



# REPORT

## Coordination Committee Meeting

**Tuesday 30 July 2019**  
commencing at 10.38am

Strathpine Chambers  
220 Gympie Road, Strathpine

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### **CHAIRPERSON'S REPORT**

The recommendations contained within this report of the Coordination Committee meeting held Tuesday, 30 July 2019 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)  
CHAIRPERSON  
COORDINATION COMMITTEE

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**Membership = 13**  
Mayor and all Councillors

**Quorum = 7**

**Adoption Extract from General Meeting – 30 July 2019 (Page 19/1524 - 19/1527)**

**12.1 Coordination Committee Meeting - 30 July 2019 - BALANCE OF ITEMS EXCLUDING ITEM 2.1 & ITEM 4.2 (Pages 19/1529 - 19/1601)**

**RESOLUTION**

**Moved by Cr Mick Gillam**

**Seconded by Cr Koliana Winchester**

**CARRIED 12/0**

**That the report and recommendations of the Coordination Committee meeting held 30 July 2019 be adopted, excluding Items 2.1 and 4.2 to be considered separately.**

**12.2 Coordination Committee Meeting - 30 July 2019 - ITEM 2.1 CONSIDERED SEPARATELY (Pages 19/1548)**

**ITEM 2.1 - DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5**

**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 2.1 as Bishopp Outdoor Advertising was a contributor to his 2012 election campaign of \$3,100 (in kind).

**Cr Allan Sutherland (Mayor) retired from the meeting at 2.25pm taking no part in the debate or resolution regarding same.**

Cr Mike Charlton (Deputy Mayor) assumed the Chair.

**RESOLUTION**

**Moved by Cr Mick Gillam**

**Seconded by Cr Brooke Savige**

**CARRIED 11/0**

**That the report and recommendations for Item 2.1 of the Coordination Committee meeting held 30 July 2019 be adopted.**

Cr Allan Sutherland (Mayor) returned to the meeting at 2.27pm and resumed the Chair.

**12.3 Coordination Committee Meeting - 30 July 2019 - ITEM 4.2 CONSIDERED SEPARATELY (PAGES 19/1572)**

**ITEM 4.2 - TENDER - SUPPLY AND DELIVERY OF THREE x 8.5 - 8.7 TONNE SINGLE CAB 3-WAY TIPPER TRUCKS - AMENDMENT - REGIONAL**

**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 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Mayor and a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Mayor received in-kind support during the 2016 electoral campaign from Moreton Futures Trust to the value of \$20,000.

**Cr Allan Sutherland (Mayor) left the meeting at 2.28pm taking no part in the debate or resolution regarding same.**

#### **Conflict of Interest - Declaration - Cr Darren Grimwade**

Pursuant to s175E of the *Local Government Act 2009*, Cr Darren Grimwade declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Councillor.

**However, Cr Darren Grimwade has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

#### **Conflict of Interest - Declaration - Cr Koliana Winchester**

Pursuant to s175E of the *Local Government Act 2009*, Cr Koliana Winchester declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Councillor.

**However, Cr Koliana Winchester has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.**

#### **Conflict of Interest - Declaration - Cr Julie Greer**

Pursuant to s175E of the *Local Government Act 2009*, Cr Julie Greer declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, who is a friend of the Councillor and a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Councillor received in-kind support during the 2016 electoral campaign from Moreton Futures Trust on 19 March 2016 to the value of \$2,488.35.

**However, Cr Julie Greer has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.**

#### **Conflict of Interest - Declaration - Cr Matt Constance**

Pursuant to s175E of the *Local Government Act 2009*, Cr Matt Constance declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is related to Shane Newcombe. The Councillor's personal interest arises because the Councillor attended and officiated as Celebrant at the wedding of Shane Newcombe, the Chairman and CEO of MBRIT in 2018.

**However, Cr Matt Constance has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public 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 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Councillor.

**However, Cr Mike Charlton (Deputy Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

#### **Conflict of Interest - Declaration - Cr Peter Flannery**

Pursuant to s175E of the *Local Government Act 2009*, Cr Peter Flannery declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe who is a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Councillor received in-kind support to the value of \$408.55 from Newcombe Holdings Pty Ltd whom were one of nine businesses in total who made a donation to Moreton Futures Trust.

**However, Cr Peter Flannery has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

### **Conflict of Interest - Declaration - Cr James Houghton**

Pursuant to s175E of the *Local Government Act 2009*, Cr James Houghton declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2 is the father of Shane Newcombe, who was a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Councillor received in kind support during the 2016 electoral campaign from Moreton Futures Trust on 19 March 2016 to the value of \$2,873.

**However, Cr James Houghton has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

### **Vote permitted for purpose of delegating deciding the matter**

As a majority of the councillors at the meeting of Council have informed the meeting about personal interests in Item 4.2 under section 175E(2) of the Act, section 175E(7)(a) of the Act is enlivened permitting all Councillors (including those declaring a conflict of interest) to vote for the purpose of delegating deciding the matter.

The Mayor having declared an interest in the matter and retired from the meeting, returned to the meeting at 2.29pm.

All Councillors remained in the meeting as permitted under section 175E(7)(a) of the Act to delegate the following matter.

### **ITEM 4.2 - TENDER - SUPPLY AND DELIVERY OF THREE x 8.5 - 8.7 TONNE SINGLE CAB 3-WAY TIPPER TRUCKS - AMENDMENT - REGIONAL**

#### **RESOLUTION**

**Moved by Cr Mick Gillam**

**Seconded by Cr Adam Hain**

**CARRIED 12/0**

**That in accordance with section 175E(6) of the *Local Government Act 2009* (the Act), as a majority of the councillors at the meeting of Council have informed the meeting about personal interests in Item 4.2 under section 175E(2) of the Act, Council delegates its powers under section 257 of the Act to the Delegated Decisions Committee to decide the matter.**

## LIST OF ITEMS

### 1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)

<b>ITEM 1.1</b> ADOPTION OF COUNCIL POLICIES - REGIONAL <b>COMMITTEE RECOMMENDATION</b> REPORT DETAIL	<b>1530</b>
<b>ITEM 1.2 - WITHDRAWN</b> 123RD ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND CONFERENCE - MORETON BAY REGIONAL COUNCIL MOTIONS - REGIONAL	<b>1533</b>
<b>ITEM 1.3</b> REVIEW OF CORPORATE STRUCTURE - REGIONAL <b>COMMITTEE RECOMMENDATION</b> REPORT DETAIL	<b>1534</b>
<b>ITEM 1.4</b> 123RD ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) CONFERENCE - ATTENDANCE - REGIONAL <b>COMMITTEE RECOMMENDATION</b> REPORT DETAIL	<b>1537</b>
<b>ITEM 1.5</b> REVIEW OF COUNCIL'S GENERAL MEETING AND COORDINATION COMMITTEE MEETING PROCEDURE - REGIONAL <b>COMMITTEE RECOMMENDATION</b> REPORT DETAIL	<b>1540</b>

### 2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)

<b>ITEM 2.1 - DECLARATION OF INTEREST</b> <i>Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)</i>	<b>1545</b>
<b>ITEM 2.1</b> DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 <b>RECOMMENDATION</b> <b>COMMITTEE RECOMMENDATION</b> REPORT DETAIL	<b>1545</b>

### 3 CORPORATE SERVICES SESSION (Cr M Constance)

### 4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

<b>ITEM 4.1</b> TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL <b>COMMITTEE RECOMMENDATION</b> REPORT DETAIL	<b>1563</b>
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**ITEM 4.2 - DECLARATION OF INTEREST** **1570**

*Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)*  
*Conflict of Interest - Declaration - Cr Darren Grimwade*  
*Conflict of Interest - Declaration - Cr Koliana Winchester*  
*Conflict of Interest - Declaration - Cr Julie Greer*  
*Conflict of Interest - Declaration - Cr Matt Constance*  
*Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)*  
*Conflict of Interest - Declaration - Cr Peter Flannery*  
*Conflict of Interest - Declaration - Cr James Houghton*  
*Vote permitted for purpose of delegating deciding the matter*

**ITEM 4.2** **1572**

TENDER - SUPPLY AND DELIVERY OF THREE X 8.5 - 8.7 TONNE SINGLE CAB 3-WAY  
TIPPER TRUCKS - AMENDMENT - REGIONAL

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**ITEM 4.3** **1577**

COLLECTION AND PURCHASE OF RECOVERED METALS FROM NOMINATED  
LOCATIONS - MBRC008341 - REGIONAL

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**ITEM 4.4** **1581**

PETRIE MILL REDEVELOPMENT STAGE 1 - CONSTRUCTION PROJECT MANAGEMENT  
SERVICES - DIVISION 7

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**ITEM 4.5** **1585**

TENDER - SUPPLY AND DELIVERY OF ONE X 4WD BACKHOE LOADER - REGIONAL

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

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

**ITEM 5.1** **1588**

OUTCOME OF EXPRESSION OF INTEREST - SAMFORD COMMUNITY HUB - DIVISION  
11

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**ITEM 5.2** **1592**

NEW LEASE - WALLUM ACTION GROUP INC - DIVISION 1

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

# Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING  
30 July 2019

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<b>ITEM 5.3</b> NEW LEASE - BRIBIE ISLAND ORCHID SOCIETY INC - DIVISION 1 <b>COMMITTEE RECOMMENDATION</b> REPORT DETAIL	<b>1595</b>
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## **6 LIFESTYLE & AMENITY SESSION (Cr D Sims)**

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

## **8 REGIONAL INNOVATION (Cr D Grimwade)**

## **9 GENERAL BUSINESS**

<b>ITEM 9.1</b> PLANNING SCHEME REVIEW - REGIONAL <b>COMMITTEE RECOMMENDATION</b>	<b>1599</b>
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<b>ITEM 9.2</b> REGIONAL EVENTS	<b>1599</b>
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<b>ITEM 9.3</b> NATIONAL TREE PLANTING DAY - REGIONAL <b>COMMITTEE RECOMMENDATION</b>	<b>1599</b>
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## **CLOSED SESSION (Confidential items)**

## **OPEN SESSION**

<b>ITEM C.1 – CONFIDENTIAL</b> ACQUISITION - RAYNBIRD CREEK ROAD, LACEY'S CREEK - DIVISION 11 <b>COMMITTEE RECOMMENDATION</b>	<b>1601</b>
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## **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 Koliانا 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 Community & Environmental Services	(Mr Bill Halpin)
Director Planning & Economic Development	(Mr Mike Pickering)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Infrastructure Planning	(Mr Andrew Ryan)
Interim Director Corporate Services	(Mr Graeme Kanofski)
Manager Development Services	(Mr Marco Alberti)
Team Leader Planning	(Ms Amy White)
Acting Manager Executive Services	(Mr Darren Dallinger)
Legal Officer	(Mr Rhys Dennison)
Meeting Support	(Kim Reid)

#### Suspended:

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

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**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:**

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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 Koliانا 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)

**ATTENDANCE**

Darren Dallinger attended the meeting at 11.04am for discussion on Item 1.1.

**1 GOVERNANCE SESSION**

**(Cr A Sutherland, Mayor)**

**ITEM 1.1  
ADOPTION OF COUNCIL POLICIES - REGIONAL**

*Meeting / Session:* 1 GOVERNANCE  
*Reference:* A18725844 : 21 June 2019 - Refer Supporting Information A16453101 & A15878632  
*Responsible Officer:* DD, A/Manager Executive Services (CEO Executive Services)

**Executive Summary**

Council regularly reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

The purpose of this report is to seek Council's consideration of the following policies, as appearing in the supporting information to this report:

- a) Policy 2150-021 - Workplace Health & Safety; and
- b) Policy 2150-002 - Advertising Expenditure

**COMMITTEE RECOMMENDATION**

**Moved by Cr Mike Charlton (Deputy Mayor)  
Seconded by Cr Mick Gillam**

**CARRIED 12/0**

**That the following policies be adopted, as appearing in the supporting information to this report:**

- a) **Policy 2150-021 - Workplace Health & Safety; and**
- b) **Policy 2150-002 - Advertising Expenditure**

ITEM 1.1 ADOPTION OF COUNCIL POLICIES - REGIONAL - A18725844 (Cont.)

OFFICER'S RECOMMENDATION

That the following policies be adopted, as appearing in the supporting information to this report:

- a) Policy 2150-021 - Workplace Health & Safety; and
- b) Policy 2150-002 - Advertising Expenditure

**REPORT DETAIL**

**1. Background**

In accordance with the review triggers, Council reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

**2. Explanation of Item**

An explanation of the objective, policy summary, and any amendments made to the identified policies is outlined below:

Policy 2150-021 - Workplace Health & Safety

**Objective:** The objective of this policy is to establish guidelines for the provision, implementation and review of Council's workplace health and safety procedures and processes.

**Policy Summary:** Council ensures that its workplaces are healthy and safe environments and has developed a workplace health and safety management system which aims to eliminate and reduce risks of workplace injury or illness. The system also assists Council in achieving compliance with the *Work Health and Safety Act 2011* and its associated regulations, as well as relevant codes of practice and Australian Standards.

**Summary of amendments:** Amendments have been effected to provide clearer guidelines including updates to relevant legislation, definitions and administrative amendments.

Policy 2150-002 - Advertising Expenditure

**Objective:** The objective of this policy is to ensure Council advertising is of a high standard, complies with legislation, has appropriate authorisation and delivers the best value-for-money for Council.

**Policy Summary:** This policy has been developed in accordance with s197 of the *Local Government Act 2009* whereby a local government must prepare and adopt a policy about the local government's spending on advertising.

Council is committed to informing the community in an accurate and timely manner about its services, facilities, events and projects through appropriate advertising.

Council advertising must provide information or education to the public and be in the public interest.

**Summary of amendments:** Amendments have been effected to provide clearer guidelines including definitions and administrative amendments.

**3. Strategic Implications**

3.1 Legislative/Legal Implications

These policies have been developed in accordance with the *Local Government Act 2009* and the Local Government Regulation 2012.

3.2 Corporate Plan / Operational Plan

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

*ITEM 1.1 ADOPTION OF COUNCIL POLICIES - REGIONAL - A18725844 (Cont.)*

- 3.3 Policy Implications  
Council regularly reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.
- 3.4 Risk Management Implications  
There are no risk management implications arising as a direct result of this report.
- 3.5 Delegated Authority Implications  
There are no delegated authority implications arising as a direct result of this report.
- 3.6 Financial Implications  
There are no financial benefit 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  
There are no social implications arising as a direct result of this report.
- 3.10 Consultation / Communication  
Councillors, the Executive Management Team and relevant Council officers have been consulted in the preparation of this report.

## **ATTENDANCE**

Darren Dallinger left the meeting at 11.05am after discussion on Item 1.1.

**ITEM 1.2 - WITHDRAWN**  
**123RD ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND**  
**CONFERENCE - MORETON BAY REGIONAL COUNCIL MOTIONS - REGIONAL**

*Meeting / Session:* 1 GOVERNANCE  
*Reference:* A18868559 : 24 July 2019 - Refer Supporting Information A18751298,  
A18723337, A18866517 & A18851416  
*Responsible Officer:* LK, Executive Support Officer (CORP Executive Services)

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This item has been withdrawn at the request of the CEO

**ITEM 1.3**  
**REVIEW OF CORPORATE STRUCTURE - REGIONAL**

*Meeting / Session:* 1 GOVERNANCE  
*Reference:* A18876323 : 25 July 2019 - **Refer Supporting Information A18876584**  
*Responsible Officer:* DH, Chief Executive Officer (CEOs Office)

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**Executive Summary**

Pursuant to the *Local Government Act 2009*, (Act), the Council must have an organisational structure that is appropriate to the performance of its responsibilities.

The organisational structure has been one of continuous progression to enable the ongoing delivery of services as efficiently and effectively as possible. This report provides recommendations for Council in relation to changes which will contribute to the Council's goals for effective and sustainable service delivery.

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**COMMITTEE RECOMMENDATION**

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Moved by Cr Brooke Savige

Seconded by Cr Matt Constance

CARRIED 12/0

1. That the organisational structure dated 30 July 2019 be approved as contained in the supporting information to this report.
2. That the Chief Executive Officer be authorised to do all things necessary to implement the new structure.

*ITEM 1.3 REVIEW OF CORPORATE STRUCTURE - REGIONAL - A18876323 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the organisational structure dated 30 July 2019 be approved as contained in the supporting information to this report.
2. That the Chief Executive Officer be authorised to do all things necessary to implement the new structure.

## **REPORT DETAIL**

### **1. Background**

A review of the overall organisational structure has been undertaken.

### **2. Explanation of Item**

The organisational structure has been reviewed and revised to meet the ongoing needs of the service delivery requirements of the organisation.

Proposed changes to the Divisions and Departments established within the organisational structure are outlined as follows:

#### Director Finance and Corporate Services

With the retirement of Keith Pattinson, Manager Finance and Project Services, an interim role of Director Corporate Services (DCORP) was created and filled by Graeme Kanofski to assist Council on a short-term basis to support in delivering Council's ongoing internal service delivery. It is proposed to replace this position with the role of Director Finance and Corporate Services (DFCORP). The DFCORP will be responsible for the functions of:

- Strategic Financial and Corporate Planning
- Accounting and Finance
- Governance
- Human Resources
- Information, Communication and Technology
- Information Management and Corporate Systems
- Enterprise Risk Management and Audit

#### Manager Executive Services

It is proposed that to appropriately support the new role of DFCORP, that the existing vacant role of Manager Executive Services (MES) be recruited to. The MES will be responsible for the functions of:

- Corporate Legislative Compliance and Policy
- Enterprise Risk Management and Fraud/Corruption Control
- Strategic Contract Management (Governance)
- Complaints Management
- Council Meeting Support
- Councillors and PA Support

#### Governance Manager

It is proposed that to appropriately support the role of MES, that a new role of Governance Manager be created and recruited to.

ITEM 1.3 REVIEW OF CORPORATE STRUCTURE - REGIONAL - A18876323 (Cont.)

Director Planning

Mike Pickering is currently filling the role of Director Planning and Economic Development. Whilst it is proposed that economic development remain in this Division, it is suggested that this function may be subject to further review in the future. Furthermore, it is proposed that the focus of this Director will be on the planning function and to this end it is suggested that the current role of PED be changed to Director Planning (DP) and recruited to.

Manager Strategy and Engagement

It is proposed to include the corporate communications function under Manager Strategy and Engagement rather than with the Director Finance and Corporate Services. In addition the position of Communications Manager will be removed from the structure.

Please refer to the attached organisational structure (supporting information #1).

**3. Strategic Implications**

3.1 Legislative/Legal Implications

The Council must approve an appropriate corporate structure in order to comply with the *Local Government Act 2009* (Act). Appointments to the corporate structure must be in accordance with the Act.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The structure has been developed in accordance with the provisions of the Act.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

The continual evolution of the organisational structure will allow for the proper consideration of appropriate delegations to ensure council operates efficiently and effectively.

3.6 Financial Implications

The financial implications of the organisational structure are within the current budget.

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

The proposed structure has been developed by the Chief Executive Officer in consultation with the Mayor, Councillors and appropriate staff.

**ITEM 1.4**  
**123RD ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ)**  
**CONFERENCE - ATTENDANCE - REGIONAL**

*Meeting / Session:* 1 GOVERNANCE  
*Reference:* A18881890 : 26 July 2019  
*Responsible Officer:* LK, Executive Support Officer (CORP Executive Services)

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**Executive Summary**

At the Coordination Committee meeting held 23 July 2019, Council supported the attendance of Councillors to the 2019 LGAQ Conference.

This report seeks further consideration for Councillor Koliana Winchester to attend as an observer at the 2019 Local Government Association of Queensland (LGAQ) 123<sup>rd</sup> Annual Conference to be held at the Cairns Convention Centre from 14 - 16 October 2019.

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**COMMITTEE RECOMMENDATION**

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Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr James Houghton

**CARRIED 12/0**

**That Councillor Koliana Winchester be authorised to attend the 123<sup>rd</sup> Annual Local Government Association of Queensland (LGAQ) Conference as observer.**

*ITEM 1.4 123RD ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) CONFERENCE - ATTENDANCE - REGIONAL - A18881890 (Cont.)*

## OFFICER'S RECOMMENDATION

That Councillor Koliانا Winchester be authorised to attend the 123<sup>rd</sup> Annual Local Government Association of Queensland (LGAQ) Conference as observer.

### **REPORT DETAIL**

#### **1. Background**

The following resolution appears on Minute Page 19/1451 of the General Meeting of Council held 23 July 2019:

Ex. Coordination Committee Meeting held 23 July 2019 (MP. 19/1454):

#### COMMITTEE RECOMMENDATION

1. That Councillors Allan Sutherland (Mayor), Mike Charlton (Deputy Mayor), Peter Flannery, Adam Hain, Denise Sims, Mick Gillam, Matt Constance and Darren Grimwade be authorised to attend the 123<sup>rd</sup> Annual Local Government Association of Queensland (LGAQ) Conference.
2. That it be noted Councillors Allan Sutherland (Mayor) and Mike Charlton (Deputy Mayor) are Council's Delegates to the 123<sup>rd</sup> Annual Local Government Association of Queensland (LGAQ) Conference, and that other Councillor attendees will attend as observers.
3. That the Chief Executive Officer arrange for the submission of a request for Elected Member Extensive Long Service Certificate to be presented to Cr Allan Sutherland (Mayor), Cr Mike Charlton (Deputy Mayor) and Cr Mick Gillam.
4. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate

#### **2. Explanation of Item**

The LGAQ Conference provides an important opportunity for Councils to network and learn, and debate and vote on new policy. The event also serves as the Association's Annual General Meeting.

Post the meeting of 23 July 2019, Councillor Denise Sims has retracted her attendance to the 2019 LGAQ Conference. Consideration of attendance is sought for Councillor Koliانا Winchester to attend the event.

#### **3. Strategic Implications**

##### 3.1 Legislative/Legal Implications

There are no legislation/legal implications directly arising from this report.

##### 3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - a council connected with its community.

##### 3.3 Policy Implications

Arrangements will be made in accordance with Council's Professional Development Policy 2150-089.

##### 3.4 Risk Management Implications

There are no direct risk management implications arising from this report.

##### 3.5 Delegated Authority Implications

There are no delegated authority implications arising from this report.

*ITEM 1.4 123RD ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) CONFERENCE - ATTENDANCE - REGIONAL - A18881890 (Cont.)*

3.6 Financial Implications

Funds have been provided in the Budget.

3.7 Economic Benefit

Topics and motions associated with the conference will address a range of economic factors in local government.

3.8 Environmental Implications

Topics and motions associated with the conference will address a range of environmental challenges facing local government.

3.9 Social Implications

Topics and motions associated with the conference will address a range of social challenges facing local government.

3.10 Consultation / Communication

Consultation undertaken with all Councillors, the Chief Executive Officer and Directors.

**ITEM 1.5  
REVIEW OF COUNCIL'S GENERAL MEETING AND COORDINATION COMMITTEE  
MEETING PROCEDURE - REGIONAL**

*Meeting / Session:* 1 GOVERNANCE  
*Reference:* A18886255 : 26 July 2019  
*Responsible Officer:* KC, Team Leader Meeting Support (CORP Executive Services)

**Executive Summary**

The purpose of this report is to provide Council with the recommendations from a review of Council's current General Meeting and Coordination Committee procedures.

In order to maximise the efficiency and effectiveness of meeting procedures, it is recommended that the Coordination Committee be discontinued and that all Council business (including consideration of officers' reports) be conducted in the General Meeting.

**COMMITTEE RECOMMENDATION**

Moved by Cr Adam Hain

Seconded by Cr Mike Charlton (Deputy Mayor)

**CARRIED 12/0**

1. That Council discontinue the Coordination Committee and conduct all duties and responsibilities of the Committee (as set out in this report in line with the Committee's Terms of Reference) in Council's General Meeting.
2. That the Council's General Meeting agenda (order of business) be formulated on the basis as set out in this report, subject to any changes as necessarily determined by the Chief Executive Officer from time to time.
3. That the officers' reports of the General Meeting agenda (order of business) comprise of sessions as outlined in this report.
4. That the Mayor is the Chairperson of the General Meeting and Councillors are Spokespersons for the respective sessions 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 Koliانا Winchester
6 Lifestyle & Amenity	Cr Denise Sims
7 Economic Development, Events & Tourism	Cr Peter Flannery
8 Regional Innovation	Cr Darren Grimwade

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PROCEDURE - REGIONAL - A18886255 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That Council discontinue the Coordination Committee and conduct all duties and responsibilities of the Committee (as set out in this report in line with the Committee's Terms of Reference) in Council's General Meeting.
2. That the Council's General Meeting agenda (order of business) be formulated on the basis as set out in this report, subject to any changes as necessarily determined by the Chief Executive Officer from time to time.
3. That the officers' reports of the General Meeting agenda (order of business) comprise of sessions as outlined in this report.
4. That the Mayor is the Chairperson of the General Meeting and Councillors are Spokespersons for the respective sessions as follows:

<b>Session</b>	<b>Spokesperson</b>
1 Governance	Cr Allan Sutherland (Mayor)
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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

## **REPORT DETAIL**

### **1. Background**

Council's current meeting schedule consists of:

#### General Meeting

Consists of the Mayor and all Councillors. It meets weekly except during scheduled breaks. The General Meeting is the formal decision-making forum of the Council. Currently, at this meeting Council receives and adopts a report of recommendations from its Standing and Advisory Committees.

#### Coordination Committee:

Consists of the Mayor and all Councillors. It meets weekly except during scheduled breaks. The objective of the Coordination Committee is to advise Council on matters within the scope of the Committee's duties and responsibilities). The duties and responsibilities are:

### **1. Governance**

- a. Corporate governance and policies;
- b. Strategic direction and organisational sustainability;
- c. Legal matters;
- d. Regional initiatives and partnerships; and
- e. Other matters that may be referred by the Mayor or Chief Executive Officer.

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## **2. Planning & Development**

- a. Planning, development and urban renewal/design;
- b. Trunk infrastructure network planning; and
- c. Planning scheme development and administration.

## **3. Corporate Services**

- a. Finance;
- b. Information technology;
- c. Human resources;
- d. Insurance; and
- e. Procurement.

## **4. Asset Construction & Maintenance**

- a. Roads and Pathways;
- b. Stormwater Drainage;
- c. Waterways, Canals & Foreshores;
- d. Fleet;
- e. Buildings and Facilities;
- f. Traffic and Public Transport;
- g. Disaster Management; and
- h. Waste Management.

## **5. Parks, Recreation & Sport**

- a. Parks, Reserves and Open Spaces;
- b. Sports Fields and Recreational Facilities;
- c. Swimming Pools;
- d. Recreation; and
- e. Organisation and Club Support.

## **6. Lifestyle & Amenity**

- a. Arts and Libraries;
- b. Community Development and support;
- c. Cultural Facilities;
- d. Local Laws; and
- e. Public Health.

## **7. Economic Development & Tourism**

- a. Economic Development;
- b. Commercial Assets;
- c. Aerodromes;
- d. Commercial Opportunities;
- e. Tourism;
- f. Events and ceremonies; and
- g. Caravan Parks.

Historically, Council has required the Coordination Committee to prepare a report on the Committee's recommendations to Council for adoption in the General Meeting. However, more recently Council meeting procedures for both the General Meeting and Coordination Committee has created some duplication in the recording procedural matters (eg. declarations of interests) during both meetings.

### Delegated Decisions Committee

The Delegated Decisions Committee is a Council standing committee. It has been formed with the sole purpose of deciding matters that are delegated to it by Council in the General Meeting under s257 of the *Local Government Act 2009* ("the Act"). The delegation of a matter to the Delegated Decisions Committee is a consequence of s175E(6) of the Act ie. when a majority of Councillors at a meeting inform the meeting about personal interests.

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## Audit Committee

The Audit Committee is a Council advisory committee. It has no decision-making delegation but acts as a source of independent advice to the Council and to the Chief Executive Officer on governance, risk management, accountability and audit-related matters.

## **2. Explanation of Item**

To assist in streamlining meeting procedures and to reduce the abovementioned duplication in the General Meeting and Coordination Committee, it is recommended that the Council discontinue the Coordination Committee, and that all Council business (including consideration of officers' reports) be undertaken as part of the Council's General Meeting.

The General Meeting agenda will continue to operate under normal meeting procedures, as well as an additional section titled 'Officers' reports to Council referred by the Chief Executive Officer.'

It is recommended that the provision for Sessions and Session Chairpersons (designated Spokespersons), be used in the General Meeting for the agenda item where officers' reports are considered as follows:

<b>Session</b>	<b>Spokesperson</b>
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 Koliانا Winchester
6 Lifestyle & Amenity	Cr Denise Sims
7 Economic Development, Events & Tourism	Cr Peter Flannery
8 Regional Innovation	Cr Darren Grimwade

Therefore, Council's General Meeting agenda (order of business) would appear as follows:

1. Notice of Meeting
2. Opening Prayer
3. Attendance & Apologies
4. Memorials or Condolences
5. Confirmation of Minutes from previous meeting
6. Presentation of Petitions
7. Correspondence
8. Community Comment
9. Notified Motions
10. Notices of Motion
11. Officers' reports to Council referred by the Chief Executive Officer (conducted in Sessions)
12. General Business or response to questions taken on notice
13. Closed Session
  - a. Confidential officers' reports to Council referred by the Chief Executive Officer
  - b. Confidential General Business

As legislatively required, the minutes of each General Meeting will be provided to the next meeting for confirmation.

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It is not proposed to alter the frequency, nor day and time for the conduct of meetings. The General Meeting will continue to be held on a weekly basis (except in scheduled breaks) commencing at 10.30am.

General meetings will continue to be open to the public unless the Council resolves that the meeting is to be closed under s275 of the Local Government Regulation 2012.

### **3. Strategic Implications**

#### **3.1 Legislative/Legal Implications**

Under s.264 of the Local Government Regulation 2012, Council may appoint standing committees. Under s.256(1) of the Local Government Regulation 2012, Council must consider the day and time for holding its meetings.

#### **3.2 Corporate Plan / Operational Plan**

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

#### **3.3 Policy Implications**

Meetings will be conducted in a manner that is consistent with Council's adopted Meeting Procedures.

#### **3.4 Risk Management Implications**

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

#### **3.5 Delegated Authority Implications**

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

#### **3.6 Financial Implications**

The adopted budget provides sufficient allocation of funds to cover any necessary advertising of the Council meeting schedule.

#### **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**

It is envisaged that the abovementioned changes to Council's meeting procedures will have a positive impact for residents who attend Council's meetings and are interested in the decision-making processes of Moreton Bay Regional Council.

#### **3.10 Consultation / Communication**

The following officers have been consulted in the development of this report:

- Chief Executive Officer;
- Interim Director Corporate Services;
- Manager Legal Services; and
- Acting Manager Executive Services.

## **ATTENDANCE**

Marco Alberti and Amy White attended the meeting at 11.15am for discussion on Item 2.1.

**2 PLANNING & DEVELOPMENT SESSION**

(Cr M Gillam)

**ITEM 2.1 - DECLARATION OF INTEREST**

**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 2.1 as Bishopp Outdoor Advertising was a contributor to his 2012 election campaign of \$3,100 (in-kind).

Cr Allan Sutherland (Mayor) retired from the meeting at 11.13am taking no part in the debate or resolution regarding same.

**ITEM 2.1**

**DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5**

**APPLICANT: BISHOPP OUTDOOR ADVERTISING PTY LTD**

**OWNER: THE STATE OF QLD (REP BY PUBLIC SAFETY BUSINESS AGENCY)**

Meeting / Session: 2 PLANNING & DEVELOPMENT  
Reference: A18808294 : 30 July 2019 – Refer Supporting Information A18833338, A18833359, A18833368  
Responsible Officer: CA, Planner (PED Development Services)

**Executive Summary**

<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	Bishopp Outdoor Advertising Pty Ltd C/- DTS QLD
<b>Lodgement Date:</b>	5 March 2019
<b>Properly Made Date:</b>	5 March 2019
<b>Confirmation Notice Date:</b>	18 March 2019
<b>Information Request Date:</b>	29 March 2019
<b>Info Response Received Date:</b>	20 June 2019
<b>No. of Submissions:</b>	Not applicable (Code Assessment)
<b>Decision Due Date:</b>	1 August 2019
<b>Prelodgement Meeting Held:</b>	No

<b>PROPERTY DETAILS</b>	
<b>Division:</b>	Division 5
<b>Property Address:</b>	66 Boardman Road, Kippa-Ring
<b>RP Description</b>	Lot 24 SP 181125
<b>Land Area:</b>	3037m <sup>2</sup>
<b>Property Owner</b>	The State of Qld (Rep By Public Safety Business Agency)

<b>STATUTORY DETAILS</b>	
<b>Planning Legislation:</b>	<i>Planning Act 2016</i>
<b>Planning Scheme:</b>	MBRC Planning Scheme

*ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)*

<b>Planning Locality / Zone</b>	General Residential Zone - Suburban Neighbourhood Precinct
<b>Level of Assessment:</b>	Code Assessment (Limited Code)

This application seeks an Operational Works - Development Permit for an Advertising Device at 66 Boardman Road, Kippa-Ring, described as Lot 24 SP181125 known more locally as the Kippa-Ring Fire and Rescue Station. The proposal consists of a two (2) sided billboard sign, with a 6m x 3m sign face (18m<sup>2</sup>). The sign is proposed to be illuminated by a single down light that will be mounted centrally to the top of each sign face. The sign faces will be viewable by traffic travelling both north and south along Boardman Road.

Under the MBRC Planning Scheme, an Advertising Device is Accepted Development Subject to Requirements (i.e. self-assessable) with assessment against the Advertising Devices Code. In this instance a Development Application was triggered due to non-compliance with the following Requirements for Accepted Development (Assessment Benchmarks) of the code:

- RAD2 - Table 9.4.4.4 (b) - Setbacks  
The Applicant is proposing a setback of 50mm from both the front and side boundary, in lieu of 1.0m from the front boundary and 3.0m from the side boundary.
- RAD4 - Illumination of Advertising Devices  
The Applicant is proposing to illuminate the sign within the General Residential Zone.

Assessment is therefore required against the corresponding Performance Outcomes, being PO1 and PO3 of the Advertising Devices Code.

Council officers have completed the assessment and subject to some modifications, the proposal results in a satisfactory development outcome that achieves the outcomes identified in the applicable code. The application is recommended to be approved, subject to conditions.

## RECOMMENDATION

**Moved by Cr Adam Hain**

**Seconded by Cr Mike Charlton (Deputy Mayor)**

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

## FORESHADOWED RECOMMENDATION

**Cr James Houghton foreshadowed the following recommendation:**

That the application ought be refused for the following reasons:

### **Town planning**

1. The Proposed Development does not comply with the MBRC Planning Scheme, specifically the Advertising Devices Code:

*Relevant Assessment Benchmark*

- (a) Section 9.4.4.2 (Purpose - Advertising Devices) - 1 and 2(a), (b), (c) and (f)(ii);
- (b) Table 9.4.4.2 (Requirements for accepted development - Advertising devices) - RAD2, RAD4 and RAD5;
- (c) Table 9.4.4.3 (Assessable development - Advertising devices) - PO1(a), (b), (c) and (d), and PO3.

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

**Character and visual amenity**

2. The Proposed Development:

- (a) will detract and adversely impact on the existing character and amenity values of the immediate and wider locality;
- (b) is not consistent with the character of the existing or proposed streetscape;

*Relevant Assessment Benchmarks*

- (a) Section 9.4.4.2 (Purpose - Advertising Devices) - 1 and 2(a) and (b);
- (b) Table 9.4.4.2 (Requirements for accepted development - Advertising devices) - RAD4 and RAD5;
- (c) Table 9.4.4.3 (Assessable development - Advertising devices) - PO1(a), (b), (c) and (d), and PO3.

**Other relevant matters**

- 3. The Proposed Development is not consistent with the expectations of the community of the immediate and wider locality.
- 4. The Proposed Development does not advance the purpose of the *Planning Act 2016* in that it does not achieve ecological sustainability as the development does not maintain the physical and social wellbeing of people and communities.
- 5. The Proposed Development cannot be redesigned or conditioned to achieve compliance with the MBRC Planning Scheme, specifically the Advertising Devices Code.
- 6. The application does not demonstrate an economic and social need for the Proposed Development on the premises which will benefit the immediate and wider locality.

**Seconded by Cr Koliانا Winchester**

**The foreshadowed recommendation was put the vote and declared LOST 3/8**

*Crs Adam Hain, Darren Grimwade, Mick Gillam, Denise Sims, Julie Greer, Brooke Savige, Mike Charlton (Deputy Mayor), Matt Constance voted against the foreshadowed recommendation.*

**AMENDMENT MOVED**

**Cr Adam Hain moved the following amendment:**

“That the Officer’s Recommendation be adopted as detailed in the report with amendment to Condition 3 Amended Plans Required, by inserting an additional condition 3D that no set back relaxation be allowed on the Boardman Road frontage.”

**Seconded by Cr Peter Flannery**

The amendment was put to the vote and declared

**CARRIED 6/5**

*Crs Koliانا Winchester, Julie Greer, James Houghton, Mike Charlton (Deputy Mayor) and Darren Grimwade voted against the amendment.*

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE -  
66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

**THE AMENDMENT BECOMES THE RECOMMENDATION**

**COMMITTEE RECOMMENDATION**

Moved by Cr Adam Hain

Seconded by Cr Peter Flannery

**CARRIED 8/3**

*Crs Koliana Winchester, James Houghton, Mike Charlton (Deputy Mayor) voted against Committee's Recommendation*

**That the Officer's Recommendation be adopted as detailed in the report with amendment to Condition 3 Amended Plans Required, by inserting an additional condition 3D that no set back relaxation be allowed on the Boardman Road frontage.**

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

**OFFICER'S RECOMMENDATION**

- A. That Council, in accordance with the *Planning Act 2016*, approves the Development Application for an Operational Works - Development Permit for Advertising Device at 66 Boardman Road, Kippa-Ring, described as Lot 24 SP181125, subject to the following plans/documents and conditions:

<b>Approved Plans and Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Site Plan	402105A&B	Bishopp	4/07/2018
Site Mockup - A	402105A&B	Bishopp	4/07/2018
Site Mockup - B	402105A&B	Bishopp	4/07/2018
Traffic Engineering Assessment	19-451	Pekol Traffic & Transport	4/07/2019

<b>Amended Plans Required</b>			
Elevations	1905	Nikolaou Associates	16/01/2019

**Conditions**

<b>CONDITION</b>		<b>TIMING</b>
<b>OPERATIONAL WORKS</b>		
<b>DEVELOPMENT PLANNING</b>		
<b>1</b>	<b>Scope of Limited Code Assessment</b>	
	<p>Carry out the development in accordance with all Requirements for Accepted Development of the applicable codes current at the date of this decision (being the Self Assessable Aspects), with the exception of the following where assessment against the corresponding Performance Outcomes have been the subject of this assessment (being the Code Assessable Aspects):</p> <p><b>Advertising Devices Code</b></p> <ul style="list-style-type: none"> <li>• Requirement for Accepted Development RAD 2</li> </ul> <p>Notes</p> <ol style="list-style-type: none"> <li>1. For the purpose of this condition, the applicable code refers to those identified in the applicable assessment criteria column for the development in the Moreton Bay Regional Council Planning Scheme.</li> <li>2. This assessment is limited to the code assessable aspects of the development application only. This development approval does not confirm compliance with Accepted Development aspects of the development application.</li> </ol>	To be maintained at all times.
<b>2</b>	<b>Approved Plans and/or Documents</b>	
	Undertake development generally in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	At all times.
<b>3</b>	<b>Amended Plans Required</b>	

## Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING  
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CONDITION		TIMING
A	Submit an amended Elevations Plan demonstrating the removal of the lighting located at the top of the Advertising Device.	Prior to any approval of Building Works.
B	Obtain approval from Council for the amended Elevation Plan in accordance with (A) above.	Prior to any approval of Building Works.
C	Implement the requirements and recommendations of the approved plan. The approved amended plan will form part of the approval.	At all times.
<b>4</b>	<b>Illumination</b>	
	The Advertising Device is not to be illuminated.	At all times.
<b>5</b>	<b>Siting</b>	
	Provide to Council certification from a Licensed Surveyor that the Advertising Device is wholly contained within the lot.	Within 2 weeks of the erection of the advertising device.
<b>DEVELOPMENT ENGINEERING</b>		
<b>6</b>	<b>RPEQ Certification</b>	
A	Provide to Council RPEQ Certification that the Advertising Device has been constructed in accordance with the recommendations within the approved Traffic Engineering Assessment prepared by Pekol Traffic & Transport (4/07/2019).	Within 2 weeks of the erection and operation of the Advertising Device.
B	Operate the Advertising Device in accordance with the approved Traffic Engineering Assessment.	At all times.
<b>7</b>	<b>Build Over or Adjacent to Stormwater Main</b>	
	Obtain approval from Council for 'Building over or adjacent to a stormwater main or within a council easement' for the proposed Advertising Device.	Prior to building works approval.

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

ADVICES	
<b>1</b>	<b>Aboriginal Cultural Heritage Act 2003</b>
	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p> <p>Council strongly advises that before undertaking the land use activity, you refer to the <a href="#">cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)</a> for further information regarding the responsibilities of the developer.</p>

- B. That the Council report for this application be published to the website as Council’s statement of reasons in accordance with Section 63 (5) of the *Planning Act 2016*.
- C. That the following information be included in the Decision Notice.

**Decision Notice information**

	<b>Details to Insert</b>
<b>Application Type</b>	Operational Works - Development Permit for Advertising Device
<b>Relevant Period of Approval</b>	Operational Works - 2 years
<b>Section 64(5) Deemed Approval</b>	Not applicable
<b>Superseded Planning Scheme</b>	Not applicable
<b>Variation approval affecting the Planning Scheme</b>	Not applicable
<b>Other Necessary Permits</b>	Building Works – Development Permit
<b>Codes for Accepted Development</b>	Not applicable
<b>Referral Agencies</b>	There are no Referral Agencies
<b>Submissions</b>	Not applicable

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

**REPORT DETAIL**

**1. Background**

Nil

**2. Explanation of Item**

**2.1 Description of the Site and Surrounds**

The site contains the Kippa-Ring Fire and Rescue Station.

Directions	Planning Scheme Zone	Current Land Use
North	Recreation and Open Space	Talobilla Park
South	General Residential Zone - Suburban Neighbourhood Precinct	Dwelling Houses
East	General Residential Zone - Suburban Neighbourhood Precinct	Talobilla Park
West	Recreation and Open Space	Talobilla Park and Dwelling Houses

**2.2 Assessment Benchmarks related to the *Planning Regulation 2017***

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out against, which are additional or alternative to the Assessment Benchmarks contained in Council's Planning Scheme.

These Assessment Benchmarks are prescribed as being contained in:

- the South East Queensland Regional Plan and Part E of the State Planning Policy; and
- Schedule 10 of the Regulation.

<b>Applicable Assessment Benchmarks:</b>	<p><u>State Planning Policy</u></p> <ul style="list-style-type: none"> <li>• State Planning Policy, Part E</li> </ul> <p><u>Regional Plan</u></p> <ul style="list-style-type: none"> <li>• South East Queensland Regional Plan</li> </ul>
<b>SEQ Regional Plan Designation:</b>	<ul style="list-style-type: none"> <li>• Urban Footprint</li> </ul>
<b>Koala Habitat Designation:</b>	Nil

**2.2.1 State Planning Policy**

A new State Planning Policy came into effect on 3 July 2017 and is not currently integrated into the MBRC Planning Scheme. The following assessment benchmarks are to be applied to the assessment of development applications until the State interests have been appropriately integrated into Council's planning scheme. Assessment against the SPP assessment benchmarks is as follows:

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

<b>Assessment benchmark - livable communities</b>		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
<b>Assessment benchmark - mining and extractive resources</b>		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
<b>Assessment benchmarks - water quality</b>		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
<b>Assessment benchmarks - natural hazards, risk and resilience</b>		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(1) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>All natural hazard areas:</p> <p>(2) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(3) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.</p> <p>(4) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.</p>	<p>An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.</p>

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	(5) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	
<b>Assessment benchmarks - strategic airports and aviation facilities</b>		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

2.2.2 South East Queensland Regional Plan

The site is located in the Urban Footprint. There are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

2.2.3 Schedule 10 of the Regulation – Koala Habitat (not applicable)

The site is not located in a Priority Koala Assessable Development Area or Koala Assessable Development Area. Moreover, the site is identified as low value rehabilitation.

2.3 Assessment Against Local Categorising Instrument - Moreton Bay Regional Council Planning Scheme

An assessment against the relevant parts of the planning scheme is set out below.

2.3.1 Strategic Framework

Not applicable to code assessment.

2.3.2 Assessment of Applicable Codes

Code Compliance Summary

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal;

- (a) proposes an alternative 'Example' satisfying or not satisfying the corresponding Performance Outcome; and
- (b) proposes an outcome where no 'Example' is stated in the code and the proposed outcome does not satisfy the corresponding Performance Outcome.

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
<b>Development Codes</b>		
Advertising Devices Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO1, PO3

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 2.3.3.

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

2.3.3 Performance Outcome Assessment

Performance Outcome	Example				
<b>Advertising Devices Code</b>					
<p><b>PO1</b></p> <p>Advertising devices are of an appropriate number, type, design, scale, height and location to:</p> <ol style="list-style-type: none"> <li>not contribute to visual clutter or be overbearing or visually dominant;</li> <li>complement the existing and future planned character and amenity of the area in which it is located;</li> <li>maintain a human scale and not detract from or interfere with the form and function of a pedestrian friendly environment;</li> <li>be compatible with the surrounding streetscape and landscape. Advertising devices should be considered as another design element, which integrate with the architecture, scale, proportions and style of buildings, landscaping, structures and other Advertising devices located both within and surrounding the site;</li> <li>minimise any potential adverse impacts on adjoining sites, such as overshadowing or the loss of key views and view corridors;</li> <li>not diminish or cause irreversible damage to any cultural heritage values present on the site or those associated with a heritage site, item or object.</li> </ol>	<p><b>E1.2</b></p> <p>The Advertising device complies with the criteria specified in Column 2 of Table 9.4.4.4.</p> <p><b>Table 9.4.4.4.</b> A freestanding Advertising device:</p> <ol style="list-style-type: none"> <li>is limited to 1 per site entrance, with a maximum of 2 per frontage;</li> <li><u>is setback a minimum 1m from the front boundary and 3m from the side and rear boundaries of the site;</u></li> <li>does not exceed the maximum height for the zone in which it is located as specified below:</li> </ol> <table border="1"> <thead> <tr> <th>Zone/Local plan</th> <th>Height in metres (m)</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>• Centre</li> <li>• Community facilities</li> <li>• Emerging community, General residential - if on a lot identified on Overlay map – Community activities and neighbourhood hubs</li> <li>• Extractive industry</li> <li>• Industry</li> <li>• Recreation and open space</li> <li>• Rural</li> <li>• Rural residential – if on a lot identifies for Community activities and Neighbourhood hubs</li> <li>• Caboolture West local plan – For all Interim uses</li> <li>• Caboolture West local plan                             <ul style="list-style-type: none"> <li>○ Enterprise and employment precinct – all sub-precincts</li> </ul> </li> </ul> </td> <td> <p>6m</p> <p>Note - Height is to be measured from ground level.</p> </td> </tr> </tbody> </table>	Zone/Local plan	Height in metres (m)	<ul style="list-style-type: none"> <li>• Centre</li> <li>• Community facilities</li> <li>• Emerging community, General residential - if on a lot identified on Overlay map – Community activities and neighbourhood hubs</li> <li>• Extractive industry</li> <li>• Industry</li> <li>• Recreation and open space</li> <li>• Rural</li> <li>• Rural residential – if on a lot identifies for Community activities and Neighbourhood hubs</li> <li>• Caboolture West local plan – For all Interim uses</li> <li>• Caboolture West local plan                             <ul style="list-style-type: none"> <li>○ Enterprise and employment precinct – all sub-precincts</li> </ul> </li> </ul>	<p>6m</p> <p>Note - Height is to be measured from ground level.</p>
Zone/Local plan	Height in metres (m)				
<ul style="list-style-type: none"> <li>• Centre</li> <li>• Community facilities</li> <li>• Emerging community, General residential - if on a lot identified on Overlay map – Community activities and neighbourhood hubs</li> <li>• Extractive industry</li> <li>• Industry</li> <li>• Recreation and open space</li> <li>• Rural</li> <li>• Rural residential – if on a lot identifies for Community activities and Neighbourhood hubs</li> <li>• Caboolture West local plan – For all Interim uses</li> <li>• Caboolture West local plan                             <ul style="list-style-type: none"> <li>○ Enterprise and employment precinct – all sub-precincts</li> </ul> </li> </ul>	<p>6m</p> <p>Note - Height is to be measured from ground level.</p>				

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

Performance Outcome	Example	
	<ul style="list-style-type: none"> <li>○ Town centre precinct – all sub-precincts</li> <li>○ Urban living precinct – Local centre sub-precinct</li> <li>○ Urban living precinct – Light industry sub-precinct</li> <li>○ Urban living precinct – Next generation sub-precinct - if on a lot identified for Community activities and Neighbourhood hubs</li> <li>● Redcliffe Kippa-Ring local plan                             <ul style="list-style-type: none"> <li>○ Redcliffe seaside precinct</li> <li>○ Kippa-Ring village precinct</li> <li>○ Kippa-Ring station precinct</li> <li>○ Local services precinct</li> <li>○ Health precinct</li> <li>○ Interim residential precinct - if on a lot identified for Community activities and Neighbourhood hubs</li> <li>○ Open space and recreation precinct</li> <li>○ Sport and recreation precinct</li> <li>○ Woodfordia local plan</li> </ul> </li> </ul>	
	<ul style="list-style-type: none"> <li>● Emerging community, General residential - if not on a lot identified on Overlay map –</li> </ul>	1.5m Note - Height is to be measured from

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

Performance Outcome	Example	
	<p>Community activities and neighbourhood hubs</p> <ul style="list-style-type: none"> <li>• Environmental conservation and management</li> <li>• Rural residential – if not on a lot identified for Community activities and Neighbourhood hubs</li> <li>• Township</li> <li>• Caboolture West local plan                             <ul style="list-style-type: none"> <li>○ Green network precinct</li> <li>○ Rural living precinct</li> <li>○ Urban living precinct – Next generation sub-precinct - if not identified for Community activities and Neighbourhood hubs</li> </ul> </li> <li>• Redcliffe Kippa-Ring local plan                             <ul style="list-style-type: none"> <li>○ Interim residential precinct - if not on a lot identified for Community activities and Neighbourhood hubs</li> </ul> </li> </ul>	<p>ground level.</p>
<i>Performance Outcome Assessment</i>		
<p>The Applicant is proposing an alternative solution to allow an Advertising Device to be sited 50mm from the front and side boundaries, in lieu of 1m and 3m respectively as nominated in the Example. It is noted that the sign otherwise complies with the type, scale and height as outlined within Table 9.4.4.4 of the Advertising Devices Code.</p> <p>The site is mapped within Overlay Map - Community Activities and Neighbourhood Hub with the Code allowing for Advertising Devices with a larger sign face on lots within this Overlay Map. Further, although located within the General Residential Zone, it is recognised that the site is on the periphery of a residential area and that Boardman Road is a Council sub-arterial road with a higher traffic flow. A sign in this location is therefore more suitable than if the site was within a lower order residential street.</p>		

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

Performance Outcome	Example
<p>Although the Advertising Device will be sited closer to the front and side boundaries, the reduced setbacks will not cause additional impacts to the streetscape or increase the sign's visual dominance. The site is adjacent to the entrance of Talobilla Park and a drainage area, therefore the location of the sign along the northern side boundary will not create adverse impacts on the adjoining site, such as overshadowing or the loss of key views and view corridors. Further, pedestrian movement will not be impeded by the location of the sign as a pedestrian footpath is provided on the adjacent side of Boardman Road.</p> <p>Due to the sign being proposed within the suggested setbacks, it is recommended that a condition form part of any development approval given requiring certification from a Licensed Surveyor that the Advertising Device is wholly contained within the lot.</p> <p>The proposal overall complies with this Performance Outcome.</p>	

Advertising Devices Code	
<p><b>PO3</b></p> <p>An Advertising device incorporates illumination only where it is appropriate to its setting and does not detract from the amenity and character of the area in which it is located. Illumination must not create a hazard or nuisance for motorists and surrounding uses.</p>	<p><b>E3.1</b></p> <p>The Advertising device is illuminated only where located in the following zones:</p> <ul style="list-style-type: none"> <li>a. Centre zone;</li> <li>b. Industry zone;</li> <li>c. Caboolture West local plan: <ul style="list-style-type: none"> <li>i. Town centre precinct - excluding Residential north and Residential south sub-precincts;</li> <li>ii. Urban living precinct – Local centre sub-precinct only;</li> <li>iii. Enterprise and employment precinct;</li> </ul> </li> <li>d. Redcliffe Kippa-Ring local plan: <ul style="list-style-type: none"> <li>i. Redcliffe seaside precinct;</li> <li>ii. Kippa-Ring village precinct;</li> <li>iii. Local services precinct;</li> <li>iv. Health precinct.</li> </ul> </li> </ul> <p><b>E3.2</b></p> <p>Where an Advertising device is illuminated it meets the following criteria:</p> <ul style="list-style-type: none"> <li>a. illumination is by an internal light source or down light if externally lit;</li> <li>b. illumination is in the form of static lighting;</li> </ul>

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

	c. lighting is not directed or reflected towards a residential property or public place.
<i>Performance Outcome Assessment</i>	
<p>The Applicant is proposing an alternative solution to allow the Advertising Device to be illuminated when sited within the General Residential Zone (Suburban Neighbourhood precinct).</p> <p>The illumination proposed is by way of a single down light that will be mounted to the top of each sign face. Although on the periphery of a residential area, the site is not located within a built-up, well-lit part of the region and this form of illumination is not appropriate to the current setting and will detract from the amenity and character of the area in which it is located at night. Therefore, the illumination of the Advertising Device does not comply with the Performance Outcome. Accordingly, an assessment against the Overall Outcomes of the Code is required.</p>	

2.3.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcome PO3 (Illumination) of the Advertising Devices Code. Therefore, the proposal is required to be assessed against the *relevant* Overall Outcomes of the code as follows:

<b>Advertising Devices Code - Section 9.4.4.2</b>		
<b>Overall Outcomes</b>	<b>Complies Y/N</b>	<b>Comments</b>
2a. The presence, scale, size and placement of Advertising Devices does not adversely impact upon the character and amenity of the immediate and wider locality, and does not result in visual clutter.	No as proposed but yes if removal of illumination conditioned	<p>The site is on the periphery of a residential area that is not built-up or well-lit. The presence of a billboard style Advertising Device with an illumination source on both sign faces will highlight the signage at night and will not be in keeping with the residential amenity expected within this area and will adversely impact upon the character and amenity of the immediate and wider locality, particularly at night.</p> <p>Therefore, compliance against this Overall Outcome is unable to be achieved with the light, however during the day, the sign will not be as obvious and would comply.</p>
2b. The presence, scale size and placement of Advertising Devices is consistent with the character of the existing or proposed streetscape.	No as proposed but yes if removal of illumination conditioned	<p>The existing streetscape is consistent with a typical residential setting containing low rise built form and minimal light sources.</p> <p>The presence of a billboard style Advertising Device containing illumination is not consistent with the character of the existing streetscape at night.</p>

ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)

Advertising Devices Code - Section 9.4.4.2		
		Therefore, compliance against this Overall Outcome is unable to be achieved with the light, however during the day, the sign will not be as obvious and would comply.

Therefore, as the proposed illumination component of the development proposal is not able to comply with Performance Outcome 3 and the relevant Overall Outcomes, it is recommended that a condition form part of any development approval given requiring that the Advertising Device not be illuminated.

#### 2.4 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is located in the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council's Charges Resolution No. 8 commencing on 14 August 2018 (CR).

##### 2.4.1 *Levied Charge*

Part 4 of the ICR states a levied charge only applies to a Material Change of Use, Reconfiguring a Lot or Building Works that is for a Material Change of Use that is self-assessable. The proposal is for Operational Works, therefore no levied charge is applicable.

#### 2.5 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

#### 2.6 Referrals

##### 2.6.1 *Council Referrals*

###### Development Engineering

Conditions have been recommended by Development Engineering relating to the proposal obtaining approval for 'Building over or adjacent to a stormwater main or within a council easement' for the proposed Advertising Device due to the location of the existing stormwater system.

##### 2.6.2 *Referral Agencies*

###### **2.6.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning**

There were no Concurrence Agencies involved in assessing this development application.

###### **2.6.2.2 Advice Agencies**

There were no Advice Agencies involved in assessing this application.

###### **2.6.2.3 Third Party Agencies**

There were no Third Party Agencies involved in assessing this application.

#### 2.7 Public Consultation

*ITEM 2.1 DA/38057/2019/V4A - OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR ADVERTISING DEVICE - 66 BOARDMAN ROAD, KIPPA-RING - DIVISION 5 - A18808294 (Cont.)*

The development application is Code Assessable and accordingly there are no formal public notification requirements associated with the proposal.

2.8 Other Matters

Nil.

**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 Regional Council planning provisions and relevant policies.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

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.

3.7 Economic Benefit

Appropriate development supports the growing Moreton Bay region.

3.8 Environmental Implications

New development contributes to sustainable management and protection of the natural environment in the region through compliance with the planning schemes policies and provisions.

3.9 Social Implications

Appropriately designed and located development contributes to diverse, vibrant and safe communities and facilities

3.10 Consultation / Communication

Refer to clause 2.7.

## **ATTENDANCE**

The Mayor returned to the meeting at 11.43am after discussions on Item 2.1 with Marco Alberti and Amy White leaving the meeting at this time.

**3 CORPORATE SERVICES SESSION**

**(Cr M Constance)**

No items for consideration.

**4 ASSET CONSTRUCTION & MAINTENANCE SESSION**

**(Cr A Hain)**

**ITEM 4.1**

**TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18705167 : 18 June 2019 - **Refer Supporting Information A18670088 and Confidential Supporting Information A18557462, A18558636**  
*Responsible Officer:* MM, Senior Technical Officer- Natural Areas (ECM Asset Maintenance)

**Executive Summary**

Tenders were called for the '2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706)'. Tenders contained two separable portions based on location of bioretention systems. Tenders closed on 8 May 2019 with submissions received from seven contractors for one or more separable portions.

It is recommended that the tender for the '2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706)' be awarded as follows, as these offers represent best overall value to Council:

**Separable Portion 1 - Regional Bioretention Restoration and Maintenance Program - Storm Water Assets of Divisions 4, 5, 6, 7, 8, 9, 10 and 11** - that the tender for the '2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 1' be awarded to Aust Care Environmental Services Pty Ltd for the sum of \$163,260.00 (excl. GST).

**Separable Portion 2 - Regional Bioretention Restoration and Maintenance Program - Storm Water Assets of Divisions 1, 2, 3, 4 and 12** - that the tender for the '2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 2' be awarded to Aust Care Environmental Services Pty Ltd for the total sum of \$156,730.00 (excl. GST).

**COMMITTEE RECOMMENDATION**

**Moved by Cr Denise Sims**

**Seconded by Cr Peter Flannery**

**CARRIED 11/1**

*Cr Mick Gillam voted against Committee's Recommendation*

1. That the tender for the '2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 1' be awarded to Aust Care Environmental Services Pty Ltd for the sum of \$163,260.00 (excl. GST).
  - a) That the Council enters into an agreement with Aust Care Environmental 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 agreement with Aust Care Environmental Services Pty Ltd for '2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 1' and any required variations of the agreement on Council's behalf.

# Moreton Bay Regional Council

*ITEM 4.1 TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL - A18705167 (Cont.)*

2. That the tender for the *'2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 2'* be awarded to Aust Care Environmental Services Pty Ltd for the sum of \$156,730.00 (excl. GST).
  - a) That the Council enters into an agreement with Aust Care Environmental 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 agreement with Aust Care Environmental Services Pty Ltd for *'2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 2'* and any required variations of the agreement on Council's behalf.

ITEM 4.1 TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL - A18705167 (Cont.)

### OFFICER'S RECOMMENDATION

1. That the tender for the *'2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 1'* be awarded to Aust Care Environmental Services Pty Ltd for the sum of \$163,260.00 (excl. GST).
  - a) That the Council enters into an agreement with Aust Care Environmental 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 agreement with Aust Care Environmental Services Pty Ltd for *'2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 1'* and any required variations of the agreement on Council's behalf.
2. That the tender for the *'2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - Separable Portion 2'* be awarded to Aust Care Environmental Services Pty Ltd for the sum of \$156,730.00 (excl. GST).
  - a) That the Council enters into an agreement with Aust Care Environmental 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 agreement with Aust Care Environmental Services Pty Ltd for *'2019/2020 Regional Bioretention Restoration and Maintenance Program (MBRC008706) - 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 Bioretention Restoration and Maintenance Program (MBRC008706)'* through open tender using LG Tender Box. Tenders contained two separable portions based on location of bioretention systems. Separable Portion 1 contained 106 storm water assets totalling 6.68 ha and Separable Portion 2 contained 91 storm water assets totalling 8.91 ha. The general scope of works includes weed management, revegetation, litter control and remediation of minor civil works. Tenders closed on 8 May 2019 with submissions received from seven contractors for one or more separable portions

#### **2. Explanation of Item**

#### **Separable Portion 1 - Regional Bioretention Restoration and Maintenance Program - Storm Water Assets of Divisions 4, 5, 6, 7, 8, 9, 10 and 11.**

Council received five conforming and one non-conforming submissions for Separable Portion 1. 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 4.1 TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL - A18705167 (Cont.)*

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

RANK	TENDERER	EVALUATION SCORE
1	Urban Asset Solutions Pty Ltd	93.80
2	<b>Aust Care Environmental Services Pty Ltd</b>	<b>93.56</b>
3	Evolve Environmental Solutions	88.98
4	Barung Landcare Association Inc	70.92
5	Australian Wetlands Landscapes Pty Ltd	52.73
6	SCL Services (trading as Disc Landscapes and Construction)	Non-conforming

**Urban Asset Solutions Pty Ltd (UAS)** submitted a quality tender submission for this portion of works. They demonstrated their capability and capacity to undertake the bioretention restoration and maintenance activities outlined in the tender specification with experienced and qualified staff. UAS have not previously undertaken these types of works for Council; however, have completed similar works for other local governments within South East Queensland. The offer from UAS was the lowest priced offer and received the highest evaluation score. *(Post-evaluation a third-party financial risk assessment was undertaken on UAS, which indicated a below satisfactory level of risk in undertaking the works associated with Separable Portion 1 of this tender and therefore this offer was deemed a delivery risk to council and not recommended).*

**Aust Care Environmental Services Pty Ltd (ACE)** received the second highest evaluation score against all assessable criteria and was the third lowest priced offer. The offer from ACE best demonstrated understanding, relevant experience and qualified personnel associated with maintaining vegetation health and the biofiltration functionality of bioretention systems particularly associated with Natural Area Park Complexes. ACE is significantly experienced in delivering large scale local government maintenance contracts with numerous assets/sites and has a well-defined quality assurance process. The evaluation panel is confident in ACE's ability to deliver the required works to a high standard and is therefore recommended as the best value to Council.

**Evolve Environmental Solutions Pty Ltd (EES)** submitted a satisfactory tender submission outlining their ability to deliver the programmed works. The offer from EES was the second lowest priced offer and the third highest evaluation score. The offer from EES did not demonstrate the same level of understanding, relevant experience and qualified personnel associated with maintaining vegetation health and biofiltration functionality of bioretention systems, contract experience and quality assurance; and therefore, was not deemed best value to Council.

The submission from SCL Services (trading as Disc Landscapes and Construction) did not provide mandatory information and as a result, the offer was deemed non-conforming.

**Separable Portion 2 - Regional Bioretention Restoration and Maintenance Program - Storm Water Assets of Divisions 1, 2, 3, 4 and 12.**

Council received six conforming and one non-conforming submissions for Separable Portion 2. 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 4.1 TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL - A18705167 (Cont.)*

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

RANK	TENDERER	EVALUATION SCORE
1	<b>Aust Care Environmental Services Pty Ltd</b>	<b>96.95</b>
2	Urban Asset Solutions Pty Ltd	93.80
3	Evolve Environmental Solutions	91.02
4	Barung Landcare Association Inc	78.29
5	Bownham Pty Ltd T/A Palmwoods Revegetation	61.16
6	Australian Wetlands Landscapes Pty Ltd	50.19
7	SCL Services T/A Disc Landscapes and Construction	Non-conforming

**Aust Care Environmental Services Pty Ltd (ACE)** received the highest evaluation score against all assessable criteria and was the third lowest priced offer. The submission from ACE best demonstrated understanding, relevant experience and qualified personnel associated with maintaining vegetation health and the biofiltration functionality of bioretention systems. ACE is significantly experienced in delivering large scale local government maintenance contracts with numerous assets/sites and has a well-defined quality assurance process. The evaluation panel is confident in ACE's ability to deliver the required works to a high standard. The provision of two portions to one tenderer provides additional benefits to contract administration and management of internal resources and is therefore recommended as the best value to Council.

**Urban Asset Solutions Pty Ltd (UAS)** submitted a quality tender submission for this portion of works. They demonstrated their capability and capacity to undertake the bioretention restoration and maintenance activities outlined in the tender specification with experienced and qualified staff. UAS have not previously undertaken these types of works for Council; however, have completed similar works for other local governments within South East Queensland. The offer from UAS was the lowest priced offer and received the second highest evaluation score.

**Evolve Environmental Solutions Pty Ltd (EES)** submitted a satisfactory tender submission outlining their ability to deliver the programmed works. The offer from EES was the second lowest priced offer and the third highest evaluation score. The offer from EES did not demonstrate the same level of understanding, relevant experience and qualified personnel associated with maintaining vegetation health and biofiltration functionality of bioretention systems and therefore was not deemed best value to Council.

The submission from SCL Services T/A Disc Landscapes and Construction did not provide mandatory information as part of the tender offer and as a result, the offer was deemed non-conforming.

### **3. Strategic Implications**

#### **3.1 Legislative/Legal Implications**

The legislative responsibilities of the Bioretention Restoration and Maintenance Program are:

- *Environmental Protection Act 1994* and *Environmental Protection (Water) Policy 2009*- management of pollutants and water quality against acceptable water quality parameters.
- *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.

*ITEM 4.1 TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL - A18705167 (Cont.)*

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 sourced 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: 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:

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

A third-party review of financial status has been undertaken on the recommended tenderer and the company has received a rating of *satisfactory* which has confirmed they have the capability and financial capacity to deliver both separable portions of the contract.

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 and 2 total \$319,990.00 (excl. GST) per annum which is within the budget allocation.

Works are expected to commence in August 2019 and extend over the period of the 2019/2020 financial year. Further requests for quotation will be sought for revegetation and maintenance of development related off maintenance bioretention systems.

3.7 Economic Benefit

The economic benefit of the proposed maintenance program is increased land useability, improved land value, lower long-term maintenance costs. The program will help encourage more self-sustaining systems and mitigate the risk and costs associated with revegetation and bioretention system renewal.

*ITEM 4.1 TENDER - 2019/2020 BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - REGIONAL - A18705167 (Cont.)*

### 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 biofiltration function through management of native vegetation cover and encouragement of natural regeneration.
- Catchment management of outflows into river systems culminating in the Ramsar listed Moreton Bay Marine Park.
- Provision of wildlife habitat.
- Protection of aquatic biodiversity.

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

- Bioretention Technical Design Guidelines.
- Moreton Bay Regional Council Total Water Cycle Management Plan.
- 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.
- Managing priority species listed in Council's Priority Species of the Moreton Bay Region.

The program contributes to the following regional planning directives:

- Shaping SEQ- South East Queensland Regional Plan 2017; Goal 4: Sustain, Element 5: Water sensitive communities.
  - 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.
  - 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.
- 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
- Opportunity for nature-based recreation
- Supporting local bushcare and natural resource management groups
- 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.

## **ITEM 4.2 - DECLARATION OF INTEREST**

### **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 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Mayor and a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Mayor received in-kind support during the 2016 electoral campaign from Moreton Futures Trust to the value of \$20,000.

**Cr Allan Sutherland (Mayor) having declared an interest in the matter, retired from the meeting at 11.57am taking no part in the debate or recommendation regarding same.**

### **Conflict of Interest - Declaration - Cr Darren Grimwade**

Pursuant to s175E of the *Local Government Act 2009*, Cr Darren Grimwade declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Councillor.

**However, Cr Darren Grimwade has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

### **Conflict of Interest - Declaration - Cr Koliana Winchester**

Pursuant to s175E of the *Local Government Act 2009*, Cr Koliana Winchester declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Councillor.

**However, Cr Koliana Winchester has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.**

### **Conflict of Interest - Declaration - Cr Julie Greer**

Pursuant to s175E of the *Local Government Act 2009*, Cr Julie Greer declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, who is a friend of the Councillor and a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Councillor received in kind support during the 2016 electoral campaign from Moreton Futures Trust on 19 March 2016 to the value of \$2,488.35.

**However, Cr Julie Greer has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.**

### **Conflict of Interest - Declaration - Cr Matt Constance**

Pursuant to s175E of the *Local Government Act 2009*, Cr Matt Constance declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is related to Shane Newcombe. The Councillor's personal interest arises because the Councillor attended and officiated as Celebrant at the wedding of Shane Newcombe, the Chairman and CEO of MBRIT in 2018.

**However, Cr Matt Constance has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public 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 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe, a friend of the Councillor.

**However, Cr Mike Charlton (Deputy Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

## **Conflict of Interest - Declaration - Cr Peter Flannery**

Pursuant to s175E of the *Local Government Act 2009*, Cr Peter Flannery declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2, is the father of Shane Newcombe who is a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Councillor received in kind support to the value of \$408.55 from Newcombe Holdings Pty Ltd whom were one of nine businesses in total who made a donation to Moreton Futures Trust.

**However, Cr Peter Flannery has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

## **Conflict of Interest - Declaration - Cr James Houghton**

Pursuant to s175E of the *Local Government Act 2009*, Cr James Houghton declared a perceived conflict of interest in Item 4.2 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender relating to Item 4.2 is the father of Shane Newcombe, who was a contributor to Moreton Futures Trust through Newcombe Holdings Pty Ltd. The Councillor received in kind support during the 2016 electoral campaign from Moreton Futures Trust on 19 March 2016 to the value of \$2,873.

**However, Cr James Houghton has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.**

## **Vote permitted for purpose of delegating deciding the matter**

As a majority of the councillors at the meeting of Council have informed the meeting about personal interests in Item 4.2 under section 175E(2) of the Act, section 175E(7)(a) of the Act is enlivened permitting all Councillors (including those declaring a conflict of interest) to vote for the purpose of delegating deciding the matter.

The Mayor having declared an interest in the matter and retired from the meeting, returned to the meeting at 11.59am.

All Councillors remained in the meeting as permitted under section 175E(7)(a) of the Act to delegate the following matter.

**ITEM 4.2**

**TENDER - SUPPLY AND DELIVERY OF THREE X 8.5 - 8.7 TONNE SINGLE CAB 3-WAY TIPPER TRUCKS - AMENDMENT - REGIONAL**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE  
Reference: A18834267 : 16 July 2019 - Refer **Confidential Supporting Information A18395301**  
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

**Executive Summary**

At the Delegated Decisions Committee (DDC) meeting of 2 July 2019, Council awarded the tender for the 'Supply and delivery of three x 8.5 - 8.7 tonne single cab 3-way tipper trucks' to James Frizelle's Automotive Group.

Due to operational work area changes, the need for three x single cab 3-way tipper trucks has changed now to **two only** x 8.5-8.7 tonne single cab 3-way tipper trucks. Whilst a third truck is still required, the configuration of the truck has changed, from that of single cab to dual cab. As a result, the dual cab truck will be the subject of a separate purchasing arrangement.

This report recommends that the DDC resolution of 2 July 2019, for the supply of three x 8.5 - 8.7 tonne single cab 3-way tipper trucks, be amended as follows:

That the tender for the 'Supply and Delivery of three x 8.5 - 8.7 tonne single cab 3-way tipper trucks' be awarded to James Frizelle's Automotive Group for the supply and delivery of **two only** Isuzu NQR 87-190 chassis' fitted with 'Custom Truck Bodies' specialised bodies at \$119,231.40 each, a total amount of \$238,462.80 (excluding GST), as this offer represents best overall value to Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Mick Gillam

Seconded by Cr Adam Hain

CARRIED 12/0

That in accordance with section 175E(6) of the *Local Government Act 2009* (the Act), as a majority of the councillors at the meeting of Council have informed the meeting about personal interests in Item 4.2 under section 175E(2) of the Act, Council delegates its powers under section 257 of the Act to the Delegated Decisions Committee to decide the matter.

ITEM 4.2 TENDER - SUPPLY AND DELIVERY OF THREE X 8.5 - 8.7 TONNE SINGLE CAB 3-WAY TIPPER TRUCKS - AMENDMENT - REGIONAL - A18834267 (Cont.)

**OFFICER'S RECOMMENDATION**

That Council supports amendment of the resolution appearing on Minute Page 19/1449 of the Delegated Decisions Committee meeting held 2 July 2019, to now read as follows:

1. That the tender for the 'Supply and delivery of three x 8.5-8.7 tonne single cab 3-way tipper trucks' be awarded to James Frizelle's Automotive Group for the supply of **two only** Isuzu NQR 87-190 chassis' fitted with 'Custom Truck Bodies' specialised bodies at \$119,231.40 each, being a total amount of \$238,462.80 (excluding GST).
2. That the Council enters into an agreement with James Frizelle's Automotive Group 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 James Frizelle's Automotive Group for the supply of **two only** x Isuzu NQR 87-190 chassis' fitted with 'Custom Truck Bodies' specialised bodies and any required variations of the agreement on Council's behalf.

**REPORT DETAIL**

**1. Background**

The tender for the 'Supply and delivery of three x 8.5 - 8.7 tonne single cab 3-way tipper trucks' was presented to Council at the Coordination Committee Meeting held 25 June 2019. The matter was considered at the DDC meeting held 2 July 2019. Due to a change in operational area servicing requirements, it is recommended that the resolution be amended.

The amended resolution is for the supply of **two only** x 8.5 - 8.7 tonne single cab trucks, rather than three single cab trucks, as per the original resolution. It is proposed to go back to the market for the supply of one x dual cab 3-way tipper truck.

The following committee resolution appears on Minute Page 19/1449 of the Delegated Decisions Committee meeting held on 2 July 2019.

Ex. Delegated Decisions Committee meeting held on 2 July 2019 (MP. 19/1449)

COMMITTEE RESOLUTION

1. That the tender for the supply and delivery of three x 8.5-8.7 tonne single cab 3-way tipper trucks be awarded to James Frizelle's Automotive Group for the supply of three x Isuzu NQR 87-190 Chassis' fitted with 'Custom Truck Bodies' specialised bodies at \$119,231.40 each, with the total amount of \$357,694.20 (excluding GST).
2. That the Council enters into an agreement with James Frizelle's Automotive Group 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 James Frizelle's Automotive Group for the supply of three x Isuzu NQR 87-190 Chassis' fitted with 'Custom Truck Bodies' specialised bodies and any required variations of the agreement on Council's behalf.

**2. Explanation of Item**

Council received nine conforming and three non-conforming tender responses. The tenders were assessed by the selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

**ITEM 4.2 TENDER - SUPPLY AND DELIVERY OF THREE X 8.5 - 8.7 TONNE SINGLE CAB 3-WAY TIPPER TRUCKS - AMENDMENT - REGIONAL - A18834267 (Cont.)**

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

RANK	TENDERER	EVALUATION SCORE
1	James Frizelle's Automotive Group - Isuzu NQR 87-190 AMT LWB - Custom Truck Bodies	98.98
2	Brisbane Isuzu - Isuzu NQR 87-190 AMT LWB - Custom Truck Bodies	97.28
3	James Frizelle's Automotive Group - Isuzu NQR 87-190 AMT LWB - Lift Industries	96.65
4	Si-Fleet Hino - Hino 921 Long - Custom Truck Bodies	96.41
5	Brisbane Isuzu - Isuzu NQR 87-190 AMT LWB - Lift Industries	95.03
6	James Frizelle's Automotive Group - Isuzu NQR 87-190 AMT LWB - MRF Motor Bodies	94.84
7	Si-Fleet Hino - Hino 921 Long - Lift Industries	94.12
8	Brisbane Isuzu - Isuzu NQR 87-190 AMT LWB - MRF Motor Bodies	93.21
9	Si-Fleet Hino - Hino 921 Long - MRF Motor Bodies	92.27
10	Daimler Trucks Brisbane - Fuso Canter 918FE XXLWB - Custom Truck Bodies	Non-conforming
11	Daimler Trucks Brisbane - Fuso Canter 918FE XXLWB - Lift Industries	Non-conforming
12	Daimler Trucks Brisbane - Fuso Canter 918FE XXLWB - MRF Motor Bodies	Non-conforming

**James Frizelle's Automotive Group** submitted an offer for an Isuzu NQR 87-190 AMT LWB cab chassis with body options from Custom Truck Bodies, Lift Industries and MRF Bodies. The Isuzu NQR 87-190 AMT LWB cab chassis meets all chassis requirements outlined in the tender specification, has sufficient power and torque to operate the tipping body, and comes with a warranty period of 5 years / 300,000kms.

The body options provided meet all requirements as per the tender specification and all include 24 months warranty. The Isuzu NQR 87-190 AMT LWB cab chassis fitted with the Custom Truck body from James Frizelle's Automotive Group was not the lowest priced submission; however, it has received the highest evaluation score due to meeting the advanced safety options as outlined in section 2.12.1/2 of the tender specification. This submission included an advanced '*Mobile Eye Safety System*' which allows speed sign recognition, forward collision warning, lane departure warning, pedestrian collision warning and headway/tailgating warning. This technology has proven to increase heavy vehicle operator safety, reduce nose to tail collision and provide greater safety to the public.

**Brisbane Isuzu** submitted an offer for an Isuzu NQR 87-190 AMT LWB cab chassis with body options from Custom Truck Bodies, Lift Industries and MRF Bodies. The Isuzu NQR 87-190 AMT LWB cab chassis meets all chassis requirements outlined in the tender specification. The Isuzu NQR 87-190 has sufficient power and torque to operate the tipping body and comes with a warranty period of 5 years / 300,000kms. The body options offered from Custom Truck Bodies, Lift Industries and MRF Motor Bodies all meet the requirements outlined in the tender specification and include 24 months warranty, with the Custom Truck Bodies offer being the lowest priced option. The Isuzu NQR 87-190 AMT LWB cab chassis fitted with the Custom Truck body was the overall lowest priced submission; however, did not receive the highest evaluation score due to the absence of the advanced safety options within the submission so was not deemed best value to Council.

ITEM 4.2 TENDER - SUPPLY AND DELIVERY OF THREE X 8.5 - 8.7 TONNE SINGLE CAB 3-WAY TIPPER TRUCKS - AMENDMENT - REGIONAL - A18834267 (Cont.)

**Sci Fleet Hino** submitted an offer for a Hino 921 long auto single cab chassis with body options from Custom Truck Bodies, Lift Industries and MRF Bodies. The Hino 921 long auto single cab meets all chassis requirements outlined in the tender specification. The Hino 921 chassis has sufficient power and torque to operate the tipping body and comes with a warranty period of 5 years / 300,000kms. The body options offered from Custom Truck Bodies, Lift Industries and MRF Motor Bodies all meet the requirements outlined in the tender specification and include 24 months warranty. The Custom Truck Bodies offer was the lowest priced option from Sci Fleet. Whilst the Sci Fleet Hino meets all the truck specification requirements, the additional costs for the Hino chassis along with the absence of the advanced safety options deemed the submission as not best value to Council.

**Daimler Trucks** submitted an offer for a Fuso Canter 918 FE XXLWB single cab chassis with body options from Custom Truck Bodies, Lift Industries and MRF Bodies. The Fuso Canter 918 FE XXLWB single cab chassis did not meet the chassis requirements outlined in the tender specification. The GCM (Gross Combined Mass) did not provide the towing capacity required in the tender specification and therefore the offers were deemed non-conforming.

### 3. Strategic Implications

#### 3.1 Legislative/Legal Implications

Due to the value of the assets being greater than \$200,000, a competitive tender process was undertaken through a Local Buy Vendor Panel arrangement. The tender was called 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: Strong local governance - strong leadership and governance.

#### 3.3 Policy Implications

This asset 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

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

#### 3.5 Delegated Authority Implications

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

#### 3.6 Financial Implications

The cost to purchase **two only** Isuzu NQR 87-190 chassis' fitted with 'Custom Truck Bodies' specialised bodies is within budget allocation. These acquisitions will be debited to project number 102178.

#### 3.7 Economic Benefit

The purchase of these 8.5-8.7 tonne trucks will ensure parks maintenance activities are delivered in line with planned outcomes.

#### 3.8 Environmental Implications

The engines in the recommended Isuzu NQR 87-190 trucks meet current environmental and Australian standards.

#### 3.9 Social Implications

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

*ITEM 4.2 TENDER - SUPPLY AND DELIVERY OF THREE X 8.5 - 8.7 TONNE SINGLE CAB 3-WAY TIPPER TRUCKS - AMENDMENT - REGIONAL - A18834267 (Cont.)*

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.

**ITEM 4.3  
COLLECTION AND PURCHASE OF RECOVERED METALS FROM NOMINATED  
LOCATIONS - MBRC008341 - REGIONAL**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18867557 : 24 July 2019 - Refer **Confidential** Supporting Information  
**A18867547**  
*Responsible Officer:* BM, Coordinator Waste Operations (ECM Waste Services)

**Executive Summary**

Tenders were invited for the *Collection and Purchase of Recovered Metal Streams from Nominated Locations (MBRC008341)* at waste management facilities and depots. The tender closed on 4 April 2019 with a total of six conforming offers received.

It is recommended that Council award the contract to Sims Group Australia Holdings Limited as the offer from this company represented the best overall value to Council with an estimated annual income to Council of \$2,771,000. The contract term will be for almost 3 years from 1 August 2019 to 30 June 2022. Council may, at its sole discretion, offer the option of extending the contract by a further 3 x 1-year options.

**COMMITTEE RECOMMENDATION**

Moved by Cr James Houghton

Seconded by Cr Julie Greer

CARRIED 12/0

1. That the tender for *Collection and Purchase of Recovered Metal Streams from Nominated Locations (MBRC008341)* for the period from 1 August 2019 to 30 June 2022, be awarded to Sims Group Australia Holdings Limited for an estimated annual income amount of \$2,771,000 (excluding GST). Council may, at its sole discretion, offer the option of extending the contract by a further 3 x 1-year options.
2. That the Council enters into an agreement with Sims Group Australia Holdings Limited 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 Sims Group Australia Holdings Limited for the *Collection and Purchase of Recovered Metal Streams from Nominated Locations (MBRC008341)* and any required variations of the agreement on Council's behalf.

ITEM 4.3 COLLECTION AND PURCHASE OF RECOVERED METALS FROM NOMINATED LOCATIONS - MBRC008341 - REGIONAL - A18867557 (Cont.)

## OFFICER'S RECOMMENDATION

1. That the tender for *Collection and Purchase of Recovered Metal Streams from Nominated Locations (MBRC008341)* for the period from 1 August 2019 to 30 June 2022, be awarded to Sims Group Australia Holdings Limited for an estimated annual income amount of \$2,771,000 (excluding GST). Council may, at its sole discretion, offer the option of extending the contract by a further 3 x 1-year options.
2. That the Council enters into an agreement with Sims Group Australia Holdings Limited 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 Sims Group Australia Holdings Limited for the *Collection and Purchase of Recovered Metal Streams from Nominated Locations (MBRC008341)* and any required variations of the agreement on Council's behalf.

## **REPORT DETAIL**

### **1. Background**

To obtain the best offer to Council for the collection and purchase of recovered metal streams, the requirements for waste management facilities and depot facilities were combined in this tender.

Tenderers were requested to supply a schedule of rates, per tonne for a 12-month term, for all recovered metal streams as set out in the tender return schedules. Tenderers could also submit a price for used lead acid battery (ULAB) collections only.

The estimated annual income is based on pricing provided by tenderers utilising a fixed percentage for industry standard market rates based on the monthly "Tex Report Pty Ltd Tokyo Market" prices for ferrous metals and the "London Metal Exchange (LME) Cash Seller and Settlement" for non-ferrous (lead from acid batteries) metals. These two price indices are an industry standard for identifying the monthly market prices for different metal commodities.

Services for the collection and purchase of recovered metal streams include:

- bulk steel (ferrous) from stockpile sites and bulk bins
- all other metals (non-ferrous) from bulk bins (mixed or segregated)
- batteries; used lead acid batteries (ULAB)
- domestic gas bottles, and
- the supply of the required number of bulk bins to nominated locations as per the schedules

Nominated locations include:

- Waste management facilities including landfills, transfer stations and treasure markets
- Depot facilities, and
- other Council construction and demolition sites established from time to time.

### **2. Explanation of Item**

Tenders for the 'Collection and Purchase of Recovered Metal Streams from Nominated Locations (MBRC008341)' closed on 4 April 2019 with a total of six conforming tenders received. The tenders were assessed by the evaluation panel in accordance with Council's Procurement Policy and the selection criteria as set out in the tender documents.

Five companies submitted tenders for all recovered metal streams, while one company submitted a tender for ULAB collections only.

*ITEM 4.3 COLLECTION AND PURCHASE OF RECOVERED METALS FROM NOMINATED LOCATIONS - MBRC008341 - REGIONAL - A18867557 (Cont.)*

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

RANK	TENDERER	EVALUATION SCORE
1	Sims Group Australia Holdings Ltd	100.00
2	Qld Metal Recyclers Pty Ltd	98.69
3	Onesteel Recycling Pty Ltd T/A Liberty Recycling	92.62
4	AMR Recyclers Pty Ltd T/A Action Metal Recyclers	86.52
5	Raw Metal Corp Pty Ltd	85.48
6	Zanfar Pty Ltd T/A Suncoast Renewables (ULAB only)	33.49

Tenderers provided details of plant and equipment, work health and safety management systems, retrieval methodology, financial details and current commitments.

**Sims Group Australia Holdings Ltd (Sims)** received the highest ranking for the overall criteria. Sims undertook the collection and purchase of recovered metal streams from waste management facilities and Council depots for eight consecutive years, except for the last year when Qld Metal Recyclers Pty Ltd was awarded the contract for twelve months. Sims always carried out the services in a satisfactory manner.

**Qld Metal Recyclers Pty Ltd** received the second highest ranking for the collection and purchase of recovered metal streams. The company submitted a comprehensive tender to collect all recovered metal streams. The company is the current contractor supplying the services to Council.

**Onesteel Recycling Pty Ltd trading as Liberty Recycling** received the third highest ranking for the collection and purchase of recovered metal streams. The company submitted a comprehensive tender to collect all recovered metal streams. The company currently supplies services for Brisbane-based companies.

**Zanfar Pty Ltd t/a Suncoast Renewables** provided a comprehensive tender for collection and purchase of ULAB's addressing all the criteria to allow for an evaluation. Zanfar Pty Ltd were awarded the MBRC contract in 2016 and 2018 to collect ULAB's and provided prompt satisfactory service. Zanfar were considered for the purchase of batteries only; however, their tendered price for the payment of batteries was the third best priced.

**3. Strategic Implications**

3.1 Legislative/Legal Implications

Council called a public tender for the services through the LG Tender 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.

ITEM 4.3 COLLECTION AND PURCHASE OF RECOVERED METALS FROM NOMINATED LOCATIONS -  
MBRC008341 - REGIONAL - A18867557 (Cont.)

3.4 Risk Management Implications

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

*Services risk:*

Plant and equipment - Sims have sufficient trucks to enable services to be carried out in a timely manner.

Timeframes - Sims are able to carry out the services within the required timeframes set by Council for the collection schedule.

Work Health and Safety - Sims have provided a copy of their WH&S management systems and confirmed that they will comply with Council's own "Safetyfirst1" requirements when attending nominated locations.

*Financial risk:*

This tender involves revenue to Council for the recovered metal streams with payments to be made monthly after each collection service. A third-party review of financial status has been carried out and the recommended tenderer was rated 'very strong'.

*Performance Security:*

The successful tenderer is required to provide a performance security for the collection and purchase of recovered metal streams.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

In 2017/18, Council recovered approximately 12,700 tonnes of ferrous (bulk steel) metals, 320 tonnes of batteries and 61 tonnes of gas bottles.

In awarding the tender based on the industry standard practice market rates to the recommended company, it is estimated that Council will receive an income of approximately \$2,771,000 per annum (excluding GST) for the collection and purchase of all recovered metal streams.

The income received from these contracts will be credited to job numbers:

20616.000.15011 - Waste management facilities

20161.000.15008 - Depot facilities

3.7 Economic Benefit

The purchase of recovered metal streams from waste management facilities and depot facilities will assist in reducing Council's costs in managing the facilities.

3.8 Environmental Implications

The diversion of the recovered recyclable material from landfill is a major target of waste minimisation, helps preserve landfill space and meets the requirements of Council's sustainability policy and Waste Reduction and Recycling Plan 2016-2026.

3.9 Social Implications

Providing areas at waste management facilities and depot facilities for the collection of recovered metal streams creates the opportunity for both residents and Council staff to dispose of and recycle materials that may otherwise end up in landfill.

3.10 Consultation / Communication

Consultation was held with Procurement Services and Financial Services to ensure compliance with Council's Procurement Policy for both the tender documents and the evaluation process.

**ITEM 4.4  
PETRIE MILL REDEVELOPMENT STAGE 1 - CONSTRUCTION PROJECT  
MANAGEMENT SERVICES - DIVISION 7**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18618760 : 31 May 2019 - Refer **Confidential** Supporting Information  
**A18604479**  
*Responsible Officer:* PH, Senior Project Manager (ECM Major Projects - Petrie Mill Redevelopment)

**Executive Summary**

Quotations were invited for the 'Petrie Mill Redevelopment Stage 1 - Construction Project Management Services (VP143103)'. Five companies were requested to provide quotations from the Local Buy Construction Project Management Services Panel (contract number BUS 254-1215) for current and proposed contract resources for the project. Quotations closed on 2 May 2019 with three conforming submissions received.

It is recommended that Council enters into arrangements with AECOM Australia Pty Ltd and Construction Project Management Pty Ltd for the provision of the necessary Construction Project Management Services (VP143103) for Stage 1 of the Petrie Mill Redevelopment Project.

**COMMITTEE RECOMMENDATION**

**Moved by Cr Denise Sims**

**Seconded by Cr Mick Gillam**

**CARRIED 12/0**

1. That the Council enters into an agreement with AECOM Australia Pty Ltd for appropriate construction management services as described in this report.
  - a) 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 AECOM Australia Pty Ltd for Construction Project Management Services (VP143103) for Stage 1 of the Petrie Mill Redevelopment Project and any required variations of the agreement on Council's behalf.
2. That the Council enters into an agreement with Construction Project Management Pty Ltd for appropriate construction management services as described in this report.
  - a) 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 Construction Project Management Pty Ltd for Construction Project Management Services (VP143103) for Stage 1 of the Petrie Mill Redevelopment Project and any required variations of the agreement on Council's behalf.

ITEM 4.4 PETRIE MILL REDEVELOPMENT STAGE 1 - CONSTRUCTION PROJECT MANAGEMENT SERVICES - DIVISION 7 - A18618760 (Cont.)

### OFFICER'S RECOMMENDATION

1. That the Council enters into an agreement with AECOM Australia Pty Ltd for appropriate construction management services as described in this report.
  - a) 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 AECOM Australia Pty Ltd for Construction Project Management Services (VP143103) for Stage 1 of the Petrie Mill Redevelopment Project and any required variations of the agreement on Council's behalf.
2. That the Council enters into an agreement with Construction Project Management Pty Ltd for appropriate construction management services as described in this report.
  - a) 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 Construction Project Management Pty Ltd for Construction Project Management Services (VP143103) for Stage 1 of the Petrie Mill Redevelopment Project and any required variations of the agreement on Council's behalf.

### **REPORT DETAIL**

#### **1. Background**

Council currently utilises a total of five contract engineers and technical staff in addition to four full time staff to manage the range of construction contracts underway and planned for the delivery of Stage 1 of the Petrie Mill Redevelopment project.

The resource plan for the project identified the need for a flexible construction management team structure with peak resource levels and expertise demands, outside the core requirements of the Major Project team, to be filled by specialist contract hire personnel.

The project is now being delivered under multiple construction contracts due to a range of factors including the incremental release of land, the packaging and completion of designs around various disciplines (i.e. service relocations, drainage and environmental, civil construction and streetscape and recreation) and subsequent approvals by relevant authorities.

The projected 2019 expenditure for construction is estimated at \$57M, with monthly projected peak spend exceeding between \$4M and \$6M. Significant construction management resources are required to ensure that Stage 1 is delivered effectively.

The contract positions (existing and proposed) required include a senior construction engineer, construction and project engineers, as well as, inspectors for civil, electrical and landscape works.

#### **2. Explanation of Item**

The contract positions required are based on the respective construction contracts with an average term of around 40 weeks. The most effective procurement methodology is to continue to utilise current contract personnel with additional specialists or technical staff as needed to fill the resource demand.

Council requested quotations via Requests for Quotation from the Local Buy Construction Project Management Services Panel contract number BUS 254-1215. Five companies were requested to provide quotations for all current and proposed contract staff positions.

*ITEM 4.4 PETRIE MILL REDEVELOPMENT STAGE 1 - CONSTRUCTION PROJECT MANAGEMENT SERVICES - DIVISION 7 - A18618760 (Cont.)*

The quotations closed on 2 May 2019 with three submissions received. See attached Confidential Tender Assessment for the estimated cost from each tenderer for the contract staff positions. These estimates are based on a 12-month period. One company declined to quote and one company did not respond by the due date. The quotations were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the quotation documents.

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

Rank	Company	Evaluation Score
1	AECOM Australia Pty Ltd <sup>(1)</sup>	98.51
2	Construction Project Management Pty Ltd	98.45
3	Phronis Consulting Pty Ltd	83.98

**AECOM Australia Pty Ltd** submitted a comprehensive quotation demonstrating a very good understanding of the project requirements and experience on projects of a similar scale and complexity. The offer included a range of suitably experienced and qualified candidates. The submission was considered by the panel to provide good overall value and outcome for the project dependent on the availability of candidates at the time required and for the duration required.

<sup>(1)</sup> Subsequent to the tender assessment, AECOM Australia Pty Ltd advised that certain candidates may no longer be available.

**Construction Project Management Pty Ltd** submitted a similarly comprehensive quotation demonstrating a detailed understanding of the project requirements and experience on projects of a similar scale and complexity including the subject project. The offer included a range of suitably experienced and qualified candidates with competitive pricing. The submission was considered by the panel to provide good overall value and outcome for the project dependent on the availability of candidates at the time required and for the duration required.

**Phronis Consulting Pty Ltd** submitted a suitable quotation demonstrating an understanding of the project requirements and experience on projects but not of a similar type or complexity. The offer included a range of experienced and qualified candidates with competitive pricing.

The assessment panel recommends the use of two suppliers for the project contract staff requirements to best achieve the successful delivery of Stage 1. This is based on the respondents' submissions and proposed candidates, noting that the availability of suitable candidates is subject to the demands of other projects and may change during the expected duration of the Stage 1 construction works.

The Project Director will be required to balance the procurement of the necessary construction project management personnel between the recommended suppliers having regard to the availability of suitable candidates at the required construction period.

### **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**

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

#### **3.3 Policy Implications**

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

*ITEM 4.4 PETRIE MILL REDEVELOPMENT STAGE 1 - CONSTRUCTION PROJECT MANAGEMENT SERVICES - DIVISION 7 - A18618760 (Cont.)*

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

Procurement Policy 2150-006, the use of established panels and in this instance the Local Buy Construction Project Management Services Panel contract number BUS 254-1215, have been utilised.

3.4 Risk Management Implications

The key risks associated with the engagement of Construction Support have been assessed and the following outlines the risks and the way the possible impact of these risks can be minimised.

*Program:*

Current and additional resources are required to ensure the remaining work packages are tendered and constructed appropriately in time for the University of the Sunshine Coast Moreton Bay opening date.

*Cost:*

Managing the cost of the works is an essential part of the contract administration roles and would not be able to be undertaken without the required resources.

*Quality:*

Supervision by appropriate committed resources is essential in ensuring that the quality of the completed works reaches all required standards.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Funding for the anticipated costs is available within the Petrie Mill project budget.

3.7 Economic Benefit

This development has significant regional economic benefits and is a catalyst for overall outcomes for the site as part of the broader 'The Mill at Moreton Bay' PDA.

3.8 Environmental Implications

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

3.9 Social Implications

The Petrie Mill Redevelopment will provide significant positive social benefits and will facilitate construction of a university campus along with other facilities.

3.10 Consultation/Communication

The works will be managed by Council's Major Projects team in line with communication policies and protocols.

**ITEM 4.5  
TENDER - SUPPLY AND DELIVERY OF ONE X 4WD BACKHOE LOADER -  
REGIONAL**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18820994 : 12 June 2019 - Refer **Confidential Supporting Information**  
**A18395304**  
*Responsible Officer:* BS, Technical Officer Fleet Support (ECM Asset Maintenance)

**Executive Summary**

Tenders were called for the 'Supply and delivery of one x 4wd backhoe loader (VP141395)'. Tenders closed on 15 April 2019, with three conforming submissions received.

It is recommended that the tender for the 'Supply and delivery of one x 4wd backhoe loader' be awarded to Hastings Deering Australia for the supply of one x Caterpillar 432F S2 tier 3 4wd backhoe loader for the total sum of \$209,584 (excluding GST), as this offer represents the best overall value for Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Koliانا Winchester

Seconded by Cr James Houghton

**CARRIED 12/0**

1. That the tender for 'Supply and delivery of one x 4wd backhoe loader' be awarded to Hastings Deering Australia for the supply of one Caterpillar 432F S2 tier 3 4wd backhoe loader for the total sum of \$209,584 (excluding GST).
2. That the Council enters into an agreement with Hastings Deering Australia 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 Hastings Deering Australia for the supply and delivery of one x Caterpillar 432F S2 tier 3 4wd backhoe loader and any required variations of the agreement on Council's behalf.

*ITEM 4.5 TENDER - SUPPLY AND DELIVERY OF ONE X 4WD BACKHOE LOADER - REGIONAL - A18820994 (Cont.)*

**OFFICER'S RECOMMENDATION**

1. That the tender for 'Supply and delivery of one x 4wd backhoe loader' be awarded to Hastings Deering Australia for the supply of one Caterpillar 432F S2 tier 3 4wd backhoe loader for the total sum of \$209,584 (excluding GST).
2. That the Council enters into an agreement with Hastings Deering Australia 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 Hastings Deering Australia for the supply and delivery of one x Caterpillar 432F S2 tier 3 4wd backhoe loader and any required variations of the agreement on Council's behalf.

**REPORT DETAIL**

**1. Background**

Tenders were called for the 'Supply and delivery of one x 4wd backhoe loader'. Tenders closed on 15 April 2019, with three conforming submissions received.

This backhoe loader is utilised within the Construction section of Asset Maintenance. The optimum replacement period for this asset is 8 years / 8,000 hours, which has been reached on the current asset.

**2. Explanation of Item**

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

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

RANK	TENDERER	EVALUATION SCORE
1	Hastings Deering Australia - Caterpillar 432F Series 2 (Tier 3)	100.00
2	JCB Construction Equipment Australia - JCB 3CX	99.62
3	Hastings Deering Australia - Caterpillar 432F Series 2 (Tier 4)	97.00

**Hastings Deering Australia** submitted an offer for the Caterpillar 432F S2 backhoe loader. This offer provided two engine options, being Tier 3 or Tier 4 engines. The Tier relates to the environmental emissions of the engine. Tier 3 meets all current Australian standards and is environmentally efficient; the Tier 4 engine contains the latest emission technology. The engine capacity and environmental features of the Caterpillar 432F S2 (Tier 3) backhoe loader meets all the requirements outlined in the tender. The Caterpillar 432F S2 (Tier 3) backhoe loader has satellite monitoring capabilities and comes with 5 years / 6,000 hours warranty. The Caterpillar 432F S2 (Tier 4) option was the highest priced submission and received the third highest evaluation score. The Tier 4 engine is unknown in terms of engine reliability. Council currently run Tier 3 engines within its current fleet with successful outcomes. There is also a 33 week build time on the Tier 4 engine. The Tier 3 engine option is available to Council within 6-8 weeks. The offer of the Caterpillar 432F S2 (Tier 3) backhoe loader was the lowest priced offer and received the highest evaluation score and is recommended by the panel to represent the best value offer to Council.

**JCB Construction Equipment Australia** submitted an offer for the JCB 3CX Elite Backhoe Loader. The engine capacity and environmental features of this machine meet all the requirements outlined in the tender. The JCB 3CX Elite has satellite monitoring capabilities and comes with 5 years / 6,000 hours warranty. The JCB 3CX Elite was the second lowest priced submission and received the second highest evaluation score.

ITEM 4.5 TENDER - SUPPLY AND DELIVERY OF ONE X 4WD BACKHOE LOADER - REGIONAL - A18820994  
(Cont.)

### **3. Strategic Implications**

#### **3.1 Legislative/Legal Implications**

Due to the value of the purchase being greater than \$200,000, a competitive tender process was undertaken through a Local Buy vendor panel arrangement. The tender was called 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: Strong local governance - strong leadership and governance.

#### **3.3 Policy Implications**

These assets 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**

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

#### **3.5 Delegated Authority Implications**

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

#### **3.6 Financial Implications**

The cost to purchase one x Caterpillar 432F S2 (Tier 3) 4wd backhoe loader is within the 2019/20 budget allocation. This acquisition will be debited to project number 102178.

#### **3.7 Economic Benefit**

The purchase of the Caterpillar 432F S2 (Tier 3) 4wd backhoe loader will ensure programs are delivered in line with planned outcomes.

#### **3.8 Environmental Implications**

The recommended backhoe loader engine meets current environmental and Australian standards.

#### **3.9 Social Implications**

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

#### **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.

**5 PARKS, RECREATION & SPORT SESSION**

**(Cr K Winchester)**

**ITEM 5.1  
OUTCOME OF EXPRESSION OF INTEREST - SAMFORD COMMUNITY HUB -  
DIVISION 11**

*Meeting / Session:* 5 PARKS, RECREATION & SPORT  
*Reference:* A18839157 : 17 July 2019 - **Refer Supporting Information A18839158**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

**Executive Summary**

Council called for expressions of interest (EOI) from not-for-profit community organisations to lease the soon to be constructed, Samford Community Hub facility located at Samford Parklands, 2204 Mount Samson Road, Samford Valley (refer Supporting Information #1) under the provision of Council's Community Leasing Policy (2150-079). One application was received and has been assessed.

This report seeks Council's approval to grant a lease to the recommended applicant, being Samford and Districts Progress and Protection Association Inc., following the construction of the Samford Community Hub facility.

**COMMITTEE RECOMMENDATION**

**Moved by Cr Darren Grimwade**

**Seconded by Cr Mike Charlton (Deputy Mayor)**

**CARRIED 11/0**

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

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 recommendation 3, Samford and Districts Progress and Protection Association Inc. be granted a lease over the Samford Community Hub building at 2204 Mount Samson Road, Samford Valley (refer Supporting Information #1) for a period of five 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 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 5.1 OUTCOME OF EXPRESSION OF INTEREST - SAMFORD COMMUNITY HUB - DIVISION 11 - A18839157  
(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 recommendation 3, Samford and Districts Progress and Protection Association Inc. be granted a lease over the Samford Community Hub building at 2204 Mount Samson Road, Samford Valley (refer Supporting Information #1) for a period of five 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 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**

The soon to be constructed Samford Community Hub facility will support a diverse range of community activities and comprise of a community library, shared offices, a kitchen and food distribution centre, amenities and meetings spaces. The development of the facility will also include the removal of uninhabitable former CSIRO buildings and the Samford Council depot, which are surplus to requirements.

Planning for the delivery of the Samford Community Hub is currently in the detailed design stage, with construction scheduled to commence towards the end of 2019 and be completed by mid-2020. Upon completion, the following land tenure and management model will be implemented:

- Head-lessee
  - o One local community organisation will be issued with a lease under the provisions of Council's Community Leasing Policy (2150-079) over the entire building. This organisation will assume all responsibilities associated with the facility, including but not limited to items such as building maintenance, electricity and management of shared / hireable spaces;
- Sub-tenancy agreements
  - o The head-lessee will be required to enter into sub-tenancy agreements with the four pre-determined tenants of the facility: Samford Community Library, Samford Support Network, Pine Rivers Meals on Wheels and Samford RSL Sub-branch. These sub-tenancy agreements will require approval from Council as lessor.

In accordance with Council's Community Leasing Policy, Council may undertake an EOI process to select the most appropriate community organisation to receive tenure over a Council-controlled facility. As such, on 21 June 2019, Council called for EOIs from not-for-profit community organisations to lease the building following its construction.

### **2. Explanation of Item**

One application under the EOI process was received from Samford and Districts Progress and Protection Association Inc. This application was reviewed against the following selection criteria by an assessment panel consisting of senior Council officers:

- facility usage and community benefit;
- facility maintenance and development capacity;
- facility management experience; and
- financial capacity.

*ITEM 5.1 OUTCOME OF EXPRESSION OF INTEREST - SAMFORD COMMUNITY HUB - DIVISION 11 - A18839157  
(Cont.)*

As an outcome of this assessment process, it is recommended that a lease be granted to Samford and Districts Progress and Protection Association Inc. in accordance with the terms and conditions of Council's Community Leasing Policy, for a period of five (5) years. Further, it is proposed that this lease takes effect following the construction of the Samford Community Hub facility.

Samford and Districts Progress and Protection Association Inc.

Established in 1970, Samford and Districts Progress and Protection Association Inc. is a local community organisation with the following objectives:

- to promote civic pride;
- to protect as far as possible the outstanding natural beauty, flora and fauna of Samford Valley and surrounding districts;
- to act as a representative body on behalf of the residents and ratepayers of Samford and Districts and to liaise on their behalf with Government and statutory bodies in matters pertaining to the progress and protection of the Samford Valley and surrounding districts; and
- to promote and support with its funds, the associations, clubs or organisations in the Samford and Districts area, whose objects are principally to meet the needs of the community.

The organisation's community activities vary, but generally include development and distribution of a fortnightly newspaper called 'The Village Pump', conduct of an annual Christmas in the Village event, provision of a biannual grant funding program to support community projects and provision of ongoing financial assistance to several community volunteer organisations within the Samford and district areas.

### **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**

Strengthening Communities: Healthy and supportive communities - a healthy and inclusive community.

#### **3.3 Policy Implications**

The terms and conditions of the proposed lease agreement will be in accordance with Council's Community Leasing Policy (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 4 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.

*ITEM 5.1 OUTCOME OF EXPRESSION OF INTEREST - SAMFORD COMMUNITY HUB - DIVISION 11 - A18839157  
(Cont.)*

3.9 Social Implications

The issuing of a lease to The Samford and Districts Progress and Protection Association Inc. will provide management over the facility to support the sub-lessees and community.

3.10 Consultation / Communication

Councillor Grimwade (Division 11)  
Relevant Council departments

**ITEM 5.2**  
**NEW LEASE - WALLUM ACTION GROUP INC - DIVISION 1**

*Meeting / Session:* 5 PARKS, RECREATION & SPORT  
*Reference:* A18788422: 16 July 2019 - **Refer Supporting Information A18788423**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

**Executive Summary**

This report seeks Council's approval for the provision of a trustee lease (lease) to Wallum Action Group Inc at 208 First Avenue, Bongaree (refer Supporting Information #1).

**COMMITTEE RECOMMENDATION**

**Moved by Cr Brooke Savige**

**Seconded by Cr Julie Greer**

**CARRIED 11/0**

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

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 recommendation 3, Wallum Action Group Inc be granted a lease over an area at 208 First Avenue, Bongaree (refer Supporting Information #1) for a period of five 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 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 - WALLUM ACTION GROUP INC - DIVISION 1 - A18788422 (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 recommendation 3, Wallum Action Group Inc be granted a lease over an area at 208 First Avenue, Bongaree (refer Supporting Information #1) for a period of five 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 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**

Wallum Action Group Inc (the organisation) was established in 1994 and currently occupies the community nursery at 208 First Avenue, Bongaree (refer Supporting Information #1). Since the adoption and implementation of Council's consolidated Community Leasing Policy (2150-079) in 2014, the organisation has operated without formal tenure arrangements being in place.

**2. Explanation of Item**

Following recent discussions between Council officers and group representatives, the Wallum Action Group Inc has confirmed its desire to formalise tenure under the provisions of Council's Community Leasing Policy (2150-079) over its designated area at 208 First Avenue, Bongaree (refer Supporting Information #1).

Accordingly, this report recommends that Council approves the provision of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1. Further, it is recommended that the term of this lease be for a period of five (5) years.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

The proposed lease will be registered with the Department of Natural Resources, Mines and Energy in accordance with the *Land Act 1994*.

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.

**3.3 Policy Implications**

The terms and conditions of the proposed lease agreement will be in accordance with Council's Community Leasing Policy (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 4 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new lease.

*ITEM 5.2 NEW LEASE - WALLUM ACTION GROUP INC - DIVISION 1 - A18788422 (Cont.)*

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 Wallum Action Group Inc will provide the club with facilities to support its operations.

3.10 Consultation / Communication

Councillor Savige (Division 1)  
Relevant Council departments  
Wallum Action Group Inc

**ITEM 5.3**  
**NEW LEASE - BRIBIE ISLAND ORCHID SOCIETY INC - DIVISION 1**

*Meeting / Session:* 5 PARKS, RECREATION & SPORT  
*Reference:* A18796568: 16 July 2019 - **Refer Supporting Information A18796569**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

**Executive Summary**

This report seeks Council's approval for the provision of a trustee lease (lease) to Bribie Island Orchid Society Inc at Bribie Island Recreation Reserve, 156 First Avenue, Bongaree (refer Supporting Information #1).

**COMMITTEE RECOMMENDATION**

**Moved by Cr Brooke Savige**

**Seconded by Cr Adam Hain**

**CARRIED 11/0**

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

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, Bribie Island Orchid Society Inc be granted a lease over an area at 156 First Avenue, Bongaree (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 Bribie Island Orchid Society 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 5.3 NEW LEASE - BRIBIE ISLAND ORCHID SOCIETY INC - DIVISION 1 - A18796568 (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, Bribie Island Orchid Society Inc be granted a lease over an area at 156 First Avenue, Bongaree (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 Bribie Island Orchid Society 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 Bribie Island Orchid Society Inc has held formal tenure over a clubhouse located on part of Lot 67 on SP199934 at 156 First Avenue, Bongaree (refer Supporting Information #1 - Existing Lease Area). The most recent lease entered into with the Club by Council was executed on 1 July 2008 and is due to expire on 30 June 2028.

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**

Following discussions between Council officers and group representatives in June of 2019, the Bribie Island Orchid Society Inc has confirmed its desire to transition to a new lease under the provisions of Council's Community Leasing Policy (2150-079). To enable this transition, the group will be required to surrender its existing lease at this location and enter into a new lease with Council.

Accordingly, it is recommended that Council approves the provision of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1 (Proposed New Lease Area) for a period of five (5) years. This revised lease area reflects the group's current area of occupation. 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 proposed lease will be registered with the Department of Natural Resources, Mines and Energy in accordance with the *Land Act 1994*.

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 5.3 NEW LEASE - BRIBIE ISLAND ORCHID SOCIETY INC - DIVISION 1 - A18796568 (Cont.)*

3.3 Policy Implications

The terms and conditions of the proposed lease agreement will be in accordance with Council's Community Leasing Policy (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 Bribie Island Orchid Society Inc will provide the group with facilities to support its operations.

3.10 Consultation / Communication

Councillor Savige (Division 1)  
Relevant Council departments  
Bribie Island Orchid Society Inc

**6 LIFESTYLE & AMENITY SESSION**

**(Cr D Sims)**

No items for consideration.

**7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION**

**(Cr P Flannery)**

No items for consideration.

**8 REGIONAL INNOVATION**

**(Cr D Grimwade)**

No items for consideration.

## 9 GENERAL BUSINESS

### ITEM 9.1 PLANNING SCHEME REVIEW - REGIONAL (KW)

#### COMMITTEE RECOMMENDATION

Moved by Cr Koliana Winchester

Seconded by Cr James Houghton

CARRIED 11/0

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

**That a future Council workshop be conducted to review the Planning Scheme in relation to local outdoor advertising devices in residential areas.**

### ITEM 9.2 REGIONAL EVENTS (KW)

Cr Koliana Winchester represented the Mayor at the public meeting of the **Fellowship of Australian Writers Queensland** (FAWQ) together with Cr James Houghton on Saturday, 27 July 2019. Cr Winchester noted that the organisation will celebrate their 100-year anniversary in 2021.

Cr Koliana Winchester together with Cr James Houghton attended the **Redcliffe Garden & Lifestyle Expo** on behalf of the Mayor at the Botanic Gardens in Redcliffe on Sunday, 28 July 2019. Cr Winchester noted this was a great day with a large crowd in attendance.

Costa Georgiadis, recipient of the 2019 Most Popular Presenter Logie award was also in attendance and presented at the event.

### ITEM 9.3 NATIONAL TREE PLANTING DAY - REGIONAL (KW & AH)

Cr Koliana Winchester made mention of her attendance at the **National Tree Planting Day** held at Seacrest Avenue, Margate over the weekend. Approximately 1300 plants were planted on the day by a selection of volunteer groups with assistance by the Local Scouts Group.

Cr Adam Hain also made mention of his attendance at the **National Tree Planting Day** held at Caboolture South where 1500 trees were planted in approximately 32 minutes.

#### COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Peter Flannery

CARRIED 11/0

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

**That a Mayoral letter of congratulations be sent to Martin Jonkers Toyota for the successful running of the Caboolture South National Tree Planting event.**

**CLOSED SESSION (Confidential items)**

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

**CLOSED SESSION**

**COMMITTEE RECOMMENDATION**

**Moved by Cr Adam Hain**

**Seconded by Cr Koliana Winchester**

**CARRIED 11/0**

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

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

Members of the press and public gallery left the Chambers.

The closed session commenced at 12.20pm.

Rhys Dennison attended the meeting at 12.20pm for discussion of Item C.1.

**OPEN SESSION**

**COMMITTEE RECOMMENDATION**

**Moved by Cr Adam Hain**

**Seconded by Cr Matt Constance**

**CARRIED 11/0**

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

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

The open session resumed at 12.21pm.

**ITEM C.1 – CONFIDENTIAL**

**ACQUISITION - RAYNBIRD CREEK ROAD, LACEY'S CREEK - DIVISION 11**

**Meeting / Session:** 7 Economic Development, Events & Tourism (Cr P Flannery)  
**Reference:** A18706187: 23 July 2019 - Refer **Confidential** Supporting Information  
A18837740 & A18841786  
**Responsible Officer:** RD, Legal Officer (Legal Services)

**Basis of Confidentiality**

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (f), as the matter involves starting or defending legal proceedings involving the Council.

**Executive Summary**

This report seeks Council's approval to resolve litigation involving the Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Darren Grimwade

Seconded by Cr Peter Flannery

**CARRIED 11/0**

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

1. That Council resolves to settle the litigation referred to in this report on the terms specified in this report.
2. That Council authorises the Chief Executive Officer to do all things necessary to give effect to Recommendation 1.

**CLOSURE**

There being no further business the Chairperson closed the meeting at 12.22pm.