



MINUTES

GENERAL MEETING

Tuesday 24 September 2019
commencing at 10.34am

Strathpine Chambers
220 Gympie Road, Strathpine

ENDORSED GM20191008

4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 24 September 2019 (Pages 19/2089 to 19/2134)

RESOLUTION

Moved by Cr Koliانا Winchester

Seconded by Cr Julie Greer

CARRIED 12/0

That the minutes of the General Meeting held 24 September 2019, be confirmed.

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5. OPENING PRAYER

In the absence of the Mayor, the Deputy Mayor (Cr Mike Charlton) recited the Opening Prayer and invited Councillors to join him in the recitation of the Lord's Prayer.

6. ATTENDANCE & APOLOGIES

Attendance:

Cr Allan Sutherland (Mayor) (Chairperson) was not present when the meeting commenced, however attended when the meeting reconvened later in the day.

Cr Brooke Savage

Cr Peter Flannery

Cr Adam Hain

Cr Julie Greer

Cr James Houghton

Cr Koliana Winchester

Cr Denise Sims

Cr Mick Gillam

Cr Mike Charlton (Deputy Mayor)

Cr Darren Grimwade

Deputy CEO / Director Engineering, Construction
& Maintenance

(Mr Tony Martini)

Director Community & Environmental Services

(Mr Bill Halpin)

Director Planning

(Mr Mike Pickering)

Director Infrastructure Planning

(Mr Andrew Ryan)

Interim Director Finance & Corporate Services

(Mr Bruce Davidson)

Acting Manager Executive Services

(Mr Darren Dallinger)

Meeting Support

(Kim Reid)

Apologies:

Cr Matthew Constance

Suspended:

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

7. MEMORIALS OR CONDOLENCES

Council observed a moment's silence for residents who have passed away.

8. CONFIRMATION OF MINUTES

A) Confirmation of Minutes from Previous General Meeting

General Meeting - 17 September 2019 (Pages 19/2025 - 19/2082)

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Koliana Winchester

CARRIED 10/0

That the minutes of the General Meeting held 17 September 2019, be confirmed.

B) Confirmation of Minutes from Special General Meeting

Special General Meeting - 19 September 2019 (Pages 19/2083 - 19/2088)

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr James Houghton

CARRIED 10/0

That the minutes of the Special General Meeting held 19 September 2019, be confirmed.

9. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

There were no petitions tabled.

10. CORRESPONDENCE

There was no correspondence tabled.

11. COMMUNITY COMMENT

There are no participants in the Community Comment session for this meeting.

12. NOTIFIED MOTIONS

There were no notified motions.

13. NOTICES OF MOTION (Repeal or amendment of resolutions)

(s262 of the Local Government Regulation 2012)

There were no notices of motion.

14. OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)

(as referred by the Chief Executive Officer)

Consideration of officers' reports as referred by the Chief Executive Officer, to be conducted in Sessions.

The Session Chairperson and designated Spokesperson for the respective portfolio, is 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

ATTENDANCE

Mr Darren Dallinger attended the meeting at 10.38am for discussion on Items 1.1 to -1.5 inclusive

1 GOVERNANCE SESSION

(Cr M Charlton - Deputy Mayor)

ITEM 1.1

DISCRETIONARY FUNDS - DIVISION 12 - REGIONAL

Meeting / Session: 1 GOVERNANCE
Reference: A19108466 : 18 September 2019
Responsible Officer: DD, Acting Manager Executive Services (CORP Executive Services)

Executive Summary

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Under section 182A of the *Local Government Act 2009* the Councillor for Division 12, Cr Adrian Raedel, is currently suspended from office and is unable to approve the allocation of discretionary funds. An eligible application for discretionary funds has been received for Division 12 as follows:

- Wheelchair Rugby League Australia (SEQ) in the amount of \$13,000 for the 'English tour Wheelchair Rugby League Mini Series'.

The Department of Local Government, Racing and Multicultural Affairs have advised that in this instance where a Councillor is unable to consider this application for discretionary funds, the funding request should be considered by Council at its General Meeting.

This report seeks Council's direction in relation to the application for discretionary funds from Wheelchair Rugby League Australia (SEQ).

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Adam Hain

CARRIED 10/0

That the application by Wheelchair Rugby League Australia (SEQ) under Council's Discretionary Funds Policy, for the 'English tour Wheelchair Rugby League Mini Series', be approved in the amount of \$3,000 from the Division 12 allocation.

ITEM 1.1 DISCRETIONARY FUNDS - DIVISION 12 - REGIONAL - A19108466 (Cont.)

OFFICER'S RECOMMENDATION

Council direction is required in relation to the application by Wheelchair Rugby League Australia (SEQ) for \$13,000 under Council's Discretionary Funds Policy for the 'English tour Wheelchair Rugby League Mini Series'.

REPORT DETAIL

1. Background

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Unless otherwise approved by Council, each financial year community organisations are eligible to apply for a maximum of \$10,000 and \$3,000 in discretionary funds to the Mayor and Councillors respectively.

Community organisations may apply for discretionary funds to both the Mayor and Councillors up to a maximum of \$13,000 in total each financial year.

2. Explanation of Item

Under section 182A of the *Local Government Act 2009* Cr Adrian Raedel is currently suspended from office and is unable to approve the allocation of discretionary funds.

The Department of Local Government, Racing and Multicultural Affairs have advised that in this instance where a Councillor is unable to consider this application for discretionary funds, the funding request should be considered by Council at its General Meeting.

Council direction is sought in relation to the following eligible application for discretionary funds.

Wheelchair Rugby League Australia (SEQ)

Wheelchair Rugby League Australia (SEQ) has applied for \$13,000 under the Discretionary Funds Policy for the 'English tour Wheelchair Rugby League Mini Series'. The event will provide an opportunity to promote wheelchair rugby league as an inclusive sport that allows athletes with disabilities to compete with and against able-bodied people.

3. Strategic Implications

3.1 Legislative/Legal Implications

There are no legislation/legal implications arising as a direct result 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 Discretionary Funds Policy 2150-101.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Appropriate funds have been provided in the 2019/20 budget and the applications for funding are eligible under the 2019/20 Discretionary Funds guidelines.

ITEM 1.1 DISCRETIONARY FUNDS - DIVISION 12 - REGIONAL - A19108466 (Cont.)

3.7 Economic Benefit

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

Councillors, the Acting Chief Executive Officer, Interim Director Finance and Corporate Services and Acting Manager Executive Services have been consulted in relation to the preparation of this report.

ITEM 1.2 - DECLARATION OF 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 1.2 as Cr Koliana Winchester has previously attended the Pacific Princess Day event as one of the Pacific Princesses.

Cr Koliana Winchester retired from the meeting at 10.50am taking no part in the debate or resolution regarding same.

**ITEM 1.2
DISCRETIONARY FUNDS - BRAMBLE BAY LADIES BOWLS CLUB - DIVISION 6**

Meeting / Session: 1 GOVERNANCE
Reference: A19108369 : 18 September 2019
Responsible Officer: LK, Executive Support Officer (CORP Executive Services)

Executive Summary

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

An eligible application for discretionary funds has been received for Division 6 as follows:

- Bramble Bay Ladies Bowls Club in the amount of \$500 for the annual Pacific Princess Day event.

A perceived conflict of interest has been declared by the Divisional Councillor in relation to this application.

In line with Council's adopted procedure, where an approving Councillor has a real or perceived conflict of interest in a discretionary funds application, the conflicted Councillor may decide to not deal with the application and the application will be brought to Council's General Meeting for determination.

This report seeks Council's direction in relation to this application for discretionary funds from Bramble Bay Ladies Bowls Club.

RESOLUTION

Moved by Cr James Houghton

Seconded by Cr Mick Gillam

CARRIED 9/0

Cr K Winchester had declared a conflict of interest and had left the meeting

That the application by Bramble Bay Ladies Bowls Club under Council's Discretionary Funds Policy, for Pacific Princess Day event, be approved in the amount of \$500 from Division 6 allocation.

ITEM 1.2 DISCRETIONARY FUNDS - BRAMBLE BAY LADIES BOWLS CLUB - DIVISION 6 - A19108369 (Cont.)

OFFICER'S RECOMMENDATION

Council direction is required in relation to the application by Bramble Bay Ladies Bowls Club for \$500 under Council's Discretionary Funds Policy for the Pacific Princess Day event.

REPORT DETAIL

1. Background

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Unless otherwise approved by Council, each financial year community organisations are eligible to apply for a maximum of \$10,000 and \$3,000 in discretionary funds to the Mayor and Councillors respectively.

Community organisations may apply for discretionary funds to both the Mayor and Councillors up to a maximum of \$13,000 in total each financial year.

2. Explanation of Item

In line with Council's adopted procedure, where an approving Councillor has a real or perceived conflict of interest in a discretionary funds application, the conflicted Councillor may decide to not deal with the application and the application will be brought to Council's General Meeting for determination.

A perceived conflict of interest has been declared by the Divisional Councillor in relation to this application.

Council direction is sought in relation to the following eligible application for discretionary funds.

Bramble Bay Ladies Bowls Club

Bramble Bay Ladies Bowls Club has applied for \$500 under the Discretionary Funds Policy in support of an event. This application is for the annual Pacific Princess Day lawn bowling event which the club has hosted for a number of years and provides an opportunity to promote sport and health and well-being within the region.

3. Strategic Implications

3.1 Legislative/Legal Implications

There are no legislation/legal implications arising as a direct result from this report.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Arrangements will be made in accordance with Council's Discretionary Funds Policy 2150-101.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Appropriate funds have been provided in the 2019/20 budget and the application for funding is eligible under the 2019/20 Discretionary Funds guidelines.

3.7 Economic Benefit

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

ITEM 1.2 DISCRETIONARY FUNDS - BRAMBLE BAY LADIES BOWLS CLUB - DIVISION 6 - A19108369 (Cont.)

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

Councillors, the Acting Chief Executive Officer, Interim Director Finance and Corporate Services and Acting Manager Executive Services have been consulted in relation to the preparation of this report.

ATTENDANCE

Cr Koliana Winchester returned to the meeting at 10.53am after Item 1.2.

ITEM 1.3 - DECLARATION OF 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 1.3 as Cr Koliana Winchester is Patron of the Clontarf Beach Scout Group.

Cr Koliana Winchester retired from the meeting at 10.54am taking no part in the debate or resolution regarding same.

ITEM 1.3 DISCRETIONARY FUNDS - SCOUTS AUSTRALIA, QLD BRANCH, REDCLIFFE DISTRICT SCOUTS - DIVISION 5

Meeting / Session: 1 GOVERNANCE
Reference: A19109155 : 18 September 2019
Responsible Officer: LK, Executive Support Officer (CORP Executive Services)

Executive Summary

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

An eligible application for discretionary funds has been received for Division 5 as follows:

- Scouts Australia, Qld Branch, Redcliffe District Scouts in the amount of \$1,650 for the Skillorama event.

The Mayor and Councillors for Divisions 5 and 6 have indicated their willingness to contribute.

A perceived conflict of interest has been declared by the Councillor for Division 6 in relation to this application.

In line with Council's adopted procedure, where an approving Councillor has a real or perceived conflict of interest in a discretionary funds application, the conflicted Councillor may decide to not deal with the application and the application will be brought to Council's General Meeting for determination.

This report seeks Council's direction in relation to this application for discretionary funds from Scouts Australia, Qld Branch, Redcliffe District Scouts.

RESOLUTION

Moved by Cr James Houghton

Seconded by Cr Julie Greer

CARRIED 9/0

Cr K Winchester had declared a conflict of interest and had left the meeting

That the application by Scouts Australia, Qld Branch, Redcliffe District Scouts under Council's Discretionary Funds Policy, for the Skillorama event, be approved in the amount of \$500 from Division 6 allocation.

ITEM 1.3 DISCRETIONARY FUNDS - SCOUTS AUSTRALIA, QLD BRANCH, REDCLIFFE DISTRICT SCOUTS - DIVISION 5 - A19109155 (Cont.)

OFFICER'S RECOMMENDATION

Council direction is required in relation to the application by Scouts Australia, Qld Branch, Redcliffe District Scouts for \$1,650 under Council's Discretionary Funds Policy for the Skillorama event.

REPORT DETAIL

1. Background

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Unless otherwise approved by Council, each financial year community organisations are eligible to apply for a maximum of \$10,000 and \$3,000 in discretionary funds to the Mayor and Councillors respectively.

Community organisations may apply for discretionary funds to both the Mayor and Councillors up to a maximum of \$13,000 in total each financial year.

2. Explanation of Item

In line with Council's adopted procedure, where an approving Councillor has a real or perceived conflict of interest in a discretionary funds application, the conflicted Councillor may decide to not deal with the application and the application will be brought to Council's General Meeting for determination.

A perceived conflict of interest has been declared by the Councillor for Division 6 in relation to this application.

Council direction is sought in relation to the following eligible application for discretionary funds.

Scouts Australia, Qld Branch, Redcliffe District Scouts

Scouts Australia, Qld Branch, Redcliffe District Scouts has applied for \$1,650 under the Discretionary Funds Policy in support of an event. This application is for Skillorama which is an activities-based event held for scouts, guides and friends. Approximately 1000 people attend this event which provides an opportunity for community involvement within the region.

3. Strategic Implications

3.1 Legislative/Legal Implications

There are no legislation/legal implications arising as a direct result from this report.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Arrangements will be made in accordance with Council's Discretionary Funds Policy 2150-101.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Appropriate funds have been provided in the 2019/20 budget and the application for funding is eligible under the 2019/20 Discretionary Funds guidelines.

ITEM 1.3 DISCRETIONARY FUNDS - SCOUTS AUSTRALIA, QLD BRANCH, REDCLIFFE DISTRICT SCOUTS - DIVISION 5 - A19109155 (Cont.)

3.7 Economic Benefit

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

Councillors, the Acting Chief Executive Officer, Interim Director Finance and Corporate Services and Acting Manager Executive Services have been consulted in relation to the preparation of this report.

ATTENDANCE

Cr Koliانا Winchester returned to the meeting at 10.55am after Item 1.3.
Mr Darren Dallingier left the meeting at this time.

ITEM 1.4 - WITHDRAWN
DISCRETIONARY FUNDS - UN DURBA STATE SCHOOL - DIVISION 7

Meeting / Session: 1 GOVERNANCE
Reference: A19109496 : 18 September 2019
Responsible Officer: LK, Executive Support Officer (CORP Executive Services)

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

ITEM 1.5 - WITHDRAWN
DISCRETIONARY FUNDS - UN DURBA STATE SCHOOL - DIVISION 7

Meeting / Session: 1 GOVERNANCE
Reference: A19109646 : 18 September 2019
Responsible Officer: LK, Executive Support Officer (CORP Executive Services)

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

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

No items for consideration.

3 CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

ITEM 4.1

**BUNYA - THE JINKER TRACK - FAUNA CROSSING INFRASTRUCTURE
INSTALLATIONS - DIVISION 10**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19085669 : 10 September 2019 - Refer **Confidential Supporting
Information A19053032**
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Open tenders were invited for the 'Bunya - The Jinker Track - Fauna Crossing Infrastructure Installations (MBRC009009)' project. The tender closed on 4 September 2019 with a total of seven tenders received, six of which were conforming.

It is recommended that Council award the contract to GNB Energy Pty Ltd for the sum of \$269,974.66 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

RESOLUTION

Moved by Cr Darren Grimwade

Seconded by Cr Koliana Winchester

CARRIED 10/0

1. That the tender for the 'Bunya - The Jinker Track - Fauna Crossing Infrastructure Installations (MBRC009009)' project be awarded to GNB Energy Pty Ltd for the sum of \$269,974.66 (excluding GST).
2. That the Council enters into an agreement with GNB Energy Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with GNB Energy Pty Ltd for the 'Bunya - The Jinker Track - Fauna Crossing Infrastructure Installations (MBRC009009)' project and any required variations of the agreement on Council's behalf.

ITEM 4.1 BUNYA - THE JINKER TRACK - FAUNA CROSSING INFRASTRUCTURE INSTALLATIONS - DIVISION 10
- A19085669 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the 'Bunya - The Jinker Track - Fauna Crossing Infrastructure Installations (MBRC009009)' project be awarded to GNB Energy Pty Ltd for the sum of \$269,974.66 (excluding GST).
2. That the Council enters into an agreement with GNB Energy Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with GNB Energy Pty Ltd for the 'Bunya - The Jinker Track - Fauna Crossing Infrastructure Installations (MBRC009009)' project and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

This project is located along the Jinker Track at Bunya, directly adjacent to the Bunyaville Conservation Park.

The project scope involves the construction of six fauna rope bridges including installation of hardwood poles, stay-wires, rope crossing (cables and ropes), rope connections to mature trees and fauna habitat boxes, as well as pavement stencilling. The objective of the project is to improve ecological connectivity within the Bunyaville Conservation Park and increase driver awareness of wildlife on road.

The works are proposed to commence in October 2019 and take 6 weeks to complete, which includes an allowance for wet weather.

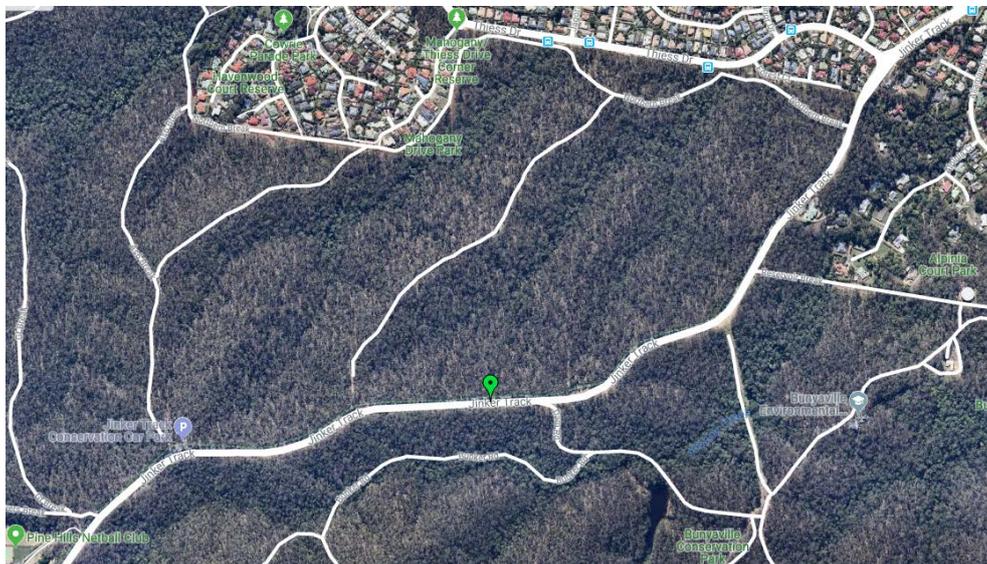


Figure 1 - Section of Jinker Track for fauna crossing location

ITEM 4.1 BUNYA - THE JINKER TRACK - FAUNA CROSSING INFRASTRUCTURE INSTALLATIONS - DIVISION 10
- A19085669 (Cont.)

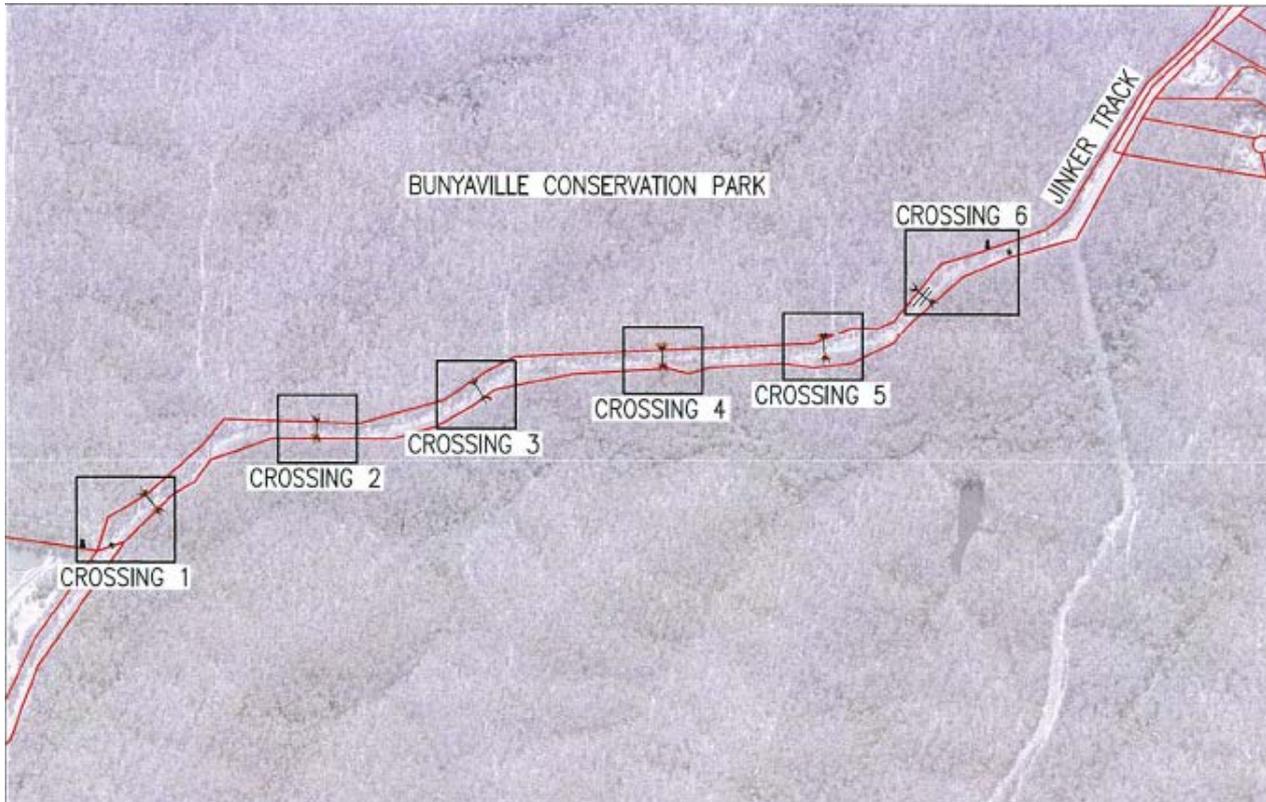


Figure 2 - Individual fauna crossing sites

2. Explanation of Item

Tenderers were invited on the open market for the 'Bunya - The Jinker Track - Fauna Crossing Infrastructure Installations (MBRC009009)' project. The tender closed on 4 September 2019 with a total of seven tenders received, six of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	GNB Energy Pty Ltd	96.52
2	Netting.com.au (alternate 2)	81.76
3	RKC Poles Pty Ltd	81.42
4	Netting.com.au (alternate 1)	78.24
5	Netting.com.au	75.86
6	Australian Marine & Civil Pty Ltd	66.04
7	Top Gun Project Services	Non-conforming

GNB Energy Pty Ltd (GNB) submitted a comprehensive tender. GNB confirmed their capability and methodology to complete the project and have previously undertaken fauna infrastructure works for Brisbane City Council such as Gateway Upgrade North (Boondall) - valued at \$215,000, Green Camp Road Wakerley - valued at \$175,000 and Gateway Upgrade North (Deagon) - valued at \$95,000. The submission by GNB was assessed as providing the best value to Council by the evaluation panel.

ITEM 4.1 BUNYA - THE JINKER TRACK - FAUNA CROSSING INFRASTRUCTURE INSTALLATIONS - DIVISION 10
- A19085669 (Cont.)

Netting.com.au Pty Ltd (Netting) [alternate 2] submitted a comprehensive tender. Netting's submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

RKC Poles Pty Ltd (RKC) submitted a comprehensive tender. RKC's submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

The non-conforming submission did not submit the required tender documentation.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to value of work being greater than \$200,000, Council called for an open tender for the work through LG Tender 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 project has been procured in accordance with the provisions of the following documents:

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

3.4 Risk Management Implications

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

Financial Risks:

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

Construction Risks:

- a. General - The recommended tenderer will provide a program of works, traffic management plan, environment and safety plan and will be required to fence off the areas where construction is being undertaken to meet relevant workplace health and safety requirements as part of the contract, including safe work method statements.
- b. The contractor has provided a program with an allowance (10 days) for weather delays as part of their tendered program.
- c. There are no Development Approvals that impact on these works.

3.5 Delegated Authority Implications

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

ITEM 4.1 BUNYA - THE JINKER TRACK - FAUNA CROSSING INFRASTRUCTURE INSTALLATIONS - DIVISION 10
- A19085669 (Cont.)

3.6 Financial Implications

Council has allocated a total of \$336,965 in Capital funding for this project, with \$31,965 for design in the 18-19 FY and \$305,000 in the 19-20 FY (104810). All prices below are excluding GST.

Design 18-19 FY	\$ 32,503.00
Tender Price (Construction)	\$ 269,974.66
Contingency (10%)	\$ 26,997.47
QLeave	\$ 1,282.38

Total Project Cost	\$ 330,757.51
	=====

Estimated ongoing operational/maintenance costs \$9,000.00 per F/Y.

The budget amount for this project is sufficient.

3.7 Economic Benefit

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

3.8 Environmental Implications

The environmental benefits include safe and ongoing fauna movement opportunities which promote the conservation of native wildlife.

3.9 Social Implications

The social implications include increased safety for road users and increased community awareness regarding wildlife on roads.

3.10 Consultation / Communication

A detailed communications plan has been prepared. Project Notices and project signs will be distributed two weeks prior to any site works. Project notices and project signs will notify nearby residents and pathway users of the works. Weekly email updates will be provided to the Divisional Councillor to inform on progress during the 6-week construction duration. The Divisional Councillor has been consulted and is supportive of the project.

ITEM 4.2

BRAY PARK - SAMSONVALE ROAD - ROAD UPGRADE STAGE 2 - DIVISION 8

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19080114 : 10 September 2019 - Refer **Confidential Supporting Information A19023194**
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited from Council's prequalified Civil Construction Panel for the 'Bray Park - Samsonvale Road - Road Upgrade Stage 2 (MBRC008453/VP154102)' project. The tender closed on 27 August 2019 with a total of eight conforming tenders received.

It is recommended that Council award the contract to Ryan Civil Contracting Pty Ltd for the sum of \$458,369.49 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 10/0

1. That the tender for the 'Bray Park - Samsonvale Road - Road Upgrade Stage 2 (MBRC008453/VP154102)' project be awarded to Ryan Civil Contracting Pty Ltd for the sum of \$458,369.49 (excluding GST).
2. That the Council enters into an agreement with Ryan Civil Contracting Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Ryan Civil Contracting Pty Ltd for the 'Bray Park - Samsonvale Road - Road Upgrade Stage 2 (MBRC008453/VP154102)' project and any required variations of the agreement on Council's behalf.
4. That Council commits to re-providing \$250,000 (unspent funds) from the project's 18-19 FY allocation to the project's 19-20 FY allocation, as part of the awarding of this agreement.

ITEM 4.2 BRAY PARK - SAMSONVALE ROAD - ROAD UPGRADE STAGE 2 - DIVISION 8 - A19080114 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the 'Bray Park - Samsonvale Road - Road Upgrade Stage 2 (MBRC008453/VP154102)' project be awarded to Ryan Civil Contracting Pty Ltd for the sum of \$458,369.49 (excluding GST).
2. That the Council enters into an agreement with Ryan Civil Contracting Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Ryan Civil Contracting Pty Ltd for the 'Bray Park - Samsonvale Road - Road Upgrade Stage 2 (MBRC008453/VP154102)' project and any required variations of the agreement on Council's behalf.
4. That Council commits to re-providing \$250,000 (unspent funds) from the project's 18-19 FY allocation to the project's 19-20 FY allocation, as part of the awarding of this agreement.

REPORT DETAIL

1. Background

This overall project is located on Samsonvale Road, between Dundee Street and Elmwood Drive, Bray Park. The scope of works includes reconstruction of Samsonvale Road, including widening, major drainage work, intersection upgrade at Kentwood Drive and Elmwood Drive, pathway construction, landscaping and street lighting. The project will also include realignment of existing line markings to link cycle facilities along this section of Samsonvale Road.

The major drainage work and service relocations were completed in 2018-19, as stage 1 of this project.

Stage 2 (this contract) includes the widening of Samsonvale Road from two lanes to four traffic lanes, new bus stop, new pedestrian connections, landscaping, fauna infrastructure and associated works including fencing.

Construction is expected to commence in October 2019, pending award and take 11 weeks to complete which includes an allowance for wet weather.

ITEM 4.2 BRAY PARK - SAMSONVALE ROAD - ROAD UPGRADE STAGE 2 - DIVISION 8 - A19080114 (Cont.)



Figure 1: Location of works - Samsonvale Road, Bray Park

2. Explanation of Item

Tenders were invited from Council's prequalified Civil Construction Panel (MBRC008453/VP154102) for the 'Bray Park - Samsonvale Road - Road Upgrade Stage 2' project. The tender closed on 27 August 2019 with a total of eight conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	Ryan Civil Contracting Pty Ltd	97.39
2	Civlec Pty Ltd (trading as GRC Civil)	96.61
3	THD Civil Pty Ltd	92.76
4	Main Constructions Pty Ltd	87.80
5	Gateway Projects Pty Ltd	86.75
6	AllRoads Pty Ltd	84.47
7	Shadforths Civil Pty Ltd (trading as Shadforth)	82.19
8	AllenCon Pty Ltd	80.58

ITEM 4.2 BRAY PARK - SAMSONVALE ROAD - ROAD UPGRADE STAGE 2 - DIVISION 8 - A19080114 (Cont.)

Ryan Civil Contracting Pty Ltd (Ryan Civil) submitted a comprehensive tender. At a tender clarification meeting on 3 September 2019, Ryan Civil confirmed their capability and methodology to complete the project and have previously undertaken works for Council, such as Youngs Crossing Road, Road Rehabilitation - valued at \$900,000; Mewett Street Caboolture Upgrade - valued at \$399,000 and Camelia Avenue Everton Hills Road Rehabilitation - valued at \$1,256,000. The assessment panel evaluated the offer from Ryan Civil as providing the best overall value to Council.

Civlec Pty Ltd T/A GRC Civil (GRC) submitted a comprehensive tender. GRC's submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

THD Civil Pty Ltd (THD) submitted a comprehensive tender. THD's submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to value of work being greater than \$200,000, Council called tenders for the work through the Council's Panel of Prequalified Suppliers - Civil Construction (MBRC008453) 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: Diverse transport options - an integrated regional transport network.

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

Financial Risks:

- a. The tenderers were sourced from the Council's Prequalified Civil Construction Panel (MBRC008453).

Construction Risks:

- d. General - The recommended tenderer will provide a program of works, traffic management plan, environment and safety plan and will be required to fence off the areas where construction is being undertaken to meet relevant workplace health and safety requirements as part of the contract, including safe work method statements.
- e. The contractor has provided a program with an allowance (10 days) for weather delays as part of their tendered program.
- f. There are no Development Approvals that impact on these works.

3.5 Delegated Authority Implications

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

ITEM 4.2 BRAY PARK - SAMSONVALE ROAD - ROAD UPGRADE STAGE 2 - DIVISION 8 - A19080114 (Cont.)

3.6 Financial Implications

Council has allocated a total of \$450,000.00 in Capital funding in the 19-20 FY for stage 2 of this project (101630). It is recommended that \$250,000.00 of unspent project funds from 18-19 FY be re-provided to this project in the 19-20 FY; bringing the total amended sum for stage 2 to \$700,000.00. All financial information associated with this section is exclusive of GST.

Energex relocations	\$ 80,646.21
Unitywater relocations	\$ 105,112.00
Tender Price	\$ 458,369.49
Contingency (10%)	\$ 45,836.95
Qleave (0.475%)	\$ 2,177.26

Total Project Cost	\$ 692,141.91
	=====

Estimated ongoing operational/maintenance costs \$ 2,500.00 per F/Y

For this project to continue, Council must agree to the reprovision of \$250,000.00 in funding from the 18-19 FY to the project in the 19-20 FY.

3.7 Economic Benefit

The project will ensure the road asset is consistent with Council's desired standards of service, reduce maintenance costs and extend the life of the road infrastructure.

3.8 Environmental Implications

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

3.9 Social Implications

The project will improve the safety and operation of this section of Samsonvale Road, Bray Park for users.

3.10 Consultation / Communication

A detailed communications plan has been prepared. Project signs will be implemented four weeks prior to site works. Two variable message boards and project notices will be implemented two weeks prior to site works. Weekly project updates via email will be provided to the Divisional Councillor. The Divisional Councillor has been consulted and is supportive of the project and the consultation plan.

**ITEM 4.3
MORAYFIELD - WALKERS ROAD - PATHWAY IMPROVEMENTS (KOALA DRIVE
TO FENNEL COURT) - DIVISION 3**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19020522 : 29 August 2019 - Refer **Confidential** Supporting Information
A18974404
Responsible Officer: BB, Manager, Project Management (ECM Project Management)

Executive Summary

Tenders were invited from Council's prequalified Civil Construction panel for the 'Morayfield - Walkers Road - Pathway Improvements (Koala Drive to Fennell Court) (MBRC008453/VP142190)', with tenders closing 28 August 2019. A total of two conforming tenders were received.

It is recommended that Council award the contract to Auzcon Pty Ltd for the sum of \$363,000 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Koliana Winchester

CARRIED 10/0

1. That the tender for 'Morayfield - Walkers Road - Pathway Improvements (Koala Drive to Fennell Court) (MBRC008453/VP142190)' project be awarded to Auzcon Pty Ltd for the sum of \$363,000 (excluding GST).
2. That the Council enters into an agreement with Auzcon Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Auzcon Pty Ltd for 'Morayfield - Walkers Road - Pathway Improvements (Koala Drive to Fennell Court) (MBRC008453/VP142190)' and any required variations of the agreement on Council's behalf.
4. That Council commits to an increase of \$105,000 in funding for this project as part of entering into this agreement.

ITEM 4.3 MORAYFIELD - WALKERS ROAD - PATHWAY IMPROVEMENTS (KOALA DRIVE TO FENNEL COURT)
- DIVISION 3 - A19020522 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Morayfield - Walkers Road - Pathway Improvements (Koala Drive to Fennell Court) (MBRC008453/VP142190)' project be awarded to Auzcon Pty Ltd for the sum of \$363,000 (excluding GST).
2. That the Council enters into an agreement with Auzcon Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Auzcon Pty Ltd for 'Morayfield - Walkers Road - Pathway Improvements (Koala Drive to Fennell Court) (MBRC008453/VP142190)' and any required variations of the agreement on Council's behalf.
4. That Council commits to an increase of \$105,000 in funding for this project as part of entering into this agreement.

REPORT DETAIL

1. Background

The project is located on Walkers Road, between Koala Drive and Fennell Court, Morayfield. The project scope includes extending the existing culvert on the northern side of Walkers Road to accommodate a two metre wide pathway. Works also include connection to existing pathways, removal of redundant kerb ramps and the replacement of existing guardrails with new w-beam guardrails and energy absorbing crash barrier terminals. Works also include linemarking modifications to provide bicycle lanes on both sides of Walkers Road.

The project will commence in October 2019, with a construction period of 14 weeks, weather permitting. An allowance for wet weather is included in the construction duration.



Figure 1: Location of works

ITEM 4.3 MORAYFIELD - WALKERS ROAD - PATHWAY IMPROVEMENTS (KOALA DRIVE TO FENNEL COURT)
- DIVISION 3 - A19020522 (Cont.)

2. Explanation of Item

Tenders were invited from Council's prequalified Civil Construction panel for the 'Morayfield - Walkers Road - Pathway improvements (Koala Drive to Fennell Court) (MBRC008453VP142190)'. The tender closed on 28 August 2019, with two conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	Auzcon Pty Ltd	97.07
2	AllenCon Pty Ltd	84.38

Auzcon Pty Ltd (Auzcon) submitted a comprehensive tender. Auzcon confirmed their capability and methodology to complete the project and have previously undertaken works for MBRC such as the Lake Eden Rectification Works - valued at \$700,000; Bibimulya Drain Re-Lining - valued at \$350,000; and Coulthards Creek Drainage Upgrade - valued at \$380,000. At a tender clarification meeting held on 13 September 2019, Auzcon confirmed their previous experience and methodology to manage the works to deliver this type of project. Auzcon's offer was deemed the best overall value for Council by the assessment panel.

AllenCon Pty Ltd (AllenCon) submitted a comprehensive tender. AllenCon's submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

Other contractors on the panel who did not submit a tender for this project were queried as to why they had not tendered on the project. Their advice cited a number of reasons including:

- current workload did not accommodate new projects
- works were outside normal scope of works.

3. Strategic Implications

3.1 Legislative/Legal Implications

A competitive tender process was undertaken 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: Diverse transport options - an integrated regional transport network.

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

Financial Risks:

- a. The tenderers were sourced from Council's Prequalified Civil Construction Panel (MBRC008453).

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

NEW LEASES - JAMES DRYSDALE RESERVE - DIVISION 10

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference A18978008: 19 August 2019 - **Refer Supporting Information A18978010**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of the following trustee leases (leases) at James Drysdale Reserve, 2 Pine Hills Drive, Bunya:

- The Northside Orienteering Club Inc. (Enoggeroo's Orienteering Club) (refer Supporting Information #1 and #2); and
- North Brisbane Mountain Bike Club Inc. (refer Supporting Information #1 and #2).

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Julie Greer

CARRIED 10/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 4, The Northside Orienteering Club Inc. be granted a lease over an area at 2 Pine Hills Drive, Bunya (refer Supporting Information #1 and #2) for a period of five years.
3. That, subject to recommendation 4, North Brisbane Mountain Bike Club Inc. be granted a lease over an area at 2 Pine Hills Drive, Bunya (refer Supporting Information #1 and #2) for a period of five years.
4. That the terms and conditions of these leases be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
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 5.1 NEW LEASES - JAMES DRYSDALE RESERVE - DIVISION 10 - A18978008 (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 4, The Northside Orienteering Club Inc. be granted a lease over an area at 2 Pine Hills Drive, Bunya (refer Supporting Information #1 and #2) for a period of five years.
3. That, subject to recommendation 4, North Brisbane Mountain Bike Club Inc. be granted a lease over an area at 2 Pine Hills Drive, Bunya (refer Supporting Information #1 and #2) for a period of five years.
4. That the terms and conditions of these leases be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
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

Enoggeroo's Orienteering Club

Established for over 35 years, the Enoggeroo's Orienteering Club utilises various bushland and parkland across Moreton Bay Region for its community-based orienteering programs. The club has identified a need for storage of equipment to support the group's operations.

North Brisbane Mountain Bike Club Inc.

Formed in 1995, the North Brisbane Mountain Bike Club Inc. delivers regular social mountain bike rides and events throughout South-East Queensland, in particular within the Bunyaville Conservation Park. Having experienced significant membership growth in recent years, the club has identified a need for the storage of equipment in close proximity to the Bunyaville Conservation Park.

Both the Enoggeroo's Orienteering Club and North Brisbane Mountain Bike Club Inc. have been liaising with Council's Sport and Recreation Unit in relation to their storage needs. Following a review of the storage arrangements at James Drysdale Reserve (2 Pine Hills Drive, Bunya), an opportunity has been identified to provide both clubs with a storage area within an existing community group storage shed (refer Supporting Information #1 & 2).

2. Explanation of Item

Enoggeroo's Orienteering Club and North Brisbane Mountain Bike Club Inc. are both seeking to enter into a lease with Council over vacant areas within the James Drysdale Reserve community group storage shed, for the storage of their club's equipment.

This report recommends that Council approve the provision of a lease to the clubs, over the areas identified in Supporting Information #1 and #2. Further, it is recommended that the terms and conditions of these leases be in accordance with Council's Community Leasing Policy, and for a period of five (5) years.

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.

ITEM 5.1 NEW LEASES - JAMES DRYSDALE RESERVE - DIVISION 10 - A18978008 (Cont.)

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

3.6 Financial Implications

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

3.7 Economic Benefit

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

3.8 Environmental Implications

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

3.9 Social Implications

The issuing of a lease to each organisation will provide the organisations with facilities to support their operations.

3.10 Consultation / Communication

Councillor Constance (Division 10)
Enoggeroo's Orienteering Club
North Brisbane Mountain Bike Club Inc.

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

ITEM 6.1

AGREEMENT - HEALTHY LAND AND WATER LIMITED - REGIONAL

Meeting / Session: 6 LIFESTYLE & AMENITY
Reference: A19006137: 12 September 2019 Refer **Confidential Supporting Information - A19101617**
Responsible Officer: RM, Manager (CES Environmental Services)

Executive Summary

Council is a member of Healthy Land and Water Ltd (HLW) and has previously provided an annual financial contribution to the organisation in exchange for the delivery of services. These services include the delivery of a regional estuarine and freshwater monitoring and reporting program, and community-based waterway education initiatives.

HLW has requested Council enter into a three-year funding agreement (Agreement) to cover the delivery of services for the 2019/20, 2020/21 and 2021/22 financial years. The report recommends that Council authorise the Chief Executive Officer to sign the Agreement between HLW and Moreton Bay Regional Council for delivery of services for the three (3) year period.

Under Section 235(a) of the Local Government Regulation 2012, Local Governments may, by resolution, enter into a large sized contractual arrangement without first inviting written quotes or tenders if the Local Government resolves it is satisfied there is only one supplier who is reasonably available. Healthy Land and Water Ltd is the only supplier available to deliver the services as described in the Agreement.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Julie Greer

CARRIED 10/0

- 1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Healthy Land and Water Ltd is the only supplier who is reasonably available to provide the services described in this report.**
- 2. That the Council enters into an agreement with Healthy Land and Water Ltd as described in this report.**
- 3. That the Chief Executive Officer be authorised to take all action necessary, including, but not limited to, negotiating, making, amending, signing and discharging the agreement with Healthy Land and Water Ltd for services to be provided during the 2019/20, 2020/21 and 2021/22 financial years inclusive and any required variations of the agreement on Council's behalf.**

ITEM 6.1 AGREEMENT - HEALTHY LAND AND WATER LIMITED - REGIONAL - A19006137 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Healthy Land and Water Ltd is the only supplier who is reasonably available to provide the services described in this report.
2. That the Council enters into an agreement with Healthy Land and Water Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including, but not limited to, negotiating, making, amending, signing and discharging the agreement with Healthy Land and Water Ltd for services to be provided during the 2019/20, 2020/21 and 2021/22 financial years inclusive and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

HLW is a not-for-profit, membership-based organisation that has been working to protect and improve waterway and catchment health across South East Queensland since 2001.

Financial members of HLW include South East Queensland Local Governments, water utilities and universities. HLW also receives financial support via grants and sponsorships from the Federal and State Governments.

The partnership with HLW provides an important and unique mechanism to achieve collaboration between government, industry and community stakeholders that are involved in the management of waterways and catchments across South East Queensland.

This partnership provides a consistent and scientifically validated approach to waterway and catchment monitoring and evaluation. In addition, participation in the partnership provides Council and the Moreton Bay community with access to the best available scientific information about regional issues affecting our waterways and their management. There is no other supplier who is reasonably available to provide this unique combination of integrated services to Council.

2. Explanation of Item

HLW has requested Council to enter into a three-year Agreement to facilitate the delivery of services during the 2019/20, 2020/21 and 2021/22 financial years. The Agreement commits Council to provide HLW an annual contribution for delivery of services (refer Confidential Supporting Information #1).

The services include the delivery of a regional estuarine and freshwater monitoring and reporting program, and associated community-based waterway education initiatives. HLW's regional estuarine and freshwater monitoring and reporting program provides a direct benefit to South East Queensland Local Governments and water utilities, as individual entities are not required to separately manage waterway and catchment monitoring and reporting programs.

Participation in the HLW partnership also provides Council with access to waterway and catchment management specialists, including Healthy Land and Water's scientific expert panel. Council can request the scientific expert panel to assist in assessments of strategic, investment and operational decisions that may affect local water quality and ecosystem health, as and when required.

3. Strategic Implications

3.1 Legislative/Legal Implications

Section 235(a) of the Local Government Regulation 2012 states that a local government may enter into a large-sized contractual arrangement without first inviting written quotes or tenders if the local government resolves it is satisfied that there is only one supplier which is reasonably available.

ITEM 6.1 AGREEMENT - HEALTHY LAND AND WATER LIMITED - REGIONAL - A19006137 (Cont.)

The proposed Agreement has been reviewed by Council's Legal Services department, who are satisfied with the proposed terms and conditions.

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications

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

3.4 Risk Management Implications

The Agreement includes clauses outlining the process for termination should Healthy Land and Water be unable to deliver services.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The Agreement commits Council to provide HLW an annual contribution for delivery of services for the 2019/20, 2020/21 and 2021/22 financial years.

The Environmental Services department has funds allocated in its 2019/20 financial year operational budget to fund this year's contribution. Allocations will be required in the 2020/21 and 2021/22 budgets to cover the remaining annual contributions included in the Agreement.

3.7 Economic Benefit

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

3.8 Environmental Implications

The Agreement defines services that HLW will provide, including a comprehensive regional estuarine and freshwater monitoring and reporting program and associated community-based education initiatives.

3.9 Social Implications

Data indicates that waterways play an important role in the daily lives of South East Queensland residents, and that they enjoy a range of wellness benefits from their use.

Communities that have a positive image of their local waterways are more likely to make personal decisions that protect the quality of their waterways. Through the Healthy Land and Water partnership, all levels of government can engage with their local communities about the positive aspects of their waterways and the actions that can be taken to protect and restore them.

3.10 Consultation / Communication

Legal Services

Healthy Land and Water Ltd

**ITEM 6.2
DELEGATION OF POWERS - COMMUNITY GRANT AND INTEREST FREE LOAN
APPROVALS - REGIONAL**

Meeting / Session: 6 LIFESTYLE & AMENITY
Reference: A19103796
Responsible Officer: KF, Team Leader - Community Resources (CES Community Services, Sport & Recreation)

Executive Summary

This report recommends that Council delegate to the Chief Executive Officer its power to approve the following grants and interest free loans awarded to community organisations and individuals under Council's Community Grants Policy (No. 2150-030) and Community Facilities Interest Free Loans Policy (No. 2150-098), as amended from time to time:

- Community Activities Grant;
- Community Facilities Grant;
- Community Organisation Development Grant;
- Community Organisation Equipment Grant;
- Individual Achievement Grant;
- Regional Arts Development Fund; and
- Community Facilities Interest Free Loans.

RESOLUTION

Moved by Cr Julie Greer

Seconded by Cr Koliana Winchester

CARRIED 10/0

1. That pursuant to section 257 of the *Local Government Act 2009* and subject to the conditions specified in recommendation 2, Council delegates to the Chief Executive Officer the power to:
 - a. under section 194 of the *Local Government Regulation 2012*, give the following grants to a community organisation in the public interest and consistent with Council's Community Grants Policy (No. 2150-030) as amended from time to time:
 - i. community activities grant;
 - ii. community facilities grant;
 - iii. community organisation development grant;
 - iv. community organisation equipment grant; and
 - v. regional arts development fund.
 - b. give the following grants to an individual consistent with Council's Community Grants Policy (No. 2150-030) as amended from time to time:
 - i. individual achievement grant; and
 - ii. regional arts development fund.
 - c. provide an interest free loan to a community organisation consistent with Council's Community Facilities Interest Free Loans Policy (No. 2150-098) as amended from time to time.

ITEM 6.2 DELEGATION OF POWERS - COMMUNITY GRANT AND INTEREST FREE LOAN APPROVALS - REGIONAL - A19103796 (Cont.)

2. **The Chief Executive Officer must ensure that there is adequate budgetary allowance to provide the grants and loans referred to in recommendation 1.**

3. **That the Chief Executive Officer be authorised to take all action necessary to give effect to recommendation 1 including, but not limited to, negotiating, making, amending, signing and discharging funding agreements and loan agreements on the Council's behalf.**

ITEM 6.2 DELEGATION OF POWERS - COMMUNITY GRANT AND INTEREST FREE LOAN APPROVALS - REGIONAL - A19103796 (Cont.)

OFFICER'S RECOMMENDATION

1. That pursuant to section 257 of the *Local Government Act 2009* and subject to the conditions specified in recommendation 2, Council delegates to the Chief Executive Officer the power to:
 - a. under section 194 of the *Local Government Regulation 2012*, give the following grants to a community organisation in the public interest and consistent with Council's Community Grants Policy (No. 2150-030) as amended from time to time :
 - i. community activities grant;
 - ii. community facilities grant;
 - iii. community organisation development grant;
 - iv. community organisation equipment grant; and
 - v. regional arts development fund.
 - b. give the following grants to an individual consistent with Council's Community Grants Policy (No. 2150-030) as amended from time to time:
 - i. individual achievement grant; and
 - ii. regional arts development fund.
 - c. provide an interest free loan to a community organisation consistent with Council's Community Facilities Interest Free Loans Policy (No. 2150-098) as amended from time to time.
2. The Chief Executive Officer must ensure that there is adequate budgetary allowance to provide the grants and loans referred to in recommendation 1.
3. That the Chief Executive Officer be authorised to take all action necessary to give effect to recommendation 1 including, but not limited to, negotiating, making, amending, signing and discharging funding agreements and loan agreements on the Council's behalf.

REPORT DETAIL

1. Background

Council's Community Grants Policy (No. 2150-030) and Community Facilities Interest Free Loans Policy (No. 2150-098) provides various funding opportunities to community organisations to support the sustainable delivery of community, cultural, sporting and environmental services to residents of the Moreton Bay Region. In addition, the policy also provides funding opportunities for individuals that have achieved outstanding results in their chosen field, or who are seeking to progress projects that develop or promote arts, culture and/or heritage within the region.

As part of council's commitment to the continuous improvement of its programs and services to residents and organisations within the region, Council has undertaken a review of business processes associated with the assessment and approval of community grants awarded under the above-mentioned policies.

2. Explanation of Item

As an outcome of the recent review of assessment and approval processes associated with Council's community grants and interest free loans programs, an opportunity has been identified to improve the efficiency of the current process through the provision of a delegated authority to the Chief Executive Officer to approve certain grants and interest free loans. This delegation is proposed to apply to the following programs:

- o Community Activities Grant (Community Grants Policy - 2150-030);
- o Community Facilities Grant (Community Grants Policy - 2150-030);
- o Community Organisation Development Grant (Community Grants Policy - 2150-030);
- o Community Organisation Equipment Grant (Community Grants Policy - 2150-030);
- o Individual Achievement Grant (Community Grants Policy - 2150-030);

ITEM 6.2 DELEGATION OF POWERS - COMMUNITY GRANT AND INTEREST FREE LOAN APPROVALS - REGIONAL - A19103796 (Cont.)

- o Regional Arts Development Fund (Community Grants Policy - 2150-030); and
- o Community Facilities Interest Free Loans (Community Facilities Interest Free Loans Policy - 2150-098).

All applications received under the above programs will be subject to the following three-stage assessment process:

1. Pre-eligibility Check
 - All applications are checked to determine applicant and project eligibility, and to ensure that they are complete and/or submitted under the correct program.
2. Panel Assessment
 - Internal assessment panels comprising appropriately skilled and experienced officers assess applications for the following programs:
 - Community Facilities Grant;
 - Community Activities Grant;
 - Community Organisation Development Grant;
 - Community Organisation Equipment Grant;
 - Individual Achievement Grant; and
 - Community Facilities Interest Free Loans.
 - RADF applications are assessed by a panel of assessors comprising of suitably qualified Council officers, and where required, external community representatives.
 - Applications are assessed by the panels against established assessment criteria.
3. Decision Making
 - Assessment scores are totalled within each grant program to provide a ranking of all applications and recommendations for funding.

3. Strategic Implications

3.1 Legislative/Legal Implications

Under section 194 *Local Government Regulation 2012 (LGR)*, Council may only give a grant to a community organisation:

- (a) if it is satisfied that the grant will be used for a purpose that is in the public interest;
- (b) if the community organisation meets the criteria stated in the local government's community grants policy; and
- (c) in a way that's consistent with Council's community grants policy.

Council officers recommend that the CEO be delegated the power to give a grant to a community organisation, but that power will be subject to the same conditions which apply to Council under the LGR (as set out at (a)-(c) above).

Whilst these conditions do not necessarily apply to Council giving grants to individuals, Council officers still recommend that any grant given to individuals by the CEO must be consistent with the Community Grants Policy (which means that the CEO must be satisfied that the individual meets certain criteria, that the individual can only receive a certain number of grants per year etc.).

Pursuant to Sections 60A and 61A of the *Statutory Bodies Financial Arrangements Act 1982*, Council's provision of loans community organisations is undertaken in accordance with the general approval provided to local government to provide loans to community organisations within their local government boundary.

Council officers recommend that the CEO be delegated authority to give loans to community organisations, but only if doing so would be consistent with Council's Community Facilities Interest Free Loans Policy. That policy makes it clear that loans can only be given in circumstances which would benefit residents (i.e. to develop new and to improve existing community facilities in the Region).

ITEM 6.2 DELEGATION OF POWERS - COMMUNITY GRANT AND INTEREST FREE LOAN APPROVALS - REGIONAL - A19103796 (Cont.)

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

This report proposes the delegation of authority to the CEO to give grants consistent with Council's Community Grants Policy (Policy No. 2150-030) and to provide loans consistent with Council's Community Facilities Interest Free Loans Policy (Policy No. 2150-098).

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

In line with Officer's Recommendation 1 of this report, it is proposed that the Chief Executive Officer be delegated power to approve grants and interest free loans under the programs referred to in section 2 of this report (as amended from time to time).

The CEO may sub-delegate these powers to appropriately qualified employees or contractors of the Council under section 259 of the *Local Government Act 2009*.

3.6 Financial Implications

The Chief Executive Officer must ensure that there is adequate budgetary allowance to provide the grants and loans referred to in recommendation 1 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

Council Workshop - 10 September 2019
Director Community and Environmental Services
Manager Community Services, Sport and Recreation
Legal Officer

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION

(Cr P Flannery)

No items for consideration.

8 REGIONAL INNOVATION SESSION

(Cr D Grimwade)

No items for consideration.

15. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

**ITEM 11.1
INSTALLATION OF CCTV CAMERAS AT ANZAC MEMORIAL PARK,
BURPENGARY**

Cr Peter Flannery reported that the ANZAC Memorial Park, Progress Road, Burpengary was heavily vandalised over the preceding weekend.

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr James Houghton

CARRIED 10/0

That Council investigate the installation of CCTV cameras at the “ANZAC Memorial Park” on Progress Road, Burpengary.

**ITEM 11.2
MARGATE REIMAGINED EVENT**

Cr Koliana Winchester reported on her attendance on Saturday, 21 September 2019 at the Margate Reimagined event. Cr Winchester noted the event was initiated and organised by the Owners and Operators of Jumping Goats Bar, Malt'n'Bay Brewing, Tarf Homewares, Soul Harvest Wholefoods and Seaglass Traders.

Cr Winchester mentioned the event had attracted many visitors to Margate and was a great success with many of the activities being held at different locations within the Margate business precinct, except the children's rock paintings which were held at Suttons Beach Park.

**ITEM 11.3
REGIONAL EVENTS**

Cr Koliana Winchester represented the Mayor at the relaunch of **Aquasplash** on Saturday, 21 September 2019. Cr Winchester reported that Council staff did a great job working with the Aquasplash operators to have this facility up and running in time for the school holidays.

**ITEM 11.4
MORETON BAY LIONS, QFA DIVISION 3 PREMIERSHIP**

Cr Adam Hain acknowledged the Moreton Bay Lions win in the 2019 QFA Division 3 Premiership on the preceding weekend in a 64-point win against Wynnum.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Peter Flannery

CARRIED 10/0

That a Certificate of Appreciation be sent on behalf of Cr Peter Flannery and the Mayor to the Moreton Bay Lions Coach for the team's successful year and their win in the 2019 QFA Division 3 Premiership.

16. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

Consideration of confidential officers' reports as referred by the Chief Executive Officer and confidential general business matters as raised at the meeting.

CLOSED SESSION

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Koliana Winchester

CARRIED 10/0

That Council move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Items C.1 to C.3.

Members of the press and public gallery left the Chambers.
The closed session commenced at 11.12am.

OPEN SESSION

RESOLUTION

Moved by Cr Julie Greer

Seconded by Cr James Houghton

CARRIED 10/0

That Council resume in open session and that the following motions be considered.

The open session resumed at 11.28am.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

PROPOSED TELECOMMUNICATIONS LEASE - DIVISION 3

Meeting / Session: *7 Economic Development, Events & Tourism (Cr P Flannery)*
Reference: *A18859032 : 22 July 2019 - Refer Confidential Supporting Information*
A18859034
Responsible Officer: *AS, Property Services Manager (CES Property & Commercial Services)*

Basis of Confidentiality

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

Executive Summary

This report seeks a Council resolution to enter into a lease with Optus Mobile Pty Limited (**Optus**) for the purposes of a telecommunications facility, on the terms outlined in this report.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Adam Hain

CARRIED 10/0

1. That the exception contained in section 236(1)(c)(vi) of the *Local Government Regulation 2012* applies to the Council regarding the disposal of the property referred to in this report.
2. That Optus be granted a lease over part of Lot 4 on SP215588 (property) on the terms outlined in this report.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM C.2 – CONFIDENTIAL

ACQUISITION OF DRAINAGE EASEMENT - CABOOLTURE SOUTH - DIVISION 3

Meeting / Session: 4 Asset Construction & Maintenance (Cr A Hain)

Reference: A19099093 : - 17 September 2019 - Reference Supporting Information
A18837931; A18618807; A16445239; A18846628; A18377574; A16445240;
A16445254; A18377573; A16445242; A16445256; A18377571
A13751874

Responsible Officer: SY, Senior Engineer - Stormwater Planning (IP Drainage, Waterways & Coastal Planning)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (h), as the matter involves other business for which a public discussion would be likely to prejudice the interests of the Council or someone else or enable a person to gain a financial advantage.

Executive Summary

This report recommends that Council consider acquiring an easement for drainage purposes in Caboolture South, as initially brought to Council's attention in February 2017.

The relevant landowner has formally objected to Council's Notice of Intention to Resume, necessitating a formal objection hearing process. A report has been prepared by Council's delegate in relation to the objection hearing.

Council's opinion is sought as to whether, after having considered this report and supporting information (including the delegate's report and the landowner's objections) the easement is required for drainage purposes.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Brooke Savige

CARRIED 10/0

That Council, having duly considered this report and supporting information (including the delegate's report and the landowner's objections) and having formed the opinion that the easement referred to in this confidential report (Easement) is required for drainage purposes, delegates to the Chief Executive Officer the power to:

- a) apply to the Minister for Natural Resources, Mines and Energy to take the Easement for drainage purposes under section 9 of the *Acquisition of Land Act 1967 (Qld)* (Act);
- b) do all things that are necessary to give effect to the taking of the Easement; and
- c) settle any claims for compensation arising from the taking of the Easement.

ITEM C.3 – CONFIDENTIAL
PROPERTY ACQUISITIONS – FERNY HILLS - DIVISION 10

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18990259 : 22 August 2019 - Refer Confidential Supporting Information
A18993944, A19109268
Responsible Officer: AS, A/Property Services Manager (CES Property & Commercial Services)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (h), as the matter involves other business for which a public discussion would be likely to prejudice the interests of the Council or someone else, or enable a person to gain a financial advantage.

Executive Summary

This report seeks Council's approval to proceed to acquire land for road purposes to facilitate the provision of a future intersection improvement.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Julie Greer

CARRIED 10/0

That Council:

1. delegates to the Chief Executive Officer the power to negotiate and finalise the purchase of the properties described in this confidential report (Land);
2. failing a negotiated purchase of the Land on terms satisfactory to the Chief Executive Officer, delegates the power to the Chief Executive Officer to take the Land for road purposes by way of compulsory acquisition in accordance with the requirements of the *Acquisition of Land Act 1967* (Act) which includes, without limitation, the power to prepare, serve and amend a notice of intention to resume;
3. if no objections are received, delegates the power to the Chief Executive Officer to make an application to the Minister for Natural Resources, Mines and Energy to take the Land under section 9 of the Act;
4. delegates authority to the Chief Executive Officer to settle the claims for compensation if the Land is compulsorily acquired; and
5. authorises the Chief Executive Officer to do all other things that are necessary to give effect to the taking of the Land.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

ADJOURNMENT

The meeting adjourned at 11.31am to await Mayor's attendance.

The Mayor attended during the adjournment and resumed the Chair when the meeting reconvened.

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Adam Hain

CARRIED 11/0

That the General Meeting be reconvened.

The meeting resumed at 3.24pm.

17. CLOSURE

There being no further business the meeting closed at 3.25pm.

CERTIFICATE ON BEHALF OF THE ACTING CHIEF EXECUTIVE OFFICER

I certify that minute pages numbered 19/2089 to 19/2134 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 24 September 2019.

Anthony Martini
Deputy Chief Executive Officer / Director Engineering, Construction and Maintenance

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 8 October 2019.

Graeme Kanofski
Acting Chief Executive Officer

Councillor Allan Sutherland
Mayor