements identified on the approved plans.

Lot 6 (Shop)

- b. The approved Shop (Supermarket Tenancy) has increased in height as a result of further design refinements regarding fit out with the future tenant. The proposed height of the building is now 8.43m with an entry arbour / awning that extends to 11.15m high. The proposed height is consistent with the current mapped building height overlay which identifies a maximum building height of 21m.

As the amended plans align with the requirements of the condition and the other changes are acceptable, it is recommended that **Condition 21** be amended to delete the changes that have been made to the approved plans.

2.2.9 Condition 33:

Condition 33 is currently worded as follows;

33.	Pedestrian Connectivity	
A	<p>Investigate all opportunities to improve pedestrian connectivity within the site as well as beyond the boundaries of the site with specific consideration to be given to;</p> <ul style="list-style-type: none"> (a) access locations, and (b) the width of connections, and (c) walkability (with consideration of pram ramps, etc) and walkable catchments, and (d) any possible improvements to the existing crossing of Anzac Ave including signalisation, pedestrian bridges; widening of the existing pedestrian refuge in the median, and the like; and (e) existing and proposed external paths, and (f) pedestrian desire lines. <p>Any proposed improvements need to be approved by the relevant road authorities where located in road reserve.</p> <p>The investigation is to be undertaken by a suitable qualified person and submitted to Council for approval. Recommendations of the approved investigation are to be implemented and included in amendments to the</p>	Prior to commencement of use.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

33.	Pedestrian Connectivity	
	proposal plans with the works undertaken at no cost to Council.	
B	Ensure that a practical and attractive pedestrian connection is constructed from Lot 6 to the approved development to the south in accordance with the approved plans.	Prior to commencement of use.

Applicant Representations:

Condition 33 requires the investigation of opportunities to improve pedestrian connectivity within the site as well as beyond the boundaries of the site, specifically within the State-controlled Anzac Avenue road reserve.

It is considered that the condition represents an unreasonable imposition in terms of the scope of works, specifically having regard to the open-ended and ambiguous nature of the condition's wording. The wording of the condition renders determining the scope of works and associated compliance as subjective and open to numerous interpretations, and therefore creates unwarranted uncertainty and potential delay at compliance assessment. Having regard for the above, it is considered that the condition does not meet the test prescribed under section 65(1)(a) of the Planning Act 2016, being an unreasonable imposition on the development.

Notwithstanding the above, we have reviewed the potential for pedestrian connections in proximity of the premises, as shown on the Pedestrian Network Plan included as Appendix D. The applicant has also had recent discussions with the Department of Transport and Main Roads and the Council, particularly relating to the existing crossings on Anzac Avenue and the Anzac Avenue / Cecily Street / Winzeal Drive intersection.

As the Council would be aware, the Anzac Avenue / Cecily Street / Winzeal Drive intersection is currently controlled by a roundabout, however the Department have had preliminary concept plans prepared regarding the signalisation of this intersection, which will include dedicated signalised pedestrian crossings. The intersection works are currently progressing through the Department's costing and scheduling, which is expected to be completed in the near future. The Department also advised that from an operational perspective, no other improvements within the Anzac Avenue road reserve would be supported or considered suitable.

Therefore, as per the advice from the Department, the Anzac Avenue / Cecily Street / Winzeal Drive intersection is identified for a signalised intersection upgrade, anticipated to be constructed by the Department in the near future.

Comment:

Consistent with the applicants' representations above, the Department of Transport and Main Road (DTMR) have advised that they are advancing planning to upgrade the Anzac / Cecily intersection, however this is currently an unfunded priority. As the project is currently unfunded, DTMR have further advised that they are unable to pursue an agreement to receive any contributions related to this pedestrian crossing or receive any monies. In consultation with the applicant, it was agreed that a financial contribution could be made and held by Council until such time as the intersection upgrade becomes a funded project. The applicant sought preliminary construction costs relating to a future pedestrian crossing at Anzac / Cecily intersection, being:

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

1. The costs associated with the addition of a pedestrian crossing to an already signalised intersection, with a construction cost estimate of \$7,409.70; and
2. The costs associated with the construction of a mid-block pedestrian crossing, with a construction cost estimate of \$74,910.05.

An Infrastructure Agreement has subsequently been drafted and accepted by the applicant under which the financial contribution of \$37,455.02 will be made by the applicant to improve pedestrian connectivity within the Development Land and as well as beyond the boundaries of the Development Land as required by Condition 33 of the Prescribed Approval Conditions. The contribution value represents 50% of the total cost associated with the construction of a mid-block pedestrian crossing as the applicant has argued that a mid block crossing has a traffic and pedestrian function and it was only obliged to consider the pedestrian function. Relevantly, this Infrastructure Contribution is not subject to an Infrastructure Offset.

The 1613 Anzac Avenue, Kallangur Infrastructure Agreement 2019 specifically includes the following infrastructure contribution:

Column 1 Item	Column 2 Infrastructure Contribution	Column 3 Specification of the Infrastructure Contribution	Column 4 Timing of the Infrastructure Contribution	Column 5 Party responsible for the Infrastructure Contribution	Column 6 Other requirements
1.1	Financial Contribution to improve pedestrian connectivity.	The Financial Contribution is to comprise of the amount of \$37,455.02 to improve pedestrian connectivity within the Development Land and as well as beyond the boundaries of the Development Land as required by Condition 33 of the Prescribed Approval Conditions.	Prior to the commencement of a use.	Proponent	This Infrastructure Contribution is not subject to an Infrastructure Offset.

As this is a reasonable contribution from the development that could be put towards a signalised pedestrian crossing of Anzac Avenue, Council officers recommend that the contribution be accepted as representing compliance with Condition 33.

2.2.10 Condition 47:

Condition 47 is currently worded as follows;

47.	Electricity	
	Remove electrical power poles located along the Anzac Avenue frontage of the site identified in Council records as poles; (a) P21338C; (b) X14813-A;	Prior to commencement of use.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

47.	Electricity	
	(c) P291021; (d) X12175-B and relocate powerlines below ground. Ensure all existing overhead power line are unground for the full Anzac Avenue and Brays Road frontage of the development site.	

Applicant Representations:

Condition 47 requires the removal of four (4) electrical power poles along Anzac Avenue, and the relocation of the associated powerlines below ground, as also required under Condition 6.B of Council's Decision Notice.

As previously discussed with Council, the subject powerlines include 33kV transmission lines (as well as 11kV and street lighting distribution lines) and therefore involve is a high degree of complexity and associated costs in relocating such powerlines below ground. A review of the condition has been undertaken by Peter Eustace & Associates (an Energex Design Consultant), included as Appendix B.

As detailed in the abovementioned review, the relocation of the 33kV transmission lines is not standard practice, which is also reflected in Council's Integrated Design – Appendix A (Streets, Road & Utilities) planning scheme policy, which identifies that all existing conductors of 33kV or higher may remain overhead.

A review of recent developments along Anzac Avenue shows that the undergrounding of powerlines has been applied when only involving lower order distribution lines (i.e. not involving 33kV transmission lines), as identified in Council Application Number DA/34287/2017/V2M and DA/35214/2017/V2C. It is also identified that a number of Energex 33kV line relocation projects along Anzac Avenue include replacing overhead lines, specifically at the corner of Anzac Avenue and Stubbins Street; the corner of Anzac Avenue and Regency Street; and along the Anzac Avenue frontage for the Hercules Road State School.

As per the discussions with Council, the applicant has sought advice from Energex as the service provider and asset manager. Energex have advised in an email, included as Appendix C, that they do not support the undergrounding of the 33kV transmission lines, given the lines "are a major feed between Substations in the area and undergrounding the small sections in this area would affect the reliability of the 33kV network" and "the 33kV T-offs adds to the complexity of undergrounding 33kV in this area".

Having regard for the above, it is considered that the condition represents an unreasonable imposition on the development, comprising of complex and costly works. The condition is considered unnecessary in terms of the delivery and function of the approved development, inconsistent with standard practice when involving the higher order 33kV transmission lines, and not supported by the associated service provider and asset manager.

Therefore, it is requested that Condition 47 be amended to require that the power poles and powerlines be relocated aboveground where necessary, instead of requiring the removal of the power poles and relocating the powerlines below ground.

Development Planning Comment:

Refer to Council's comments for condition 6 above.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

Accordingly, Development Planning recommends that **Condition 47** be amended in the same manner as Condition 6 is recommended to be amended.

2.2.11 Condition 53:

Condition 53 is currently worded as follows;

53.	DEU New Intersection – Design & Construction	
A	<p>Design and construct the intersection of the new access road and Cecily Street in accordance Council's planning scheme, relevant planning scheme policies.</p> <p>Reconstruct kerb and channel and road pavement to provide:</p> <ul style="list-style-type: none"> (a) 1 x 1.5m cycle lane (on eastern side); (b) 2 x 3.3m traffic lanes; (c) 1 x 2.45m parking lane (on western side); (d) A Short Lane Type CHR for traffic entering the site from Cecily Street; and (e) 2m wide pedestrian path (on eastern side). <p>The design must be based on predicted traffic volumes and turning movements ten (10) years hence from the time of completion of the whole development. The pavement and formation must be designed and constructed to the ultimate road classification of Council District Collector (Urban Fringe Typology).</p> <p>Note: Roadworks must be undertaken in accordance with an Operational Works Permit.</p>	Prior to commencement of the use.
	<p>Note:</p> <p>The current design standards and relevant planning scheme codes are:</p> <ul style="list-style-type: none"> 1. Planning Scheme Policy Integrated Design; 2. Planning Scheme Policy Integrated Transport Assessment; and 3. Works Code; <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i></p>	

Applicant Representations:

Condition 53 requires the design and construction of Cecily Street, prior to the commencement of the use.

It is noted that plans have been provided to Council for preliminary review, showing the proposed design as required in Condition 53.

Pending Council's review of these plans, the applicant would like to discuss Condition 53 further with Council and any subsequent changes to this condition.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

Development Engineering Comment:

Preliminary design of the new access road and Cecily street has been undertaken in accordance with condition 53. This preliminary design demonstrates that the intersection and proposed CHR can be facilitated within the existing and proposed dedicated road reserve along Cecily Street. No additional road dedication is required.

Accordingly, Development Engineering recommends that **Condition 53** remain unchanged.

2.2.12 *Infrastructure Charges Notice*

The current charge for the Material Change of Use component of the development is \$712,452.24. The existing credit has been determined as \$614,682.03 leaving the applicant to make a contribution of \$97,770.21.

The credit has been calculated based on the previous use of the land, being the Tulip Town Shopping Centre. Specifically:

Adopted Charge Category	Demand	Adopted Charge	Total
Commercial (retail) - Tulip Town Shopping Centre	4,579m ² GFA	\$182.15m ²	\$834,064.85
	18,852m ² Impervious	\$10.10m ²	\$190,405.20
Total			\$1,024,470.05
Proportional Split			\$614,682.03

Applicant Representations:

It is noted the Reconfiguring a Lot component of the approval permits the subdivision of two (2) lots into nine (9) lots. The Infrastructure Charges Notice includes a charge for the nine (9) lots created, however does not include a credit for the existing two (2) lots forming the premises.

In accordance with Section 14 of the Moreton Bay Regional Council Charges Resolution (No. 8), the existing two lots forming the subject premises each have a credit equivalent to 'Residential development (Residential use as 3-or-more bedroom dwelling)' i.e. \$17,215.35.

Therefore, it is requested that the Residential component of the Council Infrastructure Charges Notice be amended and replaced with the following:

Description	Existing demand (Credit)	Proposed demand	Unit of demand	Demand factor	Charge rate per unit of demand	Total charge
9 x Lots	0.000	9.000	Dwelling	1.000	\$17,215.35	\$154,938.15
2 x Lots	2.000	0.000	Dwelling	1.000	\$17,215.35	-\$34,430.70
					Sub total	\$154,938.15 \$120,507.45

Development Planning Comment:

In accordance with Section 14 Moreton Bay Regional Council's Charges Resolution (No 8), dated 14 August 2018, a credit exists for the development based on the credit **being the greater of the following amounts:**

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

(a) Payment of previous charges or contributions

There is no record of a previous charge or contribution having been made in relation to the land in accordance with section 14 of the CR. Accordingly, the credit available under this option is **\$0.00**.

(b) Lawful use of land

An assessment of existing and previous lawful uses of the land has determined that a credit amount of \$1,023,783.20 exists and has been calculated based on the following:

Adopted Charge Category	Demand	Adopted Charge	Total
Commercial (retail) - Tulip Town Shopping Centre	4,579m2 GFA	\$182.15m2	\$834,064.85
	18,852m2 Impervious	\$10.10m2	\$190,405.20
Total			\$1,024,470.05

The credit available after the proportional split stated in Table 4 of the ICR is **\$614,682.03**.

(c) Other development able to occur without a development permit

There is no other development able to be lawfully carried out without a development permit (including a development permit for Building Works). Accordingly, the credit available under this option is **\$0.00**.

(d) The adopted charge for a residential lot (applied equally to non-residential development)

The credit available under this option is **\$34,430.70** based on the proportional split stated in Table 4 of the ICR.

Assessment of the credits applicable correctly applied the highest credit being existing lawful previous uses of the land (option (b) above). The development is not entitled to an additional credit for the existing lot.

Separately, as identified under Condition 21 above, the applicant has advised that that there has been further design changes to the buildings on Lot 5 (Health Care Services, Office, Food and Drink Outlet) and Lot 6 (Shop). Design changes include:

Lot 5 (Health Care Service, Office, Food and Drink Outlet)

- a. The lift, stairs and amenities have been located external to the main building. These facilities are now located to the rear of the building and will not impact on the active frontage design elements identified on the approved plans.

Lot 6 (Shop)

- b. The approved Shop (Supermarket Tenancy) has increased in height as a result of further design regarding fit out with the future tenant. The proposed height of the building is now 8.43m with an entry arbour / awning that extends to 11.15m high. The proposed height is consistent with the current mapped building height overlay which identifies a maximum building height of 21m.

Relevantly these changes have resulted in a slight GFA increase of 66m².

Accordingly, it is recommended that an amended Infrastructure Charges Notice be issued to reflect this increase in GFA.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

2.3 Referrals

The application was original referred to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) for the following:

- (a) Matters relating to State-Controlled Roads;
- (b) Matters relating to Queensland Heritage Place;
- (c) Matters relating to Railways;
- (d) Matters relating to Public Passenger Transport; and
- (e) Matters relating to Development Impacting on State Transport Infrastructure.

Council was advised that DSDMIP has no objection to the development application subject to a number of conditions being attached to Council's Decision Notice. Some of the matters dealt with in the conditions were:

- (i) the planting of trees along Anzac Avenue;
- (ii) controlling access into the site;
- (iii) upgrades to a bus stop along Anzac Avenue;
- (iv) provision of a taxi bay on site; and
- (v) frontage works to Anzac Avenue

These relevant referral agencies to this application have not been notified of this request however consultation on some matters has occurred with separate departments. A recommendation of this report will be that all Referral Agencies to the application are notified of this change decision.

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant has appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

3.3 Policy Implications

The proposal is consistent with the existing Moreton Bay Region planning provisions and relevant policies.

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces the potential risk implications to Council and the community.

3.5 Delegated Authority Implications

Not applicable.

3.6 Financial Implications

- a) In the event that an appeal is made to the Planning & Environment Court against Council's decision, the Council will incur additional costs in defending its position.
- b) Permit conditions require infrastructure contributions to Council.

3.7 Economic Benefit

Appropriate development supports the growing Moreton Bay Region.

3.8 Environmental Implications

There are no environmental implications arising from the approval of this development application.

ITEM 2.1 DA/34570/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR AN OFFICE (LOT 1), FOOD AND DRINK OUTLET (LOT 2), FOOD AND DRINK OUTLET (LOT 3), SERVICE STATION (LOT 4), HEALTH CARE SERVICES, OFFICE, FOOD AND DRINK OUTLET (LOT 5), SHOP, FOOD AND DRINK - A18266110 (Cont.)

3.9 Social Implications

There are no social implications arising from the approval of this development application.

3.10 Consultation / Communication

Refer to clause 2.3.

ATTENDANCE

Mr Daryl Hitzman retired from the meeting at 11.01am during Item 2.1.

Ms Kate Isles and Mr Marco Alberti left the meeting at 11.16am after Item 2.1.

3 CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 3.1

LOCAL GOVERNMENT MUTUAL MEMBERSHIP RENEWAL 2019/20 - REGIONAL

Meeting / Session: 3 CORPORATE SERVICES
Reference: A18741288 : 25 June 2019
Responsible Officer: DC, Accounting Services Manager (CEO Accounting Services)

Executive Summary

The purpose of this report is to seek Council approval to renew its Local Government Mutual (LGM) membership and authorise the associated payment in the amount of \$1,601,007 (GST exclusive).

COMMITTEE RECOMMENDATION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Julie Greer

CARRIED 12/0

That Council authorise the payment of the 2019/20 LGM Liability membership in the amount of \$1,601,007 (GST exclusive).

ITEM 3.1 LOCAL GOVERNMENT MUTUAL MEMBERSHIP RENEWAL 2019/20 - REGIONAL - A18741288 (Cont.)

OFFICER'S RECOMMENDATION

That Council authorise the payment of the 2019/20 LGM Liability membership in the amount of \$1,601,007 (GST exclusive).

REPORT DETAIL

1. Background

Council is a member of the local government mutual liability self-insurance pool, Local Government Mutual Queensland.

LGM has, since 1994, provided the vehicle by which Queensland Local Government has been able to collectively exercise control over the management of legal liability exposures confronting local government.

LGM is a body entirely owned and operated by Queensland Local Government.

LGM was established for the sole purpose of benefiting Queensland Local Government by providing effective and appropriate coverage for the legal liability of Members with a long-term goal of achieving cost stability and minimising the impacts of volatility experienced in the general insurance and financial sectors.

Through the LGM Board of Management, the LGAQ as Trustee of LGM oversees the administration of LGM Queensland as a valuable service to Queensland Local Government, on behalf of Members.

2. Explanation of Item

Council has received its 2019/20 membership advice from LGM. Membership for 2019/20 is in the amount of \$1,601,007 (GST exclusive).

Council's Membership encompasses coverage for the following:

- Public Liability;
- Products Liability;
- Professional indemnity;
- Councillors and Officers Liability;
- Employment Practices Liability; and
- Cyber Cover (added for 2019/20 at no additional membership cost to Council).

LGM provide a comprehensive range of services and resources as part of LGM Queensland membership including claims management, risk management, insurance placement, and associated fund management and consulting services.

3. Strategic Implications

3.1 Legislative/Legal Implications

In accordance with section 107(1) of the Local Government Act 2009, a local government must maintain the following insurance:

- public liability insurance; and
- professional indemnity insurance.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications

Membership with LGM complies with Council Insurance Policy 2150-060.

ITEM 3.1 LOCAL GOVERNMENT MUTUAL MEMBERSHIP RENEWAL 2019/20 - REGIONAL - A18741288 (Cont.)

3.4 Risk Management Implications

Council's insurance coverage is identified as an Operational Financial Risk in Council's Enterprise Risk Management Framework (ERM). It is imperative that Council arrange and assess the appropriateness and adequacy of insurance coverage on a regular basis to ensure coverage meets the operational requirements of Council in line with its risk appetite.

Existing controls are deemed adequate with a final risk rating of low.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Membership to LGM is provided for in Council's adopted budget for 2019/20. Budget allocation is in the amount of \$1,650,000. The 2018/19 membership was in the amount of \$1,442,672.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Chief Executive Officer, Director Corporate Services, Manager Financial and Project Services.

ITEM 4.1 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)

Pursuant to s175E of the Local Government Act 2009, Cr Mike Charlton (Deputy Mayor) declared a perceived conflict of interest in Item 4.1 as BMD Constructions (a tenderer of Item 4.1) provided \$2200 on 2 November 2010 to Moreton Futures Trust for his 2012 election campaign. Cr Charlton advised that he received an interest free loan in the amount of \$5000 from Moreton Futures Trust in late September 2011 which was repaid in full on 25 January 2012. Cr Charlton has not received a donation since that time.

Cr Mike Charlton (Deputy Mayor) retired from the meeting at 11.18am taking no part in the debate or recommendation regarding same.

Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)

Pursuant to s175E of the Local Government Act 2009, Cr Allan Sutherland (Mayor) declared a perceived conflict of interest in Item 4.1 as BMD Constructions (a tenderer of Item 4.1) provided \$2200 on 2 November 2010 to Moreton Futures Trust. Cr Sutherland advised that Moreton Futures Trust contributed \$110,500 between 12 April 2012 and 25 May 2012 to the Mayor's 2012 election campaign.

Cr Allan Sutherland (Mayor) retired from the meeting at 11.19am taking no part in the debate or recommendation regarding same.

COMMITTEE RECOMMENDATION - APPOINT CHAIRPERSON

Moved by Cr Matt Constance

Seconded by Cr Peter Flannery

CARRIED 10/0

That pursuant to s267(3) of the Local Government Regulation 2012, Cr Adam Hain be appointed as Chairperson of the Coordination Committee for Item 4.1 in the absence of the Mayor and the Deputy Mayor.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

ITEM 4.1

PETRIE - YOUNGS CROSSING ROAD - ROAD REHABILITATION - DIVISION 7

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18679326: 12 June 2019 - Refer **Confidential** Supporting Information
A18618408
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited for the 'Petrie - Youngs Crossing Road - Road Rehabilitation (MBRC008725)' project. The tender closed on 29 May 2019 with 13 conforming tenders and one non-conforming tender received.

It is recommended that Council award the contract to Ryan Civil Contracting Pty Ltd for the sum of \$875,260.77 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Mick Gillam

CARRIED 10/0

Cr Allan Sutherland (Mayor) and Mike Charlton (Deputy Mayor) had declared a Conflict of Interest and had left the meeting

1. That the tender for 'Petrie - Youngs Crossing Road - Road Rehabilitation (MBRC008725)' project be awarded to Ryan Civil Contracting Pty Ltd for the sum of \$875,260.77 (excluding GST).
2. That the Council enters into an agreement with Ryan Civil Contracting Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Ryan Civil Contracting Pty Ltd for 'Petrie - Youngs Crossing Road - Road Rehabilitation (MBRC008725)' project and any required variations of the agreement on Council's behalf.

ITEM 4.1 PETRIE - YOUNGS CROSSING ROAD - ROAD REHABILITATION - DIVISION 7 - A18679326: (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Petrie - Youngs Crossing Road - Road Rehabilitation (MBRC008725)' project be awarded to Ryan Civil Contracting Pty Ltd for the sum of \$875,260.77 (excluding GST).
2. That the Council enters into an agreement with Ryan Civil Contracting Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Ryan Civil Contracting Pty Ltd for 'Petrie - Youngs Crossing Road - Road Rehabilitation (MBRC008725)' project and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The project is located on Youngs Crossing Road, Petrie and extends from the intersection with Dayboro Road to the existing crossing/floodway. The project scope includes the rehabilitation of the pavement (490 lineal metres), pavement widening to allow for on road bicycle lanes and an improved crossing for pedestrians and cyclists immediately to the north of the crossing/floodway. The existing pavement is currently showing significant signs of rutting, pavement fails and cracking. The project objective is to renew the pavement and achieve the required level of service.

Works are expected to commence in August 2019 and take seven weeks to complete, weather permitting. The project will be undertaken using nightworks.

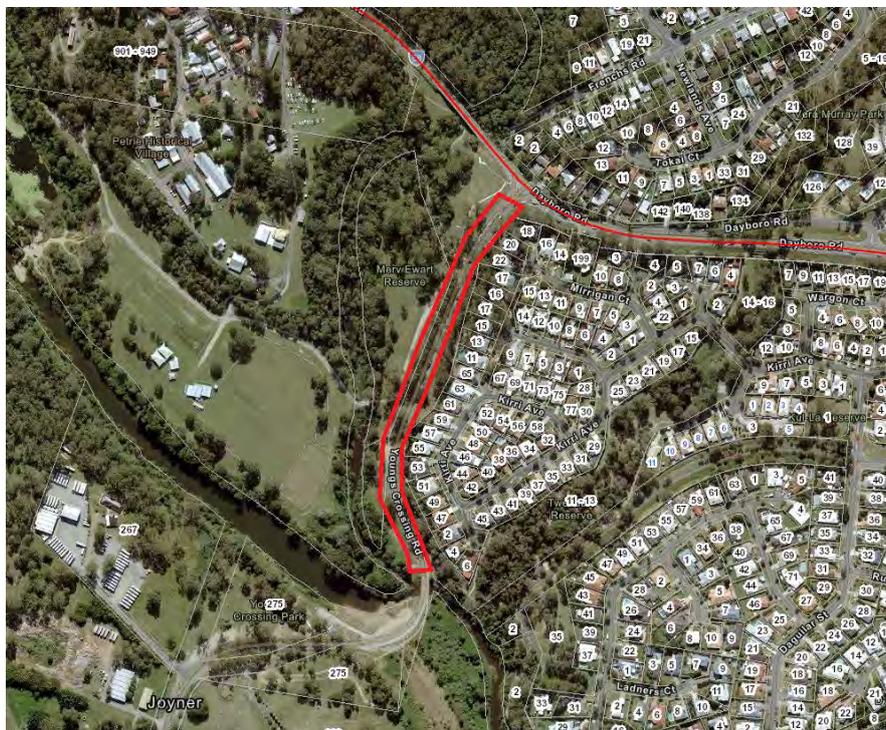


Figure 1: Locality plan - Youngs Crossing Road

ITEM 4.1 PETRIE - YOUNGS CROSSING ROAD - ROAD REHABILITATION - DIVISION 7 - A18679326: (Cont.)

2. Explanation of Item

Tenders were invited for the '*Petrie - Youngs Crossing Road - Road Rehabilitation (MBRC008725)*' project. The tender closed on 29 May 2019 with a total of thirteen conforming tenders and one non-conforming tender received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documents.

All tenderers and their evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Ryan Civil Contracting Pty Ltd	96.36
2	Hazell Bros (Qld) Pty Ltd	93.20
3	Civlec Pty Ltd T/A GRC Civil	90.87
4	AllenCon Pty Ltd	90.76
5	BMD Constructions Pty Ltd	90.11
6	Mcllwain Civil Engineering Pty Ltd	89.92
7	Pentacon Pty Ltd	89.35
8	Winslow Constructors P/L	87.87
9	Queensland Bridge and Civil	85.33
10	G&H Plant Hire Pty Ltd Trading as Civil Contractors	85.29
11	CES Civil	84.56
12	Koppens Developments Pty Ltd	77.47
13	Naric Pty Ltd	73.69
14	SAT Civil	Non-conforming

Ryan Civil Contracting Pty Ltd (Ryan Civil) submitted a comprehensive tender. A tender clarification meeting was held on 19 June 2019 at which Ryan Civil confirmed their methodology and capability in delivering the project. Ryan Civil has previously undertaken works for Moreton Bay Regional Council for projects of similar value - Mewett Street Upgrade (Caboolture) for \$398,962 (ex GST) and Camelia Avenue Road Rehabilitation (Everton Hills) for \$1.256M (ex GST). Ryan Civil have confirmed their capacity to complete these works and have a project team ready to commence.

Hazell Bros (Qld) Pty Ltd submitted a comprehensive tender that demonstrated their capability to complete the project; however, there were no additional benefits for the higher price.

Civlec PTY LTD T/A GRC Civil submitted a comprehensive tender that demonstrated their capability to complete the project; however, there were no additional benefits for the higher price.

The non-conforming tenderer did not provide the mandatory tender documentation.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to value of work being greater than \$200,000, Council called a public tender for the work through the LG Tender system in accordance with the *Local Government Act 2009*.

ITEM 4.1 PETRIE - YOUNGS CROSSING ROAD - ROAD REHABILITATION - DIVISION 7 - A18679326: (Cont.)

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Diverse transport options - an integrated regional transport network.

3.3 Policy Implications

This project has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

A detailed risk management plan has been prepared. The project risk has been assessed and the following issues identified. The manner in which the identified risks are to be managed is detailed below.

Financial Risks:

A third-party review of financial status has been carried out and the successful tenderer was rated 'strong'.

Construction Risks:

- a. The recommended contractor will provide a detailed program of works, a staging plan, site specific traffic management, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements. Works will be undertaken at night to reduce the impact on traffic during peak daytime hours, with minor activities completed during the day outside of the peak traffic hours.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$980,000 for this project in the 2019-20 FY Capital Projects Program, project budget number 103848. All financials below are excluding GST.

Tender price	\$ 875,260.77
Contingency (10%)	\$ 87,526.08
QLeave (0.475%)	\$ 4,157.49

Total Cost	\$ 966,944.34
	=====
 Estimated ongoing operational/maintenance costs	 \$ 840 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit

The road rehabilitation will extend the pavement life by accommodating expected traffic impact. This is due to consideration of expected future year traffic volumes and applying the relative Equivalent Standard Axle (ESA) valuation and calculation that has determined the pavement design required to meet such future needs and use. Doing so will better ensure the rehabilitation undertaken, as part of this project provides Council with a better return on investment in terms of expected (greater) pavement life and less (or negligible) maintenance during it.

3.8 Environmental Implications

An Environmental Management Plan will be provided to Council by the successful tenderer, detailing the management of environmental matters affecting the project during construction.

ITEM 4.1 PETRIE - YOUNGS CROSSING ROAD - ROAD REHABILITATION - DIVISION 7 - A18679326: (Cont.)

3.9 Social Implications

In general, the improved road pavement resulting from a road rehabilitation and widening to accommodate bicycle lanes will offer improved safety (traction improvements, less maintenance) and amenity (provision of bicycle lanes, less road noise due to improved road surface).

3.10 Consultation / Communication

A detailed communication plan has been prepared. Communication strategies will be implemented once the tender is awarded, and will include pre-project notices 6 weeks prior to construction, project notices, signs and variable message boards 2 weeks prior to construction and weekly updates to the Divisional Councillor. Residents directly abutting the project site will be contacted by Council to advise on the proposed works and associated timing, providing a minimum of two days' notice for works directly adjacent to their properties (in addition to the notice 6 weeks prior). The Divisional Councillor has been consulted and is supportive of the project.

ATTENDANCE

Cr Allan Sutherland (Mayor) and Mike Charlton (Deputy Mayor) returned to the meeting at 11.37am after consideration of Item 4.1.

Cr Allan Sutherland (Mayor) resumed the Chair at that time.

**ITEM 4.2
TENDER - 2019-2020 REGIONAL WATERBODY MAINTENANCE PROGRAM -
REGIONAL**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18709063 : 19 June 2019 - Refer Supporting Information A18665547 and
Confidential Supporting Information A18560056 & A18560320
Responsible Officer: MM, Senior Technical Officer- Natural Areas (ECM Asset Maintenance)

Executive Summary

Tenderers were called for the '2019-2020 Regional Waterbody Maintenance Program (MBRC008707)'. The tender contained two separable portions based on location of waterbody and associated storm water assets. Tenders closed on 8 May 2019 with conforming submissions received from six contractors for one or more separable portions.

It is recommended that the tender for '2019-2020 Regional Waterbody Maintenance Program (MBRC008707)' be awarded as follows, as these offers represent the best overall value to Council:

Separable Portion 1 - Regional Waterbody Maintenance Program - Storm Water Assets in Divisions 5, 7, 8, 9, 10 and 11 - that the tender for '2019-2020 Regional Waterbody Maintenance Program - Separable Portion 1' be awarded to Barung Landcare Association Inc for the total sum of \$141,632.00 (excl. GST).

Separable Portion 2 - Regional Waterbody Maintenance Program - Storm Water Assets in Divisions 1, 2, 3, 4 and 12 - that the tender for '2019-2020 Regional Waterbody Maintenance Program - Separable Portion 2' be awarded to Barung Landcare Association Inc for the total sum of \$140,080.00 (excl. GST).

COMMITTEE RECOMMENDATION

Moved by Cr Koliana Winchester

Seconded by Cr Julie Greer

CARRIED 11/0

Cr Mick Gillam had briefly retired from the meeting and was not present when the vote was taken.

1. That the tender for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 1' be awarded to Barung Landcare Association Inc for the sum of \$141,632.00 (excluding GST).
 - a) That the Council enters into an agreement with Barung Landcare Association Inc as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Barung Landcare Association Inc for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 1' and any required variations of the agreement on Council's behalf.

2. That the tender for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 2' be awarded to Barung Landcare Association Inc for the amount of \$140,080.00 (excluding GST).
 - a) That the Council enters into an agreement with Barung Landcare Association Inc as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Barung Landcare Association Inc for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 2' and any required variations of the agreement on Council's behalf.

ITEM 4.2 TENDER - 2019-2020 REGIONAL WATERBODY MAINTENANCE PROGRAM - REGIONAL - A18709063
(Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 1' be awarded to Barung Landcare Association Inc for the sum of \$141,632.00 (excluding GST).
 - a) That the Council enters into an agreement with Barung Landcare Association Inc as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Barung Landcare Association Inc for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 1' and any required variations of the agreement on Council's behalf.
2. That the tender for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 2' be awarded to Barung Landcare Association Inc for the amount of \$140,080.00 (excluding GST).
 - a) That the Council enters into an agreement with Barung Landcare Association Inc as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Barung Landcare Association Inc for the '2019-2020 Regional Waterbody Maintenance Program - MBRC008707 - Separable Portion 2' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Tenders were called for the '2019-2020 Regional Waterbody Maintenance Program (MBRC008707)' through open tender using LG Tender Box. Tenders closed on 8 May 2019 with conforming submissions received from six contractors for one or more separable portions. The tender contained two separable portions based on location of waterbody and associated storm water assets. These assets include lakes, ponds, sediment basins, constructed wetlands and buffering vegetation of park complexes. The general scope of maintenance works to these waterbodies include weed management, litter control, infill planting and monthly inspections of key components of the systems including inlets and outlets.

Separable Portion 1 contained storm water assets within thirteen park complexes totalling 18.28 ha (excluding waterbody), whilst Separable Portion 2 contained storm water assets within fourteen park complexes totalling 15.07 ha (excluding waterbody).

2. Explanation of Item

Separable Portion 1 - Regional Waterbody Maintenance Program - Storm Water Assets in Divisions 5, 7, 8, 9, 10 and 11

Council received five conforming responses. The responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

ITEM 4.2 TENDER - 2019-2020 REGIONAL WATERBODY MAINTENANCE PROGRAM - REGIONAL - A18709063
(Cont.)

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Australian Wetlands Landscapes Pty Ltd	99.10
2	Barung Landcare Association Inc	97.07
3	Technigro Pty Ltd	95.95
4	Urban Asset Solutions Pty Ltd	90.14
5	Evolve Environmental Solutions	71.04

Barung Landcare Association Inc (BLA) submitted a quality tender submission for this portion of works. BLA clearly demonstrated their capability and capacity to undertake the activities outlined in the tender specification with experienced and qualified staff. BLA demonstrated a high level of competency in delivering environmentally sensitive weed maintenance and revegetation services to achieve targeted water quality outcomes. BLA have previously undertaken similar projects for Council and delivered them within time and to a satisfactory standard. The offer from BLA was the lowest priced offer and received the second highest evaluation score. The panel recommend that this offer is the best value offer to Council.

Australian Wetlands Landscapes Pty Ltd (AWL) submitted a comprehensive tender submission, demonstrating their ability to deliver the program as required. The submission from AWL met all criteria outlined in the tender specification, being suitably experienced and qualified in the field of waterbody maintenance. AWL demonstrated a high level of competency in delivering environmentally sensitive weed maintenance and revegetation services to achieve targeted water quality outcomes. AWL have previously undertaken similar projects for Council and delivered them within time and to a satisfactory standard. The offer from AWL was the second lowest priced offer and received the highest evaluation score; however, this offer was not deemed best value to Council.

The offers from **Technigro Pty Ltd**, **Urban Asset Solutions Pty Ltd** and **Evolve Environmental Solutions** were satisfactory submissions; however, the offers were not as competitively priced as the recommended offer from Barung Landcare Association Inc and therefore not deemed best value to Council.

Separable Portion 2 - Regional Waterbody Maintenance Program - Storm Water Assets in Divisions 1, 2, 3, 4 and 12

Council received five conforming responses. The responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Australian Wetlands Landscapes Pty Ltd	97.30
2	Barung Landcare Association Inc	95.74
3	Urban Asset Solutions Pty Ltd	90.98
4	Evolve Environmental Solutions	74.03
5	Toolijooa Environmental Restoration	71.72

ITEM 4.2 TENDER - 2019-2020 REGIONAL WATERBODY MAINTENANCE PROGRAM - REGIONAL - A18709063
(Cont.)

Barung Landcare Association Inc (BLA) submitted a quality tender submission for portion 2 of this tender. BLA clearly demonstrated their capability and capacity to undertake the activities outlined in the tender specification with experienced and qualified staff. BLA demonstrated a high level of competency in delivering environmentally sensitive weed maintenance and revegetation services to achieve targeted water quality outcomes. BLA have previously undertaken similar projects for Council and delivered them within time and to a satisfactory standard. The offer from BLA was the second lowest priced offer and received the second highest evaluation score. The panel recommend that this offer represents the best value offer to Council.

Australian Wetlands Landscapes Pty Ltd (AWL) submitted a comprehensive tender submission, demonstrating their ability to deliver the program as required. The submission from AWL met all criteria outlined in the tender specification, being suitably experienced and qualified in the field of waterbody maintenance. AWL demonstrated a high level of competency in delivering environmentally sensitive weed maintenance and revegetation services to achieve targeted water quality outcomes. AWL have previously undertaken similar projects for Council and delivered them within time and to a satisfactory standard. The offer from AWL was the third lowest priced offer and received the highest evaluation score; however, this offer was not deemed best value to Council.

The offer from **Urban Asset Solutions Pty Ltd (UAS)** was the lowest priced offer and received the third highest evaluation score. UAS's submission failed to demonstrate to the panel the required level of experience and competency in delivering environmentally sensitive weed maintenance and revegetation services to achieve targeted water quality outcomes. The assessment panel was not confident in UAS's ability to deliver the works and as such the offer from UAS was not deemed best value to Council.

The offers from **Toolijooa Environmental Restoration** and **Evolve Environmental Solutions** were satisfactory submissions, outlining their ability to deliver the required works with experienced, qualified personnel. However, the offers were not as competitively priced and did not provide any greater value to Council for the higher prices.

3. Strategic Implications

3.1 Legislative/Legal Implications

The legislative responsibilities of the Waterbody Maintenance Program are:

- *Environmental Protection Act 1994* and Environmental Protection (Water) Policy 2009 - management of pollutants and water quality against acceptable water quality parameters.
- *Nature Conservation Act 1992* - for management of plants, wildlife and habitat.
- *Biosecurity Act 1994* - to administer Council's 'General Biosecurity Obligation' and management of declared restricted matter.
- *Agricultural Chemicals Distribution Control Act 1996* - to manage the use and record of herbicide application on Council controlled land.
- *Environmental Protection and Biodiversity Conservation Act 1999* - as related to 'Matters of National Environmental Significance'.

3.2 Corporate Plan / Operational Plan

The program is consistent with Valuing Lifestyle: Healthy natural environment - a clean and healthy environment

3.3 Policy Implications

This contract has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

ITEM 4.2 TENDER - 2019-2020 REGIONAL WATERBODY MAINTENANCE PROGRAM - REGIONAL - A18709063
(Cont.)

The program will be operationally administered in accordance with:

- Policy No: 35-2150-003 Koala Conservation
- Policy No: 12-2150-044 Sustainability
- Policy No: 2150-059 Pesticide Use- Regional

3.4 Risk Management Implications

There are low risk management implications for social, environmental, operational and financial impacts. Risk mitigation actions include:

- a) The operational program has been developed for regional strategic asset management with key performance indicators and quantifiable outcomes.
- b) Tenderers' qualifications, experience and personnel have been assessed to standards relating to the management of natural assets:
 - i) Bioretention Technical Design Guidelines.
 - ii) South East Queensland Ecological Restoration Framework.
 - iii) National Standards for the practice of ecological restoration in Australia.

A third-party review of financial status has been undertaken on the recommended tenderer. Barung Landcare Association Inc received a rating of 'sound' which has confirmed they have the capability and financial capacity to deliver portions 1 and 2.

3.5 Delegated Authority Implications

No delegation authority implications arising as a direct result of this report.

3.6 Financial Implications

A financial review of the recommended tenderer has been conducted and assessed with low financial implications.

The recommended tenderer for Separable Portions 1 and 2 totals \$ 281,712.00 (excl. GST) which is within the budget allocation.

Works are expected to commence in July 2019 and extend over the period of the 2019-2020 financial year.

3.7 Economic Benefit

The economic benefit of the proposed maintenance program is increased land useability, improved land value and lower long-term maintenance costs.

3.8 Environmental Implications

The program aims to achieve targets of storm water management and associated asset protection by:

- Proactive and strategic management of increasing impacts on water quality under pressure from urban growth, altered hydrology and further acquisition of storm water assets
- Management of pollutants conducive with sustainable sediment load targets and the capacity of receiving waters
- Management of nitrogen and phosphorus cycles
- Reducing cyanobacterial blooms and subsequent impacts
- Reducing infestations of declared water weeds
- Catchment management of outflows into river systems culminating in the Ramsar listed Moreton Bay Marine Park
- Protection of aquatic biodiversity

*ITEM 4.2 TENDER - 2019-2020 REGIONAL WATERBODY MAINTENANCE PROGRAM - REGIONAL - A18709063
(Cont.)*

Actions and delivery of the program is undertaken in accordance with:

- Australian and New Zealand guidelines for fresh and marine water quality
- South East Queensland Ecological Restoration Framework
- National standards for the practice of ecological restoration in Australia
- Waterbody Management Guideline - water by design
- Moreton Bay Regional Council Total Water Cycle Management Plan
- Managing priority species listed in Council's Priority Species of the Moreton Bay Region

The program contributes to the following regional planning directives:

- a) Shaping SEQ - South East Queensland Regional Plan 2017; Goal 4: Sustain, Element 5: Water sensitive communities.
 - i) Protect and sustainably manage the region's catchments to ensure the quality and quantity of water in our waterways, aquifers, wetlands, estuaries, Moreton Bay and oceans meets the needs of the environment, industry and community.
 - ii) Plan for a water sensitive region by supporting innovation in water cycle management that increases the efficient use of water, security of supply, addresses climate change and manages impacts on waterways and Moreton Bay.
- b) Managing Natural Assets for a Prosperous South East Queensland 2014-2031 natural resource management targets.

3.9 Social Implications

The program is beneficial by maintaining and enhancing social values inclusive of:

- Land accessibility
- Maintaining and improving scenic amenity
- Management of waterbody odours
- Opportunity for nature-based recreation
- Opportunity for ecological studies
- Supporting local Bushcare and natural resource management groups
- Protection of cultural and spiritual values
- Improved resource efficiency

3.10 Consultation / Communication

Consultation for the delivery of this program has been undertaken with relevant Council officers, section managers and the procurement division of Council.

ATTENDANCE

Mr Daryl Hitzman returned to the meeting at 11.44am after consideration of Item 4.2.

Mr Alex Smith attended at 11.45am for Item 4.3.

**ITEM 4.3
PROPOSED LEASES - BRUCE HIGHWAY ROAD UPGRADE WORKS - DIVISION 1**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18670695 : 7 June 2019 - Refer **Confidential** Supporting Information
A18727700
Responsible Officer: AS, A/Property Services Manager (CES Property & Commercial Services)

Executive Summary

This report seeks a Council Resolution for the provision of three trustee leases over three parcels of land to the Department of Transport and Main Roads (TMR), for the purpose of undertaking road upgrade works to the Bruce Highway at Caboolture.

COMMITTEE RECOMMENDATION

Moved by Cr Brooke Savige

Seconded by Cr Koliانا Winchester

CARRIED 12/0

1. That the exception contained in Section 236(1)(b)(i) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That the Department of Transport and Main Roads be granted three trustee leases over the proposed areas of new road as noted on Lot 14 SP255145, Lot 400 SP303274 and Lot 448 SP255143 (Refer Supporting Information #1 to 3) on the terms outlined in this report.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the leases and any required variations of the leases on the Council's behalf, as described in this report.

ITEM 4.3 PROPOSED LEASES - BRUCE HIGHWAY ROAD UPGRADE WORKS - DIVISION 1 - A18670695 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in Section 236(1)(b)(i) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That the Department of Transport and Main Roads be granted three trustee leases over the proposed areas of new road as noted on Lot 14 SP255145, Lot 400 SP303274 and Lot 448 SP255143 (Refer Supporting Information #1 to 3) on the terms outlined in this report.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the leases and any required variations of the leases on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

Council received written notification from TMR on 2 June 2017 that a proposed road upgrade to the Bruce Highway at Caboolture would directly affect the following land held by Council as Trustee:

- 335 - 375 Bribe Island Road Caboolture
 - Lot 14 on SP125678 (noted for Environmental Purposes), to be replaced by Lot 14 SP255145 (refer Supporting Information #1);
- 148 Old Toorbul Point Road Caboolture
 - Lot 400 on CG5030 (noted for Parks & Recreation Purposes), to be replaced by Lot 400 SP303274 (refer Supporting Information #2); and
- 51 McNaught Road Caboolture
 - Lot 448 on SP169564 (noted for Refuse Disposal Purposes), to be replaced by Lot 448 SP255143 (refer Supporting Information #3).

While the affected portions of the above lands will eventually be dedicated as road by TMR, in order to enable the proposed works to progress without delay, TMR has requested that Council enter into trustee leases for the affected areas. This is the same process used by TMR, and accepted by Council, for the construction of the Moreton Bay Rail Link Project.

2. Explanation of Item

While the application to Council for the road dedication of the land by TMR is progressing, TMR has submitted a request to lease the proposed areas of 'New Road' noted on Survey Plans SP255145, SP303274 and SP255143 (Refer Supporting Information #1 to 3). The aerial image provided in Supporting Information #4 shows the location of these proposed lease areas in context.

The core terms of the proposed new leases are outlined below:

Core Term	Description
Term	4.5 years
Commencement Date	1/7/2019
Expiry Date	30/12/2023
Option	Nil
Rent	\$1 per annum payable on demand
Permitted Use	The construction of transport infrastructure and the provision of transport services as described in the <i>Transport Infrastructure Act 1994</i> .

ITEM 4.3 PROPOSED LEASES - BRUCE HIGHWAY ROAD UPGRADE WORKS - DIVISION 1 - A18670695 (Cont.)

Council must comply with the *Local Government Act 2009* (the Act) and the Local Government Regulation 2012 (**Regulation**) when it disposes of valuable non-current assets, which includes leases of land. Section 236(1)(b)(i) of the Regulation allows Council to dispose of a valuable non-current asset if the grant of a lease is to a government agency. Council may only rely on that exception if, before granting a lease, it resolves that the exception applies.

3. Strategic Implications

3.1 Legislative/Legal Implications

Council must comply with the *Local Government Act 2009* and Local Government Regulation 2012 when it disposes of valuable non-current assets. Resolving to rely on the exception provided under section 236(1)(b)(i) of the Regulation will allow the Council to complete the disposal for the purpose of a lease to a government agency by means other than tender or auction.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

3.3 Policy Implications

There are no policy implications arising as a direct result of this report.

3.4 Risk Management Implications

There are no risk management implications arising as a direct result of this report.

3.5 Delegated Authority Implications

As per recommendation 3 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new leases.

3.6 Financial Implications

There are no financial implications arising as a direct result of this report.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

After internal Council consultation, TMR have been advised of the requirement for an environmental offset area to compensate for the removal by TMR of native vegetation from the lease areas during its road works project.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Legal Services
Environmental Services
Integrated Transport Planning and Design

ATTENDANCE

Mr Alex Smith left the meeting at 11.48am after Item 4.3.

**ITEM 4.4
TENDER - MAINTENANCE AND MONITORING OF SEWER TREATMENT SYSTEMS
(MBRC008397) - DIVISIONS 1 & 11**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18679631 : 12 June 2019 - Refer **Confidential** Supporting Information
A18595189
Responsible Officer: DS, University Student (ECM Asset Maintenance)

Executive Summary

The maintenance and monitoring of Council's sewer treatment systems at Samford Rangers Football Club and Toorbul Caravan Park are undertaken through contract arrangements which are due to expire 30 June 2019. Tenders were called for the '*Maintenance and Monitoring (Sampling) of Sewer Treatment Systems (MBRC008397)*', with tenders closing on 21 May 2019, with three submissions received.

The two sewer treatment systems operate under environmental authorities (EA) permits issued by Department of Environment and Science (DES). To maintain compliance with the EA permits, these systems require ongoing maintenance and monitoring.

It is recommended that the contract be awarded to Stornoway Maintenance Pty Ltd for an estimated sum of \$195,228.50 (excluding GST) for an initial period of two years (2 July 2019 to 30 June 2021) with an option to extend by a further two one-year periods, subject to satisfactory performance.

COMMITTEE RECOMMENDATION

Moved by Cr Darren Grimwade

Seconded by Cr Mick Gillam

CARRIED 12/0

1. That the tender for *Maintenance and Monitoring (Sampling) of Sewer Treatment Systems (MBRC008397)* be awarded to Stornoway Maintenance Pty Ltd for the estimated sum of \$195,228.50 (excluding GST).
2. That the Council enters into an agreement with Stornoway Maintenance Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Stornoway Maintenance Pty Ltd for *Maintenance and Monitoring (Sampling) of Sewer Treatment Systems (MBRC008397)* and any required variations of the agreement on Council's behalf.

ITEM 4.4 TENDER - MAINTENANCE AND MONITORING OF SEWER TREATMENT SYSTEMS (MBRC008397) - DIVISIONS 1 & 11 - A18679631 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for *Maintenance and Monitoring (Sampling) of Sewer Treatment Systems (MBRC008397)* be awarded to Stornoway Maintenance Pty Ltd for the estimated annual sum of \$195,228.50 (excluding GST).
2. That the Council enters into an agreement with Stornoway Maintenance Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Stornoway Maintenance Pty Ltd for *Maintenance and Monitoring (Sampling) of Sewer Treatment Systems (MBRC008397)* and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Council currently owns, operates and maintains two sewer treatment systems under the authority of DES. DES issue EA permits allowing Council to operate these sewer treatment systems.

The sewer treatment system at Samford Rangers Football Club was commissioned in February 2017. The new sewer treatment system for the Toorbul Caravan Park was commissioned in July 2016.

The general scope of works include monthly inspections of all system componentry, topping up of all consumables and sampling and testing to ensure compliance to the Environmental Approval conditions. Quarterly and Annual maintenance checks are also conducted which include more thorough componentry checks and includes cleaning of pipes and tank chambers.

The current contracts for maintenance and monitoring of these systems are due to expire on 30 June 2019.

2. Explanation of Item

Tenders were called for the *'Maintenance and Monitoring (Sampling) of Sewer Treatment Systems (MBRC008397)'*. Tenders closed on 21 May 2019, with submissions received from three companies.

Tenders were assessed by a selection panel in accordance with Council's Procurement Policy and the mandatory selection criteria set out in the tender documentation.

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest).

Rank	Tenderer	Evaluation Score
1	Stornoway Maintenance Pty Ltd	93.00
2	Simmonds & Bristow Pty Ltd	92.75
3	Unitywater	58.44

Stornoway Maintenance Pty Ltd ('SM') - submitted a comprehensive tender submission. SM's submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required. SM was the lowest priced offer and received the highest evaluation score. At the post tender clarification meeting, SM provided the evaluation team with confidence in their ability to deliver the maintenance and monitoring services required. This offer is deemed best value to Council and is the recommendation of this report.

ITEM 4.4 TENDER - MAINTENANCE AND MONITORING OF SEWER TREATMENT SYSTEMS (MBRC008397) - DIVISIONS 1 & 11 - A18679631 (Cont.)

Simmonds & Bristow Pty Ltd ('SB') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required; however, there were no additional benefits for the higher price. Simmonds & Bristow Pty Ltd was the second lowest offer and received the second highest evaluation score. This offer was not deemed best value to Council.

Unitywater ('Uw') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required; however, there were no additional benefits for the higher price. The offer from Uw was the highest priced submission and received the third highest evaluation score. This offer was not deemed best value to Council.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of the service being greater than \$200,000, Council called a public tender for the services through LG Tender Box system in accordance with the Local Government Act 2009.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications

This contract has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

The project risk has been assessed and the following issues identified. The manner in which the possible impact of these risks is minimised is detailed below.

Risk	Mitigation
Efficient and effective response time in attending emergencies.	Stornoway Maintenance Pty Ltd confirmed that they will arrive onsite and commence work within the required tendered timeframe.
No Council attendance during maintenance to validate completion.	Stornoway Maintenance Pty Ltd confirmed they will submit service reports with photographic evidence once works completed.
Attend all systems within the periodic servicing timeframes.	Stornoway Maintenance Pty Ltd confirmed they will service all sites within the tendered timeframe and have the required technicians and plant resources available to fulfil the requirements of the tender.

A third-party review of financial status of the recommended tenderer has been carried out with a rating of 'sound', which has confirmed that they have the financial capacity to carry out the required works.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

ITEM 4.4 TENDER - MAINTENANCE AND MONITORING OF SEWER TREATMENT SYSTEMS (MBRC008397) - DIVISIONS 1 & 11 - A18679631 (Cont.)

3.6 Financial Implications

The estimated costs as tendered by Stornoway Maintenance Pty Ltd are within budget allocation. All financials shown below are excluding GST.

Tendered Price	\$	195,228.50
Contingency - 5%	\$	9,761.43

Total Project Cost	\$	204,989.93
		=====

3.7 Economic Benefit

Effective maintenance and monitoring of sewer treatment systems equipment will assist with compliance achievement, extend their overall lifecycle and save Council from costly early replacement.

3.8 Environmental Implications

Performing regular maintenance and monitoring on the sewer treatment system equipment will maximise efficiency and maintain the quality of treated effluent being released to the environment.

3.9 Social Implications

Maintaining and monitoring sewer treatment system equipment continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

3.10 Consultation / Communication

Consultation for the delivery of this contract has been undertaken with relevant officers, stakeholders, and the procurement section of Council.

**ITEM 4.5
TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS
AND ANCILLARY EQUIPMENT - REGIONAL**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18730994 : 24 June 2019 - Refer **Confidential** Supporting Information
A18633750 & A18635146
Responsible Officer: SB, Graduate Engineer (ECM Asset Maintenance)

Executive Summary

The servicing of Heating, Ventilation, Air Conditioning and Refrigeration (HVAC&R) equipment located in Council's buildings and facilities across the region is undertaken through a contract arrangement which is due to expire 30 June 2019. Tenders were called for the 'Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment (MBRC008478)' through open tender using LG Tenderbox. Tenders closed on 28 May 2019, with 14 submissions received (for both separable portions).

The tender contained two separable portions, with separable portion one being for servicing, preventative maintenance and innovation, with separable portion two being for reactive maintenance and defect rectification.

Separable Portion 1 'Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Servicing, Preventative Maintenance and Innovation (MBRC008478)'

It is recommended that Separable Portion 1 be awarded to ENGIE Mechanical Services QLD Pty Ltd for an estimated sum of \$252,008.18 (excluding GST) for an initial period of two years (2 July 2019 to 30 June 2021) with an option to extend by a further three x one-year periods, subject to satisfactory performance.

Separable Portion 2 'Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Reactive Maintenance and Defect Rectification (MBRC008478)'

It is recommended that Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd be appointed to a multiple contractor arrangement for an initial period of two years (2 July 2019 to 30 June 2021) with an option to extend by a further three x one-year periods, subject to satisfactory performance.

COMMITTEE RECOMMENDATION

Moved by Cr James Houghton

Seconded by Cr Koliana Winchester

CARRIED 12/0

1. That the tender for 'Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Servicing, Preventative Maintenance and Innovation (MBRC008478 - Separable Portion 1)' be awarded to ENGIE Mechanical Services QLD Pty Ltd for the estimated sum of \$252,008.18 (excluding GST) for an initial period of two years (2 July 2019 to 30 June 2021) with an option to extend by a further three x one-year periods, subject to satisfactory performance.
 - a) That the Council enters into an agreement with ENGIE Mechanical Services QLD Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with ENGIE Mechanical Services QLD Pty Ltd for Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Servicing, Preventative Maintenance and Innovation (MBRC008478 - Separable Portion 1) and any required variations of the agreement on Council's behalf.

ITEM 4.5 TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS AND ANCILLARY EQUIPMENT - REGIONAL - A18730994 (Cont.)

2. That Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd be appointed onto a multiple contractor panel arrangement for *'Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Reactive Maintenance and Defect Rectification (MBRC008478 - Separable Portion 2)* for an initial period of two years (2 July 2019 to 30 June 2021) with an option to extend by a further three x one-year periods, subject to satisfactory performance.
 - a) That the Council enters into an agreement with Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd as described in this report
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreements with Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd for *Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Reactive Maintenance and Defect Rectification (MBRC008478 - separable portion 2)* and any required variations of the agreements on Council's behalf.

ITEM 4.5 TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS AND ANCILLARY EQUIPMENT - REGIONAL - A18730994 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for '*Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Servicing, Preventative Maintenance and Innovation (MBRC008478 - Separable Portion 1)*' be awarded to ENGIE Mechanical Services QLD Pty Ltd for the estimated annual sum of \$252,008.18 (excluding GST) for an initial period of two years (2 July 2019 to 30 June 2021) with an option to extend by a further three x one-year periods, subject to satisfactory performance.
 - a) That the Council enters into an agreement with ENGIE Mechanical Services QLD Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with ENGIE Mechanical Services QLD Pty Ltd for *Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Servicing, Preventative Maintenance and Innovation (MBRC008478 - Separable Portion 1)* and any required variations of the agreement on Council's behalf.
2. That Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd be appointed onto a multiple contractor panel arrangement for '*Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Reactive Maintenance and Defect Rectification (MBRC008478 - Separable Portion 2)*' for an initial period of two years (2 July 2019 to 30 June 2021) with an option to extend by a further three x one-year periods, subject to satisfactory performance.
 - a) That the Council enters into an agreement with Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd as described in this report
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreements with Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd for *Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment - Reactive Maintenance and Defect Rectification (MBRC008478 - separable portion 2)* and any required variations of the agreements on Council's behalf.

REPORT DETAIL

1. Background

Council currently undertakes servicing of 'Heating, Ventilation, Air Conditioning and Refrigeration (HVAC&R)' equipment located in Council's buildings and facilities through contracted works. The contract allows for the scheduled servicing of 94 council owned and operated sites across the region. The general scope of the preventative maintenance works include periodic checks and servicing of HVAC&R equipment to maximise the life of the assets and to increase availability and reliability. The general scope of the reactive maintenance works include repairs and maintenance to HVAC&R equipment as required to ensure continued operation. The current contract for these maintenance services is due to expire on 30 June 2019.

2. Explanation of Item

Tenders were called for the '*Preventative Maintenance and Repair of HVAC&R Systems and Ancillary Equipment (MBRC008478)*' through open tender using LG Tenderbox. Tenders closed on 28 May 2019, with 14 submissions received. The tender contained two separable portions, the portions being based upon servicing, preventative maintenance and innovation; and reactive maintenance and defect rectification. 'Separable Portion 2 - Reactive Maintenance and Defect Rectification' is a 'schedule of rates' based contract and offers have been assessed against the price component criteria using the hourly rates submitted for high frequency maintenance items.

ITEM 4.5 TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS AND ANCILLARY EQUIPMENT - REGIONAL - A18730994 (Cont.)

Tenders were assessed by a selection panel in accordance with Council's Procurement Policy and the mandatory selection criteria set out in the tender documentation.

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest).

Separable Portion 1 - Servicing, Preventative Maintenance and Innovation

Rank	Tenderer	Evaluation Score
1	ENGIE Mechanical Services QLD Pty Ltd	95.97
2	Veolia Energy Technical Services Pty Ltd	93.39
3	Airmaster Australia Pty Ltd	93.37
4	Siganto Air Service & Solutions Pty Ltd	93.27
5	Value Added Asset Management Pty Ltd	91.57
6	Carseldine Air Conditioning Pty Ltd	90.45
7	Total Ventilation Hygiene Pty Ltd	89.14
8	Hiflow Industries Pty Ltd	88.71
9	D&E Air Conditioning Pty Ltd	83.60
10	Thompson Cooling Pty Ltd	81.97
11	Air-Rite Mechanical Services Pty Ltd	71.72
12	Imperial Air Pty Ltd	70.82
13	Zenith Distributors Pty Ltd T/A Sun City Air Conditioning	66.62
14	System Air Pty Ltd	49.50

ENGIE Mechanical Services QLD Pty Ltd ('Engie') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required. The offer from Engie was the second lowest priced offer and received the highest evaluation score. At the post tender clarification meeting, Engie provided the evaluation team with confidence in their ability to deliver the servicing, preventative maintenance and innovation required. The offer from Engie is deemed best value for Council.

Veolia Energy Technical Services Pty Ltd ('Veolia') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required; however, there were no additional benefits for the higher price. The offer from Veolia was the third lowest priced submission and received the second highest evaluation score and was not deemed best value to Council.

Airmaster Australia Pty Ltd ('AA') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required; however, there were no additional benefits for the higher price. The offer from AA was the fourth lowest priced submission and received the third highest evaluation score and was not deemed best value to Council.

Siganto Air Service & Solutions Pty Ltd ('Siganto') - submitted a satisfactory tender submission. The submission did not demonstrate a clear understanding of the contract and the resourcing required to undertake the works. The offer from Siganto was the lowest priced offer and received the fourth highest evaluation score. This offer was not deemed best value to Council.

ITEM 4.5 TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS AND ANCILLARY EQUIPMENT - REGIONAL - A18730994 (Cont.)

Separable Portion 2 - Reactive Maintenance and Defect Rectification.

Rank	Tenderer	Evaluation Score
1	Airmaster Australia Pty Ltd	96.08
2	Value Added Asset Management Pty Ltd	95.04
3	Veolia Energy Technical Services Pty Ltd	92.87
4	System Air Pty Ltd	89.19
5	Siganto Air Service & Solutions Pty Ltd	87.65
6	Hiflow Industries Pty Ltd	87.54
7	Carseldine Air Conditioning Pty Ltd	87.52
8	D&E Air Conditioning Pty Ltd	85.64
9	Total Ventilation Hygiene Pty Ltd	84.96
10	Thompson Cooling Pty Ltd	84.38
11	Imperial Air Pty Ltd	82.08
12	Air-Rite Mechanical Services Pty Ltd	81.78
13	Zenith Distributors Pty Ltd T/A Sun City Air Conditioning	78.89
14	ENGIE Mechanical Services QLD Pty Ltd	76.23

Airmaster Australia Pty Ltd ('AA') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required. At the post tender clarification meeting, AA provided the evaluation team with confidence in their ability to deliver the reactive maintenance and defect rectification required under a multiple contractor arrangement. The offer from AA was the lowest priced submission and received the highest evaluation score and was deemed best value to Council.

Value Added Asset Management Pty Ltd - ('VAAM') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required. At the post tender clarification meeting, VAAM provided the evaluation team with confidence in their ability to deliver the reactive maintenance and defect rectification required under a multiple contractor arrangement. The offer from VAAM was the fourth lowest priced submission and received the second highest evaluation score and was deemed equal best value to Council.

Veolia Energy Technical Services Pty Ltd ('Veolia') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required. At the post tender clarification meeting, Veolia provided the evaluation team with confidence in their ability to deliver the reactive maintenance and defect rectification required under a multiple contractor arrangement. The offer from Veolia was the third lowest priced submission and received the third highest evaluation score and was deemed equal best value to Council.

All other submissions addressed the criteria outlined in the tender specifications, demonstrated the required level of skill, knowledge and experience to undertake the contract works, however, there were no additional benefits for the higher price and therefore these offers were not deemed best value to Council.

ITEM 4.5 TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS AND ANCILLARY EQUIPMENT - REGIONAL - A18730994 (Cont.)

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of the service being greater than \$200,000, Council called a public tender for the services through LG Tender Box system in accordance with the Local Government Act 2009.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Strengthening Communities: Healthy and supportive communities - a healthy and inclusive community.

3.3 Policy Implications

This contract has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

The project risk has been assessed and the following issues identified. The manner in which the possible impact of these risks is minimised is detailed below.

Separable Portion 1 - Servicing, Preventative Maintenance and Innovation:

Risk	Mitigation
Attend all Council buildings within the periodic servicing timeframes considering the large geographical spread and number of Council buildings.	ENGIE Mechanical Services QLD Pty Ltd confirmed that their company can attend all sites within the timeframe and will have enough technicians and equipment resources available to fulfil the requirements of the tender.
No Council attendance during servicing to validate maintenance services completed.	ENGIE Mechanical Services QLD Pty Ltd confirmed they will submit service reports with photographic evidence once works completed.

Separable Portion 2 - Reactive Maintenance and Defect Rectification:

Risk	Mitigation
Efficient and effective response time in attending emergencies.	Airmaster Australia Pty Ltd, Value Added Asset Management Pty Ltd and Veolia Energy Technical Services Pty Ltd all confirmed that they currently operate a 24hour call service and will have the technicians available to attend within the tendered timeframe.

Third-party reviews of financial status have been carried out on all successful tenderers, with all receiving a rating of 'sound', which has confirmed that they all have the financial capacity to carry out the required works.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

ITEM 4.5 TENDER - PREVENTATIVE MAINTENANCE AND REPAIR OF HVAC&R SYSTEMS AND ANCILLARY EQUIPMENT - REGIONAL - A18730994 (Cont.)

3.6 Financial Implications

Separable Portion 1 - Servicing, Preventative Maintenance and Innovation:

The estimated costs as tendered by ENGIE Mechanical Services QLD Pty Ltd are within budget allocation. All financials shown below are excluding GST

Tendered Price	\$	252,008.18
Contingency - 5%	\$	12,600.41

Total Cost	\$	264,608.59
		=====

Separable Portion 2 - Reactive Maintenance and Defect Rectification:

Funding for works engaged under this panel arrangement is included within the Capital and Operations' works programs. The budget amount for these works is sufficient.

3.7 Economic Benefit

Effective maintenance of HVAC&R equipment will extend the overall lifecycle and save Council from costly early replacements.

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

3.9 Social Implications

Maintaining HVAC&R equipment continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

3.10 Consultation / Communication

Consultation for the delivery of this contract has been undertaken with relevant officers, stakeholders, and the procurement section of Council.

ITEM 4.6

TENDER - 2019/2020 SPORTS FIELD RENEWAL PROJECTS - DIVISIONS 7 AND 10

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18674155 : 24 June 2019 - Refer **Confidential** Supporting Information
A18558120, A18567065
Responsible Officer: PR, Technical Services Team Leader (ECM Asset Maintenance)

Executive Summary

Tenders were called for two projects within the 2019/2020 - Sportsfields Surfaces - Renewal Program. Tenders closed on 29 April 2019. The James Drysdale Reserve Soccer Field 2 project received five conforming submissions, whilst the Bob Brock Soccer Field 2 project received three conforming and one non-conforming submissions.

It is recommended that the tender for the 'Sports Field Renewal Project - James Drysdale Reserve Soccer Field 2 (VP141638)' be awarded to 'Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer' for the sum of \$267,942.31 (excl. GST) as this represents best value to Council.

It is recommended that the tender for the 'Sports Field Renewal Project - Bob Brock Soccer Field 2 (VP143239)' be awarded to 'Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer' for the sum of \$237,168.55 (excl. GST) as this represents best value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Matt Constance

CARRIED 12/0

1. That the tender for 'Sports Field Renewal Project - James Drysdale Reserve Soccer Field 2 (VP141638)' be awarded to 'Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer' for the sum of \$267,942.31 (excluding GST).
 - a) That the Council enters into an agreement with Supagreen Lawn Programmes Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Supagreen Lawn Programmes Pty Ltd for 'Sports Field Renewal Project - James Drysdale Reserve Soccer Field 2 (VP141638)' and any required variations of the agreement on Council's behalf.
2. That the tender for 'Sports Field Renewal Project - Bob Brock Soccer Field 2 (VP143239)' be awarded to 'Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer' for the sum of \$237,168.55 (excluding GST).
 - a) That the Council enters into an agreement with Supagreen Lawn Programmes Pty as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Supagreen Lawn Programmes Pty for 'Sports Field Renewal Project - Bob Brock Soccer Field 2 (VP143239)' and any required variations of the agreement on Council's behalf.

ITEM 4.6 TENDER - 2019/2020 SPORTS FIELD RENEWAL PROJECTS - DIVISIONS 7 AND 10 - A18674155
(Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Sports Field Renewal Project - James Drysdale Reserve Soccer Field 2 (VP141638)' be awarded to 'Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer' for the sum of \$267,942.31 (excluding GST).
 - a) That the Council enters into an agreement with Supagreen Lawn Programmes Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Supagreen Lawn Programmes Pty Ltd for 'Sports Field Renewal Project - James Drysdale Reserve Soccer Field 2 (VP141638)' and any required variations of the agreement on Council's behalf.
2. That the tender for 'Sports Field Renewal Project - Bob Brock Soccer Field 2 (VP143239)' be awarded to 'Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer' for the sum of \$237,168.55 (excluding GST).
 - a) That the Council enters into an agreement with Supagreen Lawn Programmes Pty as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Supagreen Lawn Programmes Pty for 'Sports Field Renewal Project - Bob Brock Soccer Field 2 (VP143239)' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The two projects are located at James Drysdale Reserve, Bunya and Bob Brock Sports Complex, Dakabin. These projects will address current drainage, subsidence and poor turf health which has resulted in the fields being closed more frequently after rain events.

The project scope for both fields includes the removal of existing turf, installation of subsurface drainage, importing and spreading of growing media and reshaping of the playing surface to rectify the current drainage and subsidence issues. The perimeter fencing will be replaced and realigned to the new surface shape, and a new hybrid couch turf will be laid to the playing surface to complete the works.

Works are expected to commence in mid-September 2019 and take approximately 20 weeks to complete which includes two weeks' contingency for wet weather.



Figure 1: James Drysdale Reserve Complex - Bunya - Soccer Field 2

ITEM 4.6 TENDER - 2019/2020 SPORTS FIELD RENEWAL PROJECTS - DIVISIONS 7 AND 10 - A18674155
(Cont.)



Figure 2: Bob Brock Sports Complex - Dakabin - Soccer Field 2

2. Explanation of Item

Project 1 - James Drysdale Reserve Soccer Field 2

Tenders were called for the 'Sports Field Renewal Project - James Drysdale Reserve Soccer Field 2 (VP141638)' located in Bunya, using the vendor panel arrangement 'MBRC005998 - Sports Field Maintenance Services - Category 2 Sports Field Turf Repairs and Renovation'. Tenders closed on 29 April 2019, with five conforming submissions received. The submissions were assessed by the evaluation panel in accordance with Council's Purchasing Policy and the selection criteria set out in the request for quote documentation.

All tenderers and their final weighting scores are tabled below (ranked highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer	100
2	Supagreen Lawn Programmes Pty Ltd	98.86
3	Hart Valley Investments Pty Ltd t/a Hancey's Turf	93.62
4	Twin View Turf Pty Ltd	88.80
5	Green Options	76.55

A tender clarification meeting was held with the two lowest priced submissions, Supagreen Lawn Programmes Pty Ltd and Twin View Turf Pty Ltd to ensure the companies had the capability and capacity to undertake the required works within the timeframe allocated and to discuss workplace health and safety elements related to working on sports fields developed on a previous landfill site.

Supagreen Lawn Programmes Pty Ltd ('SLP') - submitted a quality submission. The evaluation panel was satisfied that SLP demonstrated a good understanding of the project and was capable, experienced and resourced to undertake the works. SLP submitted an alternative offer which contained a discount of 3% if successfully awarded both projects. The evaluation panel is confident that SLP are capable of undertaking both projects to a high standard and within the 20-week completion period. SLP confirmed their understanding of the safety risks associated with working on a previous landfill site. SLP have undertaken similar works for Council previously, specifically in 2018, SLP undertook the sports field renewal project for 'James Drysdale Reserve - soccer field 1' to a value of \$350k, this project was delivered on time and to a high standard. The alternative discount offer from SLP was the lowest priced offer and received the highest evaluation score and is deemed best value to Council.

ITEM 4.6 TENDER - 2019/2020 SPORTS FIELD RENEWAL PROJECTS - DIVISIONS 7 AND 10 - A18674155
(Cont.)

The offer from **Hart Valley Investments Pty Ltd t/a Hancey's Turf ('HT')** - was a comprehensive submission clearly demonstrating their understanding of the project and their ability to deliver the project as required. HT are experienced in the field of sports field rejuvenation and renewal. The offer from HT received the third highest evaluation score; however, was not as competitively priced as the offer from Supagreen Lawn Programmes Pty Ltd and therefore not deemed best value to Council.

Twin View Turf Pty Ltd ('TVT') - submitted a satisfactory submission. The evaluation panel was satisfied that TVT demonstrated a good understanding of the project and was capable, experienced and resourced to undertake the works. At the tender clarification meeting, TVT confirmed their ability to undertake the project within the allocated time and to a high stand, and also confirmed their understanding of safety risks associated with working on a previous landfill site. The offer from TVT was the second lowest priced offer and received the fourth highest evaluation score. This offer was not deemed best value to Council.

Project 2 - Bob Brock Soccer Field 2

Tenders were called for the '*Sports Field Renewal Project - Bob Brock Soccer Field 2 (VP143239)*' located in Dakabin, using the vendor panel arrangement 'MBRC005998 - Sports Field Maintenance Services - Category 2 Sports Field Turf Repairs and Renovation'. Tenders closed on 29 April 2019, with three conforming and one non-conforming submissions received. The submissions were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the request for quote documentation.

All tenderers and their final weighting scores are tabled below (ranked highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Supagreen Lawn Programmes Pty Ltd - Alternative Discount Offer	100
2	Supagreen Lawn Programmes Pty Ltd	98.84
3	Twin View Turf Pty Ltd	86.43
4	Hart Valley Investments Pty Ltd t/a Hancey's Turf	Non-conforming

A tender clarification meeting was held with the two conforming submissions, Supagreen Lawn Programmes Pty Ltd and Twin View Turf Pty Ltd, to ensure the companies had the capability and capacity to undertake the required works within the timeframe allocated and to discuss workplace health and safety elements related to working on sports fields developed on a previous landfill site.

Supagreen Lawn Programmes Pty Ltd ('SLP') - submitted a quality submission. The evaluation panel was satisfied that SLP demonstrated a good understanding of the project and was capable, experienced and resourced to undertake the works. SLP submitted an alternative offer which contained a discount of 3% if successfully awarded both projects. The evaluation panel is confident that SLP are capable of undertaking both projects to a high standard and within the 20-week completion period. SLP confirmed their understanding of the safety risks associated with working on a previous landfill site. SLP have undertaken similar works for Council previously, specifically in 2018, SLP undertook the sports field renewal project for 'James Drysdale Reserve - soccer field 1' to a value of \$350k, this project was delivered on time and to a high standard. The alternative discount offer from SLP was the lowest priced offer and received the highest evaluation score and is deemed best value to Council.

Twin View Turf Pty Ltd ('TVT') - submitted a satisfactory submission. The evaluation panel was satisfied that TVT demonstrated a good understanding of the project and was capable, experienced and resourced to undertake the works. At the tender clarification meeting, TVT confirmed their ability to undertake the project within the allocated time and to a high standard, and also confirmed their understanding of safety risks associated with working on a previous landfill site. The offer from TVT was the third lowest priced offer and received the third highest evaluation score. This offer was not deemed best value to Council.

ITEM 4.6 TENDER - 2019/2020 SPORTS FIELD RENEWAL PROJECTS - DIVISIONS 7 AND 10 - A18674155
(Cont.)

Hart Valley Investments Pty Ltd t/a Hancey's Turf submitted an offer after the closing time for this request; subsequently the offer was not considered and deemed non-conforming.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of the work being greater than \$200,000, a competitive request for tender was undertaken through Vendor Panel, using Council's Preferred Supplier Arrangement, MBRC005998 - Sports Field Maintenance Services - Category 2 Sports Field Turf Repairs and Renovation, in accordance with the Local Government Regulation 2012.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - active recreation opportunities.

3.3 Policy Implications

These projects have been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

A third party financial status review of the recommended tenderer with a financial status rating of 'sound' confirming their financial capacity to deliver the proposed two x sports field renewal projects.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

The total project cost for the **James Drysdale Reserve Soccer Field 2** - Surface Renewal project is within budget allocation for Project 106777.

Tender Price	\$ 267,942.31
Contingency (5%)	\$ 13,397.12
Qleave	\$ 1,336.72

Project Cost - James Drysdale Reserve Soccer Field 2	\$ 282,676.15
	=====

The total project cost for the **Bob Brock Soccer Field 2** - Surface Renewal project is within budget allocation for Project 105584.

Tender Price	\$ 237,168.55
Contingency (5%)	\$ 11,858.43
Qleave	\$ 1,182.88

Project Cost - Bob Brock Sports Complex	\$ 250,209.86
	=====

Total Project Cost (both projects)	\$ 532,886.01 (excl. GST)
	=====

3.7 Economic Benefit

The improved drainage and playing surface conditions will allow the club to play more fixtures and potentially attract a wider audience creating exposure.

*ITEM 4.6 TENDER - 2019/2020 SPORTS FIELD RENEWAL PROJECTS - DIVISIONS 7 AND 10 - A18674155
(Cont.)*

3.8 Environmental Implications

An Environmental Management Plan will be provided to Council by the successful tenderer, detailing the management of environmental matters affecting the project during construction.

3.9 Social Implications

The improved drainage and playing surface conditions will reduce the need for field closures and disruptions to season fixtures, potentially increasing club membership.

3.10 Consultation / Communication

Consultation for the delivery of this program has been undertaken with relevant officers, stakeholders, department managers and the procurement section of Council. Impending facility closures and works will be communicated via project notices and project signage. Project signage to be displayed 4 weeks prior to construction, works are scheduled to commence September 2019.

**ITEM 4.7
TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM -
REGIONAL**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18632278 : 18 June 2019 - Refer Supporting Information A18628902 and **Confidential Supporting Information A18570756, A18570830, A18605171, A18571161 & A18571488**
Responsible Officer: MM, Senior Technical Officer - Natural Areas (ECM Asset Maintenance)

Executive Summary

Tenders were called for the '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994)' which contained five separable portions based on location of the various natural areas and operations maintenance zones. Tenders closed on 9 May 2019 with submissions received from eight contractors for one or more of the separable portions.

It is recommended that the tenders for '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994)' be awarded as follows, as these offers represent the best overall value to Council:

Separable Portion 1 - that the tender for '2019-2020 Natural Areas Weed Maintenance Program - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 11 & 12' be awarded to Technigro Pty Ltd for the sum of \$168,925.82 (excl. GST).

Separable Portion 2 - that the tender for '2019/2020 Natural Areas Weed Maintenance Program - Separable Portion 2 - Natural Area Park Complexes in Divisions 9, 10 & 11' be awarded to Evolve Environmental Solutions Pty Ltd for the sum of \$160,828.00 (excl. GST).

Separable Portion 3 - that the tender for '2019/2020 Natural Areas Weed Maintenance Program - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6' be awarded to Technigro Pty Ltd for the sum of \$144,126.75 (excl. GST).

Separable Portion 4 - that the tender for '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 4 - Natural Area Park Complexes in Divisions 1, 2, 3 & 12' be awarded to Davanco Environmental Pty Ltd for the sum of \$222,513.46 (excl. GST).

Separable Portion 5 - that the tender for '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 5 - Park Complexes in Division 1' be awarded to Technigro Pty Ltd for the sum of \$ 65,100.30 (excl. GST).

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Koliana Winchester

CARRIED 12/0

1. That the tender for the '2019/20 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 11 & 12' be awarded to Technigro Pty Ltd for the sum of \$168,925.82 (excluding GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 11 & 12' and any required variations of the agreement on Council's behalf.

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

2. That the tender for the '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 2 - Natural Area Park Complexes in Divisions 9, 10 & 11' be awarded to Evolve Environmental Solutions Pty Ltd for the sum of \$160,828.00 (excluding GST).
 - a) That the Council enters into an agreement with Evolve Environmental Solutions Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Evolve Environmental Solutions Pty Ltd for '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 2 - Natural Area Park Complexes in Divisions 9, 10 & 11' and any required variations of the agreement on Council's behalf.
3. That the tender for '2019/2020 Natural Areas Weed Maintenance Program (MBRC05994) - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6' be awarded to Technigro Pty Ltd for the sum of \$144,126.75 (excluding GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6' and any required variations of the agreement on Council's behalf.
4. That the tender for '2019/20 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 4 - Natural Area Park Complexes in Divisions 1, 2, 3 & 12' be awarded to Davanco Environmental Pty Ltd for the sum of \$222,513.46 (excluding GST).
 - a) That the Council enters into an agreement with Davanco Environmental Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Davanco Environmental Pty Ltd for '2019/2020 Natural Areas Weed Maintenance Program (MBRRC005994) - Separable Portion 4 - Natural Area Park Complexes in Divisions 1, 2, 3 & 12' and any required variations of the agreement on Council's behalf.
5. That the tender for '2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 5 - Park Complexes in Division 1' be awarded to Technigro Pty Ltd for the sum of \$65,100.30 (excluding GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for '2019/20 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 5 - Park Complexes in Division 1' and any required variations of the agreement on Council's behalf.

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the *'2019/20 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 11 & 12'* be awarded to Technigro Pty Ltd for the sum of \$168,925.82 (excluding GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for *'2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 11 & 12'* and any required variations of the agreement on Council's behalf.
2. That the tender for the *'2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 2 - Natural Area Park Complexes in Divisions 9, 10 & 11'* be awarded to Evolve Environmental Solutions Pty Ltd for the sum of \$160,828.00 (excluding GST).
 - a) That the Council enters into an agreement with Evolve Environmental Solutions Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Evolve Environmental Solutions Pty Ltd for *'2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 2 - Natural Area Park Complexes in Divisions 9, 10 & 11'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6'* be awarded to Technigro Pty Ltd for the sum of \$144,126.75 (excluding GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for *'2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2019/20 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 4 - Natural Area Park Complexes in Divisions 1, 2, 3 & 12'* be awarded to Davanco Environmental Pty Ltd for the sum of \$222,513.46 (excluding GST).
 - a) That the Council enters into an agreement with Davanco Environmental Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Davanco Environmental Pty Ltd for *'2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 4 - Natural Area Park Complexes in Divisions 1, 2, 3 & 12'* and any required variations of the agreement on Council's behalf.

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

5. That the tender for *2019/2020 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 5 - Park Complexes in Division 1* be awarded to Technigro Pty Ltd for the sum of \$65,100.30 (excluding GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for *2019/20 Natural Areas Weed Maintenance Program (MBRC005994) - Separable Portion 5 - Park Complexes in Division 1* and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Tenders were called for the *2019-2020 Natural Areas Weed Maintenance Program* using Council's Preferred Supplier Arrangement - *'MBRC005994 - Natural Areas Weed Control and Revegetation Services'*. The tender contained five separable portions based on operations maintenance zones and locations of the 133 natural area park complexes, which comprises of 180.71 hectares of land. The scope of works includes generally weed eradication and minor revegetation. Tenders closed on 9 May 2019 with submissions received from eight contractors for one or more of the separable portions.

Works are expected to commence in July 2019 and extend over the period of the 2019/2020 financial year.

2. Explanation of Item

Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 11 & 12.

Council received eight conforming responses. The responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Technigro Pty Ltd	95.34
2	Barung Landcare Association Inc	93.50
3	Aust Care Environmental Services Pty Ltd	86.48
4	Evolve Environmental Solutions Pty Ltd	86.34
5	Australian Wetlands Landscapes Pty Ltd	85.24
6	Davanco Environmental Pty Ltd	84.43
7	Hans Nalder P/L t/a Restore Nature's Balance (RNB)	76.43
8	Activeco Pty Ltd	70.46

All offers received for this portion of works meet the criteria outlined in the tender specifications. All tenderers are well established within the field of ecological restoration, with acceptable qualifications and experienced staff capable of undertaking the required weed management services.

The offer from **Technigro Pty Ltd** was the lowest priced offer and received the highest evaluation score against all assessable criteria and was therefore deemed best value to Council. Technigro Pty Ltd have also been recommended for Portion's 3 and 5 of this contract. The panel are confident that Technigro can deliver multiple portions having already satisfactory delivered multiple portions of this work in the past for Council.

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

Barung Landcare Association Inc. (BLA) submitted a comprehensive offer, clearly detailing the required works. The offer from BLA was the second lowest priced submission and received the second highest evaluation score. This offer was not deemed best value to Council.

Aust Care Environmental Services Pty Ltd (ACES) submitted a comprehensive offer clearly outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from ACES received the third highest evaluation score; however, was sixth highest priced and not deemed best value to Council.

Separable Portion 2 - Natural Area Park Complexes in Divisions 9, 10 & 11.

Council received seven conforming responses. Responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Barung Landcare Association Inc	95.44
2	Evolve Environmental Solutions Pty Ltd	91.69
3	Davanco Environmental Pty Ltd	91.64
4	Aust Care Environmental Services Pty Ltd	91.64
5	Australian Wetlands Landscapes Pty Ltd	81.88
6	Hans Nalder P/L t/a Restore Nature's Balance (RNB)	81.41
7	Activeco Pty Ltd	71.06

All offers received for this portion of works meet the criteria outlined in the tender specifications. All tenderers are well established within the field of ecological restoration, with acceptable qualifications and experienced staff capable of undertaking the required weed management services.

Evolve Environmental Solutions Pty Ltd (EES) submitted the lowest priced offer and received the second highest evaluation score. EES's submission detailed their capability and capacity to undertake the require natural areas weed maintenance for this portion and was deemed best value to Council.

Barung Landcare Association Inc. (BLA) submitted a comprehensive offer, clearly detailing the required works. Although BLA received the highest evaluation score, the offer was third lowest priced and not deemed best value to Council.

Davanco Environmental Pty Ltd's (DE) submitted a comprehensive offer, clearly detailing the required works. The submission from DE was the second lowest priced offer and received the third highest evaluation score; however, was not deemed best value to Council.

Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6.

Council received six conforming responses. The responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Technigro Pty Ltd	95.34
2	Aust Care Environmental Services Pty Ltd	87.28

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

RANK	TENDERER	EVALUATION SCORE
3	Evolve Environmental Solutions Pty Ltd	86.46
4	Australian Wetlands Landscapes Pty Ltd	85.35
5	Barung Landcare Association Inc	84.45
6	Activeco Pty Ltd	70.65

All offers received for this portion of works meet the criteria outlined in the tender specifications. All tenderers are well established within the field of ecological restoration, with acceptable qualifications and experienced staff capable of undertaking the required weed management services.

The offer from **Technigro Pty Ltd** was the lowest priced offer and received the highest evaluation score against all assessable criteria and was therefore deemed best value to Council. Technigro Pty Ltd have also been recommended for Portions 1 and 5 of this contract. The panel are confident that Technigro can deliver multiple portions having already satisfactory delivered multiple portions of this work in the past for Council.

Aust Care Environmental Services Pty Ltd (ACES) submitted a comprehensive submission clearly outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications; however, the offer was the second highest priced and not deemed best value to Council.

Evolve Environmental Solutions Pty Ltd (EES) submitted a quality submission outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The submission from EES was the second lowest priced offer and received the third highest evaluation score; however, was not deemed best value to Council.

Separable Portion 4 - Natural Area Park Complexes in Divisions 1, 2, 3 & 12.

Council received six conforming responses. The responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest).

RANK	TENDERER	EVALUATION SCORE
1	Aust Care Environmental Services Pty Ltd	92.94
2	Barung Landcare Association Inc	92.79
3	Davanco Environmental Pty Ltd	92.55
4	Evolve Environmental Solutions Pty Ltd	91.69
5	Australian Wetlands Landscapes Pty Ltd	90.60
6	Activeco Pty Ltd	72.84

All offers received for this portion of works meet the criteria outlined in the tender specifications. All tenderers are well established within the field of ecological restoration, with acceptable qualifications and experienced staff capable of undertaking the required weed management services.

Davanco Environmental Pty Ltd's (DE) submission was detailed and clearly outlined their ability to deliver the required works, with achievable operational delivery plan incorporating best practice methodology as related to industry standard. The offer from DE was the second lowest priced offer and received third highest evaluation score and is recommended as best value to Council.

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

Aust Care Environmental Services Pty Ltd (ACES) submitted a comprehensive submission clearly outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications; however, the offer was the second highest priced and not deemed best value to Council.

Barung Landcare Association Inc (BLA) submitted a comprehensive submission clearly outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications; however, the offer was the third highest priced and not deemed best value to Council.

Evolve Environmental Solutions Pty Ltd (EES) submitted the lowest priced offer and received the fourth highest evaluation score. The panel was not confident in EES' ability to deliver two portions of works (EES are the recommended tenderer for works under Separable Portion 2 of this contract). Therefore, this offer was not deemed best value to Council.

Separable Portion 5 - Park Complexes in Division 1.

Council received six conforming responses. The responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

All tenderers and their final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Technigro Pty Ltd	94.11
2	Barung Landcare Association Inc	92.96
3	Australian Wetlands Landscapes Pty Ltd	91.49
4	Evolve Environmental Solutions Pty Ltd	83.58
5	Aust Care Environmental Services Pty Ltd	72.41
6	Activeco Pty Ltd	67.61

All offers received for this portion of tendered works meet the criteria outlined in the tender specifications. All companies are well established within the field of ecological restoration, with acceptable qualifications and experienced staff capable of undertaking the required weed management services.

The offer from **Technigro Pty Ltd** was the second lowest priced offer and received the highest evaluation score against all assessable criteria. Separable portion 5 is comprised of Natural Area Park Complexes that are environmentally sensitive including State Declared Protected Area, mangroves and dunal systems with significant community interest. Technigro Pty Ltd demonstrated methodology and production rates that could best achieve weed maintenance to specifications and key performance indicators, as related to industry standards and community expectations and were therefore deemed best value to Council. Technigro Pty Ltd have also been recommended for Portions 1 and 3 of this contract. The panel are confident that Technigro can deliver multiple portions having already satisfactory delivered multiple portions of this work in the past for Council.

Barung Landcare Association Inc submitted a comprehensive submission clearly outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications; however, the offer was the third highest priced and not deemed best value to Council

Australian Wetlands Landscapes Pty Ltd provided a satisfactory submission outlining their ability to deliver the required works; however they did not demonstrate the same level of environmental sensitivity as that of Technigro Pty Ltd. The offer was the lowest priced offer received however ranked third highest in the evaluation score. This offer was not deemed best value to Council.

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

3. Strategic Implications

3.1 Legislative/Legal Implications

The legislative responsibilities of the program delivery are:

1. *Nature Conservation Act 1992* - for management of declared protected areas, plants, wildlife and habitat.
2. *Biosecurity Act 1994* - to administer Council's 'General Biosecurity Obligation' and management of declared restricted matter.
3. *Cultural Heritage Act 2003* - for the management and protection of cultural heritage whilst administering operational works.
4. *Agricultural Chemicals Distribution Control Act 1996* - to manage the use and record of herbicide application on Council controlled land.
5. *Environmental Protection and Biodiversity Conservation Act 1999* - as related to 'Matters of National Environmental Significance'.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications

This contract has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

The program will be operationally administered in accordance with:

- Policy No: 35-2150-003 Koala Conservation
- Policy No: 12-2150-044 Sustainability
- Policy No: 13-2150-059 Pesticide Use- Regional

3.4 Risk Management Implications

There are low risk management implications for social, environmental, operational and financial impacts. Risk mitigation actions include:

1. The operational program has been developed for regional strategic asset management with key performance indicators and quantifiable outcomes.
2. Tenderers qualifications, experience and personnel have been assessed to standards relating to:
 - i) South East Queensland Ecological Restoration Framework.
 - ii) National standards for the practice of ecological restoration in Australia.

A third-party review of financial status has been undertaken on the recommended tenderers. The outcome of these reviews is listed below.

- Separable Portions 1, 3 & 5 - Technigro Pty Ltd received a rating of '*very strong*' which has confirmed they have the capability and financial capacity to carry out the works in separable portions 1, 3 and 5.
- Separable Portion 2 - Evolve Environmental Solutions Pty Ltd received a rating of '*sound*' which has confirmed they have the capability and financial capacity to carry out the works in separable portion 2.

ITEM 4.7 TENDER - 2019/2020 NATURAL AREAS WEED MAINTENANCE PROGRAM - REGIONAL - A18632278
(Cont.)

- Separable Portion 4 - Davanco Environmental Pty Ltd received a rating of *satisfactory* which has confirmed they have the capability and financial capacity to carry out the works in separable portion 4.

3.5 Delegated Authority Implications

No delegation authority implications arising as a direct result of this report

3.6 Financial Implications

The recommended tenders for Separable Portions 1 to 5 total \$ 761,494.33 (excl. GST) which is within the Natural Areas Asset Maintenance budget allocation, this program will be debited to 20442 Natural Areas.

Works are expected to commence in July 2019 and extend over the period of the 2019/2020 financial year.

3.7 Economic Benefit

The economic benefits of the proposed maintenance program are increased land useability, improved land value, lower long-term maintenance costs.

3.8 Environmental Implications

The program aims to achieve targets of Natural Area asset protection by:

- Managing key threats and impacts to biodiversity.
- Maintaining and enhancing biodiversity.
- Maintaining threatened Regional Ecosystems.
- Maintaining ecosystem processes.
- Enhancing ecological resilience.
- Enhancing green corridors.
- Improving opportunities for wildlife movement.
- Reducing the risk of wildfire events through reduction of ladder fuels.

The prescribed program contributes to:

- Shaping SEQ- South East Queensland Regional Plan 2017; Goal 5: Live, Element 4: Working with natural systems.
- Managing Natural Assets for a Prosperous South East Queensland 2014-2031 natural resource management targets.
- Managing priority species listed in Council's Priority Species of the Moreton Bay Region.

3.9 Social Implications

The program is beneficial by maintaining and enhancing social values inclusive of:

- Land accessibility.
- Maintaining and improving scenic amenity.
- Opportunity for nature-based recreation.
- Opportunity for ecological studies.
- Supporting local Bushcare and natural resource management groups.
- Protection of cultural and spiritual values.
- Improved resource efficiency.

3.10 Consultation / Communication

Consultation for the delivery of this program has been undertaken with relevant Council officers, section managers and the procurement division of Council.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

**ITEM 5.1 - WITHDRAWN
OUTCOME OF EXPRESSION OF INTEREST - 3 MUNDIN STREET PETRIE -
DIVISION 7**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18570225 : 22 May 2019 - **Refer Supporting Information A18570224**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

This item was withdrawn at the request of the Chief Executive Officer.

ITEM 5.2

NEW LEASE - REDCLIFFE CITY CLAY TARGET CLUB INC - DIVISION 6

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18667511 : 10 June 2019 - **Refer Supporting Information A18667512**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a lease to Redcliffe City Clay Target Club Inc over Duffield Road Park (Clontarf), 313 Duffield Road, Clontarf (Refer Supporting Information #1). The proposed lease would take effect following the organisation's surrender of its existing lease at this location.

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

CARRIED 12/0

1. That the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendations 3 and 4, Redcliffe City Clay Target Club Inc be offered a lease over an area at 313 Duffield Road, Clontarf (Refer Supporting Information #1) for a period of 5 years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the grant of this lease be subject to Redcliffe City Clay Target Club Inc surrendering its existing lease at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.2 NEW LEASE - REDCLIFFE CITY CLAY TARGET CLUB INC - DIVISION 6 - A18667511 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendations 3 and 4, Redcliffe City Clay Target Club Inc be offered a lease over an area at 313 Duffield Road, Clontarf (Refer Supporting Information #1) for a period of 5 years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the grant of this lease be subject to Redcliffe City Clay Target Club Inc surrendering its existing lease at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

Since 2008, the Redcliffe City Clay Target Club Inc. has held formal tenure over part of Lot 14, 15 and 17 on RP30493 at 313 Duffield Road, Clontarf (refer Supporting Information #1) for the conduct of its community sporting activities (clay shooting). The site consists of a clubhouse, open space and vegetation. The most recent lease entered into with the Club by Council was executed on 1 April 2012 and is due to expire on 31 March 2022.

Following the adoption of Council's consolidated Community Leasing Policy (No. 14-2150-079) on 1 April 2014, existing lessees were provided the opportunity to transition to a lease under Council's new policy provisions.

2. Explanation of Item

In May 2019, Council received advice from the Redcliffe City Clay Target Club Inc. requesting that they be transitioned to a new lease under the provisions of Council Community Leasing Policy (2150-079). To enable this transition, the Club will be required to surrender its existing lease at this location (refer Supporting Information #1) and enter into a new lease with Council. The proposed new lease area has been modified in consultation with the Redcliffe City Clay Target Club Inc. to include only those areas occupied by the club and required by the weapons licencing authority (Queensland Police Service).

Accordingly, it is recommended that Council approve the provision of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1 for a period of five (5) years. Further, it is recommended that the provision of this lease be subject to the group surrendering its existing lease at this location.

3. Strategic Implications

3.1 Legislative/Legal Implications

The Council must comply with the Local Government Act 2009 and Local Government Regulation 2012 when it disposes of valuable non-current assets. Resolving to rely on the exception provided under section 236(1)(b)(ii) of the Regulation will allow the Council to complete the disposal to a community organisation by means other than tender or auction.

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - active recreation opportunities.

ITEM 5.2 NEW LEASE - REDCLIFFE CITY CLAY TARGET CLUB INC - DIVISION 6 - A18667511 (Cont.)

3.3 Policy Implications

The terms and conditions of the proposed lease agreement will be in accordance with Council's Community Leasing Policy (14-2150-079).

3.4 Risk Management Implications

There are no risk management implications arising as a direct result of this report.

3.5 Delegated Authority Implications

As per Officer's Recommendation 5 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new lease.

3.6 Financial Implications

There are no financial implications arising as a direct result of this report.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

The issuing of a lease to Redcliffe City Clay Target Club Inc will provide the club with facilities to support their operations.

3.10 Consultation / Communication

Councillor Winchester (Division 6)
Redcliffe City Clay Target Club Inc

**ITEM 5.3
NAMING OF JIM & CLARICE GIBSON PARK - WOODCLIFFE CRESCENT WOODY
POINT - DIVISION 6**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18696794 : 17 June 2019
Responsible Officer: BS, Technical Officer (ECM Directorate)

Executive Summary

An application has been received requesting that parkland, located at 22 Woodcliffe Crescent, Woody Point, be named after Jim and Clarice Gibson. This report provides Council with background information relevant to the application and recommends that Lot 10, RP48205 be named as "Jim & Clarice Gibson Park".

COMMITTEE RECOMMENDATION

Moved by Cr James Houghton

Seconded by Cr Julie Greer

CARRIED 12/0

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 10, RP48205 as "Jim & Clarice Gibson Park" be approved.
2. That the proposal to name the parkland be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

ITEM 5.3 NAMING OF JIM & CLARICE GIBSON PARK - WOODCLIFFE CRESCENT WOODY POINT - DIVISION 6 - A18696794 (Cont.)

OFFICER'S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 10, RP48205 as "Jim & Clarice Gibson Park" be approved.
2. That the proposal to name the parkland be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

REPORT DETAIL

1. Background

An application has been received by Council requesting that Lot 10, RP48205 (refer Figure 1), located at 22 Woodcliffe Crescent, Woody Point, be named in recognition of Jim and Clarice Gibson.



Figure 1: Lot 10 RP48205 - Woodcliffe Crescent Park

2. Explanation of Item

The application to name a park or recreation reserve under Council control was lodged by James Gibson, son of Jim and Clarice Gibson, in recognition of the association the Gibson family has with the area. Information received from the applicant notes the following in respect of the Gibson's:

I would like to propose that the parkland located at 22 Woodcliffe Crescent, Woody Point be named after my mother and father, Jim and Clarice Gibson, as a mark of respect for their long connection with the land and in particular for my father's freely given contribution to council by surveying the creek, which used to flow there.

This allowed the creek to be piped and filled and the area sewered. The filling of the creek then gave access to five residents directly to Woodcliffe Crescent previously denied to them forcing them to use an easement laneway along the bay front. The project also drained an area of land on the opposite (northern) side of the crescent which was also turned into parkland

ITEM 5.3 NAMING OF JIM & CLARICE GIBSON PARK - WOODCLIFFE CRESCENT WOODY POINT - DIVISION 6 - A18696794 (Cont.)

Jim (a surveyor with the Brisbane City Council) and Clarice, lived most of their lives at, "Clearview" 26 Woodcliffe Crescent.

The park was created by filling and piping a creek which originally crossed Woodcliffe Crescent and wound between the crescent and houses numbered 32 to 22 and through lot 10 to the bay. The piping and infilling was instigated by my father, Jim Gibson, then a surveyor with the Brisbane City Council and owner of 24 & 26 Woodcliffe Crescent. Freely giving his time and expertise to do the survey work to allow the Redcliffe City Council to pipe and sewer that part of Woodcliffe Crescent.

The properties now known as 22, 24, 26, 28, 30 & 32, originally had no access to Woodcliffe Crescent except by easement laneway which wound around numbers 34 and 36 and then along the bay front to number 26. James (Jim) Gibson, at no cost to the Redcliffe City Council, surveyed and proposed a plan to pipe, sewer and fill the existing creek giving direct road access to 7 properties and providing park along both sides of the crescent. This also solved the flooding problem associated with the creek which was another community benefit.

Figure 2 illustrates the original path of the creek before piping (in blue) and the original entry easement into the properties (in red).



Figure 2 Former creek path and easement alignment

Under Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads), applicants are required to provide documentation to substantiate the good character of the person or persons being acknowledged. This application has been supported by a letter of recommendation from Bruce Illman and Ian Alcorn. The application is also supported by Division 6 Councillor, Koliana Winchester. The proposal was also referred to Council's local historian, who has also verified the statements made by the applicant.

The recommendation to name the area after Jim and Clarice Gibson complies with the Council's policy guideline as outlined below:

- Persons with a historical connection to the land or area;
- Names of pioneering families and long-term residents;
- Names of respected community members of considerable service who are, or were resident or working within the region;
- Persons having made a significant financial or "in kind" contribution to the park;

ITEM 5.3 NAMING OF JIM & CLARICE GIBSON PARK - WOODCLIFFE CRESCENT WOODY POINT - DIVISION 6 - A18696794 (Cont.)

Council internal policy requires that any proposal to name a park be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming.

A history board is proposed to be installed in conjunction with the new park name sign to explain the connection the Gibson's had with the area. The proposed wording is as follows:

"The Gibson family lived in Woodcliffe Crescent when first subdivided in 1935. Jim, a surveyor, prepared and submitted plans to allow a creek on this site to be drained and parkland created."

3. Strategic Implications

3.1 Legislative/Legal Implications

No legislative/legal implications arising as a direct result of this report.

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

3.3 Policy Implications

The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads).

3.4 Risk Management Implications

No risk management implications arising as a direct result of this report.

3.5 Delegated Authority Implications

Subject to no adverse submissions being received, the matter should be referred to the Director Engineering Construction and Maintenance for implementation.

3.6 Financial Implications

The estimated cost of fabricating and installing a new sign in accordance with the draft Park and Open Space Signage Guidelines is approximately \$2,000.

3.7 Economic Benefit

No economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

3.9 Social Implications

Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.

3.10 Consultation / Communication

The proposed naming is supported by the Divisional Councillor. The proposed naming will be advertised in local newspapers for a period of 28 days during which time public submissions can be made and will be received. If adverse comments are received, then the matter will be reported back to Council for final consideration and direction. Where no adverse comments are received, the matter will be delegated to the Director Engineering Construction and Maintenance for implementation.

**ITEM 5.4
NAMING OF AUDREY HALL PLACE - ESPLANADE TOORBUL - PROPOSED PARK
NAMING - DIVISION 1**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18602582 : 27 May 2019
Responsible Officer: BS, Technical Officer (ECM Directorate)

Executive Summary

An application has been received requesting that an area of parkland located on the foreshore at Toorbul, be named in recognition of long term resident, the late Audrey Hall.

This report provides Council with background information relevant to the application and recommends that an area of parkland identified in Figure 1, be named 'Audrey Hall Place'.

COMMITTEE RECOMMENDATION

Moved by Cr Brooke Savige

Seconded by Cr Peter Flannery

CARRIED 12/0

1. That having regard to the information provided within this report and subject to the outcome of public advertising, that an area of parkland described as part of Lot 1 on SP164588 and identified in Figure 1, be named as 'Audrey Hall Place'.
2. That the proposal to name an area of parkland in recognition of Audrey Hall be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

ITEM 5.4 NAMING OF AUDREY HALL PLACE - ESPLANADE TOORBUL - PROPOSED PARK NAMING - DIVISION 1 - A18602582 (Cont.)

OFFICER'S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, that an area of parkland described as part of Lot 1 on SP164588 and identified in Figure 1, be named as 'Audrey Hall Place'.
2. That the proposal to name an area of parkland in recognition of Audrey Hall be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

REPORT DETAIL

1. Background

An application has been received by Council requesting that an area of parkland located on the foreshore at Toorbul (figure 1), be named in recognition of the late Audrey Hall.



Figure 1 Area of Toorbul Esplanade (Foreshore) (North) to be named Audrey Hall Place

In this location the foreshore park extends from the boat ramp to the Toorbul Community and Sports Centre, a distance of some 900 metres. The foreshore park is described as Lot 1 on SP164588. It is proposed to name the eastern most end of this park, in the vicinity of the Toorbul Store, 'Audrey Hall Place'.

2. Explanation of Item

The application to name a place within a park or recreation reserve under Council control was lodged by a fellow Toorbul resident, Mr Ray Bishop. The applicant has requested naming a place within the park adjacent to the Toorbul Store. Information received notes that Ms Hall was a community minded individual who also volunteered her time to many local community initiatives. Some notable highlights were starting the Sunday School and running The Miss Toorbul contest to raise money for play equipment and assisting with fund raising for the construction of the Toorbul Community and Sports Centre.

ITEM 5.4 NAMING OF AUDREY HALL PLACE - ESPLANADE TOORBUL - PROPOSED PARK NAMING - DIVISION 1 - A18602582 (Cont.)

Under Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads), applicants are required to provide documentation to substantiate the good character of the person or persons being acknowledged. In this instance, a letter of support has been provided by Susan Hain, daughter of Audrey. Council's local libraries historian has also provided information which illustrates a high level of community involvement by Ms Hall.

The recommendation to name the area after Audrey Hall complies with the policy's guideline as outlined below:

- Names of respected community members of considerable service who are or were residents or working within the region.

Council internal policy requires that any proposal to name a park, reserve or place be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming.

A history board is proposed to be installed in conjunction with the place name signage to explain the connection Ms Hall had with the area. The proposed wording is supported by the applicant and reads as follows:

"Audrey was an active volunteer supporting many Toorbul community initiatives, who also owned and ran the local store."

3. Strategic Implications

3.1 Legislative/Legal Implications

There are no legislative/legal implications arising as a direct result of this report.

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

3.3 Policy Implications

The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads).

3.4 Risk Management Implications

There are no risk management implications arising as a direct result of this report.

3.5 Delegated Authority Implications

Subject to no adverse submissions being received, the matter should be referred to the Director Engineering Construction and Maintenance for implementation.

3.6 Financial Implications

The estimated cost of fabricating and installing a new sign in accordance with the draft Park and Open Space Signage Guidelines is approximately \$2,000.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

ITEM 5.4 NAMING OF AUDREY HALL PLACE - ESPLANADE TOORBUL - PROPOSED PARK NAMING - DIVISION 1 - A18602582 (Cont.)

3.9 Social Implications

Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.

3.10 Consultation / Communication

The proposed naming is supported by the Division 1 Councillor. The proposed naming will be advertised in local newspapers for a period of 28 days during which time public submissions can be made and will be received. If adverse comments are received, then the matter will be reported back to Council for final consideration and direction. Where no adverse comments are received, the matter will be delegated to the Director Engineering Construction and Maintenance for implementation.

**ITEM 5.5
PROPOSED PARK NAMING OF RAINBOW BEE-EATER PARK - BAPTISIA CIRCUIT
CABOOLTURE - DIVISION 3**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18599345 : 27 May 2019
Responsible Officer: BS, Technical Officer (ECM Directorate)

Executive Summary

An application has been received requesting that parkland, located at 80 Baptisia Circuit, Caboolture, be named after the Rainbow Bee-Eater, a native bird that is found in the area. This report provides Council with background information relevant to the application and recommends that Lot 506 SP269135 be named "Rainbow Bee-Eater Park".

COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Peter Flannery

CARRIED 12/0

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 506 SP269135 as "Rainbow Bee-Eater Park" be approved.
2. That the proposal to name the parkland be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

ITEM 5.5 PROPOSED PARK NAMING OF RAINBOW BEE-EATER PARK - BAPTISIA CIRCUIT CABOOLTURE - DIVISION 3 - A18599345 (Cont.)

OFFICER'S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 506 SP269135 as "Rainbow Bee-Eater Park" be approved.
2. That the proposal to name the parkland be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

REPORT DETAIL

1. Background

An application has been received for the naming of parkland on Lot 506 SP269135, 80 Baptisia Circuit, Caboolture (see figure 1). The applicant requested Rainbow Park as the proposed name after the Rainbow Bee-Eater, *Merops ornatus*. The Rainbow Bee-Eater is a native bird which is found in the area. Council officers recommend Rainbow Bee-Eater Park be used as a more specific reference to the bird, known to inhabit the locality.

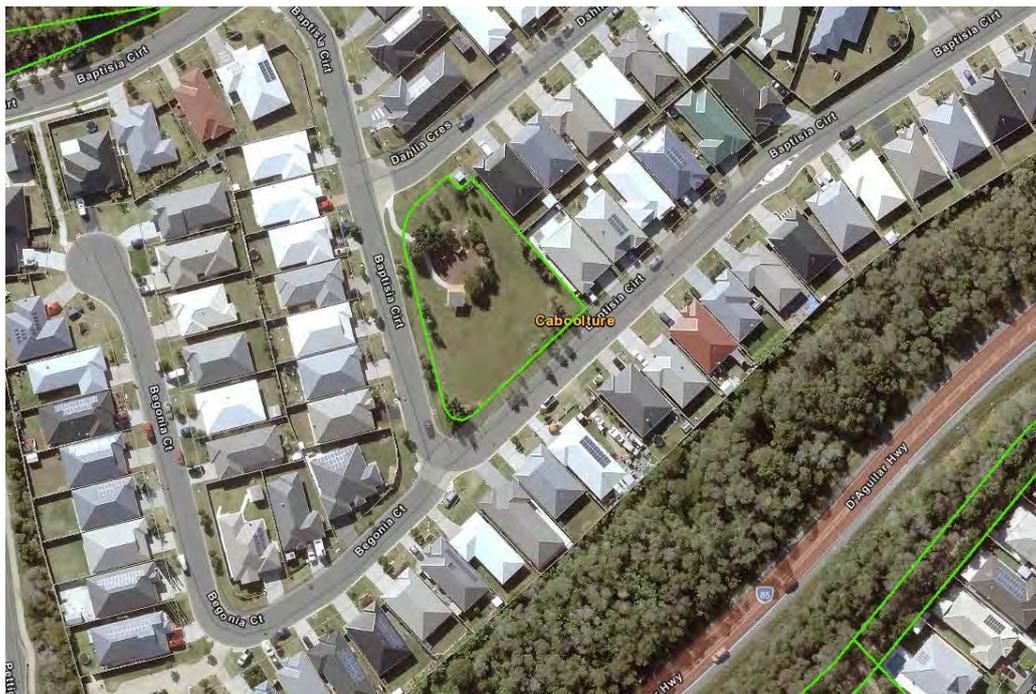


Figure 1. 80 Baptisia Circuit, Caboolture

2. Explanation of Item

Rainbow Bee-Eaters are a common species and can be found during the summer in forested areas in most of Australia excluding Tasmania. They migrate north during the winter into northern Australia, New Guinea, and some of the southern islands of Indonesia.

ITEM 5.5 PROPOSED PARK NAMING OF RAINBOW BEE-EATER PARK - BAPTISIA CIRCUIT CABOOLTURE - DIVISION 3 - A18599345 (Cont.)



Figure 2. Rainbow Bee-Eater

The application to name a park or recreation reserve under Council control was lodged by Shelly Holland, a local resident who lives nearby.

This application has been supported by Division 3 Councillor, Adam Hain.

The recommendation to name the area Rainbow Bee-Eater Park complies with the Council's policy guideline.

Council internal policy requires that any proposal to name a park be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming.

A history board is proposed to be installed in conjunction with the new park name sign to explain the reason for the naming. The proposed wording is as follows:

"This parkland is named after a locally occurring native bird, the Rainbow Bee-Eater"

3. Strategic Implications

3.1 Legislative/Legal Implications

No legislative/legal implications arising as a direct result of this report.

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

3.3 Policy Implications

The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads).

3.4 Risk Management Implications

No risk management implications arising as a direct result of this report.

3.5 Delegated Authority Implications

Subject to no adverse submissions being received, the matter should be referred to the Director Infrastructure Planning for implementation.

ITEM 5.5 PROPOSED PARK NAMING OF RAINBOW BEE-EATER PARK - BAPTISIA CIRCUIT CABOOLTURE - DIVISION 3 - A18599345 (Cont.)

3.6 Financial Implications

The estimated cost of fabricating and installing a new sign in accordance with the draft Park and Open Space Signage Guidelines is approximately \$2,000.

3.7 Economic Benefit

No economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

3.9 Social Implications

Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.

3.10 Consultation / Communication

The proposed naming is supported by the Division 3 Councillor. The proposed naming will be advertised in local newspapers for a period of 28 days during which time public submissions can be made and will be received. If adverse comments are received, then the matter will be reported back to Council for final consideration and direction. Where no adverse comments are received, the matter will be delegated to the Director Infrastructure Planning for implementation.

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

No items for consideration.

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)

ITEM 7.1

DISPOSAL OF LAND TO UNITYWATER - BEACHMERE - DIVISION 2

Meeting / Session: 7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM
Reference: A18725025 : 21 June 2019 - **Refer Supporting Information A18725226**
Responsible Officer: AS, A/Property Services Manager (CES Property & Commercial Services)

Executive Summary

This report seeks Council's approval to dispose of a property located at 9 Kunde St, Beachmere (Lot 182 / SP215578) to Unitywater. The property has been identified as having a sole purpose of housing Unitywater infrastructure and is considered to have no practical use for Council.

COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr James Houghton

CARRIED 12/0

1. That the exception contained in Section 236(1)(b)(i) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report
2. That Council approve the sale of the Council property detailed in this report.
3. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the contract of sale on the Council's behalf, as described in this report.

ITEM 7.1 DISPOSAL OF LAND TO UNITYWATER - BEACHMERE - DIVISION 2 - A18725025 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in Section 236(1)(b)(i) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report
2. That Council approve the sale of the Council property detailed in this report.
3. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the contract of sale on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

9 Kunde St, Beachmere (Lot 182 / SP215578) is a 495m² parcel of Council owned land used entirely by Unitywater for the purposes of a pump station (Refer supporting Information #1). Unitywater records indicate that this land was incorrectly excluded from the Transfer of Assets Scheme in 2010 due to the understanding that it formed part of road reserve.

2. Explanation of Item

With consideration to Unitywater's current and historic use of 9 Kunde St. Beachmere as a pump station, it has been determined that Council has no practical ongoing use for this land. Further, it has been identified that the property should have been transferred to Unitywater in 2010 as part of the Transfer of Asset Scheme.

Accordingly, it is proposed that ownership of the property (Refer Supporting Information #1) be transferred to Unitywater for a nominal amount (\$1.00), with Unitywater to pay all fees and stamp duty associated with the transfer. Consultation with Unitywater has confirmed their in-principle support to assume ownership of the property on these general terms.

3. Strategic Implications

3.1 Legislative/Legal Implications

Section 236(1)(b)(i) of the Regulation provides an exception whereby the Council may dispose of a valuable non-current asset other than by tender or auction if the valuable non-current asset is disposed of to a government agency. The Council may only rely on that exception if, before granting a lease, it resolves that the exception applies.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

3.3 Policy Implications

There is no Council Policy which specifically deals with the disposal of land, however, the provisions of the Local Government Regulation 2012 apply.

3.4 Risk Management Implications

The primary risk is probity. The Council's Property Services Manager will oversee the sale process which will be conducted in accordance with the relevant legislation and policies.

3.5 Delegated Authority Implications

As per the Officer's Recommendations of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to complete this sale.

3.6 Financial Implications

There are no financial implications arising as a direct result of this report.

ITEM 7.1 DISPOSAL OF LAND TO UNITYWATER - BEACHMERE - DIVISION 2 - A18725025 (Cont.)

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Finance and Project Services Department, Legal Services Department, Unitywater.

8 REGIONAL INNOVATION

(Cr D Grimwade)

No items for consideration.

9 GENERAL BUSINESS

ITEM 9.1 REGIONAL EVENTS

COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Peter Flannery

CARRIED 12/0

That a Mayoral letter of congratulation be sent to the Caboolture RSL Sub-Branch on their 100th anniversary.

Cr Koliana Winchester attended the official opening of the **70th annual Redcliffe Show** on Friday 28 June 2019, and was a guest judge for the Pet Show held on the Sunday.

Cr Mike Charlton (Deputy Mayor) also spoke in relation to the Redcliffe Show saying that the Queensland Premier officially opened the event on the Friday night, and thanked the volunteers for their fantastic work in putting parts of the region's history and culture on display.

COMMITTEE RECOMMENDATION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Koliana Winchester

CARRIED 12/0

1. **That a Mayoral letter of congratulation be sent to the Redcliffe Show Society on their 70th annual Redcliffe Show.**
2. **That a Mayoral letter of thanks be sent to the Queensland Premier for making time in her busy schedule to attend and open the 70th annual Redcliffe show.**

Cr James Houghton attended the **Winton Vision Splendid Festival** in Winton, Queensland over the preceding weekend, of which Moreton Bay Regional Council was a gold sponsor.

Cr Houghton said that the event offered the opportunity to discuss the Sister City relationship between Moreton Bay Regional Council and Winton Shire Council, advising that the Winton Mayor sent his best wishes. The festival spanned approximately nine days and comprised of Australian Movies, actors and producers, with three short movies made during the festival of which locals from Winton are given the opportunity to participate as extras. Cr Houghton said he was very proud to be a part of the sister city relationship with Winton.

COMMITTEE RECOMMENDATION

Moved by Cr James Houghton

Seconded by Cr Mick Gillam

CARRIED 12/0

That a Mayoral letter of congratulation be sent to Winton Shire Council on the success of their 2019 Winton Vision Splendid Festival.

CLOSED SESSION (Confidential items)

(Resolution the meeting be closed under s275 of the Local Government Regulation 2012)

CLOSED SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Julie Greer

Seconded by Cr Adam Hain

CARRIED 12/0

That Committee move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Item C.1.

Members of the press and public gallery left the Chambers.
The closed session commenced at 12.18pm.

OPEN SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 12/0

That Committee resume in open session and that the following recommendations be made.

The open session resumed at 12.20pm.

ITEM C.1 – CONFIDENTIAL

PROPOSED LEASE AT 4/199 GYMPIE ROAD, STRATHPINE - DIVISION 9

Meeting / Session: 8 Regional Innovation (Cr D Grimwade)

Reference: A18615082 : 13 May 2019 - Refer **Confidential** Supporting Information
A18615143

Responsible Officer: CS, Property Officer (CES Property & Commercial Services)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (e), as the matter involves contracts proposed to be made by the Council.

Executive Summary

This report seeks Council's approval to grant a lease, on the terms outlined in this report, for Unit 4B/199 Gympie Road, Strathpine.

COMMITTEE RECOMMENDATION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Matt Constance

CARRIED 12/0

1. That the grant of a lease for Unit 4B, 199 Gympie Road, Strathpine be approved on the terms outlined in this report.
2. That the exception contained in the Local Government Regulation 2012, s236(1)(c)(iii) apply to the Council on the disposal of the property referred to in recommendation 1.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

CLOSURE

There being no further business the Chairperson closed the meeting at 12.20pm.