



AGENDA

GENERAL MEETING

Wednesday 24 June 2020

commencing at 9.30am

Caboolture Chambers
2 Hasking Street, Caboolture

Pursuant to section 277E of the Local Government Regulation 2012 it is considered not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19

Accordingly, this meeting is physically closed to the public.
However, will be live-streamed via a link on Council's website
(access to the link will be available immediately prior to the meeting)

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Wednesday 24 June 2020 commencing at 9.30am in Caboolture Chambers, 2 Hasking Street, Caboolture to give consideration to the matters listed on this agenda.

Greg Chemello
Chief Executive Officer

18 June 2020

Membership = 13
Mayor and all Councillors

Quorum = 7

[Agenda for public distribution](#)

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1. ACKNOWLEDGEMENT OF COUNTRY

Mayor to provide the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Mayor to provide the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

Cr Peter Flannery (Mayor) (Chairperson)

Apologies:

4. MEMORIALS OR CONDOLENCES

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

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 10 June 2020 (Pages 20/867 - 20/1133)

RESOLUTION that the minutes of the General Meeting held 10 June 2020, be confirmed.

Attachment #1 Unconfirmed Minutes - General Meeting 10 June 2020

5. B) ADOPTION OF AUDIT COMMITTEE MEETING REPORT & RECOMMENDATIONS

Audit Committee Meeting - 15 June 2020 (Pages 20/1134 - 20/1143)

RESOLUTION that the report and recommendations of the Audit Committee Meeting held 15 June 2020, be adopted.

Attachment #2 Unconfirmed Report & Recommendations - Audit Committee Meeting 15 June 2020

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

Receipt of petitions addressed to the Council and tabled by Councillors.

7. CORRESPONDENCE

Receipt of correspondence addressed to the Council and tabled by the Chief Executive Officer.

8. DEPUTATIONS / COMMUNITY COMMENT

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

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

(s262 of the Local Government Regulation 2012)

Consideration of any notice of motion to repeal or amend a resolution of the Council which is to be given to each Councillor at least 5 days before the meeting at which the proposal is to be made.

10. 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 appointed Portfolio Councillor will facilitate the conduct of the respective session under the control of the Mayor as the Presiding Officer.

Session	Portfolio Councillor	Deputy Portfolio Councillor
1 Governance & Engagement	Cr P Flannery (Mayor)	Cr D Sims (Deputy Mayor)
2 Infrastructure Planning	Cr A Hain	C T Latter
3 Engineering, Construction & Maintenance	Cr B Savige	Cr C Tonks
4 Planning	Cr D Grimwade	Cr K Winchester / Cr M Booth
5 Community & Environmental Services	Cr M Gillam	Cr S Ruck
6 Finance & Corporate Services	Cr M Constance	Cr J Shipway

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

Declarations of interest statement

The Mayor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 1.1

COUNCILLOR REPRESENTATION - STATE, REGIONAL & LOCAL GROUPS AND COMMITTEES

*Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20102050 : 2 June 2020 - Refer Supporting Information A20116046
Responsible Officer: KC, Team Leader Meeting Support (CEOs Office)*

Executive Summary

This report seeks consideration of suggested Councillor representation to State, Regional and Local Groups and Advisory Committees (organisations).

OFFICER'S RECOMMENDATION

That Council appoint the representatives to the Organisations as set out in supporting information #1.

ITEM 1.1 COUNCILLOR REPRESENTATION - STATE, REGIONAL & LOCAL GROUPS AND COMMITTEES - A20102050 (Cont.)

REPORT DETAIL

1. Background

Council is a member of, or is representative to, numerous groups, management groups and advisory committees.

Following each quadrennial local government election, it is appropriate for Councillor representation to be nominated to these respective organisations, and where applicable for those Councillors to attend the annual conference.

The list provided in supporting information #1 is not exhaustive and Councillor feedback will be sought as new organisations arise.

A Council briefing was conducted on 10 June 2020 to enable further explanation/clarification to be provided to the Council on the matter and for representation to be considered.

2. Explanation of Item

In preparing this report, advice was sought from the Mayor and Councillors in relation to which organisations they wish to be a representative on and the list has been prepared with those preferences included.

With regard to the organisations listed below, the Councillor representatives to these organisations will generally also be Council's delegates to the respective annual conferences:

- a) Local Government Association of Queensland (LGAQ);
- b) Australian Local Government Association (ALGA); and
- c) Australian Local Government Womens' Association (ALGWA).

Likewise, Councillor representatives to the Moreton Bay District Disaster Management Group should also attend the annual LGAQ Disaster Management Conference.

It should be noted that when information is received in relation to Annual Conferences these will be reported to Council for consideration as to whether it requires additional attendees/observers at these Conferences in accordance with Council's Conference, Seminar, Study Tour & Travel Policy 2150-016.

In relation to local groups, management groups and advisory committees (as identified on the attached list), the Divisional Councillor is generally nominated where directly associated with a specific Division.

In addition to the above, there are a number of Council-owned facilities which are managed by Hall/Centre Management Committees. It is normal practice that these Management Committees are notified of their respective Divisional Councillor, and although there is no specific requirement for Councillor representation on the Committee, the Councillor is generally invited to attend the Management Committee's Annual General Meeting.

The LGAQ normally establish Reference Groups relating to specific topics to which Council representatives are nominated. Nominations have been suggested to the reference groups that are known (as identified on the attached list), however these groups are the subject of review by the LGAQ and further Council feedback may be sought should other groups be established and/or these groups become inactive.

ITEM 1.1 COUNCILLOR REPRESENTATION - STATE, REGIONAL & LOCAL GROUPS AND COMMITTEES - A20102050 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

Councillor representation and associated conference attendance is approved in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Councillor representation and associated conference attendance is approved in accordance with relevant Policies.

3.4 Risk Management Implications

Membership and attendance at the respective forums keeps Council abreast of current and future happenings occurring at local, State and Federal level.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Funds for membership fees and Conference attendance has been provided in the annual budget

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Mayor and Councillors have been consulted on these representations.

SUPPORTING INFORMATION

Ref: [A20116046](#)

The following list of supporting information is provided for:

ITEM 1.1

COUNCILLOR REPRESENTATION - STATE, REGIONAL & LOCAL GROUPS AND COMMITTEES

#1 List of Councillor Representation - Nominations

ITEM 1.2
GOVERNANCE AND INTEGRITY PROGRAM AND POLICY FRAMEWORK

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20141621 : 10 June 2020 - **Refer Supporting Information A19793630 and A20024431**
Responsible Officer: Darren Dallinger, Manager Executive Services (FCS Executive Services)

Executive Summary

The purpose of this Report is to present a Moreton Bay Regional Council (MBRC) Governance and Integrity Program, and a revised Policy Framework for Council consideration (refer to supporting documentation #1 and #2).

The aim of the MBRC Governance and Integrity Program is to:

- ensure an enduring relationship of trust and confidence between Council, the local community, Government and regulatory agencies;
- ensure that Council is effectively representing the local community, making good decisions, and delivering responsive local government services in the best possible way; and
- is consistently delivering this standard of performance to residents of the Moreton Bay region.

The revised Policy Framework aims to facilitate good governance, transparent and inclusive decision making by providing a consistent approach to policy development and management across the organisation.

OFFICER'S RECOMMENDATION

That the Governance and Integrity Program and the revised Policy Framework be adopted.

ITEM 1.2 GOVERNANCE AND INTEGRITY PROGRAM AND POLICY FRAMEWORK - A20141621 (Cont.)

REPORT DETAIL

1. Background

In an organisational review conducted in September 2019, it was recommended that Council conduct a comprehensive review of its governance framework and develop an improved model for identifying and integrating governance functions. The Governance and Integrity Program and revised Policy Framework have been developed in response to this recommendation.

A Council briefing was conducted on 3 June 2020 to enable further explanation/clarification to be provided to the Council on the matter. In line with Council's decision-making framework, an extract of the minutes of the briefing is provided below:

3 June 2020 - The CEO noted the way forward:

It was noted for an implementation strategy to be included in this report and that it be included going forward in reports to Council when considering the adoption of policies.

It was noted the Governance and Integrity Program and Policy Framework will be tabled at the next General meeting for consideration of adoption.

2. Explanation of Item

Governance and Integrity Program

Good governance includes having effective structures, systems, processes, procedures, and culture in place to ensure Council properly fulfils its purpose as a public authority, and is compliant with all relevant legislation. The Governance and Integrity Program will assist Council to deliver good governance by providing a framework for governance and integrity initiatives.

The Governance and Integrity Program defines the characteristics of good governance for Moreton Bay Regional Council, and establishes an integrated governance framework made up of the following seven elements:

1. Meaningful community engagement
2. Transparent and effective decision making in the public interest
3. Socially inclusive decision making
4. Sustainable asset management and responsive service delivery
5. Proactive management of corporate risks and opportunities
6. Innovation and continuous improvement
7. Ethical and legal conduct by Councillors and employees

Each of the Framework's elements is further linked to standards and focus areas that will enable Council to proactively deliver, identify and report on governance and integrity initiatives.

Revised Policy Framework

The revised Policy Framework will improve the flow of information to Council to support policy decisions, enable Council to focus on policies of a strategic nature, and provide opportunity for Council to consider a broader range of community views when appropriate. The revised Policy Framework provides for a number of changes to policy development and management across Council.

Key changes under the revised policy framework include:

- the separation of Council policy which is *strategic* and *public* in nature from *operational* policy matters in a revised policy hierarchy;
- providing for the Chief Executive Officer to adopt operational directives, in accordance with the responsibilities of the CEO under the *Local Government Act 2009*;
- introducing standard four-year policy review periods and sunset clauses where possible; and
- introducing community and stakeholder consultation for policies when appropriate.

ITEM 1.2 GOVERNANCE AND INTEGRITY PROGRAM AND POLICY FRAMEWORK - A20141621 (Cont.)

Implementation strategy

Work is underway to embed the Governance and Integrity Framework across Council through the following projects that have either been completed or are in progress:

- adoption of a new Council decision making framework incorporating meeting procedures and standing orders;
- review of the internal audit framework and function;
- update of acceptable requests guidelines for Councillors;
- review of Council's fraud and corruption risk control arrangements; and
- review of Council's enterprise risk management framework.

The following projects are further planned for commencement and/or delivery in 2020-21:

- renewal of the 5-year Corporate Plan;
- review of key governance policies and operational directives; and
- review of the complaints management framework.

These projects have been selected and prioritised by Council officers in response to recommendations from the organisational review. Each of these projects will have associated implementation strategies including stakeholder engagement, training and development activities and communication plans.

The revised Policy Framework will be implemented over 2020-21 via a subsequent briefing to Council with recommendations for policies which may be:

- rescinded and potentially replaced with lower order instruments (e.g. guidelines);
- rescinded and replaced with an operational directive which can be approved by the CEO; or
- prioritised for review in 2020-21.

Policies which are proposed to remain Council policies will then be gradually brought into line with the new framework when their review periods are reached. The framework will be available to all officers via Council's intranet and targeted training and development activities will be provided to policy owners as required.

3. Strategic Implications

3.1 Legislative / Legal Implications

Both the Governance and Integrity Program and the revised Policy Framework are aligned with the local government principles defined in section 4(2) of the *Local Government Act 2009*.

The *Local Government Act 2009* further distinguishes between the role of the Council to focus on policy development and strategic delivery of services in the public interest, and the role of the Chief Executive Officer in overseeing the internal operation of a local government. This is clearly reflected in the Policy Framework.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Following Council's consideration of the revised Policy Framework, all Council policies will require review in line with the implementation strategy outline above. In addition, key governance policies will also be reviewed as part of Council's implementation of the Governance and Integrity Program.

3.4 Risk Management Implications

As part of the Governance and Integrity Program, a review of Council's enterprise risk management framework has commenced with the goal of aligning it with AS/NZ ISO 31000:2018.

3.5 Delegated Authority Implications

Nil identified

ITEM 1.2 GOVERNANCE AND INTEGRITY PROGRAM AND POLICY FRAMEWORK - A20141621 (Cont.)

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

It is anticipated that the Governance and Integrity Program and Policy Framework will have a positive community effect by clearly articulating how Council delivers its commitment to strong local governance and increasing participation in the policy-making process via introducing community consultation on Council policies when appropriate.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

The CEO and EMT have been consulted in the development of the Governance and Integrity Program and the revised Policy Framework.

SUPPORTING INFORMATION

Ref: [A19793630](#) and [A20024431](#)

The following list of supporting information is provided for:

ITEM 1.2

GOVERNANCE AND INTEGRITY PROGRAM AND POLICY FRAMEWORK

#1 Governance and Integrity Program

#2 Policy Framework

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

No items for consideration.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 3.1

TENDER - SUPPLY AND DELIVERY OF ONE X 23 TONNE WATER TANKER

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20015056: 11 May 2020 - Refer **Confidential Supporting Information A19991493**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 23 tonne water tanker (HF02.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with five conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 23 tonne water tanker be awarded to Brisbane Isuzu for the supply of one x Isuzu FXZ240 chassis with Felco water tanker body for the sum of \$292,972.50 excl. GST, as this offer represents the best overall value for Council.

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 23 tonne water tanker (HF02.20) be awarded to Brisbane Isuzu for the supply of one x Isuzu FXZ240 chassis with Felco water tanker body for the sum of \$292,972.50 (excluding GST).
2. That the Council enters into an agreement with Brisbane Isuzu 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 Brisbane Isuzu for the supply and delivery of one x Isuzu FXZ240 chassis and Felco water tanker body and any required variations of the agreement on Council's behalf.

ITEM 3.1 TENDER - SUPPLY AND DELIVERY OF ONE X 23 TONNE WATER TANKER - A20015056 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of one x 23 tonne water tanker (HF02.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with five conforming submissions received.

The water tanker truck is utilised within the construction section of Asset Maintenance. The optimum replacement period for these assets is 8 years / 180,000kms, which has been reached on the current asset.

2. Explanation of Item

Council received five 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Brisbane Isuzu - Isuzu FXZ240 - Felco	99.49
2	Brisbane Isuzu - Isuzu FXZ240 - Peak Engineering	98.73
3	James Frizelle's Automotive Group - Isuzu FXZ240 - Felco	97.42
4	Brisbane Isuzu - Isuzu FXZ240 - Allquip Water Trucks	96.57
5	James Frizelle's Automotive Group - Isuzu FXZ240 - Peak Engineering	96.21

Brisbane Isuzu (BI) - submitted an offer for the Isuzu FXZ240 chassis with body options from three body builders, Felco, Peak Engineering and Allquip Water Trucks. The offer for the Isuzu FXZ240 chassis meets all requirements outlined in the tender specification and has sufficient power and torque for the cartage of water. The Isuzu FXZ240 chassis has 5 years / 250,000 kms / 4,000 hours warranty. All three body options offered are suitable and meet the requirements outlined in the tender documentation. The tender submission from BI for the Felco body was the only submission to contain an accurate, detailed axle loading chart as requested in the tender specification. The Felco water tank body comes with 10 years warranty. The offer from BI for the Isuzu FXZ240 fitted with the Felco body option was the second lowest priced option however received the highest evaluation score and was deemed best value to Council.

The body options from Peak Engineering and Allquip Water Trucks, while suitable, however, did not provide a detailed axle loading weight chart as requested. These offers were ranked second and fourth in the evaluation scores and therefore not deemed best value to Council.

James Frizelle's Automotive Group (JFA) - submitted an offer for the Isuzu FXZ240 chassis with body options from two body builders, Felco and Peak Engineering. The submission for the Isuzu FXZ240 chassis meets all requirements outlined in the tender specification and has sufficient power and torque for the cartage of water. The Isuzu FXZ240 chassis has 5 years / 250,000 kms / 4,000 hours warranty. Both body options offered are suitable and meet the requirements outlined in the tender documentation, however did not include an accurate axle load chart as requested in the tender. While the offer from JFA for the Isuzu FXZ240 chassis fitted with the Felco water tank was the lowest priced offer received, it only received the third highest evaluation score due to the absence of the load chart.

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*.

ITEM 3.1 TENDER - SUPPLY AND DELIVERY OF ONE X 23 TONNE WATER TANKER - A20015056 (Cont.)

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release. However, it is noted that the recommended tenderer of this report is a local business within the Moreton Bay region.

3.4 Risk Management Implications

The recommended tenderer has advised that there are no foreseen circumstances, including COVID-19 that prevent the supply of the tendered item of plant.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply of one x Isuzu FXZ240 chassis with Felco water tanker body is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 292,972.50

Total Project Cost	\$ 292,972.50
	=====

3.7 Economic Benefit

The purchase of the 23 tonne water tanker will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Isuzu truck engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: [A19793630](#) and [A20024431](#)

The following list of supporting information is provided for:

ITEM 3.1

TENDER - SUPPLY AND DELIVERY OF ONE X 23 TONNE WATER TANKER

Confidential #1 Tender Evaluation

ITEM 3.2

TENDER - SUPPLY AND DELIVERY OF ONE X 350HP 23 TONNE TIPPER TRUCK

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20015219: 11 May 2020 - Refer **Confidential Supporting Information A19997315**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 350hp 23 tonne tipper truck (HF03.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with five conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 350hp 23 tonne tipper truck (HF03.20) be awarded to James Frizelle's Automotive Group for the supply of one x Isuzu FXZ240 chassis with custom truck bodies body for the sum of \$209,998.64 (excl. GST), as this offer represents the best overall value for Council.

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 350hp 23 tonne tipper truck (HF03.20) be awarded to James Frizelle's Automotive Group for the supply of one x Isuzu FXZ240 chassis with Custom Truck Bodies body for the sum of \$209,998.64 (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 and delivery of one x Isuzu FXZ240 chassis with Custom Truck Bodies body and any required variations of the agreement on Council's behalf.

ITEM 3.2 TENDER - SUPPLY AND DELIVERY OF ONE X 350HP 23 TONNE TIPPER TRUCK - A20015219 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of one x 350hp 23 tonne tipper truck (HF03.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with five conforming submissions received.

This tipper truck is utilised within the construction section of Asset Maintenance. The optimum replacement period for these assets is 8 years / 200,000kms, which has been reached on the current asset.

2. Explanation of Item

Council received five 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	James Frizelle's Automotive - Isuzu FXZ240 - Custom Truck Bodies	100.00
2	Brisbane Isuzu - Isuzu FXZ240 - Custom Truck Bodies	99.17
3	Brisbane Isuzu - Isuzu FXZ240 - Lift Industries	94.37
4	James Frizelle's Automotive - Isuzu FXZ240 - Lift Industries	93.36
5	Brisbane Isuzu - Isuzu FXZ240 - MRF Motor Bodies	92.14

James Frizelle's Automotive Group ('JFA') - submitted an offer for an Isuzu FXZ240 chassis with body options from Custom Truck Bodies and Lift Industries. The Isuzu chassis offered meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FXZ240 chassis comes with 5 years / 250,000 kms / 4,000 hours warranty. All body options offered meet the specifications outlined in the tender documentation. The offer from JFA for the Isuzu FXZ240 chassis fitted with the Custom Truck Bodies body was the lowest priced offer and received the highest evaluation score and was deemed best value to Council and is the recommendation of this report.

Brisbane Isuzu ('BI') - submitted an offer for an Isuzu FXZ240 chassis with body options from three body builders, Custom Truck Bodies, Lift Industries and MRF Motor Bodies. The chassis and body options offered all met the requirement in the tender specification. The offer from BI for the Isuzu chassis with the Custom Truck Bodies body was the second lowest priced and received the second highest evaluation score and was not deemed best value to Council.

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.

ITEM 3.2 TENDER - SUPPLY AND DELIVERY OF ONE X 350HP 23 TONNE TIPPER TRUCK - A20015219 (Cont.)

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

The recommended tenderer has advised that there are no foreseen circumstances affecting the supply of the tendered item, including COVID-19.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Isuzu FXZ240 chassis with custom truck bodies body is within the 2020-21 budget allocation. These acquisitions will be debited to project number 102178.

Tender Price	\$ 209,998.64
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Total Project Cost	\$ 209,998.64
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3.7 Economic Benefit

The purchase of the Isuzu FXZ 240 350hp 23 tonne tipper truck will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Isuzu chassis engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: A19997315

The following list of supporting information is provided for:

ITEM 3.2

TENDER - SUPPLY AND DELIVERY OF ONE X 350HP 23 TONNE TIPPER TRUCK

Confidential #1 Tender Evaluation

ITEM 3.3

TENDER - SUPPLY AND DELIVERY OF ONE X 450HP 23 TONNE TIPPER TRUCK

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20016248: 11 May 2020 - Refer **Confidential Supporting Information A19991495**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 450hp 23 tonne tipping truck (HF04.20) through vendor panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with eleven conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 450hp 23 tonne tipping truck (HF04.20) be awarded to Daimler Trucks Brisbane for the supply and delivery of one x Fuso FV70H chassis with Custom Truck Bodies body for the sum of \$218,809 excl. GST, as this offer represents the best overall value for Council.

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 450hp 23 tonne tipping truck (HF04.20) be awarded to Daimler Trucks Brisbane for the supply and delivery of one x Fuso FV70H chassis with Custom Truck Bodies body for the sum of \$218,809 excluding GST.
2. That the Council enters into an agreement with Daimler Trucks Brisbane 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 Daimler Trucks Brisbane for the supply and delivery of one x Fuso FV70H chassis with Custom Truck Bodies body and any required variations of the agreement on Council's behalf.

ITEM 3.3 TENDER - SUPPLY AND DELIVERY OF ONE X 450HP 23 TONNE TIPPER TRUCK - A20016248 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of one x 450hp 23 tonne tipping truck (HF04.20) through vendor panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with eleven conforming submissions received.

The tipper truck is utilised within the Roads and Drains section of Asset Maintenance, assisting in the road grading of unsealed roads across the region. The increased horse power of this truck is required to navigate the rural areas of Council's network. The optimum replacement period for these assets is 8 years / 200,000kms, which has been reached on the current asset.

2. Explanation of Item

Council received eleven 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Daimler Trucks - Fuso FV70H - Custom Truck Bodies	95.75
2	Brisbane Isuzu - Isuzu CXZ240-460 - Custom Truck Bodies	95.12
3	James Frizelle's Automotive - FXZ240 - Custom Truck Bodies	92.71
4	Sci Fleet Hino - Hino FS2844 - MRF Motor Bodies	92.64
5	Daimler Trucks - Fuso FV70H - Lift Industries	91.20
6	Brisbane Isuzu - Isuzu CXZ240-460 - Lift Industries	90.69
7	Brisbane Isuzu - Isuzu CXZ240-460 - MRF Motor Bodies	88.44
8	Daimler Trucks - Fuso FV70H - MRF Motor Bodies	87.77
9	Sci Fleet Hino - Hino FS2844 - Lift Industries	87.43
10	James Frizelle's Automotive - Isuzu FXZ240 - Lift Industries	86.48
11	Sci Fleet Hino - Hino FS2844 - Custom Truck Bodies	84.86

Daimler Trucks Brisbane ('DTB') - submitted an offer for the Fuso FV70H chassis with body options from three body builders, Lift Industries, Custom Truck Bodies and MRF Motor Bodies. The Fuso FV70 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Fuso FV70H offers superior safety and drivability features such as a 3-stage engine retarder, EBD (Electronic brake Force distribution) EBS, Active Attention Assist, Active Emergency Braking, Adaptive Cruise Control, ASR (Anti Slip Regulator), ESP (Electronic Stability Program), Lane Departure Warning and side blind detection. GPS navigation is part of the media package with 3 years free map upgrades. The advanced safety features of this offer supports the operation of this truck in the rural areas of Council's Network. The Fuso FV70 chassis comes with 5 years / 500,000 kms / unlimited hours warranty.

All three bodies offered by DTB are suitable and meet the requirements set out in the tender specifications. The offer for the Fuso FV70H fitted with the body from Custom Truck Body received the highest evaluation score, while this offer was not the lowest price, it is however deemed best value to Council and the recommendation of this report.

ITEM 3.3 TENDER - SUPPLY AND DELIVERY OF ONE X 450HP 23 TONNE TIPPER TRUCK - A20016248 (Cont.)

Brisbane Isuzu ('BI') - submitted an offer for an Isuzu CXZ240 chassis with body options from three body builders, Lift Industries, MRF Motor Bodies and Custom Truck Bodies. The Isuzu CXZ240 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu CXZ240 comes with 3 years / 500,000 kms warranty on the chassis and 5 years / 750,000 kms /10,000 hours warranty on the engine component engine warranty, the Isuzu CXZ240 also has 3 years roadside assistance coverage. All three body options offered meet the requirements set out in the tender documentation. The offer from BI for the Isuzu CXZ240 fitted with the Custom Truck Bodies body was the lowest priced offer received, however the Isuzu CXZ240 does not offer the same level of advanced safety features as the Fuso FV70H chassis, which resulted in the Isuzu receiving a lower evaluation score.

James Frizelle's Automotive Group ('JFA') - submitted an offer for an Isuzu FXZ240 chassis with body options from two body builders, Lift Industries and Custom Truck Bodies. The Isuzu FXZ240 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FXZ240 comes with 3 years / 500,000 kms warranty on the chassis and 5 years / 750,000 kms /10,000 hours warranty on the engine component engine warranty, the Isuzu FXZ240 also has 3 years roadside assistance coverage. Both body options offered meet the requirements set out in the tender documentation. The offer from JFA for the Isuzu FXZ240 fitted with the Custom Truck Bodies body was the second lowest priced offer received, however the Isuzu FXZ240 does not offer the same level of advanced safety features as the Fuso FV70H chassis, which resulted in the Isuzu receiving a lower evaluation score.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

The recommended tenderer has advised that there are no foreseen circumstances which would prevent the supply of the tender, including COVID-19.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Fuso FV70H chassis with Custom Truck Bodies body is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

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ITEM 3.3 TENDER - SUPPLY AND DELIVERY OF ONE X 450HP 23 TONNE TIPPER TRUCK - A20016248 (Cont.)

Tender Price	\$ 218,809.00

Total Project Cost (Excl. GST)	\$ 218,809.00
	=====

3.7 Economic Benefit

The purchase of the 450hp 23 tonne tipper truck will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Fuso chassis engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: A19991495

The following list of supporting information is provided for:

ITEM 3.3

TENDER - SUPPLY AND DELIVERY OF ONE X 450HP 23 TONNE TIPPER TRUCK

Confidential #1 Tender Evaluation

ITEM 3.4

TENDER - SUPPLY AND DELIVERY OF ONE X 27 TONNE LOW LOADER TRUCK

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20016578: 11 May 2020 - Refer **Confidential Supporting Information A19991497**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 27 tonne low loader truck (HF05.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with eight conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 27 tonne low loader truck be awarded to Brisbane Isuzu for the supply of one x Isuzu FYH300-350 chassis with Lift Industries body option for the sum of \$219,486 each excl. GST, as this offer represents the best overall value for Council.

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 27 tonne low loader truck be awarded to Brisbane Isuzu for the supply of one x Isuzu FYH300-350 chassis with Lift Industries body for the sum of \$219,486 excluding GST.
2. That the Council enters into an agreement with Brisbane Isuzu 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 Brisbane Isuzu for the supply and delivery of one x Isuzu FYH300-350 chassis with Lift Industries body and any required variations of the agreement on Council's behalf.

ITEM 3.4 TENDER - SUPPLY AND DELIVERY OF ONE X 27 TONNE LOW LOADER TRUCK - A20016578 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of one x 27 tonne low loader truck (HF05.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with eight conforming submissions received.

Within Asset Maintenance, regional drainage works are undertaken using a number of plant items that are currently transported on a 15 tonne truck towing a 9 tonne plant trailer. This truck and plant trailer have reached their economic life and are scheduled for replacement in 20/21. During consultation with the delivery area, it was determined a larger low loader truck would be more suitable and economical to the operations, enabling plant to be moved more efficiently, while decreasing operating costs associated with the current assets.

2. Explanation of Item

Council received eight 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Brisbane Isuzu - Isuzu FYH300-350 - Lift Industries	98.11
2	Brisbane Isuzu - Isuzu FYH300-350 - Custom Truck Bodies	96.88
3	James Frizelle's Automotive - Isuzu FYH300-350 - Custom Truck Bodies	95.86
4	James Frizelle's Automotive - Isuzu FYH300-350 - Lift Industries	95.83
5	Brisbane Isuzu - Isuzu FYH300-350 - MRF Motor Bodies	92.40
6	Daimler Trucks Brisbane - Fuso FS72 - Lift Industries	90.54
7	Daimler Trucks Brisbane - Fuso FS72 - Custom Truck Bodies	89.89
8	Daimler Trucks Brisbane - Fuso FS72 - MRF Motor Bodies	83.80

Brisbane Isuzu (BI) - submitted an offer for an Isuzu FYH300-350 chassis with body options from three body builders, Lift Industries, Custom Truck Bodies and MRF Motor Bodies. The offer of the Isuzu FYH300-350 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FYH300-350 chassis comes with 5 years / 400,000 kms / 6,000 hours warranty. All three body options offered meet the requirements set out in the tender documentation. The offer from BI for the Isuzu FYH300-350 chassis fitted with the Lift Industries body was the lowest priced offer and received the highest evaluation score, this offer is deemed best value to Council.

James Frizelle's Automotive Group (JFA) - submitted an offer for an Isuzu FYH300-350 chassis with body options from two body builders, Lift Industries and Custom Truck Bodies. The offer of the Isuzu FYH300-350 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FYH300-350 chassis comes with 5 years / 400,000 kms / 6,000 hours warranty. Both body options offered meet the requirements set out in the tender documentation, however these offers were the third and fourth lowest priced and ranked accordingly.

ITEM 3.4 TENDER - SUPPLY AND DELIVERY OF ONE X 27 TONNE LOW LOADER TRUCK - A20016578 (Cont.)

Daimler Trucks Brisbane (DTB) - submitted an offer for a Fuso FS72 chassis with body options from three body builders, Lift Industries, Custom Truck Bodies and MRF Motor Bodies. The Fuso FS72 chassis submitted meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Fuso FS72 comes with 5 years / 500,000 kms / unlimited hours warranty. All three body options offered meet the requirements set out in the tender documentation. However, the offers from DTB were the highest priced and not deemed best value to Council.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release. However, it is noted that the recommended tenderer in this report is a local business in the Moreton Bay region.

3.4 Risk Management Implications

The recommended tenderer has advised that there are no foreseen effects including COVID-19, which would adversely affect the delivery of the tendered item of plant.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Isuzu FYH300-350 chassis with Lift Industries body is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 219,486.00

Total Project Cost	\$ 219,486.00
	=====

3.7 Economic Benefit

The purchase of the 27 tonne beaver tail truck will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Isuzu chassis engine meets current environmental and Australian standards.

3.9 Social Implications Nil identified

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ITEM 3.4 TENDER - SUPPLY AND DELIVERY OF ONE X 27 TONNE LOW LOADER TRUCK - A20016578 (Cont.)

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: [A19991495](#)

The following list of supporting information is provided for:

ITEM 3.4

TENDER - SUPPLY AND DELIVERY OF ONE X 27 TONNE LOW LOADER TRUCK

Confidential #1 Tender Evaluation

**ITEM 3.5
TENDER - SUPPLY AND DELIVERY OF TWO X 12 TONNE SINGLE CAB TIPPER
TRUCKS**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20017630: 11 May 2020 - Refer **Confidential Supporting Information
A19991511**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of two x 12 tonne single cab tipper trucks (HF08.20) through vendor panel using a Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with eleven conforming submissions received.

It is recommended that the tender for the supply and delivery of two x 12 tonne single cab tipper trucks (HF08.20) be awarded to Daimler Trucks Brisbane for the supply of two x Fuso F1124 Chassis with Custom Truck Bodies body for the sum of \$154,106 each excl. GST, with a total cost of \$308,212 excluding GST, as this offer represents the best overall value for Council.

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of two x 12 tonne single cab tipper trucks (HF08.20) be awarded to Daimler Trucks Brisbane for the supply of two x Fuso F1124 Chassis with Custom Truck Bodies body for the sum of \$154,106 each, with a total cost of \$308,212 (excluding GST).
2. That the Council enters into an agreement with Daimler Trucks Brisbane 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 Daimler Trucks Brisbane for the supply and delivery of two x Fuso F1124 Chassis with Custom Truck Bodies and any required variations of the agreement on Council's behalf.

ITEM 3.5 TENDER - SUPPLY AND DELIVERY OF TWO X 12 TONNE SINGLE CAB TIPPER TRUCKS - A20017630 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of two x 12 tonne single cab tipper trucks (HF08.20) through vendor panel using a Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with eleven conforming submissions received.

Tipper trucks are utilised within the Roads and Drains section of Asset Maintenance. The optimum replacement period for these assets is 8 years / 180,000kms which has been reached on the current assets.

2. Explanation of Item

Council received eleven 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Daimler Trucks Brisbane - Fuso 1124 - Custom Truck Bodies	99.66
2	Daimler Trucks Brisbane - Fuso 1124 - Lift Industries	98.51
3	James Frizelle's Automotive Group - Isuzu FFR110-260 Custom Truck Bodies	98.44
4	Brisbane Isuzu - Isuzu FRR110-260 - Custom Truck Bodies	97.41
5	Brisbane Isuzu - Isuzu FRR110-260 - Lift Industries	96.09
6	James Frizelle's Automotive Group - Isuzu FFR110-260 - Lift Industries	96.01
7	Daimler Trucks Brisbane - Fuso 1124 - Tosca Industries	94.00
8	Brisbane Isuzu - Isuzu FRR110-260 - Tosca Industries	92.73
9	Daimler Trucks Brisbane - Fuso 1124 - MRF Motor Bodies	92.62
10	Brisbane Isuzu - Isuzu FRR110-260 - MRF Motor Bodies	91.82
11	James Frizelle's Automotive Group - Isuzu FFR110-260 - MRF Motor Bodies	91.74

Daimler Trucks Brisbane ('DTB') - submitted an offer for a Fuso 1124 chassis with body options from four body builders, Custom Truck Bodies, Lift Industries, Tosca Industries and MRF Motor Bodies. The Fuso 1124 chassis meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations and features GPS navigation. The Fuso 1124 comes with 5 years / 300,000 km / unlimited hours warranty. All body options offered meet the specification outlined in the tender documentation. The offer from DTB for the Fuso 1124 chassis fitted with the Custom Truck Bodies body was the second lowest priced offer however received the highest evaluation score due to providing a weight distribution chart that met all requirements and the additional feature of the GPS navigation system. The panel recommendation is that this offer is deemed best value to Council.

James Frizelle's Automotive Group ('JFA') - submitted an offer for an Isuzu FRR 110-260 chassis with body options from three body builders, Custom Truck Bodies, Lift Industries and MRF Motor Bodies. The Isuzu FRR 110-260 meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FRR 110-260 comes with 5 years / 300,000 km / 5,000 hours warranty. All body options meet the requirements of the tender, however JFA did not include the requested weight distribution chart for any of the bodies offered. The offer from JFA for the Isuzu FRR110-260 chassis fitted with the body from Custom Truck Bodies was the lowest priced offer however received the third highest evaluation score.

ITEM 3.5 TENDER - SUPPLY AND DELIVERY OF TWO X 12 TONNE SINGLE CAB TIPPER TRUCKS - A20017630
(Cont.)

Brisbane Isuzu ('BI') - submitted an offer for an Isuzu FRR 110-260 chassis with body options from four body builders, Custom Truck Bodies, Lift Industries, MRF Motor Bodies and Tosca Industries. The Isuzu FRR 110-260 meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FRR 110-260 comes with 5 years / 300,000 km / 5000 hours warranty. All bodies offer meet the requirements outlined in the tender documentation. The offer from Brisbane Isuzu with the Custom Truck Bodies body was their lowest submission which was priced fourth and ranked similarly.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

The recommended tenderer has advised that there are no foreseen circumstances which would delay the supply of the tendered vehicles, including COVID-19.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply of two x Fuso F1124 Chassis with Custom Truck Bodies is within the 2020-21 budget allocation. These acquisitions will be debited to project number 102178.

Tender Price	\$ 308,212.00

Total Project Cost (Excl. GST)	\$ 308,212.00
	=====

3.7 Economic Benefit

The purchase of the two 12 tonne single cab tipping trucks will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Fuso engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

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*ITEM 3.5 TENDER - SUPPLY AND DELIVERY OF TWO X 12 TONNE SINGLE CAB TIPPER TRUCKS - A20017630
(Cont.)*

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: A19991511

The following list of supporting information is provided for:

ITEM 3.5

TENDER - SUPPLY AND DELIVERY OF TWO X 12 TONNE SINGLE CAB TIPPER TRUCKS

Confidential #1 Tender Evaluation

**ITEM 3.6
TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE TRUCK WITH
ELEVATING WORK PLATFORM**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20021452: 11 May 2020 - Refer **Confidential Supporting Information
A19991530**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 11-12 Tonne Truck with Elevating Work Platform (EWP) (HF14.20) through Vendor Panel using Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with five conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 11-12 Tonne Truck with EWP be awarded to Daimler Trucks Brisbane for the supply of one x Fuso Fighter 1124 chassis with a Nifty Lift NL120KDT-LDV EWP for the amount of \$287,358.18 excl. GST, as this offer represents the best overall value for Council.

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 11-12 Tonne Truck with EWP be awarded to Daimler Trucks Brisbane for the supply of one x Fuso Fighter 1124 chassis with a Nifty Lift NL120KDT-LDV EWP for the sum of \$287,358.18 (excluding GST).
2. That the Council enters into an agreement with Daimler Trucks Brisbane 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 Daimler Trucks Brisbane for the supply and delivery of one x 11-12 Tonne Truck with EWP and any required variations of the agreement on Council's behalf.

ITEM 3.6 TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE TRUCK WITH ELEVATING WORK PLATFORM - A20021452 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of one x 11-12 Tonne Truck with Elevating Work Platform (EWP) (HF14.20) through Vendor Panel using Local Buy Arrangement NPN 04-13. Tenders closed on 26 April 2020, with five conforming submissions received.

This truck mounted EWP will be utilised within the Parks section of Asset Maintenance undertaking tree maintenance works across the region. The optimum replacement period for these assets is 8 years/180,000 kms. This truck mounted EWP will be a core asset in the establishment of a new quick response tree crew within the department.

Comprehensive consultation was undertaken with tree specialists in the Parks section to determine the configuration of asset required. Due to the unique design and functionality required of the EWP, the tender specified the Nifty Lift NL120KDT-LDV as the EWP component which was to be tendered on a 11-12 tonne cab chassis.

2. Explanation of Item

Council received five 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Daimler Trucks Brisbane - Fuso Fighter Cab Chassis	97.70
2	Sci Fleet - Hino FD1124 Cab Chassis	95.63
3	James Frizelle's Automotive Group - Isuzu FRR 110-260 Cab Chassis	95.36
4	Brisbane Isuzu - Isuzu FRR 110-240 Cab Chassis	95.04
5	Brisbane Isuzu - Isuzu FRR 110-260 Cab Chassis	93.86

Daimler Trucks Brisbane ('DTB') - submitted an offer for the Fuso Fighter 1124 chassis fitted with a Nifty Lift NL120KDT-LDV EWP. The Fuso Fighter 1124 chassis fitted with a Nifty Lift NL120KDT-LDV EWP meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. Additionally, the Fuso fighter comes with factory fitted GPS for the driver. The Fuso 1124 comes with 5 years / 300,000 kms / unlimited hours warranty. The Nifty Lift EWP component of the asset comes with a one-year warranty period. The offer submitted from DTB was the only submission received to include all features requested as part of the tender for the Nifty Lift EWP component which included an independent (battery operated) emergency pump capable of returning the basket to the stow position in the case of vehicle or hydraulic failure and a wireless ground to bucket communication system. The offer from DTB was second highest price and received the highest evaluation score. The offer from DTB for the supply of the Fuso Fighter 1124 Chassis with the specified Nifty Lift EWP body is deemed best value to Council and is the panel's recommendation.

Sci Fleet Hino ('SFH') - submitted an offer for the Hino FD1124 chassis fitted with a Nifty Lift NL120KDT-LDV EWP. The Hino FD1124 fitted with a Nifty Lift NL120KDT-LDV EWP meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Hino FD1124 chassis features advanced safety technology above other trucks within its field. The offer from SFH did not include all features requested as part of the tender for the Nifty Lift EWP component in their final price. The Hino FD1124 chassis comes with 5 years / 300,000 kms / unlimited hours warranty. The Nifty Lift EWP component of the asset comes with a one-year warranty period. The Offer from SFH was the highest priced and received the second highest evaluation score due to its advanced safety features.

ITEM 3.6 TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE TRUCK WITH ELEVATING WORK PLATFORM - A20021452 (Cont.)

James Frizelle’s Automotive Group (‘JFA’) - submitted an offer for the Isuzu FRR 110-260 chassis fitted with a Nifty Lift NL120KDT-LDV EWP. The Isuzu FRR 110-260 chassis fitted with a Nifty Lift NL120KDT-LDV EWP meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FRR 110-260 comes with 5 years / 300,000 km / 5,000 hours warranty. The Nifty Lift EWP component of the asset comes with a one-year warranty period. The offer from JFA did not include all features requested as part of the tender for the Nifty Lift EWP component in their final price. This offer was the lowest priced and received the third highest evaluation score.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

The recommended tenderer has advised that there are no foreseen supply issues, which includes COVID-19.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Fuso Fighter 1124 chassis fitted with a Nifty Lift NL120KDT-LDV EWP is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 287,358.18

Total Project Cost	\$ 287,358.18
	=====

3.7 Economic Benefit

The purchase of the 11-12 tonne truck with EWP will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Fuso truck engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

ITEM 3.6 TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE TRUCK WITH ELEVATING WORK PLATFORM - A20021452 (Cont.)

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: A19991530

The following list of supporting information is provided for:

ITEM 3.6

TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE TRUCK WITH ELEVATING WORK PLATFORM

Confidential #1 Tender Evaluation

**ITEM 3.7
TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20030612 : 16 June 2020 - Refer **Confidential Supporting Information A19912705, A19970813, A19970809, A19970806, A19971206, A19970811, A19970805, A19970808**
Responsible Officer: BS, Technical Fleet Support Officer (ECM Asset Maintenance)

Executive Summary

Tenders were called for the 'Supply and Delivery of Sixty-Five x Light Commercial and Passenger Vehicles (MBRC009721)'. The tender comprised of eight separable portions based on vehicle configuration and type. The tender closed on 14 April 2020, with ten suppliers submitting tender submissions for one or more of the separable portions.

It is recommended that Council award the contract for the supply and delivery of up to sixty-five x light commercial and passenger vehicles to the following suppliers:

Separable Portion 1 - Supply and delivery of sixteen 4x2 single cab automatic utilities - that the contract be awarded to Torque Ford North Lakes for the supply and delivery of sixteen x Ford Ranger 4x2 single cab automatic utilities for the total sum of \$533,622.45 (excl. GST).

Separable Portion 2 - Supply and delivery of ten 4x2 extra cab automatic utilities - that the contract be awarded to Torque Ford North Lakes for the supply and delivery of ten x Ford Ranger 4x2 extra cab automatic utilities for the total sum of \$372,751.28 (excl. GST).

Separable Portion 3 - Supply and delivery of seven 4x2 dual cab automatic utilities - that the contract be awarded to Torque Ford North Lakes for the supply and delivery of seven x Ford Ranger 4x2 dual cab automatic utilities for the total sum of \$243,979.04 (excl. GST).

Separable Portion 4 - Supply and delivery of five 4x4 single cab automatic utilities - that the contract be awarded to Grand Prix Investments Pty Ltd for the supply and delivery of five x Mazda BT50 4x4 single cab automatic utilities for the total sum of \$255,529.06 (excl. GST).

Separable Portion 5 - Supply and delivery of five 4x4 extra cab automatic utilities - that the contract be awarded to Grand Prix Investments Pty Ltd for the supply and delivery of five x Mazda BT50 4x4 extra cab automatic utilities for the total sum of \$239,035.22 (excl. GST).

Separable Portion 6 - Supply and delivery of five 4x4 dual cab automatic utilities - that the contract be awarded to Torque Ford Northlakes for the supply and delivery of five x Ford Ranger 4x4 dual cab automatic utilities for the total sum of \$232,725.81 (excl. GST).

Separable Portion 7 - Supply and delivery of eleven 5 door hatch-back (FBT Exempt) vehicles - that the contract be awarded to Pacific Motor Group for the supply and delivery of eleven x Kia Rio 5 door hatch back vehicles for the total sum of \$179,940.75 (excl. GST).

Separable Portion 8 - Supply and delivery of two animal transport commercial vans - that the contract be awarded to Village Motors Group for the supply and delivery of two x Renault Traffic LWB commercial vans with animal transport fit out for the total sum of \$165,651.46 (excl. GST).

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 1' be awarded to Torque Ford North Lakes for the supply of sixteen x Ford Ranger 4x2 single cab automatic utilities for the total sum of \$533,622.45 (excluding GST).
 - a) That the Council enters into an agreement with Torque Ford North Lakes 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 Torque Ford North Lakes for the supply of sixteen x Ford Ranger 4x2 single cab automatic utilities and any required variations of the agreement on Council's behalf.
2. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 2' be awarded to Torque Ford North Lakes for the supply of ten x Ford Ranger 4x2 extra cab automatic utilities for the total sum of \$372,751.28 (excluding GST).
 - a) That the Council enters into an agreement with Torque Ford North Lakes 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 Torque Ford North Lakes for the supply of ten x Ford Ranger 4x2 extra cab automatic utilities and any required variations of the agreement on Council's behalf.
3. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 3' be awarded to Torque Ford North Lakes for the supply of seven x Ford Ranger 4x2 dual cab automatic utilities for the total sum of \$243,979.04 (excluding GST).
 - a) That the Council enters into an agreement with Torque Ford North Lakes 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 Torque Ford North Lakes for the supply of seven x Ford Ranger 4x2 dual cab automatic utilities and any required variations of the agreement on Council's behalf.
4. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 4' be awarded to Grand Prix Investments Pty Ltd for the supply of five x Mazda BT50 4x4 single cab automatic utilities for the total sum of \$255,529.06 (excluding GST).
 - a) That the Council enters into an agreement with Grand Prix Investments 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 Grand Prix Investments Pty Ltd for the supply of five x Mazda BT50 4x4 single cab automatic utilities and any required variations of the agreement on Council's behalf.

Moreton Bay Regional Council

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

5. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 5' be awarded to Grand Prix Investments Pty Ltd for the supply of five x Mazda BT50 4x4 extra cab automatic utilities for the total sum of \$239,035.22 (excluding GST).
 - a) That the Council enters into an agreement with Grand Prix Investments 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 Grand Prix Investments Pty Ltd for the supply of five Mazda BT50 4x4 extra cab automatic utilities and any required variations of the agreement on Council's behalf.
6. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 6' be awarded to Torque Ford North Lakes for the supply of five x Ford Ranger 4x4 dual cab automatic utilities for the total sum of \$232,725.81 (excluding GST).
 - a) That the Council enters into an agreement with Torque Ford North Lakes 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 Torque Ford North Lakes for the supply of five x Ford Ranger 4x4 dual cab automatic utilities and any required variations of the agreement on Council's behalf.
7. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 7' be awarded to Pacific Motor Group for the supply of eleven x Kia Rio 5 door (FBT exempt) hatch back vehicles for the total sum of \$179,940.75 (excluding GST).
 - a) That the Council enters into an agreement with Pacific Motor Group 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 Pacific Motor Group for the supply of eleven x Kia Rio 5 door (FBT exempt) hatch back vehicles and any required variations of the agreement on Council's behalf.
8. That the tender for the 'Supply and delivery of 65 x light commercial and passenger vehicles - Separable Portion 8' be awarded to Village Motors Group for the supply of two x Renault Traffic LWB commercial vans with animal transport fit out for the total sum of \$ \$165,651.46 (excluding GST).
 - c) That the Council enters into an agreement with Village Motors Group as described in this report.
 - d) 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 Village Motors Group for the supply of two x Renault Traffic commercial vans with animal transport fit out and any required variations of the agreement on Council's behalf.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the ‘Supply and Delivery of 65 x Light Commercial and Passenger Vehicles (MBRC009721)’, through open tender using LG Tender Box. The tender comprised of eight separable portions based on vehicle configuration and type. The tender closed on 14 April 2020, with ten suppliers submitting tender submissions for one or more of the separable portions.

Council own and operate a fleet of fit-for-purpose, light commercial and passenger vehicles, enabling effective and efficient service delivery to the community. The acquisition of these vehicles is to replace existing light commercial and passenger vehicles within the fleet, that have reached their optimum replacement period of 6 years / 120,000kms for utilities/commercial vans and 4 years / 100,000kms for passenger vehicles. These replacements align with the budgeted light fleet replacement program.

2. Explanation of Item

Separable Portion 1 - Supply and delivery of up to sixteen 4x2 single cab automatic utilities

Council received three conforming and one non-conforming tender responses for Separable Portion 1. 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 weightings are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Torque Ford North Lakes (Ford Ranger)	99.64
2	Grand Prix Investments Pty Ltd (Mazda BT50)	98.33
3	Byrne Ford (Ford Ranger)	96.58
4	Trivett Automotive (Keystar Mitsubishi Triton)	Non-conforming

Torque Ford North Lakes (TFN) - submitted an offer for the Ford Ranger 4x2 Single Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. While the offer from TFN was the second lowest priced offer it did receive the highest evaluation score due to the enhanced safety features and larger payload capacity and was therefore deemed best value to Council and is the recommendation of this report.

Grand Prix Investments Pty Ltd (GPI) - submitted an offer for the Mazda BT50 single cab utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation, however, does not offer the same advanced safety features of the Ford Ranger. The offer from GPI was the lowest priced offer however received the second highest evaluation score due to the lower standard of safety features, therefore this offer was not deemed best value for Council.

Byrne Ford (BF) - submitted an offer for the Ford Ranger 4x2 single cab utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. The offer from Byrne Ford was the highest priced offer and received the lowest evaluation score and was not deemed best value for Council.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

The submission from **Trivett Automotive** did not meet the requested towing capacity of 3.5 tonne and was deemed non-conforming.

Separable Portion 2 - Supply and delivery of up to ten 4x2 extra cab automatic utilities

Council received three conforming and one non-conforming tender responses for Separable Portion 2. 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 weightings are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Torque Ford North Lakes (Ford Ranger)	95.05
2	Byrne Ford (Ford Ranger)	94.43
3	Grand Prix Investments Pty Ltd (Mazda BT50)	92.08
4	Trivett Automotive (Keystar Mitsubishi Triton)	Non-conforming

Torque Ford North Lakes (TFN) - submitted an offer for the Ford Ranger 4x2 Extra Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. While the offer from TFN was the second lowest priced offer it did receive the highest evaluation score due to the enhanced safety features and larger payload capacity and was therefore deemed best value to Council and is the recommendation of this report.

Byrne Ford (BF) - submitted an offer for the Ford Ranger 4x2 Extra Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. The offer from BF was the lowest priced, however did not include all accessories requested in the tender specification for four of the vehicles priced and as a result received the second highest evaluation score and was deemed not best value for Council.

Grand Prix Investments Pty Ltd (GPI) - submitted an offer for the Mazda BT50 4x2 Extra Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. However, does not offer the same advanced safety features of the Ford Ranger. The offer from GPI was the highest priced and received the lowest evaluation score. This offer was not deemed best value for Council.

The submission from **Trivett Automotive** did not meet the requested towing capacity of 3.5 tonne and was deemed non-conforming.

Separable Portion 3 - Supply and delivery of up to seven 4x2 dual cab automatic utilities

Council received four conforming and one non-conforming tender responses for Separable Portion 3. 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.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

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

RANK	TENDERER	EVALUATION SCORE
1	Torque Ford North Lakes (Ford Ranger)	100.00
2	Grand Prix Investments Pty Ltd (Mazda BT50)	98.18
3	Village Motors (Nissan Navara)	97.34
4	Byrne Ford (Ford Ranger)	94.78
5	Trivett Automotive (Keystar)	Non-conforming

Torque Ford North Lakes (TFN) - submitted an offer for the Ford Ranger 4x2 Dual Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. The offer from TFN was the lowest priced offer and received the highest evaluation score due to the enhanced safety features and larger payload capacity and was therefore deemed best value to Council and is the recommendation of this report.

Grand Prix Investments Pty Ltd (GPI) - submitted an offer for the Mazda BT50 Dual Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. However, does not offer the same advanced safety features of the Ford Ranger. The offer from GPI was the third lowest priced and received the second highest evaluation score. This offer was not deemed best value for Council.

Village Motors (VM) - submitted an offer for the Nissan Navara Dual Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. However, does not offer the same advanced safety features of the Ford Ranger. The offer from VM was the second lowest priced and received the third highest evaluation score. This offer was not deemed best value for Council.

The submission from **Trivett Automotive** did not meet the requested towing capacity of 3.5 tonne and was deemed non-conforming.

Separable Portion 4 - Supply and delivery of up to five 4x4 single cab automatic utilities

Council received three conforming and two non-conforming tender responses for Separable Portion 4. 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 weightings are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Grand Prix Investments Pty Ltd (Mazda BT50)	100.00
2	Village Motors (Nissan Navara)	95.75
3	Torque Ford (Ford Ranger)	94.80
4	Martin Jonkers Motors (Toyota Hilux)	Non-conforming
5	Trivett Automotive (Keystar Mitsubishi Triton)	Non-conforming

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

Grand Prix Investments Pty Ltd (GPI) - submitted an offer for the Mazda BT50 4x4 single cab utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The offer from GPI was the lowest priced and received the highest evaluation score. This offer was deemed best value for Council and is the recommendation of this report.

Village Motors (VM) - submitted an offer for the Nissan Navara 4x4 Single Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The submission from VM did not quote on accessories for one vehicle and has a reduced payload capacity, therefore reducing their overall evaluation score. This offer was the second lowest priced and received the second highest evaluation score. This offer was not deemed best value for Council.

Torque Ford North Lakes (TFN) - submitted an offer for the Ford Ranger 4x4 Single Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. However, while the Ford Ranger offers advanced safety features, the offer from TFN was the highest priced offer and received the lowest evaluation score due to this and so the extra cost of these vehicles was not deemed best overall value to Council.

The submissions from **Trivett Automotive** and **Martin Jonkers Motors** did not meet the requested towing capacity of 3.5 tonne and was deemed non-conforming.

Separable Portion 5 - Supply and delivery of up to five 4x4 extra cab automatic utilities

Council received two conforming and two non-conforming tender responses for Separable Portion 5. 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 weightings are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Grand Prix Investments Pty Ltd (Mazda BT50)	100.00
2	Torque Ford North Lakes (Ford Ranger)	99.76
3	Martin Jonkers Motors (Toyota Hilux)	Non-conforming
4	Trivett Automotive (Keystar Mitsubishi Triton)	Non-conforming

Grand Prix Investments Pty Ltd (GPI) - submitted an offer for the Mazda BT50 4x4 Extra Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The offer from GPI was the lowest priced and received the highest evaluation score. This offer was deemed best value for Council.

Torque Ford North Lakes (TFN) - submitted an offer for the Ford Ranger 4x4 Single Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. However, while the Ford Ranger offers advanced features and the offer from TFN was only marginally higher the Grand Prix Investments; potential supply and delivery risk was identified with awarding a significant portion of this tender to one supplier. TFN is the recommended supplier for portions 1, 2, 3 and 6 of this tender and therefore this offer was not deemed best value to Council.

The submissions from **Trivett Automotive** and **Martin Jonkers Motors** did not meet the requested towing capacity of 3.5 tonne and was deemed non-conforming.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

Separable Portion 6 - Supply and delivery of up to five 4x4 dual cab automatic utilities

Council received four conforming and two non-conforming tender responses for Separable Portion 6. 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 weightings are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Torque Ford North Lakes (Ford Ranger)	99.99
2	Byrne Ford (Ford Ranger)	99.64
3	Grand Prix Investments Pty Ltd (Mazda BT50)	99.32
4	Village Motors (Nissan Navara)	97.63
5	Martin Jonkers Motors (Toyota Hilux)	Non-conforming
6	Trivett Automotive (Keystar Mitsubishi Triton)	Non-conforming

Torque Ford North Lakes (TFN) - submitted an offer for the Ford Ranger 4x4 Dual Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. While the offer from TFN was the second lowest priced offer it did receive the highest evaluation score due to the enhanced safety features and larger payload capacity and was therefore deemed best value to Council and is the recommendation of this report.

Byrne Ford (BF) - submitted an offer for the Ford Ranger 4x4 Dual Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. The Ford Ranger offers greater safety technology including emergency brake assist, lane departure warning, pedestrian detection and adaptive cruise control. The Ford Ranger also offers the largest payload capacity in this category of tendered vehicles. The offer from Byrne Ford was the third lowest priced offer and received the second highest evaluation score and was deemed not best value for Council.

Grand Prix Investments Pty Ltd (GPI) - submitted an offer for the Mazda BT50 4x4 Dual Cab Utility, this vehicle is suitable, fit-for-purpose and meets all specifications outlined in the tender documentation. However, does not offer the same advanced features of the Ford Ranger. The offer from GPI was the lowest priced, however received the third highest evaluation score due to the lower standard of safety features, therefore this offer was not deemed best value for Council.

The submissions from **Trivett Automotive** and **Martin Jonkers Motors** did not meet the requested towing capacity of 3.5 tonne and was deemed non-conforming.

Separable Portion 7 - Supply and delivery of up to eleven x 5 door (FBT) automatic hatchbacks

Council received eight conforming tender responses for Separable Portion 7. 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.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

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

RANK	TENDERER	EVALUATION SCORE
1	Pacific Motor Group (Kia Rio)	100.00
2	Grand Prix Investments Pty Ltd (Hyundai i30)	93.31
3	Grand Prix Investments Pty Ltd (Mazda 2)	92.12
4	Martin Jonkers Motors (Corolla Ascent Sport)	92.06
5	Trivett Automotive Retail (Keystar) ASX	90.15
6	Martin Jonkers Motors (Corolla Hybrid)	89.78
7	Torque Ford North Lakes (No Model Specified)	86.35
8	Trivett Automotive Retail (Keystar) Outlander PHEV	69.31

Pacific Motor Group (PMG) - submitted an offer for the Kia Rio 5-door hatchback, this vehicle is suitable, fit-for-purpose and meets all criteria outlined in the tender specification. Council currently own and operate the Kia Rio hatchback within the fleet and have found them to be a reliable vehicle. The offer from Pacific Motor Group was the lowest priced, received the highest evaluation score and was deemed best value to Council.

Grand Prix Investments Pty Ltd (GPI) - submitted offers for the 'Hyundai i30' and the 'Mazda 2' 5-door hatchbacks. Both these vehicles are suitable, fit-for-purpose and meet all criteria outlined in the tender specification. These offers were the second and third lowest and received the second and third highest evaluation scores. These offers were not deemed best value for Council.

Separable Portion 8 - Supply and delivery of up to two commercial automatic vans

Council received one conforming tender response for Separable Portion 8. 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 weightings are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Village Motors Group (Renault Traffic)	100.00

Village Motors Group (VMG) - submitted an offer for the supply of the two Renault Traffic Commercial Vans with Animal Transport fit out, these vehicles are suitable, fit-for-purpose and meet all the criteria in the tender specification. Officers from the Fleet and Local Laws section of Council inspected the vehicle and are confident they will meet the requirements.

Due to the animal transport fit out requirements of this vehicle, Council received only one response. This portion of the contract was retendered but due to COVID-19, there were limited suppliers in a position to submit a tender response. A market cost comparison was undertaken against the offer from Village Motors Group and it was deemed this offer is best value for Council and is recommended.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (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

This tender for the supply of up to 65 light commercial and passenger vehicles has been procured in accordance with the provisions of the following documents:

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release. However, it is noted that seven of the eight recommendations are local businesses within the Moreton Bay region.

3.4 Risk Management Implications

The recommended tenderers have advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The recommendations of this report for the purchase of sixty-one light commercial and passenger vehicles is within 20/21 budget allocation. These acquisitions will be debited to project number 102179.

Tender Price - Separable Portion 1	\$ 533,622.45
Tender Price - Separable Portion 2	\$ 372,751.28
Tender Price - Separable Portion 3	\$ 243,979.04
Tender Price - Separable Portion 4	\$ 255,529.06
Tender Price - Separable Portion 5	\$ 239,035.22
Tender Price - Separable Portion 6	\$ 232,725.81
Tender Price - Separable Portion 7	\$ 179,940.75
Tender Price - Separable Portion 8	\$ 165,651.46

Total Project Cost (Excl. GST)	\$2,223,235.07
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3.7 Economic Benefit

The purchase of the sixty-one light commercial and passenger vehicles will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended commercial and passenger vehicles' engines meet current environmental and Australian standards.

3.9 Social Implications

Nil identified

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF SIXTY-FIVE X LIGHT COMMERCIAL AND PASSENGER VEHICLES - A20030612 (Cont.)

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: [A19912705](#), [A19970813](#), [A19970809](#), [A19970806](#), [A19971206](#), [A19970811](#), [A19970805](#),
[A19970808](#)

The following list of supporting information is provided for:

ITEM 3.7

TENDER - SUPPLY AND DELIVERY OF 65 X LIGHT COMMERCIAL AND PASSENGER VEHICLES

Confidential #1 Tender Evaluation - Separable Portion 1

Confidential #2 Tender Evaluation - Separable Portion 2

Confidential #3 Tender Evaluation - Separable Portion 3

Confidential #4 Tender Evaluation - Separable Portion 4

Confidential #5 Tender Evaluation - Separable Portion 5

Confidential #6 Tender Evaluation - Separable Portion 6

Confidential #7 Tender Evaluation - Separable Portion 7

Confidential #8 Tender Evaluation - Separable Portion 8

ITEM 3.8

TENDER - SUPPLY AND DELIVERY OF ONE WASTE HANDLING BULLDOZER

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20023515: 11 May 2020 - Refer **Confidential Supporting Information A19933618**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x Waste Handling Bulldozer (HF42.20) through Vendor Panel using the Local Buy Arrangement NPN2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

It is recommended that the tender for the supply and delivery of one x Waste Handling Bulldozer be awarded to Hastings Deering for the supply of one Caterpillar D6 WH Bulldozer for the sum of \$669,200 excl. GST, as this offer represents the best overall value for Council.

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x Waste Handling Bulldozer be awarded to Hastings Deering for the supply of one Caterpillar D6 WH Bulldozer for the sum of \$669,200 (excl. GST).
2. That the Council enters into an agreement with Hastings Deering 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 for the supply and delivery of one x Caterpillar D6 WH Bulldozer and any required variations of the agreement on Council's behalf.

ITEM 3.8 TENDER - SUPPLY AND DELIVERY OF ONE WASTE HANDLING BULLDOZER - A20023515 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of one x Waste Handling Bulldozer (HF42.20) through Vendor Panel using the Local Buy Arrangement NPN2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

Waste handling bulldozers are utilised within the landfill sites of Waste Services. This configuration of machine has an optimum replacement period of 8 years / 8,000 hours, which has been reached on the current track loader asset. A recent site efficiency survey study determined that a bulldozer is a more efficient machine for waste handling application than the currently utilised track loader.

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

RANK	TENDERER	EVALUATION SCORE
1	Hastings Deering, Caterpillar D6 WH Bulldozer	97.88
2	RDO Equipment, John Deere 850L WHD Bulldozer	95.26
3	Komatsu Australia, Komatsu D65WX-16P Bulldozer	90.55

Hastings Deering (HD) - submitted an offer for the Caterpillar D6 WH Bulldozer which meets all requirements outlined in the tender specification and has sufficient power and torque required. The Caterpillar D6 WH Bulldozer comes with 5 years / 6,000 hours warranty; the offer also includes a service contract covering all maintenance requirements up to 6,000 machine hours. Whilst this submission is not the lowest priced, it received the highest evaluation score. The offer includes the provision of a suitable hire machine, free of charge, if there is downtime caused by a warrantable repair in the first 12 months. HD has a proven track record regarding service and support of the Caterpillar product currently utilised in Council's landfill sites, which makes this offer the most attractive in terms of aftersales support and service. The Caterpillar machines are proven in the harsh Landfill environment, along with the 6000 hrs warranty and the aftersales support and service this offer is deemed best value to Council and is the recommended offer.

RDO Equipment (RDO) - submitted an offer for the John Deere 850L WHD Bulldozer which meets the requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The John Deere 850L WHD Waste Handling Bulldozer comes with 5 years / 5,000 hours warranty; the offer also includes a service contract covering all maintenance requirements up to 6,000 machine hours. The offer from RDO does not include a replacement hire machine, should there be any warrantable downtime in the first 12 months. Council does not have any previous history with John Deere machines in landfill sites, nor any prior after sales service and support experience with RDO Equipment. The offer for the John Deere 850L WHD Bulldozer was the lowest priced offer and received the second highest evaluation score.

Komatsu Australia (KA) - submitted an offer for the Komatsu D65WX-16P Bulldozer which meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations. The Komatsu D65WX-16P waste handling Bulldozer comes with 5 years / 6,000 hours warranty; the offer also includes a service contract covering all maintenance requirements up to 6,000 machine hours. The offer from Komatsu Aust. for the D65WX-16P Bulldozer was the highest priced offer and received the lowest evaluation score.

ITEM 3.8 TENDER - SUPPLY AND DELIVERY OF ONE WASTE HANDLING BULLDOZER - A20023515 (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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

The recommended tenderer has advised that there are no foreseen circumstances, including COVID-19 which affect the supply of the tendered item of plant.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Caterpillar D6 WH Bulldozer Waste Handling Bulldozer is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 669,200.00

Total Project Cost	\$ 669,200.00
	=====

3.7 Economic Benefit

The purchase of the Caterpillar D6 WH Bulldozer will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Caterpillar engine meets current environmental and Australian standards.

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: A19933618

The following list of supporting information is provided for:

ITEM 3.8

TENDER - SUPPLY AND DELIVERY OF ONE WASTE HANDLING BULLDOZER

Confidential #1 Tender Evaluation

ITEM 3.9

TENDER - 2020/2021 REGIONAL WATERBODY MAINTENANCE PROGRAM

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20058665 : 20 May 2020 - Refer Supporting Information A20060296 and **Confidential Supporting Information A20028118**
Responsible Officer: MM, Senior Technical Officer- Natural Areas (ECM Asset Maintenance)

Executive Summary

Tenders were called for the '2020/2021 Regional Waterbody Maintenance Program (VP183537)'. Tenders closed on 5 May 2020 with four conforming submissions received.

It is recommended that the tender for the '2020/2021 Regional Waterbody Maintenance Program (VP183537)' be awarded to Toolijooa Environmental Pty Ltd for the sum of \$287,531.92 (excluding GST), as this offer represents best overall value to Council. The period of contract is July 2020 to June 2021.

OFFICER'S RECOMMENDATION

1. That the tender for the '2020/2021 Regional Waterbody Maintenance Program' be awarded to Toolijooa Environmental Pty Ltd for the sum of \$287,531.92 (excluding GST).
2. That the Council enters into an agreement with Toolijooa Environmental 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 Toolijooa Environmental Pty Ltd for the '2020/2021 Regional Waterbody Maintenance Program' and any required variations of the agreement on Council's behalf.

ITEM 3.9 TENDER - 2020/2021 REGIONAL WATERBODY MAINTENANCE PROGRAM - A20058665 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the '2020/2021 Regional Waterbody Maintenance Program (VP183537)' through Vendor Panel using supplier arrangement MBRC008470. The tender comprises of 34 priority waterbodies and associated storm water assets, totalling approximately 51.66 ha located across the Moreton Bay region. The contract scope of works includes; weed management, revegetation, litter control and monthly inspections and additional reporting on stormwater quality improvement devices, maintenance devices, vegetation cover, erosion and sedimentation.

2. Explanation of Item

The '2020/2021 Regional Waterbody Maintenance Program' was procured through Vendor Panel (VP183537), using supplier arrangement MBRC008470 - Natural Area Weed Control and Revegetation Services.

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

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

RANK	TENDERER	EVALUATION SCORE
1	Toolijooa Environmental Pty Ltd	100.00
2	Technigro Pty Ltd	91.54
3	Barung Landcare Association	86.40
4	Evolve Environmental Pty Ltd	81.93

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

Toolijooa Environmental Pty Ltd (TE) - submitted a comprehensive tender submission outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. TE received high results in the evaluation of qualitative criteria related to industry experience and staff qualifications and experience. The offer from TE was the lowest priced submission and received the highest evaluation score against all assessable criteria and was deemed best value to Council and is the recommendation of this report.

Technigro Pty Ltd (TG) - submitted a comprehensive offer outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from Technigro Pty Ltd was the second lowest priced submission and received the second highest evaluation score.

Barung Landcare Association (BLA) - submitted a comprehensive offer outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from BLA was the third lowest priced submission and received the third highest evaluation score.

ITEM 3.9 TENDER - 2020/2021 REGIONAL WATERBODY MAINTENANCE PROGRAM - A20058665 (Cont.)

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.

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/contract/initiative has been procured/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: 35-2150-003 Koala Conservation
- Policy No: 13-2150-059 Pesticide Use - Regional

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

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 in accordance with the Stormwater Quality Portfolio Asset Management Plan 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 due to vegetation, water quality function and proximity to riparian zones and wetlands:
 - i) Water By Design- Waterbody Management Guideline.
 - ii) South East Queensland Ecological Restoration Framework.
 - iii) National standards for the practice of ecological restoration in Australia.

COVID19 - the recommended tenderer has advised that works will be delivered as tendered with no delays expected.

A third-party review of financial status has been undertaken on the recommended tenderer. Toolijooa Environmental Pty Ltd received a rating of '*very strong*' which has confirmed they have the financial capacity to deliver the program.

ITEM 3.9 TENDER - 2020/2021 REGIONAL WATERBODY MAINTENANCE PROGRAM - A20058665 (Cont.)

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The recommended tendered amount for the 2020/2021 Regional Waterbody Maintenance Program is within budget allocation. The program will commence July 2020 and conclude June 2021.

Tender Price	\$ 287,531.92
Contingency - 5%	\$ 14,376.60

Total Project Cost	\$ 301,908.52
	=====

3.7 Economic Benefit Implications

The economic benefit of the implementation of the program is improved asset life reducing asset deterioration and renewal costs. With monthly maintenance intervention there is greater capacity to manage native vegetation, improve ecological resilience and impacts to water quality.

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.
- Improved water quality through management of native vegetation 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:

- Moreton Bay Regional Council Water Strategy 2012-2031.
- Moreton Bay Regional Council Total Water Cycle Management Plan.
- Stormwater Quality Portfolio Asset Management Plan.
- Water By Design- Waterbody Management Guideline
- Australian and New Zealand guidelines for fresh and marine water quality.
- Guidelines.
- 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.
 - i) Protect and sustainably manage the region's catchments to ensure the quality and quantity of water in our waterways, aquifers, wetlands, estuaries, Moreton Bay and oceans meets the needs of the environment, industry and community.
 - ii) Plan for a water sensitive region by supporting innovation in water cycle management that increases the efficient use of water, security of supply, addresses climate change and manages impacts on waterways and Moreton Bay.
- Managing Natural Assets for a Prosperous South East Queensland 2014-2031 as related to water treatment, management of waterways, wetlands, greenspace, sea grasses, pest and weed management.

ITEM 3.9 TENDER - 2020/2021 REGIONAL WATERBODY MAINTENANCE PROGRAM - A20058665 (Cont.)

3.9 Social Implications

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

- Maintaining and improving scenic amenity.
- Improved stormwater quality and associated impacts on recreational use of waterways and park complexes.
- Improved resource efficiency.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Consultation for the delivery of this program has been undertaken with relevant Council officers within Drainage Waterways and Coastal Planning and Asset Maintenance, section managers and the procurement division of Council.

SUPPORTING INFORMATION

Ref: [A20060296](#), [A20028118](#)

The following list of supporting information is provided for:

ITEM 3.9

TENDER - 2020/2021 REGIONAL WATERBODY MAINTENANCE PROGRAM

#1 Location Details

Confidential #2 Tender Evaluation

ITEM 3.10
TENDER - LIQUID WASTE SERVICE, HANDLING AND DISPOSAL

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20126465 : 8 June 2020 - Refer **Confidential Supporting Information**
A20044901
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

The servicing, handling and disposal of Council's Liquid Waste at Council facilities across the region is undertaken through a contract arrangement. Tenders were called for '*Liquid Waste Service, Handling and Disposal (MBRC009763)*' through open tender using LG Tender Box. Tenders closed on 12 May 2020, with eight conforming submissions received.

It is recommended that the contract for '*Liquid Waste Service, Handling and Disposal (MBRC009763)*' be awarded to Cleanaway Operations Pty Ltd for the estimated annual sum of \$103,669.60, totalling \$207,339.20 (excluding GST) for the initial 2-year contract period (1 July 2020 to 30 June 2022). The contract includes an option to extend by a further three x one-year periods, subject to satisfactory performance.

OFFICER'S RECOMMENDATION

1. That the tender for '*Liquid Waste Service, Handling and Disposal (MBRC009763)*' be awarded to Cleanaway Operations Pty Ltd for the estimated annual sum of \$103,669.60, totalling \$207,339.20 (excluding GST) for the initial 2-year contract period (1 July 2020 to 30 June 2022). The contract includes an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That the Council enters into an agreement with Cleanaway Operations 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 Cleanaway Operations Pty Ltd for '*Liquid Waste Service, Handling and Disposal (MBRC009763)*' and any required variations of the agreement on Council's behalf.

ITEM 3.10 TENDER - LIQUID WASTE SERVICE, HANDLING AND DISPOSAL - A20126465 (Cont.)

REPORT DETAIL

1. Background

Council currently undertakes service, handling and disposal of liquid waste at multiple Council facilities located throughout the region through contracted works. The current contract for these services is due to expire on 30 June 2020.

This contract allows for the servicing, handling and disposal of all liquid waste from 52 grease traps, 20 septic tanks and 19 effluent holding tanks located within Moreton Bay Regional Council's facilities. The schedule frequency for these sites varies from monthly to yearly depending on the facility's need and location.

2. Explanation of Item

The servicing, handling and disposal of Council's Liquid Waste at Council facilities across the region is undertaken through a contract arrangement. Tenders were called for 'Liquid Waste Service, Handling and Disposal (MBRC009763)' through open tender using LG Tender Box. Tenders closed on 12 May 2020, with eight conforming submissions received.

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

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

Rank	Tenderer	Evaluation Score
1	Cleanaway Operations Pty Ltd	100
2	Remondis Australia Pty Ltd	86.57
3	Riverside Environmental Services Pty Ltd	86.51
4	Furness Group Ltd ATF Summit Group, trading as Enwaste	77.02
5	Aussie Hydro-Vac Services Pty Ltd	74.07
6	Global Equipment Pty Ltd T/A Serious Waste Pty Ltd	73.39
7	L P Pipe and Civil (QLD) Pty Ltd	59.57
8	Speciality Services QLD Pty Ltd tte as D Cummins Number 1 Trust	47.67

Cleanaway Operations Pty Ltd (Cleanaway) - submitted a comprehensive tender submission. Cleanaway's submission demonstrated the required level of skill, knowledge, experience and their capacity to undertake the works required. At the post tender clarification meeting, Cleanaway provided the evaluation team with confidence in their ability to deliver the requirements of the tender. Cleanaway are the current incumbent for the expiring arrangement and have performed satisfactorily during the contract period. The offer from Cleanaway was the lowest priced submission and received the highest evaluation score. The offer from Cleanaway is considered by the panel to represent the best value for Council and is the recommendation of this report.

Remondis Pty Ltd (Remondis) - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and their capacity to undertake the works required; however, there were no additional benefits for the higher price. The offer from Remondis was the third lowest priced submission and received the second highest evaluation score.

Riverside Environmental Services Pty Ltd (RES) - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and their capacity to undertake the works required; however, there were no additional benefits for the higher price. The offer from RES was the second lowest priced submission and received the third highest evaluation score.

ITEM 3.10 TENDER - LIQUID WASTE SERVICE, HANDLING AND DISPOSAL - A20126465 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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
- Council Conflict of Interest Policy 2150-011
- Council Insurance Policy 2150-060
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release. However, it is noted that the recommended tenderer of this report is a local supplier within the Moreton Bay region.

3.4 Risk Management Implications

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

Risk	Mitigation
Attend all sites within service schedule timeframes considering the large geographical spread and number of sites.	Cleanaway confirmed they will complete all servicing at the required sites within the tendered timeframe and have the required resources available to fulfil the requirements of the tender. Cleanaway have performed satisfactory in attendance in the previous arrangement for these works.
No Council attendance during service attendance to validate completion.	Cleanaway confirmed they will submit regular photographic service reports as evidence once works completed. Cleanaway have previously submitted all reporting requirements in the previous arrangement for these works.
Efficient and effective response time in attending emergencies.	Cleanaway confirmed that they will arrive onsite and commence work within the required tendered timeframe. Cleanaway have performed satisfactory in the attending of Emergencies in the previous arrangement for these works.

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

The recommended tenderers have advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications Nil identified

ITEM 3.10 TENDER - LIQUID WASTE SERVICE, HANDLING AND DISPOSAL - A20126465 (Cont.)

3.6 Financial Implications

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

Tender Price - Year 1	\$103,669.60
Tender Price - Year 2	\$103,669.60
Contingency - 5%	\$ 10,366.96

Total Contract - 2 Year Term (July 2020 - June 2022)	\$ 217,706.16
	=====

3.7 Economic Benefit Implications

Economic benefit is achieved through continued employment opportunities for people within the region by utilising a company with its operation based in the MBRC region. Effective service, handling and disposal of Council's liquid waste will also ensure reliable equipment and facilities operation, thus saving Council from costly emergency breakdowns.

3.8 Environmental Implications

Servicing Council's Liquid Waste will ensure that these facilities operate efficiently, eliminating potential environmental impacts and meeting Council's environmental obligations.

3.9 Social Implications

Servicing Council's Liquid Waste continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Consultation for the disposal of this contract has been undertaken with relevant stakeholders and officers of the Procurement section of Council.

SUPPORTING INFORMATION

Ref: [A20044901](#)

The following list of supporting information is provided for:

ITEM 3.10

TENDER - LIQUID WASTE SERVICE, HANDLING AND DISPOSAL

Confidential #1 Tender Evaluation

ITEM 3.11
TENDER - BEE GEES WAY AUDIO VISUAL AND LIGHTING RENEWALS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20089164 : 15 June 2020 - Refer **Confidential Supporting Information**
A19775948
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

The periodic renewal of Council's Bee Gees Way audio, visual and lighting systems is proposed to be undertaken through a contract arrangement. Tenders were called for 'Bee Gees Way Audio Visual and Lighting Renewals (Division 6) (MBRC009561)' through open tender using LG Tender Box. Tenders closed on 3 March 2020, with two conforming submissions received.

It is recommended that the contract for 'Bee Gees Way Audio Visual and Lighting Renewals (MBRC009561)' be awarded to ProAV Solutions Queensland for an estimated sum of \$224,020.86 (excl. GST) for the period of works commencing 12 October 2020 to 15 November 2020 as this represents best value to Council.

OFFICER'S RECOMMENDATION

1. That the tender for 'Bee Gees Way Audio Visual and Lighting Renewals (MBRC009561)' be awarded to ProAV Solutions Queensland for the estimated sum of \$224,020.86 (excluding GST).
2. That the Council enters into an agreement with ProAV Solutions Queensland 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 ProAV Solutions Queensland for 'Bee Gees Way Audio Visual and Lighting Renewals (MBRC009561)' and any required variations of the agreement on Council's behalf.

ITEM 3.11 TENDER - BEE GEES WAY AUDIO VISUAL AND LIGHTING RENEWALS - A20089164 (Cont.)

REPORT DETAIL

1. Background

The current audio, visual and lighting infrastructure at Bee Gees Way was installed five years ago by ProAV Solutions QLD Pty Ltd ('ProAV'), all maintenance and warranty has been undertaken as part of this arrangement by ProAV.

Moreton Bay Regional Council (MBRC), in conjunction with the original design consultant, has identified several components of the lighting and audio-visual system that have reached end of life and require replacement. This tender allows for the replacement of these identified components with like-for-like and in some cases, improved equipment where these components are no longer available. There are also sections of the power and data wiring that have been damaged by vermin and require replacement.

It is proposed that the works commence after the September 2020 school holidays with completion before the start of the Christmas school holidays, commencing 12 October 2020 to 15 November 2020.

2. Explanation of Item

Tenders were called for 'Bee Gees Way Audio Visual and Lighting Renewals (MBRC009561)' through open tender using LG Tender Box. Tenders closed on 3 March 2020, with two conforming submissions received. Given the high-profile location of Bee Gees Way and specialised audio, visual and lighting equipment installed; there were limited companies willing to submit a tender submission for this contract.

The submission was assessed by a selection panel in accordance with Council's Procurement Policy and the mandatory selection criteria set out in the tender documentation. The submissions and their final weighting scores are tabled below.

Rank	Tenderer	Evaluation Score
1	ProAV Solutions Queensland Pty Ltd	100
2	Engie Pty Ltd	91.07

ProAV Solutions Queensland Pty Ltd (ProAV) - submitted a comprehensive tender submission. ProAV's submission demonstrated the required level of skill, knowledge, experience and their capacity to undertake the works required. At the post tender clarification meeting, ProAV provided the evaluation team with confidence in their ability to deliver the requirements of the tender. ProAV undertook the original installation of the equipment and has continued to maintain and service all elements for the past five years. During this period ProAV have performed to an acceptable standard and met all requirements of the contract. The price submitted is a fixed price for the entirety of the scoped works in the tender specification. The offer from ProAV is considered by the panel to represent value for Council and is therefore the recommendation of this report.

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

The request for tender was provided to five organisations who were deemed capable of undertaking these works, however due to the unique nature of the install, associated maintenance works and high-profile nature of the site, Council only received the two tender submissions.

ITEM 3.11 TENDER - BEE GEES WAY AUDIO VISUAL AND LIGHTING RENEWALS - A20089164 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - celebrating local arts, culture and community.

3.3 Policy Implications

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

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

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

Risk	Mitigation
Completion of Project works within nominated timeframe.	PAVS confirmed they will complete all project works within the tendered timeframe and have the required technicians and plant resources available to fulfil the requirement. PAVS have met the requirements of site attendance in their previous maintenance Contract arrangements with Council.
No Council attendance during works to validate completion.	PAVS confirmed they will attend regular progress meetings with council as required. Council will also periodically attend site during the works period to confirm works completion. PAVS have provided photographic service reports to Council in their previous maintenance contract arrangement for works at this site.
Safely working within a public space.	For the duration of these works, council will be installing timber barricading to block access to the site for the general public.

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

The recommended tenderers have advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications Nil identified

ITEM 3.11 TENDER - BEE GEES WAY AUDIO VISUAL AND LIGHTING RENEWALS - A20089164 (Cont.)

3.6 Financial Implications

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

Tender Price	\$ 224,020.86
Contingency - 5%	\$ 11,201.04

Total Project Cost	\$ 235,221.90
	=====

3.7 Economic Benefit Implications

Periodic renewals of the end of service life audio, visual and lighting system at Bee Gees Way will ensure reliable equipment operation and extend overall lifecycle, thus saving Council from costly breakdowns.

3.8 Environmental Implications

Periodic renewals of the audio, visual and lighting system at Bee Gees Way will ensure this facility operates efficiently, eliminating potential environmental impacts and meeting Council's environmental obligations.

3.9 Social Implications

Periodic renewals of the audio, visual and lighting system at Bee Gees Way continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: A19775948

The following list of supporting information is provided for:

ITEM 3.11

TENDER - BEE GEES WAY AUDIO VISUAL AND LIGHTING RENEWALS

Confidential #1 Tender Evaluation

ITEM 3.12
TENDER - COMPREHENSIVE SERVICING OF LIFTS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20143611 : 10 June 2020 - Refer **Confidential Supporting Information**
A20039778
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

The servicing and maintenance of lifts in council facilities across the region is undertaken through a contract arrangement. Tenders were called for the 'Comprehensive Servicing of Lifts (MBRC009725)' through open tender using LG Tender Box. Tenders closed on 12 May 2020, with four conforming and one non-conforming tender submissions received.

It is recommended that the contract for the 'Comprehensive Servicing of Lifts (MBRC009725)' be awarded to Orbitz Elevators Pty Ltd for an estimated total contract sum of \$464,040 (excluding GST) for the contract period of 5 years (July 2020 to June 2025).

OFFICER'S RECOMMENDATION

1. That the tender for 'Comprehensive Servicing of Lifts (MBRC009725)' be awarded to Orbitz Elevators Pty Ltd for an estimated total contract sum of \$464,040 (excluding GST) for the contract period of 5 years (July 2020 to June 2025).
2. That the Council enters into an agreement with Orbitz Elevators 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 Orbitz Elevators Pty Ltd for the 'Comprehensive Servicing of Lifts (MBRC009725)' and any required variations of the agreement on Council's behalf.

ITEM 3.12 TENDER - COMPREHENSIVE SERVICING OF LIFTS - A20143611 (Cont.)

REPORT DETAIL

1. Background

Council own and operate 31 lifts across the Region. The servicing and maintenance of these lifts in council facilities is undertaken through a contract arrangement. This contract allows for the comprehensive maintenance and servicing of all elements of the mechanical, electrical and safety systems associated with Council's lift assets and ancillary equipment. All associated equipment and assets for the initial 6 months will be serviced monthly then subsequently quarterly. Included in the contract is an annual condition and compliance assessment of the system, assessing functionality, recommendations as to upgrades and renewals to maximise the life of the assets and ensuring compliance with all applicable Acts, Regulations and Australian Standards. The existing service contract for lifts at Council facilities is due to expire 30 June 2020.

2. Explanation of Item

Tenders were called for the 'Comprehensive Servicing of Lifts (MBRC009725)' through open tender using LG Tender Box. Tenders closed on 12 May 2020, with four conforming and one non-conforming tender submissions received. The tenders were assessed by a panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documents.

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

Rank	Tenderer	Evaluation Score
1	Mocon Pty Ltd	96.50
2	Orbitz Elevator Pty Ltd	91.13
3	Otis Elevator Company Pty Ltd	85.07
4	Thyssenkrupp Elevator Australia Ltd Pty	83.10
5	Advanced Elevators Pty Ltd	Non-Conforming

Mocon Pty Ltd (Mocon) - submitted a comprehensive tender submission, that demonstrates the required level of skill, knowledge, experience and capacity to undertake the required works. The offer from Mocon was the lowest priced and received the highest evaluation score, however, a third-party financial status review was undertaken on Mocon regarding this contract, the review identified risk for Council and as a result, this offer was not deemed best value to Council.

Orbitz Elevator Pty Ltd (Orbitz) - submitted a comprehensive tender submission, that demonstrates the required level of skill, knowledge, experience and capacity to undertake the required works. Orbitz is an Australian/Queensland owned company, located at north Brisbane. At the post tender clarification meeting, Orbitz demonstrated their understanding of the contract and all its requirements, whilst highlighting their previous and current experience with similar contracts for the University of the Sunshine Coast and the Toowoomba Shopping Centre. The offer from Orbitz was the second lowest priced and received the second highest evaluation score and was considered by the panel to represent the best value for the council and is therefore the recommendation of this report.

Otis Elevator Company Pty Ltd (Otis)- submitted a comprehensive tender submission demonstrating the required level of skill, knowledge, experience and their capacity to undertake the required works. The offer from Otis was the highest priced submission and received the third highest evaluation score. This offer was not deemed best value to Council.

The submission from **Advanced Elevators Pty Ltd** did not provide all of the mandatory documents specified in the tender documentation. This offer was deemed non-conforming and was not considered by the evaluation panel.

ITEM 3.12 TENDER - COMPREHENSIVE SERVICING OF LIFTS - A20143611 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

This service is consistent with the Corporate Plan outcome - 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:

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

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 are minimised as detailed below.

Risk	Mitigation
Attend all Councils buildings within the periodic servicing timeframes considering the large geographical spread and number of Council's buildings containing lifts.	Orbitz Elevators Pty Ltd has confirmed that their company can service all sites within the timeframe through having an existing presence within the Sunshine Coast and North Brisbane region.
Efficient and effective response time in attending emergency issues.	Orbitz Elevators Pty Ltd confirmed they operate a 24-hr phone line and can respond within the contractual timeframe.
Long spare part lead time in emergency replacement situations.	Orbitz Elevators Pty Ltd storage facility has space available for storage of the most commonly replaced equipment for quick and emergency replacement.

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

The recommended tenderers have advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The estimated contract value is \$464,040.00 (excl. GST) , or an annual estimate of \$92,808 (excl. GST) over the life of the contract (five years). The Contract allows for yearly adjustments for CPI. The total estimated contract value is within Council budget allocation.

Tender Price	\$ 464,040.00
Contingency - 10%	\$ 46,404.00

Total Contract - 5 Year Term (July 2020 - June 2025)	\$ 510,444.00
	=====

ITEM 3.12 TENDER - COMPREHENSIVE SERVICING OF LIFTS - A20143611 (Cont.)

3.7 Economic Benefit Implications

Orbitz Elevator Australia Pty Ltd are a Queensland owned company with five staff, dedicated to enactment of their tender submission, residing within the Moreton Bay region.

3.8 Environmental Implications Nil identified

3.9 Social Implications

Lift servicing will help ensure the compliance of MBRC lifts and safety of Council staff and community members using buildings on Council land.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: [A20039778](#)

The following list of supporting information is provided for:

ITEM 3.12

TENDER - COMPREHENSIVE SERVICING OF LIFTS

Confidential #1 Tender Evaluation

ITEM 3.13
TENDER - REGIONAL SECURITY SERVICES

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20048271 : 15 June 2020 - Refer **Confidential Supporting Information**
A19927528
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

Mobile and static security patrols of Council's buildings and facilities across the region are undertaken through contract arrangement, with the current arrangement due to expire 30 June 2020. Tenders were called for 'Regional Security Services (MBRC009244)' through open tender using LG Tender Box. Tenders closed on 7 April 2020, with four conforming and one non-conforming submissions received.

It is recommended that the contract for 'Regional Security Services (MBRC009244)' be awarded to Southern Cross Protection Pty Ltd for an estimated annual sum of \$1,600,418.21 (excl. GST), totalling \$3,200,836.42 for the initial 2-year contract period (1 July 2020 to 30 June 2022). The contract includes an option to extend by a further three x one-year periods, subject to satisfactory performance.

OFFICER'S RECOMMENDATION

1. That the tender for 'Regional Security Services (MBRC009244)' be awarded to Southern Cross Protection Pty Ltd for the estimated annual sum of \$1,600,418.21 (excluding GST), totalling \$3,200,836.42 for the initial 2-year contract period (1 July 2020 to 30 June 2022), with an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That the Council enters into an agreement with Southern Cross Protection 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 Southern Cross Protection Pty Ltd for 'Regional Security Services (MBRC009244)' and any required variations of the agreement on Council's behalf.

ITEM 3.13 TENDER - REGIONAL SECURITY SERVICES - A20048271 (Cont.)

REPORT DETAIL

1. Background

Council currently undertakes mobile and static patrols of its buildings and facilities across the region through contract arrangement. The contract allows for the scheduled 'mobile patrols' of 61 sites, 'lock and unlocking' of amenities and gates at 44 sites, 'staff security escorts' at 4 sites, 'static patrols' at 3 sites and 'alarm response attendance' to 98 alarm monitored sites across the region. The current contract for Regional Security Services is due to expire on 30 June 2020.

2. Explanation of Item

Mobile and static security patrols of Council's buildings and facilities across the region are undertaken through contract arrangement, the current arrangement is due to expire 30 June 2020. Tenders were called for 'Regional Security Services (MBRC009244)' through open tender using LG Tender Box. Tenders closed on 7 April 2020, with four conforming and one non-conforming submissions received.

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

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

Rank	Tenderer	Evaluation Score
1	Southern Cross Protection Pty Ltd	91.50
2	Nitestar Pty Ltd ATF Bob Dean Trust	87.04
3	East Coast Security and Safety Pty Ltd	82.82
4	M.A Services Group Pty Ltd	62.76
5	Southern Cross Protection Pty Ltd (Alternative)	Non-Conforming

Southern Cross Protection Pty Ltd (SCP) - submitted two offers for this tender. Their submissions demonstrated the required level of skill, knowledge and experience held by their key staff and demonstrated their capacity to undertake the works required.

The alternative offer from SCP did not meet the requirements outlined in tender specification. SCP submitted an offer with alternative KPI targets which proposed longer response times to alarm call outs and reduced reporting requirements including a reduction in compliance to call outs, for a reduced contract rate; Council's specification called for a higher level of response times and compliance to call outs than in previous Contracts to ensure an enhanced level of service to the community, therefore the alternative offer from SCP was deemed non-conforming and was not considered during the evaluation.

SCP's conforming offer did meet all the requirements of the tender including compliance with specified KPI's. At the post tender clarification meeting, SCP provided the evaluation team with confidence in their ability to deliver the security services required. The offer from SCP was the second lowest priced offer, however, received the highest evaluation score and is deemed best value to Council and is the recommendation of this report.

SCP are the current incumbent for *Regional Security Services - MBRC006605* which is due to expire 30 June 2020. While there have been some recent minor concerns with the quality of work, this has been addressed through the contract management process and all issues have been rectified.

Nitestar Pty Ltd (Nitestar) - submitted a comprehensive tender submission. Their submission demonstrated the understanding and ability to deliver the required works. The offer from Nitestar the was the third lowest priced offer and received the second highest evaluation score.

ITEM 3.13 TENDER - REGIONAL SECURITY SERVICES - A20048271 (Cont.)

East Coast Security and Safety Pty Ltd (ECS) - submitted a poor tender submission, the submission from ECS did not provide information on the company's ability to deliver the required services under the contract or meet the required KPIs. While the offer from ECS was the lowest priced offer received, it scored poorly on the non-price components of the tender, receiving an overall ranking of third in the evaluation scores, this offer was not deemed best value to Council.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Strengthening Communities: Safe neighbourhoods - a safe and resilient community

3.3 Policy Implications

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

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release. However it is noted that the recommended tenderer of this report is a local supplier within the Moreton Bay region.

3.4 Risk Management Implications

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

Risk	Mitigation
Eliminate the predictability of security patrolling at the same time each night	Southern Cross Protection Pty Ltd's patrols to occur randomly each night.
No Council attendance during security patrols to validate services completed	Southern Cross Protection Pty Ltd's patrol guards to swipe on / off at each available location to register attendance and time on location Southern Cross Protection Pty Ltd currently provide Council attendance records within the current arrangement for these services.
Slow alarm response time during emergency situations	Southern Cross Protection Pty Ltd has guaranteed a maximum 30-minute response at all times. Southern Cross Protection currently respond satisfactorily to a 45-minute response time across the region.
Handling the extensive array of security services including patrols, lock and unlock, staff escorts and alarm responses all in the same night	Southern Cross Protection Pty Ltd has confirmed they have the staff and vehicles available to meet the required demand. Southern Cross Protection Pty Ltd currently deliver satisfactory outcomes for all Security Services to Council.

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

ITEM 3.13 TENDER - REGIONAL SECURITY SERVICES - A20048271 (Cont.)

The recommended tenderers have advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The estimated cost as tendered by Southern Cross Protection Pty Ltd is not within budget allocation. Additional funds of \$369,000 will be required at 20/21 Quarter 1 Review to cover additional costs for year 1; 2021/2022 budget will be adjusted accordingly.

The additional costs associated with this service delivery has resulted from an increased level of service from previous Contracts including a reduction in the response time Council require the Contractor to attend sites following an alarm; and a higher level of conformance to the attendance of alarm call outs. Additional costs can also be attributed to ongoing additional services provided under this Contract arrangement for additional static and mobile guards required on an ad hoc basis as the needs arise throughout the region.

Tender Price - Year 1	\$1,600,418.21
Tender Price - Year 2	\$1,600,418.21
Contingency - 5%	\$ 160,041.82

Total Contract - 2 Year Term (July 2020 - June 2022)	\$ 3,360,878.24
	=====

3.7 Economic Benefit Implications

The contractor has indicated that where possible, local personnel will be recruited to assist in delivery of the services

3.8 Environmental Implications Nil identified

3.9 Social Implications

Mobile patrols, with amenity/facility lock and unlocking, and static patrols contribute to a safer and more harmonious community and to the safety of Council staff who work after hours. These services reduce antisocial behaviour within the areas patrolled and aid in prevention of theft and damage to infrastructure and property.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: [A19927528](#)

The following list of supporting information is provided for:

**ITEM 3.13
TENDER - REGIONAL SECURITY SERVICES**

Confidential #1 Tender Evaluation

ITEM 3.14
TENDER - BRENDALE - SOUTH PINE SPORTS COMPLEX - SOCCER FIELD 2
RENEWAL

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20106524 : 10 June 2020 - Refer **Confidential Supporting Information**
A20082206
Responsible Officer: PR, Technical Services Team Leader (ECM Asset Maintenance)

Executive Summary

Tenders were called for the 'Sports Field Renewal Project - South Pine Sports Complex Soccer Field 2 (VP185898)'. Tenders closed on 27 May 2020 with four conforming submissions received.

It is recommended that the tender for 'Sports Field Renewal Project - South Pine Sports Complex Soccer Field 2 (VP185898)' be awarded to Twin View Turf Pty Ltd for the sum of \$365,067.78 (excl. GST) as this represents best value to Council.

OFFICER'S RECOMMENDATION

1. That the tender for 'Sports Field Renewal Project - South Pine Sports Complex Soccer Field 2 (VP185898)' be awarded to Twin View Turf Pty Ltd for the sum of \$365,067.78 (excluding GST)
2. That the Council enters into an agreement with Twin View Turf 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 Twin View Turf Pty Ltd for 'Sports Field Renewal Project - South Pine Sports Complex Soccer Field 2 (VP185898)' and any required variations of the agreement on Council's behalf.

ITEM 3.14 TENDER - BRENDALE - SOUTH PINE SPORTS COMPLEX - SOCCER FIELD 2 RENEWAL - A20106524
(Cont.)

REPORT DETAIL

1. Background

The project is located at the South Pine Sports Complex, Brendale (Division 9). The project will address current surface shape, drainage and poor turf health issues which has resulted in increased maintenance expenditure and the field being closed more frequently after rain events.

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

Works are expected to commence in mid-October 2020 and take approximately 20 weeks to complete which includes two weeks' contingency for wet weather.



Figure 1: South Pine Sports Complex - Brendale - Soccer Field 2

2. Explanation of Item

Tenders were called for 'Sports Field Renewal Project - South Pine Sports Complex Soccer Field 2 (VP185898)' located in Brendale, using the vendor panel arrangement 'MBRC005998 - Sports Field Maintenance Services - Category 2 Sports Field Turf Repairs and Renovation'. Tenders closed on 27 May 2020, with four conforming submissions received. The submissions were assessed by the evaluation panel in accordance with Council's Purchasing Policy and the selection criteria set out in the request for quote documentation.

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

RANK	TENDERER	EVALUATION SCORE
1	Twin View Turf Pty Ltd	98.31
2	Green Options	97.42
3	Supagreen Lawn Programmes Pty Ltd	91.77
4	Hart Valley Investments Pty Ltd t/a Hancey's Turf	84.24

ITEM 3.14 TENDER - BRENDALE - SOUTH PINE SPORTS COMPLEX - SOCCER FIELD 2 RENEWAL - A20106524
(Cont.)

Twin View Turf Pty Ltd ('TVT') - submitted a quality submission. The evaluation panel was satisfied that TVT demonstrated a very good understanding of the project and was capable, experienced and resourced sufficiently to undertake the works. TVT demonstrated their ability to undertake the project within the allocated 20-week timeframe and to a high standard. TVT have undertaken similar works for Council previously, delivering projects on time and to a high standard. The offer from TVT was the lowest priced offer and received the highest evaluation score. This offer was deemed best value to Council.

Green Options ('GO') - submitted a comprehensive submission clearly demonstrating their understanding of the project and their ability to deliver the project as required. GO are experienced in the field of sports field rejuvenation and renovations. The offer from GO received the second highest evaluation score; however, was not as competitively priced as the offer from Twin View Turf Pty Ltd and therefore not deemed best value to Council.

Supagreen Lawn Programmes Pty Ltd ('SLP') - submitted a satisfactory submission and demonstrated a good understanding of the project. SLP are experienced in sports field renewals and resurfacing works. The offer from SLP was the third lowest priced offer and received the third lowest evaluation score and therefore was not deemed best value to Council.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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.

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release. However, it is noted that Twin View Turf Pty Ltd are a local business within the Moreton Bay region.

3.4 Risk Management Implications

A third-party financial status review of the recommended tenderer has been carried out with a financial status rating of '*satisfactory*' confirming their financial capacity to deliver the proposed sports field renewal project.

The recommended tenderer has advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications Nil identified

Moreton Bay Regional Council

ITEM 3.14 TENDER - BRENDALDE - SOUTH PINE SPORTS COMPLEX - SOCCER FIELD 2 RENEWAL - A20106524
(Cont.)

3.6 Financial Implications

Council has allocated \$15,000 for design work in the 19-20 FY Capital Projects Budget and has allocated \$400,000 towards the renewal of the soccer field in the draft 20-21FY Capital Projects Budget. The recommended tendered amount for the 'Sports Field Renewal Project - South Pine Sports Complex Soccer Field 2 (VP185898)' is within budget allocation. This project will be debited from Project 106799.

Tender Price	\$ 365,067.78
Contingency (10%)	\$ 36,506.78

Total Project Cost	\$ 401,574.56
	=====

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Consultation for the delivery of this program has been undertaken with relevant officers, stakeholders including clubs, department managers and the procurement section of Council. Impending facility closures and works will be communicated via project notices and project signage. Project signage to be displayed 4 weeks prior to construction, works are scheduled to commence October 2020. The club will make alternative arrangements during the Field closure.

SUPPORTING INFORMATION

Ref: [A20082206](#)

The following list of supporting information is provided for:

ITEM 3.14

TENDER - BRENDALE - SOUTH PINE SPORTS COMPLEX - SOCCER FIELD 2 RENEWAL

Confidential #1 Tender Evaluation

ITEM 3.15
TENDER - SERVICING OF SEWER PUMP STATIONS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A19970184 : 15 June 2020 - Refer **Confidential Supporting Information**
A19762417
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

Maintenance of Council's sewer pump stations is undertaken through a contract arrangement. Tenders were called for 'Servicing of Sewer Pump Stations (MBRC009401)' through an open tender using LG Tender Box. Tenders closed on 3 March 2020 with eight conforming and one non-conforming submissions received.

It is recommended that the contract for 'Servicing of Sewer Pump Stations (MBRC009401)' be awarded to J&P Richardson Industries Pty Ltd for an estimated annual sum of \$186,595.34 (excl GST), totalling \$373,190.68 for the initial 2-year contract period (from 1 July 2020 to 30 June 2022), with an option to extend by a further three by one-year extension periods, subject to satisfactory performance.

OFFICER'S RECOMMENDATION

1. That the tender for 'Servicing of Sewer Pump Stations (MBRC009401)' be awarded to J&P Richardson Industries Pty Ltd for an estimated annual sum of \$186,595.34 (excl GST), totalling \$373,190.68 for the initial 2-year contract period (from 1 July 2020 to 30 June 2022), with an option to extend by a further three by one-year extension periods, subject to satisfactory performance.
2. That the Council enters into an agreement with J&P Richardson Industries 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 J&P Richardson Industries Pty Ltd for 'Servicing of Sewer Pump Stations (MBRC009401)' and any required variations of the agreement on Council's behalf.

ITEM 3.15 TENDER - SERVICING OF SEWER PUMP STATIONS - A19970184 (Cont.)

REPORT DETAIL

1. Background

Council currently undertakes maintenance of 59 sewer pump stations located throughout the region through contracted works. The current contract for these services expires on 30 June 2020.

This contract allows for maintenance of 59 sewer pump stations, including pumps, switchboards and telemetry. The maintenance frequency varies between four, five and six maintenance visits per annum depending on the station's location and usage. The contract requires that the services are completed by qualified technicians with an emphasis heavily weighted on electrical and instrument technician works. The contract also includes condition and compliance assessments of the equipment to assess the functionality and the provision for recommendations as to upgrades and renewals to maximise the life of the assets and ensuring compliance with applicable Acts, Regulations and Australian Standards. Also included is an alarm response service, the majority of the sewer pump stations are installed with telemetry systems that provide day/night notification for faults/high level notification which is attended to by this Contract Arrangement.

2. Explanation of Item

Tenders were called for 'Servicing of Sewer Pump Stations (MBRC009401)' through open tender using LG Tenderbox. Tenders closed on 3 March 2020 with eight conforming and one non-conforming submissions received.

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

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

Rank	Tenderer	Evaluation Score
1	Jalvita Pty Ltd	83.75
2	J&P Richardson Industries Pty Ltd	81.45
3	KSB Australia Pty Ltd	78.74
4	Grenof Pty Ltd	78.14
5	Electrical Workshop Australia Pty Ltd	75.49
6	Stornoway Maintenance Pty Ltd	71.71
7	Re-Pump Australia Pty Ltd	67.80
8	Munster Services Group Pty Ltd	37.82
9	Inova Corporation Pty Ltd	Non-conforming

Jalvita Pty Ltd ('Jalvita') - submitted an offer that met the tender specifications, however, risks were identified regarding Jalvita's ability to service the contract as per response times outlined in the tender documentation. Jalvita's electrical technicians are all based outside of the Moreton Bay region posing risks associated with response times. The offer from Jalvita was the lowest priced offer and received the highest evaluation score due to the price weighting component. A third-party financial status review was undertaken on Jalvita regarding this contract, the review identified further risk for Council and as a result, this offer was not deemed best value to Council.

J&P Richardson Pty Ltd ('JPR') - submitted a comprehensive tender submission which demonstrated the required level of skill, knowledge, experience and their capacity to undertake the works required. JPR's electrical technicians are experienced in maintenance, servicing and installation of telemetry systems; three are located in the MBRC region and a further 20 in North Brisbane. This large team of electricians strengthen JPR's ability to respond to maintenance tasks and requests quickly and within the tendered response time with a fully qualified electrician/ instrument technician. The offer from JPR was the fourth lowest priced submission and received the second highest evaluation score based on the selection criteria. JPR are the incumbent Contractor for this service and have performed satisfactorily. The offer from JPR is considered by the panel to represent the best value offer for Council and is the recommendation of this report.

ITEM 3.15 TENDER - SERVICING OF SEWER PUMP STATIONS - A19970184 (Cont.)

KSB Australia Pty Ltd ('KSB') - submitted a tender that met the requirements, however, risks were identified regarding KSB's ability to service the contract as per response times outlined in the tender documentation. They advised during a clarification meeting that they do not have in-house skills to maintain or service telemetry systems and intend to sub-contract this work. KSB's submission identified that they have limited electricians all of which are located outside of the region to service the contract. The offer from KSB was the second lowest priced submission and received the third highest evaluation score based on the selection criteria. This offer is not deemed best value to Council.

Grenof Pty Ltd ('Grenof') - submitted a tender that met the requirements. Grenof's submission identified that they will have electricians available to service the contract should they be successful in securing a company electrical licence. Advice was given at the Tender Clarification Meeting on 15th April 2020 that the licencing application was progressing, however, upon Council's follow up on 14th May 2020 the application had not yet been submitted to the Office of Industrial Relations. It is anticipated that this delay in submission will result in a licence provision post contract commencement date with no guarantees that this licence will be granted. Grenof currently engage RJV Electrical and Air Conditioning for electrical works. RJV Electrical and Air Conditioning has one electrician available outside of the region which Grenof will use if unsuccessful in their electrical licencing application. The offer from Grenof was the third lowest priced submission and received the fourth highest evaluation score. Given the risk surrounding this submission, this offer is not deemed best value to Council.

The offer received from **Inova Corporation Pty Ltd** was deemed non-conforming as the 'Formal Requirements under Part 1 - Conditions of Tender' was not completed in full.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

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

Risk	Mitigation
Attend all sites within the periodic servicing/maintenance timeframes considering the large geographical spread and number of sites and equipment.	J&P Richardson confirmed they will perform all maintenance at the required sites within the tendered timeframe and have the required technicians and plant resources available to fulfil the requirements of the tender.

ITEM 3.15 TENDER - SERVICING OF SEWER PUMP STATIONS - A19970184 (Cont.)

Risk	Mitigation
	J&P Richardson currently meet all servicing/maintenance timeframes under the existing Contract arrangement for this service.
No Council attendance during servicing/maintenance to validate completion.	J&P Richardson confirmed they will submit regular photographic service reports as evidence once works are completed. J&P Richardson submit all required reports under the existing Contract arrangement for this service.
Efficient and effective response time in attending emergencies.	J&P Richards confirmed that they will arrive onsite and commence work within the required tendered timeframe. J&P Richardson meet response times for emergencies under the existing Contract arrangement for this service.

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

The recommended tenderers have advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
The estimated costs as tendered by J&P Richardson Pty Ltd are within budget allocation. All financials shown below are excluding GST.

Tender Price - Year 1	\$ 186,595.34
Tender Price - Year 2	\$ 186,595.34
Contingency - 5%	\$ 18,659.53

Total Contract - 2 Year Term (July 2020 - June 2022)	\$ 391,850.21
	=====

3.7 Economic Benefit Implications
Effective maintenance of sewer pump stations will ensure reliable equipment operation and extend overall lifecycle, thus saving Council from costly early replacement.

3.8 Environmental Implications
Performing regular maintenance on sewer pump stations will ensure that these facilities operate efficiently, eliminating potential environmental impacts and meeting Council's environmental obligations.

3.9 Social Implications
Performing maintenance on sewer pump stations continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

3.10 Consultation / Communication
Consultation for the delivery of this contract has been undertaken with relevant key stakeholders and officers of the procurement section of Council.

SUPPORTING INFORMATION

Ref: [A19762417](#)

The following list of supporting information is provided for:

**ITEM 3.15
TENDER - SERVICING OF SEWER PUMP STATIONS**

Confidential #1 Tender Evaluation

ITEM 3.16

TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A200152032. : 15 June 2020 - Refer **Confidential** Supporting Information
A19846667, A19967423, A19967433, A19967437, A19967441
Responsible Officer: MM, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

Tenders were called for the '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470)' which contained five separable portions based on location of the various natural areas, operational maintenance zones and Council divisions. Tenders closed on 20 April 2020 with submissions received from ten contractors for one or more of the separable portions. This contract is for one year, commencing July 2020 and concluding in June 2021.

It is recommended that the tenders for '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470)' be awarded as follows, as these offers represent the best overall value to Council:

Separable Portion 1 - that the tender for '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 9 & 12' be awarded to Toolijooa Environmental Pty Ltd for the sum of \$148,019.69 (excl. GST).

Separable Portion 2 - that the tender for '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 2 - Natural Area Park Complexes in Divisions 10 & 11' be awarded to Toolijooa Environmental Pty Ltd for the sum of \$186,029.43 (excl. GST).

Separable Portion 3 - that the tender for '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6' be awarded to Technigro Pty Ltd for the sum of \$142,961.20 (excl. GST).

Separable Portion 4 - that the tender for '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 4 - Natural Area Park Complexes in Divisions 2 & 12' be awarded to Ecosure Pty Ltd for the sum of \$167,506.35 (excl. GST).

Separable Portion 5 - that the tender for '2019/2020 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 5 - Park Complexes in Division 1 & 3' be awarded to Technigro Pty Ltd for the sum of \$136,198.50 (excl. GST).

OFFICER'S RECOMMENDATION

1. That the tender for '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 9 & 12' be awarded to Toolijooa Environmental Pty Ltd for the sum of \$148,019.69 (excl. GST).
 - a) That the Council enters into an agreement with Toolijooa Environmental Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Toolijooa Environmental Pty Ltd for '2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 1 - Natural Area Park Complexes in Divisions 2, 4, 7, 8, 9 & 12' and any required variations of the agreement on Council's behalf.

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

2. That the tender for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 2 - Natural Area Park Complexes in Divisions 10 & 11'* be awarded to Toolijooa Environmental Pty Ltd for the sum of \$186,029.43 (excl. GST).
 - a) That the Council enters into an agreement with Toolijooa Environmental Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Toolijooa Environmental Pty Ltd for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 2 - Natural Area Park Complexes in Divisions 10 & 11'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6'* be awarded to Technigro Pty Ltd for the sum of \$142,961.20 (excl. GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 3 - Natural Area Park Complexes in Divisions 2, 4, 5 & 6'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 4 - Natural Area Park Complexes in Divisions 2 & 12'* be awarded to Ecosure Pty Ltd for the sum of \$167,506.35 (excl. GST).
 - a) That the Council enters into an agreement with Ecosure 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 Ecosure Pty Ltd for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 4 - Natural Area Park Complexes in Divisions 2 & 12'* and any required variations of the agreement on Council's behalf.
5. That the tender for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 5 - Natural Area Park Complexes in Divisions 1 & 3'* be awarded to Technigro Pty Ltd for the sum of \$ 136,198.50 (excl. GST).
 - a) That the Council enters into an agreement with Technigro Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Technigro Pty Ltd for *'2020/2021 Natural Areas Weed Maintenance Program (MBRC008470) - Separable Portion 5 - Natural Area Park Complexes in Divisions 1 & 3'* and any required variations of the agreement on Council's behalf.

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

REPORT DETAIL

1. Background

Tenders were called for the '2020-2021 Natural Areas Weed Maintenance Program' through Vendor Panel VP176926 using Council's Preferred Supplier Arrangement - 'MBRC008470 - Natural Areas Weed Control and Revegetation Services'. The tender contained five separable portions based on operational maintenance zones and the location of 151 natural area park complexes, comprising of 193 hectares of bushland under maintenance. The scope of contract works is ecological restoration through 'assisted natural regeneration' and integrated weed management. Tenders closed on 20 April 2020 with submissions received from ten contractors for one or more of the separable portions.

2. Explanation of Item

Separable Portion 1 - Natural Areas Park Complexes of Divisions 2, 3, 4, 7, 9, 10 & 12

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

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

RANK	TENDERER	EVALUATION SCORE
1	Toolijooa Environmental Pty Ltd	96.95
2	Ecosure Pty Ltd	96.69
3	Technigro Pty Ltd	92.93
4	Barung Landcare Association	92.22
5	Evolve Environmental Pty Ltd	91.01
6	Austcare Environmental Pty Ltd	91.00
7	Davanco Environmental Pty Ltd	90.24
8	Australian Wetlands Landscapes Pty Ltd	90.21
9	Activeco Pty Ltd	65.55
10	Brendan Stephen t/a Natural Bushland Ecology	58.91

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

Toolijooa Environmental Pty Ltd (TE) - submitted a comprehensive offer outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from TE was the lowest priced and received the highest evaluation score against all assessable criteria and was deemed best value to Council. The offer from TE contained an additional discount of 2% if awarded two or more portions of work within this contract. TE are the recommended contractor in this report for both separable portions 1 and 2. The assessment panel are confident TE are capable of delivery of both portions of works.

Ecosure Pty Ltd (Ecosure) - submitted a comprehensive offer, scoring high against non-financial criteria demonstrating high industry standards. The offer from Ecosure was the third lowest priced submission and received the second highest evaluation score against all assessable criteria.

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

Technigro Pty Ltd (Technigro) - submitted a comprehensive offer outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from Technigro was the fourth lowest priced submission and was third highest evaluation score against all assessable criteria.

Separable Portion 2 - Natural Areas Park Complexes of Divisions 8, 10 & 11

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

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

RANK	TENDERER	EVALUATION SCORE
1	Ecosure Pty Ltd	96.84
2	Toolijooa Environmental Pty Ltd	96.11
3	Technigro Pty Ltd	95.23
4	Austcare Environmental Pty Ltd	91.56
5	Evolve Environmental Pty Ltd	90.86
6	Barung Landcare Association	88.87
7	Australian Wetlands Landscapes Pty Ltd	78.48
8	Brendan Stephen t/a Natural Bushland Ecology	70.06
9	Activeco Pty Ltd	66.91

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

Toolijooa Environmental Pty Ltd (TE) - submitted a comprehensive offer outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from TE was the lowest priced and received the second highest evaluation score against all assessable criteria. The offer from TE contained an additional discount of 2% if awarded two or more portions of work within this contract. TE are the recommended contractor of this report for both separable portions 1 and 2. The assessment panel are confident TE are capable of delivering both portions of works.

Ecosure Pty Ltd submitted a comprehensive offer, scoring highest in the evaluation against all assessable criteria demonstrating high industry standards. The offer from Ecosure Pty Ltd was the third lowest priced submission however the additional cost of this offer was not deemed best value to Council.

Technigro Pty Ltd submitted a comprehensive offer outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from Technigro Pty Ltd was the second lowest priced submission and received the third highest evaluation score against all assessable criteria and was not deemed best value to Council.

Separable Portion 3 - Natural Areas Park Complexes of Divisions 2, 4, 5 & 6

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

Moreton Bay Regional Council

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

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

RANK	TENDERER	EVALUATION SCORE
1	Technigro Pty Ltd	96.32
2	Ecosure Pty Ltd	94.01
3	Davanco Environmental Pty Ltd	93.28
4	Austcare Environmental Pty Ltd	91.06
5	Australian Wetlands Landscapes Pty Ltd	89.47
6	Toolijooa Environmental Pty Ltd	88.75
7	Evolve Environmental Pty Ltd	87.49
8	Barung Landcare Association	83.34
9	Activeco Pty Ltd	69.44
10	Brendan Stephen t/a Natural Bushland Ecology	47.63

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

The offer from **Technigro Pty Ltd** was a comprehensive submission outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from Technigro Pty Ltd was the lowest priced submission and received the highest evaluation score against all assessable criteria and was deemed best value to Council.

Ecosure Pty Ltd submitted a comprehensive offer scoring the second highest evaluation score against all criteria and highest against non-financial criteria demonstrating high industry standards. The offer from Ecosure Pty Ltd received was the fifth lowest priced submission. This offer was not deemed best value to Council.

Davanco Environmental Pty Ltd submitted a comprehensive offer outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from Davanco Environmental Pty Ltd was the second lowest priced submission and received the third highest evaluation score against all assessable criteria and was not deemed best value to Council.

Separable Portion 4 - Natural Areas Park Complexes of Divisions 2 & 12

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

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

RANK	TENDERER	EVALUATION SCORE
1	Ecosure Pty Ltd	98.75
2	Austcare Environmental Pty Ltd	95.16
3	Toolijooa Environmental Pty Ltd	95.01
4	Australian Wetlands Landscapes Pty Ltd	93.09
5	Evolve Environmental Pty Ltd	91.82

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

RANK	TENDERER	EVALUATION SCORE
6	Technigro Pty Ltd	91.06
7	Barung Landcare Association	90.22
8	Activeco Pty Ltd	72.44
9	Brendan Stephen t/a Natural Bushland Ecology	59.05

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

The offer from **Ecosure Pty Ltd** received the highest overall evaluation score and was the second lowest priced submission. Ecosure excelled in the assessment of non-financial criteria receiving the highest evaluation score against all submissions, demonstrating high industry standards, project experience, staff resourcing and qualifications. Ecosure's price submission was competitive and this offer was deemed best value to Council.

Austcare Environmental Pty Ltd (AE) submitted a comprehensive offer outlining their understanding of the required works and their capability to deliver the works as outlined in the specifications. The submission from AE did not demonstrate the same level of high industry standards, project experience, staff resourcing and qualifications as Ecosure Pty Ltd. AE was the lowest price submission and received the second highest evaluation score however; was not deemed best value to Council.

Toolijooa Environmental Pty Ltd (TE) submitted a comprehensive offer outlining their understanding of the required works and their capability to deliver the works as outlined in the specifications. The offer from TE was the fourth lowest priced submission and received the third highest evaluation score against all criteria and was not deemed best value to Council.

Separable Portion 5 - Natural Areas Park Complexes of Division 1, 2, 3

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

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

RANK	TENDERER	EVALUATION SCORE
1	Technigro Pty Ltd	96.32
2	Ecosure Pty Ltd	94.88
3	Australian Wetlands Landscapes Pty Ltd	93.10
4	Austcare Environmental Pty Ltd	92.49
5	Toolijooa Environmental Pty Ltd	91.87
6	Evolve Environmental Pty Ltd	89.98
7	Barung Landcare Association	84.60
8	Activeco Pty Ltd	67.15
9	Brendan Stephen t/a Natural Bushland Ecology	65.17

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

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

The offer from **Technigro Pty Ltd** was a comprehensive submission outlining their understanding of the required works and their capability and capacity to deliver the works as outlined in the specifications. The offer from Technigro was the lowest priced submission and received the highest evaluation score against all assessable criteria and was deemed best value to Council.

Ecosure Pty Ltd submitted a comprehensive offer, scoring highest against non-financial criteria demonstrating high industry standards. The offer from Ecosure Pty Ltd received the second highest evaluation score against all assessable criteria and was the sixth lowest priced submission. This offer was not deemed best value to Council.

Australian Wetlands Landscapes Pty Ltd submitted a comprehensive offer outlining their understanding of the required works and their capacity to deliver the works as outlined in the specifications. The offer from Australian Wetlands Landscapes Pty Ltd was the second lowest priced submission and received the third highest evaluation score and was not deemed best value to Council

3. Strategic Implications

3.1 Legislative / Legal Implications

The legislative responsibilities for program delivery are:

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

The program will be operationally administered in accordance with:

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the '**Local Preference Policy**'. All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

3.4 Risk Management Implications

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

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

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

- **Separable Portions 1 and 2** - Toolijooa Environmental Pty Ltd received a rating of 'very strong' which has confirmed they have the capability and financial capacity to carry out the works in separable portions 1 and 2.
- **Separable Portion 3 and 5** - Technigro Pty Ltd received a rating of 'very strong' which has confirmed they have the capability and financial capacity to carry out the works in separable portion 3 and 5.
- **Separable Portion 4** - Ecosure Pty Ltd received a rating of 'sound' which has confirmed they have the capability and financial capacity to carry out the works in separable portion 4.

The recommended tenderers have advised that there are no foreseen circumstances which would prevent the delivery of this contract, including COVID-19.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The recommended tendered amounts for Separable Portions 1 to 5 are within the Natural Areas Asset Maintenance budget allocation. The project will be debited to 20442 Natural Areas.

Tender Price	\$ 780,715.17
Contingency - 5%	\$ 39,035.75

Total Project Cost	\$ 819,750.92
	=====

Toolijooa Pty Ltd offered a 2% discount if awarded two or more portions of works from this contract. Toolijooa Pty Ltd are the recommended tender for portions 1 and 2 of this contract and the discount of \$6817.33 has been applied accordingly.

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

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

ITEM 3.16 TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM - A200152032 (Cont.)

The prescribed program contributes to:

- Shaping SEQ- South East Queensland Regional Plan 2017; Goal 5: Live, Element 4: Working with natural systems.
- Managing Natural Assets for a Prosperous South East Queensland 2014-2031 natural resource management targets.
- MBRC Community Plan 2011-2021
 - i) Target 19: Improve the condition and extent of high-value vegetation and protect native species
 - ii) Target 20: Increase the health and resilience of waterways and coastal areas.
- Managing priority species listed in Council's Priority Species of the Moreton Bay Region.
- MBRC Open Space Strategy 2012-2031 - 4.4: Protect important environmental values in the open space network through a coordinated and integrated approach to land management.

3.9 Social Implications

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

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

The program addresses:

- MBRC Community Plan 2011-2021
 - i) Target 26: Improve the provision and maintenance of accessible and connected networks of open space.
 - ii) Target 27: Sustainable use of open space including parks and sporting fields.
- MBRC Open Space Strategy 2012-2031:
 - i) 1.7: Encourage the identification and protection of scenic amenity values.
 - ii) 2.1: Create attractive neighbourhoods which promote walking and cycling to sports and recreation parks.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: [A19846667](#), [A19967423](#), [A19967433](#), [A19967437](#), [A19967441](#)

The following list of supporting information is provided for:

ITEM 3.16

TENDER - 2020-2021 NATURAL AREAS MAINTENANCE PROGRAM

Confidential #1 Tender Evaluation - Separable Portion 1

Confidential #2 Tender Evaluation - Separable Portion 2

Confidential #3 Tender Evaluation - Separable Portion 3

Confidential #4 Tender Evaluation - Separable Portion 4

Confidential #5 Tender Evaluation - Separable Portion 5

ITEM 3.17
TENDER - KALLANGUR - DOHLES ROCKS ROAD - FAUNA EXCLUSION FENCING (KOALA)

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20002665 : 16 June 2020 - Refer **Confidential** Supporting Information **A19873435**
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited from the Council's Prequalified Civil Construction Panel (MBRC008453) for the 'Kallangur - Dohles Rocks Road - Fauna Exclusion Fencing Installation (Koala) (VP183517)' project. The tender closed on 17 April 2020, with a total of 3 tenders received, all of which were conforming.

It is recommended that the tender for 'Kallangur - Dohles Rocks Road - Fauna Exclusion Fencing Installation (Koala) (MBRC008453 / VP183517)' project be awarded to Conbro Pty Ltd for the sum of \$264,513 (excl. GST) as this offer represents the best value to Council.

OFFICER'S RECOMMENDATION

1. That the tender for 'Kallangur - Dohles Rocks Road - Fauna Exclusion Fencing Installation (Koala) (MBRC008453 / VP183517)' project be awarded to Conbro Pty Ltd for the sum of \$264,513 (excluding GST).
2. That the Council enters into an agreement with Conbro 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 Conbro Pty Ltd for 'Kallangur - Dohles Rocks Road - Fauna Exclusion Fencing Installation (Koala) (MBRC008453 / VP183517)' project and any required variations of the agreement on Council's behalf.
4. To allow this project to continue, Council commits the additional funds from the council's Koala Offset Trust in the amount of \$103,000.00 towards the project 'Kallangur - Dohles Rocks Road - Fauna Exclusion Fencing Installation (Koala) (MBRC008453 / VP183517)'.

ITEM 3.17 TENDER - KALLANGUR - DOHLES ROCKS ROAD - FAUNA EXCLUSION FENCING (KOALA) - A20002665 (Cont.)

REPORT DETAIL

1. Background

The project is located on the southern side of Dohles Rocks Road, Kallangur (Division 7) as shown in Figure 1 below.

This project has originated as a result of vehicle collisions with wildlife (koalas) on this section of road. The existing deficiencies include multiple open access points for wildlife to wander onto Dohles Rocks Road. The outcome of the project is to reduce / remove the risk of wildlife crossing the road thereby reducing the likelihood of vehicle crashes caused by wildlife.

The scope of works includes construction of approximately 920m of koala proof fencing and three (3) vehicle access gates, signage, an approved vegetation clearing to accommodate the construction Fauna Exclusion Fencing including offset planting at three (3) sites. Brays Road Park, Pam Goring Park and along Dohles Rocks Road, refer to figure 2, 3 and 4 below. The objective of the project is to prevent wildlife (particularly the koala) from entering the road corridor, distracting drivers and causing wildlife-vehicle collisions.

The project will commence in late July 2020 and take four weeks to complete with an allowance of three days for wet weather.



Figure 1: Location of Works

ITEM 3.17 TENDER - KALLANGUR - DOHLES ROCKS ROAD - FAUNA EXCLUSION FENCING (KOALA) - A20002665 (Cont.)



Figure 2: Location of Offset Planting Brays Road Park



Figure 3: Location of Offset Planting Pam Goring Park

ITEM 3.17 TENDER - KALLANGUR - DOHLES ROCKS ROAD - FAUNA EXCLUSION FENCING (KOALA) - A20002665 (Cont.)



Figure 4: Location of Offset Planting along Dohles Rocks Road

2. Explanation of Item

Tenders for the 'Kallangur - Dohles Rocks Road - Fauna Exclusion Fencing Installation (MBRC008453 / VP183517)' project closed on 17 April 2020 with three tenders received, all 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	Conbro Pty Ltd	100.00
2	Queensland Civil Group Pty Ltd	96.31
3	The Landscape Construction Company Pty Ltd	84.67

Conbro Pty Ltd - submitted a comprehensive tender that demonstrated their relevant experience, methodology, understanding of the project and capability in delivering the project. Conbro has recently undertaken construction work for Moreton Bay Regional Council - Caboolture - Pumicestone Road - Fauna Crossing Infrastructure at (\$100k) and Joyner - Youngs Crossing Road - Fauna Exclusion Fencing Installation at (\$135k). A tender clarification meeting was held on 30 April 2020 at which Conbro confirmed

ITEM 3.17 TENDER - KALLANGUR - DOHLES ROCKS ROAD - FAUNA EXCLUSION FENCING (KOALA) - A20002665 (Cont.)

their capability and understanding to complete this project. It is recommended by the evaluation panel this project be awarded to Conbro Pty Ltd as this offer represents the best value to Council.

Queensland Civil Group Pty Ltd ('QCG') - submitted a comprehensive and well-presented tender, demonstrating their project experience; however, there were no additional benefits for the higher price.

The Landscape Construction Company Pty Ltd ('LCC') - submitted a comprehensive and well-presented tender, demonstrating their project experience; however, there were no additional benefits for the higher price

Tenderers who did not submit from Council's Prequalified Civil Construction Panel, due to following two reasons, considered specialised project work or were at full capacity.

3. Strategic Implications

3.1 Legislative / Legal Implications

Council sought quotations via Council's Prequalified Civil Construction Panel (MBRC008453) for the work through Vendor Panel 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

A detailed risk management plan has been prepared. The project risk has been assessed and the following issues identified. The way in which the potential impact of these risks is minimised is detailed below

Financial Risks:

The project has been procured via Council's Prequalified Civil Construction Panel (MBRC008453)

Construction Risks:

- a) The recommended contractor will provide a program of works, traffic management plan, safety management plan and environmental management plan as part of the contract to identify and detail how they will manage and mitigate project construction risks. This information will be assessed for appropriateness and audited by Council's Project Manager.
- b) The recommended contractor has demonstrated their understanding of the project site and the need to manage the impact of works and safety for pedestrians, vehicles and adjacent private properties.
- c) The recommended contractor has programmed the works and allowed for appropriate resources to complete the project works efficiently.
- d) There are no development approvals associated with or affecting this project.
- e) There are no procurement issues identified with this project. The lead time to procure materials is considered suitable. The contractor is aware of the current COVID-19 situations and has not identified any impacts on the delivery of this project at the time of tender.

Moreton Bay Regional Council

ITEM 3.17 TENDER - KALLANGUR - DOHLES ROCKS ROAD - FAUNA EXCLUSION FENCING (KOALA) - A20002665 (Cont.)

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council allocated a total of \$190,000 towards this project at the quarter two process associated with the 2019/20 Capital Projects Program. The shortfall between estimate and tender price is predominantly associated with offset planting.

Tender Price Construction	\$ 264,513.00
Contingency (10%)	\$ 26,451.00
QLeave (0.475%)	\$ 1,256.00

Total Project Cost	\$ 292,220.00
	=====
Estimated ongoing operational/maintenance costs	\$ 1,900 per F/Y.

The budget amount for this project is insufficient. Additional funds will be debited from the council Koala Offset Trust in the amount of \$103,000.

3.7 Economic Benefit Implications

The fauna exclusion fence being installed on this stretch of Dohles Rocks road will have positive economic benefits to the local community by reducing koala-vehicle collisions along this stretch of Dohles rocks road. Police records for the Moreton Bay Region between 2000 and 2016 identified 427 significant vehicle crashes that were attributed to animals, with more than half of this number being attributed to wildlife. Of the police reported vehicle crashes that involved animals, 60.3% resulted in the driver and/or passenger/s incurring injury or requiring medical treatment or hospitalisation.

3.8 Environmental Implications

The contractor is required to submit a site-specific Environmental Management Plan, which will be reviewed and monitored by Council officers. The contractor will be required to manage sediment and erosion controls during construction and these measures will be audited and monitored by Council's Project Management staff. Environmental controls to be implemented include installation of sedimentation curtains around the current works area and relocated as the works progress, spill kits on-site and placed accordingly. Vegetation clearing will be undertaken in accordance with decision notice operational works conditions

3.9 Social Implications

Increasing koala habitat in the Murrumba Downs Corridor - through the offset planting. Allow the local koala population to increase with less deaths/injury of healthy/viable local koalas.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

A detailed communication plan has been prepared for the project. Project notices and signs will be distributed four weeks prior to construction commencement to adjacent residents. Weekly project updates via email will be provided to the Divisional Councillor who is supportive of the project.

SUPPORTING INFORMATION

Ref: [A19873435](#)

The following list of supporting information is provided for:

ITEM 3.17

TENDER - KALLANGUR - DOHLES ROCKS ROAD - FAUNA EXCLUSION FENCING (KOALA)

Confidential #1 Tender Evaluation

4 PLANNING SESSION

(Cr D Grimwade)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

No items for consideration.

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 5.1

FEES FOR VOLUNTEER MANAGED COMMUNITY CENTRES AND HALLS

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A19974392 : 29 April 2020 - **Refer Supporting Information A20104514**
Responsible Officer: JH, Supervisor Community Halls (CES Community Services, Sport & Recreation)

Executive Summary

Management committees of Council's volunteer managed community centres and halls (halls) are required under their management agreements to provide Council with an annual schedule of hire fees for endorsement. Council officers have been working with the management committees to, where practical, standardise fee structures across the region.

Eighteen not-for-profit hirers of Council's volunteer managed halls have special hire fees with hall management committees that fall outside of the standard fees approved by Council. These special hire fees are required to be reviewed by Council on a regular basis.

This report seeks Council's endorsement of the 2020/21 schedule of hire fees, including special hire fees, for Council's volunteer managed halls.

OFFICER'S RECOMMENDATION

1. That the 2020/21 schedule of hire fees for volunteer managed community centres and halls be endorsed as detailed in Supporting Information #1.
2. That the 2020/21 schedule of special hire fees for not-for-profit groups be endorsed as detailed in Supporting Information #2.

ITEM 5.1 FEES FOR VOLUNTEER MANAGED COMMUNITY CENTRES AND HALLS - A19974392 (Cont.)

REPORT DETAIL

1. Background

Thirty-nine of Council's halls are managed by volunteer management committees. The management agreements under which the committees operate require them to review and set hire fees and provide these annually to Council for endorsement.

There are differences in how management committees structure their fees. Council officers continue to work with management committees to transition to a standard fee structure across the region. For the 2020/21 financial year, the management committees for thirty-four volunteer managed halls have chosen to implement a version of the standard fee structure.

There are eighteen not-for-profit hirers of volunteer managed halls with historical 'special hire fees.' These 'special hire fees' facilitate the use of a hall at a discounted rate. At its 10 September 2019 General Meeting, Council resolved to continue these 'special hire fees' for the 2019/20 financial year and undertake subsequent reviews.

The following resolution appears on Minute Page 19/2016.

Ex. Coordination Committee Meeting held 10 September 2019 (MP 19/2016):

COMMITTEE RECOMMENDATION

1. That existing 'special fee arrangements' for the non-profit hirers listed in Table 1.1 of this report, be continued for the 2019 -2020 financial year, and be subject to ongoing review.

2. Explanation of Item

Hall management committees propose their fees and charges with consideration to the operating costs of the venue, the anticipated levels and types of usage, and their other responsibilities under the management agreements (e.g. minor facility maintenance).

Operating costs for community halls vary across facilities due to the size and type of building, the availability of specialised equipment (e.g. AV equipment, kitchen facilities, etc), and the level of use. Examples of operating costs which are the responsibility of the management committees under their management agreements include: cleaning, electricity charges, and equipment renewal.

Management committees are encouraged to implement small hire fee increases on an annual or biannual basis to ensure that increases in operating costs are offset, and to mitigate the need for large increases in future years. Of the thirty-nine halls, nineteen have proposed fee changes for the 2020/21 financial year, some of which represented increases of up to 10%. Whilst varied in rationale, officers understand that some of the proposed increases were purposed to: offset additional costs resulting from new temporary operational requirements associate with the COVID-19 pandemic; and align hire fees with other comparable halls across the region.

With consideration to the impacts of the COVID-19 pandemic on local community organisations and businesses, fee increases of greater than 2.5% have been identified as potentially posing further sustainability risks to these hirers. Accordingly, it is proposed that:

- fee increases for the 2020/21 financial year be capped at no greater than 2.5%; and
- Officers work with management committees to, where appropriate and necessary, assist with operational changes and costs associated with COVID-19 legislative compliance and safety practices.

ITEM 5.1 FEES FOR VOLUNTEER MANAGED COMMUNITY CENTRES AND HALLS - A19974392 (Cont.)

The schedule of hire fees for volunteer-managed community centres and halls, as proposed by Council officers, is provided in Supporting Information #1 of this report for Council's endorsement.

In accordance with Council's 10 September 2019 resolution regarding 'special hire fees' for not-for profit hirers of volunteer managed halls (refer Section 1 of this report), a review of these 'special hire fees' has been undertaken. This report recommends the continuation of all 'special hire fees', as detailed in Supporting Information #2, for the 2020/21 financial year.

3. Strategic Implications

- 3.1 Legislative / Legal Implications Nil identified
- 3.2 Corporate Plan / Operational Plan
Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.
- 3.3 Policy Implications Nil identified
- 3.4 Risk Management Implications Nil identified
- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
Income from hire fees support management committees in meeting hall operational costs including, but not limited to: cleaning; minor maintenance; and electricity charges. Sound facility management by committees can reduce Council's ongoing costs in maintaining the buildings.
- 3.7 Economic Benefit Implications Nil identified
With consideration to the impacts of COVID-19 on local businesses within the region, this report recommends that fee increases for the 2020/21 financial year be capped at 2.5% to minimise further sustainability risks for hirers.
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications
Well-managed and resourced community centres and halls benefit the community by providing local spaces for community activities and events.
- 3.10 Human Rights Implications
Under the *Human Rights Act 2019* (Qld), Council must not make a decision which is incompatible with human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that there are no human rights implications relevant to Council's decision.
- 3.11 Consultation / Communication
Divisional Councillors

SUPPORTING INFORMATION

Ref: [A20104514](#)

The following list of supporting information is provided for:

ITEM 5.1

FEEES FOR VOLUNTEER MANAGED COMMUNITY CENTRES AND HALLS

#1 Proposed 2020/2021 hire fees for volunteer managed community centres and halls

#2 Proposed 2020/2021 special hire fees

ITEM 5.2 TENDER FOR COMMERCIAL REAL ESTATE SERVICES

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20101648 : 11 June 2020 - Refer **Confidential** Supporting Information
A20130367
Responsible Officer: CP, Coordinator Property Services (CES Property & Commercial Services)

Executive Summary

The purpose of this report is to finalise the request for tender process undertaken for the provision of commercial real estate services.

OFFICER'S RECOMMENDATION

1. That the tender for commercial real estate services (MBRC009742) be awarded to North Coast Commercial Properties Pty Ltd ACN: 615 941 430 as trustee for the Twin Fin Unit Trust ABN: 38 753 217 937 (trading as Ray White Commercial Northern Corridor Group), commencing on 8 July 2020, and expiring on 30 June 2022, with the option of an additional two (2) years at Council's sole discretion.
2. That the Chief Executive Officer be authorised to:
 - (a) enter into an agreement with North Coast Commercial Properties Pty Ltd ACN: 615 941 430 ATF the Twin Fin Unit Trust ABN: 38 753 217 937 (trading as Ray White Commercial Northern Corridor Group) for commercial real estate services; and
 - (b) take all action necessary, including but not limited to, negotiating, making, amending, signing, discharging and varying agreements with North Coast Commercial Properties Pty Ltd ATF the Twin Fin Unit Trust (trading as Ray White Commercial Northern Corridor Group) for commercial real estate services on Council's behalf.

ITEM 5.2 TENDER FOR COMMERCIAL REAL ESTATE SERVICES - A20101648 (Cont.)

REPORT DETAIL

1. Background

Council's commercial properties, which include industrial and retail tenancies, have been leased and managed by CPRM Property Group (Qld) Pty Ltd (CPRM) pursuant to a Formal Instrument of Agreement dated 1 August 2018 (CPRM Agreement). The CPRM Agreement will expire on 7 July 2020.

Council had also engaged Savills (Qld) Pty Limited (Savills) pursuant to a Formal Instrument of Agreement dated 1 July 2016 (Savills Agreement) to provide real estate services for the disposal of Council's commercial and retail properties. The Savills Agreement will terminate on 30 June 2020.

A request for tender for commercial real estate services (Request for Tender) was issued via LG Tenderbox on 4 April 2020. The Request for Tender invited submissions from tenderers to provide all of the following services with respect to Council's commercial properties:

- (1) property management services;
- (2) leasing services; and
- (3) disposal of properties.

The Request for Tender closed at 2.00pm on 28 April 2020, and Council received nine submissions.

2. Explanation of Item

As outlined in the Request for Tender, the proposed commencement date for the provision of commercial real estate services will be 8 July 2020, expiring 30 June 2022 (Contract Term), with an option of an additional two years at Council's sole discretion.

It is proposed that the tender for commercial real estate services (MBRC009742) be awarded to North Coast Commercial Properties Pty Ltd ACN: 615 941 430 as trustee for the Twin Fin Unit Trust ABN: 38 753 217 937 (trading as Ray White Commercial Northern Corridor Group).

North Coast Commercial Properties Pty Ltd as trustee for the Twin Fin Unit Trust (trading as Ray White Commercial Northern Corridor Group)

This tenderer submitted a conforming tender, which addressed all the selection criteria in a thorough and well-presented manner, with evidence of extensive experience in the region.

Of note, their tender outlined their use of specific and targeted technology to assist them in discharging the services required, for example:

- exclusive in-house market tracking of commercial property within the region; and
- property management software (Cirrus8), which incorporates property management, sales, trust accounting and customer relationship management.

A summary of the evaluation results is attached - refer Confidential Supporting Information #1.

3. Strategic Implications

3.1 Legislative / Legal Implications

To ensure that Council meets its obligations under the *Local Government Act 2009* and the *Local Government Regulation 2012*, Council must undergo a tender process before entering into an agreement for commercial real estate services.

3.2 Corporate Plan / Operational Plan

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

ITEM 5.2 TENDER FOR COMMERCIAL REAL ESTATE SERVICES - A20101648 (Cont.)

3.3 Policy Implications

The following policies have been adhered to during this process:

- Procurement Policy 10-2150-006
- Council Insurance Policy 12-2150-060

3.4 Risk Management Implications

The primary risk is probity. Council's Procurement Services department has overseen the tender process.

3.5 Delegated Authority Implications

As per Officer's Recommendation 2 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing, discharging and varying agreements with North Coast Commercial Properties Pty Ltd ATF the Twin Fin Unit Trust (trading as Ray White Commercial Northern Corridor Group) for commercial real estate services on Council's behalf.

3.6 Financial Implications

An estimate of the costs of entering into a contract with the successful tenderer, based on the pricing submitted, is approximately \$200,000 p.a. Commissions payable by Council are deducted from rental and sale deposits, and retained by the agency.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications

Under the *Human Rights Act 2019* (Qld), Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that Council's decision in this circumstance is compatible with (and does not limit) a person's property rights.

3.11 Consultation / Communication

Council's Procurement department were consulted throughout the Request for Tender process.

SUPPORTING INFORMATION

Ref: [A20130367](#)

The following list of supporting information is provided for:

**ITEM 5.2
TENDER FOR COMMERCIAL REAL ESTATE SERVICES**

Confidential #1 Tender Evaluation Summary Sheet

ITEM 5.3
TENDER FOR RESIDENTIAL REAL ESTATE SERVICES

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20107142 : 11 June 2020 - Refer **Confidential Supporting Information**
A20130132
Responsible Officer: CP, Coordinator Property Services (CES Property & Commercial Services)

Executive Summary

The purpose of this report is to finalise the request for tender process undertaken for residential real estate services.

OFFICER'S RECOMMENDATION

1. That the tender for residential real estate services (MBRC009762) be awarded to J H Brown Real Estate Pty Ltd trading as Ray White Caboolture ACN: 162 661 903 for a period of 2 years, commencing 1 July 2020, and expiring 30 June 2022, with an option of a further two (2) years at Council's sole discretion.
2. That the Chief Executive Officer be authorised to:
 - (a) enter into an agreement with J H Brown Real Estate Pty Ltd trading as Ray White Caboolture ACN: 162 661 903 for residential real estate services; and
 - (b) take all action necessary, including but not limited to, negotiating, making, amending, signing, discharging and varying agreements with J H Brown Real Estate Pty Ltd trading as Ray White Caboolture for residential real estate services on Council's behalf.

ITEM 5.3 TENDER FOR RESIDENTIAL REAL ESTATE SERVICES - A20107142 (Cont.)

REPORT DETAIL

1. Background

Council's residential properties have been leased and managed by J H Brown Real Estate Pty Ltd trading as Ray White Caboolture (Ray White Caboolture) pursuant to a Formal Instrument of Agreement dated 1 July 2016 (Agreement). The Agreement also required the provision of real estate services for the disposal of residential properties.

The Agreement will terminate on 30 June 2020.

Council issued a request for tender for residential real estate services (Request for Tender) via LG Tenderbox on 4 April 2020. The Request for Tender invited submissions from tenderers to provide the following services with respect to Council's residential properties:

- (1) property management services;
- (2) leasing services; and
- (3) disposal of properties.

The Request for Tender closed at 2.00pm on 28 April 2020, and Council received two submissions.

2. Explanation of Item

As outlined in the Request for Tender, the proposed start date for the provision of residential real estate services is 1 July 2020, expiring on 30 June 2022 (Contract Term), with an option for a further two years at Council's sole discretion.

It is proposed that the tender for residential real estate services (MBRC009762) be awarded to J H Brown Real Estate Pty Ltd trading as Ray White Caboolture ACN: 162 661 903.

J H Brown Real Estate Pty Ltd trading as Ray White Caboolture

J H Brown Real Estate Pty Ltd trading as Ray White Caboolture submitted a conforming tender, which addressed all the selection criteria. They outlined extensive experience within the Moreton Bay Region, having operated in the region for many years. As previously noted, they are currently providing Council with residential real estate services and their pricing was the most competitive of the two submissions received.

A summary of the evaluation results is attached - refer Confidential Supporting Information #1.

3. Strategic Implications

3.1 Legislative / Legal Implications

To ensure that Council meets its obligations under the *Local Government Act 2009* and the *Local Government Regulation 2012*, Council underwent a competitive tender process before seeking to enter into a contract for service.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The following policies have been adhered to during this process:

- Procurement Policy 10-2150-006
- Council Insurance Policy 12-2150-060

3.4 Risk Management Implications

The primary risk is probity. Council's Procurement Services department have overseen the tender process.

ITEM 5.3 TENDER FOR RESIDENTIAL REAL ESTATE SERVICES - A20107142 (Cont.)

3.5 Delegated Authority Implications

As per Officer's Recommendation 2 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing, discharging and varying agreements with J H Brown Real Estate Pty Ltd trading as Ray White Caboolture for residential real estate services on Council's behalf.

3.6 Financial Implications

An estimate of the costs of entering into a contract with the successful tenderer, based on the pricing submitted, is approximately \$50,000 p.a. Commissions payable by council are deducted from rental and sale deposits, and retained by the agency.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications

Under the *Human Rights Act 2019* (Qld), Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that Council's decision in this circumstance is compatible with (and does not limit) a person's property rights.

3.11 Consultation / Communication

Council's Procurement department were consulted throughout the Request for Tender process.

SUPPORTING INFORMATION

Ref: [A20130132](#)

The following list of supporting information is provided for:

**ITEM 5.3
TENDER FOR RESIDENTIAL REAL ESTATE SERVICES**

Confidential #1 Tender Evaluation Summary Sheet

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

**ITEM 6.1
DEBT POLICY 2020/21**

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20072477 : 25 May 2020 - **Refer Supporting Information A20073414**
Responsible Officer: JG, Coordinator Corporate Accounting (FCS Accounting Services)

Executive Summary

Pursuant to section 192 of the Local Government Regulation 2012, Council must adopt an annual debt policy.

The purpose of this report is to present the Debt Policy for 2020/21 for adoption.

OFFICER'S RECOMMENDATION

That the Debt Policy for 2020/21 be adopted, as tabled in Supporting Information #1.

ITEM 6.1 DEBT POLICY 2020/21 - A20072477 (Cont.)

REPORT DETAIL

1. Background

In accordance with section 192 of the Local Government Regulation 2012, Council must prepare and adopt an annual debt policy.

2. Explanation of Item

Every financial year the Council must prepare and adopt an annual Debt Policy. The Debt Policy must state:

- i. the new borrowings planned for the current financial year and the next nine financial years.
- ii. the period over which the Council plans to repay existing and new borrowings.

The Debt Policy is prepared and formulated in the context of Council's Annual Budget cycle and Long Term Financial Forecast.

The Debt Policy summarises Council's forecast borrowings, covering the period from 1 July 2020 to 30 June 2030.

3. Strategic Implications

3.1 Legislative / Legal Implications

In accordance with section 192 of the Local Government Regulation 2012,

- (1) A local government must prepare and adopt a debt policy for a financial year.
- (2) The debt policy must state:

- (a) the new borrowings planned for the current financial year and the next 9 financial years;
and
- (b) the period over which the local government plans to repay existing and new borrowings.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The Debt Policy is updated at least annually in line with the annual budget cycle but can be amended at any time if borrowing requirements change. However, any amendments to the Debt Policy must be made prior to Council lodging its borrowings application with the State Government.

3.4 Risk Management Implications

The risk to Council lies in the implementation and application of the Debt Policy. Council must only borrow for capital expenditure purposes as approved through the annual budget and ensure it adheres to appropriate financial ratios in determining those borrowings. The policy is prepared based on the best information available on the projected revenue and expenditure levels as well as the economic outlook.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The Debt Policy allows, upon approval from the State Government, the Council to borrow money that assists in funding capital expenditure. The borrowings forecasted allows Council to fund the capital expenditure required and remain within acceptable financial ratios over the short and long term to ensure long term sustainability.

3.7 Economic Benefit Implications

Nil identified

ITEM 6.1 DEBT POLICY 2020/21 - A20072477 (Cont.)

- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Director Finance and Corporate Services.

SUPPORTING INFORMATION

Ref: [A20073414](#)

The following list of supporting information is provided for:

**ITEM 6.1
DEBT POLICY 2020/21**

#1 Policy: 2150-083 Debt Policy

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20133438: 24 June 2020 - Refer **Confidential Supporting Information**
A20133437
Responsible Officer: JL, Financial Operations Manager (CEO Financial & Project Services)

Executive Summary

Pursuant to section 233 of the Local Government Regulation 2012, Council is able to enter into a medium-sized or large-sized contractual arrangement for goods and services, without first inviting written quotes or tenders, if the contract is entered into with a supplier under a preferred supplier arrangement or register of prequalified suppliers.

Two Preferred Supplier Arrangements and one Prequalified Panel of Suppliers (Purchasing Arrangements) have been prepared to facilitate the supply of five categories of materials and services used across Council as follows:

- Preferred Supplier Arrangements
 - Pavement Marking Services - Maintenance Works
 - Pavement Marking Services - New Works
 - Hire of Heavy Plant and Equipment - Dry Hire
 - Hire of Heavy Plant and Equipment - Wet Hire
- Prequalified Panel of Suppliers
 - Smart Cities

The two preferred supplier arrangements will be awarded for the period commencing 1 July 2020 concluding on 30 June 2022 with an option to extend for a further two 12-month periods if it is decided to be beneficial to Council.

The one prequalified panel of suppliers will be awarded for the period commencing 1 July 2020 concluding on 30 June 2021 with an option to extend for a further two 12-month periods if it is decided to be beneficial to Council.

In preparing these arrangements, Council sought tenders from the market in a process which commenced in January 2020. Tenders were open for a minimum of 21 days after date of advertisement to meet advertising requirements under the Local Government Regulation 2012. A total of 235 submissions were received.

Following assessment, it is recommended that a total of 143 suppliers be appointed to the categories as listed.

OFFICER'S RECOMMENDATION

1. That the following contractors be appointed onto MBRC009527 - Preferred Supplier Arrangement - Pavement Marking Services - Category 1 - Maintenance Works:
 - a. Allstate Linemarking Pty Ltd
 - b. Dingo Road Services Pty Ltd
 - c. Total Management Solutions QLD Pty Ltd T/A Sunshine Coast Linemarking
2. That the following contractors be appointed onto MBRC009527 - Preferred Supplier Arrangement - Pavement Marking Services - Category 2 - New Works:
 - a. Allstate Linemarking Pty Ltd
 - b. Designer Pave Pty Ltd

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

3. That the following contractors be appointed onto MBRC009620 - Prequalified Panel of Suppliers - Smart Cities:
- a. [uii] the urban institute Pty Ltd
 - b. 3 Crowns Technologies Pty Ltd
 - c. Aldridge Traffic Systems Pty Ltd
 - d. Anatas Pty Ltd
 - e. ARCSG Pty Ltd
 - f. Arup Australia Pty Ltd
 - g. Ausmeter Pty Ltd
 - h. Australian Fibreoptic Services Pty Ltd T/A Australian Fibreoptic Solutions
 - i. Australian Parking & Revenue Control Pty Ltd
 - j. Beaconfield Partners Pty Ltd
 - k. CCP Technologies Ltd
 - l. CelloPark Australia Pty Ltd T/A Smarter City Solutions
 - m. CGI Technologies and Solutions Australia Pty Ltd
 - n. Civic Analytica Pty Ltd
 - o. Civlec Pty Ltd T/A Trafflec
 - p. Core Project Advisory Pty Ltd
 - q. CV Energy Services Pty Ltd
 - r. Deloitte Risk Advisory Pty Ltd
 - s. Delos Delta Pty Ltd
 - t. Dream Industrial T/A Pioneer Computers
 - u. Ecosave Pty Ltd
 - v. ENE.HUB Pty Ltd
 - w. Engie Services Australia Pty Ltd
 - x. Enzen Australia Pty Ltd
 - y. FNE Communications Pty Ltd
 - z. GHD Pty Ltd
 - aa. Greenplate Pty Ltd
 - bb. IISolutions Pty Ltd
 - cc. Informed 365 Pty Ltd
 - dd. Infrastructure Logic Pty Ltd T/A Onewifi & Infrastructure
 - ee. J & P Richardson Industries Pty Ltd
 - ff. JYW Consulting Pty Ltd
 - gg. Karit Australia Pty Ltd
 - hh. KPMG Australia
 - ii. Laminar Communications Pty Ltd
 - jj. Layer Zero Trust T/A TPL Connect
 - kk. LED Roadway Lighting Ltd
 - ll. Mandalay Technologies
 - mm. Meshed Pty Ltd
 - nn. Metromatics Pty Ltd
 - oo. MOQDigital Pty Ltd
 - pp. National Narrowband Network Communications Pty Ltd
 - qq. Navman Wireless Australia Pty Ltd (Teletrac Navman)
 - rr. Omniflow Australia
 - ss. Oper8 Pty Ltd
 - tt. PricewaterhouseCoopers (Australia)
 - uu. Pure Lighting
 - vv. Reekoh Pty Ltd
 - ww. Reino International Pty Ltd T/A Duncan Solutions Australia
 - xx. Riot Solutions Pty Ltd
 - yy. Sage Automation
 - zz. Sarb Management Group Pty Ltd ATF The Sarb Enterprises Hybrid Trust T/A Database Consultants Australia (DCA)
 - aaa. Sensavation Pty Ltd
 - bbb. Smart City Solution Pty Ltd

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

- ccc. Smart Parking Ltd
 - ddd. Smarter Technology Solutions Pty Ltd T/A CyQIQ
 - eee. Smartsensor Technologies Pty Ltd
 - fff. Stradbroke Infrastructure Advisory Pty Ltd
 - ggg. Suez Recycling & Recovery Holdings Pty Ltd
 - hhh. Telstra Corporation Ltd
 - iii. Titan ICT
 - jjj. Toyota Tsusho (Australasia) Pty Ltd
 - kkk. Triple 'M' Mechanical Services (QLD) Pty Ltd
 - lll. UGL Engineering Pty Ltd
 - mmm. Universal Communications Group Ltd
 - nnn. Value Added Asset Management Pty Ltd
 - ooo. Veolia Energy Solutions Pty Ltd
 - ppp. Vernetzen Pty Ltd
 - qqq. WSP Australia Pty Ltd
4. That the following contractors be appointed onto MBRC009794 - Preferred Supplier Arrangement - Hire of Heavy Plant and Equipment Services - Category 1 - Wet Hire:
- a. Accurate Road Profiling Services Pty Ltd
 - b. Apollo Excavations Pty Ltd T/A Narangba Excavations (Greg Barnett)
 - c. Aquaholic Trading Trust ATF Aquaholic WC&TS Pty Ltd
 - d. Arana Bobcats & Excavators Pty Ltd
 - e. Aussie Enviro Excavations Pty Ltd
 - f. Aussie Services QLD Pty Ltd
 - g. Australian Civil Solutions
 - h. Australian Marine & Civil Pty Ltd
 - i. B & C Earthmoving Contractors Pty Ltd
 - j. Ballard's Earthmoving & Demolition
 - k. Bebrok Excavations
 - l. Bonelli Earthmoving Pty Ltd
 - m. Brett's Slashing Pty Ltd
 - n. Burpengary Crane Hire Pty Ltd
 - o. Cal's Backhoe Hire Pty Ltd
 - p. Clayton's Towing Service
 - q. Cleanaway Industrial Solutions Pty Ltd
 - r. Cleanaway Operations Pty Ltd
 - s. Coops Plant Hire Pty Ltd
 - t. Cps Civil Construction Pty Ltd
 - u. CR & JM Itzstein Pty Ltd ATF Itzstein Family Trust
 - v. David Hamill of HHLift Pty Ltd T/A CabCranes
 - w. Dirt Moving Excavations Pty Ltd T/A Buckit Plant Hire
 - x. Eagle Alliance Earthmoving Pty Ltd ATF The Eagle Alliance Unit Trust
 - y. East Coast Bitumen & Road Sweeping Pty Ltd
 - z. Ellis Profiling (QLD) Pty Ltd
 - aa. Fallini Constructions Pty Ltd
 - bb. Flow on Water Works Pty Ltd
 - cc. G-A Transport Pty Ltd
 - dd. Gary Baldwin T/A Big Boys Plant Hire
 - ee. GNB Energy Pty Ltd
 - ff. H2flow Hire
 - gg. HTD Australia Pty Ltd
 - hh. IBS Excavations
 - ii. Jack & Jed Pty Ltd T/A N&M Smith Earthmoving
 - jj. JK Cartage Pty Ltd
 - kk. L & D Earthmoving Ltd
 - ll. L P Pipe & Civil Pty Ltd
 - mm. Mick and Mels Bobcat Hire
 - nn. Morayfield Excavations

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

- oo. National Vegetation Maintenance Pty Ltd
 - pp. North Brisbane Truck Hire
 - qq. P&D Grader Hire Pty Ltd
 - rr. Pipe Management Australia Pty Ltd
 - ss. Rivercity Garden & Lawn Pty Ltd T/A Rivercity Environmental
 - tt. SouthEast Profiling Pty Ltd
 - uu. TDK Earthmoving
 - vv. TJ & DM Andreassen Pty Ltd T/A TJ Earthmoving
 - ww. Top Dog Earthmoving Pty Ltd ATF TDE Trust
 - xx. Vertical Tower Hire
5. That the following contractors be appointed onto MBRC009794 - Preferred Supplier Arrangement - Hire of Heavy Plant and Equipment Services - Category 2 - Dry Hire:
- a. Apollo Excavations Pty Ltd T/A Narangba Excavations (Greg Barnett)
 - b. Australian Civil Solutions
 - c. Coates Hire Operations Pty Ltd
 - d. Compass Equipment Sales Pty Ltd
 - e. Conplant Pty Ltd
 - f. Cps Civil Construction Pty Ltd
 - g. Eagle Alliance Earthmoving Pty Ltd ATF The Eagle Alliance Unit Trust
 - h. Ezyquip Hire Pty Ltd
 - i. Flexihire Pty Ltd
 - j. Hastings Deering (Australia) Ltd
 - k. JK Cartage Pty Ltd
 - l. Kennards Hire Pty Ltd
 - m. Master Hire
 - n. Onsite Rental Group Operations Pty Ltd
 - o. Orange Hire Services Pty Ltd
 - p. Porter Hire Pty Ltd
 - q. Ryno Industries Pty Ltd T/A Ryno Hire
 - r. Sherrin Rentals Pty Ltd
 - s. VMS Repairs Pty Ltd T/A VMS Rentals
6. That the Council enters into an agreement with each of the above contractors as described in this report.
7. 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 each of the above contractors in respect of each preferred supplier arrangement and any required variations of these agreements on Council's behalf.
8. The Chief Executive Officer be authorised to determine under each purchasing arrangement whether to exercise the option to extend the contract by the two 12-month extension periods or to review the composition of the preferred supplier list and consider whether it is necessary to re-tender the entirety of the purchasing arrangement.

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

REPORT DETAIL

1. Background

Pursuant to section 233 of the Local Government Regulation 2012, Council is able to enter into a medium-sized or large-sized contractual arrangement for goods and services, without first inviting written quotes or tenders, if the contract is entered into with a supplier under a preferred supplier arrangement or register of prequalified suppliers. The competitive rates from preferred suppliers approved through the tender process, are available to all staff to access should they require the services the preferred suppliers offer.

Tenders were advertised during the periods listed below:

Panel	Date Advertised	Date Closed
MBRC009527 - Pavement Marking Services	18/01/20	18/02/20
MBRC009620 - Prequalified Panel of Suppliers - Smart Cities	28/02/20	07/04/20
MBRC009794 - Hire of Heavy Plant and Equipment Services	18/04/20	19/05/20

The Prequalified Panel of Suppliers - Smart Cities will be awarded for the period commencing 1 July 2020 concluding on 30 June 2021 with an option to extend for a further two 12-month periods if it is decided to be beneficial to Council.

The purchasing arrangements will be awarded for the period commencing 1 July 2020 concluding on 30 June 2022 with an option to extend for a further two 12-month periods if it is decided to be beneficial to Council.

Council requires the above goods and services in large volumes and frequently. Better value for money is able to be achieved by accumulating the demand for the goods and services, and the nature of the goods and services is well understood in the respective industries.

2. Explanation of Item

Once the submissions were opened, they were assessed by the respective tender assessment teams in accordance with Council's Procurement Policy and the selection criteria set out in the tender documents.

Submissions that did not address mandatory assessment criteria were assessed as "non-conforming" and did not progress in the evaluation process. The submissions were then assessed on qualitative criteria that included Relevant Company Experience, Key Personnel Skills and Experience, Tenderer's Resources, Workplace Health and Safety systems and processes and whether the company was a Local Business and/or Industry. Pricing of Schedule of Rates was also considered.

The evaluation criteria for the preferred supplier arrangements included a local supplier weighting. Out of the 74 suppliers being recommended for appointment across the four categories, 44 (59.46%) are head-quartered in MBRC and a further 20 (27.02%) have an office within MBRC.

Supplier Arrangement	Total Appointed to Panel	Head Office Within MBRC Area	Branch Office in MBRC Region	No Presence in MBRC Region
MBRC009527 - Pavement Marking Services - Category 1 - Maintenance Works	3	1	0	2
MBRC009527 - Pavement Marking Services - Category 2 - New Works	2	1	0	1
MBRC009794 - Hire of Heavy Plant and Equipment Services - Category 1 - Wet Hire	50	37	13	0
MBRC009794 - Hire of Heavy Plant and Equipment Services - Category 2 - Dry Hire	19	5	7	7
	74	44	20	10

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

The evaluation criteria for the Smart Cities Prequalified Panel of Suppliers did not include a local supplier weighting.

The following tables list the recommended companies for each arrangement category after the evaluation process was completed. A complete list of tenderers and their rankings, including unsuccessful tenderers, is provided in Confidential Supporting Information #1.

MBRC009527 - Pavement Marking Services - Category 1 - Maintenance Works

Category 1 comprises pavement marking services for maintenance work such as maintenance marking for existing roads.

A total of seven submissions were received, with three companies recommended for appointment to the panel.

Tenderer
Allstate Linemarking Pty Ltd
Dingo Road Services Pty Ltd
Total Management Solutions QLD Pty Ltd T/A Sunshine Coast Linemarking

MBRC009527 - Pavement Marking Services - Category 2 - New Works

Category 2 comprises pavement marking services for new work such as newly constructed roads and resurfaced roads.

A total of seven submissions were received, with two companies recommended for appointment to the panel.

Tenderer
Allstate Linemarking Pty Ltd
Designer Pave Pty Ltd

MBRC009620 - Prequalified Panel of Suppliers - Smart Cities

Comprises consultative, advisory, investigative, planning services, design services, supply implementation and operational services for Smart City initiatives including but not limited to Smart Parking, Smart Lighting, Smart City Data Management, Business Intelligence, Internet of Things Networks and Energy and Sustainability.

A total of 95 submissions were received, with 69 companies recommended for appointment to the panel.

Tenderer
[ui!] the urban institute pty ltd
3 Crowns Technologies Pty Ltd
Aldridge Traffic Systems Pty Ltd
Anatas Pty Ltd
ARCSG Pty Ltd
Arup Australia Pty Ltd
Ausmeter Pty Ltd

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ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

Tenderer
Australian Fibreoptic Services Pty Ltd T/A Australian Fibreoptic Solutions
Australian Parking & Revenue Control Pty Ltd
Beaconfield Partners Pty Ltd
CCP Technologies Ltd
CellOPark Australia Pty Ltd T/A Smarter City Solutions
CGI Technologies and Solutions Australia Pty Ltd
Civic Analytica Pty Ltd
Civlec Pty Ltd T/A Trafflec
Core Project Advisory Pty Ltd
CV Energy Services Pty Ltd
Deloitte Risk Advisory Pty Ltd
Delos Delta Pty Ltd
Dream Industrial T/A Pioneer Computers
Ecosave Pty Ltd
ENE.HUB Pty Ltd
Engie Services Australia Pty Ltd
Enzen Australia Pty Ltd
FNE Communications Pty Ltd
GHD Pty Ltd
Greenplate Pty Ltd
IISolutions Pty Ltd
Informed 365 Pty Ltd
Infrastructure Logic Pty Ltd T/A Onewifi & Infrastructure
J & P Richardson Industries Pty Ltd
JYW Consulting Pty Ltd
Karit Australia Pty Ltd
KPMG Australia
Laminar Communications Pty Ltd
Layer Zero Trust T/A TPL Connect
LED Roadway Lighting Ltd
Mandalay Technologies
Meshed Pty Ltd
Metromatics Pty Ltd
MOQDigital Pty Ltd
National Narrowband Network Communications Pty Ltd
Navman Wireless Australia Pty Ltd (Teletrac Navman)
Omniflow Australia
Oper8 Pty Ltd
PricewaterhouseCoopers (Australia)
Pure Lighting
Reekoh Pty Ltd
Reino International Pty Ltd T/A Duncan Solutions Australia
Riot Solutions Pty Ltd

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

Tenderer
Sage Automation
Sarb Management Group Pty Ltd ATF The Sarb Enterprises Hybrid Trust T/A Database Consultants Australia (DCA)
Sensavation Pty Ltd
Smart City Solution Pty Ltd
Smart Parking Ltd
Smarter Technology Solutions Pty Ltd T/A CyQIQ
Smartsensor Technologies Pty Ltd
Stradbroke Infrastructure Advisory Pty Ltd
Suez Recycling & Recovery Holdings Pty Ltd
Telstra Corporation Ltd
Titan ICT
Toyota Tsusho (Australasia) Pty Ltd
Triple 'M' Mechanical Services (QLD) Pty Ltd
UGL Engineering Pty Ltd
Universal Communications Group Ltd
Value Added Asset Management Pty Ltd
Veolia Energy Solutions Pty Ltd
Vernetzen Pty Ltd
WSP Australia Pty Ltd

MBRC009794 - Hire of Heavy Plant and Equipment Services - Category 1 - Wet Hire

Comprises hire of heavy plant and equipment with a fully qualified plant operator. Plant and equipment includes but is not limited to excavators, backhoes, cranes, graders, drotts, loaders, tipper and profilers.

A total of 96 submissions were received, with 50 companies recommended for appointment to the panel.

Tenderer
Accurate Road Profiling Services Pty Ltd
Apollo Excavations Pty Ltd T/A Narangba Excavations (Greg Barnett)
Aquaholic Trading Trust ATF Aquaholic WC&TS Pty Ltd
Arana Bobcats & Excavators Pty Ltd
Aussie Enviro Excavations Pty Ltd
Aussie Services QLD Pty Ltd
Australian Civil Solutions
Australian Marine & Civil Pty Ltd
B & C Earthmoving Contractors Pty Ltd
Ballard's Earthmoving & Demolition
Bebrok Excavations
Bonelli Earthmoving Pty Ltd
Brett's Slashing Pty Ltd
Burpengary Crane Hire Pty Ltd
Cal's Backhoe Hire Pty Ltd
Clayton's Towing Service

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

Tenderer
Cleanaway Industrial Solutions Pty Ltd
Cleanaway Operations Pty Ltd
Coops Plant Hire Pty Ltd
Cps Civil Construction Pty Ltd
CR & JM Itzstein Pty Ltd ATF Itzstein Family Trust
David Hamill of HHLift Pty Ltd T/A CabCranes
Dirt Moving Excavations Pty Ltd T/A Bucket Plant Hire
Eagle Alliance Earthmoving Pty Ltd ATF The Eagle Alliance Unit Trust
East Coast Bitumen & Road Sweeping Pty Ltd
Ellis Profiling (QLD) Pty Ltd
Fallini Constructions Pty Ltd
Flow on Water Works Pty Ltd
G-A Transport Pty Ltd
Gary Baldwin T/A Big Boys Plant Hire
GNB Energy Pty Ltd
H2flow Hire
HTD Australia Pty Ltd
IBS Excavations
Jack & Jed Pty Ltd T/A N&M Smith Earthmoving
JK Cartage Pty Ltd
L & D Earthmoving Ltd
L P Pipe & Civil Pty Ltd
Mick and Mels Bobcat Hire
Morayfield Excavations
National Vegetation Maintenance Pty Ltd
North Brisbane Truck Hire
P&D Grader Hire Pty Ltd
Pipe Management Australia Pty Ltd
Rivercity Garden & Lawn Pty Ltd T/A Rivercity Environmental
SouthEast Profiling Pty Ltd
TDK Earthmoving
TJ & DM Andreassen Pty Ltd T/A TJ Earthmoving
Top Dog Earthmoving Pty Ltd ATF TDE Trust
Vertical Tower Hire

MBRC009794 - Hire of Heavy Plant and Equipment Services - Category 2 - Dry Hire

Comprises hire of heavy plant and equipment including but not limited to rollers, backhoes and graders, excavators.

A total of 30 submissions were received, with 19 companies recommended for appointment to the panel.

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

Tenderer
Apollo Excavations Pty Ltd T/A Narangba Excavations (Greg Barnett)
Australian Civil Solutions
Coates Hire Operations Pty Ltd
Compass Equipment Sales Pty Ltd
Conplant Pty Ltd
Cps Civil Construction Pty Ltd
Eagle Alliance Earthmoving Pty Ltd ATF The Eagle Alliance Unit Trust
Ezyquip Hire Pty Ltd
Flexihire Pty Ltd
Hastings Deering (Australia) Ltd
JK Cartage Pty Ltd
Kennards Hire Pty Ltd
Master Hire
Onsite Rental Group Operations Pty Ltd
Orange Hire Services Pty Ltd
Porter Hire Pty Ltd
Ryno Industries Pty Ltd T/A Ryno Hire
Sherrin Rentals Pty Ltd
VMS Repairs Pty Ltd T/A VMS Rentals

3. Strategic Implications

3.1 Legislative/Legal Implications

The calling of public tenders and establishment of preferred supplier arrangements is in accordance with section 233 of the Local Government Regulation 2012.

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 arrangements have been established in accordance with the provisions of Council's Procurement Policy 2150-006.

3.4 Risk Management Implications

The appointment of the suppliers will assist in the timely delivery of works whilst complying with Council's Procurement Policy. A risk assessment of the goods and services to be supplied under each purchasing arrangements was undertaken during the development of the tender documentation. Where appropriate, specific requirements in relation to risk management and insurance coverage were included in the tender requirements and assessed as part of the overall evaluation process.

3.5 Delegated Authority Implications

Adoption of the suppliers by Council, and approval of subsequent purchase orders within delegated financial authority limits, will ensure appropriate governance in this regard.

3.6 Financial Implications

Funding for works engaged under these preferred supplier arrangements are included in the Capital (including Minor Works) and Operations' works programs.

ITEM 6.2 PURCHASING ARRANGEMENTS - VARIOUS - A20133438 (Cont.)

3.7 Economic Benefit

The appointment of preferred supplier arrangements will enable Council to deliver its programs in a timely and cost-effective manner.

Consistent with Council's commitment to support local businesses, 64 of the 74 recommended appointments for the preferred supplier arrangements have a presence within the MBRC area, noting that some suppliers are on multiple arrangements.

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Representatives from Council's Engineering Construction and Maintenance Division, Finance and Corporate Services Division and Infrastructure Planning Division sat on the evaluation panels for their respective purchasing arrangements.

External financial assessments have been sought where necessary.

Corporate Procurement managed the process through preparation, release, evaluation and award.

SUPPORTING INFORMATION

Ref: [A20133437](#)

The following list of supporting information is provided for:

**ITEM 6.2
PURCHASING ARRANGEMENTS - VARIOUS**

Confidential #1 Tender Submissions for each arrangement

ITEM 6.3
MONTHLY REPORTING PACKAGE - MAY 2020

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20140396 : 10 June 2020 - **Refer Supporting Information A20139920**
Responsible Officer: CP, Accountant (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 31 May 2020.

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 31 May 2020 be received.

ITEM 6.3 MONTHLY REPORTING PACKAGE - MAY 2020 - A20140396 (Cont.)

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 31 May 2020 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes:

- ✓ Financial Statements
 - Statement of Comprehensive Income shows all income and expenditure as at the end of the May period.
 - The Statement of Financial Position highlights Council's position at the end of May and itemises assets, liabilities and community equity.
 - Statement of Cash Flows which represents the cash inflows and outflows during the month.
 - Statement of sources and applications of capital funding.
- ✓ Treasury Report
 - The Treasury Report highlights key areas of performance relating to Council's investments and borrowings.

2. Explanation of Item

The financial results for the month of May are complete. A commentary is provided on significant matters that occurred during the month.

Impacts of the Coronavirus Pandemic

Council's investment with Queensland Investment Corporation (QIC) declined from a high of \$112 million as at the end of January to just under \$100 million as at the end of March. For the month of May, the investment recovered slightly and is now sitting at about \$102 million. This is a long term investment and it is anticipated that in time it should recover and increase in value.

Fees and Charges

Revenues associated with fees and charges have been impacted by the following:

- refunding food licencing fees (\$730,000);
- closure of Council facilities such as pools, caravan parks, sport centres, entertainment centres; and
- a general slight decline in some fees across the board.

Operating Expenditure

Council had committed to bringing forward certain maintenance works and providing community infrastructure and hardship grants in response to the pandemic. As at the end of May, \$2.96 million in grants has been paid.

3. Strategic Implications

3.1 Legislative / Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
 - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
 - (b) otherwise—at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

ITEM 6.3 MONTHLY REPORTING PACKAGE - MAY 2020 - A20140396 (Cont.)

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed for the month of May.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. Council monitors its performance against budget and undertakes long term financial modelling to inform decision making.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

As at the end of May 2020, Council's operating result is \$121.0 million and the capital expenditure incurred amounted to \$172.3 million.

The Coronavirus pandemic continues to impact some of Council's revenues and is contributing to additional operating costs as Council brings forward certain maintenance works and provides assistance through community infrastructure and hardship grants.

All of these considerations have been taken into account in reviewing the 2019/20 budget position and the formulation of the draft budget for 2020/21.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Director Finance and Corporate Services and Accounting Services Manager.

SUPPORTING INFORMATION

Ref: [A20139920](#)

The following list of supporting information is provided for:

ITEM 6.3

MONTHLY REPORTING PACKAGE - MAY 2020

#1 Monthly Financial Reporting Package - 31 May 2020

11. NOTIFIED GENERAL BUSINESS ITEMS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

Consideration of notified general business items or responses to questions taken on notice.

12. 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.

RESOLUTION to move into closed session to discuss confidential matters.

Motions, other than procedural motions, cannot be moved in closed session.

RESOLUTION to reconvene in open session to decide those matters discussed whilst in closed session.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

APPOINTMENT OF MBRC SES LOCAL CONTROLLER

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE

Reference: A20128629 : 8 June 2020

Responsible Officer: CP, Coordinator Disaster Management (ECM Directorate)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (a), as the matter involves the appointment, dismissal or discipline of employees.

Executive Summary

In August 2011, Council appointed Mr Henk van den Ende to the position of Moreton Bay Region State Emergency Service Local Controller (Controller) for a contract period of three years, ceasing in 2014. Council approved the re-appointment of Henk van den Ende to the position for an additional three years in 2014 and 2017. As this latest contract period is due to expire, Council's consideration is required in relation to the SES Local Controller position.

ITEM C.2 – CONFIDENTIAL

KREMZOW ROAD - PAVEMENT RECTIFICATION

Meeting / Session: 3 Engineering, Construction & Maintenance (Cr B Savige)

Reference: A19395274 : 15 June 2020 - Refer **Confidential Supporting Information**
A19177098

Responsible Officer: BB, Manager Project Management (ECM Project Management)

Basis of Confidentiality

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

Executive Summary

In June 2015 Council commenced the reconstruction of sections of Kremzow Road (Divisions 8 and 9), being Lilley Road (ch5418) to just west of Rolland Parade (ch5483) and east of Rolland Parade (ch5080) to west of Old North Road (ch3996). The contract was awarded to Hazell Bros Pty Ltd ('Hazell Bros') and the works were completed in October 2015.

In June 2019, a consultant was engaged by Council to undertake pavement investigations following observed pavement failures to the reconstructed section of Kremzow Road.

The consultant's report highlighted concerns over the degree of asphalt compaction and pavement design/material matters that are considered likely to have contributed to the pavement failures. The report also provided treatment options for the failed pavement sections.

Discussions were undertaken with the consultant and Council officers. Council officers reviewed the report and sought responses from Hazell Bros.

Following consideration of the investigation report and the available information, which included a review by Legal Services, and without prejudice discussions with Hazell Bros, this report proposes the way forward to remediating the pavement issues by preparing and adopting a Tender Consideration Plan ('TCP') for the Warner - Kremzow Road Pavement Rectification Works.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.



MINUTES

GENERAL MEETING

Wednesday 10 June 2020
commencing at 9.32am

Strathpine Chambers
220 Gympie Road, Strathpine

Pursuant to section 277E of the Local Government Regulation 2017, it is considered not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19

Accordingly, the meeting was physically closed to the public. However, was live-streamed via a link on Council's website

Membership = 13
Mayor and all Councillors

UNCONFIRMED

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10 June 2020

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ATTENDANCE

Cr Peter Flannery (Mayor) was required to attend another engagement and was not present at the commencement of the General meeting.

The Deputy Mayor (Cr Denise Sims) assumed the Chair and opened the meeting.

1. ACKNOWLEDGEMENT OF COUNTRY

The Deputy Mayor provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

The Deputy Mayor provided the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

Cr Peter Flannery (Mayor) (Chairperson)
Cr Brooke Savage *
Cr Mark Booth *
Cr Adam Hain *
Cr Jodie Shipway
Cr Sandra Ruck *
Cr Karl Winchester *
Cr Denise Sims (Deputy Mayor)
Cr Mick Gillam
Cr Cath Tonks
Cr Matt Constance
Cr Darren Grimwade
Cr Tony Latter*

Chief Executive Officer	(Mr Greg Chemello)
Deputy CEO/Director Engineering, Construction & Maintenance	(Mr Tony Martini) *
Director Community & Environmental Services	(Mr Bill Halpin) *
Director Finance & Corporate Services	(Ms Donna Gregory) *
Director Infrastructure Planning	(Mr Andrew Ryan) *
Director Planning	(Mr David Corkill)

Senior Executive Support Officer	(Hayley Kenzler)
Team Leader Meeting Support	(Kathrine Crocker) *

Manager Development Services	(Dan Staley)
Coordinator (Planning Assessment South)	(Amy White)
Coordinator (Planning Assessment South)	(Marco Alberti)

Apologies:

Nil

**attended via VC from Caboolture Chambers*

4. MEMORIALS OR CONDOLENCES

Cr Brooke Savige paid tribute to the late **Annemarie Kofler**, a volunteer of the Bribie Visitor Information Centre (VIC) for 13 years and the previous Caboolture Shire Council Visitor Centre for five years, who had recently passed away at the age of 82. Cr Savige said that Annemarie had contributed over 800 hours of volunteering with the Bribie Island VIC and was a favourite tour guide for many of the bus groups visiting the island. On behalf of Council and the community, Cr Savige extended her condolences to Annemarie's family and friends at her sad passing.

Cr Karl Winchester acknowledged and passed on a tribute to the late **Mr Gordon Tong**, a resident of Clontarf who had a long history in the Redcliffe community. Gordon worked as an Engineer for the former Redcliffe City Council, had served on the State Committee of the National Serviceman's Organisation Queensland, and was involved in many community groups such as School P&C's and charitable food services. Cr Winchester said that Gordon's contribution to the community would be sorely missed.

Councillors observed a moment's silence in memory of residents who had passed away, noting Council's sympathy.

5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 27 May 2020 (Pages 20/795 - 20/866)

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Mark Booth

CARRIED 12/0

That the minutes of the General Meeting held 27 May 2020, be confirmed.

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

6.1. Petition - Cr Jodie Shipway: Mosquito Management within the Moreton Bay Region (A20146259)

Cr Jodie Shipway tabled an e-petition containing 269 signatures as at today's date, that was initiated by Cr Shipway when she was running as a candidate in the recent local government elections, reading as follows:

"There is a growing concern amongst the community in regards to our Mosquito Management within the Moreton Bay Region. I am running as your Division 4 candidate in the Local Government Election on the 28th March and I would like to push for a review of our current plan. Several concerned residents have raised issues with me. My research tells me that the Brisbane City Council boasts one of Australia's leading Mosquito Management [sic] Plans. Whilst I understand that this is a complex issue with several factors coming into play such as the climate, environmental factors and development to name a few, I still feel we can learn from our neighbouring Council and investigate our options to improve livability [sic] and reduce mosquito born disease. My promise to you is that, with enough signatures, this will be presented to Council for consideration. I will also keep you up to date with the progress during my campaign and after the election period."

Council received the petition, referring it to the Director Community & Environmental Services for investigation and report to Council, if required.

7. CORRESPONDENCE

There was no correspondence for tabling.

8. DEPUTATIONS / COMMUNITY COMMENT

The Deputy Mayor opened the Deputations / Community Comment session, making the required statement regarding the conduct of the Session and invited the participant to make her address.

8.1. Community Comment: Christine West - Development Application for Warner Quarry (A20072420)

Christine West addressed the Council in respect of 'Development Application for Warner Quarry at 107-109 Kremzow Road, Warner - V2L - 36991 / 2018 Material Change of Use', making the following comments:

- CSR community engagement was welcomed by the community - and delivery of requested items from the community was well above expectations
- Warner Working Group formulation to:
 1. Protect all remaining bushland for our Warner Koalas.
 2. Work with the developer to create a fauna sensitive urban design.
 3. Lobby Councillors, State Governments and the UDIA to show how community collaboration can achieve better design outcomes.
- Warner Working Group selection as a case study to be featured in the State Government's Koala Conservation Policy and Guidelines for its community consultation approach in urban design
- Traffic modelling to be undertaken by the developer under the structure plan is not supported by the community
- The Swann Parade intersection and the Road Reserve will result in the removal of the 2000 non-juvenile koala habitat trees and is not supported by the community
- The tree clearance to be offsetted by a 50m tree corridor on the northern and eastern site is not supported by the community
- The housing choices not being affordable due to reduction in lots, and therefore does not meet Council's planning scheme desired outcomes.
- The recommended conditions ignore the ethos of a fauna friendly design and devalues the community's input and expert recommendations.

The Deputy Mayor thanked Christine for her participation

8.2. Community Comment: Derek Catterall - Objection to Development Application DA/33818/2017/VCHG/2 (A19998072) - WITHDRAWN AT THE REQUEST OF THE APPLICANT

Prior to the General Meeting, Derek Catterall withdrew his application to address the Council as part of this session.

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

(s262 of the Local Government Regulation 2012)

There were no Notices of Motion.

10. 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 appointed Portfolio Councillor will facilitate the conduct of the respective session under the control of the Mayor as the Presiding Officer.

Session	Portfolio Councillor	Deputy Portfolio Councillor
1 Governance & Engagement	Cr P Flannery (Mayor)	Cr D Sims (Deputy Mayor)
2 Infrastructure Planning	Cr A Hain	C T Latter
3 Engineering, Construction & Maintenance	Cr B Savige	Cr C Tonks
4 Planning	Cr D Grimwade	Cr K Winchester / Cr M Booth
5 Community & Environmental Services	Cr M Gillam	Cr S Ruck
6 Finance & Corporate Services	Cr M Constance	Cr J Shipway

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr D Sims, Deputy Mayor)

Declarations of interest statement

There are no personal interests to be declared for items in this session.

ITEM 1.1

LIVEABLE CITIES CONFERENCE: WEBINAR SERIES 2020

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT

Reference: A20102898 : 2 June 2020

Responsible Officer: LK, Executive Support Officer (FCS Executive Services)

Executive Summary

The purpose of this report is to seek Council direction in relation to Councillor attendance at the Liveable Cities Conference: Webinar Series 2020. This year the conference will be a virtual event (three webinars being held on 9, 16 and 23 June 2020) due to the COVID-19 pandemic.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Jodie Shipway

CARRIED 12/0

1. That Cr Karl Winchester be authorised to attend the Liveable Cities Conference: Webinar Series 2020.
2. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

ITEM 1.1 LIVEABLE CITIES CONFERENCE: WEBINAR SERIES 2020 - A20102898 (Cont.)

OFFICER'S RECOMMENDATION

1. That Cr Karl Winchester be authorised to attend the Liveable Cities Conference: Webinar Series 2020.
2. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

REPORT DETAIL

1. Background

Advice has been received that the Liveable Cities Conference: Webinar Series 2020, which consists of three webinars, will be held on 9, 16 and 23 June 2020. Cr Karl Winchester has expressed an interest in attending webinars 2 and 3 to be held on 16 and 23 June 2020.

2. Explanation of Item

The Liveable Cities Conference is held annually and aims to equip attendees with strategies for sustainable city creation using social, environmental and economic opportunities.

Due to the COVID-19 pandemic the conference will be run as a virtual event, consisting of three separate webinars to be held as 2.5 hour online sessions.

The program/topics for the webinar series includes:

- Long term planning with communities in mind;
- Circular economy in the built environment: creating purposeful places for people and planet;
- Liveable communities through engagement, culture and connection;
- Bringing nature back to urban areas; and
- Liveable cities: ways to make your place in town or city 'family'.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
Appropriate funds have been provided in the 2019/20 budget.

3.7 Economic Benefit Implications
Topics associated with the conference will address a range of economic issues relevant to planning for sustainable cities within a local government context.

3.8 Environmental Implications
Topics associated with the conference will address a range of environmental issues relevant to planning for sustainable cities within a local government context.

ITEM 1.1 LIVEABLE CITIES CONFERENCE: WEBINAR SERIES 2020 - A20102898 (Cont.)

3.9 Social Implications

Topics associated with the conference will address a range of social issues relevant to planning for sustainable cities within a local government context.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Communication has been undertaken with Councillors, Chief Executive Officer and Directors.

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

No items for consideration.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

Declarations of interest statement

Cr Darren Grimwade and Cr Matt Constance advised they would each declare perceived conflicts of interest for Items 3.5 and 3.6.

ITEM 3.1

TENDER - SUPPLY AND DELIVERY OF ONE 21-INCH WOODCHIPPER

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20032110: 11 May 2020 - Refer **Confidential Supporting Information A19986046**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 21-inch Woodchipper (HF44.20/MBRC009757) through open tender using LG Tender Box. Tenders closed on 22 April 2020, with three conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 21-inch Woodchipper be awarded to Bandit Tree Equipment for the supply of one x Bandit 21XP 21-inch Woodchipper without remote control option for the amount of \$221,600 excl. GST, as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Cath Tonks

Seconded by Cr Adam Hain

CARRIED 12/0

1. That the tender for supply and delivery of one x 21-inch Woodchipper be awarded to Bandit Tree Equipment for the supply of one x Bandit 21XP 21-inch Woodchipper without remote control option for the sum of \$221,600 (excluding GST).
2. That the Council enters into an agreement with Bandit Tree Equipment 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 Bandit Tree Equipment for the supply and delivery of one x Bandit 21XP 21-inch Woodchipper and any required variations of the agreement on Council's behalf.

OFFICER’S RECOMMENDATION

1. That the tender for supply and delivery of one x 21-inch Woodchipper be awarded to Bandit Tree Equipment for the supply of one x Bandit 21XP 21-inch Woodchipper without remote control option for the sum of \$221,600 (excluding GST).
2. That the Council enters into an agreement with Bandit Tree Equipment 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 Bandit Tree Equipment for the supply and delivery of one x Bandit 21XP 21-inch Woodchipper 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 21-inch Woodchipper (HF44.20/MBRC009757) through open tender using LG Tender Box. Tenders closed on 22 April 2020, with three conforming submissions received.

Woodchippers are utilised within the Parks section of Asset Maintenance undertaking tree maintenance works across the Region. The optimum replacement period for these assets is 6 years/6,000 hrs, which has been reached on the current asset.

2. Explanation of Item

Council received three conforming tender responses, However, the offer submitted by Vermeer Equipment Holdings was formally withdrawn due to supply issues in the United States due to COVID 19, this offer was therefore not considered as part of this tender.

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

RANK	TENDERER	EVALUATION SCORE
1	Bandit Tree Equipment - 21XP Bandit Woodchipper	100.00
2	Bandit Tree Equipment - 21XP Bandit Woodchipper with Remote Option	93.67
3	Vermeer Equipment Holdings	Withdrawn

Bandit Tree Equipment ('BTE') - submitted an offer for the Bandit 21XP 21-inch Woodchipper with two options. Option one - 21XP 21-inch woodchipper with handheld remote-control for all machine functions; Option two, the 21XP 21-inch woodchipper without the remote-control. Both options submitted meet all requirements outlined in the tender specification, have sufficient power to carry out day to day operations. The optional function of the remote-control feature was not deemed essential to current operations and the benefits of the remote-control feature, did not out way the additional cost. The Bandit 21XP 21-inch woodchipper comes with 5 years / 3,000 hours warranty. Council currently own and operate Bandit woodchippers within its current Fleet. The Bandit 21XP 21-inch woodchipper without the remote option was the lowest priced offer and received the highest evaluation score.

ITEM 3.1 TENDER - SUPPLY AND DELIVERY OF ONE 21-INCH WOODCHIPPER - A20032110 (Cont.)

Vermeer Equipment Holdings ('VEH') - Offer Withdrawn - The offer submitted was withdrawn as the machine tendered was sold after the tender submission. Due to supply issues in the United States due to COVID 19, VEH were not able to confirm they could supply another machine at the same tendered price and subsequently formally withdrew their offer.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

COVID-19 - the recommended tenderer has advised that there are no foreseen supply issues associated with the supply of the tendered item of plant.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Bandit 21XP 21-inch Woodchipper is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 221,600.00

Total Project Cost	\$ 221,600.00
	=====

3.7 Economic Benefit

The purchase of the 21-inch woodchipper will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended woodchipper engine meets current environmental and Australian standards.

3.9 Social Implications Nil identified

ITEM 3.1 TENDER - SUPPLY AND DELIVERY OF ONE 21-INCH WOODCHIPPER - A20032110 (Cont.)

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

UNCONFIRMED

ITEM 3.2

TENDER - SUPPLY AND DELIVERY OF TWO 4WD MOTOR GRADERS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20021786 : 11 May 2020 - Refer **Confidential Supporting Information A19986075**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of two x 4WD Motor Graders (HF29.20) through Vendor Panel using the Local Buy Arrangement NPN 2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

It is recommended that the tender for the supply and delivery of two x 4WD Motor Graders be awarded to Hastings Deering for the supply of two x Caterpillar 140-14A Motor Graders for the sum of \$561,855.00 each; total cost of \$1,123,710.00 (excl. GST), as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Mark Booth

CARRIED 12/0

1. That the tender for supply and delivery of two x 4WD Motor Graders (HF29.20) be awarded to Hastings Deering for the supply of two x Caterpillar 140-14A Motor Graders for the sum of \$561,855.00 each; total cost of \$1,123,710.00 (excluding GST).
2. That the Council enters into an agreement with Hastings Deering 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 for the supply and delivery of two x Caterpillar 140-14A Motor Graders and any required variations of the agreement on Council's behalf.

ITEM 3.2 TENDER - SUPPLY AND DELIVERY OF TWO 4WD MOTOR GRADERS - A20021786 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of two x 4WD Motor Graders (HF29.20) be awarded to Hastings Deering for the supply of two x Caterpillar 140-14A Motor Graders for the sum of \$561,855.00 each; total cost of \$1,123,710.00 (excluding GST).
2. That the Council enters into an agreement with Hastings Deering 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 for the supply and delivery of two x Caterpillar 140-14A Motor Graders and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of two x 4WD Motor Graders (HF29.20) through Vendor Panel using the Local Buy Arrangement NPN 2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

Graders are utilised within the Road Maintenance and Construction sections of Asset Maintenance, including road rehabilitation works and unsealed road grading activities. The optimum replacement period for these assets is 8 years / 8,000 hours, which has been reached on the current assets.

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

RANK	TENDERER	EVALUATION SCORE
1	Hastings Deering - Caterpillar 140-14A Grader	100.00
2	RDO Equipment - John Deere 670GP Grader	97.51
3	Komatsu Australia - GD 655-7 Grader	96.56

Hastings Deering ('HD') - submitted an offer for two x Caterpillar 140-14A Motor Graders. The Caterpillar 140-14A Motor Grader meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Caterpillar 140-14A Motor Grader comes with 5 years / 6,000 hours warranty, the offer also includes a service contract covering all maintenance requirements up to 8,000 machine hours. The offer from HD was the lowest priced and received the highest evaluation score and is deemed best value to Council.

RDO Equipment ('RDO') - submitted an offer for two x John Deere 670 GP Motor Graders. The John Deere 670 GP Motor Grader meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The John Deere 670 GP Motor Grader comes with 5 years / 5,000 hours warranty, the offer also includes a service contract covering all maintenance requirements up to 8,000 machine hours. This offer was the second lowest priced and received the second highest evaluation score.

ITEM 3.2 TENDER - SUPPLY AND DELIVERY OF TWO 4WD MOTOR GRADERS - A20021786 (Cont.)

Komatsu Australia ('Komatsu') - submitted an offer for two x Komatsu GD 655-7 Motor Graders. The Komatsu GD 655-7 Motor Grader meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations. The Komatsu GD 655-7 Motor Grader comes with 5 years / 6,000 hours warranty, the offer also includes a service contract covering all maintenance requirements up to 8,000 machine hours. The offer from Komatsu Australia was the highest priced and received the lowest evaluation score.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

COVID19 procurement - the recommended tenderer has advised that floor stock is available.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of two x Caterpillar 140-14A Motor Graders is within the 2020-21 budget allocation. These acquisitions will be debited to project number 102178.

Tender Price	\$1,123,710.00

Total Project Cost (Excl. GST)	\$1,123,710.00
	=====

3.7 Economic Benefit

The purchase of the two Motor Graders will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Caterpillar engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

ITEM 3.2 TENDER - SUPPLY AND DELIVERY OF TWO 4WD MOTOR GRADERS - A20021786 (Cont.)

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

UNCONFIRMED

**ITEM 3.3
TENDER - SUPPLY AND DELIVERY OF THIRTEEN 3.5 TONNE FRONT DECK
MOWER TRAILERS**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20021656 : 11 May 2020 - Refer **Confidential Supporting Information**
A19911753
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of thirteen x 3.5 Tonne Front Deck Mower Trailers (HF21.20) through Vendor Panel using the Local Buy Arrangement NPN 1.15. Tenders closed on 13 April 2020, with two conforming submissions received.

It is recommended that the tender for the supply and delivery of thirteen x 3.5 Tonne Front Deck Mower Trailers be awarded to Belco Custom Trailers for the supply of thirteen x 3.5 Tonne Front Deck Mower Trailers for the sum of \$17,299.10 each; total cost of \$224,888.30 (excluding GST) as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Karl Winchester

Seconded by Cr Jodie Shipway

CARRIED 12/0

1. That the tender for supply and delivery of thirteen x 3.5 Tonne Front Deck Mower Trailers (HF21.20) be awarded to Belco Custom Trailers for the supply of thirteen x 3.5 Tonne Front Deck Mower Plant Trailers for the amount of \$17,299.10 each; total cost of \$224,888.30 (excluding GST).
2. That the Council enters into an agreement with to Belco Custom Trailers 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 to Belco Custom Trailers for the supply and delivery of thirteen x 3.5 Tonne Front Deck Mower Trailers and any required variations of the agreement on Council's behalf.

ITEM 3.3 TENDER - SUPPLY AND DELIVERY OF THIRTEEN 3.5 TONNE FRONT DECK MOWER TRAILERS - A20021656 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of thirteen x 3.5 Tonne Front Deck Mower Trailers (HF21.20) be awarded to Belco Custom Trailers for the supply of thirteen x 3.5 Tonne Front Deck Mower Plant Trailers for the amount of \$17,299.10 each; total cost of \$224,888.30 (excluding GST).
2. That the Council enters into an agreement with to Belco Custom Trailers 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 to Belco Custom Trailers for the supply and delivery of thirteen x 3.5 Tonne Front Deck Mower Trailers and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Tenders were called for the supply and delivery of thirteen x 3.5 Tonne Front Deck Mower Trailers (HF21.20) through Vendor Panel using the Local Buy Arrangement NPN 1.15. Tenders closed on 13 April 2020, with two conforming submissions received.

Front deck mower trailers are utilised within the Parks section of Asset Maintenance. These trailers are primarily used for the transportation of front deck mowers to undertake grounds maintenance mowing activities. The optimum replacement period for these assets is 10 years, which has been reached on the current assets.

2. Explanation of Item

Council received two 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Belco Custom Trailers	100.00
2	Duralloy Truck Bodies	82.69

Belco Custom Trailers ('BCT') - submitted an offer for thirteen x 3.5 tonne mower trailers. The tendered trailers meet all requirements outlined in the tender specification. The BCT 3.5 tonne mower trailer comes with a 10-year warranty on the trailer chassis and draw bar and a one-year warranty for bolt on components. The submission from BCT was the lowest priced and received the highest evaluation score. Council has a number of BCT within the fleet, these trailers are robust and fit for purpose. The offer from BCT was deemed best value to Council.

Duralloy Truck Bodies ('DTB') - submitted an offer for thirteen x 3.5 tonne mower trailers. The tendered trailers meet all requirements outlined in the tender specification. The Duralloy 3.5 tonne mower trailer comes with a 2-year warranty period. The offer from DTB was the higher of the two tender submissions and received the lower evaluation score and therefore not deemed best value to Council.

ITEM 3.3 TENDER - SUPPLY AND DELIVERY OF THIRTEEN 3.5 TONNE FRONT DECK MOWER TRAILERS - A20021656 (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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

COVID19 procurement - the recommended tenderer has advised that floor stock is available.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of thirteen x 3.5 tonne front deck mower trailers built by Belco Custom Trailers is within the 2020-21 budget allocation. These acquisitions will be debited to project number 102178.

Tender Price	\$ 224,888.30

Total Project Cost	\$ 224,888.30
	=====

3.7 Economic Benefit

The purchase of the thirteen x 3.5 tonne front deck mower trailers will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The trailer build meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 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 3.4
TENDER - SUPPLY AND DELIVERY OF ONE X 15 TONNE EXCAVATOR

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20023036 : 11 May 2020 - Refer **Confidential Supporting Information A19933712**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 15 tonne Excavator (HF35.20), through Vendor Panel using the Local Buy Arrangement NPN2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 15 tonne Excavator be awarded to Komatsu Australia for the supply of one Komatsu PC138US-11 Excavator for the sum of \$222,386.00 (excl. GST), as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Jodie Shipway

CARRIED 12/0

1. That the tender for supply and delivery of one x 15 tonne Excavator be awarded to Komatsu Australia for the supply of one Komatsu PC138US-11 Excavator for the sum of \$222,386.00 (excluding GST).
2. That the Council enters into an agreement with Komatsu 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 Komatsu Australia for the supply and delivery of one x Komatsu PC138US-11 Excavator and any required variations of the agreement on Council's behalf.

ITEM 3.4 TENDER - SUPPLY AND DELIVERY OF ONE X 15 TONNE EXCAVATOR - A20023036 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 15 tonne Excavator be awarded to Komatsu Australia for the supply of one Komatsu PC138US-11 Excavator for the sum of \$222,386.00 (excluding GST).
2. That the Council enters into an agreement with Komatsu 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 Komatsu Australia for the supply and delivery of one x Komatsu PC138US-11 Excavator 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 15 tonne Excavator (HF35.20), through Vendor Panel using the Local Buy Arrangement NPN2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

This 15 tonne excavator will be utilised within the Construction section of Asset Maintenance. The optimum replacement period for these assets 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Komatsu Australia - Komatsu PC138US-11 Excavator	98.90
2	CEA JCB & Dynapac - JCB JZ140DLC Excavator	97.77
3	Hastings Deering - Caterpillar 315 Excavator	88.62

Komatsu Australia ('KA') - submitted an offer for the Komatsu PC138US-11 excavator, this machine meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Komatsu PC138US-11 excavator comes with 5 years / 6,000 hours warranty, the offer also includes complimentary servicing up to 3 years / 2,000 hours of the machine's life. This offer was the lowest priced and received the highest evaluation score and therefore deemed best value to Council.

CEA JCB & Dynapac ('CEA') - submitted an offer for the JCB JZ140 DLC excavator, this machine meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The JCB JZ140 DLC excavator comes with a 3 years / 6,000 hours warranty. This offer did not include any complimentary servicing, it was the second lowest priced and received the second highest evaluation score.

Hastings Deering ('HD') - submitted an offer for the Caterpillar 315 excavator, this machine meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Caterpillar 315 excavator comes with 5 years / 6,000 hours warranty, this offer did not include any complimentary servicing, it was the highest priced and received the lowest evaluation score.

ITEM 3.4 TENDER - SUPPLY AND DELIVERY OF ONE X 15 TONNE EXCAVATOR - A20023036 (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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

COVID19 - the recommended tenderer has advised that there are no supply issues associated with the tendered machine.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Komatsu PC138US-11 15 tonne xxcavator is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 222,386.00

Total Project Cost	\$ 222,386.00
	=====

3.7 Economic Benefit

The purchase of the Komatsu PC138US-11 Excavator will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Komatsu engine meets current environmental and Australian standards.

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 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 3.5 - DECLARATION OF INTEREST

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 3.5 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender, 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 Matt Constance

Pursuant to s175E of the *Local Government Act 2009*, Cr Matt Constance declared a perceived conflict of interest in Item 3.5 as follows:

- a) The owner of Brisbane Isuzu who submitted a tender is related to a friend of the Councillor.
- b) The Councillor's personal interest arises because of a relationship as follows:
 - (i) Alan Newcombe who owns Brisbane Isuzu is the father of Mr Shane Newcombe.
 - (ii) Mr Shane Newcombe is a friend of the Councillor.

However, Cr Constance has considered his position and was of the opinion that he could participate in the debate and recommendation on the matter in the public interest.

Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Mick Gillam

Seconded by Cr Sandra Ruck

CARRIED 10/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Darren Grimwade has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Darren Grimwade remained in the meeting.

Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Mick Gillam

Seconded by Cr Karl Winchester

CARRIED 10/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Matt Constance has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Matt Constance remained in the meeting

**ITEM 3.5
TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE FLEET SERVICE TRUCK**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20020176 : 11 May 2020 - Refer **Confidential** Supporting Information
A20100986
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 11-12 Tonne Fleet Service Truck (HF18.20) through vendor panel using the Local Buy Arrangement NPN 04 -13. Tenders closed on 26 April 2020, with eleven conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 11-12 Tonne Fleet Service Truck be awarded to Daimler Trucks Brisbane for the supply of one x Fuso Fighter 1224 fitted with Custom Truck Bodies service body for the amount of \$211,583 excl. GST, as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Sandra Ruck

CARRIED 12/0

1. That the tender for supply and delivery of one x 11-12 Tonne Fleet Service Truck be awarded to Daimler Trucks Brisbane for the supply of one x Fuso Fighter 1224 with a Custom Truck Bodies service body for the sum of \$211,583.00 (excluding GST).
2. That the Council enters into an agreement with Daimler Trucks Brisbane 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 Daimler Trucks Brisbane for the supply and delivery of one x Fuso Fighter 1224 with a Custom Truck Bodies service body and any required variations of the agreement on Council's behalf.

ITEM 3.5 TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE FLEET SERVICE TRUCK - A20020176
(Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 11-12 Tonne Fleet Service Truck be awarded to Daimler Trucks Brisbane for the supply of one x Fuso Fighter 1224 with a Custom Truck Bodies service body for the sum of \$211,583.00 (excluding GST).
2. That the Council enters into an agreement with Daimler Trucks Brisbane 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 Daimler Trucks Brisbane for the supply and delivery of one x Fuso Fighter 1224 with a Custom Truck Bodies service body 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 11-12 Tonne Fleet Service Truck (HF18.20) through vendor panel using the Local Buy Arrangement NPN 04 -13. Tenders closed on 26 April 2020, with eleven conforming submissions received.

Fleet Service Trucks are utilised within the Fleet Services section of Asset Maintenance. The optimum replacement period for these assets is 8 years / 180,000 kms. The acquisition of this truck will expand Fleet's capacity to service fleet assets located at depots throughout the region, removing the need for crews to take plant and equipment to the three workshops for servicing.

2. Explanation of Item

Council received eleven 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Daimler Trucks Brisbane - Fuso Fighter 1224 - Custom Truck Bodies	100.00
2	James Frizelle's Automotive Group - Isuzu FSR 120-260 - Custom Truck Bodies	98.84
3	Brisbane Isuzu - Isuzu FSR 120-260 - Custom Truck Bodies	97.35
4	Sci Fleet Hino - Hino FE1426 - Custom Truck Bodies	95.52
5	Daimler Trucks Brisbane - Fuso Fighter 1224 - Tosca Industries	93.46
6	James Frizelle's Automotive Group - Isuzu FSR 120-260 - Tosca Industries	92.31
7	Brisbane Isuzu - Isuzu FSR 120-260 -Tosca Industries	91.87
8	Daimler Trucks Brisbane - Fuso Fighter 1224 - Gibson Tru Body	89.86
9	Sci Fleet Hino - Hino FE1426 - Tosca Industries	88.99
10	Brisbane Isuzu - Isuzu FSR 120-260 - Gibson Tru Body	86.72
11	Sci Fleet Hino - Hino FE1426 - Gibson Tru Body	85.81

ITEM 3.5 TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE FLEET SERVICE TRUCK - A20020176
(Cont.)

Daimler Trucks Brisbane ('DTB') - submitted an offer for the Fuso Fighter 1224 chassis fitted with service body options from three body builders, Custom Truck Bodies, Tosca Industries and Gibson Tru Body. The Fuso Fighter 1224 chassis meets all requirements outlined in the tender specification, features GPS navigation and has sufficient power and torque to carry out day to day operations. The Fuso Fighter 1224 chassis comes with 5 years / 300,000 kms / unlimited hours warranty. All three bodies offered meet the body specification in the tender, however the offer for the Custom Truck Bodies was the lowest priced and received the highest evaluation score and was deemed best value for Council.

James Frizelle's Automotive Group ('JFA') - submitted an offer for the Isuzu FSR 120-260 Chassis fitted with service body options from two body builders, Custom Truck Bodies and Tosca Industries. The Isuzu FSR 120-260 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FSR 120-260 comes with 5 years / 300,000 kms / 5,000 hours warranty. Both bodies offered meet the body specification in the tender, however the offer from JFA for the Isuzu FSR120-260 chassis fitted with the Custom Truck Bodies body was the second lowest priced offer and received the second highest evaluation score.

Brisbane Isuzu ('BI') - submitted an offer for the Isuzu FSR 120-260 Chassis fitted with service body options from three body builders, Custom Truck Bodies, Tosca Industries and Gibson Tru Body. The Isuzu FSR 120-260 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu FSR 120-260 comes with 5 years / 300,000 kms / 5,000 hours warranty. All three bodies offered meet the body specification in the tender, however the offer from BI for the Isuzu FSR120-260 chassis fitted with the Custom Truck Bodies body was the third lowest priced offer and received the third highest evaluation score.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

Nil identified

COVID19 - the recommended tenderer has advised that there are no supply issues associated with the tendered item of plant.

3.5 Delegated Authority Implications

Nil identified

ITEM 3.5 TENDER - SUPPLY AND DELIVERY OF ONE 11-12 TONNE FLEET SERVICE TRUCK - A20020176
(Cont.)

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Fuso Fighter 1224 fitted with Custom Truck Bodies service body is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 211,583.00

Total Project Cost	\$ 211,583.00
	=====

3.7 Economic Benefit

The purchase of the 11-12 tonne fleet service truck will ensure servicing programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Fuso engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 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 3.6 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Darren Grimwade

Pursuant to s175E of the *Local Government Act 2009*, Cr Grimwade declared a perceived conflict of interest in Item 3.6 as the owner of Brisbane Isuzu (Alan Newcombe), who submitted a tender, 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 Matt Constance

Pursuant to s175E of the *Local Government Act 2009*, Cr Matt Constance declared a perceived conflict of interest in Item 3.6 as follows:

- a) The owner of Brisbane Isuzu who submitted a tender is related to a friend of the Councillor.
- b) The Councillor's personal interest arises because of a relationship as follows:
 - (i) Alan Newcombe who owns Brisbane Isuzu is the father of Mr Shane Newcombe.
 - (ii) Mr Shane Newcombe is a friend of the Councillor.

However, Cr Constance has considered his position and was of the opinion that he could participate in the debate and recommendation on the matter in the public interest.

Councillors not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Mick Gillam

Seconded by Cr Tony Latter

CARRIED 10/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Darren Grimwade and Cr Matt Constance have a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Darren Grimwade and Cr Matt Constance remained in the meeting.

ITEM 3.6

TENDER - SUPPLY AND DELIVERY OF ONE X 12-13 TONNE 4WD FIRE TRUCK

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20019976: 11 May 2020 - Refer **Confidential Supporting Information A19991527**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 12-13 tonne 4wd fire truck (HF13.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 30 April 2020, with six conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 12-13 tonne 4wd fire truck (HF13.20) be awarded to Brisbane Isuzu for the supply of one x Isuzu FTS139-260 chassis with Bell Environmental fire appliance body for the amount of \$421,205.04 excl. GST, as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Mark Booth

CARRIED 12/0

1. That the tender for supply and delivery of one x 12-13 tonne 4wd fire truck (HF13.20) be awarded to Brisbane Isuzu for the supply of one x Isuzu FTS139-260 chassis with Bell Environmental fire appliance body for the sum of \$421,205.04 (excluding GST).
2. That the Council enters into an agreement with Brisbane Isuzu 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 Brisbane Isuzu for the supply and delivery of one x Isuzu FTS139-260 chassis with Bell Environmental fire appliance body and any required variations of the agreement on Council's behalf.

ITEM 3.6 TENDER - SUPPLY AND DELIVERY OF ONE X 12-13 TONNE 4WD FIRE TRUCK - A20019976 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 12-13 tonne 4wd fire truck (HF13.20) be awarded to Brisbane Isuzu for the supply of one x Isuzu FTS139-260 chassis with Bell Environmental fire appliance body for the sum of \$421,205.04 (excluding GST).
2. That the Council enters into an agreement with Brisbane Isuzu 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 Brisbane Isuzu for the supply and delivery of one x Isuzu FTS139-260 chassis with Bell Environmental fire appliance body 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 12-13 tonne 4wd fire truck (HF13.20) through Vendor Panel using the Local Buy Arrangement NPN 04-13. Tenders closed on 30 April 2020, with six conforming submissions received.

The 4WD fire truck will be utilised as a shared asset within the Natural Areas and Emergency Management departments within Engineering Construction and Maintenance. Tasks include the ongoing maintenance of Natural Areas across the region and fire response as required either during the bushfire season or to undertake important back burning operations during the Winter months. The optimum replacement period for these assets is 8 Year / 180,000kms, which has been reached on the current asset.

2. Explanation of Item

Council received six 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Brisbane Isuzu - Isuzu FTS139-260 - Bell Environmental Body	100.00
2	Brisbane Isuzu - Isuzu FTS139-260 - Varley Body	98.79
3	Brisbane Isuzu - Isuzu FTS139-260 - Quikcorp Body	98.63
4	Sci Fleet Hino - Hino GT1528 - Bell Environmental Body	97.81
5	James Frizelle's Automotive Group - Isuzu FTS139-260 - Varley Body	97.44
6	Sci Fleet Hino - Hino GT1528 - Varley Body	94.77

Brisbane Isuzu ('BI')- submitted an offer for the Isuzu FTS139-260 Chassis with three fire appliance body options from Bells Environmental, Varley Group and Quikcorp. The Isuzu FTS139-260 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Isuzu chassis comes with 5 years / 300,000kms / 5,000hrs warranty. All fire appliance body options tendered, meet the requirements of the tender and come with a one-year warranty. The offer from BI for the Isuzu FTS139-260 chassis fitted with the three fire appliance body options were the lowest three priced offers and received the highest three evaluation scores, however the fire appliance body option from *Bells Environmental* was the lowest priced offer and received the highest evaluation score and is therefore deemed best value to Council.

ITEM 3.6 TENDER - SUPPLY AND DELIVERY OF ONE X 12-13 TONNE 4WD FIRE TRUCK - A20019976 (Cont.)

Sci Fleet Hino ('SFH')- submitted an offer for the Hino GT1528 chassis and with two fire appliance body options from Bell Environmental and Varley Group. The Hino GT1528 chassis meets all requirements outlined in the tender specification and has sufficient power and torque to carry out day to day operations. The Hino comes with 3 years / 150,000 km warranty. Both fire appliance body options tendered, meet the requirements of the tender and come with a one-year warranty. The offer from SFH for the Hino GT1528 Chassis fitted with the fire appliance body from Bell Environmental was the fourth lowest priced and received the fourth highest evaluation score.

James Frizelle's Automotive Group ('JF') - submitted an offer for an Isuzu FTS139-260 chassis and fire appliance body option from Varley Group. The Isuzu FTS139-260 chassis and Varley Group body meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations. The Isuzu FTS 139-260 comes with 5 years / 300,000 kms / 5,000 hours warranty. This offer was the fifth lowest priced offer and received the fifth highest ranked offer.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release. However, it is noted that the recommended tenderer is a local supplier within the Moreton Bay Region.

3.4 Risk Management Implications

COVID-19 - the recommended tender has advised that there are no foreseen procurement risks associated with the tendered item of plant.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Isuzu FTS139-260 chassis with Bell Environmental fire appliance body is within the 2020-21 budget allocation. These acquisitions will be debited to project number 102178.

Tender Price	\$ 421,205.04 -----
Total Project Cost	\$ 421,205.04 =====

ITEM 3.6 TENDER - SUPPLY AND DELIVERY OF ONE X 12-13 TONNE 4WD FIRE TRUCK - A20019976 (Cont.)

3.7 Economic Benefit

The purchase of the 12-13 tonne 4wd fire truck will ensure programs are delivered in line with planned outcomes and disaster management coordination.

3.8 Environmental Implications

The recommended chassis engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

UNCONFIRMED

ITEM 3.7

TENDER - SUPPLY AND DELIVERY OF ONE 16 TONNE WHEEL LOADER

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20022814: 11 May 2020 - Refer **Confidential Supporting Information A19986070**
Responsible Officer: BS, Technical Officer Fleet Support (ECM Asset Maintenance)

Executive Summary

Tenders were called for the supply and delivery of one x 16 tonne Wheel Loader (HF31.20) through Vendor Panel using the Local Buy Arrangement NPN 2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 16 tonne Wheel Loader (HF31.20) be awarded to Hastings Deering for the supply of one x Caterpillar 938K Wheel Loader for the amount of \$360,427.00 excl. GST, as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Sandra Ruck

Seconded by Cr Cath Tonks

CARRIED 12/0

1. That the tender for supply and delivery of one x 16 tonne Wheel Loader (HF31.20) be awarded to Hastings Deering for the supply of one x Caterpillar 938K Wheel Loader for the sum of \$360,427.00 (excluding GST).
2. That the Council enters into an agreement with Hastings Deering 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 for the supply and delivery of one x Caterpillar 938K Wheel Loader and any required variations of the agreement on Council's behalf.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF ONE 16 TONNE WHEEL LOADER - A20022814 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 16 tonne Wheel Loader (HF31.20) be awarded to Hastings Deering for the supply of one x Caterpillar 938K Wheel Loader for the sum of \$360,427.00 (excluding GST).
2. That the Council enters into an agreement with Hastings Deering 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 for the supply and delivery of one x Caterpillar 938K Wheel 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 16 tonne Wheel Loader (HF31.20) through Vendor Panel using the Local Buy Arrangement NPN 2.15. Tenders closed on 17 April 2020, with three conforming submissions received.

This wheel loader will be utilised within Council's regional shale pits. These pits supply gravel materials to various road maintenance and construction crews within Asset Maintenance. The material is used with maintenance grading of Council's unsealed road network. The optimum replacement period for these assets 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Hastings Deering - Caterpillar 938K Wheel Loader	100
2	Hitachi Construction Machinery - Hitachi ZW180-5 Wheel Loader	98.16
3	Komatsu Australia - Komatsu WA 320-8 Wheel Loader	97.54

Hastings Deering ('HD') - submitted an offer for the Caterpillar 938K Wheel Loader which meets all requirements outlined in the tender specification and has sufficient power and torque required. The Caterpillar 938K comes with 5 years / 6,000 hours warranty; the offer also includes a service contract covering all maintenance requirements up to 6,000 machine hours. This offer was the lowest priced and received the highest evaluation score and therefore deemed best value to Council.

Hitachi Construction Machinery ('HCM') - submitted an offer for a Hitachi ZW180-5 Wheel Loader. The Hitachi ZW180-5 Wheel Loader meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations. The Hitachi ZW180-5 Wheel Loader comes with 5 years / 5,000 hours warranty, the offer also includes a service contract covering all maintenance requirements up to 6,000 machine hours. The offer from Hitachi Construction Machinery was the second lowest priced and received the second highest evaluation score.

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF ONE 16 TONNE WHEEL LOADER - A20022814 (Cont.)

Komatsu Australia ('KA') - submitted an offer for a Komatsu WA320-8 Wheel Loader. The Komatsu WA320-8 Wheel Loader meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations. The Komatsu WA320-8 Wheel Loader comes with 5 years / 6,000 hours warranty, the offer also includes a service contract covering all maintenance requirements up to 6,000 machine hours. The offer from Komatsu Australia was the highest priced and received the third highest evaluation score.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

COVID19 - the recommended tenderer has advised that the tendered machine is available within Australia.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The tendered sum for the supply and delivery of one x Caterpillar 938K Wheel Loader is within the 2020-21 budget allocation. This acquisition will be debited to project number 102178.

Tender Price	\$ 360,427.00

Total Project Cost (excl. GST)	\$ 360,427.00
	=====

3.7 Economic Benefit

The purchase of the Caterpillar 938K Wheel Loader will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended Caterpillar engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

ITEM 3.7 TENDER - SUPPLY AND DELIVERY OF ONE 16 TONNE WHEEL LOADER - A20022814 (Cont.)

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

UNCONFIRMED

ITEM 3.8

TENDER - SUPPLY AND DELIVERY OF ONE 4WD BACKHOE LOADER

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20022649 : 11 May 2020 - Refer **Confidential Supporting Information A19986072**
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 (HF30.20) through vendor panel using the Local Buy Arrangement NPN 2.15. Tenders closed on 17 April 2020, with eight conforming submissions received.

It is recommended that the tender for the supply and delivery of one x 4WD Backhoe Loader (HF30.20) be awarded to CEA JCB & Dynapac for the supply of one x JCB 3CX Classic Backhoe Loader for the amount of \$208,220.00 excl. GST, as this offer represents the best overall value for Council.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Mark Booth

CARRIED 12/0

1. That the tender for supply and delivery of one x 4WD Backhoe Loader (HF30.20) be awarded to CEA JCB & Dynapac for the supply of one x JCB 3CX Classic Backhoe Loader for the sumt of \$208,220.00 (excluding GST).
2. That the Council enters into an agreement with CEA JCB & Dynapac 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 CEA JCB & Dynapac for the supply and delivery of one x JCB 3CX Classic Backhoe Loader and any required variations of the agreement on Council's behalf.

ITEM 3.8 TENDER - SUPPLY AND DELIVERY OF ONE 4WD BACKHOE LOADER - A20022649 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for supply and delivery of one x 4WD Backhoe Loader (HF30.20) be awarded to CEA JCB & Dynapac for the supply of one x JCB 3CX Classic Backhoe Loader for the sumt of \$208,220.00 (excluding GST).
2. That the Council enters into an agreement with CEA JCB & Dynapac 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 CEA JCB & Dynapac for the supply and delivery of one x JCB 3CX Classic 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 (HF30.20) through vendor panel using the Local Buy Arrangement NPN 2.15. Tenders closed on 17 April 2020, with eight conforming submissions received.

Backhoe Loaders are utilised within the Construction and Maintenance sections of Asset Maintenance. The optimum replacement period for these assets is 8 years / 8,000 hours, which has been reached on the current asset.

2. Explanation of Item

The tender contained an option to add an 'Automatic Greaser' to the machine; currently the machines are greased manually each day as part of the operators pre trip inspection, the auto greasing function allows all grease points to be automatically greased when required. Tender submissions contained pricing for both standard grease points and automatic greasing. It was determined the additional cost associated with the 'Auto Greaser' was not deemed value for money.

Council received eight 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 conforming tenders and the final weighting scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	CEA JCB & Dynapac - JCB 3CX Classic Backhoe (No Auto Greaser)	100
2	RDO Equipment - John Deere 315SL Backhoe (No Auto Greaser)	98.04
3	Hastings Deering - CAT 432F2 Backhoe (No Auto Greaser)	97.89
4	CEA JCB & Dynapac - JCB 3CX Classic Backhoe (Auto Greaser)	96.83
5	CEA JCB & Dynapac - JCB 3CX Elite Backhoe (No Auto Greaser)	96.73
6	Hastings Deering - CAT 432F2 Backhoe (Auto Greaser)	93.93
7	RDO Equipment - John Deere 315SL Backhoe (Auto Greaser)	93.81
8	CEA JCB & Dynapac - JCB 3CX Elite Backhoe (Auto Greaser)	93.56

ITEM 3.8 TENDER - SUPPLY AND DELIVERY OF ONE 4WD BACKHOE LOADER - A20022649 (Cont.)

CEA JCB & Dynapac ('CEA') - submitted two backhoe options both with the option of standard greasing and the auto greasing function. Both machines offered the JCB 3CX Classic and Elite meet all requirements outlined in the tender specification and have sufficient power and torque to carry out the day to day requirements. The JCB 3CX 'Classic' comes with a 3-tier diesel engine, this engine meets all Australian standards for emission controls; the JCB 3CX 'Elite' has a 4-tier diesel engine, which has advanced technology in emission controls, however, the benefits of the 4-tier engine do not out way the additional costs for this machine. Both JCB 3CX 'Classic' and the 'Elite' come with 5 years / 6,000 hours warranty. The offer from CEA for the JCB 3CX 'Classic' (*No Auto-Greaser*) was the lowest priced and received the highest evaluation score and is deemed best value to Council.

RDO Equipment ('RDO')- submitted an offer for the John Deere 315SL Backhoe. The John Deere 315SL meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations. The John Deere 315SL is fitted with a 3-tier diesel engine and comes with 5 years / 5,000 hours warranty. The offer from RDO for the John Deere 315SL (*No Auto Greaser*) was the second lowest priced and received second highest evaluation score.

Hastings Deering ('HD') - submitted an offer for the Caterpillar 432F2 Backhoe. The Caterpillar 432F2 meets all requirements outlined in the tender specification, has sufficient power and torque to carry out day to day operations. The Caterpillar 432F2 is fitted with a 3-tier diesel engine and comes with 5 years / 6,000 hours warranty. The offer from Hastings Deering for the Caterpillar 432F2 (*No Auto Greaser*) was the third lowest priced and received third highest evaluation score.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

COVID-19 - the recommended tenderer has advised that the supply of the tendered item of plant is not foreseen to be adversely affected by COVID-19

3.5 Delegated Authority Implications

Nil identified

ITEM 3.8 TENDER - SUPPLY AND DELIVERY OF ONE 4WD BACKHOE LOADER - A20022649 (Cont.)

3.6 Financial Implications

The tendered sum for the supply and delivery of one x JCB 3CX Classic (*no auto greaser*) Backhoe Loader is within the 2020-21 budget allocation. These acquisitions will be debited to project number 102178.

Tender Price	\$ 208,220.00

Total Project Cost	\$ 208,220.00
	=====

3.7 Economic Benefit

The purchase of the Backhoe Loader will ensure programs are delivered in line with planned outcomes.

3.8 Environmental Implications

The recommended JCB engine meets current environmental and Australian standards.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 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 3.9
TENDER - REDCLIFFE WAR MEMORIAL POOL SHELL RENEWALS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20093032 : 29 May 2020 - Refer **Confidential Supporting Information**
A20088689
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

The Redcliffe War Memorial Pool is a central hub for swimming activities on the Redcliffe Peninsula (Division 6). The facility is home to three pools, a 50 metre Olympic-size, an 18.3 metre Learn to Swim Pool and a Baby Wading Pool. All pools have deteriorated due to their age, due to this reason tenders were invited for the 'Redcliffe War Memorial Pool Shell Renewals (MBRC009780)' project. Tenders closed on 22 May 2020, with two conforming tenders received.

It is recommended that the contract for 'Redcliffe War Memorial Pool Shell Renewals (MBRC009780)' be awarded to Premis Solutions Pty Ltd for the sum of \$234,200.00 (excluding GST) as this offer represents the best overall value to Council.

RESOLUTION

Moved by Cr Sandra Ruck

Seconded by Cr Karl Winchester

CARRIED 12/0

1. That the contract for 'Redcliffe War Memorial Pool Shell Renewals (MBRC009780)' be awarded to Premis Solutions Pty Ltd for the sum of \$234,200.00 (excluding GST).
2. That the Council enters into an agreement with Premis Solutions 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 Premis Solutions Pty Ltd for 'Redcliffe War Memorial Pool Shell Renewals (MBRC009780)' and any required variations of the agreement on Council's behalf.

OFFICER'S RECOMMENDATION

1. That the contract for 'Redcliffe War Memorial Pool Shell Renewals (MBRC009780)' be awarded to Premis Solutions Pty Ltd for the sum of \$234,200.00 (excluding GST).
2. That the Council enters into an agreement with Premis Solutions 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 Premis Solutions Pty Ltd for 'Redcliffe War Memorial Pool Shell Renewals (MBRC009780)' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The Redcliffe War Memorial Pool is located at 50 Sydney Street, Redcliffe 4020 (Division 6). The project will address the renewal of the below items. Works will commence 22 June 2020 with completion targeted for 9 September 2020. On completion of the contracted works, MBRCs contracted pool operator will be able to take possession of the facility

- a. The **50 metre Olympic-size pool** consists of a paint applied floor and tiles around the sides. The floor has deteriorated due to age and as such the substrate is now visible from the surface of the pool; Figure 1 highlights these areas of deterioration. Tiles around the pool have been damaged and the grouting has eroded. As part of this project the pool floor will be stripped and recoated with applied epoxy. Damaged tiles will be replaced, and all tiles will benefit from reapplication of grouting.

Figure 1: Image of 50m Pool Deterioration



ITEM 3.9 TENDER - REDCLIFFE WAR MEMORIAL POOL SHELL RENEWALS - A20093032 (Cont.)

- b. The **18.3 metre Learn to Swim Pool** is approximately 18.3m by 11m and is tiled on both the floor and sides. Tiles around the pool have been damaged and grouting eroded. **Figure 2** illustrates a small number of these missing/damaged tiles. The parent waiting area has also deteriorated significantly due to age, the current condition is illustrated in **Figure 3**. As part of this project all damaged and missing tiles will be replaced, and all tiles will benefit from reapplication of grouting. The existing artwork will be stripped back and reapplied under a similar design.

Figure 2:
Image of 18.3m Pool Missing Tiles

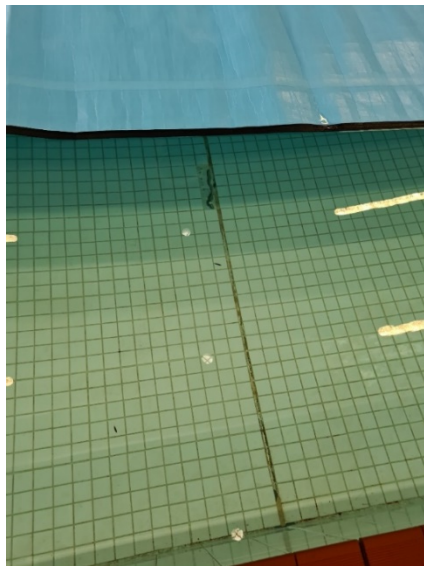


Figure 3:
Image of Deteriorated Artwork (18.3m Pool)



- c. The **Baby Wading Pool** is approximately 7.9m by 7.8m and is tiled on both the floor and sides. Like the 50m and 18.3m pools, tiles have sustained damage and require replacement. As part of this project all damaged and missing tiles will be replaced. The existing non-slip painted border will be repainted as part of this project.

Figure 4: Image of Baby Wading Pool



- d. Due to the age of the facility all **expansion joints** have deteriorated and are believed to no longer be capable of preventing water ingress or completing their purpose. As part of this project all expansion joints on the concourse and in the pool will be renewed and sealed to prevent further deterioration.

ITEM 3.9 TENDER - REDCLIFFE WAR MEMORIAL POOL SHELL RENEWALS - A20093032 (Cont.)

Figure 5: Image of Expansion Joints



2. Explanation of Item

Tenders were called for the 'Redcliffe War Memorial Pool Shell Renewals (MBRC009780)' project through a selective tender, using LG Tenderbox. The tender was sent to twenty-four Contractors within the industry on 8 May 2020 and closed on 22 May 2020. Two conforming submissions were received.

The following works are separated from the contract and will be managed by Council officers:

- a. Emptying and refilling of pool water
- b. Earth continuity testing
- c. Structural investigation

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

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

Rank	Tenderer	Evaluation Score
1	Premis Solutions Pty Ltd	100.00
2	Concrete Seal Pty Ltd	83.07

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

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

ITEM 3.9 TENDER - REDCLIFFE WAR MEMORIAL POOL SHELL RENEWALS - A20093032 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

Council's Procurement Policy states that tenders over the value of \$200,000 are to be publicly tendered in accordance with the *Local Government Act 2009*. Budgeting estimates based upon similar works tendered in the last six months anticipated the value of this project to come under the \$200,000 threshold and was, in turn, selectively tendered to 24 companies via LG Tender box

Both submissions received were greater than \$200,000 and the Director of Finance & Corporate Services and Deputy CEO / Director Engineering, Construction & Maintenance provided approval to proceed without going to public tender to minimise the shutdown period of the facility, minimising the impact to users, given that a large number of companies were selectively invited to tender.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

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.

The tendering and evaluation process for this acquisition was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

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 are minimised is detailed below.

Risk	Mitigation
Completing the large extent of works required prior to 9 September 2020.	Premis Solutions Pty Ltd have agreed to the Key Performance Indicators that impose financial penalties if deadlines are not met.
Council Officer will not be onsite full time to supervise all works being completed.	Regular inspections will be completed by Council Officers to ensure deadlines are met. Premis Solutions Pty Ltd will be required to submit a contract close out report, detailing completion of all works which is to include before, during and after photographs.

A third-party review of financial status has been carried out on the successful tenderer, with Premis Solutions Pty Ltd receiving a rating of 'sound', which has confirmed they have the financial capacity to carry out the required works.

3.5 Delegated Authority Implications Nil identified

ITEM 3.9 TENDER - REDCLIFFE WAR MEMORIAL POOL SHELL RENEWALS - A20093032 (Cont.)

3.6 Financial Implications

The estimated costs as tendered by Premis Solutions Pty Ltd are not within budget allocation.

Tender Price	\$ 234,200.00
Contingency - 5%	\$ 11,710.00

Total Project Cost	\$ 245,910.00
	=====

The estimated cost for the works separated from the contract and managed by Council Officers is \$20,790.00. This project will be debited to project number 105806.

The budget amount for this Project is insufficient. Additional funds will be required at the next quarterly review. The budget allowance for the works was \$165,000.00 and an additional \$101,700.00 will be required to complete this project.

3.7 Economic Benefit Implications

Effective renewal of swimming pool assets will boost appearance, assist in meeting tenant's expectations and increase pool patronage.

3.8 Environmental Implications Nil identified

3.9 Social Implications

Improving the appearance of the Redcliffe War Memorial Pool facility continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Consultation for the delivery of this contract has been undertaken with relevant officers of the Property Services department and the Procurement section of Council.

ITEM 3.10
TENDER - MORAYFIELD - TRINITY WAY PARK - PARK UPGRADE

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A19681054 : 20 May 2020 - Refer **Confidential Supporting Information A19920240**
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited for "Morayfield, Trinity Way - Park Upgrade" (BUS267/ VP181328) project. The request for tenders closed on 8 April 2020 with fourteen tenders received, all of which were conforming, including six alternative offers.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Adam Hain

CARRIED 12/0

1. That the tender for 'Morayfield, Trinity Way - Park Upgrade (BUS267 / VP181328)' be awarded to A_SPACE AUSTRALIA PTY LTD for the sum of \$243,930.00 (excluding GST).
2. That the Council enters into an agreement with A_SPACE AUSTRALIA 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 A_SPACE AUSTRALIA PTY LTD for 'Morayfield, Trinity Way - Park Upgrade (BUS267 / VP181328)' and any required variations of the agreement on Council's behalf.
4. To allow this project to proceed, Council commits to the 2020/21 FY draft budget allocation of \$250,000 for this project.

ITEM 3.10 TENDER - MORAYFIELD - TRINITY WAY PARK - PARK UPGRADE - A19681054 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Morayfield, Trinity Way - Park Upgrade (BUS267 / VP181328)' be awarded to A_SPACE AUSTRALIA PTY LTD for the sum of \$243,930.00 (excluding GST).
2. That the Council enters into an agreement with A_SPACE AUSTRALIA 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 A_SPACE AUSTRALIA PTY LTD for 'Morayfield, Trinity Way - Park Upgrade (BUS267 / VP181328)' and any required variations of the agreement on Council's behalf.
4. To allow this project to proceed, Council commits to the 2020/21 FY draft budget allocation of \$250,000 for this project.

REPORT DETAIL

1. Background

The project is located within Trinity Way Park, Trinity Way, Morayfield. The project originated as a result of the LGIP and Urban Recreation Park Plan 2012-2031 identifying the need for park embellishments in the short term (Appendix E, recommendation 670).

The project scope includes the construction of an inclusive playground, a fitness equipment node, picnic facilities and associated landscaping that will promote integrated and inclusive play opportunities for children and parents/caregivers. The playground will include spaces to suit different age groups from toddler through to young teenagers. The objective of the project is to provide play, fitness and picnic facilities which are lacking at this location (Local Government Infrastructure Plan os-150).

Project construction is programmed to commence in early August 2020 and be completed in six weeks including an allowance for wet weather.



Figure 1 Location of Works

ITEM 3.10 TENDER - MORAYFIELD - TRINITY WAY PARK - PARK UPGRADE - A19681054 (Cont.)

2. Explanation of Item

Tenderers were invited from Local Buy Pre-Qualified Panel BUS267 Open Spaces, Parks, Play, Sport & Recreation (BUS267/VP181328). The tender closed on 8 April 2020 with a total of 14 conforming submissions received, including 6 alternate offers. 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	A_SPACE AUSTRALIA PTY LTD (Alternate)	93.65
2	A_SPACE AUSTRALIA PTY LTD	93.35
3	WillPlay Pty Ltd	92.86
4	WillPlay Pty Ltd (alternate)	88.83
5	The Landscape Construction Company Pty Ltd - (A_SPACE AUSTRALIA equipment) Conforming	86.87
6	Hansen Pty Ltd T/A Forpark Australia	86.81
7	PlayRope Pty Ltd	83.09
8	The Landscape Construction Company Pty Ltd - Forpark Option 3 alternative 3	82.65
9	Austek Constructions Pty Ltd T/A Austek Play	80.94
10	The Landscape Construction Company - Urban Play option 2 alternative 2	80.71
11	URBAN PLAY PTY LTD T/A BEN URBAN SERVICES TRUST	80.70
12	URBAN PLAY PTY LTD T/A BEN URBAN SERVICES TRUST (Alternate)	80.26
13	The Landscape Construction Company Pty Ltd - Urban Play Option 1 alternative 1	79.45
14	M & N Enterprises t/a Playscape Creations	61.60

A-SPACE AUSTRALIA PTY LTD - Alternate offer ('AS') - submitted a comprehensive tender. A tender clarification meeting was held on 15 May 2020, at which AS demonstrated relevant experience, detailed methodology, understanding of the project and capability in effectively delivering the project in a timely manner. AS has undertaken previous playground and fitness construction work for Moreton Bay Regional Council and other Local Government Councils, such as Brisbane City Council, Grinstead Park \$135,000, Lake Macquarie City Council, Pasterfields Sports Complex \$150,000 and Central Coast Council, Mannering Park \$240,000.

The playground and fitness equipment for this project is manufactured within Australia. The equipment proposed for the fitness node maximises use of the area and has an additional item providing greater all-over body workout. The inclusion of extra ground level Play Panels within the defined footprint provides imaginative, educational and active learning opportunities for individual and group play for younger children. The rubber softfall provides connectivity for access from a number of different directions with a path to the swing, the rocker, stair access to junior fort/slide component and exit point from the slide.

The evaluation panel consider the AS alternate offer to provide the best overall value for council and meets the age range for the project scope.

A-SPACE AUSTRALIA PTY LTD - Conforming offer - submitted a comprehensive conforming tender, however, there were no additional benefits for the higher price.

ITEM 3.10 TENDER - MORAYFIELD - TRINITY WAY PARK - PARK UPGRADE - A19681054 (Cont.)

WillPlay Pty Ltd - Conforming offer - ('WP') - submitted a comprehensive tender and was the lowest priced tender. WP's submission confirmed their capability to complete the project and at a tender clarification meeting held on 15 May 2020, WP detailed their methodology to complete the project. The evaluation panel considered that the submission does not provide the same level of service to the community in terms of accessibility and range of activities for people with a variety of ages and abilities e.g. the fitness equipment proposed does not provide the extent of all-over body workout specified with fewer items of equipment. In the playground node rubber softfall does not provide linkage to entry point of Fort / slide element nor the rocker element reducing the accessibility for less abled users

3. Strategic Implications

3.1 Legislative / Legal Implications

Council sought quotations via the Local Buy Contract BUS267 Open Spaces, Parks, Play, Sport & Recreation for the work through Vendor Panel 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: Quality recreation and cultural opportunities - active recreation opportunities.

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 are minimised is detailed below.

Financial Risks:

Council sought quotations via the Prequalified Local Buy Contract BUS267 Open Spaces, Parks, Play, Sport & Recreation for the work through Vendor Panel.

Construction Risks:

- a) The recommended contractor will provide a program of works, traffic management plan, safety management plan and environmental management plan as part of the contract to identify and detail how they will manage and mitigate project construction risks. This information will be assessed for appropriateness and audited by Council's Project Manager.
- b) The recommended contractor has demonstrated their understanding of the project site and the need to manage the impact of works and safety for pedestrians, vehicles and adjacent private properties.
- c) The recommended contractor has programmed the works and allowed for appropriate resources to complete the project works efficiently including an allowance for wet weather.
- d) There are no development approvals associated with this project.
- e) There are no procurement issues identified with this project. The lead time to procure materials is considered suitable. The contractor is aware of the current COVID-19 situations and has not identified or advised of any impacts on the delivery of this project at the time of tender.

3.5 Delegated Authority Implications Nil identified

ITEM 3.10 TENDER - MORAYFIELD - TRINITY WAY PARK - PARK UPGRADE - A19681054 (Cont.)

3.6 Financial Implications

Council has allocated a total of \$250,000 in the 20-21 FY Capital Works Program (project number 107571). All financials below are excluding GST.

Tender Price Construction	\$ 243,930.00
Contingency 10%	\$ 24,393.00
Qleave (0.475%)	\$ 1158.66

Total Project Cost	\$ 269,481.66
	=====
Estimated ongoing operational/maintenance costs	\$ 5,625.00 per F/Y.

The budget amount for this project is insufficient. Additional funds will be sought at the 2020/21 quarter one budget review, should the contingencies allowance be required.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications

The contractor is required to submit a site-specific Environmental Management Plan, which will be reviewed and monitored by Council officers. The contractor will be required to manage sediment and erosion controls during construction and these measures will be audited and monitored by Council's Project Management staff. Environmental controls to be implemented include installation of sedimentation curtains around the current works area and relocated as the works progress, spill kits on-site and placed accordingly. A tree management plan will be implemented as part of the construction works to monitor and protect existing trees on site

3.9 Social Implications

The project has positive social outcomes by providing additional park amenity for the local community. The project aims to promote a healthy and inclusive community, with a playground that encourages active living for both adults and children, whilst also promoting social inclusion opportunities for visitors who have intellectual, physical and sensory impairments

3.10 Human Rights Implications

This project will ensure that Trinity Way Park operates as required as a district level facility, particularly with the future surrounding development and the right to access public accessible space, the additional elements provided will ensure that all ages and abilities needs have been met at the facility.

3.11 Consultation / Communication

A detailed communication plan has been prepared for the project. Project notices and signs will be distributed four weeks prior to construction commencement to local residents and nearby Child Care Centre. Weekly project updates via email will be provided to the Divisional Councillor who has been consulted and is supportive of the project.

ITEM 3.11
WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20069695 : 24 May 2020 - **Refer Supporting Information A20071256 & A20071257**
Responsible Officer: WES MORTENSEN, Parks and Recreation Planning Manager (IP Parks & Recreation Planning)

Executive Summary

The purpose of this report is to gain Council endorsement for the Heritage Master Plan for Wyllie Park, Petrie, identified as Lot 2 on SP216329. Wyllie Park was listed on the Queensland Heritage Register in 2009 as a *North Coast Roadside Rest Area* due to its significance as a pit stop for travellers along the old Bruce Highway.

The preparation of a Heritage Master Plan for Wyllie Park was a development permit requirement associated with infrastructure upgrades triggered by the nearby Petrie Mill redevelopment project and a legislative requirement due to the park's heritage listing.

Council officers presented the Heritage Master Plan to the Queensland Heritage Council on two occasions and the final plan was subsequently endorsed by the Queensland Heritage Council on December 19, 2019.

The matter was raised at a Council briefing held on 6 May 2020. Council recently resolved to award a tender for the reconstruction and rehabilitation of the park on 27 May 2020 to ensure grant funding commitments linked with Petrie Mill redevelopment project and associated works could be honoured.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 12/0

1. That Council endorse the Wyllie Park Heritage Master Plan, dated 26 November 2019.
2. That the Wyllie Park Heritage Master Plan be advertised on Council's website for public information purposes, noting that it was endorsed by the Queensland Heritage Council on December 19, 2019.
3. That Council note the Heritage Master Plan complies with 2150-088 Policy - Preparation of Master Plans for Council-Controlled or Owned Sites.

ITEM 3.11 WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL - A20069695 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council endorse the Wyllie Park Heritage Master Plan, dated 26 November 2019.
2. That the Wyllie Park Heritage Master Plan be advertised on Council's website for public information purposes, noting that it was endorsed by the Queensland Heritage Council on December 19, 2019.
3. That Council note the Heritage Master Plan complies with 2150-088 Policy - Preparation of Master Plans for Council-Controlled or Owned Sites.

REPORT DETAIL

1. Background

Wyllie Park is located at 980 Gympie Road, Petrie and has a rich anecdotal history as an indigenous meeting point, as well as being a rest stop for coaches, cars and caravans travelling along the original alignment of the Bruce Highway. Its southern edge is bounded by the North Pine River while its north, east and west borders are the Gympie Road rail and Pine River corridors respectively. (refer Figure 1).

A Council briefing was conducted on 6 May 2020 to enable further explanation/clarification to be provided to the Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

<i>BRIEFING 1 - WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL</i>	
<p>EXTRACT TO BE INCLUDED IN OFFICER'S REPORT</p> <p>Discussion consisted of:</p> <ul style="list-style-type: none"> • Overview of what the Master Plan entails; • Noted that the Heritage Council has signed off on this Master Plan; • Council Report to be brought to a future Meeting for Council's consideration to adopt the Heritage Master Plan. 	<p>Responsible Officer:</p> <p>Wes Mortensen - Parks & Recreation Planning Manager</p> <p>Claud Bergs - Senior Urban Designer</p>



Figure 1: Wyllie Park in Context Aerial Photo

ITEM 3.11 WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL - A20069695 (Cont.)

The area was originally state road reserve and contained a roadside rest stop. The area was closed as unallocated State land, in late 2008, creating Lot 2 on SP216329, which was subsequently transferred in trust to MBRC for management.

Wyllie Park was listed on the Queensland Heritage Register in 2009 as a *North Coast Roadside Rest Area* due to its significance as a pit stop for travellers along the old Bruce Highway. The caravanning heyday of the 1950s saw visitation of Wyllie Park increase as it was one of only a few locations along the North Coast which provided appropriate infrastructure for short term caravanning sites.

Consultants, Australian Heritage Specialists, prepared a Conservation Management Plan document with assistance from Council officers as a precursor to the Heritage Master Plan. While the Conservation Management Plan is not required to be endorsed by Council it is an important supporting document to the Heritage Master Plan. The Heritage Master Plan was subsequently prepared by Council officers with peer review by AHS.

A priority outcome of the Conservation Management Plan was the production of a landscape Heritage Master Plan to be endorsed by the Queensland Heritage Council in order to guide Council's proposed Wyllie Park upgrade works, as well as allowing for the impact of the widening of Gympie Road to provide access to the Petrie Mill Development. In October 2019, Council officers presented the Heritage Master Plan to the Queensland Heritage Council to demonstrate how Council intended to comply with the requirements of heritage legislation and obligations under the provisions of the Petrie Mill project Priority Development Area. The Heritage Master Plan was subsequently endorsed by the Queensland Heritage Council following a further presentation in early December 2019.

Concurrent with the preparation of the Heritage Master Plan, Council officers have prepared and lodged the required civil and landscape documentation package for operational works approval including technical reports and studies required to satisfy the requirements of 2150-088 Policy - Preparation of Master Plans for Council-Controlled or Owned Sites. Requests for Information responses have also been prepared and submitted in order to secure the required development permits for the works. Works in the park will be staged and the first stage of construction works will enable the reinstatement of the core values of the park and removal of redundant infrastructure. A further stage is intended to complete works including the installation of interpretation elements that will explain the heritage values of the site.

Council resolved to award a tender for the construction of the first stage of reinstatement works in the park at its general meeting held on 27 May 2020 noting the improvement works are consistent with the Heritage Master Plan.

2. Explanation of Item

The Conservation Management Plan identifies the heritage elements within Wyllie Park which require protection, retention or recognition as part of planned upgrade works. These elements primarily include signage, remnant and replacement trees, picnic facilities and parking. The proposed future works associated with heritage elements will need to be informed by an interpretive strategy produced by an International Council on Monuments and Sites (ICOMOS) registered landscape architect. The Heritage Master Plan includes measures that satisfy this requirement and complies with Council's own Policy documents namely; (2150-088 Policy - Preparation of Master Plans for Council-Controlled or Owned Sites).

One persistent characteristic since the 1940s has been the concentric rings of Slash Pine trees (refer Figure 2). While the origins of this planting strategy remain unknown, it is speculated that the Slash Pines were planted by workers at Transport and Main Roads or the Petrie Paper Mill.

ITEM 3.11 WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL - A20069695 (Cont.)

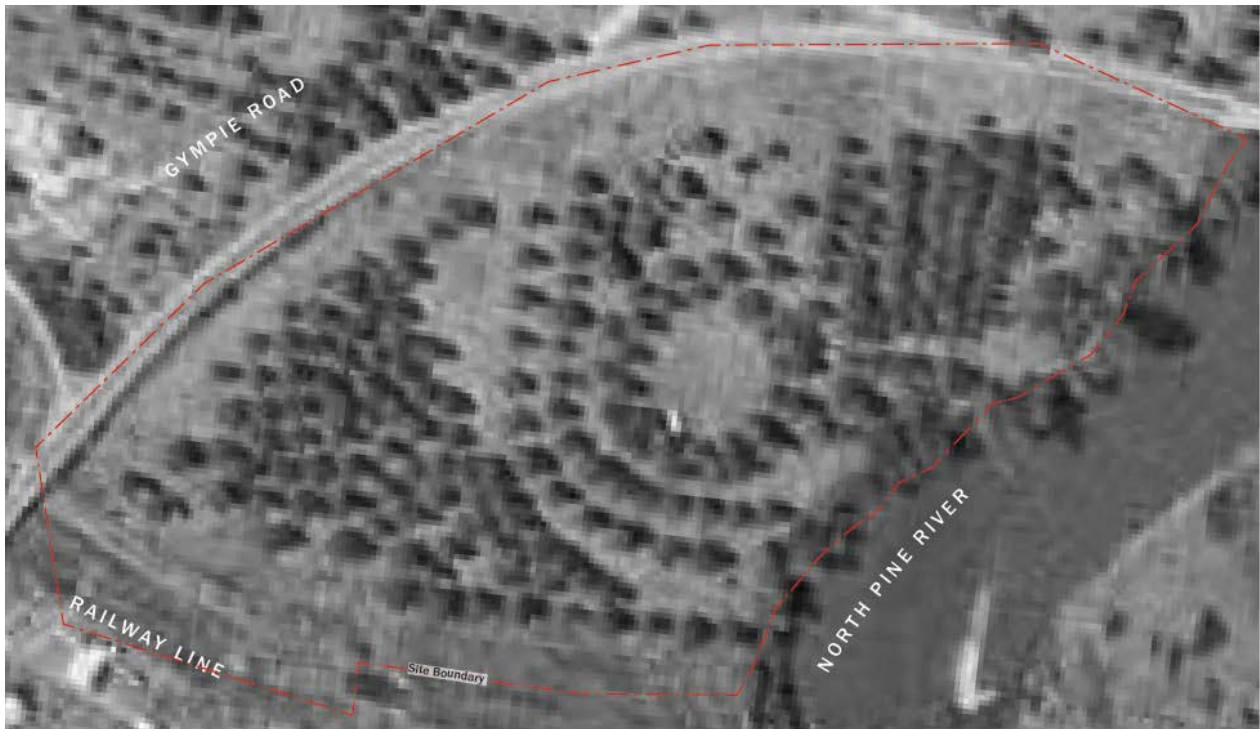


Figure 2: Wyllie Park Aerial Photo, 1955 illustrating the concentric plantings of Slash Pines

The Conservation Management Plan identified that by the 1990s, many of the mature Slash Pines in Wyllie Park had exceeded their expected life span, were haphazardly shedding limbs and dying. In order to maintain public safety for park patrons, Council removed dead and dying trees as required. There was no information available to Council at the time to indicate there was any inherent heritage values associated with the trees in the park. During preparation of the Conservation Management Plan and subsequent Heritage Master Plan, Queensland Government officers, Council’s consultants nor Council officers could find any material that shed light on the original design intent for the park planting pattern, despite the clear intent visible in aerial images. (Refer Figure 3) Additionally, infrastructure expansions to the railway line, Gympie Road and riverbank remediation works has contributed to a change in park character over the last 70 years (refer Figure 4). In response to declining tree health, Council produced the Wyllie Park Vegetation Management & Design Intent Plan which was endorsed by Council in 2015. It outlined the staged replacement of the aging Slash Pine trees in a way which was in keeping with the park character and prepare for future development.

Tree health was also negatively impacted by uncontrolled camping and vehicular movement. Slash Pines are renowned for being sensitive to root zone impacts. In the early 2000s in an effort to mitigate the negative environmental and social impacts of camping in this area, Council closed Wyllie Park to overnight stays. In response to demand, in 2016/17 Council trialled short-term camping with the intention to monitor behaviour within the park. The unfavourable findings from this period were presented at a workshop in 2017 and a cessation of any form of overnight camping was supported by Council. Measures going forward included prohibition of overnight stays, the implementation of parking restrictions and public notification of the changes. Unfortunately negative impacts on tree health were too far advanced to gain any benefit from this action.

ITEM 3.11 WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL - A20069695 (Cont.)



Figure 3: Wyllie Park Aerial Photo, 1998 showing the concentric rings of Slash Pine impacted by senescence. New landscaping, playground and pathways installed by Council with DTMR approval.



Figure 4: Wyllie Park Aerial Photo, 2017 showing the programmed replacement of trees triggered in part by the MBRL rail corridor expansion

ITEM 3.11 WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL - A20069695 (Cont.)

A key outcome of the Conservation Management Plan was to reinstate the character of the former concentric rings of Slash Pines using more resilient species. The planting strategy adopted by Council officers comprises several species of core trees which acknowledge the form of the slash Pines, incorporate seasonal colour, are at appropriate spacings having regard for the mature size of each and planted in a sympathetic concentric ring pattern (refer Figure 5).

Rationalised road and carparking, pathways, playground and additional picnic areas are also key elements of the design. Care has been taken to retain essential rest stop infrastructure such as toilets and black water disposal while car and trailer / RV carparking have also been incorporated in the amended layout for the park. Redundant sections of internal roads, paths and services are intended to be removed to return the site to a similar condition to that which existed in its halcyon days. Almost 700sqm of redundant road and pavement are proposed to be removed from the park as part of reinstatement works. Overnight and extended camping are not intended to be reinstated noting the difficulty Council experienced in managing significant anti-social issues associated with this activity in recent years.

A tender has been awarded for construction of Stage 1 works to ensure Council's obligation for acquittal of grant funds for the Mill Project can be met. An estimated allocation of a further \$400k will be sought via an ePID in future budget deliberations for consideration by Council.

Council officers have submitted the Heritage Master Plan to the Australian Institute of Landscape Architects annual awards program noting the significance of the project to both local and State Heritage values.



Figure 5: Wyllie Park HMP layout showing reinstated concentric plantings and reducer road and path network

3. Strategic Implications

3.1 Legislative / Legal Implications

Preparation and implementation of the Heritage Master Plan is a legislative requirement associated with the heritage listing of the park. Council has secured endorsement of the Heritage Master Plan from the Queensland Heritage Council.

ITEM 3.11 WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT - DIVISIONAL - A20069695 (Cont.)

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - celebrating local arts, culture and community.

3.3 Policy Implications

The Heritage Master Plan complies with 2150-088 Policy - Preparation of Master Plans for Council Controlled or Owned Sites.

3.4 Risk Management Implications

The completion of the first stage of works in the park is linked with grant funding requirements associated with the nearby Petrie Mill development.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated enough budget for the construction of the first stage of reinstatement works. An estimated additional \$400k of funds will be required to complete the works to satisfy the Heritage Master Plan obligations.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications

The removal of redundant road and other pavement and infrastructure in conjunction with riparian restoration is considered a significant positive local ecological outcome.

3.9 Social Implications

The restoration of Wyllie Park is considered important to local heritage and community values. Once complete the improvements have the potential to be a drawcard for tourists to interpret the rich local history of the region.

3.10 Human Rights Implications

Under the Human Rights Act 2019 (Qld), Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Council's decision in this circumstance may affect a person's property rights, including a person's right to not be arbitrarily deprived of their property. Officers consider that Council's decision in this circumstance (if it reflects the officer's recommendation) is compatible with (and does not limit) a person's property rights because there are sound and lawful reasons for the acquisition as set out in this report. The Conservation Management Plan and Heritage Master Plan acknowledge the influence of pre and post European settlement on the park and their contribution to local community heritage values.

3.11 Consultation / Communication

Council engaged with and subsequently secured the endorsement of the Queensland Heritage Council for the Wyllie Park Heritage Master Plan on December 19, 2019. Following Council endorsement, the Wyllie Park Heritage Master Plan will be advertised on Council's website for public information purposes, noting that it was endorsed by the Queensland Heritage Council on December 19, 2019.

ATTENDANCE

Ms Amy White attended the meeting at 10.04am for discussion on Items 4.1 to 4.4 inclusive.

4 PLANNING SESSION

(Cr D Grimwade)

Declarations of interest statement

There are no personal interests to be declared for items in this session.

ITEM 4.1

DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA

APPLICANT: Caboolture Gospel Trust C/- ARC Surveys Pty Ltd

OWNER: Mr Stephen J Thrush Tte and Mr Scott N Woodman Tte and Mr Trevor D Millar Tte

Meeting / Session: 4 PLANNING
Reference: A20053074 : 27 May 2020 – Refer Supporting Information A20060042, A20060044 & A20060045
Responsible Officer: MO, A/Senior Planner (PL Development Services)

Executive Summary

This report is being presented to the Council for a decision as the proposal has raised community concern and the development application will be determined by the Council instead of under Council officer delegation. Therefore, Council is now the entity authorised to decide the development application.

APPLICATION DETAILS	
Applicant:	Caboolture Gospel Trust C/- ARC Surveys Pty Ltd
Lodgement Date:	23 September 2019
Properly Made Date:	26 September 2019
Confirmation Notice Date:	8 October 2019
Information Request Date:	22 October 2019
Info Response Received Date:	24 March 2020
Public Notification Dates:	3 April 2020 - 29 April 2020
No. of Submissions:	Properly Made: Six (6) Not Properly Made: Eight (8)
Decision Due Date:	19 June 2020
Prelodgement Meeting Held:	No

PROPERTY DETAILS	
Division:	Division 11
Property Address:	33 Young Road, Narangba
RP Description	Lot 2 SP 231089
Land Area:	1100 m2
Property Owner	Mr Stephen J Thrush Tte and Mr Scott N Woodman Tte and Mr Trevor D Millar Tte

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

STATUTORY DETAILS	
Planning Legislation:	<i>Planning Act 2016</i>
Planning Scheme:	Moreton Bay Regional Council Planning Scheme
Planning Locality / Zone	General Residential Zone - Suburban Neighbourhood Precinct
Level of Assessment:	Impact and Consistent

This application seeks a Material Change of Use – Development Permit for a Place of Worship at 33 Young Road, Narangba, on land described as Lot 2 SP 231089 (Division 11). It is proposed to establish a new church for the purpose of family prayer meetings occurring twice per week for 10 – 12 families. The church will not be used for the holding of weddings, christenings, or funerals, nor rented to any third parties.

The application was publicly advertised with fourteen (14) submissions received.

An assessment of the development application has been undertaken under the *Planning Act 2016*. The “guiding principles” stated in the State Planning Policy requires that where acceptable, when outcomes are satisfied by development, then the relevant performance outcome is taken to be satisfied in part and further assessment against the Overall Outcomes which is taken to be satisfied in full.

As such, the proposed development is considered to accord with the intent of the MBRC Planning Scheme, and is recommended to be approved, subject to conditions.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Cath Tonks

CARRIED 12/0

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

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for Place of Worship at 33 Young Road, Narangba, described as Lot 2 SP 231089, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan	A101 Rev E	Alphaline Homes	04/03/2020
Floor Plan Ground Floor	A102 Rev E	Alphaline Homes	04/03/2020
Elevations	A102 Rev E	Alphaline Homes	04/03/2020
Landscaping Plan	19.186 Rev B	Andrew Gold Landscape Architecture	17/03/2020
Planting Schedule and Images	19.186 Rev B	Andrew Gold Landscape Architecture	17/03/2020
Landscaping Notes and Details	19.186 Rev B	Andrew Gold Landscape Architecture	17/03/2020
Environmental Noise Impact Report	2003354	Decibell Consulting Pty Ltd	11/03/2020
Waste Management Plan. Place of Worship	-	ARC Surveys Pty Ltd	24/3/20209 (Received)
Site Based Stormwater Management Plan	CW19074	Civil Works Engineers	March 2020
33 Young Road, Narangba 6.4m SRV	1273_AKR01 SK.01 Rev. A	QTraffic	09/03/2020

Conditions

CONDITION	TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT	
DEVELOPMENT PLANNING	
1	Approved Plans and/or Documents
	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.
	Prior to commencement of use and to be maintained at all times.
2	Use Limitations
	<ul style="list-style-type: none"> • The approved use must not include the holding of weddings, christenings, funerals or similar events. • The approved use is limited to church services and administrative meetings only. • Services are to be held at the following times only: <ul style="list-style-type: none"> - Sundays 6am to 7.30am; and - Mondays 6.30pm to 8pm.
	To be maintained at all times.

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	<ul style="list-style-type: none"> Administrative meetings may occur between 6.00am and 9pm Monday to Sunday. 	
3	On-Site Car Spaces	
A	Provide on-site car parking generally in accordance with the approved plans.	Prior to commencement of use and to be maintained at all times.
B	Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plan. Car spaces, access lanes and driveways shown on the approved plan must not be used for any other purpose.	Prior to commencement of use and to be maintained at all times.
4	Bicycle Parking Facilities	
	Install secure bicycle parking facilities for a minimum of one (1) bicycle. Bicycle parking is to be provided in accordance with Austroads (2008), Guide to Traffic management - Part 11: Parking.	Prior to commencement of use and to be maintained.
5	Street Numbering and Building Names	
	Install street numbering clearly visible from the road frontage of the site. Ensure street numbers and any building names are prominently displayed at the road frontage of the site, to enable identification by emergency services.	Prior to commencement of use and to be maintained at all times.
6	Front Fencing	
	No front fencing is provided forward of the main building line.	Prior to commencement of the use and to be maintained at all times.
7	Landscaping Plan	
A	Provide landscaping on site generally in accordance with the approved plans and Planning scheme policy - Integrated design (Appendix D).	Prior to commencement of use.
B	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	Prior to the commencement of use.
C	Maintain the landscaping.	At all times.
8	Vehicle Encroachment	
	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops, kerbing or similar barrier approved by the Council.	Prior to commencement of use.
9	Water and/or Sewerage	
	Submit to Council a Certificate of Completion or Provisional Certificate of Completion (for each stage where there are	Prior to commencement of use.

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

CONDITION	TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT	
DEVELOPMENT PLANNING	
stages) for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: <ol style="list-style-type: none"> 1. a reticulated water supply network connection is available to the land; and 2. a sewerage network connection is available to the land; and 3. all the requirements of Unitywater have been satisfied. 	
10	Fibre Ready Telecommunications – Single
A Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs as amended, that: <ol style="list-style-type: none"> 1. Extends the service drop conduit from the property boundary to the external Premises Connection Device (PCD) or the likely location of the PCD; and 2. Extends a communications conduit with drawstring from the external PCD or the likely location of the PCD to the internal Fibre Wall Outlet (FWO) or the likely location of the FWO. 	Prior to commencement of use.
B Provide certification to Council from the installer or an RPEQ engineer (electrical engineer) that the works and infrastructure required in (a) above has been done. Note: A template for certification is available from council for the purpose of this condition.	Prior to commencement of use.
11	Telecommunications Internal Wiring
A Install internal wiring (Category 6 or better) within the building from the expected location of any future Network Termination Device (NTD) for High Speed Broadband (based on the recommended locational criteria in the NBN Co Guideline (MDU Building Design Guide OR New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs) to the same connection points in the building that would have been or have been installed for telephone and television connections.	Prior to commencement of use.
B Provide certification from the installer or an RPEQ engineer (electrical engineering) that the wiring required in (A) above has been done. Note: A template for certification is available from Council for the purpose of this condition. Installers are recommended to be a registered cabler.	Prior to commencement of use.
12	Electricity
Provide an underground electricity supply connection to the development.	Prior to commencement of use.
13	Management of Wildlife

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency.	Prior to and during site works.
14	Disposal of Cleared Vegetation	
	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.	At all times.
15	Stockpiles of Construction and Landscaping Materials	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain, wetland or watercourse.	During site works.
ENVIRONMENTAL HEALTH		
16	External Lighting	
A	Install any external lighting in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to commencement of use and to be maintained at all times.
B	Provide certification from a suitably qualified person that external lighting has been installed in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting).	Prior to commencement of use.
17	Pedestrian Lighting	
A	Install lighting in any pedestrian areas that require illumination in accordance with AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to commencement of use and to be maintained at all times.
B	Provide certification from a suitably qualified person that lighting for pedestrian areas satisfies the intent of AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to commencement of use.
18	Waste Management Program	
A	Implement the approved waste management program; Note: This development will use wheelie bins serviced at the kerbside of Young Road.	Prior to commencement of use.
B	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
C	Provide a bin wash down facility connected to sewer as per SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.
19	Acoustic Attenuation Measures	
A	Provide the acoustic attenuation measures specified in the Environmental Noise Impact Report prepared by Decibell Consulting Pty Ltd with the addition of the following: <ul style="list-style-type: none"> i. That part of any acoustic barrier that is above 2.0m is to be constructed of a transparent material to minimise visual impacts and overshadowing. 	Prior to the commencement of the use and to be maintained at all times.
B	Provide certification from a suitably qualified person that the above attenuation measures have been installed/implemented in accordance with the specifications of the Environmental Noise Impact Report prepared by Decibell Consulting Pty Ltd and subsection A(i) above.	Prior to the commencement of the use.
DEVELOPMENT ENGINEERING		
20	Replace Existing Council Infrastructure	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	Prior to commencement of use.
21	Alterations and Relocation of Existing Services	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	Prior to commencement of use.
22	Stormwater	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times.
23	Stormwater Management	
A	Submit and have approved by Council, a development application for operational works for stormwater infrastructure to service the development. Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.	Prior to commencement of works associated with this condition.

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ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

CONDITION	TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT	
DEVELOPMENT PLANNING	
<p>B Construct stormwater infrastructure to service the development at no cost to Council and in accordance with the approved plans and documents of development.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	<p>Prior to commencement of use.</p>
24	Construction Management Plan
<p>A Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following:</p> <ol style="list-style-type: none"> 1. Material delivery and storage locations 2. Waste locations and collection details 3. Construction office accommodation 4. Contractor / tradesman vehicle parking arrangements 5. Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday. <p>The CMP may include a site layout drawing identifying these areas.</p> <p>The CMP needs to reflect any staging requirements.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs) 2. Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable 3. Traffic control measures may need to be put in place for the duration of the construction works to control contractor / tradesman vehicle parking arrangements, this should be documented within the CMP 4. Materials unloading and loading must occur on-site unless prior written approval is given by Council. 5. All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site. 	<p>Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.</p>
<p>B Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during construction.</p>	<p>At all times during construction of the development.</p>
25	Erosion and Sediment Control
<p>Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment</p>	<p>Prior to commencement of works and to be</p>

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ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

	CONDITION	TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.	maintained current at all times during construction.
26	Earth Retaining Structures	
A	Design all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and MBRC Planning scheme current the time of the building works application and the following: <ol style="list-style-type: none"> 1. The minimum design life (the period assumed in design for which a structure or structural element is required to perform its intended purpose without replacement or major structural repairs) for the earth retaining structure that is specified in Table 3.1 of Australian Standard AS4678; 2. Earth retaining structures within the land and around areas of cut on or near the boundaries of the site must be designed to allow for live and dead loads associated with the land/premise's current occupancy use. 	Prior to commencement of works associated with this condition.
B	Construct all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and approved plans and documents of development.	Prior to commencement of use.
C	Provide written certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the design, construction and materials comply with this condition.	Prior to commencement of use.
27	Driveway Crossover	
A	Construct a driveway crossover to the site in accordance with the approved plans and documents of development and MBRC Standard Drawing RS-049.	Prior to commencement of use.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use.
28	Access, Internal Roadways, Parking and Servicing Areas	
A	Design and construct sealed (concrete or bitumen) accesses, internal roadways, parking and servicing areas (and associated works), in accordance with the approved plans and documents of development, the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD), Australian Standards and the MBRC Planning Scheme current at the time of the building works application.	Prior to commencement of use and to be maintained at all times.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use.

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

ADVICES	
1	Aboriginal Cultural Heritage Act 2003
	<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 cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government) for further information regarding the responsibilities of the developer.</p>
2	Adopted Charges
	<p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p>
3	Signage
	<p>Ensure all signage on the site is established either:</p> <ol style="list-style-type: none"> 1. In accordance with the Requirements for Accepted Development of the Advertising Devices Code; or 2. In accordance with any Operational Works - Development Permit for an Advertising Device.

- B. That an Infrastructure Charges Notice for the development application be provided to the applicant and included as part of the Decision Package.
- C. That all submitters of properly made submissions for the development application be provided with a copy of the Council's Decision Notice in accordance with Section 63(1)(e) of the *Planning Act 2016*.

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

- D. 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*.
- E. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	Material Change of Use - Development Permit for Place of Worship
Other Necessary Permits	<ul style="list-style-type: none"> Operational Works – Development Permit Building Works - Development Permit (Building Act)
Currency Period of Approval	Material Change of Use – 6 years
Section 64(5) Deemed Approval	Not applicable
Variation Approval	Not applicable
Local Categorising Instrument	<p>Local Categorising Instrument - Moreton Bay Regional Council Planning Scheme</p> <ul style="list-style-type: none"> 6.2.6.2 General residential zone code - Suburban neighbourhood precinct Strategic Framework <p>Local Categorising Instrument (Variation Approval) Not applicable</p> <p>Local Categorising Instrument (Temporary Local Planning Instrument) Not applicable</p>
Other Relevant Assessment Matters	Not applicable.
Reasons for the Decision	Assessment Report

REPORT DETAIL

1. Proposal

APPLICATION DETAILS	
Applicant:	Caboolture Gospel Trust C/- ARC Surveys Pty Ltd
Lodgement Date:	23 September 2019
Properly Made Date:	26 September 2019
Confirmation Notice Date:	8 October 2019
Information Request Date:	22 October 2019
Info Response Received Date:	24 March 2020

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

APPLICATION DETAILS	
Public Notification Dates:	3 April 2020 - 29 April 2020
No. of Submissions:	Properly Made: Six (6) Not Properly Made: Eight (8)
Decision Due Date:	19 June 2020
Prelodgement Meeting Held:	No

This application seeks a Material Change of Use – Development Permit for a Place of Worship at 33 Young Road, Narangba, on land described as Lot 2 SP 231089 (Division 11). It is proposed to establish a new church for the purpose of family prayer meetings occurring twice per week for 10 – 12 families. The church will not be used for the holding of weddings, christenings, or funerals, nor rented to any third parties.

The proposed development includes the construction of a single building with a Gross Floor Area of 127.52m² and a site cover of 11.59%. The building consists of a meeting room, foyer, store room, and restrooms.

The proposed design seeks to emulate a dwelling house, by providing a low rise built form with a roof akin to a standard residential dwelling. The proposal delivers an attractive, active frontage with a wide pedestrian entrance courtyard to enhance the streetscape, with active and passive surveillance opportunities.

The development has been designed to ensure that the building and ongoing use do not adversely impact on the adjoining residences or the streetscape, by incorporating acoustic attenuation measures. Specifically, the building is to be acoustically attenuated, with self-closing doors to limit noise. Acoustic barriers are provided around the rear of the site to limit the impact of vehicular noise on surrounding properties. These walls have a total height of 3.5 metres on the southern boundary (adjoining the residential care facility), and a height of 2.5 metres on the western and northern boundaries. To ensure that amenity is protected for the surrounding properties, a condition is recommended requiring walls to be made from transparent materials where exceeding 2 metres in height.

The development provides thirteen (13) standard car parking spaces, one (1) accessible car parking space, and a service bay, exceeding the minimum requirement of the planning scheme. The parking is located at the rear of the site with access to the site gained via a crossover on the northern end of the lot to Young Road. The traffic generated from the development onto the external network is not of a volume that would significantly impact the function of the road.

The proposal incorporates landscaping areas at the front of the site, as well as screening landscaping around the site abutting the acoustic fencing.

The application was publicly advertised with fourteen (14) submissions received.

An assessment of the development application has been undertaken under the *Planning Act 2016*. The “guiding principles” stated in the State Planning Policy requires that where acceptable, when outcomes are satisfied by development, then the relevant performance outcome is taken to be satisfied in part and further assessment against the Overall Outcomes which is taken to be satisfied in full.

As such, the proposed development is considered to accord with the intent of the MBRC Planning Scheme, and is recommended to be approved, subject to conditions.

This report is being presented to the Council for a decision as the proposal has raised community concern and the development application is to be determined by the Council instead of under Council officer delegation. Therefore, Council is now the entity authorised to decide the development application.

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

2. Background

2.1 Site History

On 30 August 2017, Council's delegate approved a Reconfiguring a Lot - Development Permit for Subdivision (1 into 10 Lots). This approval created the subject lot. Council reference: DA/31299/2016/V3RM.

2.2 Description of the Site and Surrounds

2.2.1 Current use of the subject land and surrounding land

The site is a recently created residential allotment, and as such is currently vacant. The site and all surrounding lots are contained within the General Residential Zone - Suburban Neighbourhood Precinct, which anticipates development of dwelling houses, other low rise, low density residential uses as well as community activities, such as a Place of Worship.

The lot to the north and west were created as part of the same recent subdivision as the subject lot and are anticipated to be developed as Dwelling houses. Immediately south of the site is a 93 bed Residential Care Facility accommodating high care patients. Approximately 250 metres south of the site is a doctor's surgery, on the corner of Young and Marshman Roads. All other nearby lots are used as dwelling houses.

2.2.2 Topography

The site is generally flat, with a gradual slope to the northeast corner. It is noted that this side of Young Road is situated higher than the eastern side of Young Road.

2.2.3 Vegetation

The site has largely been cleared of vegetation as a result of the works undertaken as part of the subdivision. The site does not appear on Overlay map - Environmental areas nor any mapping associated with the State Planning Policy.

2.2.4 Access Improvements

The lot currently does not have a formalised crossover onto Young Road. As a result of the development, a new crossover will be required. This report recommends a condition to ensure that the crossover is built to an appropriate standard and the verge rehabilitated as necessary.

2.2.5 Constraints on the property

A bulk water pipeline is located within the road reserve, generally under the eastern verge. As a result, a small portion of the front of the site is located within the bulk water pipeline on Overlay map - Infrastructure buffers. The development is suitably setback from this infrastructure.

3. Explanation of Item

3.1 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.

Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> • State Planning Policy, Part E <u>Regional Plan</u>
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ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

	<ul style="list-style-type: none"> • South East Queensland Regional Plan
SEQ Regional Plan Designation:	<ul style="list-style-type: none"> • Urban Footprint
Koala Habitat Designation:	Nil

3.1.1 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:

Assessment benchmarks - Liveable communities	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	
Assessment benchmarks - Mining and extractive resources	
Applicable to Development	SPP requirement
No	Non
<u>Comment</u> Not applicable.	
Assessment benchmarks - Water quality	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	
Assessment benchmarks - Natural hazards, risk and resilience	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable. Whilst the site is located within the 'local government flood mapping area' on the SPP mapping, it is not within a flood hazard area under Council's Flood hazard overlay.	
Assessment benchmarks - Strategic airports and aviation facilities	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	

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3.1.2 South East Queensland Regional Plan

The site is located in the Urban Footprint and there are no requirements in the *Planning Regulation 2017* applicable to the development proposal.

3.2 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.

3.2.1 *Strategic Framework*

The site is located within the Suburban Neighbourhood place type per the Strategic Framework of the MBRC Planning Scheme. Upon review of the proposed development, it is considered that the proposal achieves the intent of the Suburban Neighbourhood element of the Strategic Framework by providing small scale informal and safe meeting places for residents within the community. Further, the proposal creates a community activity designed to have a low-rise built form on a landscaped site, located on a main through street which is classified as an arterial road.

Therefore, in accordance with the above, the proposal is generally consistent with the expectations set out in the Strategic Framework.

3.2.2 *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
Zone/ Local Plan Code		
General Residential Zone Code - Suburban Neighbourhood Precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO5

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

3.2.3 *Performance Outcome Assessment*

Performance Outcome	Example
6.2.6.2 General Residential Zone Code - Suburban Neighbourhood Precinct	
P05 Front setbacks ensure non-residential buildings address and actively interface with streets and public spaces.	E5.1 For the primary street frontage buildings are constructed: <ul style="list-style-type: none"> a. to the property boundary; or b. setback a maximum of 3m from the property boundary, where for the purpose of outdoor dining.

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Performance Outcome	Example
<i>Performance Outcome Assessment</i>	
<p>The proposal seeks to setback the building 3 metres from the front property boundary. The building has been designed to provide a wide pedestrian entrance way flanked by landscaping to create an active and attractive interface with the streetscape. Additionally, no fencing is proposed within the front setback, ensuring that the building is open to the street.</p> <p>It is considered that the alternative solution complies with the Performance Outcome in this instance.</p>	
<p>PO68</p> <p>a. End of trip facilities are provided for employees or occupants, in the building or on-site within a reasonable walking distance, and include:</p> <ul style="list-style-type: none"> i. adequate bicycle parking and storage facilities; and ii. adequate provision for securing belongings; and iii. change rooms that include adequate showers, sanitary compartments, wash basins and mirrors. <p>b. Notwithstanding a. there is no requirement to provide end of trip facilities if it would be unreasonable to provide these facilities having regard to:</p> <ul style="list-style-type: none"> i. the projected population growth and forward planning for road upgrading and development of cycle paths; or ii. whether it would be practical to commute to and from the building on a bicycle, having regard to the likely commute distances and nature of the terrain; or iii. the condition of the road and the nature and amount of traffic potentially affecting the safety of commuters. <p>Editor's note - The intent of b above is to ensure the requirements for bicycle parking and end of trip facilities are not applied in unreasonable circumstances. For example these requirements should not, and do not apply in the Rural zone or the Rural residential zone etc.</p> <p>Editor's note - This performance outcome is the same as the Performance Requirement prescribed for end of trip facilities under the Queensland Development Code. For development incorporating building work, that Queensland Development Code performance requirement cannot be altered by a local planning instrument and has been reproduced here solely for information purposes. Council's assessment in its building work concurrence agency</p>	<p>E68.3</p> <p>For non-residential uses, storage lockers:</p> <ul style="list-style-type: none"> a. are provide at a rate of 1.6 per bicycle parking space (rounded up to the nearest whole number); b. have minimum dimensions of 900mm (height) x 300mm (width) x 450mm (depth). <p>Note - Storage lockers may be pooled across multiple sites and activities when within 100 metres of the entrance to the building and within 50 metres of bicycle parking and storage facilities.</p> <p>Editor's note - The examples for end of trip facilities prescribed under the Queensland Development Code permit a local planning instrument to prescribe facility levels higher than the default levels identified in those acceptable solutions. This example is an amalgamation of the default levels set for end of trip facilities in the Queensland Development Code and the additional facilities required by Council.</p>

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Performance Outcome	Example
role for end of trip facilities will be against the performance requirement in the Queensland Development Code. As it is subject to change at any time, applicants for development incorporating building work should ensure that proposals that do not comply with the examples under this heading meet the current performance requirement prescribed in the Queensland Development Code.	
<i>Performance Outcome Assessment</i>	
<p>The Example suggests that two (2) storage lockers be provided (as one (1) bicycle space is required). The applicant has requested that Council does not require the development to provide storage lockers. It is likely that persons visiting the place of worship will be able to safely secure their belongings without the need to require lockers.</p> <p>It is considered that the alternative solution complies with the Performance Outcome in this instance.</p>	

3.2.4 Overall Outcome Assessment

The development proposal complies with all Performance Outcomes of the General Residential Zone Code - Suburban Neighbourhood Precinct. However, when assessing an application subject to Impact Assessment it remains relevant to consider the Overall Outcomes of the code in determining if the proposal achieves the assessment benchmark.

6.2.6.2 General Residential Zone Code - Suburban Neighbourhood Precinct	
Overall Outcomes	Complies Y/N
a. The suburban neighbourhood precinct consists of a primarily residential urban fabric providing predominantly low density, low rise, detached housing on a variety of lot sizes with a maximum site density of 15 dwellings per hectare or a maximum site density of 75 dwellings per hectare if complying with b. v. below.	Y
Comments	
The proposal does not seek to include a residential component. However, the suburban precinct envisages community activities to occur within the precinct.	
b. Residential activities consist of: <ul style="list-style-type: none"> i. Detached dwelling houses, predominantly on traditional lots; ii. Detached dwelling houses on narrow lots and Dual Occupancies where they are dispersed within the streetscape or are located within easy walking distance to services (centre, public transport node, community facilities) or park; iii. Domestic outbuildings are subordinate in appearance and function to the dwelling; iv. Retirement facilities, Residential care facilities, and Relocatable home parks are located within easy walking distance of a centre; v. Multiple dwellings, Rooming accommodation, short-term accommodation and tourist park only establish where they will support a higher order or district centre or a train station by being adjacent (within 400m walking distance) to that higher order or district centre or train station. vi. The built form of concentrated residential uses and managed communities (e.g. townhouse developments, retirement facility, 	NA

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6.2.6.2 General Residential Zone Code - Suburban Neighbourhood Precinct	
residential care facility, relocatable home parks) are designed to integrate with the surrounding neighbourhood.	
Comments	
The proposal does not seek to include to include a residential component.	
c. The design, siting and construction of residential uses are to: <ul style="list-style-type: none"> i. contribute to an attractive streetscape with priority given to pedestrians; ii. encourage passive surveillance of public spaces; iii. result in privacy and residential amenity consistent with the low density residential character of the area; iv. provide a diverse and attractive built form; v. provide a low rise built form compatible with its surrounds; vi. incorporate sub-tropical urban design principles that respond to local climatic conditions; vii. incorporate sustainable practices including maximising energy efficiency and water conservation; viii. incorporate natural features and respond to site topography; ix. cater for appropriate car parking and manoeuvring areas on site; x. be of a scale and density consistent with the low density residential character of the area; xi. provide urban services such as reticulated water, sewerage, sealed roads, parks and other identified infrastructure. 	NA
Comments	
The proposal does not seek to include to include a residential component.	
d. Non-residential uses in the suburban neighbourhood precinct take the form of community activities, corner stores, neighbourhood hubs or local centres.	Yes
Comments	
The MBRC Planning Scheme includes Place of Worship within the community activities defined activity group. As such, the proposal is considered to be a community activity and is therefore anticipated in this precinct.	
e. Community activities: <ul style="list-style-type: none"> i. establish in a location that may be serviced by public transport; ii. do not negatively impact adjoining residents or the streetscape; iii. do not undermine the viability of existing or future centres. 	Yes
Comments	
<p>The development has been designed to ensure that the building and ongoing use do not adversely impact on the adjoining residences or the streetscape, through providing a low rise built form, akin to a dwelling house, and providing acoustic attenuation appropriate to manage the anticipated impacts. The proposal also provides on-site parking above the minimum rate expected by the planning scheme to further minimise impacts on the road.</p> <p>Further, the subject site is within 300 metres walking distance of the nearest existing bus stop and will not undermine the viability of any existing or planned centres.</p> <p>It is considered that the proposal complies with this Overall Outcome.</p>	
f. Corner stores may establish as standalone uses (not part of a neighbourhood hub) where: <ul style="list-style-type: none"> i. the store is of a scale that remains subordinate to all centres and neighbourhood hubs within the region; 	NA

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6.2.6.2 General Residential Zone Code - Suburban Neighbourhood Precinct	
<ul style="list-style-type: none"> ii. clear separation from existing neighbourhood hubs and centres within the network are maintained to reduce catchment overlap. The corner store should not be within 1600m of another corner store, neighbourhood hub or centre measured from the centre of the corner store, neighbourhood hub or centre; iii. they are appropriately designed and located to include active frontages. 	
Comments	
The proposal does not seek to include a corner store.	
<ul style="list-style-type: none"> g. Retail and commercial activities (forming part of a neighbourhood hub): <ul style="list-style-type: none"> i. cluster with other non-residential uses (excluding corner stores) forming a neighbourhood hub; ii. are centred around a 'Main Street' central core fostering opportunities for social and economic exchange; iii. are of a small scale, appropriate for a neighbourhood hub; iv. do not negatively impact adjoining residents or the streetscape; v. are subordinate in function and scale to all centres within the region. 	NA
Comments	
The proposal does not seek to include a retail or commercial activity.	
<ul style="list-style-type: none"> h. The design, siting and construction of non-residential uses: <ul style="list-style-type: none"> i. maintains a human scale, through appropriate building heights and form; ii. provides attractive, active frontages that maximise pedestrian activity along road frontages, movement corridors and public spaces; iii. provides for active and passive surveillance of road frontages, movement corridors and public spaces; iv. promotes active transport options and ensures an oversupply of car parking is not provided; v. does not result in large internalised shopping centres (e.g. large blank external walls with tenancies only accessible from within the building) surrounded by expansive areas of surface car parking. 	Yes
Comments	
<p>The proposed design seeks to emulate a dwelling house, by providing a low rise built form with a roof akin to a standard residential dwelling. The proposal delivers an attractive, active frontage with a wide pedestrian entrance courtyard to enhance the streetscape, with active and passive surveillance opportunities.</p> <p>It is considered that the proposal complies with this Overall Outcome.</p>	
<ul style="list-style-type: none"> i. Neighbourhood hub expansion (into adjoining lots) or the establishment of a new neighbourhood hub only occurs where: <ul style="list-style-type: none"> i. it is of a scale that remains subordinate to all centres within the region; ii. the expansion (into adjoining lots) will strengthen the existing neighbourhood hub as an important neighbourhood activity node; iii. clear separation from existing neighbourhood hubs and centres within the network are maintained to reduce catchment overlap. New neighbourhood hubs are to service a currently unserved catchment. The centre of a neighbourhood hub should not be located within 1600m of another neighbourhood hub or centre measured from the centre of each hub or centre; iv. for a new neighbourhood hub, it is located on sub-arterial or collector road; 	NA

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6.2.6.2 General Residential Zone Code - Suburban Neighbourhood Precinct	
v. they are appropriately designed and located to include active frontages around a 'main street' core and are staged where relevant to retain key (highly accessible) sites for long term development.	
Comments	
The proposal seeks to create a standalone community activity, and therefore is not considered to constitute the creation of a new neighbourhood hub.	
<p>j. General works associated with the development achieves the following:</p> <ul style="list-style-type: none"> i. new development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and reticulated electricity (underground wherever possible), water and sewerage (where available); ii. the development manages stormwater to: <ul style="list-style-type: none"> A. ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters; B. prevent stormwater contamination and the release of pollutants; C. maintain or improve the structure and condition of drainage lines and riparian areas; D. avoid off-site adverse impacts from stormwater. iii. the development does not result in unacceptable impacts on the capacity and safety of the external road network; iv. the development ensures the safety, efficiency and useability of access ways and parking areas; v. site works including earthworks are managed to be safe and have minimal impacts on adjoining or adjacent premises, the streetscape or the environment. 	Yes
Comments	
<p>The proposal has demonstrated compliance with all Performance Outcomes and Examples for works within the General Residential Zone Code - Suburban Neighbourhood Precinct as relevant to the subject site.</p> <p>Accordingly, the proposal is considered to comply with the Overall Outcome.</p>	
k. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.	Yes
Comments	
<p>An acoustic report was provided as part of the information request response that sufficiently addresses the noise requirements of Planning scheme policy - Noise and includes recommendations to ensure that the use operates in a manner that does not create an environmental nuisance. Specifically, the recommendations include acoustic barriers and treatment of the building to ameliorate any potential noise impacts from both the carparking area and activities occurring within the building.</p> <p>Recommended conditions of approval include requiring compliance with the acoustic report recommendations and installation of lighting in accordance with the relevant Australian Standards. There are no anticipated impacts from aerosols, fumes, odour, particles, or smoke.</p> <p>Accordingly, the proposal is considered to comply with the Overall Outcome.</p>	
l. Noise generating uses are designed, sited and constructed to minimise the transmission of noise to appropriate levels and do not cause environmental harm or nuisance.	Yes

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6.2.6.2 General Residential Zone Code - Suburban Neighbourhood Precinct	
Comments	
As identified above, an acoustic report was provided as part of the information request response. This report addressed the requirements of the Planning scheme policy - Noise. The risks of environmental harm or nuisance have been addressed through the recommendations of the report.	
The proposal is considered to comply with the Overall Outcome.	
m. Noise sensitive uses are designed, sited and constructed so as not to be subject to unacceptable levels of noise.	NA
Comments	
The proposal is not considered to be a noise sensitive use.	
n. Development in a Water supply buffer is undertaken in a manner which contributes to the maintenance and enhancement where possible of water quality to protect the drinking water and aquatic ecosystem environmental values in those catchments.	NA
Comments	
The development is not located within a water supply buffer.	
o. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by [through specified approaches].	Yes
Comments	
The proposal has demonstrated compliance with all Performance Outcomes and Examples for areas of Value or Constraint within the General Residential Zone Code - Suburban Neighbourhood Precinct as relevant to the subject site.	
Accordingly, the proposal is considered to comply with the Overall Outcome.	
p. Development in the Suburban neighbourhood precinct includes 1 or more of the following: [...], Place of Worship, [...].	Yes
Comments	
Place of worship is listed within the table accompanying this overall outcome and as such is considered consistent in the Suburban Neighbourhood Precinct.	
q. Development in the Suburban neighbourhood precinct does not include any of the following: [none applicable to this application].	Yes
Comments	
The application does not seek approval for any uses listed within the table accompanying this overall outcome.	
r. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone.	NA
Comments	
There are no uses proposed that do not appear in the table accompanying overall outcome 'p'. Place of worship is considered a consistent use, and no assessment against this overall outcome is required.	

Based on the assessment above, the proposal is consistent with all of the Overall Outcomes of the code(s) and is therefore taken to be consistent with the purposes of the code(s).

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3.3 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).

3.3.1 Levied Charge

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal.

3.3.2 Levied Charge Credit

In accordance with section 14 of the CR, a credit exists for the development based on the credit being the greater of the following amounts:

(a) Payment of previous charges or contributions

In accordance with section 14 of the CR, a credit in the amount of \$17,603.73 exists and has been calculated based on the infrastructure charges received for the subdivision creating the lot and the proportional split stated in Table 3 of the CR.

(b) Lawful use of land

There is no current existing lawful use of the land or record of a previous lawful use of the land that is no longer taking place. Accordingly, the credit available under this option is \$0.00.

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

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

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

The credit available under this option is \$17,603.73 based on the proportional split stated in Table 3 of the CR.

3.3.3 Levied Charge Offset or Refund

The sited is not affected by a Trunk Infrastructure requirement and therefore there is no offset or refund applicable to the development proposal.

3.3.4 Additional Trunk Infrastructure Costs

In accordance with section 130 of the *Planning Act 2016*, an additional payment condition may be imposed if the proposed development;

- (a) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (b) requires new trunk infrastructure earlier than when identified in the LGIP; or
- (c) is for premises located completely or partly outside the Priority Infrastructure Area; and

The development will impose additional trunk infrastructure costs on Council after taking into account the levied charge and any trunk infrastructure provided, or to be provided by the development.

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition.

3.4 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

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3.5 Referrals

3.5.1 Council Referrals

3.5.1.1 Development Engineering

Managing Construction Impacts

The development proposes to undertake works over the majority of the site. To ensure that the works can be contained wholly within the boundaries, a condition is recommended to submit a Construction Management Plan (CMP).

Earthworks

The development includes retaining walls wholly contained within the development surrounding the internal boundaries. It is recommended that a condition be included for the construction of the retaining walls to be undertaken in accordance with the relevant standards and certified by a Registered Professional Engineer (RPEQ).

Traffic, Access and Parking

The development fronts onto Young Road, a Council sub-arterial road which is the lot's only location of access. The traffic generated from the development onto the external network is not of a volume that would cause an actionable nuisance to the function of the road.

It is recommended that conditions requiring construction of sealed internal driveway and parking in accordance with the approved plans and that the driveway crossover be constructed in accordance with accepted driveway standards. It is also a recommended condition that the works be certified by a Registered Professional Engineer Queensland (RPEQ).

Stormwater

The application seeks to relocate an existing gully pit currently situated in the alignment of the proposed driveway crossover. It is recommended to include a condition requiring the submission of an Operational Works application for the relocation of the gully pit.

3.5.1.2 Environmental Health

Noise

An Environmental Noise Impact Report was submitted in support of the application and recommends 2.5m and 3.5m high acoustic barriers around the carpark and driveway entrance, and acoustic treatments to the building with the addition of self-closing doors to minimise noise leakage from within the building. The recommendations of this report include a condition that the development be undertaken in accordance with the acoustic report. The recommendations will also include a requirement that any acoustic barrier over 2.0m be transparent to minimise visual impacts.

Lighting

It is recommended that conditions are included to ensure suitable lighting is installed.

Waste Management

A waste management program has been provided and is acceptable for the proposed use. This development will use wheelie bins. The recommendations of this report include a condition that the development be undertaken in accordance with the waste management program.

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3.5.2 Referral Agencies

3.5.2.1 Concurrence Agencies

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

3.5.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

3.5.2.3 Third Party Agencies

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

3.6 Public Consultation

3.6.1 Public Notification Requirements under the Development Assessment Rules

- (a) Public Notification was served on all adjoining landowners on 1 April 2020.
- (b) The development application was advertised in the Caboolture Herald on 2 April 2020.
- (c) A notice in the prescribed form was posted on the relevant land on 2 April 2020 and maintained for a period of 15 business days until 29 April 2020.

3.6.2 Submissions Received

Council received the following types of submissions in respect to this development application.

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		6
	Petition	-	0
Not Properly Made	Letter, Email, Fax		8
	Petition	-	-
Total			14

The matters raised within the submissions are outlined below:

Assessment of Submissions
<p>Issue Planning intent / Introduction of non-residential use in the residential area</p>
<p>Discussion A common theme of the submissions was that the introduction of non-residential development within the residential area is an inappropriate development outcome and should not be supported. Further comments included that the area was only intended for residential development. The submissions specify that the site is located within proximity to other non-residential uses, such as the doctor's surgery on the corner of Young Road and Marshman Road, as well as residential care facility located immediately south of the subject site. Several submissions raised concern that the area was being converted to a commercial area, contrary to the planning intent or community expectations for the area.</p> <p>The planning scheme supports the introduction of non-residential uses identified as being community activities, such as places of worship, where they are well located on main roads, provide a low density built form outcomes and do no result in adverse impacts to the streetscape or adjoining properties. The development has been designed to present a low rise building with design outcomes akin to a dwelling house. Additionally, the development incorporates acoustic attenuation measures to mitigate impacts to adjoining residences.</p>

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<p>Assessment of Submissions</p>
<p>Further, a place of worship is a consistent land use in the Suburban Neighbourhood Precinct, in accordance with the overall outcomes of the zone code.</p> <p>It should be noted that other commercial developments, such as retail, offices or shops are not consistent uses in the Suburban Neighbourhood unless forming part of a neighbourhood hub. For additional uses of this nature to occur in this area, further planning approvals would be required, and assessment of the existing centre and neighbourhood hub network would be required. The approval of this application does not suggest that a new neighbourhood would be supported at this location.</p> <p>Additionally, the introduction of this use does not alter any of the zoning in the area.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Capacity of Young Road and proximity to Yarran Street</p>
<p>Discussion</p> <p>Multiple submissions raised concerns that the development would result in an undue traffic impact on Young Road and compromise the safety and efficiency of the road, as well as existing traffic speeds on Young Road.</p> <p>Young Road is classified as Council sub-arterial. The road provides a connection from New Settlement Road to Oakey Flat Road and maintains the existing pedestrian and cycling movements of this through traffic.</p> <p>The layout of the lot restricts access to be directly from Young Road as part of the preceding subdivision. The location of the access is situated as far as practicable from the Yarran Street intersection to ensure the safety and function of the intersection and the safety of the development's access location. This designated sub-arterial road will not be unduly compromised by the additional traffic movements.</p> <p>Young Road is sign posted speed of 60km/hr. These traffic signs have been installed at each end of Young Road facing Oakey Flat Road and New Settlement Road. The existing on street parking, access locations and sight lines remain unchanged as part of this development. The existing sign posted speed is appropriate for the road environment.</p> <p>The development has not proposed to alter the traffic environment to Young Road or any connecting streets, and as a result the function of the road will not be unduly altered. The development is unable to change the existing speed environment of Young Road.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Noise</p>
<p>Discussion</p> <p>A common thread among multiple submissions was related to noise being generated from the carpark and from within the place of worship, including the times of day when the noise would be occurring. One submitter also expressed concern for the visual impacts of the acoustic barriers.</p> <p>The Environmental Noise Impact Report considered each aspect of the potential noise sources and recommended acoustic treatments to ameliorate noise levels to ensure compliance with the relevant criteria for daytime, evening, and night time periods. This</p>

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<p>Assessment of Submissions</p>
<p>covers all aspects of the proposed operational hours and ensures that potential impacts are appropriately mitigated.</p> <p>As well as conditioning the recommendations of the acoustic report, an additional condition forms part of the recommendations requiring that part of any acoustic barrier that is above 2.0m is to be constructed of a transparent material to minimise visual impacts and overshadowing.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Onsite car parking</p>
<p>Discussion</p> <p>Multiple submissions raised concerns that the development would provide an insufficient amount of car parking for the intended use. One submission raised concern about the location of parking at the rear of the site.</p> <p>Schedule 7 of the planning scheme provides that parking is to be provided at a rate of 7 spaces per 100m², which results in a requirement of 9 spaces for this development, not including any accessible spaces required. As a result of concerns raised by Council officers, the applicant has increased the original 10 spaces proposed to a total of 14 parking spaces, including 1 accessible space, and therefore complies with the planning scheme requirements. Further, while the proposed church is anticipated to hold services of up to fifty (50) people, it is common for families to attend the church with multiple members arriving in a single vehicle.</p> <p>It is a requirement of the planning scheme that parking be located at the rear of the site for non-residential development.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Availability and standard of street parking</p>
<p>Discussion</p> <p>The existing availability of on-street parking was raised by multiple submissions, with concerns that already limited on-street parking would be further exasperated by the introduction of this development. Further, submissions also raised concerns with the existing dimensions of the parking area/bicycle lane and conflicts between parking and bicycle lanes in this area.</p> <p>The current layout of the on-street parking is not line marked for parking spaces, rather it only delineates the bicycle lanes from the general traffic lanes. Appropriate dimensions are available for parking on both sides of the Young Road. Importantly, parking is currently unrestricted on both sides of the street, meaning there is no restriction on parking in the bicycle lanes.</p> <p>As the proposal provides parking greater than the minimum amount of parking anticipated by the planning scheme, it is considered that parking supply is appropriately achieved on-site.</p> <p>Additionally, the proposal will not result in the alteration of the existing bicycle lanes nor impose additional restrictions for parking in this area.</p>

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

<p>Assessment of Submissions</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Sight distances</p>
<p>Discussion Several submitters raised concerns about sight distances due to the car parking on the road, including the reduced visibility from the driveways as a result of on street parking.</p> <p>The dwelling houses on Young Road driveways maintain their existing sight distances. The parking areas provided on the street frontage that may be used by the development and the existing properties would not have an impact on the manoeuvrability of vehicles from property driveway crossovers pre-existing on Young Road. Furthermore, there is no impact on pedestrian activity on Young Road as the sight lines will remain unchanged.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Setbacks</p>
<p>Discussion One submission raised concern with the proposed front setback of 3 metres, rather than providing a 6 metre setback consistent with established buildings.</p> <p>Council's planning scheme seeks to ensure that non-residential development is located at the front of the site, by being within 3 metres of the front property boundary. The development complies with this outcome. This is required as it results in a pedestrian orientated design outcome and locates parking at the rear of the site.</p> <p>At the time the established dwelling houses were constructed, a larger setback was imposed largely to ensure that a second vehicle can be parked between the dwelling and the street boundary. For reference, under the current planning scheme, dwellings can be constructed with front setbacks of 3 metres to Outer Most Projection (OMP), 4.5 metres to closest wall, and 5.4 metres to garages.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Need for the development</p>
<p>Discussion Several submissions questioned the need for the development to occur, given that the applicant has multiple other churches and facilities within the region.</p> <p>The consideration of need for a development only forms part of an assessment when the development approval being support is inconsistent or otherwise in conflict with an assessment benchmark. As the proposal is considered to comply with the assessment benchmarks, the consideration of need does not form part of the assessment.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Waste</p>
<p>Discussion</p>

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

<p>Assessment of Submissions</p>
<p>A submitter has raised concern that the development would cause an increase in the amount of rubbish blowing onto the street.</p> <p>A Waste Management Program was provided to demonstrate that an adequate number of wheelie bins will be provided to store general waste and recyclable waste generated from this use. The bins will be serviced at the kerbside of Young Road similar to a residential development.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Preference for this development to occur on other sites</p>
<p>Discussion A number of submissions raised that the development could be built on other sites without impacting the residential area, with reference made to sites that may be in other zones or of larger sized lots.</p> <p>The decision framework under the <i>Planning Act 2016</i> does not enable Council to direct the applicant to develop at an alternative site, rather it only allows for Council to make a decision based on the application as presented. As such, it is not possible for Council to consider if the development would be more suited to another site.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Objection to access from Possum Drive.</p>
<p>Discussion One submission raised a concern that the proposal plans did not show an established access to Possum Drive and objected to the development gaining access from Possum Drive.</p> <p>Currently, the site is bordered to the north and west by vacant land, with the lot to the west gaining access from an access handle to Possum Drive. The subject site does not obtain any access from Possum Drive, with all access provided from Young Road.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue Signage</p>
<p>Discussion One submission raised a concern that the application did not include any signage details. As the application involves only a Material Change of Use, signage does not form part of the assessment or approval. Signage is Accepted Development Subject to Requirements (formerly Self-assessable), meaning that the development may be able to provide signage without a development approval.</p> <p>An advice statement accompanies the recommended conditions of approval to ensure the applicant is aware of this requirement.</p> <p>This is not a reason for refusal of the application.</p>

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

Assessment of Submissions
Issue Disclosure of potential uses when purchasing land
<p>Discussion Several submitters raised concerns that when purchasing in the area they were advised that the area was residential and were not advised that commercial development could occur. One submitter questioned why they weren't consulted about the application when purchasing their land.</p> <p>The subject site is located within the Suburban Neighbourhood Precinct and the application does not seek to alter the zoning for their land or any surrounding land. The planning scheme anticipates community activities and multiple forms of residential development within this precinct, not just dwelling houses, within this precinct. As identified above, the proposal is considered to comply with the planning scheme requirements.</p> <p>Council cannot control the information provided by external parties during property transactions. Additionally, Council cannot require an applicant to undertake consultation, other than as required by the <i>Planning Act 2016</i> for an impact assessable application.</p> <p>This is not a reason for refusal of the application.</p>
Issue Property Valuations
<p>Discussion One submission raised a concern with the impact on property values.</p> <p>Whilst the <i>Planning Act 2016</i> does afford Council a broad discretion in deciding Impact Assessable applications, the decision has to be made based on the assessment of the application. When assessing Impact Assessable applications, Council may have regard to any relevant matters. However, the Act specifically provides that a relevant matter cannot include a person's personal circumstances, financial or otherwise. As such, Council cannot consider the land valuation (or any potential change) as a relevant matter, and thus this cannot form part of Council's assessment, nor be included as a factor in Council's decision.</p> <p>This is not a reason for refusal of the application.</p>
Issue Alternative use of land
<p>Discussion One submission requested the land be turned into a park.</p> <p>Council is unable to consider alternative development outcomes for the site as part of a development application. Additionally, Council's Local Government Infrastructure Plan (LGIP) identifies Council's plan for delivering infrastructure, including acquisition of land for parks. There are currently no additional park requirements for this area that requires Council to acquire this site for park purposes.</p> <p>This is not a reason for refusal of the application.</p>

ITEM 4.1 DA/39426/2019/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR PLACE OF WORSHIP AT 33 YOUNG ROAD, NARANGBA - A20053074 (Cont.)

3.6.3 Notice of Compliance

The Notice of Compliance was received by Council on 30 April 2020. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4 of the Development Assessment Rules.

3.7 Other Matters
None identified.

4. **Strategic Implications**

4.1 Legislative/Legal Implications

The applicant and submitters have appeal rights in accordance with the *Planning Act 2016*.

4.2 Corporate Plan / Operational Plan

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

4.3 Policy Implications

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

4.4 Risk Management Implications

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

4.5 Delegated Authority Implications

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

4.6 Financial Implications

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

4.7 Economic Benefit Implications

Appropriate development supports the growing Moreton Bay Region.

4.8 Environmental Implications

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

4.9 Social Implications

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

4.10 Human Rights Implications

Under the *Human Rights Act 2019*, Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that Council's decision in this circumstance (if it reflects the officer's recommendation) is compatible with (and does not limit) a person's rights because there are sound and lawful reasons for the recommendation as set out in this report.

4.11 Consultation / Communication

Refer to clause 3.6.

ITEM 4.2

**DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE
- DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS
DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328
OAKY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641)**

APPLICANT: BUDGET POOLS BRISBANE
OWNER: MR MICHAEL P CHAPMAN

Meeting / Session: 4 PLANNING
Reference: A20002215 : 10 June 2020 – Refer Supporting Information A20003391,
A20003058, A20003056 & A20003159
Responsible Officer: BM, Principal Planner (PL Development Services)

Executive Summary

This report is being presented to the Council for decision as the proposal has raised community concern and the development application will be determined by the Council instead of under Council officer delegation. Therefore, Council is now the authorised entity to decide the development application.

APPLICATION DETAILS	
Applicant:	Budget Pools Brisbane
Lodgement Date:	6 June 2019
Properly Made Date:	7 June 2019
Confirmation Notice Date:	19 July 2019
Information Request Date:	31 July 2019
Info Response Received Date:	8 January 2020
Public Notification Dates:	Started: 9 January 2020 Finished: 31 January 2020
No. of Submissions:	Properly Made: One (1) Not Properly Made: None
Decision Due Date:	19 June 2020
Prelodgement Meeting Held:	Yes

PROPERTY DETAILS	
Division:	Division 12
Property Address:	324-328 Oakey Flat Road, Morayfield Qld 4506
RP Description	Lot 4 RP 859641
Land Area:	1.055ha
Property Owner	Mr Michael P Chapman

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	Moreton Bay Regional Council Planning Scheme
Planning Locality / Zone	Emerging community zone, Transition precinct
Level of Assessment:	Impact Assessable

This development application seeks a Material Change of Use - Development Permit for Outdoor Sales and Operational Works - Development Permit for Advertising Device situated at 324-328 Oakey Flat Road, Morayfield (Division 12) on land described as Lot 4 RP859641.

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

The development proposal involves the display and sale of swimming pool shells. In addition to the sale of swimming pool shells, the proposal includes the ancillary sale of pool accessories (e.g. pool pumps and pool cleaning products).

The development proposal will occupy a display area of 744m² for the outdoor storage of the pool shells. The display area is located at the front of the property, forward of the existing dwelling. Specifically, the display area is setback 10m from the Oakey Flat Road frontage, 25m from the northern property boundary and 10m from the southern property boundary.

The sale of pool accessories will be accommodated within an existing outbuilding on site, the outbuilding is single storey in height and contains a total GFA of 39.58m².

The development proposal incorporates landscape buffers, including a 10m wide landscape buffer for the length of the site's frontage to Oakey Flat Road, as well as 2m wide landscape buffers along both the northern and southern property boundaries for the extent of the display area.

The premises will operate during the daytime hours only, Monday to Friday 8am – 5pm and Saturday 8am – 12pm.

Access to the site will be gained from the existing access to Oakey Flat Road at the northwest corner of the site. The proposal involves a looped driveway arrangement which facilitates safe and efficient access to and from Oakey Flat Road allowing vehicles to enter and exit in a forward motion. A total of six (6) car parking spaces are proposed onsite.

The proposed development also includes an advertising device in the form of fence signage affixed to the front fence. The proposed sign measures 2370mm x 1180mm, with a total sign face area of 2.8m².

The application was publicly advertised with one (1) properly made submission received, which was opposed to the development.

The proposed development is considered to accord with the intent of the MBRC Planning Scheme, subject to conditions, including a condition limiting the period of time the use may operate, and is recommended to be approved, subject to conditions.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Mick Gillam

CARRIED 12/0

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

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for Outdoor Sales and Operational Works - Development Permit for Advertising Device situated at 324-328 Oakey Flat Road, Morayfield on land described as Lot 4 RP859641, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Site Plan	19029 Rev H	Cyber Drafting & Design	19/02/2020
Proposed Signage plan	A3 5975 Rev A	DTS urban planning, surveying & development	18/02/2020

Plans to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Traffic Impact Statement	P4315 Ver 1	Bitzios Consulting	13/12/2019

Conditions

DEVELOPMENT PERMIT - OUTDOOR SALES		TIMING
DEVELOPMENT PLANNING		
1.	Approved Plans and documents	
	Undertake development generally in accordance with the approved plans/documents. These plans will form part of the approval, unless otherwise amended by conditions of this approval.	At all times.
2.	Amended Report Required	
A	Submit an amended Traffic Impact Statement incorporating the following: (i) Remove all references to Temporary Traffic Separators.	Prior to commencement of use.
B	Obtain approval from Council for the amended Traffic Impact Statement in accordance with (A) above.	Prior to commencement of use.
C	Implement the requirements and recommendations of the approved report. The approved report will form part of the approval.	Prior to commencement of use.
3.	Cessation of Use	
	The use of the premises for Outdoor Sales is limited to five (5) years, from the date of the approval unless written approval has been obtained from Council for an extension of this period. <i>Note: This condition has been imposed under Section 65(2)(a)(i) of the Planning Act 2016.</i>	To be maintained at all times.

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

DEVELOPMENT PERMIT - OUTDOOR SALES		TIMING
DEVELOPMENT PLANNING		
4.	Approved Use – Outdoor Sales	
	<p>Ensure the Outdoor sales use is limited to:</p> <ul style="list-style-type: none"> The area shown on the approved plans; and All pool shells are displayed horizontally on the ground. <p>Note: with the exception of the pool pump storage building (existing building), this Development Permit does not authorise any permanent structures (GFA (m²)).</p>	Prior to commencement of use and to be maintained at all times.
5.	Premises Hours of Operation	
	Limit the hours of operation to between 8am to 5pm Monday to Friday and 8am to 12pm Saturday.	At all times.
6.	Delivery/Removal of Pool Shells	
	The delivery and removal of pool shells to and from the site is limited to one heavy vehicle attending the site per week.	At all times.
7.	On-Site Car Spaces - Outdoor Sales	
	Provide a minimum of six (6) vehicle spaces on site as shown on the approved Site Plan.	Prior to commencement of use and to be maintained at all times.
8.	Screen Fencing	
	Construct a screen fence along the southern side boundary of the site for a length of 56m from the Oakey Flat Road frontage where none already exists. Unless an alternative design is agreed to with the owner of the adjoining land, the screen fence is to be 1.80 metres in height.	Prior to commencement of use and to be maintained at all times.
9.	External Lighting	
A	Any external lighting is to be in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to commencement of use and to be maintained at all times.
B	Provide certification from a suitably qualified person that external lighting has been installed in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting).	Prior to commencement of use.
10.	Waste Management Program	

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

DEVELOPMENT PERMIT - OUTDOOR SALES		TIMING
DEVELOPMENT PLANNING		
	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.
11.	Landscaping	
A	Provide landscaping on site generally in accordance with the approved Site Plan and Planning Scheme Policy - Integrated Design Appendix D - Landscaping.	Prior to commencement of use.
B	Submit certification from a landscape designer or other suitably qualified person that the landscaping works have been installed on site in accordance with (a) above.	Prior to commencement of use and to be maintained at all times.
12.	Vehicle Encroachment	
	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops, kerbing or similar barrier approved by the Council.	Prior to commencement of use and to be maintained at all times.
13.	Water	
	Submit to Council a Certificate of Completion or Provisional Certificate of Completion for the development from the Northern SEQ Distributor-Retailer Authority (Unitywater) confirming: <ol style="list-style-type: none"> 1. a reticulated water supply network connection is available to the land; and 2. all the requirements of Unitywater have been satisfied. 	Prior to commencement of use.
DEVELOPMENT ENGINEERING		
14.	Replace Existing Council Infrastructure	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	Prior to commencement of use.
15.	Alterations and Relocation of Existing Services	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	Prior to commencement of use.
16.	Stormwater	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times.
17.	Driveway Crossover	

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

DEVELOPMENT PERMIT - OUTDOOR SALES		TIMING
DEVELOPMENT PLANNING		
A	Construct a driveway crossover to the development in accordance with the approved plans and documents of development and MBRC Standard Drawing/s RS-051. Provide signage and line marking in accordance with the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD) that clearly denotes separate entry and exit driveways for development to advise drivers that access is left in and left out only .	Prior to commencement of use.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use.
18.	Unsealed Car Parking	
	Provide an all-weather accessible pavement to the unsealed car parking area in accordance with the approved plans and documents of development. The car parking area is to be constructed and maintained to avoid dust and noise impacts and include suitable drainage and water quality treatment.	Prior to commencement of use and to be maintained at all times.

OPERATIONAL WORKS - ADVERTISING DEVICE		
DEVELOPMENT PLANNING		
CONDITION		TIMING
1.	Approved Plans and/or Documents	
	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.
2.	Advertising Material	
	Ensure advertising on the fence sign is restricted to the display of information specific to the operation of the site uses and must not be used for other purposes	At all times.
3.	Lighting	
	Lighting of the advertising device is not permitted.	At all times.
4.	Removal of Signage	
	Signage must be removed at the cessation of the approved use for Outdoor Sales.	At the cessation of use.

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKLEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

ADVICES	
1.	Aboriginal Cultural Heritage Act 2003
	<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 cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government) for further information regarding the responsibilities of the developer.</p>
2.	Adopted Charges
	<p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p>

- B. That an Infrastructure Charges Notice for the development application be provided to the applicant and included as part of the Decision package.
- C. That all submitters of properly made submissions for the development application be provided with a copy of Council's Decision Notice in accordance with Section 63(1)(e) of the *Planning Act 2016*.
- D. 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*.

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKLEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

E. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	(a) Material Change of Use Development Permit for Outdoor Sales; and (b) Operational Works Development Permit for Advertising Device.
Relevant Period of Approval	Material Change of Use – 6 years Operational Works - 2 years
Section 64(5) Deemed Approval	Not applicable
Superseded Planning Scheme	Not applicable
Variation approval affecting the Planning Scheme	Not applicable
Other Necessary Permits	Not applicable
Codes for Accepted Development	Not applicable
Referral Agencies	There are no Referral Agencies
Submissions	There was one (1) properly made submission about this application.

REPORT DETAIL

1. Proposal

APPLICATION DETAILS	
Applicant:	Budget Pools Brisbane
Lodgement Date:	6 June 2019
Properly Made Date:	7 June 2019
Confirmation Notice Date:	19 July 2019
Information Request Date:	31 July 2019
Info Response Received Date:	8 January 2020
Public Notification Dates:	Started: 9 January 2020 Finished: 31 January 2020
No. of Submissions:	Properly Made: One (1) Not Properly Made: None
Decision Due Date:	19 June 2020
Prelodgement Meeting Held:	Yes

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

This development application seeks a Material Change of Use - Development Permit for Outdoor Sales and Operational Works - Development Permit for Advertising Device situated at 324-328 Oakey Flat Road, Morayfield on land described as Lot 4 RP859641.

The development proposal involves the display and sale of swimming pool shells. In addition to the sale of swimming pool shells, the proposal includes the ancillary sale of pool accessories (e.g. pool pumps and pool cleaning products).

The development proposal will occupy a display area of 744m² for the outdoor storage of the pool shells. The display area is located at the front of the property, forward of the existing building. Specifically, the display area is setback 10m from the Oakey Flat Road frontage, 25m from the northern property boundary and 10m from the southern property boundary.

The sale of pool accessories will be accommodated within an existing outbuilding on site, the outbuilding is single storey in height and contains a total GFA of 39.58m².

The development proposal incorporates landscape buffers, including a 10m wide landscape buffer for the full length of the site's frontage to Oakey Flat Road, as well as 2m wide landscape buffers along both the northern and southern property boundaries for the extent of the display area.

The premises will operate during the daytime hours only, Monday to Friday 8am – 5pm and Saturday 8am – 12pm.

Access to the site will be gained from the existing access to Oakey Flat Road (modified to a Type B crossing). The proposal involves a looped driveway arrangement which facilitates efficient access to and from Oakey Flat Road allowing vehicles to enter and exit in a forward motion. A total of six (6) car parking spaces are proposed onsite.

The proposed development also includes an advertising device in the form of fence signage affixed to the front fence. The proposed sign measures 2370mm x 1180mm, with a total sign face area of 2.8m².

2. Background

On 10 January 2019, Council issued a "Show Cause Notice" to the land owner. The 'Show Cause Notice' outlined that assessable development was being carried out onsite without a development permit. In the notice, Council identified that the business appeared to involve Outdoor Sales and/or Showroom of swimming pool shells.

On 18 February 2019, a prelodgement meeting (PRE/4956) was held with Council Officers, in relation to the proposed development. The current proposal is generally consistent with the proposed development discussed during the prelodgement meeting.

3. Description of the Site and Surrounds

3.1 Current use of the land

The subject site contains an existing dwelling house, home based business (lawful hair salon), a small pool pump storage building and pool shell storage within the yard (the subject of this application).

3.2 Current use of the surrounding land

The subject site is adjoined by rural residential properties on the northern, eastern and southern boundaries. The site adjoins Oakey Flat Road to the west. To the west of Oakey Flat Road is Excelsior Park, which is a small convenience centre.

The subject site and the adjoining residential uses to the north, east, and south are located within the Emerging community zone - Transition precinct, while the property to the west is located within the Rural residential zone.

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3.3 Topography

The subject site has a gentle slope from the northern corner to the south-east corner, ranging from 40 AHD down to 38 AHD.

3.4 Vegetation

The subject site contains domestic gardens and scattered mature vegetation, predominately along the site frontage and in the eastern portion of the site. The development proposal does not propose to clear any existing vegetation.

3.5 Access improvements

The subject site is currently accessed via a crossover to Oakey Flat Road at the northwest corner of the site.

3.6 Constraints on the property

The north eastern corner of the site is mapped as containing Matters of State Environmental Significance (refer to Figure 1 below). The proposal does not seek to impact upon the vegetation at the rear of the site.



Figure 1: The extent of the mapped Environmental Areas Overlay

The site is also mapped as containing medium potential bushfire intensity and potential impact buffer (refer to Figure 2 below).



Figure 2: The extent of the mapped Bushfire Hazard Overlay

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4. 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.

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

4.1.1 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:

Assessment benchmarks - livable communities	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	
Assessment benchmarks - mining and extractive resources	
Applicable to Development	SPP requirement
No	None
<u>Comment</u> Not applicable.	
Assessment benchmarks - water quality	
Applicable to Development	SPP requirement
Yes	(1) Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from: (a) altered stormwater quality and hydrology; (b) waste water; (c) the creation or expansion of non-tidal artificial waterways; (d) the release and mobilization of nutrients and sediments.

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	<p>(2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2).</p> <p>(3) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.</p>
<p><u>Comment</u> An assessment of the proposed development has been undertaken, and the proposal has been determined to comply.</p>	
<p>Assessment benchmarks - natural hazards, risk and resilience</p>	
Applicable to Development	SPP requirement
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>(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.</p>
<p><u>Comment</u> The site is mapped as containing Medium potential bushfire intensity and potential impact buffer.</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>	
<p>Assessment benchmarks - strategic airports and aviation facilities</p>	
Applicable to Development	SPP requirement
No	None
<p><u>Comment</u> Not applicable.</p>	

4.1.2 South East Queensland Regional Plan

The site is located in the Urban Footprint. The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

4.2 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.

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4.2.1 Strategic Framework

In accordance with section 1.7.2 of the planning scheme, the development proposal requires assessment against the Strategic Outcomes within the Strategic Framework. The application has been assessed against the applicable themes and found to be generally consistent.

The Strategic Outcomes under the applicable themes for the planning scheme are discussed as follows:

3.13.2 Element - Caboolture planning area, 3.13.2.1 Specific Outcomes	
Strategic Outcomes	Complies Y/N
<p>3.13.2.4 (8) Specific Outcomes – Settlement Pattern</p> <p>The rural residential area at Morayfield South has been identified as a potential future urban growth front. The key strength of this area lies in its location proximate to the higher order activity centres at Caboolture and Morayfield and regional transport connections including the Bruce Highway and North Coast Rail Line.</p> <p>Despite this, the lack of urban infrastructure, presence of potentially significant environmental values and fragmented land pattern will constrain the ability to provide serviced urban land, other than for a small area, in the northern portion of the area.</p> <p>Given the existing constraints, other development fronts in the Region and the large size of the growth area, all of the area is not anticipated to be required for urban development prior to 2031.</p> <p>The majority of the area is likely to remain largely rural residential in nature until the area can be developed in an efficient and cohesive manner.</p> <p><u>3.13.2.4.5 Land use strategy</u></p> <p>a. The emerging community of Morayfield South will provide for land to be available for urban development during the life of the planning scheme. Limited infrastructure network planning has been done for the identified area and it will not be included within the priority infrastructure area. It is not serviced by all local government networks including water and sewerage.</p> <p>b. Development of the identified area will be subject to bring forward costs and will not be subject to any infrastructure offsets.</p> <p>c. Interim development in this area does not fragment, pre-empt or compromise the potential development of rural residential areas for urban purposes beyond the life of the planning scheme.</p> <p>d. Further integrated land use and infrastructure planning will be undertaken in the Morayfield South area. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community.</p>	Yes
Comments	
<p>The proposed development application seeks approval for Outdoor Sales on the subject site as an interim land use (maximum operation period of 5 years, unless otherwise agreed by Council). The development proposal involves the display and sale of swimming pool shells. In addition to the sale of swimming pool shells, the proposal includes the ancillary sale of pool accessories (e.g. pool pumps and pool cleaning products) which will be stored in an existing building on site.</p>	

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3.13.2 Element - Caboolture planning area, 3.13.2.1 Specific Outcomes	
Strategic Outcomes	Complies Y/N
<p>Given the nature of the development proposal, the planning instruments and land use and infrastructure planning necessary to promote and implement green field development is not required to have been completed or adopted by Council to for the development proposal to proceed.</p> <p>The development proposal does not require the site to be serviced with all local government networks to a standard or capacity which is suitable for urban development. Furthermore, the existing infrastructure networks available to the subject site are of an appropriate standard and capacity to support the development proposal.</p> <p>The proposal will not prevent or discourage long term urban land uses. The proposed Outdoor Sales is an interim land use with minimal investment and infrastructure required to facilitate the development proposal. Furthermore, the development proposal will not fragment, preempt or compromise the potential development of rural residential areas for urban purposes beyond the life of the planning scheme.</p> <p>It is therefore considered that the development proposal does not conflict with the strategic outcome.</p>	

4.2.2 Assessment of Applicable Codes

Code Compliance Summary

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

- (c) proposes an alternative 'Example' satisfying or not satisfying the corresponding Performance Outcome; and
- (d) 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
Zone/ Local Plan Code		
Emerging Community Zone Code - Transition precinct (developable Lot)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO2, PO3 and PO18
Development Codes		
Advertising Devices Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO1

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 4.2.3.

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4.2.3 Performance Outcome Assessment

Performance Outcome	Example
Emerging community zone code, Transition precinct - Developable lot	
<p>PO2</p> <p>Interim uses:</p> <ul style="list-style-type: none"> a. do not fragment or alienate the land or result in the loss of land for future urban purposes; b. result in minimal investment; c. do not prejudice or delay the use of the land for urban purposes. 	No example provided
<i>Performance Outcome Assessment</i>	
<p>It is noted that the MBRC Planning Scheme does not include an administrative definition for interim. The Macquarie dictionary defines 'interim' as a temporary or provisional arrangement.</p> <p>The MBRC Planning Scheme does include an administrative definition for Temporary use which is defined as "a use that is impermanent and may be irregular or infrequent that does not require the construction of a permanent building or the installation of permanent infrastructure or services".</p> <p>To ensure the development proposal remains an interim use, a condition will be included in the recommendations of this report limiting the use of the site for Outdoor Sales to a maximum period of five (5) years, unless otherwise agreed by Council.</p> <p>The proposed Outdoor Sales is an interim land use with minimal investment and infrastructure required to facilitate the development proposal. Specifically, the development proposal does not require the construction of any new buildings/structures onsite. As such, the development proposal does not prejudice or delay the uses of the land for urban purposes. Thus, satisfying the requirements of Performance Outcome PO2.</p>	
<p>PO3</p> <p>Interim uses:</p> <ul style="list-style-type: none"> a. are adequately serviced with necessary infrastructure to meet on-site needs and requirements; b. are of a size and scale that maintains the low density, low intensity and open area landscape character anticipated in the interim precinct; c. are designed, located and operated in a manner that avoids 	No example provided.

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Performance Outcome	Example
<p>nuisance impacts on adjoining properties;</p> <p>d. requires minimal filling or excavation. Where this occurs, visual impacts are reduced through screening;</p> <p>e. are not visually dominant from the streetscape or adjoining properties;</p> <p>f. utilise materials, finishes and colours that are consistent with existing semi-rural environment.</p>	
<i>Performance Outcome Assessment</i>	
<p>The development proposal involves the display and sale of swimming pool shells. In addition to the sale of swimming pool shells, the proposal includes the sale of ancillary pool accessories (e.g. pool pumps and cleaning products) within an existing outbuilding.</p> <p>The development proposal will occupy a display area of 744m² for the outdoor storage of the pool shells. The display area is located at the front of the property, forward of the existing building. Specifically, the display area is setback 10m from the Oakey Flat Road frontage, 25m from the northern property boundary and 10m from the southern property boundary.</p> <p>The proposed land use is small in scale and is low intensity to ensure that the character of the area is maintained.</p> <p>The premises will operate during the daytime hours only, Monday to Friday 8am – 5pm and Saturday 8am – 12pm. There will be the occasional delivery, which will be scheduled to occur during these hours only. The applicant has demonstrated that all vehicle movements, including the delivery and pick up of pools can occur within the designated driveway area and will not impact on the amenity of the adjoining properties.</p> <p>An Environmental Noise Impact Report was submitted in support of the development proposal. The report demonstrates there are no noise impacts to sensitive uses during the daytime period which covers the 8:00am to 5:00pm trading hours.</p> <p>To minimise adverse amenity impacts, the development proposal incorporates landscape buffers, including a 10m wide landscape buffer for the full length of the site’s frontage to Oakey Flat Road, as well as 2m wide landscape buffers along both the northern and southern property boundaries.</p> <p>It is noted that an existing colourbond fence is currently located along the southern property boundary and extends for a length of approximately 30m from the front of the property. However, it is identified that the existing fence does not adequately screen the display area from the adjoining neighbours to the south (Lot 1 RP190755).</p> <p>As a consequence, a condition will be included in the recommendations of this report requiring the applicant to erect additional fencing along the southern side boundary to screen the development proposal (i.e. display area) from the adjoining neighbour.</p>	

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Performance Outcome	Example
Having regard to the above, it is considered that the development proposal achieves the requirements of Performance Outcome PO3.	
PO18 Noise generating uses do not adversely affect existing or potential noise sensitive uses. Noise is to be mitigated in accordance with Planning scheme policy - Noise.	No example provided.
<i>Performance Outcome Assessment</i>	
An Environmental Noise Impact Report prepared by Decibell Consulting was submitted in support of the development application. The report demonstrates there are no noise impacts to sensitive uses during the daytime period which covers the 8:00am to 5:00pm trading hours. Thus, satisfying the requirements of Performance Outcome PO18.	

Performance Outcome	Example				
Advertising Devices Code					
PO1 Advertising devices are of an appropriate number, type, design, scale, height and location to: <ol style="list-style-type: none"> not contribute to visual clutter or be overbearing or visually dominant; complement the existing and future planned character and amenity of the area in which it is located; maintain a human scale and not detract from or interfere with the form and function of a pedestrian friendly environment; 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; 	E1.3 The total combined signface area of all Advertising devices on the site complies with the following table: <table border="1" data-bbox="829 1209 1404 1612"> <thead> <tr> <th>Zone</th> <th>Total combined signface area</th> </tr> </thead> <tbody> <tr> <td>Emerging community, general residential - if not on a lot identified on Overlay map - Community activities and neighbourhood hubs</td> <td>0.3m² per site.</td> </tr> </tbody> </table>	Zone	Total combined signface area	Emerging community, general residential - if not on a lot identified on Overlay map - Community activities and neighbourhood hubs	0.3m ² per site.
Zone	Total combined signface area				
Emerging community, general residential - if not on a lot identified on Overlay map - Community activities and neighbourhood hubs	0.3m ² per site.				

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Performance Outcome	Example
<p>e. minimise any potential adverse impacts on adjoining sites, such as overshadowing or the loss of key views and view corridors;</p> <p>f. 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.</p>	
<i>Performance Outcome Assessment</i>	
<p>Example E1.3 nominates that the advertising devices have a combined total surface area of 0.3m². The development proposal seeks to erect an advertising device in the form of a fence sign on the front property fence. The proposed sign measures 2370mm x 1180mm, with a total sign face area of 2.8m², exceeding the nominated maximum combined signface area of 0.3m².</p> <p>The subject site has a frontage of approximately 73m to Oakey Flat Road, which is identified as an arterial road on the Road hierarchy overlay of the MBRC Planning Scheme. It is considered that the size and scale of the proposed advertising device will not appear to visually dominate the Oakey Flat Road streetscape or contribute to visual clutter.</p> <p>The proposed advertising device is low in height and will not be illuminated. The proposed advertising devices also avoid overshadowing or the blocking of key view corridors and will not unreasonably impact upon the amenity of adjoining sites.</p> <p>Furthermore, the proposed advertising devices will not diminish or cause irreversible damage to the cultural heritage values present in the local area.</p> <p>Having regard to the above, the proposed advertising device is considered to be appropriate in scale and size for the location. Accordingly, it is recommended that the alternative solution be accepted in this instance.</p>	

4.2.4 Overall Outcome Assessment

The development proposal is subject to impact assessment. Impact assessable applications are assessed against all the provisions of the MBRC Planning Scheme. Accordingly, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

6.2.3.2.1 - Overall Outcomes of the Emerging Community zone code, Transition precinct, developable lot	
Overall Outcomes	Complies Y/N
a. For interim uses development only occurs on a developable lot that is not serviced by all local government networks including water and sewer.	Yes
Comments	
The proposed development application seeks approval for Outdoor Sales as an interim land use on a lot that is not serviced by reticulated sewer infrastructure.	

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6.2.3.2.1 - Overall Outcomes of the Emerging Community zone code, Transition precinct, developable lot	
Overall Outcomes	Complies Y/N
The development proposal achieves the requirements of Overall Outcome A.	
b. Development is to maintain a semi-rural character until such time as availability and provision of infrastructure is delivered and relevant site specific constraints are resolved.	Yes
Comments	
<p>The development proposal will occupy a display area of 744m² for the outdoor storage of the pool shells. The display area is located at the front of the property, forward of the existing building. Specifically, the display area is setback 10m from the Oakey Flat Road frontage, 25m from the northern property boundary and 10m from the southern property boundary.</p> <p>Furthermore, a condition has been included in the recommendations of this report, requiring that the pool shells be displayed horizontally, thus ensuring that the structures will not be visually dominant from the adjoining properties. Furthermore, the development proposal incorporates landscape buffers, including a 10m wide landscape buffer for the full length of the site's frontage to Oakey Flat Road, as well as 2m wide landscape buffers along both the northern and southern property boundaries.</p> <p>Having regard to the above, it is considered that the proposed development is low intensity and small scale, such that it will maintain the semi-rural character of the site.</p> <p>The development proposal achieves the requirements of Overall Outcome B.</p>	
c. Interim uses are appropriate in this precinct where they: <ul style="list-style-type: none"> i. would be compatible with the existing semi-rural character and urban uses; ii. would not prejudice or delay the development of the site and adjoining areas; iii. are low intensity in nature and characterised by low investment in buildings and infrastructure relative to the value of the site. 	Yes
Comments	
<p>The proposed development application seeks approval for Outdoor Sales on the subject site as an interim land use.</p> <p>The proposed Outdoor Sales is low intensity and small in scale, thus maintaining the existing semi-rural character of the area. Further, the applicant has demonstrated that the development proposal can operate alongside the surrounding residential uses without impacting the amenity or character.</p> <p>The development proposal involves very low investment in buildings and infrastructure, with the outdoor sales area operating in the open yard and the pool pumps being stored in an existing outbuilding.</p> <p>The proposal will utilize the existing vehicle access point and informal driveway and car parking area, which will be formalized.</p>	

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6.2.3.2.1 - Overall Outcomes of the Emerging Community zone code, Transition precinct, developable lot	
Overall Outcomes	Complies Y/N
The land use is low-intensity in nature with very little site investment required ensuring that it will not prejudice or delay the future development of the site or adjoining sites for urban purposes.	
The development proposal achieves the requirements of Overall Outcome C.	
d. Residential activities consist of detached dwelling houses or caretaker's accommodation, predominantly on large lots	N/A
Comments	
The proposed development is for an Outdoor Sales and Advertising Device.	
The residential activities on the site do not form part of this development application.	
e. The character and scale of dwelling houses are compatible with the intended character for the precinct.	N/A
Comments	
The proposed development is for an Outdoor Sales and Advertising Device.	
The residential activities on the site do not form part of this development application.	
f. Secondary dwellings associated with a principal dwelling, remaining subordinate and ancillary to the principal dwelling to retain the low density, low intensity, residential form of a dwelling house	N/A
Comments	
The proposed development is for an Outdoor Sales and Advertising Device.	
The residential activities on the site do not form part of this development application.	
g. Garages, car ports and domestic outbuildings remain subordinate and ancillary to the principal dwelling and are located and designed to reduce amenity impacts on the streetscape and adjoining properties.	N/A
Comments	
The proposed development is for an Outdoor Sales and Advertising Device.	
The residential activities on the site do not form part of this development application.	
h. Dwelling houses are designed to add visual interest and contribute to an attractive streetscape and public realm.	N/A
Comments	
The proposed development is for an Outdoor Sales use.	
The residential activities on the site do not form part of this development application.	
i. Dwelling houses are provided with infrastructure and services at a level suitable for the area as a transition precinct.	N/A
Comments	
The proposed development is for an Outdoor Sales and Advertising Device.	
The residential activities on the site do not form part of this development application.	

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6.2.3.2.1 - Overall Outcomes of the Emerging Community zone code, Transition precinct, developable lot	
Overall Outcomes	Complies Y/N
j. Dwelling houses are responsive to the lot shape, dimensions and topographic features.	N/A
Comments	
The proposed development is for an Outdoor Sales and Advertising Device.	
The residential activities on the site do not form part of this development application.	
k. Non-residential uses do not result in adverse or nuisance impacts on adjoining properties or the wider environment. Any adverse or nuisance impacts are contained and internalised to the site through location, design, operation and on-site management practices.	Yes
Comments	
The applicant has demonstrated that the proposal will not create adverse or nuisance impacts on adjoining properties.	
Activities associated with the development will be controlled in accordance with the conditions of the development approval which include:	
<ul style="list-style-type: none"> - the limitation of the hours of operations; - the limitation of the delivery and removal of pool shells to and from the site; - lighting; and - a waste management program. 	
The interface with adjoining properties is appropriately managed through fencing and landscaping conditions.	
The site includes extensive landscaping along the Oakey Flat Road frontage (approximately 10m wide) and along the side boundaries to screen the visual dominance of the manoeuvring and display area.	
A condition will be included in the recommendations of this report requiring the applicant to undertake on site landscaping in accordance with Planning Scheme Policy - Integrated Design Appendix D - Landscaping. Further, a condition will be included in the recommendations of this report requiring the applicant to erect additional fencing along the southern side boundary to screen the development proposal (i.e. display area) from the adjoining neighbour.	
The development proposal achieves the requirements of Overall Outcome K.	
l. General works associated with the development achieves the following: <ul style="list-style-type: none"> i. a high standard of electricity, telecommunications, roads, sewerage, water supply and street lighting services is provided to new developments to meet the current and future needs of users of the site; ii. the development manages stormwater to: <ul style="list-style-type: none"> 1. ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters; 	Yes

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6.2.3.2.1 - Overall Outcomes of the Emerging Community zone code, Transition precinct, developable lot	
Overall Outcomes	Complies Y/N
<ul style="list-style-type: none"> 2. prevent stormwater contamination and the release of pollutants; 3. maintain or improve the structure and condition of drainage lines and riparian areas; 4. avoid off-site adverse impacts from stormwater. iii. the development does not result in unacceptable impacts on the capacity on the capacity and safety of the external road network; iv. the development ensures the safety, efficiency and useability of access ways and parking areas; v. site works including earthworks are managed to be safe and have minimal impacts on adjoining or adjacent premises, the streetscape or the environment. 	
Comments	
The site has existing infrastructure available to support the development and does not rely on the supply of new infrastructure. The development proposal will not result in any unacceptable impacts or capacity issues on the external road network.	
The development proposal achieves the requirements of Overall Outcome I.	
m. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke	Yes
Comments	
Activities associated with the development will be controlled in accordance with the conditions of the development approval which include: - the limitation of the hours of operations; - the limitation of the delivery and removal of pool shells to and from the site; - lighting; and - a waste management program.	
The development proposal achieves the requirements of Overall Outcome M.	
n. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by: <ul style="list-style-type: none"> i. adopting a 'least risk, least impact' approach when designing, siting and locating development in any area subject to a constraint, limitation or environmental value to minimise the potential risk to people, property and the environment; ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. when located within a Water buffer area, complying with the Water Quality Vision and Objectives contained in the Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012. iv. maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planting and landscaping, and facilitating safe wildlife movement and connectivity through: 	Yes

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6.2.3.2.1 - Overall Outcomes of the Emerging Community zone code, Transition precinct, developable lot	
Overall Outcomes	Complies Y/N
<ol style="list-style-type: none"> 1. the provision of replacement, restoration, rehabilitation planting and landscaping; 2. the location, design and management of development to avoid or minimise adverse impacts on ecological systems and processes; 3. the requiring of environmental offsets in accordance with the Environmental Offsets Act 2014. v. protecting native species and protecting and enhancing species habitat; vi. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; vii. establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimise adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities; viii. establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat; ix. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of identified infrastructure; x. ensuring effective and efficient disaster management response and recovery capabilities; xi. where located in an overland flow path: <ol style="list-style-type: none"> 1. development siting, built form, layout and access responds to the risk presented by the overland flow and minimises risk to personal safety; 2. development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated with the overland flow; 3. development does not impact on the conveyance of the overland flow for any event up to and including the 1% AEP for the fully developed upstream catchment; 4. development directly, indirectly and cumulatively avoid an increase in the severity of overland flow and potential for damage on the premises or other premises, public lands, watercourses, roads or infrastructure. 	
Comments	
<p>The proposal can comply with the overall outcome as:</p> <ul style="list-style-type: none"> • The site is not mapped as being subject to flood hazard; • The site is not mapped as being subject to an erosion prone area; • The site is not mapped as being within a water supply buffer area; and • The site is not mapped as being subject to an overland flow path. 	

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

6.2.3.2.1 - Overall Outcomes of the Emerging Community zone code, Transition precinct, developable lot	
Overall Outcomes	Complies Y/N
<ul style="list-style-type: none"> The north-eastern corner of the site is mapped as containing Matter of Environmental Significance. However, the development proposal seeks to utilise the front portion of the site. Moreover, the development proposal does not require the removal of any existing vegetation. <p>The development proposal achieves the requirements of Overall Outcome N.</p>	
o. Development in the Transition precinct, on a developable lot includes one or more of the following:	N/A
Comments	
<p>The application is seeking to establish an Outdoor Sales on site.</p> <p>An Outdoor Sales is not identified as permitted land uses in the Emerging community zone, Transition precinct.</p>	
p. Development in the Transition precinct, on a developable lot does not include any of the following:	No
Comments	
<p>An Outdoors Sales is identified as a land use not permitted in the Emerging community zone, Transition precinct.</p> <p>The development proposal does not achieve the requirements of Overall Outcome P.</p>	
q. Development not listed in the tables above may be considered on its merits and where it reflects and support the outcomes of the zone.	N/A
Comments	
An Outdoor Sales is not considered as a 'policy neutral' use to be considered on its merits.	

Overall Outcome 1 of the Emerging community zone code, Transition precinct states that the purpose of the Emerging community zone - Transition precinct will be achieved through the above listed overall outcomes.

Accordingly, an assessment against the purpose and intent of the Emerging community zone code is as follows:

6.2.3.2 Purpose – Emerging community zone	
Overall Outcomes	Complies Y/N
<p>1. The purpose of the Emerging community zone code is to:</p> <ul style="list-style-type: none"> a. identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future; b. manage the timely conversion of non-urban land to urban purposes; c. prevent or discourage development that is likely to compromise appropriate longer term land use. 	Yes
Comments	

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6.2.3.2 Purpose – Emerging community zone	
<p>The proposed development application seeks approval for Outdoor Sales on the subject site as an interim land use.</p> <p>The proposal will not prevent or discourage long term urban land uses. The proposed Outdoor Sales is an interim land use with minimal investment and infrastructure required to facilitate the development proposal. Specifically, the development proposal does not require the construction of any new buildings/structures onsite. As such, the development proposal does not prejudice or delay the use of the land for urban purposes in the future.</p> <p>The development proposal achieves the purpose of Overall Outcome 1.</p>	
<p>2. The Emerging community zone has 2 precincts which have the following purpose;</p> <p style="margin-left: 20px;">b The Transition precinct is to:</p> <p style="margin-left: 40px;">i. identify and conserve land that may be suitable for urban development in the future, allowing interim uses that will not compromise the best longer term use of the land;</p> <p style="margin-left: 40px;">ii. provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a next generation neighbourhood across the transition precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.</p> <p>Once serviced by all local government networks, including water and sewer the Transition precinct is to provide a mix of dwelling types to support densities that are moderately higher than traditional suburban areas. Housing forms include predominantly detached dwellings on a variety of lot sizes with a greater range of attached dwellings and low to medium rise apartment buildings. These areas will have convenient access to centres, community facilities and higher frequency public transport.</p>	<p>Yes</p>
Comments	
<p>The proposed Outdoor Sales is an interim land use with minimal investment and infrastructure required to facilitate the development proposal. As such, the subject site and development proposal are provided with access to adequate urban services from existing networks including roads, telecommunications, electricity and water. Accordingly, the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.</p> <p>The development proposal achieves the purpose of Overall Outcome 2.</p>	
<p>3. The Emerging Community zone seeks to implement the policy direction set in Part 3, Strategic Framework.</p>	<p>Yes</p>
Comments	
<p>Under the Strategic Framework, the rural residential area at Morayfield South is identified as a potential future urban growth front (see section 3.13.2.4(8) of the Strategic Framework and Strategic Framework Map 3.6.1 – Settlement Pattern).</p>	

ITEM 4.2 DEVELOPMENT APPLICATION DA/38703/2019/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR OUTDOOR SALES AND OPERATIONAL WORKS DEVELOPMENT PERMIT FOR ADVERTISING DEVICE, LOCATED OVER 324-328 OAKLEY FLAT ROAD, MORAYFIELD (LOT 4 RP 859641) - A20002215 (Cont.)

6.2.3.2 Purpose – Emerging community zone

However, the Strategic Framework relevantly identifies that Interim development in the Morayfield South area does not fragment, pre-empt or compromise the potential development of rural residential areas for urban purposes beyond the life of the planning scheme (see section 3.13.2.4.5(c) of the Strategic Framework).

The proposed Outdoor Sales is an interim land use with minimal investment and infrastructure required to facilitate the development proposal. As such the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.

Given that the development proposal is an interim development of a developable lot which requires minimal investment and infrastructure required to facilitate the development proposal and does not prejudice or delay the use of the land for urban purposes, it is considered that the development proposal does not conflict with the strategic outcomes of the Strategic Framework stated in the land use strategy in section 3.13.2.4 (8).

The development proposal achieves the purpose of Overall Outcome 3.

Based on the assessment above, the proposal is inconsistent with item P of the Overall Outcomes of the code(s). Therefore, in accordance with section 1.7.2 of the MBRC Planning Scheme, an assessment against the Strategic Framework is set out in section 4.2.1 of this report.

In addition, section 45 (5) of the *Planning Act 2016* states the assessment may be carried out against, or having regard to, any other relevant matter other than a person's personal circumstances, financial or otherwise. There are no Other Relevant Matters identified which lend support to the proposal.

4.3 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is not 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).

4.3.1 Levied Charge

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal.

4.3.2 Levied Charge Credit

In accordance with section 14 of the CR, a credit is not applicable as outlined below:

(a) Payment of previous charges or contributions

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

(b) Lawful use of land

An assessment of existing and previous lawful uses of the land has determined that a credit amount of \$0.00 exists. The site contains an existing dwelling house that does not form part of this development application. The existing dwelling house is being retained for residential purposes and therefore no credit is available under this option.

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

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

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

The credit available under this option is \$0.00. The site contains an existing dwelling house that does not form part of this development application. The existing dwelling house is being retained for residential purposes and therefore no credit is available under this option.

4.3.3 *Levied Charge Offset or Refund*

The site is not affected by a Trunk Infrastructure requirement and therefore there is no offset or refund applicable to the development proposal.

4.3.4 *Additional Trunk Infrastructure Costs*

In accordance with section 130 of the *Planning Act 2016*, an additional payment condition may be imposed if the proposed development;

- (a) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (b) requires new trunk infrastructure earlier than when identified in the LGIP; or
- (c) is for premises located completely or partly outside the Priority Infrastructure Area; and

The development will impose additional trunk infrastructure costs on Council after taking into account the levied charge and any trunk infrastructure provided, or to be provided by the development.

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition.

4.4 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

4.5 Referrals

4.5.1 *Council Referrals*

4.5.1.1 Development Engineering

The application proposes to retain the existing access point to the site. The existing access is located within a "prohibited zone" pursuant to AS2890.1. As a consequence, the recommendations of this report include conditions to mitigate as far as possible the risks associated with an access in this location. These include restricting the development to left in/left out movements as well as upgrading the existing crossover.

4.5.1.2 Environmental Health

Lighting

If security lighting is to be used it is recommended that a condition is included to ensure suitable lighting is installed.

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Waste Management

The applicant has stated that this business generates only a small amount of waste that is included with the domestic waste stream. This is acceptable and a waste management program is not required. As a consequence, the recommendations of this report include a condition that the development be undertaken in accordance with SC 6.20 Planning scheme policy - Waste.

Noise

An Environmental Noise Impact Report prepared by Decibell Consulting dated 2 December 2019, report number 1912230, was submitted in response to an information request. The report demonstrates there are no noise impacts to sensitive uses during the daytime period which covers the 8:00am to 5:00pm trading hours.

No acoustic conditions are recommended however, a condition limiting operating hours is recommended. As a consequence, the recommendations of this report include a condition limiting the hours of operation to 8am – 5pm Monday to Friday and 8am – 12pm Saturday.

4.5.2 Referral Agencies

4.5.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning

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

4.5.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

4.5.2.3 Third Party Agencies

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

4.6 Public Consultation

4.6.1 *Public Notification Requirements under the Development Assessment Rules*

- (a) Public Notification was served on all adjoining landowners on 9 January 2020.
- (b) The development application was advertised in the Caboolture Shire Herald on 9 January 2020.
- (c) A notice in the prescribed form was posted on the relevant land on 9 January 2020 and maintained for a period of 15 business days until 31 January 2020.

4.6.2 *Submissions Received*

Council received the following types of submissions in respect to this development application.

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax	1	1
	Petition		
Not Properly Made	Letter, Email, Fax		
	Petition		
Total			

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The matters raised within the submission are outlined below:

Assessment of Submissions
<p>Issue - Amenity</p> <ol style="list-style-type: none"> 1. The placement of display pools throughout the property and the proposed sign are an eye sore both from the road approaching the property and from our adjoining property (334 Oakey Flat Road). 2. We note that the tenants at the property to the south (334 Oakey Flat Road) have provided written correspondence that they have no objection, however, we, as the owners of the property to the south, do not believe that the existing fence adequately screens the display area. However, should the proposal be approved, we would expect that an appropriate fence be built within the neighbour's boundary at their cost.
<p>Discussion</p> <p>The submitter has raised concerns regarding the amenity impacts the development proposal will have on their property (334 Oakey Flat Road) and the surrounding area.</p> <p>The development proposal involves the display and sale of swimming pool shells. In addition to the sale of swimming pool shells, the proposal includes the sale of ancillary pool accessories (e.g. pool pumps and pool cleaning products) which will be stored in an existing outbuilding on site.</p> <p>The development proposal will occupy a display area of 740m² for the outdoor storage of the pool shells. The display area is located at the front of the property, forward of the existing building. Specifically, the display area is setback 10m from the Oakey Flat Road frontage, 25m from the northern property boundary and 10m from the southern property boundary (the submitter's property).</p> <p>To minimise adverse amenity impacts, the development proposal incorporates landscape buffers, including a 10m wide landscape buffer for the full length of the site's frontage to Oakey Flat Road, as well as 2m wide landscape buffers along both the northern and southern property boundaries.</p> <p>It is noted that an existing colourbond fence is currently located along the southern property boundary and extends for a length of approximately 30m from the front of the property. However, it is identified that the existing fence does not adequately screen the display area, from the adjoining neighbours to the south.</p> <p>A condition will be included in the recommendations of this report requiring the applicant to erect additional fencing along the southern side boundary that assists in screening the development proposal (i.e. display area) from the adjoining neighbour, addressing the submitter's concerns.</p> <p>Furthermore, the premises will operate during the daytime hours only, Monday to Friday 8am – 5pm and Saturday 8am – 12pm. There will be the occasional delivery, which will be scheduled to occur during these hours only. The applicant has demonstrated that all vehicle movements, including the delivery and pick up of pools can occur within the designated driveway area and will not impact on the amenity of the adjoining properties</p> <p>The proposed development also includes an advertising device in the form of fence signage affixed to the front fence. The proposed sign measures 2370mm x 1180mm, with a total sign face area of 2.8m².</p>

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<p>Assessment of Submissions</p>
<p>The subject site has a frontage of approximately 73m to Oakey Flat Road, which is identified as an arterial road on the Road hierarchy overlay of the Planning Scheme. It is considered that the size and scale of the proposed advertising device will not appear to visually dominate the Oakey Flat Road streetscape or contribute to visual clutter.</p> <p>The proposed advertising device does not allow for illumination and does not directly face or impact upon adjoining properties. Having regard to the location and scale of signage, including the higher order road, the proposed signage is considered acceptable.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue - Safety</p>
<ol style="list-style-type: none"> 1. We are concerned for the safety of young children with the number of trucks/cranes/visitors entering and exiting the premises. 2. The storage of chemical products that a pool shop is required to keep comes with its own hazardous chemical problems, should there be a spill, fire and/or contamination of the environment.
<p>Discussion</p>
<p>The submitter has raised concerns regarding the safety of young children and the number of vehicles entering the site.</p> <p>The site has frontage to Oakey Flat Road which is classified as an arterial road, which is a highly trafficable road. The site currently gains access from the north-western end of the site which is slightly offset from the intersection with Nairn Road. It is noted that the eastern side of Oakey Flat Road (including the site's frontage) does not contain a pedestrian pathway.</p> <p>The use predominantly services builders who are coming to the site to inspect the pool shells. The use also involves deliveries by truck. The traffic generation associated with the use will be minimal. A condition will be included in the recommendations of this report limiting the delivery of pool shells to the site to one (1) day a week between the hours of 8am and 5pm.</p> <p>The applicant has submitted a traffic management plan which addresses trucks entering and exiting the site in a safe manner, ensuring the safety of pedestrians is maintained. Specifically, the proposal involves a looped driveway arrangement which facilitates safe and efficient access to and from Oakey Flat Road allowing vehicles to enter and exit in a forward motion.</p> <p>The submitter has also raised concerns regarding the storage of pool chemicals onsite.</p> <p>In addition to the sale of swimming pool shells, the proposal includes the sale of pool accessories including pool cleaning products which will be stored in an existing building on site. The applicant has submitted documentation (hazardous chemical register) that demonstrates that the proposed amount of pool cleaning products to be stored onsite is minimal and meets the limits permitted under Australian Standards in relation to the storage of hazardous chemicals.</p> <p>Furthermore, the <i>Work Health and Safety Regulation 2011</i> includes prescribed quantities in relation to the storage of swimming pool chemicals that the applicant will be required to adhere to.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue - Land use</p>

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Assessment of Submissions
<ol style="list-style-type: none"> 1. A business of this kind should be in an industrial area zoned for this type of business, with pickup and delivery of materials by trucks, both large and small, including the use of cranes to deliver the pools both to and from the premises. 2. This is a residential area for an emerging community, and we do not feel that this is an appropriate business to run from a residential area.
<p>Discussion</p> <p>The site is located in the Emerging Community Zone - Transition Precinct. The proposed development application seeks approval for Outdoor Sales on the subject site as an interim land use.</p> <p>Pursuant to the MBRC Planning Scheme, interim development in the Transition Precinct is not to fragment, pre-empt or compromise the potential development of the area for urban purposes beyond the life of the planning scheme. Further, interim land uses are to be low intensity in nature and be compatible with the existing semi-rural character of the area.</p> <p>The development proposal involves the display and sale of swimming pool shells. In addition to the sale of swimming pool shells, the proposal includes the sale of pool accessories (e.g. pool pumps) which will be stored in an existing building on site.</p> <p>The development proposal will occupy a display area of 744m² for the outdoor storage of the pool shells. The display area is located at the front of the property, forward of the existing building. Specifically, the display area is setback 10m from the Oakey Flat Road frontage, 25m from the northern property boundary and 10m from the southern property boundary.</p> <p>The premises will operate during the daytime hours only, Monday to Friday 8am – 5pm and Saturday 8am – 12pm. There will be the occasional delivery (once a week), which will be scheduled to occur during these hours only. The applicant has demonstrated that all vehicle movements, including the delivery and pick up of pools can occur within the designated driveway area and will not impact on the amenity of the adjoining properties.</p> <p>The development proposal incorporates landscape buffers, including a 10m wide landscape buffer for the full length of the site’s frontage to Oakey Flat Road, as well as 2m wide landscape buffers along both the northern and southern property boundaries.</p> <p>The proposal will not prevent or discourage long term urban land uses. The proposed Outdoor Sales is an interim land use with minimal investment and infrastructure required to facilitate the development proposal. Furthermore, the development proposal does not prejudice or delay the use of the land for urban purposes.</p> <p>A condition will be included in the recommendations of this report requiring limiting the use of the site for Outdoor Sales to a maximum period of 5 years, unless otherwise agreed by Council, to ensure the site is conserved for future urban purposes.</p> <p>Having regard to the above, it is considered that the proposed interim land use for Outdoor Sales does not compromise the potential development of the area for urban purposes and is low intensity in nature, small in scale and is compatible with the existing semi-rural character of the area.</p> <p>This is not sufficient grounds for refusal of the application.</p>

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4.6.3 *Notice of Compliance*

The Notice of Compliance was received by Council on 3 February 2020. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

4.7 Other Matters
None identified.

5. Strategic Implications

5.1 Legislative/Legal Implications

The applicant and submitter have appeal rights in accordance with the *Planning Act 2016*.

5.2 Corporate Plan / Operational Plan

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

5.3 Policy Implications

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

5.4 Risk Management Implications

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

5.5 Delegated Authority Implications

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

5.6 Financial Implications

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

5.7 Economic Benefit Implications

Appropriate development supports the growing Moreton Bay region

5.8 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

5.9 Social Implications

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

5.10 Consultation / Communication

Refer to clause 4.6

ATTENDANCE

Mr Dan Staley attended the meeting at 10.21am for discussion on Items 4.3 and 4.4.

ITEM 4.3

DA/38389/2019/V23P- MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR MULTIPLE DWELLING AND SHORT-TERM ACCOMMODATION IN ACCORDANCE WITH A STRUCTURE PLAN; RECONFIGURING A LOT - PRELIMINARY APPROVAL IN ACCORDANCE WITH A STRUCTURE PLAN; AND A MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR A VARIATION REQUEST TO THE REQUIREMENTS OF THE GENERAL RESIDENTIAL ZONE - SUBURBAN NEIGHBOURHOOD PRECINCT - 10-24 AND LOT 836 FRESHWATER DRIVE, BANKSIA BEACH

APPLICANT: Vercorp Pty Ltd C/- LandPartners Pty Ltd
OWNER: Vercorp

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A19301347 : **Refer Supporting Information A20005094 & A19939811**
Responsible Officer: RC, Principal Planner (PL Development Services)

Executive Summary

This report is being presented to the Council for a decision as it involves a Variation to the Council's Planning Scheme and Council officers do not have delegation to decide these types of development applications. Therefore, Council is the only entity authorised entity to decide the development application.

APPLICATION DETAILS	
Applicant:	Vercorp Pty Ltd C/o LandPartners Pty Ltd
Lodgement Date:	17 April 2019
Properly Made Date:	30 April 2019
Confirmation Notice Date:	15 May 2019
Information Request Date:	29 May 2019
Info Response Received Date:	30 August 2019
Public Notification Dates:	Started: 13 September 2019 Finished: 28 October 2019
No. of Submissions:	Properly Made: 15 (including 1 petition) Not Properly Made: 3
Decision Due Date:	28 January 2020
Prelodgement Meeting Held:	No

PROPERTY DETAILS	
Division:	1
Property Address:	10-24 and Lot 836 Freshwater Drive, Banksia Beach
RP Description	Part 805 SP172734 and Part Lot 838 SP303678
Land Area:	Lot 838: 201,350m ² Lot 805: 8,470m ²
Property Owner	Vercorp Pty Ltd

ITEM 4.3 DA/38389/2019/V23P- MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR MULTIPLE DWELLING AND SHORT-TERM ACCOMMODATION IN ACCORDANCE WITH A STRUCTURE PLAN; RECONFIGURING A LOT - PRELIMINARY APPROVAL IN ACCORDANCE WITH A STRUCTURE PLAN; AND A MATERIAL CHANGE - A19301347 (Cont.)

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	MBRC Planning Scheme - Version 3
Planning Locality / Zone	General Residential zone - Suburban precinct
Level of Assessment:	Impact

This application seeks:

- (a) a Material Change of Use - Preliminary Approval for Multiple dwelling and Short-term accommodation in accordance with a structure plan;
- (b) a Reconfiguring a Lot - Preliminary Approval in accordance with a structure plan; and
- (c) a Material Change of Use - Preliminary Approval for a Variation Request to the requirements of the General residential Zone - Suburban neighbourhood precinct.

at 10-14 Freshwater Drive and Lot 838 Freshwater Drive, Banksia Beach QLD 4507, described as part Lot 805 SP172734 and Part Lot 838 SP303678 (*formally Lot 836 on SP303627*).

The site is located within the General residential Zone - Suburban neighbourhood precinct. The application involves four (4) parcels of underdeveloped land remaining within the Pacific Harbour Golf and Country Club Estate (Golf Course Estate).



ITEM 4.3 DA/38389/2019/V23P- MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR MULTIPLE DWELLING AND SHORT-TERM ACCOMMODATION IN ACCORDANCE WITH A STRUCTURE PLAN; RECONFIGURING A LOT - PRELIMINARY APPROVAL IN ACCORDANCE WITH A STRUCTURE PLAN; AND A MATERIAL CHANGE - A19301347 (Cont.)

The application was publicly advertised for a period of thirty (30) business days with fifteen (15) properly made submissions (including one (1) petition) and three (3) not properly made submissions received focused on concerns about traffic, access, the proposed land uses and increased population. Having assessed the development application and considered submissions made in respect to the development application, it is the recommendation of Council officers to approve the development application subject to conditions.

MOTION

Moved by Cr Mick Gillam

Seconded by Cr Tony Latter

1. That Council approves the development application for a Preliminary Approval for a Material Change of Use for a Multiple dwelling and Short-term accommodation and a Reconfiguring a Lt - Preliminary Approval in accordance with a structure plan at 10-14 Freshwater Drive and Lot 838 Freshwater Drive, Banksia Beach QLD 4507, described as part Lot 805 on SP172734 and part Lot 838 on SP303678, subject to the attached plans and the conditions contained in Annexure A to this report.
2. That Council approve the Variation Request to vary the effect of the MBRC Planning Scheme V3 in the manner specified in Annexure B to this report, subject to the attached plans.
3. That Council delegate it's power to the Chief Executive Officer under section 63 of the *Planning Act 2016* to give a decision notice about the decisions made under Items A and B, that is to include the information in the Decision notice contained in Annexure C to this report; and to publish to the Council website the Council report for this application as part of the statement of reasons.
4. That Council delegate it's power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the Moreton Bay Regional Council Planning Scheme due to the approval including a variation approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive.

AMENDMENT MOVED

Cr Matt Constance moved the following amendment:

That the Chief Executive Officer investigate options for a second access point to the estate.

Seconded by Cr Brooke Savige

The amendment was put to the vote and declared **CARRIED 12/0**

ITEM 4.3 DA/38389/2019/V23P- MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR MULTIPLE DWELLING AND SHORT-TERM ACCOMMODATION IN ACCORDANCE WITH A STRUCTURE PLAN; RECONFIGURING A LOT - PRELIMINARY APPROVAL IN ACCORDANCE WITH A STRUCTURE PLAN; AND A MATERIAL CHANGE - A19301347 (Cont.)

THE AMENDMENT BECOMES THE MOTION, and was put:

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Brooke Savige

CARRIED 7/6

on the casting vote of the Deputy Mayor

Cr Brooke Savige, Cr Mark Booth, Cr Sandra Ruck Cr Adam Hain, Cr Tony Latter and Cr Karl Winchester voted against the motion

1. That Council approves the development application for a Preliminary Approval for a Material Change of Use for a Multiple dwelling and Short-term accommodation and a Reconfiguring a Lt - Preliminary Approval in accordance with a structure plan at 10-14 Freshwater Drive and Lot 838 Freshwater Drive, Banksia Beach QLD 4507, described as part Lot 805 on SP172734 and part Lot 838 on SP303678, subject to the attached plans and the conditions contained in Annexure A to this report.
2. That Council approve the Variation Request to vary the effect of the MBRC Planning Scheme V3 in the manner specified in Annexure B to this report, subject to the attached plans.
3. That Council delegate it's power to the Chief Executive Officer under section 63 of the *Planning Act 2016* to give a decision notice about the decisions made under Items A and B, that is to include the information in the Decision notice contained in Annexure C to this report; and to publish to the Council website the Council report for this application as part of the statement of reasons.
4. That Council delegate it's power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the Moreton Bay Regional Council Planning Scheme due to the approval including a variation approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive.
5. That the Chief Executive Officer investigate options for a second access point to the estate.

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OFFICER'S RECOMMENDATION

1. That Council approves the development application for a Preliminary Approval for a Material Change of Use for a Multiple dwelling and Short-term accommodation and a Reconfiguring a Lot - Preliminary Approval in accordance with a structure plan at 10-14 Freshwater Drive and Lot 838 Freshwater Drive, Banksia Beach QLD 4507, described as part Lot 805 on SP172734 and part Lot 838 on SP303678, subject to the attached plans and the conditions contained in **Annexure A** to this report.
2. That Council approve the Variation Request to vary the effect of the MBRC Planning Scheme V3 in the manner specified in **Annexure B** to this report, subject to the attached plans.
3. That Council delegate it's power to the Chief Executive Officer under section 63 of the *Planning Act 2016* to give a decision notice about the decisions made under Items A and B, that is to include the information in the Decision notice contained in **Annexure C** to this report; and to publish to the Council website the Council report for this application as part of the statement of reasons.
4. That Council delegate it's power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the Moreton Bay Regional Council Planning Scheme due to the approval including a variation approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive.

REPORT DETAIL

1. Background - History

On 24 November 1992, a Deed of Agreement (the Deed) was made between Caboolture Shire Council and Vercorp Pty Ltd (Hegira Limited). The Deed, included an agreement that the developer would deliver infrastructure to service the development. This included dedication of open space, stormwater infrastructure and upgrade of the road network. Additionally, the Deed allowed the developer to achieve an overall residential density of 2160 persons (1048 Dwellings) at the completion of the development.

On 6 September 1996, part of the site (*historically Lot 1 RP225055*) was subject to a rezoning approval. The rezoning allowed the site to move from the Rural zone to the Special Facilities zone, to support the development of Detached Housing, Duplex Housing, Condominiums, Golf Course, Club House, Residential Club and Sports Complex (Caboolture Shire Application - Z-89-59). The rezoning also permitted buildings to achieve three storeys in height.

On 17 September 2002, the remainder of the site (*historically Lot 4 SP160108*) was subject to a Preliminary Approval for Residential Development and Golf Course with a maximum of one hundred and ninety-nine (199) lots. This Preliminary Approval sought to preserve the overall residential density of 2160 persons (1048 Dwellings) at the completion of the development, now commonly referred to as the Pacific Harbour Golf and Country Club Estate (Golf Course Estate).

On 12 December 2005, the Caboolture Shire Plan 2005 (Caboolture Shire Plan) commenced, and the land was identified within the Residential A zone. Schedule 10 of the Caboolture Shire Plan preserved the rezoning approval by carrying forward the conditions imposed under the Deed.

On 1 February 2016, the MBRC Planning Scheme took effect, and the site was zoned General Residential Zone - Suburban Neighbourhood Precinct - Suburban neighbourhood place type (GRZ-SNP). The MBRC Planning Scheme did not preserve the rezoning approval over the land and it effectively 'fell away'.

On 25 August 2016, the Golf Course Estate Infrastructure Agreement 2016 was executed between Vercorp Pty Ltd and Moreton Bay Regional Council.

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It is noted that at the time of the assessment of this application, the Golf Course Estate has been predominantly completed through ongoing subdivision applications. This variation and preliminary approval request only apply to the four (4) balance parcels of land remaining within the Golf Course Estate.

On 3 June 2020 this application was presented to Council as a briefing. The CEO noted the following outcome from the briefing:

*“It was noted for the report to include dot points to provide an explanation of the variation.
It was noted that a report will be tabled at the next General Meeting for consideration of the matter.”*

As requested at the briefing, section 2.1 of this report includes the dot points explaining the variation sought.

2. Explanation of Item

The site is located within the General Residential Zone - Suburban neighbourhood precinct. The zoning under the MBRC Planning Scheme V3 results in the development of the proposed Medium Density Residential Sites for Multiple dwelling or Short-term accommodation being an inconsistent land use requiring Impact assessment (Public Notification). This application seeks to allow future Multiple dwelling and Short-term accommodation applications to be Code assessable development over the nominated Medium Density Residential sites. It also seeks to allow development on these sites to occur at a maximum building height of 12m rather than 8.5m as suggested by the current Building Heights Overlay under the MBRC scheme.

The proposal is further seeking to allow future subdivision applications within the Small Lot Precinct to achieve a minimum residential Lot size of 450m² for 20% of the Small Lot Precinct.

The application is Impact assessable development with fifteen (15) properly made submissions received, including one (1) properly made petition (26 signatures) and three (3) not properly made submissions.



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2.1 Proposed variations to the MBRC Planning Scheme V3.

The Applicant has proposed the following:

- a) Amend the tables of assessment for the General Residential zone - Suburban precinct to permit Multiple Dwelling and Short-term accommodation as Code Assessable;
- b) Amend the tables of assessment for Reconfiguring a Lot to include a unique Pacific Harbour Golf Course Estate Reconfiguring a Lot Code;
- c) Amend the General Residential Zone - Suburban Precinct Code, including removal of values and constraints criteria;
- d) Amend the Reconfiguring a Lot Code for the General Residential Zone - Suburban Precinct to include:
 - i. Lots having a minimum site area of 450m² and minimum primary frontage of 10m;
 - ii. A maximum of 4 adjoining lots with a minimum site area of 450m² and a minimum primary frontage of 10m fronting the same street;
 - iii. A maximum of 20% of the total lots within the small lot precinct are to be less than 600m²
 - iv. Remove the values and constraint criteria.
- e) Removal of the Flood Hazard Overlay mapping from applying to the site;
- f) Include Notes for Development on the approved plan which include:
 - i. Buildings and structures on a Medium Density Residential Site is to have a maximum site cover of 50%.
 - ii. Buildings and structures on a Medium Density Residential Site is to have a maximum building height of 3 storeys or 12 metres whichever is the greater.
 - iii. Buildings and structures on a Medium Density Residential Site in excess of 2 storeys or 8.5m is to be setback a minimum of 6 metres from any boundary with an adjoining residential lot.
 - iv. Reconfiguration in the small lot precinct is to have a minimum lot size of 450m² and road frontage of 10m.
 - v. Maximum number of small lots is a total of 20% of total lots within the precinct.

Council Officer Comment:

- a) It is noted that not all of the above requests to vary the planning scheme are supported by Council Officers. In particular, there is concern about introducing a unique Code (Pacific Harbour Golf Course Estate Reconfiguring a Lot Code). Council Officers typically seek for the relevant planning scheme to apply, with the variations being sought clearly outlined in the Development Approval. The introduction of unique codes can lack transparency to the community and be administratively difficult for Council Officers to implement over time.
- b) Council Officers do not support the removal of values and constraints criteria (i.e Bushfire Hazard mapping, overland flow path mapping). Largely because having regard to each of the sites, they are not encumbered by such. As such, it offers no benefit.

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- c) Council Officers do not support the removal of the Flood Hazard Overlay impacting some of the sites. This is because some of the sites do not currently achieve the necessary Flood Planning Level. However, a condition is recommended that future development is taken to comply with such if the land is filled to achieve a Flood Level of 7.2AHD. This is consistent with a previously approved Flood Study Report affecting the land.
- d) Council Officers do not support the proposal to allow for three (3) storey or 12m Building Heights. It is acknowledged that the previous rezoning approval did envisage three (3) storey condominiums within the estate. However, the rezoning approval in 1996 is now over twenty (20) years old. The golf course estate is characterized by one and two storey built form. Many existing residents would not be aware of the old rezoning approval, as evidenced in the submissions received against this application. The rezoning approval has fallen away and the MBRC Scheme has taken effect. Residents buying are likely to be informed by the current 8.5m building height overlay and the existing 1-2 storey built form. In addition, given the additional height is not supported, the setbacks variations to buildings above 8.5m is no longer relevant and is also not supported.

2.2 Description of the Site and Surrounds

The site forms part of the Pacific Harbour Golf and Country Club “Golf Course Estate”. The Golf Course Estate includes residential lots, Golf Course and Club house facilities.

Directions	Planning Scheme Zone	Current Land Use
North	Rural	Bribie Island State Forest
South	General Residential - Suburban Precinct Environmental management and conservation	Dwellings National Park
East	General residential zone – Suburban neighbourhood precinct Rural	Lot 906 SP257491 (vacant) Bribie Island State Forest
West	Environmental management and conservation	National Park

2.3 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.

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

2.3.1 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:

Assessment benchmarks - livable communities	
Not applicable to development proposed. Will be assessed as part of future applications seeking a Development Permit.	
Assessment benchmarks - mining and extractive resources	
Not applicable to development proposed.	
Assessment benchmarks - water quality	
Not applicable to development proposed. Will be assessed as part of future applications seeking a Development Permit.	
Assessment benchmarks - natural hazards, risk and resilience	
Applicable to Development	SPP requirement
Yes	<p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(6) 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>(7) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(8) 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>

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	<p>(9) 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>(10) 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.</p>
<p>Comment</p> <p>Part of the site is mapped as constrained by Bushfire Hazard under the State Planning Policy mapping. In particular the mapping shows part of the site impacted by Potential Impact Buffer along the eastern and southern boundary of Lot 836.</p> <p>Under the existing Deed of Agreement a bushfire management plan was prepared and approved by Council that included the use of Lot 906 SP257491 (vacant) as bushfire buffer. The applicant will be required to amend the approved <i>Bushfire Management Plan, prepared by Covey Associates Pty Ltd, dated 18 July 2019</i> at the time of lodgement of a subdivision application over the area shown as Small Lot Precinct on an approved plan. It is not necessary to deal with this as part of a preliminary approval.</p> <p>The site is mapped as being within a Flood Hazard Area -Local Government Flood Mapping Area. Further, Council's Planning Scheme identifies parts of the nominated sites as being within the Balance Flood Area, while part of Lot 805 is mapped within the Medium Risk Area. It is noted that there are previous approvals including a Flood report approved over the land. A condition is recommended to ensure that the sites achieve a Flood Level of 7.2 AHD in accordance with the previously approved flood study.</p>	
<p>Assessment benchmarks - strategic airports and aviation facilities</p>	
<p>Not applicable to development proposed.</p>	

An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.

2.3.2 *South East Queensland Regional Plan*

The site is located in the Urban Footprint.

The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

2.4 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.

2.4.1 *Strategic Framework*

In accordance with section 1.7.2 of the planning scheme, the development proposal requires assessment against the Strategic Outcomes within the Strategic Framework. While a number of themes under the Strategic Framework are relevant, this assessment focus on the key being Settlement Pattern and Urban Form, Planning Areas - Coastal Communities and Bribie Island and the Place Model.

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<p>3.6 Settlement Pattern and Urban Form</p>
<p>3.6.1 -A more compact urban form is developed within the urban footprint by a program of urban design and sustainability principles aimed at increasing the jobs and people per hectare in targeted locations (to help achieve Council's long term 70% local employment target), creating walkable communities, and a viable quality transit system.</p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. A more efficient land use and development pattern will be achieved progressively over time by: <ol style="list-style-type: none"> c. requiring new development to be integrated into existing neighbourhoods in a spatially cohesive manner to help create walkable communities with an emphasis being placed on active transport and access by transit; and 2. Ensure that new development and redevelopment in established urban areas reinforces the strengths and individual character of the urban area in which the development occurs;
<p><u>Comment:</u></p> <p>Consideration has been given to how the proposal will integrate with the existing neighbourhood and how this will reinforce the character of the area. The surrounding area is predominantly low rise and low density with single Dwellings on lot sizes ranging from 450m² to approximately 1250m².</p> <p>The location of the proposed Medium Density Residential Sites will assist with integrating them into their surrounds. In particular, each of these sites adjoins large areas of open space associated with the golf course. One of the sites is adjacent to the clubhouse with no adjoining residential properties. Another site is located in an area with no existing residential properties adjoining (yet to be developed future small lot precinct). Two of the sites have one adjoining residential property containing a dwelling house. Council Officers are supportive of two-storey (max 8.5m building height) development outcomes on these sites as they would reflect the existing neighbourhood. The applicant's request for three-storey building height is not supported. Limiting these sites to two-storey will further assist in integrating them into their surrounds.</p>
<p>3.6.5 -Council will seek to increase residential densities and employment opportunities within the urban corridor and specifically within and adjoining activity centres and public transport in order to maximise access to and use of services and facilities and opportunities for use of public transport, walking and cycling and also adjacent to areas of high scenic amenity eg. waterfront, environmental areas with high standards of amenity and accessible open space</p> <p><u>Specific Outcomes:</u></p> <ol style="list-style-type: none"> 3. Council will also seek to encourage diversity in housing types (3.18) throughout the urban area through the development of vacant and underutilised residential land in

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<p>3.6 Settlement Pattern and Urban Form</p>
<p>suburban areas (not included in dot points one and two above) to achieve greater housing choice and new suburban residential development within walking distance of local centres or neighbourhood hubs and bus stops;</p>
<p><i>Comment:</i> Increased residential densities are encouraged around activity centres and public transport. It is acknowledged that the proposed Medium Density Residential Sites are not located in proximity to either of these. However, the sites are located in areas with high standards of amenity, being the golf course. Importantly, the proposal will provide a new housing product in the estate which does not currently exist. The diversity of housing product is encouraged by the planning scheme, where suitably integrated.</p>
<p>3.13.5 Planning Areas - Coastal Communities and Bribie Island Planning Area</p>
<p><i>3.13.5.3 - Strong Communities</i></p>
<p><u>Specific Outcomes:</u></p> <ol style="list-style-type: none"> 1. The urban structure provides for a diverse range of housing choice in terms of type, density, layout and affordability to cater for a demographically and socio-economically diverse population within the Rural residential, Suburban and Activity centre place types
<p><i>Comment:</i> The proposal will add to the range of housing products in the estate while at the same time being sensitively integrated. It is noted that the original Deed of Agreement over the estate always envisaged the estate would accommodate 'Medium Density Condominiums' up to three storeys in height (including up to 207 of these types). Whilst it is agreed that a Multiple Dwelling or Short-term Accommodation land use could be suitably accommodated on these sites, Council Officers do not consider three storey built form to be appropriate having regard to the existing built form character.</p>
<p>3.14.8 MBRC Place Model - Suburban neighbourhood place type</p>
<p><i>3.14.8.4 - Settlement pattern and urban form</i></p>
<p><u>Specific Outcomes:</u></p> <ol style="list-style-type: none"> 1. Suburban neighbourhood places cater for predominately low density detached housing; 2. New residential development will comprise a mix of detached dwellings on a variety of lot sizes, small lot/zero lot line housing, rear lane housing with the preferred grid like street pattern; 3. Development across a Suburban neighbourhood place type is characterised by a net residential density of 11 dwellings per hectare or development occurs in a

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3.6 Settlement Pattern and Urban Form

manner that is consistent with the surrounding settlement pattern, specifically considering the interface with adjoining properties;

4. Other housing types in the form of dual occupancies will also occur at dispersed locations in the area;
5. **Low rise multiple dwellings** and housing for older persons may also be included adjacent to a local centre or community facilities and bus stops on main through streets and overlooking public open space;
6. Adaptable housing is encouraged in response to changing housing needs;
7. Community activities (schools, pre-schools, child care centres, places of worship, community health services, other community activities) are designed to have a low rise built form on landscaped sites. They may be clustered together, in or adjacent to neighbourhood hubs or local centres or dispersed within the area. Where they are dispersed within the area they are located on main through streets or central intersections;
8. New development is **sympathetic to the existing character** of the particular Suburban neighbourhood location.

Comment:

The proposed Medium Density Residential Sites would not be considered low density detached housing. However, it is noted that the Suburban neighbourhood place is to cater for predominantly this, not exclusively this housing type. It is further noted that the proposal is likely to exceed the maximum net residential density of 11 dwellings/ha. The settlement pattern outlined above does anticipate Low rise multiple dwellings, such as proposed, where adjacent a local centre or a bus stop which is not the case here. The site is not well located to a local centre of public bus stop. The sites do however have a very high level of amenity overlooking open space. As such, there are some aspects that are achieved above, and some that are not. Importantly, on balance, the proposal is considered appropriate in that the sites will be suitably integrated with limited direct residential common boundaries and high quality amenity overlooking a golf course. It is also acknowledged the previous rezoning approval over the site did envisage medium density up to three storey 'condominiums' as part of the estate. However, to ensure the proposal will suitably integrate with the existing character and community expectations, it is recommended that building height is limited to two storeys (8.5m).

2.4.2 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.

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Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Zone/ Local Plan Code		
General residential Zone Code – Suburban neighbourhood precinct	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO1 and PO2
Overlay Codes		
Flood hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO10
Development Codes		
Reconfiguring a Lot Code – Suburban neighbourhood precinct	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO1

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

2.4.3 Performance Outcome Assessment

Performance Outcome	Example
General residential Zone Code – Suburban neighbourhood precinct Code	
<p>PO1 The Suburban neighbourhood precinct has a low residential density of a maximum of 15 dwellings per hectare (site density) except for Dual occupancies.</p> <p>OR</p> <p>Maximum site density of 75 dwellings per ha if:</p> <ol style="list-style-type: none"> a. for Relocatable home park, Residential care facility or Retirement facility, within 800m walking distance of a higher order or district centre; or b. for Multiple dwelling, Rooming accommodation, Short-term accommodation or tourist park within 400m walking distance of a higher order or district centre or a train station. 	No example provided.
<i>Performance Outcome Assessment</i>	

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Performance Outcome	Example
	<p>The applicant seeks to establish a Multiple dwelling or Short-term accommodation within the Medium Density Residential Sites. The location of the proposed Medium Density Residential Sites are not within 400m walking distance of a of a higher order or district centre or a train station.</p> <p>In this instance, the application cannot achieve the Performance Outcome (PO1) and an assessment against the Overall Outcomes is required.</p>

Performance Outcome	Example
General residential Zone Code – Suburban neighbourhood precinct Code	
<p>PO2 Buildings and structures have a height that:</p> <ol style="list-style-type: none"> is consistent with the low rise character of the Suburban neighbourhood precinct; responds to the topographic features of the site, exceeding 3.5m. including slope and orientation; is not visually dominant or overbearing with respect to the streetscape; responds to the height of development on adjoining land where contained within another precinct or zone. <p>Note - Refer to Planning scheme policy - Residential design for details and examples.</p>	<p>E2 Building height does not exceed:</p> <ol style="list-style-type: none"> that mapped on Overlay map – Building heights; or Suburban neighbourhood precinct; or for domestic outbuildings, including free standing carports and garages, 4m and a mean height not exceeding 3.5m
<i>Performance Outcome Assessment</i>	
<p>The applicant seeks a preliminary approval that would permit a residential building with a maximum Building height of 12.00 metres as an alternative to maximum Building height of 8.5 metres within the Medium Density Residential Sites.</p> <p>Under the MBRC Planning Scheme building height is regulated by the Overlay map – Building heights. The mapped maximum Building height 8.5 metres covers the entire Golf Course Estate and therefore the proposed Building height cannot achieve the Example (E2) and requires assessment against the Performance Outcome (PO2).</p> <p>Performance Outcome (PO2 (a.)) requires buildings and structures to have a height consistent with the low rise character of the Suburban neighbourhood precinct.</p> <p>It is acknowledged that the Deed and previous rezoning approval permitted three storey condominiums on the land. However, this approval is over twenty years old and no three storey buildings have been constructed since the original approval. As evidenced by the submissions, there is a community expectation of one to two</p>	

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Performance Outcome	Example
storeys for building height in the estate. This community expectation is consistent with the existing character of the area. In this instance, the applicant's request for a maximum building height of 12m (three storeys) is not supported by Council Officers. As such the proposed development will be required to achieve the example Building height and therefore achieves Performance Outcome (PO2). A condition is recommended that both a Multiple dwelling and Short-term accommodation is Code assessable development on land indicated as Medium Density Residential Site on an approved plan if a maximum Building height of 8.5m metres or less is achieved.	

Reconfiguring a Lot Code – Suburban neighbourhood precinct Code	
PO1 Reconfiguring a lot does not exceed a net residential density of 11 lots per hectare unless the resultant lot/s are consistent with the low density and established character of the surrounding neighbourhood.	E1 Lots have a minimum site area of 600m ² and a minimum primary frontage of 12.5m.
<i>Performance Outcome Assessment</i>	
The applicant seeks to establish lots with a maximum lot size of 450m ² and a minimum frontage of 10m within the proposed Small Lot Precinct. It is unknown what the proposed density of the proposed small lot precinct would be, particularly given we don't know the number of lots in total that will be proposed, although it is known that up to 20% will be a minimum lot size of 450m ² . Regardless, lots of 450m ² in size exist already in the estate (see Honeymyrtle St). Further, given the maximum of 20% they would be suitably dispersed and not dominate the estate. As such, it is considered PO1 is achieved as they would be consistent with the established character of the surrounding neighbourhood.	

Flood Hazard Overlay Code	
PO10 Development maintains personal safety at all times, such that: a. a vulnerable land use (flood and coastal) is not located in the High risk flood hazard area or Medium risk flood hazard area; b. new buildings are not located in the High risk flood hazard area included in the Limited development zone; c. a residential accommodation building is located in the following:	No example provided.

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<ul style="list-style-type: none"> i. Balance flood planning area; or ii. the Medium risk area where located in the Medium risk storm tide inundation area of the Coastal hazard overlay or Balance coastal planning area of the Coastal hazard overlay; d. evacuation capability from the development or other premises is not hindered or made more complicated and there is no significant additional burden placed on emergency services personnel; e. the isolation of persons in the Defined Flood Event is avoided. 	
<p><i>Performance Outcome Assessment</i></p>	
<p>Part of Lot 805 SP303678 is mapped as being constrained by Medium risk flood hazard area. Additionally, a Multiple dwelling and Short-term accommodation is a vulnerable land use.</p> <p>The material in support of the application included a request to remove the requirements of the Flood hazard overlay code from applying to future development for a vulnerable land use within the mapped Medium risk flood hazard area. The removal of the Flood hazard overlay is not supported. This is because part of the sites are currently below the Flood Planning Level.</p> <p>However, the Golf Course Estate was subject to earthworks during construction of the Golf Course, road network and developed lots. In particular, each developed lot was filled to ensure at the time of development each lot was flood free. During the assessment of the application an addendum to the approved flood report <i>Pacific Harbour Golf Course and Residential Estate - Bribie island As Constructed Flood Study Report, dated 31 October 2006, prepared by Storm Water Consulting (2006 Flood Study Report)</i> was provided, In particular, the update to flood modelling Appendix D MIKE11 Results - 100 Year Max WL's - Branch02 1447 has updated the adjacent flood level value from 6.68 to 7.2m AHD. Branch02 1447 is generally located over part of Lot 805 SP172734, bounded by Freshwater Drive, Freshwater Drive Park and Pacific Harbour Golf and Country Club. Accordingly, some additional fill will be required to Lot 805, (approximately 193m³), to raise part of the site from RL 6.68 to RL 7.2, to achieve compliance with this addendum to the 2006 Flood Study Report. Albeit, under the MBRC Planning scheme filling at this scale will trigger assessable development and an Operational Works Development Permit.</p> <p>A condition is recommended that Part Lot 805 SP172734 achieves a Flood level value of 7.2m AHD in accordance with the addendum to the approved flood report <i>Pacific Harbour Golf Course and Residential Estate - Bribie island As Constructed Flood Study Report, dated 31 October 2006, prepared by Storm Water Consulting (2006 Flood Study Report)</i>.</p> <p>AND</p>	

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Table 5.10.2.1. Levels of assessment and assessment criteria for Flood hazard Overlay are proposed to be amended to remove a vulnerable use (flood and coastal) from being impact assessable development.

In this instance, subject to recommended conditions, the proposed future development of Part Lot 805 SP172734 accords with Performance Outcome (PO10).

2.4.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcome (PO1) of the General residential Zone Code – Suburban neighbourhood precinct Code. Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows:

General residential Zone Code – Suburban neighbourhood precinct Code – 6.2.62.1 Purpose – Suburban neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
The purpose of the code will be achieved through the following overall outcomes for the Suburban neighbourhood precinct:		
a. The suburban neighbourhood precinct consists of a primarily residential urban fabric providing predominantly low density, low rise, detached housing on a variety of lot sizes with a maximum site density of 15 dwellings per hectare or a maximum site density of 75 dwellings per hectare if complying with b. v. below.	No	The applicant seeks to establish a Multiple dwelling and Short-term accommodation over Part of Lot 805 SP172734 and Lot 838 SP303678 that does not comply with the locality requirements achieved under 1.b(v.) of the Overall Outcomes.
b. Residential activities consist of: <ul style="list-style-type: none"> i. Detached dwelling houses, predominantly on traditional lots; ii. Detached dwelling houses on narrow lots and Dual Occupancies where they are dispersed within the streetscape or are located within easy walking distance to services (centre, public transport node, community facilities) or park; iii. Domestic outbuildings are subordinate in appearance and function to the dwelling; iv. Retirement facilities, Residential care facilities, 	No	The applicant seeks to establish a Multiple dwelling and Short-term accommodation over Part of 805 SP172734 and Lot 838 SP303678 that are not within 400m walking distance to the at of a higher order or district centre or train station. In this instance, the proposed development cannot achieve or be conditioned to achieve the Overall Outcome.

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General residential Zone Code – Suburban neighbourhood precinct Code – 6.2.62.1 Purpose – Suburban neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
<p>and Relocatable home parks are located within easy walking distance of a centre;</p> <p>v. Multiple dwellings, Rooming accommodation, short-term accommodation and tourist park only establish where they will support a higher order or district centre or a train station by being adjacent (within 400m walking distance) to that higher order or district centre or train station.</p> <p>vi. The built form of concentrated residential uses and managed communities (e.g. townhouse developments, retirement facility, residential care facility, relocatable home parks) are designed to integrate with the surrounding neighbourhood.</p>		
c. – n.	Not applicable	
<p>p. Development in the Suburban neighbourhood precinct includes 1 or more of the following:</p> <p>.....</p> <p>Multiple dwelling - if within 400m walking distance of a higher order or district centre or a train station.</p> <p>.....</p>	No	The applicant seeks to establish a Multiple dwelling and Short-term accommodation over Part of 805 SP172734 and Lot 838 SP303678 that are not within 400m walking distance to that of a higher order or district centre or train station.
<p>q. Development in the Suburban neighbourhood precinct does not include any of the following:</p> <p>.....</p> <p>Multiple dwelling - if not within 400m of a higher order centre</p>	No	The applicant seeks to establish a Multiple dwelling and Short-term accommodation over Part of 805 SP172734 and Lot 838 SP303678 that are not within 400m walking distance to that of

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General residential Zone Code – Suburban neighbourhood precinct Code – 6.2.62.1 Purpose – Suburban neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
or district centre or a train station Short-term accommodation - if not within 400m of a higher order centre or district centre or a train station		a higher order or district centre or train station.
r. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone.	Not applicable	A Multiple dwelling and Short-term accommodation are listed above.

Based on the assessment above, the proposal is inconsistent with four (4) of the Overall Outcomes of the code. Therefore, in accordance with section 1.7.2 of the MBRC Planning Scheme, an assessment against the Strategic Framework is set out in section 2.3.1 of this report.

In addition, section 45 (5) of the *Planning Act 2016* states the assessment may be carried out against, or having regard to, any other relevant matter other than a person's personal circumstances, financial or otherwise. The other relevant matters to justify any approval of the proposal, are discussed in section 2.8 of this report.

2.5 Infrastructure Charges Resolution

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 8 August 2018 (CR). In this instance, because the proposal is not seeking a Development Permit, only a Preliminary Approval, infrastructure charges are not required to be levied. Infrastructure charges will be levied as part of future Development Permit applications.

In addition, there is no trunk infrastructure identified as being impacted by the proposal.

2.6 Recording of particular approvals on the MBRC Planning Scheme

In accordance with section 89 of the Planning Act 2016, any approval is required to be noted on Schedule 4 of the MBRC Planning Scheme V3, as the development approval would be a variation approval given under section 61 of the Planning Act 2016.

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2.7 Referrals

2.7.1 Council Referrals

2.7.1.1 Development Engineering

Traffic and Access

The proposed development would result in increased number of residents gaining access off a single road (cul-de-sac), south of Corymbia Way intersection. According to Performance Outcome (PO14) of the Reconfiguring a Lot Code - Suburban neighbourhood precinct, where a cul-de-sac is proposed, *emergency access can be achieved under circumstances where entry via the carriageway may be compromised.*

However, at this time the applicant has not lodged a Reconfiguring a Lot application and therefore the final road design and number of allotments has not been confirmed. Additionally, the applicant will be required to demonstrate how the relevant benchmarks of the Reconfiguring a Lot Code - Suburban neighbourhood precinct can be achieved as part of the material in support of the future subdivision application.

In this instance, a condition is recommended to restrict the number of Dwellings gaining access from the Small Lot Precinct. The number of Dwellings must not exceed 100 Dwellings, including Multiple dwellings and Short-term accommodation, in accordance with Queensland Streets.

Stormwater / Flooding

A Stormwater Management Plan is required to comply with MBRC Planning Scheme and the previously approved Environmental Management Plan. This can be conditioned on any future development applications.

The applicant seeks to remove the Flood hazard overlay code from applying to the development. This is not supported. In accordance with a previously approved Flood Management report, the balance parcel of the development, specifically the northern section of Lot 805 SP172734, is required to be filled.

As discussed above, the Golf Course Estate was subject to earthworks during construction of the Golf Course, road network and developed lots. In particular, each developed lot was filled to ensure at the time of development each lot was flood free. During the assessment of the application an addendum to the approved flood report *Pacific Harbour Golf Course and Residential Estate - Bribie island As Constructed Flood Study Report, dated 31 October 2006, prepared by Storm Water Consulting (2006 Flood Study Report)* was provided, In particular, the update to flood modelling Appendix D MIKE11 Results - 100 Year Max WL's - Branch02 1447 has an updated the adjacent flood level value from 6.68 to 7.2m AHD. Branch02 1447 is generally located over part of Lot 805 SP172734, bounded by Freshwater Drive, Freshwater Drive Park and Pacific Harbour Golf and Country Club. Accordingly, some additional fill will be required to Lot 805, (approximately 193m³), to raise part of the site from RL 6.68 to RL 7.2, to achieve compliance with this addendum to the 2006 Flood Study Report. Albeit, under the MBRC Planning scheme filling at this scale will trigger assessable development and an Operational Works Permit.

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2.7.2 Referral Agencies

2.7.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning

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

2.7.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.7.2.3 Third Party Agencies

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

2.8 Public Consultation

2.8.1 Public Notification Requirements under the Development Assessment Rules

- (a) Public Notification was served on all adjoining landowners on 12 September 2019.
- (b) The development application was advertised in the Bribie Weekly on 12 September 2019.
- (c) A notice in the prescribed form was posted on the relevant land on 12 September 2019 and maintained for a period of 30 business days until 30 October 2019.

2.8.2 Submissions Received

Council received the following types of submissions in respect to this development application.

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		15
	Petition	1 (26 Signatures)	
Not Properly Made	Letter, Email, Fax		3
	Petition	0	
Total			18

The matters raised within the submissions are outlined below:

Assessment of Submissions

Issue - Traffic Impacts on Local Network:

The Golf Course Estate is serviced by single road connection Freshwater Drive, via Avon Ave then Sunderland Drive. The road network has seen a dramatic increase in traffic congestion with population growth. The proposed development of Multiple dwellings, Short-term accommodation and Small Lots will result in an increase in traffic problems to and from the Golf Course Estate.

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One of the proposed Multiple dwelling / Short-term accommodation lots is at the end of a proposed cul-des-sac with a single access point via Corymbia Way resulting in increase traffic down a narrow residential street. A secondary access via Heathland Street should be provided.

Due to the number of new residences in Pacific Harbour the number of children attending school has increased, however there is no public transport for children, meaning that parents are then required to drive their children to school hence more traffic congestion along Freshwater Drive and Avon Avenue.

Single access to the proposed development will increase traffic flow and speed through Corymbia way.

Safety of children playing in the park is of great concern due to traffic.

Safety of residents at new development in case of emergency such as entrapment due to fire.

Over crowding and parking of residents as well as visitor vehicles in the neighbouring streets and miss use of parking facilities.

Increased residential population will increase traffic substantially elevating the noise pollution effecting the tranquility of the suburb.

Discussion

At the time of the establishment of the Golf Course Estate the road network was designed to accommodate the future traffic generation as expected under the Deed of Agreement and rezoning approval (maximum of 2,160 persons or 1048 Residential dwellings). The existing Preliminary Approval over part of the site permitted an additional 199 dwellings. As such, the road network was accepted as being sufficient to cater for a maximum of 1247 dwellings for the entire estate (ie. The Deed + the Preliminary Approval). The applicant is expecting that at the completion of the entire Golf Course Estate this number of dwellings will not be exceeded. It is agreed that it is not likely to be exceeded having regard to the number of constructed and approved lots and the maximum potential yield from these remaining development parcels.

Council's engineer has advised that Freshwater Drive addresses the concern of one entry / exit to the estate by being a divided carriageway. This provides the opportunity for emergency vehicles to access the estate in the event one side of the carriageway becomes temporarily blocked. Temporary traffic control could be provided and the residents would still be able to be safely managed in and out of the estate. Freshwater drive has two 5.5m wide carriageways divided by a central median. A single 5.5m wide carriageway would be sufficient to allow moving cars to pass one another at reduced speeds.

The existing construction formation widths of Freshwater Drive and Corymbia Way provide sufficient traffic lanes and pavement widths to act as local collector roads and safely convey the anticipated traffic volumes. This is achieved by providing sufficient pavement width for effectively 3 traffic lanes or more. This

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allows for cars to pass each other, with an allowance for cars to be parked on one side of the road. The provided widths are wider than Council's current planning scheme road typologies for Living Residential local collector roads. Corymbia Way is 9m wide and Freshwater drive provides two 5.5m wide carriageways, divided by a central median. Living Residential Local collector Roads are nominated as requiring an 8.0m wide carriageway.

With a catchment in excess of 300 lots it is recommended that there is sufficient pavement width for 3 traffic lanes. Freshwater Drive and Corymbia Way provide ample carriageway widths to cater for the fully developed catchment with 9m and 2x5.5m wide carriageways respectively. Traffic volumes of up to 10,000 VPD could be accommodated within a 3 lane carriageway type profile.

The need to cater for traffic volumes and control the speed environment in the residential area both need to be considered. The existing road carriageways have been designed with this in mind by providing for restricted direct access. Only one side of Corymbia Way has direct access, for a section, and limited direct access (8 Lots) is allowed to Freshwater Drive. Both roads are of sufficient pavement width and profile to accommodate the anticipated traffic volumes and with their varying alignment, roundabouts and traffic islands control the speed at which road users travel along these sections of road. Ensuring that the residents' safety and accessibility can both be adequately achieved.

However, a condition is recommended which requires the applicant to demonstrate a limit on the number of Dwellings (100 Dwellings) that can access the proposed new cul-de-sac within the Small Lot Precinct to ensure safety and efficiency of road network is maintained. This number includes dwellings / short term accommodation units created as part of the Medium Density Residential Site.

Hornsby Road is currently used for pedestrian and cycle access. The road reserve transects National Park land, additionally the northern part of Hornsby road at the intersection of Heathland Street is not located within the road reserve, rather constructed within the National Park. Further, Council's engineers are satisfied the existing road network, whilst will be impacted by further traffic, is sufficient to cater for the development.

This is not a reason refusal of the application.

Issue - Traffic Impacts - Broader Network:

Traffic and road congestion from Caboolture through to Bribie Island and the increase of residents moving to Bribie. This causes major delays driving onto Bribie Island. A second bridge should be built at the developer's / Council's costs.

On weekends the traffic can be a carpark especially when Sandstone Point Hotel has concerts/events and general traffic coming to Bribie for a day out. Council needs to consider this before approving further approval for land/housing.

Discussion

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Bribie Island Road is a State Controlled Road. Safety and efficiency of Bribie Island Road remains the responsibility of the Department of Transport and Main Roads (DTMR). In relation to this application the applicant is required to demonstrate that the entire Golf Course Estate at completion does not seek to exceed the maximum residential density of 2,160 persons (or 1048 residential dwellings) agreed to under the Deed.

Events at the Sandstone Point Hotel are regulated by a Development Permit for the Hotel and events. Access to the Sandstone Point Hotel is via a State Controlled Road (Bribie Island Road). The application before Council is to allow undeveloped lots with the Golf Course Estate on Bribie island be developed for a Multiple dwelling / Short term accommodation and for residential lots >450m² and does not seek to exceed the maximum residential density of 2,160 persons agreed to under the Deed.

This is not a reason for refusal of the application.

Issue - Evacuation Concerns:

During a Bushfire or Flood event there is only a single vehicle access to the Golf Course Estate. The developer has not taken into consideration how residents are to evacuate from the area via Avon Ave / Sunderland Drive.

Discussion

This application is over only the underdeveloped part of the Golf Course Estate. As part of the relevant approvals for the Golf Course Estate a Bushfire hazard report was approved and includes a buffer lot (Lot 906 SP257491) along the eastern and southern boundary of the Golf Course Estate. The applicant will be required to amend the approved Bushfire Management Plan, prepared by Coey Associates Pty Ltd, dated 18 July 2019 at the time of lodgement of a subdivision application over the area shown as Small Lot Precinct on an approved plan.

In relation to Flooding, access to the Golf Course remains trafficable in a Flood Event. All future development will be required to achieve a minimum habitable floor level of 7.5AHD which is the Flood Planning Level requirement to ensure immunity.

This is not a reason for refusal of the application.

Issue: - Proposed Multiple Dwelling and Short-term Accommodation

*Residents were encouraged to purchase in the Estate with a **promise** that we were not going to have low/medium rise buildings within it. To erect such buildings now would be in **direct contradiction** of this promise used to sell blocks within the Estate. No real negotiation or even "relief" has been offered to residents to compensate for this action. **NB:** We were also advised there would be no rental properties built and/or businesses run from home. Both of these conditions have been breeched/broken and are currently being ignored by the developer. This proposal is yet another **material flagrant breach** of what was originally promised.*

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Original promotion of Sales & Marketing – we were sold house lot land on the basis that we would be buying into low density development primarily for house & land packages maintaining a high standard development with covenants in place. There were two sites only near the club house set aside for multiple dwellings.

In a meeting between a representative of the Developer, a representative of Moreton Bay Regional Council and the residents of the Pacific Harbour Golf and Country Club estate, it became obvious that the Application was aimed at increasing the number of allotments and size of dwellings that could be squeezed into the PHGCC estate. This approach was justified by statements that this would assist in ensuring the future viability of the PHGCC and was included in an original DA that was submitted a number of decades ago (circa 1992). This DA was unknown to the majority, if not all, the residents present. The only development plan by the Developer that was made public to purchasers of property was in the form of a map that outlined the streets and blocks to be developed and which the Developer should adhere to. Whilst we agree that it is important to ensure the long term viability of the PHGCC, the approach taken by the Developer with this Application can only be perceived as a way of increasing their revenue and profits at the expense of those who have already committed their money, and lifestyle, to this community.

I believe the multi level and low/medium density housing reduction of the size of the land will reduce the quality of homes being built and will reduce the value of other homeowners within the estate. At present the quality of homes are of a high standard however with the reduction of the land sizes this will result in smaller homes and less value. The units adjacent to the golf course may bring income to Pacific Harbour Golf Course it will also increase the people coming to make use of the golf course increasing the traffic level. I have concerns for current residents who enjoy the peaceful surroundings and if this isn't properly supervised and staffed a risk of the increase of alcohol and partying may become an issue.

Increased population will reduce availability and increase maintenance requirements of the shared amenities, gym, pool, spa, sauna, and function room of the PHGCC. Medium density dwelling rental residents have a reduced incentive to abide by the covenant standards. Medium density dwellings are not in keeping with current density and architectural aesthetic of Banksia Beach. Short term accommodation creates transients and who are not community minded.

The addition of multi level and low/medium density housing was not flagged by the developer when they sold blocks, as the peaceful natural environment with abundant bird and wildlife was a big attraction for buyers. The increased development has driven the kangaroos closer to the residences and they are increasingly a hazard on Freshwater and our streets, which are quite poorly lit.

While units adjacent to the golf course may bring more income to the golf course, I am concerned that there will not be adequate resources to deal with the increased people coming to make use of the golf course and the potential for antisocial behaviour from visitors celebrating bucks parties etc. affecting the many families use the swimming pool and tennis courts, adjacent to the proposed

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multilevel site. Residents currently enjoy a peaceful residential neighbourhood and this proposal if not properly supervised and staffed could become a source of risk if alcohol use and partying were to get out of hand

Signs in the streets are knocked down as quick as council replace them by the heavy traffic going through these narrow streets, they are even a problem for some of the bigger couriers coming through. If short term accommodation goes ahead the last thing we want are buses coming through bringing golfers or guests to stay. Freshwater Drive is built for that not our streets that branch off it which the heavy traffic is using. Another road in the back off Heathland Street would allow all the heavy traffic to go in and out safely.

Discussion

The issues raised above, relate to the marketing of the Golf Course Estate. Council does not control or regulate the marketing of the Golf Course Estate. As discussed, the Golf Course Estate was established in 1996 and included the rezoning of part of the site from the Rural zone to the Special Facilities zone, for Detached Housing, Duplex Housing, Condominiums, Golf Course, Club House, Residential Club and Sports Complex and included a maximum residential density of 2,160 person.

This is not a reason for refusal of the application.

Issue: - Increasing population on Bribie island

Allotments purchased in the PHGCC estate have been zoned by the MBRC as "low density", and it is with knowledge of this zoning that land could be purchased with some surety that there would be no future impact on the value of these purchases. This zoning needs to be retained in all developed parts of the estate.

Discussion

The Golf Course Estate was established in 1996 and included the rezoning of part of the site from the Rural zone to the Special Facilities zone, for Detached Housing, Duplex Housing, Condominiums, Golf Course, Club House, Residential Club and Sports Complex. On 12 December 2006, the Caboolture Shire Plan 2006 (Caboolture Shire Plan) commenced, and the land was identified within the Residential A zone. However, Schedule 10 of the Caboolture Shire Plan preserved the rezoning approval by carrying forward the conditions imposed under the Deed.

At the time the MBRC Planning Scheme took effect in 2016, the majority of the Golf Course Estate had been completed and scale and intensity of the development was most consistent with the General residential - Suburban Precinct. A Development Application for a Multiple dwelling or Short-term accommodation within the Suburban Precinct is Impact assessable and subject to public notification. The applicant has undertaken this action as part of this application. Thereby allowing future Multiple Dwelling and Short-Term Accommodation applications to be a Code assessable development over the Medium Density Residential Sites.

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This planning report details above in the Strategic Framework section why the proposal for some smaller allotments and Medium Density Residential sites warrants support.

This is not a reason for refusal of the application.

Issue: - Building height

I understand that development is important but I am objecting to the medium density application in the Pacific Harbour Golf Estate due to the height of 3 stories. In no other area on Bribie Island except for the few streets on the waterfront is the height more than 2 stories.

This parcel of land is nowhere near the waterfront so the height level of 3 stories is inappropriate and will impact on the residential properties in the estate. I am of the opinion the height in this area should not be more than 2 stories high.

Discussion

The deed established a maximum building height of three (3) stories over the entire Golf Course Estate. This was preserved under Schedule 10 of the Caboolture Shire Plan. At the time the MBRC Planning Scheme took effect in 2016, the majority of the Golf Course Estate development had been completed and the most consistent building height was 8.5 metres as development consisted of single and two (2) storey Dwellings. The applicant seeks to re-establish development rights prior 2016 over only those underdevelopment sites shown as the Medium Density Residential Sites and provide for a building height of up to 12m. Council Officers agree with the submission that the surrounding area is characterised by one and two storey buildings and the applicant's proposal for three storeys would not sensitively integrate the Medium Density Sites into the existing surrounds. Council Officers are recommending the existing height limit of 8.5m is maintained.

Issue: - Covenant controls

All buildings on properties purchased in the PHGCC precinct have been controlled by a Covenant registered with the Land Title. At this stage, we have not been advised of the details of a Covenant that would be registered with the land affected by this new Application. As the Developer is purely interested in selling land, there needs to be some indication of what controls would be applied to any future purchaser of the land, should this application be approved. This should be in addition to any MBRC controls.

Discussion

Covenants are a private treaty between the land owners and the developer. In this instance, Council is not involved in regulating Covenants between landowners and developers.

This is not a reason for refusal of the application.

ITEM 4.3 DA/38389/2019/V23P- MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR MULTIPLE DWELLING AND SHORT-TERM ACCOMMODATION IN ACCORDANCE WITH A STRUCTURE PLAN; RECONFIGURING A LOT - PRELIMINARY APPROVAL IN ACCORDANCE WITH A STRUCTURE PLAN; AND A MATERIAL CHANGE - A19301347 (Cont.)

Issue:- Increasing population on Bribie island

The Island does not have the ability to absorb the additional population without irreversibly impacting on the sustainability of the natural environment. The Island economy does not provide employment so the community will be further made of homogeneous retired aged people. An undesirable and unsuccessful social situation. The built infrastructure will have to be expanded, further degrading the environment, liveability and social opportunity that Bribie Islanders enjoy today. People living in such close proximity inevitably experience a variety of problems from simple irritation and conflict to crime. The development is inconsistent with the nature of living and the nature of the island. It will necessitate further access and put additional pressure on agencies to release National Park land to ease roads congestion.

Discussion

The Golf Course Estate was established in 1996 and included the rezoning of part of the site from the Rural zone to the Special Facilities zone, for Detached Housing, Duplex Housing, Condominiums, Golf Course, Club House, Residential Club and Sports Complex. This application seeks to establish a Multiple dwelling / Short-term accommodation and a future subdivision over part of the site that was always intended to be developed for urban purposes. Additionally, the applicant has demonstrated that at completion of the Golf Course Estate the population will remain below the maximum residential density of 2,160 persons allowed under the Deed.

This is not a reason for refusal of the application.

Issue: - Internet

The internet is currently a constant frustration for residents, with the Telstra Velocity service already seeming to be overloaded as it is not delivering the speeds expected. More housing and connections will place further pressure on this service.

Discussion

Internet infrastructure is regulated by licenced carriers. Council is limited to regulating pit and pipe infrastructure for new development to support future internet services installed by a licenced carrier or contractor. Future development of the remaining underdeveloped areas of the Golf Course Estate will include Council's standard conditions to support future telecommunications infrastructure.

This is not a reason for refusal of the application.

ITEM 4.3 DA/38389/2019/V23P- MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR MULTIPLE DWELLING AND SHORT-TERM ACCOMMODATION IN ACCORDANCE WITH A STRUCTURE PLAN; RECONFIGURING A LOT - PRELIMINARY APPROVAL IN ACCORDANCE WITH A STRUCTURE PLAN; AND A MATERIAL CHANGE - A19301347 (Cont.)

Issue: - Wildlife

With the increase of homes in the area this will impact on the nature and wildlife of the area. Wildlife has already been affected with the current housing being erected causing wildlife to lose their natural habitat; more wildlife is seen on the golf course, that may cause injury to either the wildlife or golfers.

Discussion

The Golf Course Estate was established in 1996 and include the rezoning of part of the site from the Rural zone to the Special Facilities zone, for Detached Housing, Duplex Housing, Condominiums, Golf Course, Club House, Residential Club and Sports Complex. This application seeks to establish a Multiple dwelling / Short-term accommodation and a future subdivision over part of the site that was always intended to be developed for urban purposes.

This is not a reason for refusal of the application.

2.8.3 Notice of Compliance

The Notice of Compliance was received by Council on 30 October 2019. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

2.9 Other Matters
None identified.

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant and submitters have appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces 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.

ITEM 4.3 DA/38389/2019/V23P- MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR MULTIPLE DWELLING AND SHORT-TERM ACCOMMODATION IN ACCORDANCE WITH A STRUCTURE PLAN; RECONFIGURING A LOT - PRELIMINARY APPROVAL IN ACCORDANCE WITH A STRUCTURE PLAN; AND A MATERIAL CHANGE - A19301347 (Cont.)

3.7 Economic Benefit Implications

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 2.8

ADJOURNMENT

The meeting adjourned at 10.56am for morning tea.

The meeting resumed at 11.27am.

ATTENDANCE

Mr Marco Alberti attended the meeting at 11.46am during discussion on Item 4.4.

ITEM 4.4

DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, TELECOMMUNICATIONS FACILITY, THEATRE, TOURIST ATTRACTION AND UTILITY INSTALLATION AND VARIATION TO THE PLANNING SCHEME TO INCLUDE THE LAND IN THE GENERAL RESIDENTIAL ZONE - NEXT GENERATION NEIGHBOURHOOD PRECINCT, LIMITED DEVELOPMENT ZONE, ENVIRONMENTAL MANAGEMENT AND CONSERVATION ZONE AND RECREATION AND OPEN SPACE ZONE - 107 TO 109 KREMZOW ROAD, BRENDALE

APPLICANT: Boral CSR Bricks Pty Limited

OWNER: CSR Building Products Ltd c/- Groundwork Plus Pty Ltd

Meeting / Session: 2 PLANNING & DEVELOPMENT

Reference: A19930997 : 10 June 2020 – Refer Supporting Information A20054526, A20095676, A20095658 & A20101902

Responsible Officer: WM, Principal Planner (PL Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	CSR Building Products Ltd c/- Groundwork Plus Pty Ltd
Lodgement Date:	14 December 2018
Properly Made Date:	16 January 2019
Confirmation Notice Date:	23 January 2019
Information Request Date:	7 February 2019
Info Response Received Date:	22 October 2019
Public Notification Dates:	1 November 2019 to 13 December 2019
No. of Submissions:	Properly Made: 161 Not Properly Made: 15
Decision Due Date:	10 June 2020
Prelodgement Meeting Held:	Yes

PROPERTY DETAILS	
Division:	9
Property Address:	107 to 109 Kremzow Road, Brendale
RP Description	Lot 3 SP174984 and Lot 4 SP174985
Land Area:	41.41 hectares
Property Owner	Boral CSR Bricks Pty Limited

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	Moreton Bay Regional Council Planning Scheme V3
Planning Locality / Zone	Industry Zone – Mixed Industry and Business Precinct, Industry Zone – Light Industry Precinct and Limited Development Zone
Level of Assessment:	Impact Inconsistent

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

This application seeks;

- (a) a Material Change of Use - Preliminary Approval for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation; and
- (b) Variation to the Moreton Bay Regional Council Planning Scheme (**MBRC Planning Scheme**) to include the land into the General Residential Zone - Next Generation Neighbourhood Precinct, Environmental Management and Conservation Zone, Limited Development Zone and Recreation and Open Space Zone.

at 107 to 109 Kremzow Road, Brendale.

The Site is included within the Industry Zone, split between the Light Industry Precinct and Mixed Industry and Business Precinct with a small portion of the Site included in the Limited Development Zone. Further, the site is located in the Coast and Riverlands and Enterprise and Employment Place Types under the Strategic Framework of the MBRC Planning Scheme.

The application was publicly advertised for a period of 30 business days with 176 submissions received with the vast majority in support of the development, in particular, the perceived environmental benefits. Having assessed the development application and considered submissions made in respect to the development application, it is the recommendation of Council officers to approve the development application subject to conditions.

This report is being presented to the Council for decision as it involves a Variation to the Council's Planning Scheme and Council officers do not have delegation to decide these types of development applications. Therefore, Council is the only entity authorised to decide the development application.

A Council briefing was conducted on 3 June 2020. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

BRIEFING 5 DA/36991/2018/V2L
The CEO noted the way forward:

It was noted that a report will be tabled at the next General Meeting for consideration of the matter.

MOTION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

A. That Council, in accordance with the *Planning Act 2016*:

- a) Approve the development application for a Preliminary Approval for a Material Change of Use for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation at 107 to 109 Kremzow Road, Brendale described as Lot 3 SP174984 and Lot 4 SP174985, subject to the Conditions contained in Annexure A to this report; and

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

- b) Approve the Variation Request to vary the effect of the MBRC Planning Scheme in the manner specified in Annexure B to this report, as amended as outlined below;

Annexure B

The Variation Request is approved to vary the effect of the MBRC Planning Scheme to:

- (i) apply the General Residential Zone - Next Generation Neighbourhood Precinct in part, the Recreation and Open Space Zone in part, the Limited Development Zone in part, and the Environmental Management and Conservation Zone in part to Lot 3 SP174984 and Lot 4 SP174985 as shown on the Land Use Plan listed in the table of approved plans for Lot 3 SP174984 and Lot 4 SP174985; and
- (ii) apply alternative Overlay Maps as shown on the various maps listed in the table of approved plans for Lot 3 SP174984 and Lot 4 SP174985; and

at 107 to 109 Kremzow Road, Brendale described as Lot 3 SP174984 and Lot 4 SP174985, subject to the following Variations, Plans/Documents and Conditions:

APPROVED PLANS AND DOCUMENTS FOR LOT 3 SP174984 AND LOT 4 SP174985			
Plan / Document Name	Reference Number	Prepared By	Dated
Land Use Plan	0718-0005-00-01-D002 Rev. 08	Tract	22/10/2019
Amended Building Heights Overlay Map	1876.DRG.020 Rev. 3	Groundwork Plus	20/5/2020
Amended Landslide Hazard Overlay Map	1876.DRG.024 Rev. 2	Groundwork Plus	20/05/2020
MBRC Drawing DA/36991/2018/V2L - Road Dedication Requirements - 2 June 2020	SK004	MBRC	02/06/2020

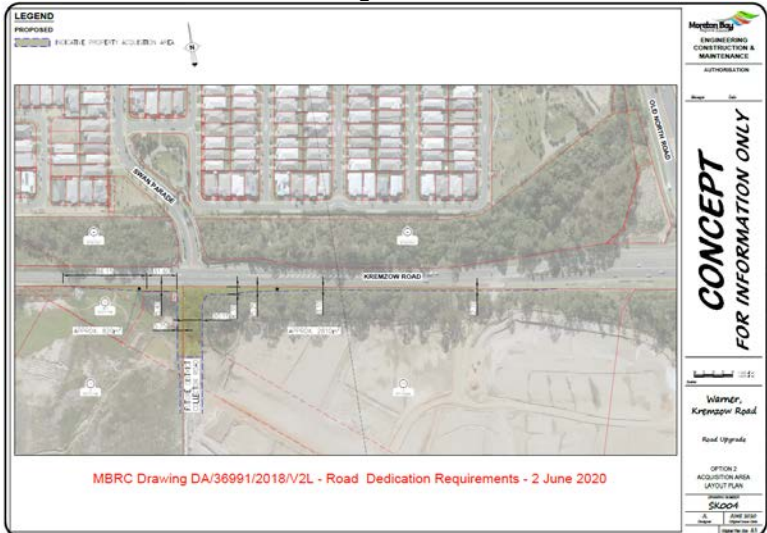
PLANS TO BE AMENDED FOR LOT 3 SP174984 AND LOT 4 SP174985			
Plan / Document Name	Reference Number	Prepared By	Dated
Structure Plan	0718-0005-00-01-D002 Rev 08	CSR	22/10/2019
Landscape Concept Plan	Drawing No. 0718-0005-00-01-D002 Rev. 01	Tract	22/10/2019
Amended Environmental Areas Overlay Map	1876.DRG.022 Rev. 2	Groundwork Plus	20/05/2020
Amended Environmental Offset Receiving Areas Overlay Map	1876.DRG.023 Rev. 2	Groundwork Plus	20/05/2020
Amended Bushfire Hazard Overlay Map	1876.DRG.021 Rev. 2	Groundwork Plus	20/05/2020

VARIATIONS	
A.	VARIATION OF THE MORETON BAY REGIONAL COUNCIL PLANNING SCHEME
(i)	The Zone Map ZM-69 in Schedule 2.3 Zone Maps of the MBRC Planning Scheme is amended with Lot 3 SP174984 and Lot 4 SP174985 to be included, in part, in the

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

VARIATIONS											
	General Residential Zone - Next Generation Neighbourhood Precinct, in part, in the Limited Development Zone, in part, in the Recreation and Open Space Zone and in part, in the Environmental Management and Conservation Zone as shown on the Land Use Plan identified as Land Use Plan (0718-0005-00-01-D002 Rev. 08) in the Approved Plans package.										
(ii)	The Environmental Areas Overlay Map OM-69 EA in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Environmental Areas Overlay Map identified as 1876.DRG.022 Rev. 2 in the 'Plans To Be Amended package' with a further amendment that along the frontage of the site to Kremzow Road and Old North Road (post the dedication of land as road reserve as required by other conditions of this development approval) a minimum area of 3.99ha is to be identified as MSES - Matters of State Environmental Significance specific to Koalas having a width of between 30 and 50metres determined by expert koala management advice as per V6 (i) (b) (B).										
(iii)	The Environmental Offset Receiving Areas Overlay Map OM-69 EORA in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Environmental Offset Receiving Areas Overlay identified as 1876.DRG.023 Rev. 2 in the in the 'Plans To Be Amended package' with a further amendment that along the frontage of the site to Kremzow Road and Old North Road (post the dedication of land as road reserve as required by other conditions of this development approval) a minimum area of 3.99ha is to be identified as Environmental Offset Receiving Areas specific to Koalas consistent with the area in (ii) above.										
(iv)	The Bushfire Hazard Overlay Map OM-69 BFH in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Bushfire Hazard Overlay Map identified as 1876.DRG.021 Rev. 2 in the 'Plans To Be Amended package' with a further amendment that along the frontage of the site to Kremzow Road and Old North Road (post the dedication of land as road reserve as required by other conditions of this development approval) a minimum area of 3.99ha is to be identified as Medium Potential Bushfire intensity consistent with the area in (ii) above.										
(v)	The Building Heights Overlay Map OM-69 BH in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Building Heights Overlay Map identified as 1876.DRG.020 Rev. 3 in the Approved Plans package.										
(vi)	The Landslide Hazard Overlay Map OM-69 LSH in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific for Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Landslide Hazard Overlay Map identified as 1876.DRG.024 Rev. 2 in the Approved Plans package.										
(vii)	Table 5.6.1 in the MBRC Planning Scheme is amended in respect to Reconfiguring a lot in the General Residential Zone to read as follows;										
	<table border="1"> <thead> <tr> <th>Zone</th> <th>Categories of development and assessment</th> <th>Assessment benchmarks for assessable development and requirements for accepted development</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3" style="text-align: center;">Assessable development - Code assessment</td> </tr> </tbody> </table>		Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development				Assessable development - Code assessment		
Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development									
Assessable development - Code assessment											

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

VARIATIONS			
			<p>If not otherwise specified.</p> <p><u>9.4.1 'Reconfiguring a lot code'</u> (General residential zone - applicable precinct)</p>
		Assessable development - Impact assessment	
		<p>If:</p> <p>(i) land is not dedicated as road reserve from within the site directly opposite Swan Parade and along Kremzow Road generally in accordance with Figure A below;</p> <p>(ii) land aligning with the 4th leg of the Kremzow Road / Swan Parade intersection is not dedicated as road reserve from within the site for a minimum distance of 100 metres along the western boundary of the subject site commencing at the existing northern boundary of the subject site.</p>	<p>The planning scheme</p>
	General residential zone		
		<p>Figure A</p> 	
		<p>Note: The above Figure A is the same approved plan contained in the package of approved plans referenced as MBRC Drawing DA/36991/2018/V2L - Road Dedication Requirements - 2 June 2020</p>	

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

VARIATIONS	
B.	REFERENCES
	<p>Any references in the MBRC Planning Scheme including to a Code, Table of Assessment or Planning Scheme Policy to a;</p> <ul style="list-style-type: none"> (i) Zone Overlay Map, (ii) Environmental Areas Overlay Map, (iii) Environmental Offset Receiving Areas Map, (iv) Bushfire Hazard Overlay Map, (v) Building Heights Overlay Map and (vi) Landslide Hazard Overlay Map <p>in respect to the development of Lot 3 SP174984 and Lot 4 SP174985 is to be taken as referring to the mapping shown in the Approved Plan package.</p>

VARIATION CONDITIONS	
V1.	In accordance with section 88(2) of the <i>Planning Act 2016</i> , the development is to be completed within ten (10) years unless written approval has been obtained from Council for an extension of this period under section 86 of the <i>Planning Act 2016</i> (as amended).
V2.	This variation is limited to the area identified on the Approved Plans being Lot 3 SP174984 and Lot 4 SP174985.
V3.	<p>This variation is limited to the following land uses in the following zones;</p> <ul style="list-style-type: none"> (i) General Residential Zone - Next Generation Neighbourhood Precinct: <ul style="list-style-type: none"> (a) Dwelling House; (b) Dual Occupancy; (c) Home Based Business; (d) Environment Facility; (e) Major Electricity Infrastructure (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (f) Market (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (g) Outdoor Sport and Recreation (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (h) Park; (i) Shop (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (j) Sales Office; (k) Substation (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (l) Telecommunications Facility (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (m) Theatre (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (n) Tourist Attraction (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); and (o) Utility Installation (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'). (ii) Recreation and Open Space Zone: <ul style="list-style-type: none"> (a) Environment Facility; (b) Major Electricity Infrastructure; (c) Market; (d) Outdoor Sport and Recreation;

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VARIATION CONDITIONS	
	<ul style="list-style-type: none"> (e) Park; (f) Shop (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (g) Substation (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (h) Telecommunications Facility; (i) Theatre (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (j) Tourist Attraction (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (k) Utility Installation. <p>(iii) Limited Development Zone:</p> <ul style="list-style-type: none"> (a) Environment Facility; <p>(iv) Environmental Management and Conservation Zone:</p> <ul style="list-style-type: none"> (a) Environment Facility; <p>To remove any doubt, any development application for a land use in a zone other than those listed above does not have the benefit of being able to rely on this variation approval and therefore is to be assessed against the version of the planning scheme in effect at the time the development application is made to the Council.</p>
V4.	Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be assessed against the version of the MBRC Planning Scheme in effect when the development application is properly made, as varied by this variation. To remove any doubt, the specific variations given in this approval prevail over any future amendments to the MBRC Planning Scheme.
V5.	Any use proposed to commence operating under this Preliminary Approval as Accepted Development is to comply with the version of the planning scheme in effect on the date; <ul style="list-style-type: none"> (i) when the use commenced, or (ii) if a Development Permit for Building Works is required for the use to commence, when the Development Permit was given, as and wherever varied by this variation. To remove any doubt, the specific variations given in this approval prevail over any future amendments to the MBRC Planning Scheme.
V6.	<ul style="list-style-type: none"> (i) Submit for approval by Council an Amended Structure Plan for the future development of the site prior to lodging any future development application under this Variation Approval. The applicant submitted Structure Plan is to be amended as follows; <ul style="list-style-type: none"> (a) Relocate the 'Road Network Connection' along Kremzow Road, west, to the intersection with Swan Parade as a signalised intersection with no mid-block left in / left out access available to Kremzow Road. A left-in, left-out access into Old North Road as proposed is permitted; (b) Increase the width of the 'Existing Vegetation to be Maintained' strip along the northern and eastern boundaries of a width between 30 and 50 metres as determined by expert koala management advice as per V6 (i) (b) (B); <ul style="list-style-type: none"> (A) for along the northern boundary measured from the boundary post any required land dedications and infill the vegetation corridor where heavy vehicles presently access the site; and (B) for along the eastern boundary measured from the existing location of the koala fence located in the Old North Road reserve. <p>with the 'Existing Vegetation to be Maintained' to have a minimum total area of 3.99ha with the corridor widths along the northern and eastern boundaries of the site to be demonstrated in a Council approved Koala Management Plan prepared by a suitably qualified person on the basis of providing the best opportunities for koala movement in the long term having regard to future</p>

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VARIATION CONDITIONS	
	<p>development on the site (eg adjacent location of roads, stormwater basins, residential lots, etc).</p> <p>(c) Remove the proposed 'Internal connection to Adjacent Development' and instead replace it with 2 others; one located at the southern end of the common boundary and the other within 100 metres of the Kremzow Road frontage.</p> <p>(ii) Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be consistent with the Amended Structure Plan once approved by Council.</p>
V7.	<p>(i) Submit for approval by Council an Amended Landscape Concept Plan for the future development of the site prior to lodging any future development application under this Variation Approval. The applicant submitted Landscape Concept Plan is to be amended as follows;</p> <p>(a) Removing the implied mid-block road connection to Kremzow road and identifying a new connection at the Kremzow Road / Swan Parade intersection;</p> <p>(b) Identifying the width of the environmental corridors in accordance with other conditions of this approval;</p> <p>(c) Nominating the location of a fauna underpass under Kremzow Road connecting the site to the north; and</p> <p>(d) Identifying the size and shape of the Local Recreation Park required by other conditions of this development approval.</p> <p>(ii) Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be consistent with the Amended Landscape Concept Plan once approved by Council.</p>
V8.	<p>Ensure the part of the site included into the General Residential Zone - Next Generation Neighbourhood Precinct is developed to a maximum site density of 20 dwellings per hectare.</p>
V9.	<p>Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) for Reconfiguring a Lot is to;</p> <p>(i) be limited to a maximum of 460 lots unless agreed to otherwise by the Council in writing; and</p> <p>(ii) include the provision of a Local Recreation Park centrally located within the development meeting the Desired Standards of Service in the Council's Local Government Infrastructure Plan (LGIP) in effect at date of lodging the Development Application with the exception that unless agreed to otherwise by the Council in writing, is to have a minimum area of 1 hectare per 1000 persons where each lot is assumed to have a population of 3.1 persons¹. A minimum of 5000m² is not to be encumbered by any powerline/electrical easements; and</p> <p>(iii) incorporate open space linkages having an approximate width of between 30 and 50metres conducive to creating a koala connection from the north of the site to the south; and</p> <p>(iv) provide for an upgrade to the following external road intersections as a minimum and necessary to mitigate the impacts of the development;</p> <p>(a) Old NorthRoad / Lavarach Road;</p> <p>(b) Old North Road / Kremzow Road;</p> <p>(c) Kremzow Road / Leitches Road;</p> <p>(d) Kremzow Road / Doherty Street.</p> <p>The exact nature of the upgrades required, and whether other intersections also need to be upgraded, will be determined with any future development application for Reconfiguring a Lot supported by an amended and approved by Council Integrated Transport Assessment; and</p>
	<p>¹ The value of 3.1 is taken from 2016 census for the suburb of Warner.</p>

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

VARIATION CONDITIONS	
	<ul style="list-style-type: none"> (v) include a Fauna Movement Infrastructure Plan to reduce potential impacts on native fauna prepared by a suitably qualified person that contains at least the following information; <ul style="list-style-type: none"> (a) Detailed designs of a fauna underpass in the north eastern part of the site under Kremzow Road to connect environmental corridors on the subject site with vegetated corridors to the north; and (b) Detailed designs for fauna movement infrastructure throughout the site and linking wildlife corridors with vegetation north of Kremzow Road (i.e. signage, fauna exclusion fencing, etc; and (c) Educational signage to identify the ecological values of the site and the protection of the Environmental Management and Conservation Zone in the south of the site; and (vi) include an Ecological Restoration Plan for degraded areas of the Environmental Management and Conservation Zone, Limited Development Zone and the environmental corridors along the northern and eastern boundaries of the site. The plan must be prepared by a suitably qualified person and in accordance with the Council's Planning Scheme Policy - Environmental Areas and Corridors in effect at the time of lodgement; and (vii) include a notice of election for any proposed offsets as required by section 18 of the <i>Environmental Offsets Act 2014</i>; and (viii) ensure any bus route provided through the development is efficient and not overly circuitous; and (ix) have the first stage of the development accessed from the 4th leg of the Kremzow Road / Swan Parade intersection; and (x) include the transfer to the Council in fee simple on trust for open space purposes all land; <ul style="list-style-type: none"> (a) approved to be located in the Recreation and Open Space Zone, Limited Development Zone and the Environmental Management and Conservation Zone; and (b) located along the northern and eastern boundaries of the site required by other conditions of this development approval to be preserved as an environmental corridor; and (xi) provide for the filling of the western part of the site to a minimum height of RL52m; and (xii) be supported by an updated Integrated Transport Assessment that will confirm; <ul style="list-style-type: none"> (a) external works upgrades; (b) intersection designs; (c) any additional land required to be dedicated as road reserve to accommodate intersection turn treatments, stormwater drainage and earthwork batters; and (xiii) not rely on stormwater drainage works being carried out in the part of the site included into the Environmental Management and Conservation Zone or Limited Development Zone as identified in the applicants stormwater study submitted with the development application unless the works are done using thrust boring under vegetation and do not rely on the clearing of any NJKHT's at the outlet.
V10.	To ensure there is safe and efficient vehicular access to the site, it has been determined that it is necessary for some vegetation to be removed at the 4 th leg of the Kremzow Road / Swan Parade intersection where it enters into the site. This is authorised to occur as linear infrastructure under the <i>Planning Regulation 2017, Schedule 11, Part 2, section 4</i> as stated in the version of the regulation in effect when this development application was properly made.
V11.	Dedicate land along the frontage of the site to Kremzow Road as road reserve as shown on Drawing 'MBRC Drawing DA/36991/2018/V2L - Road Dedication Requirements - 2 June 2020' with the new 4 th leg of the Kremzow Road / Swan Parade intersection extending at the

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

VARIATION CONDITIONS	
	same width for a minimum distance of 100 metres from the existing property boundary prior to lodging with the Council any development application seeking a Development Permit for Reconfiguring a Lot or Material Change of Use.

- c) Provide all external Referral Agencies for the development application with a copy of the Council's Decision Notice; and
- d) Delegate its power to the Chief Executive Officer under section 63 of the *Planning Act 2016* to give a decision notice about the decisions made under Items A(i) and A(ii), which is to include the information in the decision notice contained in Annexure C to this report; and to publish to the Council website the Council report for this application as part of the statement of reasons; and
- e) Delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the Moreton Bay Regional Council Planning Scheme due to the approval including a variation approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive.

AMENDMENT MOVED

Cr Cath Tonks moved the following amendment:

That the conditions of approval be amended to include:

- i. The requirement for a Koala underpass under the future Swann Parade intersection extension to (south of Kremzow Road) and to enable East-West passage of Koalas along the Kremzow Rd frontage and also for additional underpass at the left-in entry off Old North Road; and
- ii. The inclusion of suitable Koala management infrastructure in a future Koala management plan to enable the movement and safety of koalas across the power easements through the proposed estate.

Seconded by Cr Jodie Shipway

The amendment was put to the vote and declared **CARRIED 12/0**

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

THE AMENDMENT BECOMES THE MOTION, and was put:

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 10/2

Cr Brooke Savige and Cr Cath Tonks voted against the motion

A. That Council, in accordance with the *Planning Act 2016*:

- a) Approve the development application for a Preliminary Approval for a Material Change of Use for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation at 107 to 109 Kremzow Road, Brendale described as Lot 3 SP174984 and Lot 4 SP174985, subject to the Conditions contained in Annexure A to this report; and
- b) Approve the Variation Request to vary the effect of the MBRC Planning Scheme in the manner specified in Annexure B to this report, as amended as outlined below;

Annexure B

The Variation Request is approved to vary the effect of the MBRC Planning Scheme to:

- (i) apply the General Residential Zone - Next Generation Neighbourhood Precinct in part, the Recreation and Open Space Zone in part, the Limited Development Zone in part, and the Environmental Management and Conservation Zone in part to Lot 3 SP174984 and Lot 4 SP174985 as shown on the Land Use Plan listed in the table of approved plans for Lot 3 SP174984 and Lot 4 SP174985; and
- (ii) apply alternative Overlay Maps as shown on the various maps listed in the table of approved plans for Lot 3 SP174984 and Lot 4 SP174985; and

at 107 to 109 Kremzow Road, Brendale described as Lot 3 SP174984 and Lot 4 SP174985, subject to the following Variations, Plans/Documents and Conditions:

APPROVED PLANS AND DOCUMENTS FOR LOT 3 SP174984 AND LOT 4 SP174985			
Plan / Document Name	Reference Number	Prepared By	Dated
Land Use Plan	0718-0005-00-01-D002 Rev. 08	Tract	22/10/2019
Amended Building Heights Overlay Map	1876.DRG.020 Rev. 3	Groundwork Plus	20/5/2020
Amended Landslide Hazard Overlay Map	1876.DRG.024 Rev. 2	Groundwork Plus	20/05/2020
MBRC Drawing DA/36991/2018/V2L - Road Dedication Requirements - 2 June 2020	SK004	MBRC	02/06/2020

ITEM 4.4 DA/36991/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR DWELLING HOUSE, DUAL OCCUPANCY, HOME BASED BUSINESS, ENVIRONMENT FACILITY, MAJOR ELECTRICITY INFRASTRUCTURE, MARKET, OUTDOOR SPORT AND RECREATION, PARK, SHOP, SUBSTATION, SALES OFFICE, T - A19930997 (Cont.)

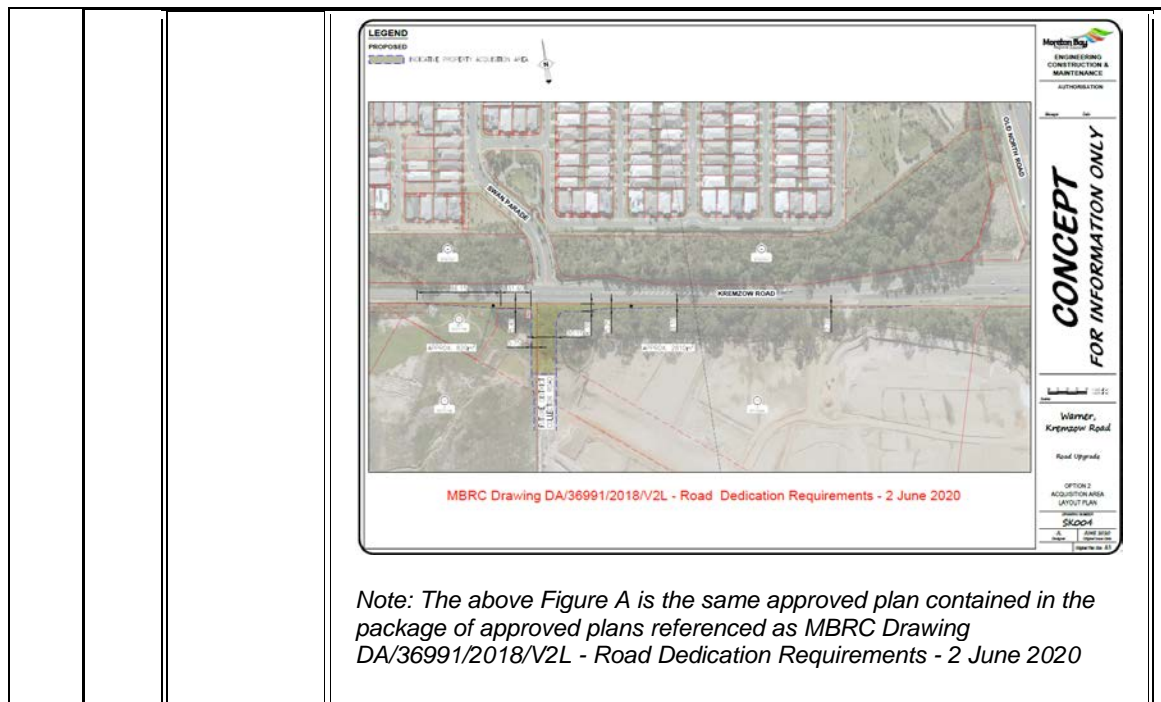
PLANS TO BE AMENDED FOR LOT 3 SP174984 AND LOT 4 SP174985			
Plan / Document Name	Reference Number	Prepared By	Dated
Structure Plan	0718-0005-00-01-D002 Rev 08	CSR	22/10/2019
Landscape Concept Plan	Drawing No. 0718-0005-00-01-D002 Rev. 01	Tract	22/10/2019
Amended Environmental Areas Overlay Map	1876.DRG.022 Rev. 2	Groundwork Plus	20/05/2020
Amended Environmental Offset Receiving Areas Overlay Map	1876.DRG.023 Rev. 2	Groundwork Plus	20/05/2020
Amended Bushfire Hazard Overlay Map	1876.DRG.021 Rev. 2	Groundwork Plus	20/05/2020

VARIATIONS	
A.	VARIATION OF THE MORETON BAY REGIONAL COUNCIL PLANNING SCHEME
(i)	The Zone Map ZM-69 in Schedule 2.3 Zone Maps of the MBRC Planning Scheme is amended with Lot 3 SP174984 and Lot 4 SP174985 to be included, in part, in the General Residential Zone - Next Generation Neighbourhood Precinct, in part, in the Limited Development Zone, in part, in the Recreation and Open Space Zone and in part, in the Environmental Management and Conservation Zone as shown on the Land Use Plan identified as Land Use Plan (0718-0005-00-01-D002 Rev. 08) in the Approved Plans package.
(ii)	The Environmental Areas Overlay Map OM-69 EA in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Environmental Areas Overlay Map identified as 1876.DRG.022 Rev. 2 in the 'Plans To Be Amended package' with a further amendment that along the frontage of the site to Kremzow Road and Old North Road (post the dedication of land as road reserve as required by other conditions of this development approval) a minimum area of 3.99ha is to be identified as MSES - Matters of State Environmental Significance specific to Koalas having a width of between 30 and 50metres determined by expert koala management advice as per V6 (i) (b) (B).
(iii)	The Environmental Offset Receiving Areas Overlay Map OM-69 EORA in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Environmental Offset Receiving Areas Overlay identified as 1876.DRG.023 Rev. 2 in the in the 'Plans To Be Amended package' with a further amendment that along the frontage of the site to Kremzow Road and Old North Road (post the dedication of land as road reserve as required by other conditions of this development approval) a minimum area of 3.99ha is to be identified as Environmental Offset Receiving Areas specific to Koalas consistent with the area in (ii) above.
(iv)	The Bushfire Hazard Overlay Map OM-69 BFH in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Bushfire Hazard Overlay Map identified as 1876.DRG.021 Rev. 2 in the 'Plans To Be Amended package' with a further amendment that along the frontage of the site to Kremzow Road and Old North Road (post the dedication of land as road reserve as required by other conditions of this development approval)

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	a minimum area of 3.99ha is to be identified as Medium Potential Bushfire intensity consistent with the area in (ii) above.																
(v)	The Building Heights Overlay Map OM-69 BH in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific only to Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Building Heights Overlay Map identified as 1876.DRG.020 Rev. 3 in the Approved Plans package.																
(vi)	The Landslide Hazard Overlay Map OM-69 LSH in Schedule 2.5 Overlay Maps of the MBRC Planning Scheme specific for Lot 3 SP174984 and Lot 4 SP174985 is varied to the Amended Landslide Hazard Overlay Map identified as 1876.DRG.024 Rev. 2 in the Approved Plans package.																
(vii)	Table 5.6.1 in the MBRC Planning Scheme is amended in respect to Reconfiguring a lot in the General Residential Zone to read as follows;																
	<table border="1"> <thead> <tr> <th>Zone</th> <th>Categories of development and assessment</th> <th>Assessment benchmarks for assessable development and requirements for accepted development</th> </tr> </thead> <tbody> <tr> <td rowspan="4">General residential zone</td> <td colspan="2" style="text-align: center;">Assessable development - Code assessment</td> </tr> <tr> <td>If not otherwise specified.</td> <td>9.4.1 'Reconfiguring a lot code' (General residential zone - applicable precinct)</td> </tr> <tr> <td colspan="2" style="text-align: center;">Assessable development - Impact assessment</td> </tr> <tr> <td> If: (i) land is not dedicated as road reserve from within the site directly opposite Swan Parade and along Kremzow Road generally in accordance with Figure A below; (ii) land aligning with the 4th leg of the Kremzow Road / Swan Parade intersection is not dedicated as road reserve from within the site for a minimum distance of 100 metres along the western boundary of the subject site commencing at the existing northern boundary of the subject site. </td> <td>The planning scheme</td> </tr> <tr> <td colspan="3" style="text-align: right;">Figure A</td> </tr> </tbody> </table>		Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development	General residential zone	Assessable development - Code assessment		If not otherwise specified.	9.4.1 'Reconfiguring a lot code' (General residential zone - applicable precinct)	Assessable development - Impact assessment		If: (i) land is not dedicated as road reserve from within the site directly opposite Swan Parade and along Kremzow Road generally in accordance with Figure A below; (ii) land aligning with the 4 th leg of the Kremzow Road / Swan Parade intersection is not dedicated as road reserve from within the site for a minimum distance of 100 metres along the western boundary of the subject site commencing at the existing northern boundary of the subject site.	The planning scheme	Figure A		
Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development															
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B.	REFERENCES
	<p>Any references in the MBRC Planning Scheme including to a Code, Table of Assessment or Planning Scheme Policy to a;</p> <ul style="list-style-type: none"> (i) Zone Overlay Map, (ii) Environmental Areas Overlay Map, (iii) Environmental Offset Receiving Areas Map, (iv) Bushfire Hazard Overlay Map, (v) Building Heights Overlay Map and (vi) Landslide Hazard Overlay Map <p>in respect to the development of Lot 3 SP174984 and Lot 4 SP174985 is to be taken as referring to the mapping shown in the Approved Plan package.</p>

VARIATION CONDITIONS	
V1.	In accordance with section 88(2) of the <i>Planning Act 2016</i> , the development is to be completed within ten (10) years unless written approval has been obtained from Council for an extension of this period under section 86 of the <i>Planning Act 2016</i> (as amended).
V2.	This variation is limited to the area identified on the Approved Plans being Lot 3 SP174984 and Lot 4 SP174985.
V3.	<p>This variation is limited to the following land uses in the following zones;</p> <ul style="list-style-type: none"> (i) General Residential Zone - Next Generation Neighbourhood Precinct: <ul style="list-style-type: none"> (a) Dwelling House; (b) Dual Occupancy; (c) Home Based Business; (d) Environment Facility; (e) Major Electricity Infrastructure (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (f) Market (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development');

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VARIATION CONDITIONS	
	<ul style="list-style-type: none"> (g) Outdoor Sport and Recreation (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (h) Park; (i) Shop (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (j) Sales Office; (k) Substation (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (l) Telecommunications Facility (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (m) Theatre (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (n) Tourist Attraction (If for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); and (o) Utility Installation (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'). <ul style="list-style-type: none"> (ii) Recreation and Open Space Zone: <ul style="list-style-type: none"> (a) Environment Facility; (b) Major Electricity Infrastructure; (c) Market; (d) Outdoor Sport and Recreation; (e) Park; (f) Shop (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (g) Substation (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (h) Telecommunications Facility; (i) Theatre (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (j) Tourist Attraction (If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'); (k) Utility Installation. (iii) Limited Development Zone: (b) Environment Facility; (iv) Environmental Management and Conservation Zone: <ul style="list-style-type: none"> (b) Environment Facility; <p>To remove any doubt, any development application for a land use in a zone other than those listed above does not have the benefit of being able to rely on this variation approval and therefore is to be assessed against the version of the planning scheme in effect at the time the development application is made to the Council.</p>
V4.	Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be assessed against the version of the MBRC Planning Scheme in effect when the development application is properly made, as varied by this variation. To remove any doubt, the specific variations given in this approval prevail over any future amendments to the MBRC Planning Scheme.
V5.	Any use proposed to commence operating under this Preliminary Approval as Accepted Development is to comply with the version of the planning scheme in effect on the date; <ul style="list-style-type: none"> (iii) when the use commenced, or (iv) if a Development Permit for Building Works is required for the use to commence, when the Development Permit was given,

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VARIATION CONDITIONS	
	as and wherever varied by this variation. To remove any doubt, the specific variations given in this approval prevail over any future amendments to the MBRC Planning Scheme.
V6.	<p>(i) Submit for approval by Council an Amended Structure Plan for the future development of the site prior to lodging any future development application under this Variation Approval. The applicant submitted Structure Plan is to be amended as follows;</p> <p>(a) Relocate the 'Road Network Connection' along Kremzow Road, west, to the intersection with Swan Parade as a signalised intersection with no mid-block left in / left out access available to Kremzow Road. A left-in, left-out access into Old North Road as proposed is permitted;</p> <p>(b) Increase the width of the 'Existing Vegetation to be Maintained' strip along the northern and eastern boundaries of a width between 30 and 50 metres as determined by expert koala management advice as per V6 (i) (b) (B);</p> <p>(A) for along the northern boundary measured from the boundary post any required land dedications and infill the vegetation corridor where heavy vehicles presently access the site; and</p> <p>(B) for along the eastern boundary measured from the existing location of the koala fence located in the Old North Road reserve.</p> <p>with the 'Existing Vegetation to be Maintained' to have a minimum total area of 3.99ha with the corridor widths along the northern and eastern boundaries of the site to be demonstrated in a Council approved Koala Management Plan prepared by a suitably qualified person on the basis of providing the best opportunities for koala movement in the long term having regard to future development on the site (eg adjacent location of roads, stormwater basins, residential lots, etc).</p> <p>(c) Remove the proposed 'Internal connection to Adjacent Development' and instead replace it with 2 others; one located at the southern end of the common boundary and the other within 100 metres of the Kremzow Road frontage.</p> <p>(ii) Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be consistent with the Amended Structure Plan once approved by Council.</p>
V7.	<p>(i) Submit for approval by Council an Amended Landscape Concept Plan for the future development of the site prior to lodging any future development application under this Variation Approval. The applicant submitted Landscape Concept Plan is to be amended as follows;</p> <p>(a) Removing the implied mid-block road connection to Kremzow road and identifying a new connection at the Kremzow Road / Swan Parade intersection;</p> <p>(b) Identifying the width of the environmental corridors in accordance with other conditions of this approval;</p> <p>(c) Nominating the location of a fauna underpass under Kremzow Road connecting the site to the north; and</p> <p>(d) Identifying the size and shape of the Local Recreation Park required by other conditions of this development approval.</p> <p>(ii) Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be consistent with the Amended Landscape Concept Plan once approved by Council.</p>
V8.	Ensure the part of the site included into the General Residential Zone - Next Generation Neighbourhood Precinct is developed to a maximum site density of 20 dwellings per hectare.
V9.	Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) for Reconfiguring a Lot is to;
	(i) be limited to a maximum of 460 lots unless agreed to otherwise by the Council in writing; and

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VARIATION CONDITIONS	
(ii)	include the provision of a Local Recreation Park centrally located within the development meeting the Desired Standards of Service in the Council's Local Government Infrastructure Plan (LGIP) in effect at date of lodging the Development Application with the exception that unless agreed to otherwise by the Council in writing, is to have a minimum area of 1 hectare per 1000 persons where each lot is assumed to have a population of 3.1 persons ¹ . A minimum of 5000m ² is not to be encumbered by any powerline/electrical easements; and
(iii)	incorporate open space linkages having an approximate width of between 30 and 50metres conducive to creating a koala connection from the north of the site to the south; and
(iv)	provide for an upgrade to the following external road intersections as a minimum and necessary to mitigate the impacts of the development; <ul style="list-style-type: none"> (a) Old NorthRoad / Lavarach Road; (b) Old North Road / Kremzow Road; (c) Kremzow Road / Leitches Road; (d) Kremzow Road / Doherty Street. The exact nature of the upgrades required, and whether other intersections also need to be upgraded, will be determined with any future development application for Reconfiguring a Lot supported by an amended and approved by Council Integrated Transport Assessment; and
(v)	include a Fauna Movement Infrastructure Plan to reduce potential impacts on native fauna prepared by a suitably qualified person that contains at least the following information; <ul style="list-style-type: none"> (a) Detailed designs of a fauna underpass in the north eastern part of the site under Kremzow Road to connect environmental corridors on the subject site with vegetated corridors to the north; and (b) Detailed designs for fauna movement infrastructure throughout the site and linking wildlife corridors with vegetation north of Kremzow Road (i.e. signage, fauna exclusion fencing, etc; and (c) Educational signage to identify the ecological values of the site and the protection of the Environmental Management and Conservation Zone in the south of the site; and
(vi)	include an Ecological Restoration Plan for degraded areas of the Environmental Management and Conservation Zone, Limited Development Zone and the environmental corridors along the northern and eastern boundaries of the site. The plan must be prepared by a suitably qualified person and in accordance with the Council's Planning Scheme Policy - Environmental Areas and Corridors in effect at the time of lodgement; and
(vii)	include a notice of election for any proposed offsets as required by section 18 of the <i>Environmental Offsets Act 2014</i> ; and
(viii)	ensure any bus route provided through the development is efficient and not overly circuitous; and
(ix)	have the first stage of the development accessed from the 4 th leg of the Kremzow Road / Swan Parade intersection; and
¹ The value of 3.1 is taken from 2016 census for the suburb of Warner.	

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VARIATION CONDITIONS	
	<p>(x) include the transfer to the Council in fee simple on trust for open space purposes all land;</p> <p>(a) approved to be located in the Recreation and Open Space Zone, Limited Development Zone and the Environmental Management and Conservation Zone; and</p> <p>(b) located along the northern and eastern boundaries of the site required by other conditions of this development approval to be preserved as an environmental corridor; and</p> <p>(xi) provide for the filling of the western part of the site to a minimum height of RL52m; and</p> <p>(xii) be supported by an updated Integrated Transport Assessment that will confirm;</p> <p>(a) external works upgrades;</p> <p>(b) intersection designs;</p> <p>(c) any additional land required to be dedicated as road reserve to accommodate intersection turn treatments, stormwater drainage and earthwork batters; and</p> <p>(xiii) not rely on stormwater drainage works being carried out in the part of the site included into the Environmental Management and Conservation Zone or Limited Development Zone as identified in the applicants stormwater study submitted with the development application unless the works are done using thrust boring under vegetation and do not rely on the clearing of any NJKHT's at the outlet.</p>
V10.	To ensure there is safe and efficient vehicular access to the site, it has been determined that it is necessary for some vegetation to be removed at the 4 th leg of the Kremzow Road / Swan Parade intersection where it enters into the site. This is authorised to occur as linear infrastructure under the <i>Planning Regulation 2017, Schedule 11, Part 2, section 4</i> as stated in the version of the regulation in effect when this development application was properly made.
V11.	Dedicate land along the frontage of the site to Kremzow Road as road reserve as shown on Drawing 'MBRC Drawing DA/36991/2018/V2L - Road Dedication Requirements - 2 June 2020' with the new 4 th leg of the Kremzow Road / Swan Parade intersection extending at the same width for a minimum distance of 100 metres from the existing property boundary prior to lodging with the Council any development application seeking a Development Permit for Reconfiguring a Lot or Material Change of Use.

- c) **Provide all external Referral Agencies for the development application with a copy of the Council's Decision Notice; and**
- d) **Delegate its power to the Chief Executive Officer under section 63 of the *Planning Act 2016* to give a decision notice about the decisions made under Items A(i) and A(ii), which is to include the information in the decision notice contained in Annexure C to this report; and to publish to the Council website the Council report for this application as part of the statement of reasons; and**
- e) **Delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the Moreton Bay Regional Council Planning Scheme due to the approval including a variation approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive.**

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B. That the conditions of approval include:

- a) **The requirement for a Koala underpass under the future Swann Parade intersection extension to (south of Kremzow Road) and to enable East-West passage of Koalas along the Kremzow Rd frontage and also for additional underpass at the left-in entry off Old North Road; and**
- b) **The inclusion of suitable Koala management infrastructure in a future Koala management plan to enable the movement and safety of koalas across the power easements through the proposed estate.**

UNCONFIRMED

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OFFICER'S RECOMMENDATION

That Council, in accordance with the *Planning Act 2016*:

- (i) Approve the development application for a Preliminary Approval for a Material Change of Use for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation at 107 to 109 Kremzow Road, Brendale described as Lot 3 SP174984 and Lot 4 SP174985, subject to the Conditions contained in **Annexure A** to this report; and
- (ii) Approve the Variation Request to vary the effect of the MBRC Planning Scheme in the manner specified in **Annexure B** to this report; and
- (iii) Provide all external Referral Agencies for the development application with a copy of the Council's Decision Notice; and
- (iv) Delegate its power to the Chief Executive Officer under section 63 of the *Planning Act 2016* to give a decision notice about the decisions made under Items A(i) and A(ii), which is to include the information in the decision notice contained in **Annexure C** to this report; and to publish to the Council website the Council report for this application as part of the statement of reasons; and
- (v) Delegate its power to the Chief Executive Officer under section 89 of the *Planning Act 2016* to note the development approval on the Moreton Bay Regional Council Planning Scheme due to the approval including a variation approval given under section 61 of the *Planning Act 2016*; and to give notice of the notation and the premises to which the note relates to the Chief Executive.

REPORT DETAIL

1. Background

The Site is, in the vast majority, located in the Industry Zone - Light Industry Precinct and Mixed Industry and Business Precinct with a small portion of the Site included in the Limited Development Zone as shown below in Figure 1.

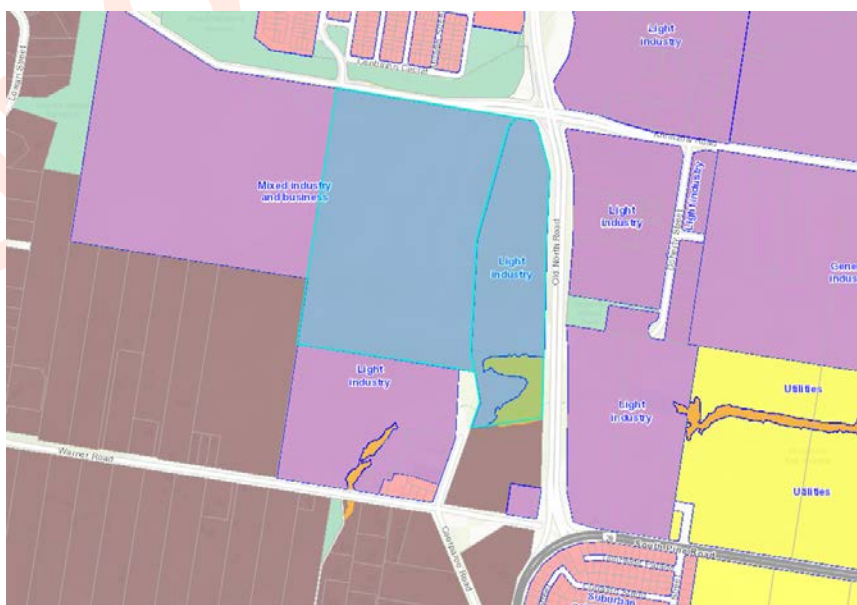


Figure 1: Zoning

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Section 3.13.4.4.1.9 of the MBRC Planning Scheme identifies the Warner Investigation Area (WIA), bounded by Kremzow Road to the north, Old North Road and South Pine Road to the east, Eatons Crossing Road in the south and existing rural residential development to the west as an area for further investigations to determine its development potential and future use. The Investigation Area is mapped on the MBRC Planning Scheme Strategic Framework Map.

As a result of this designation within the MBRC Planning Scheme, Council commenced a structure planning process with landowners in the WIA and stakeholders including Unitywater and the Department of Transport and Main Roads.

It was subsequently proposed as a result of that investigation that subject to appropriate upgrading of the existing infrastructure networks, that parts of the area were suitable for urban development.

A major amendment to the MBRC Planning Scheme was then commenced by Council that would, inter alia, include land in the WIA (including the Site) within the Emerging Community Zone (Transition Precinct). As a consequence of public consultation and community feedback about the draft planning scheme amendment, the area to be included was contracted.

On 14 December 2017, Council formally resolved to proceed with the major amendment to the MBRC Planning Scheme including the WIA amendments.

The whole of the proposed major amendment to the MBRC Planning Scheme was refused by the State Government in October 2018 and as such the proposed structure plan has not advanced.

Since that time, Council has seen individual landowners lodge 3 separate development applications for residential uses on land contained in the WIA presently zoned predominantly Industry in either the Light Industry or Mixed Industry and Business Precincts (refer Figure 2).

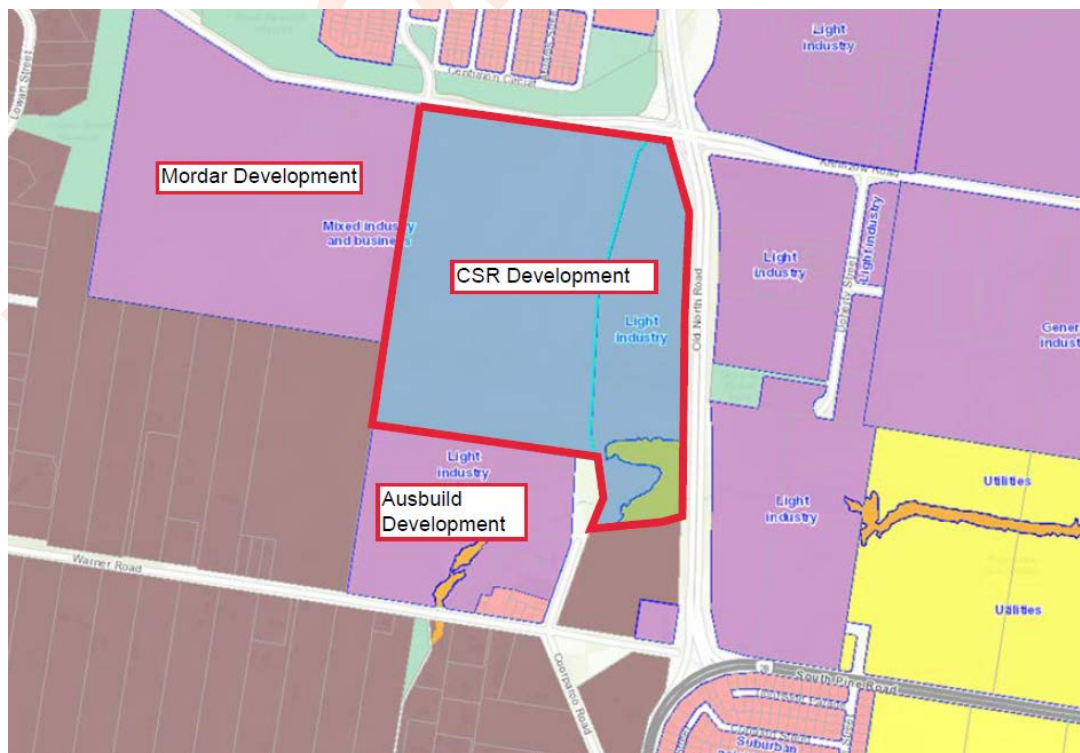


Figure 2: Context Plan

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2. Proposal

This application lodged by CSR (being 1 of the 3 applications referred to above) seeks a preliminary approval, including a variation request to the MBRC Planning Scheme, to carry out a variety of uses on the Site. In order to achieve the various uses on Site, this application seeks a Preliminary Approval for a Material Change of Use for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation and contains a variation request to vary the effect of the MBRC Planning Scheme to include the land into the General Residential Zone - Next Generation Neighbourhood Precinct, Limited Development Zone, Environmental Management and Conservation Zone and Recreation and Open Space Zone as shown in Figure 3 below.

The land uses predominantly sought by the applicant are the Dwelling House, Dual Occupancy, Home Based Business and Sales Office land uses for the part of the site proposed to be located in the General Residential Zone - Next Generation Neighbourhood Precinct. The other land uses have been included by the applicant in the context that they are land uses already occurring on the land (and proposed to continue) or allowed for in the different zones under the MBRC Planning Scheme in limited instances. While not clearly articulated by the applicant in its development application the other uses and their context is set out below.

Land Use and definition	Example of land Use	Suitability
<p>Environment Facility:</p> <p><i>Facilities used for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value.</i></p>	<p>Nature-based attractions, walking tracks, seating, shelters, boardwalks, observation decks, bird hides.</p>	<p>A use suited to occurring in the proposed Environmental Management and Conservation zone and the Limited Development Zone.</p>
<p>Major Electricity Infrastructure:</p> <p><i>All aspects of development for either the transmission grid or electricity supply networks as defined under the Electricity Act 1994.</i></p> <p><i>The use may include ancillary telecommunication facilities.</i></p>	<p>Powerlines greater than 66kV.</p>	<p>Recognises the 110kV Energex powerlines already traversing the site that will remain.</p>
<p>Market:</p> <p><i>Premises used for the sale of goods to the public on a regular basis, where goods are primarily sold from temporary structures such as stalls, booths or trestle tables.</i></p> <p><i>The use may include entertainment provided for the enjoyment of customers.</i></p>	<p>Flea market, farmers market, car boot sales.</p>	<p>A use that is in the current MBRC Planning Scheme contemplated in the Recreation and Open Space Zone and in the General Residential Zone - Next Generation Precinct contemplated when for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development' of the planning scheme.</p>
<p>Outdoor Sport and Recreation:</p> <p><i>Premises used for a recreation or sport activity that is carried on outside a building and requires areas of open space and may include ancillary works necessary for safety and sustainability.</i></p> <p><i>The use may include ancillary food and drink outlet(s) and the provision</i></p>	<p>Driving range, golf course, swimming pool, tennis courts, football ground, cricket oval, radio-controlled and control line model craft activities, Woodfordia event</p>	

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Land Use and definition	Example of land Use	Suitability
<i>of ancillary facilities or amenities conducted indoors such as changing rooms and storage facilities.</i>		
<p>Park:</p> <p><i>Premises accessible to the public generally for free sport, recreation and leisure, and may be used for community events or other community activities.</i></p> <p><i>Facilities may include children's playground equipment, informal sports fields and ancillary vehicle parking and other public conveniences.</i></p>	Urban common	A use suited to occurring in the Recreation and Open Space Zone and the General Residential Zone - Next Generation Precinct.
<p>Shop:</p> <p><i>Premises used for the display, sale or hire of goods or the provision of personal services or betting to the public.</i></p>	Hairdresser, liquor store, department store, discount department store, discount variety stores, betting agencies, supermarket, corner store	A use that is in the current MBRC Planning Scheme contemplated when complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development' of the planning scheme in the General Residential Zone - Next Generation Precinct and the Recreation and Open Space Zone and also a temporary use in the General Residential Zone - Next Generation Precinct.
<p>Substation:</p> <p><i>Premises forming part of a transmission grid or supply network under the Electricity Act 1994, and used for:</i></p> <ul style="list-style-type: none"> • <i>converting or transforming electrical energy from one voltage to another;</i> • <i>regulating voltage in an electrical circuit controlling electrical circuits;</i> • <i>switching electrical current between circuits;</i> • <i>a switchyard;</i> • <i>communication facilities for "operating works" as defined under the Electricity Act 1994 or for workforce operational and safety communications.</i> 	Substations, switching yards	A use that is in the current MBRC Planning Scheme contemplated in the Recreation and Open Space Zone and in the General Residential Zone - Next Generation Precinct when complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development' of the planning scheme.
<p>Telecommunications Facility:</p> <p><i>Premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.</i></p>	Telecommunication tower, broadcasting station, television station	

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Land Use and definition	Example of land Use	Suitability
<p>Theatre:</p> <p><i>Premises used for presenting movies, live entertainment or music to the public and may include provision of food and liquor for consumption on the site.</i></p> <p><i>The use may include the production of film or music, including associated ancillary facilities, which are associated with the production, such as sound stages, wardrobe and laundry facilities, makeup facilities, set construction workshops, editing and post-production facilities.</i></p>	<p>Cinema, movie house, concert hall, dance hall, film studio, music recording studio</p>	<p>A use that is in the current MBRC Planning Scheme contemplated in the Recreation and Open Space Zone and in the General Residential Zone - Next Generation Precinct contemplated when for a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development' of the planning scheme.</p>
<p>Tourist Attraction:</p> <p><i>Premises used for providing on-site entertainment, recreation or similar facilities for the general public.</i></p> <p><i>The use may include provision of food and drink for consumption on site.</i></p>	<p>Theme park, zoo</p>	<p>A use that is in the current MBRC Planning Scheme contemplated when complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development' of the planning scheme in the General Residential Zone - Next Generation Precinct and the Recreation and Open Space Zone and also a temporary use in the General Residential Zone - Next Generation Precinct.</p>
<p>Utility Installation:</p> <p><i>Premises used to provide the public with the following services:</i></p> <ul style="list-style-type: none"> • <i>supply or treatment of water, hydraulic power or gas;</i> • <i>sewerage, drainage or stormwater services;</i> • <i>transport services including road, rail or water;</i> • <i>waste management facilities;</i> • <i>network infrastructure.</i> <p><i>The use includes maintenance and storage depots and other facilities for the operation of the use.</i></p>	<p>Sewerage treatment plant, mail depot, pumping station, water treatment plant.</p>	<p>A use that is in the current MBRC Planning Scheme contemplated in the Recreation and Open Space Zone and in the General Residential Zone - Next Generation Precinct when complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development' of the planning scheme.</p>

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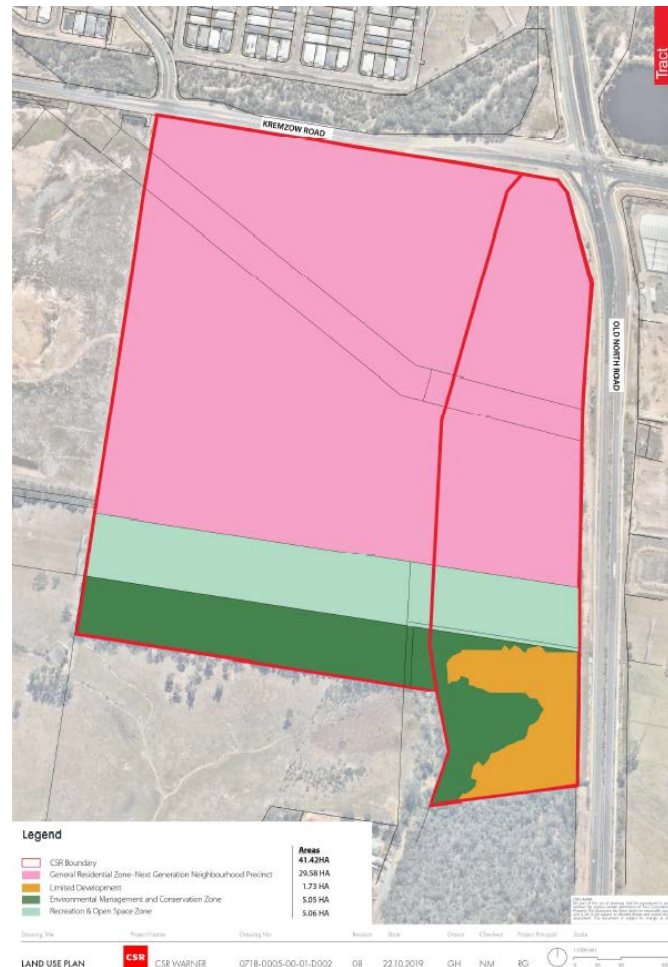


Figure 3: Proposed Land Use Plan

In addition, the application for the preliminary approval includes a variation request, which seeks to vary the effect of the following overlays, addressed individually in detail in section 3.3.2.2 of this Report:

- (i) Environmental Areas Overlay;
- (ii) Environmental Offset Receiving Areas Overlay;
- (iii) Riparian and Wetland Setbacks Overlay;
- (iv) Landslide Hazard Overlay; and
- (v) Building Heights Overlay.

The effect of the proposed variations to each overlay is essentially to remove all applicable natural feature overlays from the site and to reduce the maximum building height to 8.5m instead of 12m.

The application anticipates development of the proposed General Residential Zone - Next Generation Neighbourhood Precinct being done at a maximum density of 20 lots per hectare that could deliver up to 460 lots / Dwelling Houses or housing for 1426 persons (based on an average occupancy in Warner of 3.1 persons per dwelling). In support of the development application the applicant has also proposed a Structure Plan and Landscape Concept Plan to establish and give direction on how the land will be developed, at a strategic level in the future as shown in Figure 4 below;

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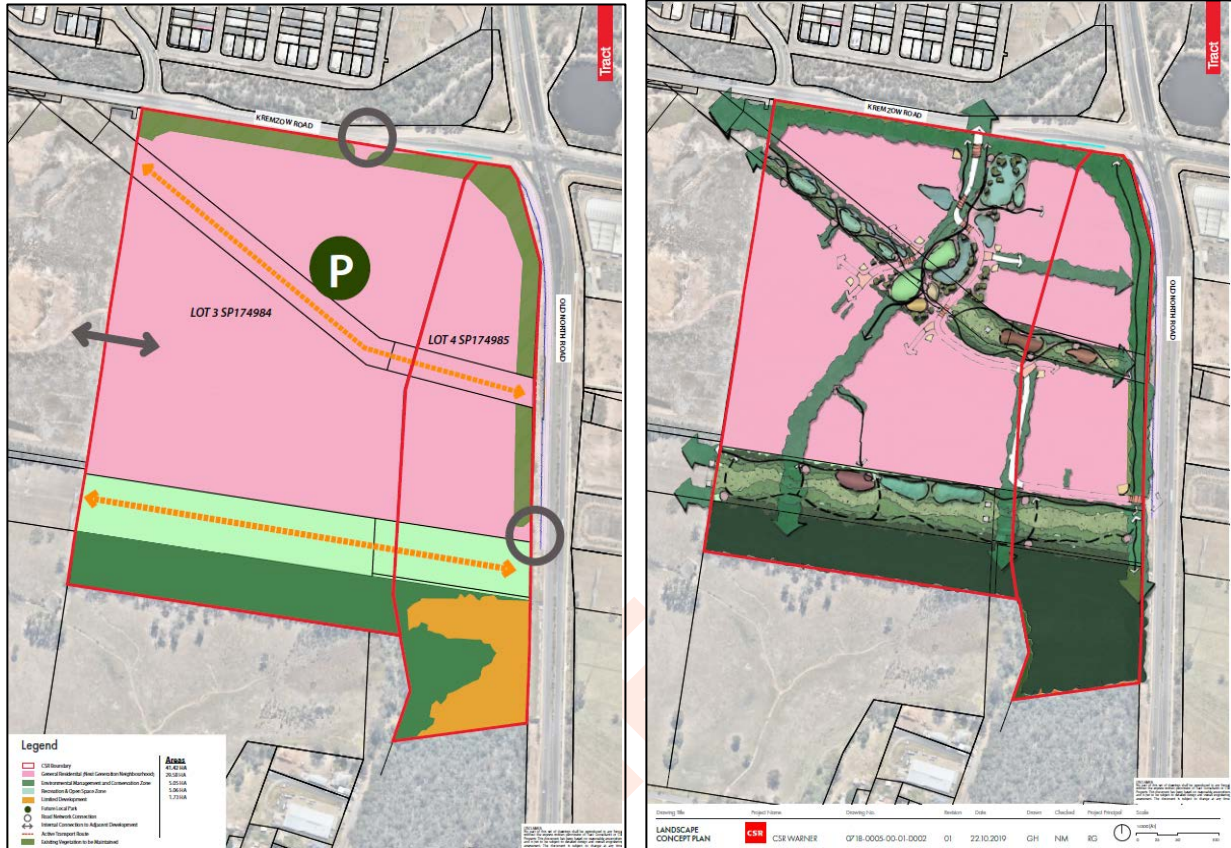


Figure 4: Proposed Structure Plan and Proposed Landscape Concept Plan

3. Explanation of Item

3.1 Description of the Site and Surrounds

The Site is located within close proximity to a diverse range of land uses such as:

- Rural and limited industrial type uses to the south;
- Former extractive resources to the west (Mordar Investments);
- Warner Lakes residential estates to the north; and
- The greater Brendale Industrial Area to the east.

The Site is also located in close proximity to transport infrastructure and services including:

- Strathpine Train Station located approximately 3km to the north-east; and
- Strathpine Retail/Commercial Area (Strathpine Centre) located approximately 3km to the north-east.

Directions	Planning Scheme Zone	Current Land Use
North	General Residential - Next Generation Neighbourhood Precinct	Warner Lakes
South	Industry - Light Industry	Vacant site / Rural Residential
East	Industry - Light Industry	Light Industry
West	Industry - Mixed Industry and Business	Former industry

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3.2 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.

Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> • State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> • South East Queensland Regional Plan <u>From Schedule 10 of the Regulation:</u> <ul style="list-style-type: none"> • Part 10: Koala Habitat Area – Schedule 11 of the <i>Planning Regulation 2017</i> • Part 16: Development outside SEQ Urban Footprint – Schedule 10 Part 16 of the <i>Planning Regulation 2017</i>
SEQ Regional Plan Designation:	<ul style="list-style-type: none"> • Urban Footprint
Koala Habitat Designation:	<ul style="list-style-type: none"> • Priority Koala Assessable Development Area

3.2.1 *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:

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - water quality		
Applicable to Development	SPP requirement	Comment
Yes	(1) Development is located, designed, constructed and operated to avoid or minimize	The nature of the application in seeking a Preliminary Approval for land uses and a variation to

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	<p>adverse impacts on environmental values arising from</p> <ul style="list-style-type: none"> (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilization of nutrients and sediments. <p>(2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)</p> <p>(3) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.</p>	<p>the planning scheme cannot address this issue at this time that will instead be addressed with any future application seeking a Development Permit for Reconfiguring a Lot.</p>
Assessment benchmarks - natural hazards, risk and resilience		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Erosion prone areas within a coastal management district:</p> <ul style="list-style-type: none"> (1) Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere as is: <ul style="list-style-type: none"> (a) coastal dependent development; or (b) temporary, readily relocatable or able to be abandoned development; or (c) essential community infrastructure; or (d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned. (2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level. <p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <ul style="list-style-type: none"> (3) 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 	<p>The variation is seeking to give effect to an updated Bushfire Hazard Overlay map and Landslide Hazard Overlay map. As discussed in greater detail in the environmental planning comments in section 3.6.1.2 of this Report, the proposed bushfire and landslide hazard overlay mapping is not supported as currently presented and will require amendment as a recommended condition of approval.</p> <p>Accordingly, the proposal has been determined to comply subject to the application of the amended conditions of approval.</p>

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	<p>people and property to an acceptable or tolerable level.</p> <p>All natural hazard areas:</p> <p>(4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(5) 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>(6) 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>(7) 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.</p>	
Assessment benchmarks - strategic airports and aviation facilities		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

3.2.2 *South East Queensland Regional Plan*

The Site is located in the Urban Footprint designation.

The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

3.2.3 *Schedule 10, Part 10 of the Regulation – Koala Habitat Area*
Koala Habitat Area

Refer to section 3.6.1.2 of this report for the assessment against the Regulation.

3.3 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.

3.3.1 *Strategic Framework*

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the MBRC Planning Scheme.

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The Strategic Framework is based on a 20-year planning horizon and is based on Council's analysis of the issues and opportunities facing the region including State interests, the application of the *South East Queensland Regional Plan 2009-2031* (SEQ Regional Plan 2009) provisions to the Region, and Council's strategic direction for the future. Although each theme has its own section, the strategic framework is to be read in its entirety as the policy direction for the planning scheme. The vision for the Region is expressed through a series of twelve themes in the Strategic Framework based on the desired regional outcomes in the SEQ Regional Plan.

Section 13.4 of the Strategic Framework, specific to the Place Type Model states;

It is intended where applications are made for impact assessment Council will use this section to assess such applications.

The Site is located within the Coast and Riverlands and Enterprise and Employment Area Place Types of the MBRC Planning Scheme while also being identified as an Investigation Area.

While an assessment against section 13.4 has been made, an assessment has also been made against those Strategic Outcomes applicable to the proposal and is discussed as follows:

Strategic Outcome	Comply	Assessment
Theme - Sustainability and Resilience		
<p><i>Design and site development and infrastructure using sustainability and urban design principles to reflect the Region's subtropical climate, reinforce local character and achieve innovation and design excellence.</i></p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> All development, including buildings and infrastructure, will incorporate subtropical design principles, including orientation, siting and passive climate control, in the planning, design and delivery process to minimise land consumption and service costs and improve design of new development; The design and orientation of all buildings and allotments will take advantage of the Region's climate and reduce the use of energy, especially for cooling and heating, in accordance with sub-tropical design principles and climate smart initiatives; The level of water and energy consumption will be reduced by: 	Yes	<p>The proposal seeks a Material Change of Use - Preliminary Approval for various land uses and a Variation to the planning scheme to apply different zones to the land. Accordingly, there is no specific building design elements to the proposal submitted.</p> <p>The following items of infrastructure are required to be upgraded / provided as part of the development in the future with varying timings of delivery:</p> <ul style="list-style-type: none"> Land transferred to the community to improve environmental values and corridors, particularly with respect to Koala's; A Local Recreation Park; Left in Left out intersection on Old North Road; a future bus route is required to be designed and constructed including a connection between any site access on Kremzow Road and Old North Road. All movements intersection on Kremzow Road at Swann parade intersection.

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Strategic Outcome	Comply	Assessment
<ul style="list-style-type: none"> a. encouraging the use of climate smart initiatives; b. implementing the Moreton Bay Regional Council's Total Water Cycle Management Plan; and c. avoiding land use change and development that has adverse impacts on land, water and air quality and is associated with environment, health and safety concerns; and <p>4. Development outcomes are focused on creating multiple benefits to the community, the economy and the environment.</p>		<p>The infrastructure items are delivered to minimise land consumption and service costs, which in turn, will improve the design of the new development.</p> <p>The development outcomes will result in a future developer lodging a development application seeking a development permit that will assist in the delivery of affordable residential housing to help meet the housing needs of the community while also providing rehabilitated / revegetated land to the community for environmental purpose.</p>
<p><i>Greenhouse gas emissions are reduced from development, land management and other planning decisions in the region.</i></p> <p><u>Specific Outcomes</u></p> <ul style="list-style-type: none"> 1. Support relevant sustainable/ alternative energy strategies, policies and projects that assist in the production of a decentralised energy grid and support smart grid initiatives; 2. Incorporate planning and design measures in development, land management and other planning decisions to reduce greenhouse gas emissions in accordance with climate smart design principles, Next Generation Planning handbook planning principles and smart growth principles; 3. Reduce greenhouse gas emissions from transport fuel consumption by adopting patterns of urban development that reduce the need to travel and the distance travelled and by facilitating an increase in provision of active and public transport alternatives; 4. Improve energy efficiency through siting, design, construction and use of demand management technologies to reduce greenhouse gas emissions from electricity use; 5. Increase the local provision of renewable energy and low emission technology in appropriate locations; 	<p>Yes</p>	<p>The development is creating a recreation and open space zone (of 5.06 Ha) along the powerline easement in the south of the site, intended to form one of the primary active transport routes for the development including bike and foot paths. This portion of the site is currently zoned as Industry under the MBRC Planning Scheme and therefore the proposed development reflects the principals of reducing greenhouse gas emissions by providing an opportunity where active transport infrastructure can be provided.</p> <p>Similarly, the proposal will designate 5.05ha as Environmental Management and Conservation Zone, which when compared to the currently zoned Industry zoned land, will result in a reduction of greenhouse gas emissions.</p> <p>A requirement of the SARA's response is to that a future bus route be designed and constructed including a connection between any site access on Kremzow Road and Old North Road.</p> <p>In summary, the proposal is in alignment with the outcome where a detailed assessment can occur in the future when any Development Permit is sought.</p>

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Strategic Outcome	Comply	Assessment
<p>6. Increase stored carbon through the retention or planting of trees or other vegetation, and other land management practices that also provide sustainability and amenity outcomes; and</p> <p>7. Develop urban and peri-urban agriculture strategies, policies and projects that support local sustainable commercial and community food growing in the region to assist in reducing emissions and transport costs.</p>		
<p><i>The resilience of communities, development, essential infrastructure, natural environments and economic sectors to natural hazards including projected changes in weather is increased.</i></p> <p><u>Specific Outcomes</u></p> <p>1. Respond to the risk from natural hazards, including projected changes in weather, by avoiding areas with high exposure and establishing adaptation strategies to minimise vulnerability to riverine flooding, storm tide, coastal erosion, bushfires and landslides;</p> <p>2. Respond to the risk from natural hazards, including projected changes in weather, by establishing adaptation strategies to minimise vulnerability to heatwaves and high temperatures, reduced and more variable rainfall, cyclones and severe winds, and severe storms and hail; and</p> <p>3. Recognise and respond to changes in urban climates due to land use conversion and urban heat island effect from increased development intensity.</p>	<p>Yes</p>	<p>The two critical natural hazards applicable to the Site are bushfire and landslide, the overlay maps for both of which are proposed to be varied as part of this application.</p> <p>A condition of approval is to amend the proposed Bushfire Hazard Overlay map to align with the vegetation which will be retained / provided as a part of this approval.</p> <p>The proposed Landslide Hazard Overlay map is recommended for approval. The site has been an operating mine for a number of years. It is a reasonable conclusion that the mapping undertaken as part of the MBRC Planning Scheme 2016 would have therefore mapped a more natural topography that is subject to rapid and lawful change as a result of the mining operations and does not represent what is currently on site that is now predominantly flat.</p>
<p><i>Identify people, economic sectors and areas that are at risk due to oil supply vulnerability and increase their resilience to the effects of oil supply vulnerability.</i></p> <p><u>Specific Outcomes</u></p>	<p>Yes</p>	<p>The proposed development responds to oil supply vulnerability by providing the opportunity for active transport infrastructure in future development and being located in an area in close proximity to commercial and employment centres, schools and the like.</p>

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Strategic Outcome	Comply	Assessment
<p>Manage risks and reduce impacts on people, economic sectors and areas from the effects of oil supply vulnerability by:</p> <ul style="list-style-type: none"> a. Designing development to encourage walking, cycling and public transport use to access local shopping facilities and employment locations, and early provision of public transport services; b. ensuring transport infrastructure and service investment actively reduces oil dependence, particularly for trips that could be undertaken by public or active transport; and c. reducing the length of trips and dependence on oil by localising access to goods, services and employment opportunities. 		<p>A requirement of the SARA's response, a future bus route is required to be designed and constructed including a connection between any site access on Kremzow Road and Old North Road.</p>
<p><i>The adverse effects of development on land, air quality and noise levels are avoided in the first instance, mitigated and managed to within acceptable levels and environmental harm is avoided.</i></p> <p><u>Specific Outcomes</u></p> <ul style="list-style-type: none"> 1. Development minimises the adverse effects of land degradation; 2. In areas where land degradation has occurred, the land is restored to a healthy, self-sustainable and stable condition; 3. Development does not lead to adverse impacts on air quality by contamination; and 4. Development does not lead to environmental harm or nuisance through unacceptable levels of noise. 	<p>Yes</p>	<p>As part of the Variation to the MBRC Planning Scheme, an area of 5.05ha is proposed to be zoned Environmental and Conservation Zone, whilst an additional 5.06ha is proposed to be zoned Recreation and Open Space Zone.</p> <p>Given the proposed uses and nature of this application, no Noise Impact Assessment was required as it is expected that noise pollution as a result of the any future development application for a use would be low and consistent with the amenity of the area with potential that it would be better than what the current industrial zoning of the land provides for.</p>
<p>Theme - Natural Environment and Landscape</p>		
<p><i>Biodiversity and associated ecosystem services of the Moreton Bay Region will be protected, managed and enhanced, and resilience of ecosystems (including sub-tidal ecosystems) to the impacts of changing weather patterns and other environmental challenges will be maximised.</i></p> <p><u>Specific Outcomes</u></p> <ul style="list-style-type: none"> 1. The Region's current network of protected areas will be conserved and expanded to achieve viable 	<p>Yes</p>	<p>As part of the Variation to the MBRC Planning Scheme, an area of 5.05ha is proposed to be zoned Environmental and Conservation Zone, whilst an additional 5.06ha is proposed to be zoned Recreation and Open Space Zone.</p> <p>All vegetation corridors within the site are required to have a minimum width of 50m. In addition, 50m densely vegetated corridors are required along the full extent of the site along Kremzow Road and Old North Road. Further still, a</p>

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Strategic Outcome	Comply	Assessment
<p>representations of all the Region's currently identified and future regional ecosystems to ensure biodiversity resilience and ongoing provision of ecosystem services;</p> <p>2. Ecological connectivity to improve ecological robustness and resilience to changing weather patterns and other threats will be maintained and improved through retention of native vegetation, managed regrowth and rehabilitation; the use of mechanisms such as development offset and mitigation contributions and non-planning scheme measures such as voluntary agreements and Land for Wildlife programs;</p> <p>3. The green infrastructure network within the urban footprint will be incorporated into the design of development in a way that complements and supports the intended urban design outcomes for the relevant place and also allows for an ongoing supply of ecosystem services to the community and to conserve biodiversity values. In order of priority the actions to be taken are:</p> <ul style="list-style-type: none"> a. protection of existing natural areas or land adjacent to natural areas not already protected in perpetuity; b. rehabilitation of degraded natural areas; then c. habitat enhancement of priority species and ecosystems; and <p>4. Where an area within the green infrastructure network is not incorporated into the design of development but is allowed to be cleared, the effect of this clearing may be required to be offset in an environmental offset area as identified in Planning scheme policy - Environmental areas and corridors, Section 11.3 Offset receiving site location hierarchy.</p>	<p>Comply</p>	<p>provision of a fauna underpass under Kremzow Road, linking existing and proposed wildlife corridors with vegetation north of Kremzow Road.</p> <p>The development if approved, provides the framework in which any future Development Permit compliant with the Planning Scheme would be consistent with these Strategic Outcomes.</p>

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Strategic Outcome	Comply	Assessment
<p><i>Koala population viability within the Moreton Bay Region will be maintained and improved.</i></p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. Strategic koala habitat networks will be conserved and expanded to ensure strong and safe habitat and linkages for koalas across our Region; 2. Development in koala movement areas or near to koala habitat areas and corridors will incorporate koala design principles to reduce threats to koalas, integrating green infrastructure that maximises koala movement across the landscape, such as koala friendly fencing, culverts and land bridges; and 3. Where vegetation within priority species habitat (refer to Planning scheme policy - Environmental areas and corridors, Section 3 Priority and other native species, and Section 14 List of priority species of Moreton Bay) and movement areas is removed an offset will be sought for placement within an environmental offset area as identified in Planning scheme policy - Environmental areas and corridors, 11.3 Offset receiving site location hierarchy. 	<p>Yes</p>	
<p>Theme - Strong Communities</p>		
<p><i>Utilise the principles of urban design to promote healthy and safe communities.</i></p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. Sustainability and urban design principles and the standards of universal access and safety will be used to create built environments conducive to physical activity and public environments accessible by all people; 2. Development and provision of infrastructure will help to deliver a healthy and safe built environment, encouraging healthy lifestyle choices; 3. Appropriate consideration of social needs will occur for major new development; and 	<p>Yes</p>	<p>No built form is proposed as part of this development application and therefore is compliant with this theme.</p>

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Strategic Outcome	Comply	Assessment
<p>4. Community facilities in appropriate locations will be available for emergency purposes during and after natural disasters.</p>		
<p><i>Provision of a well connected, diverse and accessible public open space network.</i></p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. Accessible, diverse and quality useable open space that provides for the health, recreation and leisure needs of the current and future communities is maintained and enhanced; 2. Passive and active recreation areas and community greenspaces provide a pleasant experience for residents and visitors and enhance the sense of place and community identity; 3. Connectivity of the open space network and community greenspaces is provided within and between the Regional Landscape and Rural Production Area, Rural Living Area and Urban Footprint; 4. Well-designed accessible public places will be required to be provided in all new growth areas; and 5. Council will identify a diverse network of open spaces across the Region catering for specific needs of the community including inclusive all-ability playgrounds, botanic gardens, natural playgrounds and community gardens. 	<p>Yes</p>	<p>Due to the nature of the development application being a Variation and Preliminary Approval, specific requirements of the applicant in providing open space for future residents of the development have not been required at this stage, with the expectation that specific requirements will be conditioned as part of any future reconfiguring a lot application. Instead, higher level requirements are recommended to be applied to the requested Variation and Preliminary approval at this stage.</p> <p>A Landscape Concept Plan has been prepared and submitted to the Council to support the proposal in achieving the accessibility standards in the Council's Planning Scheme Policy.</p> <p>Given the suggested 460 dwellings to be provided as part of this development, a Local Recreation Park of approximately 1.2 - 1.4ha will be required in accordance with Council's Desired Standards of Service from within the part of the site proposed to be included into the General Residential Zone - Next Generation Neighbourhood Precinct.</p>
<p><i>Provide an integrated, high-quality, urban community greenspace network to cater for recreational and environmental needs in existing and new neighbourhoods.</i></p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. Identify and respond to community needs for urban community greenspace generated as a result of urban development, especially in areas targeted for redevelopment, infill and new walkable neighbourhoods; 2. Ensure urban community greenspace is integrated into the planning, design 	<p>Yes</p>	<p>As part of the Variation to the MBRC Planning Scheme, an area of 5.05ha is proposed to be zoned Environmental and Conservation Zone, whilst an additional 5.06ha is proposed to be zoned Recreation and Open Space Zone.</p>

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<p>and development of existing neighbourhoods targeted for infill and redevelopment and new walkable neighbourhoods to provide for land use efficiencies and long-term sustainability;</p> <p>3. Respond to growth in a co-ordinated manner, with place and function as a focus through the use of open space typologies in regard to defined place types;</p> <p>4. Create a more flexible open space planning framework that responds to increased residential populations and changing demographic compositions; and</p> <p>5. Encourage the shared use of open space where appropriate through the development of design principles for new open space.</p>		
<p><i>Provide for a variety of outdoor recreation opportunities including recreation trails and camping areas to meet community demands.</i></p> <p><u>Specific Outcomes</u></p> <p>1. A variety of outdoor recreation opportunities is provided to meet community demands;</p> <p>2. Identify possible locations for hard to locate sports within the inter-urban break;</p> <p>3. Provide a range of recreational trails for a range of users in diverse settings that range from urban to natural;</p> <p>4. Provide facilities and areas that allow equitable use by a broad range of active sport, recreation and community activities, including:</p> <p>a. venues for organised and informal activities;</p> <p>b. civic and cultural activities including festival and public events;</p> <p>c. coastal foreshores and esplanades; and</p> <p>d. high impact sporting and recreational uses in appropriate locations; and</p> <p>5. Provide recreational experiences that promote a healthier lifestyle including</p>	Yes	

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Strategic Outcome	Comply	Assessment
recreational trails, passive parkland and formal sporting facilities.		
<p><i>A variety of housing options is provided to meet diverse community needs and achieve housing choice and affordability.</i></p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. Council’s planning initiatives are primarily aimed at increasing population in close proximity to services, public transport and employment to make the overall cost of living more affordable by reducing overall lifestyle costs, particularly transport costs, energy costs by requiring services and facilities close to where people live; 2. Significant housing development will continue across the region with a greater range of housing types being built in new developments and in established areas targeted for infill and redevelopment; 3. New housing developments will be planned, designed and delivered taking into account the neighbourhood and place type, existing and future housing needs in the area, and the connectivity and accessibility required to create a walkable neighbourhood and encourage active transport; 4. Council will support the provision of affordable housing through community-based, not-for-profit entities and housing cooperatives and the private sector; 5. All major new developments will be encouraged to incorporate a greater range of housing types and affordable housing products that demonstrate housing affordability, including appropriate housing for the entry buyer and low-income housing markets and demographic mix; 6. Council will lobby the other levels of government regarding decisions on the disposal or redevelopment of government property and surplus land to include consideration of the 	<p>Yes</p>	<p>Due to the nature of the development application being a Variation and Preliminary Approval, specific requirements of the application have not been required at this stage, with the understanding that specific requirements will be conditioned as part of any future development permit given. Instead, higher level requirements have been conditioned as part of the Variation and Preliminary approval at this stage.</p> <p>The Site is located approximately 1.5km from Eatons Hill that accommodates significant commercial and community uses including supermarkets, retail shops, a hotel, educational facilities, places of worship and the like as well as major district sporting facilities. The Brendale Industrial estate being one of the major employment areas in the region is also located approximately 1km away from the Site.</p> <p>The Site is well located for residential development that has been recognised elsewhere in the MBRC Planning Scheme confirming the development of the Site for residential purposes is consistent with the Strategic Outcome.</p> <p>The development if approved, provides the framework in which any future ROL development application that is compliant with the Planning Scheme would be consistent with this Strategic Outcome.</p>

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Strategic Outcome	Comply	Assessment
<p>opportunity for that land to be used for affordable housing purposes; and</p> <p>7. Appropriate 'private open space' is provided in the development of all housing products.</p>		
<p>Theme - Settlement Pattern and Urban Form</p>		
<p><i>A more compact urban form is developed within the urban footprint by a program of urban design and sustainability principles aimed at increasing the jobs and people per hectare in targeted locations (to help achieve Council's long term 70% local employment target), creating walkable communities, and a viable quality transit system.</i></p> <p><u>Specific Outcomes</u></p> <p>3. A more efficient land use and development pattern will be achieved progressively over time by:</p> <ul style="list-style-type: none"> a. limiting new urban development occurring outside the Urban Footprint to land in an Identified Growth Area and part of new master planned walkable and transit-based neighbourhoods which are contiguous with existing neighbourhoods wherever possible; b. encouraging more intense development and a greater mix of uses at targeted locations within the Urban Footprint; c. requiring new development to be integrated into existing neighbourhoods in a spatially cohesive manner to help create walkable communities with an emphasis being placed on active transport and access by transit; and d. directing growth away from areas of higher risk of natural hazards, given that urban land allocations outside these areas are sufficient to accommodate growth beyond the life of the planning scheme. <p>4. Ensure that new development and redevelopment in established urban areas reinforces the strengths and</p>	<p>Yes</p>	<p>The proposal provides suitable road connections to the existing road network supporting and encouraging safe movement through the community. The Site is located within the urban footprint on land zoned for industrial purposes that is instead proposed to be used for residential purposes, preserving a compact urban form.</p> <p>The development if approved, provides the framework in which any future development application that is compliant with the Planning Scheme would be consistent with this Strategic Outcome.</p>

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<p>individual character of the urban area in which the development occurs;</p> <p>5. Target growth in locations within the Urban Footprint in growth areas and in investigation areas that provide superior transportation choices or otherwise reduce car use, particularly through supporting growth in targeted established urban areas and redevelopment in and around existing urban centres and along priority transit networks and other high-frequency transit corridors;</p> <p>6. Within the Urban Footprint, Council will consolidate and maintain rural residential development in the identified rural residential areas in locations where this form of development will not compromise the orderly, progressive and efficient expansion of the urban area and its associated infrastructure networks;</p> <p>7. Development in the Urban Footprint, in growth areas and in investigation areas protects agricultural land outside the Urban Footprint with the onus of buffering placed on land in the Urban Footprint, growth areas and in investigation areas.</p> <p>8. New industrial land uses are appropriately separated from sensitive land uses; and</p> <p>9. New development including sensitive land uses recognises existing industrial development and includes appropriate separation measures</p>		
<p><i>New master planned walkable neighbourhoods, activity centres and enterprise and employment areas served by public transport have a role to play in helping to accommodate regional dwelling and employment targets and require comprehensive planning to coordinate future development with infrastructure delivery.</i></p> <p><u>Specific Outcomes</u></p> <p>1. New urban development will be supported in greenfield locations with available infrastructure capacity or</p>	<p>Yes</p>	<p>Due to the nature of the development application being a Variation and Preliminary Approval, specific requirements of the application have not been required at this stage, with the understanding that specific requirements will be conditioned as part of any future development application. Instead, higher level requirements have been conditioned as part of the Variation and Preliminary approval at this stage.</p> <p>The application anticipates development of the proposed General Residential</p>

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<p>where infrastructure capacity can be provided efficiently and cost effectively and without creating disadvantage to current and planned priority infrastructure areas;</p> <p>2. New development and land use patterns that would compromise or constrain the efficient expansion of the infrastructure system and services required to service development and/or the corridors required for provision of infrastructure will be discouraged;</p> <p>3. Development within new greenfield developments and rural residential transition areas is to be designed and developed as part of a future transit based walkable neighbourhood and as such must provide pedestrian, cycle, local road, open space and waterway connectivity, within the neighbourhood and adjacent areas in accordance with the specific outcomes of the relevant place types;</p> <p>4. Urban development of greenfield areas will not be supported unless it is designed and developed as a series of transit based walkable neighbourhoods and with an appropriate network of centres, public spaces and pedestrian, cycle, local road, green infrastructure, within the neighbourhood and to adjacent areas in accordance with the specific outcomes of the relevant place types and local plan strategies;</p> <p>5. New "15 minute" walkable neighbourhoods will include a diversity of uses and employment opportunities at a minimum of 35 people and jobs per hectare to support viable public transport services and walkable communities and encourage active transport. These new neighbourhoods will be designed around local centres and neighbourhood hubs and include a range of community facilities and services and public spaces required by the local community. A range of</p>		<p>Zone - Next Generation Neighbourhood Precinct being done at a maximum density of 20 lots per hectare that could deliver up to 460 lots / Dwelling Houses or housing for 1426 persons (based on an average occupancy in Warner of 3.1 persons per dwelling). This proposal will therefore assist the Council in achieving its regional dwelling targets under the SEQ Regional Plan.</p> <p>The applicant has also demonstrated that all the required services and infrastructure needed to facilitate development for residential purposes is or can be made available to the Site.</p> <p>As stated previously, the Site is well located due to its proximity to commercial, community and employment uses supporting the development of the land for residential purposes. The state SARA response has also required future development of the site to make provision for a public transport (bus) route through the site.</p> <p>The development if approved, provides the framework in which any future development application that is compliant with the Planning Scheme would be consistent with this Strategic Outcome.</p>

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<p>different housing types will be provided on a range of lot sizes. Pedestrian and cycle way networks and local road systems will be designed to maximise connectivity;</p> <p>6. Greenfield development sites will be designed to demonstrate best practice in community services, urban green infrastructure, communication, mobility, energy efficiency, water cycle management and waste management; and</p> <p>7. Urban development avoids areas of higher natural hazard risk and otherwise ensures development subject to natural hazards is compatible with the risk presented to protect people, property and infrastructure.</p>		
Theme - Employment Location		
Theme - Rural Futures		
Theme - Natural Resources		
Theme - Integrated Transport		
<p><i>Plan for a more compact settlement pattern and urban form to encourage sustainable travel patterns: reducing the need to make trips by any motorised form and to reduce the length of motorised trips.</i></p> <p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. Support transit oriented communities at locations with high frequency public transport services and access to good quality and safe cycling and walking routes; 2. Sufficient infrastructure is provided to connect communities and increase self-containment in the region; 3. Reduce the length and reduce the frequency of car trips; 4. Reduce the length and increase the frequency of public transport trips; 5. Increase the length and increase the frequency of walking and cycling trips; 6. End of trip facilities are provided in public and private developments in 	<p>Yes</p>	<p>As stated above, a requirement of the SARA is that any future development of the site is designed to accommodate a public transport (bus) route through the site. In addition, the proximity of the Site to public transport, commercial and community centres as well as places of employment supports the creation of a more compact settlement pattern in the region, with the development having the infrastructure necessary to support it, having regard to its context in the natural landscape.</p> <p>The proposal is consistent with the Strategic Outcome.</p>

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<p>activity centres to encourage walking and cycling;</p> <p>7. Complementary land uses are provided in close proximity to each other, encouraging shorter trips and a higher level of linked trips (e.g. child-care facilities, open space and shops located close to work-places) and providing opportunities for communal parking;</p> <p>8. Ensure new development is serviced with new public transport routes, facilities and high frequency services, including priority transit corridors, to establish improved mode share at an early stage; and</p> <p>9. Appropriate fauna management practices are implemented where necessary to protect wildlife.</p> <p>10. Appropriate measures are implemented where necessary to protect water quality in drinking water catchments.</p>		
<p><i>Influence sustainable travel behaviour by creating attractive places to walk and cycle.</i></p> <p><u>Specific Outcomes</u></p> <p>1. Provide good quality urban design to encourage Crime Prevention Through Environmental Design principles to improve the design quality of public space;</p> <p>2. Activate areas to encourage a sense of community, creating a feeling of safety and encouraging more people to walk;</p> <p>3. Pedestrian and cycle routes and associated infrastructure are well managed and maintained;</p> <p>4. Promote the health aspects of walking and cycling; and</p> <p>5. Provide best practice design of the transport network to reduce accidents and improve safety, particularly related to pedestrians and cyclists.</p>	Yes	<p>Due to the nature of the development application being a Variation and Preliminary Approval, specific requirements of the applicant have not been required at this stage, with the understanding that specific requirements will be conditioned as part of any future application. Instead, higher level requirements have been conditioned as part of the Variation and Preliminary approval at this stage.</p> <p>The development if approved, provides the framework in which any future development application that is compliant with the Planning Scheme would be consistent with this Strategic Outcome.</p>
Theme - Infrastructure		
<p><i>Use infrastructure to support desired regional growth and help create a more</i></p>	Yes	<p>As stated above in the assessment of the proposal against other Themes, the</p>

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Strategic Outcome	Comply	Assessment
<p><i>compact urban pattern, cohesive urban and rural communities, and regional economic development.</i></p> <p>1. Council is approaching the challenge of growth management by adopting smart growth principles and the MBRC Place Model. This model will integrate land uses, transport and infrastructure to promote a more compact urban form, including increased availability and diversity of housing for people of all income levels, walkable neighbourhoods, creating distinctive and attractive mixed use communities, access to a variety of transportation choices, reduced car dependency, protecting our natural landscapes, targeting new development to accessible infill locations and prioritising use of existing infrastructure.</p>		<p>proposal will utilise existing infrastructure and provide improvements to the networks where it is needed, consistent with this Strategic Outcome.</p>
<p><i>Facilitate access to high-speed broadband telecommunications.</i></p> <p><u>Specific Outcomes</u></p> <p>1. Council is supportive of high speed internet access for all and encourages the roll out of the high speed broadband services throughout the Region including access for the more remote rural areas; and</p> <p>2. Council will continue to monitor the growth of the digital economy and its potential impacts on lifestyles and development within the Region and will seek to identify opportunities provided by the new economy to support greater levels of economic development/job self containment within the Region and opportunities for telecommuting to replace commuter travel to the city.</p>	NA	
Theme - Water Management		
<p><i>Floodplains in the region will be managed for the long-term benefit of the community such that hazards to people and damages to property and infrastructure are minimised and the intrinsic environmental values of the floodplain are protected.</i></p>	Yes	<p>The Site is affected by flooding however, the vast majority of the flood affected part of the site is located to the south of the existing, southern, powerline easement where existing vegetation exists and is proposed to be retained. There are no</p>

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Strategic Outcome	Comply	Assessment
<p><u>Specific Outcomes</u></p> <ol style="list-style-type: none"> 1. The natural function of the Region's floodplains are preserved and enhanced; 2. The different flood behaviour that occurs across the region in a variety of events, up to and including the probable maximum flood, are recognised and planned for; and 3. Land use planning and development controls minimise both the exposure of people to flood hazard and the potential damages to property and infrastructure. 		<p>changes to the floodplain proposed in the development application with no development proposed or anticipated in the flood affected parts of the site. Therefore, the proposal is compliant with this Strategic Outcome.</p>
<p><i>Ensure development is appropriately planned, designed, constructed, operated and maintained to manage stormwater and wastewater in order to protect the environmental values.</i></p> <ol style="list-style-type: none"> 1. Incorporate water sensitive urban design principles into urban developments to reduce the impact of stormwater run-off and associated pollutants generated from urbanised areas, including: <ol style="list-style-type: none"> a. naturalising stormwater run-off, rather than rapidly conveying stormwater; b. rainwater tanks to conserve potable water supplies; c. vegetated swales and buffer strips to reduce flow velocities and filter pollutants; d. water-efficient landscaping; e. at-source stormwater treatment through streetscape bioretention/rain gardens; f. constructed stormwater wetlands to treat run-off from larger catchments; g. protecting water-related environmental, recreational and cultural values; h. stormwater harvesting for various uses in localised catchments; and i. greywater re-use and on-site sewerage treatment facilities. 	<p>NA</p>	<p>Not applicable at this stage and will be given consideration in future detailed development applications.</p>

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Strategic Outcome	Comply	Assessment
Theme - Planning Areas		
Element - Strathpine planning area		
<p>Specific Outcomes - Natural environment and landscape</p> <ol style="list-style-type: none"> 1. The planning area includes significant natural features and green infrastructure. These areas include: <ol style="list-style-type: none"> a. the waterways of the North Pine and South Pine Rivers, Cabbage Tree Creek and Kedron Brook; and b. areas protected because of their conservation significance including Bunyaville State Forest. These areas will be protected by their inclusion in the Mountain ranges, forests and waterways place type and the Coast and riverlands place type which exclude development incompatible with protecting the significant values of these areas; 2. The planning area contains many green infrastructure components, including waterways, core environmental areas, terrestrial environmental corridors, parks, linear open spaces, urban forests and street trees. The design and development of concept plans for growth areas at Warner and Joyner will incorporate green infrastructure network elements wherever possible; and 3. Strategic koala habitat networks in this planning area are critical to ensuring strong and safe habitat linkages for koalas in the longer term. Identified core koala habitat areas and koala movement and dispersal corridors will be protected and development will rehabilitate and reinstate the regional ecosystem values in these identified areas. In areas where clearing of koala habitat is required to achieve good quality urban design outcomes, offsets will be required into an identified environmental offsets area. 	<p>Yes</p>	<p>As part of the Variation to the MBRC Planning Scheme, an area of 5.05ha is proposed to be zoned Environmental and Conservation Zone, whilst an additional 5.06ha is proposed to be zoned Recreation and Open Space Zone.</p> <p>To ensure that the environmental aspects are protected on site, a 50m densely vegetated corridor along the northern and western boundaries of the site are required to allow for a wildlife movement corridor. Further all vegetation corridors within the site are required to have a minimum width of 50m, in accordance with the locations as provided in the amended Landscape Concept Plan. Further still, future development of the site will be required to provide a fauna underpass under Kremzow Road, linking existing and proposed wildlife corridors with vegetation north of Kremzow Road.</p> <p>The development if approved, provides the framework in which any future development application that is compliant with the Planning Scheme would be consistent with these Strategic Outcomes.</p>

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Strategic Outcome	Comply	Assessment
<p>Specific Outcomes - Strong communities</p> <ol style="list-style-type: none"> 1. The planning area provides for a diverse range of housing choice in terms of type, density, layout and affordability to cater for a demographically and socio-economically diverse population within the Rural residential, Suburban neighbourhood, Next generation neighbourhood, Urban neighbourhood and Activity centre place types; 2. The planning area provides for the development of an appropriate range of community facilities and services, sporting and recreational facilities, open space and parkland to cater for the planning area's community; 3. Special places that contribute to the unique identity of the planning area include the South Pine Sporting Complex, private sport and recreation area, Energex site and wastewater treatment plant at Brendale, James Drysdale Recreation Reserve at Bunya and Pine Rivers Park at Strathpine. These facilities have a unique role to play in respect to opportunities for sport and recreation and planning area infrastructure which this plan seeks to protect. These have been allocated to Special area place types in the urban structure; 4. The planning area falls within the regional character area of urban corridor. New development will contain high quality built form and landscapes consistent with provisions of the Moreton Bay Regional Council Urban Design Charter and the Subtropical Design in South East Queensland: A Handbook for Planners, Developers and Decision Makers; 5. Residential areas will be generously landscaped and linked to one another by a continuous open space system including parks and playing fields; and 	<p>Yes</p>	<p>Due to the nature of the development application being a Variation and Preliminary Approval, specific requirements of the applicant have not been required at this stage, with the expectation that specific requirements will be required as part of any future development applications seeking a development permit. Instead, higher level requirements have been conditioned as part of the Variation and Preliminary approval at this stage.</p> <p>The development if approved, provides the framework in which any future development application that is compliant with the Planning Scheme would be consistent with this Strategic Outcome.</p> <p>The Site is located within an established locality being situated within close proximity of the community, educational, retail, commercial and business uses existing within the neighbouring localities of Warner, Brendale, Strathpine and Bray Park.</p>

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Strategic Outcome	Comply	Assessment
<p>6. Sites of local heritage significance are located within the planning area. Development that has the potential to impact upon the heritage listed sites will require a Heritage Impact Assessment as part of the approval process.</p>		
<p>Specific Outcomes - Settlement pattern and urban form</p> <ol style="list-style-type: none"> 1.; and 2.; and 3. Next generation neighbourhood areas at Strathpine, Bray Park, Joyner, Warner, Albany Creek and the Hills District will be developed as well planned and attractive refurbished residential neighbourhoods providing a diverse range of residential opportunities at densities that support the provision of community facilities and services and viable local centres. The local centres will generally be located on central intersections with good accessibility and visibility, in locations that support active transport and a network of well connected and attractive streets and open spaces within the neighbourhoods; 4. 5. 6. 7. 8. 9. An investigation area has been identified at Warner. The area is bound by Kremzow Road to the north, Old North Road and South Pine Road to the east, Eatons Crossing Road in the south and existing rural residential development to the west. Further investigations will be required to determine the development potential and future use of this area. The majority of the area, in the vicinity of Warner Road and to the south, is likely to remain largely rural residential in nature until the area can be developed in an efficient and cohesive manner. 	<p>Yes</p>	<p>Section 1 of this report refers to the recent history of planning for the Site as a part of the Investigation area for Warner that has become known as the Warner Investigation Area (WIA).</p> <p>While the major amendment to the MBRC Planning Scheme was refused by the State government in October 2018, the planning scheme remains in effect supporting the investigation of the area for residential purposes. The current proposal is consistent with the WIA investigations that were undertaken by the Council prior to the proposed major amendment to the MBRC Planning Scheme, that was refused by the State government for other reasons.</p>

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Strategic Outcome	Comply	Assessment
Theme - MBRC Place Model		
Element - Next generation neighbourhood place type that best aligns to the proposed zoning variations.		
<p>Specific Outcomes - Sustainability and resilience</p> <ol style="list-style-type: none"> 1. Industry and related businesses are conducted without adverse impacts on adjacent areas; 2. Development does not cause environmental harm or nuisance; 3. Development is oriented and designed in response to local climate conditions to conserve non-renewable energy and incorporate the use of appropriate renewable energy and low emission technologies; and 4. New development is designed to avoid exposure to flood and storm tide inundation events and coastal erosion. 	Yes	Refer to the assessment above against the Sustainability and Resilience Theme.
<p>Specific Outcomes - Natural environment and landscape</p> <ol style="list-style-type: none"> 1. A network of green areas focusing on urban design outcomes, with consideration of ecological function, provides trees for shade and visual amenity and ground covers that help manage stormwater; 2. The retention of high value vegetation is integrated into the design of development to complement and enhance the visual amenity, character and function of the built form and maintain important ecosystem services; and 3. High value vegetation is protected in identified environmental corridors and where possible integrated into the design of development to complement and enhance visual amenity, character, shade and assist in stormwater management. 	Yes	Refer to the assessment above against the Natural environment and landscape Theme.
<p>Specific Outcomes - Strong communities</p> <ol style="list-style-type: none"> 1. All development will contribute to the creation of a socially, visually and physically amenable work environment. 	Yes	Refer to the assessment above against the Strong communities Theme

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Strategic Outcome	Comply	Assessment
<p>Specific Outcomes - Settlement pattern and urban form</p> <ol style="list-style-type: none"> 1. This place type is an integral element of the urban structure of the Region and key areas for the creation of higher levels of local enterprise employment; 2. The place type is primarily intended for manufacturing, engineering, transport, logistics and warehouse activities and related business activity; 3. New Enterprise and employment activities recognise adjacent sensitive land uses and buffer the enterprise and employment activities appropriately; and 4. Enterprise and employment areas in visually prominent locations on the major road network will present well designed facades and a high standard of landscaping to the major roads 	Yes	Refer to the assessment above against the Settlement pattern and urban form Theme.
<p>Specific Outcomes - Employment Location</p> <ol style="list-style-type: none"> 1. Enterprise and employment areas provide highly accessible locations for the co-location of existing and new industries and related businesses that manufacture, store, distribute and produce goods and services; and 2. Enterprise and employment areas support higher levels of local employment in the Region and complement the Activity centres. 	Yes	Refer to the assessment above against the Employment Location Theme.
<p>Specific Outcomes - Integrated transport</p> <ol style="list-style-type: none"> 1. Enterprise and employment areas accommodate business and industry activities that require a high level of accessibility to the regional freight network; 2. The transport systems in the Enterprise and employment areas provide a high level of integration between the needs of industry and business; 3. The safe and efficient operation of the transport systems are maintained and improved in Enterprise and employment areas; 	Yes	Refer to the assessment above against the Integrated Transport Theme.

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Strategic Outcome	Comply	Assessment
4. Safe legible and convenient walking and cycling facilities are provided and public transport is facilitated from the dominant workforce and customer catchments to and through Enterprise and employment areas; and 5. Public transport feeder services support the Enterprise and employment place type and connect Enterprise and employment areas with adjacent neighbourhoods and transport hubs.		
Specific Outcomes - Infrastructure 1. The Enterprise and employment areas have the level of service of Infrastructure provision necessary to support growth and adaptation to change over time; and 2. Enterprise and employment areas have access to electricity, telecommunications and high speed broadband to support their important economic function within the Region.	Yes	Refer to the assessment above against the infrastructure Theme.
Specific Outcomes - Water management 1. Enterprise and employment areas are provided with adequate water, sewerage and stormwater drainage capacity; and 2. Water sensitive urban design measures are incorporated into development to protect and enhance the water quality in the Region's waterways and drinking water catchments.	Yes	Refer to the assessment above against the Water management Theme

Accordingly, based on the assessment above the proposal is consistent with the Strategic Outcomes of the Strategic Framework of the Moreton Bay Regional Council Planning Scheme.

While the Site is located predominantly in the Enterprise and Employment Area Place Type, it is identified as part of an area that will be investigated by the Council for its potential for future development. As discussed in Section 1 of this report, that investigation was done and informed a proposed major amendment to the MBRC Planning Scheme that was refused by the State government. This proposal is consistent with the outcomes of that investigation.

Therefore, for these reasons, the proposal is arguably consistent with the Strategic Framework despite its location in the Enterprise and Employment Areas and Coast and Riverlands Place Types.

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3.3.2 Variation Request

This application includes a variation request defined in the *Planning Act 2016* to mean the part of a development application for a preliminary approval for premises that seeks to vary the effect of any local planning instrument in effect for the premises.

Section 61(2) of the *Planning Act 2016* specifies that when assessing the variation request, the assessment manager must consider:

- (a) the result of the assessment of that part of the development application that is not the variation request; and
- (b) the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and
- (c) the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and
- (d) any other matter prescribed by regulation.

An assessment of the variation request to vary the effect of the MBRC Planning Scheme to have the General Residential Zone - Next Generation Neighbourhood Precinct, Recreation and Open Space Zone, Limited Development Zone and Environmental Management and Conservation Zone apply to the land as well as variations to the overlay maps referred to in Section 1 has been undertaken and is discussed below.

3.3.2.1 Result of Assessment of the other aspects of the Development Application

In this Development Application, the other aspects as discussed earlier in this Assessment Report are a Material Change of Use - Preliminary Approval for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation. How these land uses are intended to apply to the different zones proposed as variations to the planning scheme are described in section 2 of this report and have been found to be suitable in that context.

As discussed in section 3.1 of this Assessment Report, the Site is located in proximity to major centres, employment areas, community and recreation facilities and major transport corridors. In addition, residential estates of a similar nature and density exist north of the Site being further away from the Brisbane CBD. As mentioned in section 1 of this report, the Council had also in late 2017 proposed to amend the MBRC Planning Scheme to include the land into the Emerging Community Zone recognising its suitability for residential purposes instead of industrial purposes. On this basis, an assessment of the proposed land uses has determined them to be appropriate, subject to addressing the relevant criteria in the MBRC Planning Scheme. The proposed variation is consistent with these land uses.

3.3.2.2 Consistency with the rest of the MBRC Planning Scheme

Item 1 of the Variation Request is to vary the effect of the Moreton Bay Regional Council Planning Scheme to apply the General Residential Zone - Next Generation Neighbourhood Precinct, Environmental Management and Conservation Zone, Recreation and Open Space Zone and Limited Development Zone as shown on the proposal plan.

This is consistent with the rest of the MBRC Planning Scheme as they are seeking to apply the current provisions of the Planning Scheme.

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Environmental Areas Overlay

The applicant has undertaken a comparative analysis of the current Environmental Areas overlay against the proposed Environmental Areas Overlay, shown below in Figure 5;

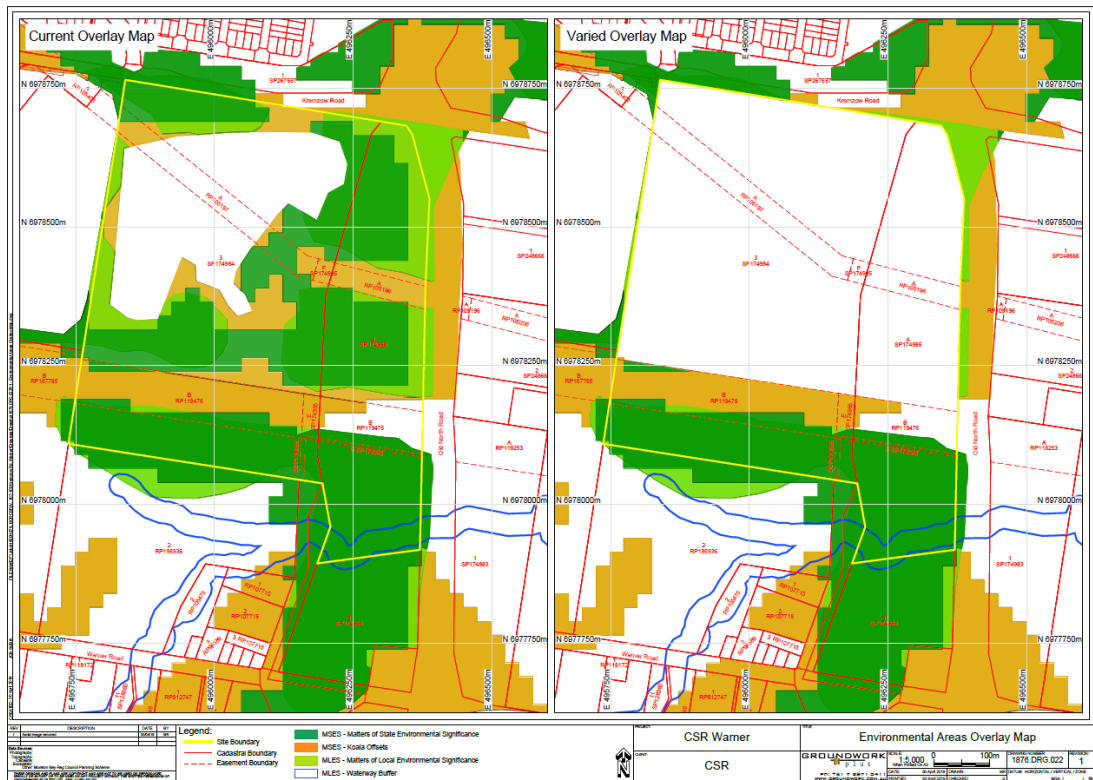


Figure 5: Existing Environmental Areas Overlay v Proposed Environmental Areas Overlay

The Site is mapped under the Environmental Areas Overlay as containing:

- areas of Matters of State Environmental Significance (MSES);
- MSES Koala Offset;
- MLES; and A single waterway to the south of the site.

The applicant seeks to apply an alternative Environmental Areas Overlay map to align with the land proposed to be included into the General Residential Zone - Next Generation Neighbourhood Precinct. The vast majority of the site has been cleared lawfully under the mining permit with remnant vegetation left in the southern part of the site and along the northern and eastern boundaries of the site.

As discussed in greater detail in the environmental planning comments in section 3.6.1.2 of this Report, the proposed environmental areas overlay mapping is not supported as currently presented and will require amendment as a recommended condition of approval.

Bushfire Hazard Overlay

The applicant has undertaken a comparative analysis of the current Bushfire Hazard Overlay against the proposed Bushfire Hazard Overlay, shown below in Figure 6;

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Figure 6: Existing Bushfire Hazard Overlay v Proposed Bushfire Hazard Overlay

The applicant seeks to apply an alternative Bushfire Hazard Overlay map to align with the vegetation on site.

The variation is therefore seeking to give effect to the updated Bushfire Hazard Overlay map due to sufficient technical information being provided to demonstrate that the actual vegetation on the Site is less than how it is currently mapped, and therefore the Bushfire Hazard on site is less than how it is currently mapped.

As discussed in greater detail in the environmental planning comments in section 3.6.1.2 of this Report, the proposed bushfire hazard overlay mapping is not supported as currently presented and will require amendment as a recommended condition of approval.

Environmental Offset Receiving Areas Overlay

The applicant has undertaken a comparative analysis of the current Environmental Offset Receiving Areas Overlay against the proposed Environmental Offset Receiving Areas Overlay, shown below in Figure 7;

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Figure 7: Existing Environmental Offset Receiving Areas Overlay v Proposed Environmental Offset Receiving Areas Overlay

The applicant seeks to apply an alternative Environmental Offset Receiving Areas Overlay map to align with the vegetation on site.

The variation is therefore seeking to give effect to the updated Environmental Offset Receiving Areas Overlay map, due to sufficient technical information being provided to demonstrate that the actual environmental values present on the Site are less than how it is currently mapped.

As discussed in greater detail in the environmental planning comments in section 3.6.1.2 of this Report, the proposed Environmental Offset Receiving Areas Overlay mapping is not supported as currently presented and will require amendment as a recommended condition of approval.

Building Heights Overlay

The applicant has undertaken a comparative analysis of the current Building Heights Overlay against the proposed Building Heights Overlay, shown below in Figure 8;

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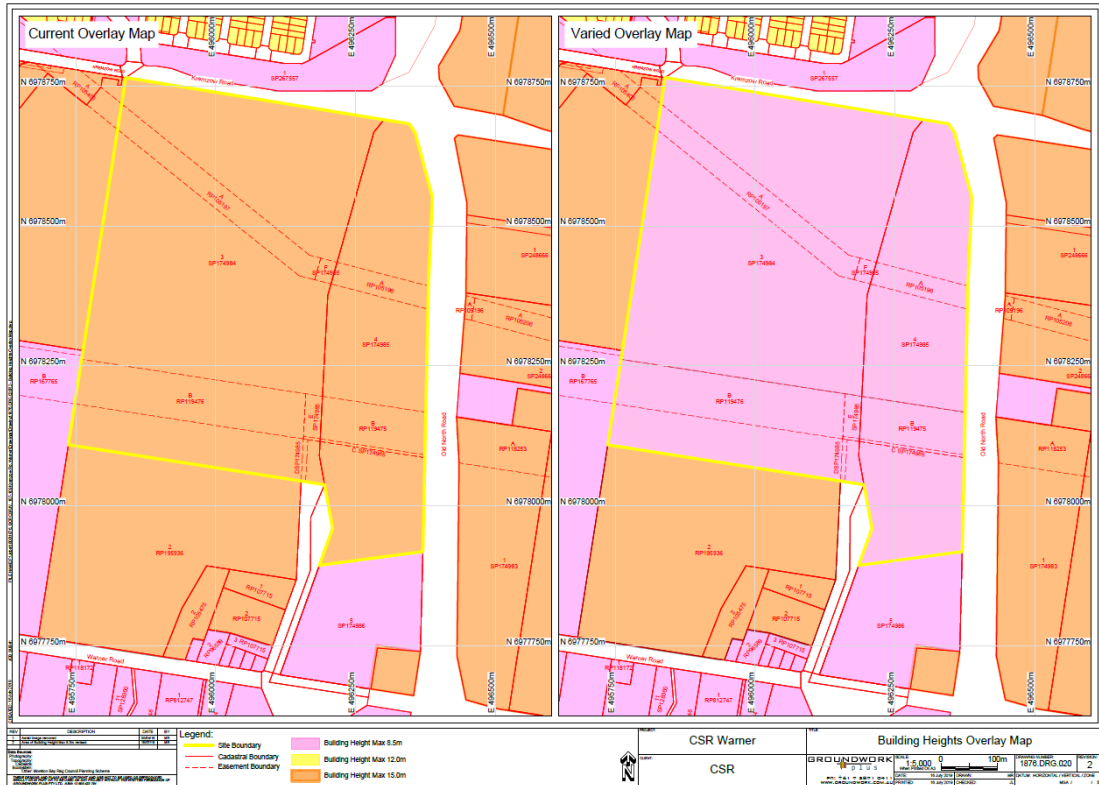


Figure 8: Existing Building Heights Overlay v Proposed Building Heights Overlay

The application seeks to restrict the building heights to a maximum of 8.5m instead of 15m. The proposed building height is less than the maximum building height commonly allowed within General Residential Zone (Next Generation Neighbourhood Precinct) being 12m. The view is that a 2 storey Dwelling House is more consistent with the locality than a 3 storey which is accepted by Council officers.

The variation is therefore seeking to give effect to the updated Building Heights Overlay map acknowledging that the existing height (being based on industrial land uses) is not appropriate for residential development in this location and proposing an alternative more consistent with the locality.

The proposed amendment to the Building Heights Overlay mapping is supported by Council officers.

Landslide Hazard Overlay

The applicant has undertaken a comparative analysis of the current Landslide Hazard Overlay against the proposed Landslide Hazard Overlay, shown below in Figure 9;

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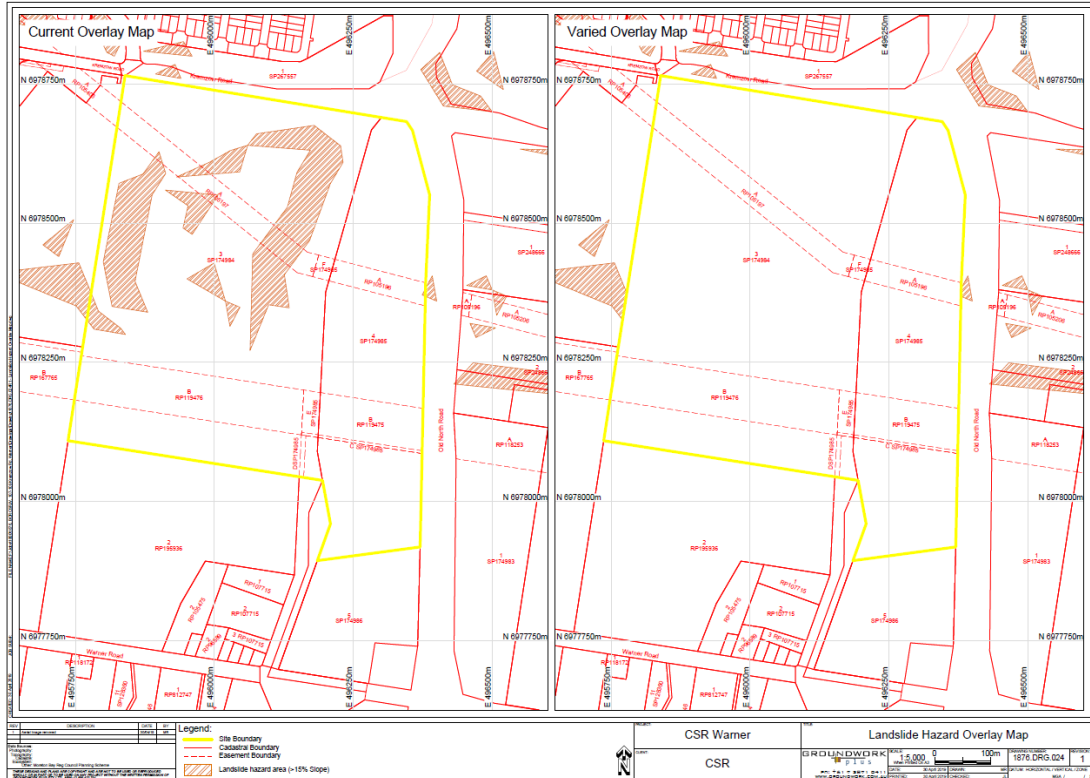


Figure 9: Landslide Hazard Overlay v Proposed Landslide Hazard Overlay

The applicant seeks to apply an alternative Landslide Hazard Overlay map to align with the current topography on site.

The variation is therefore seeking to give effect to the updated Landslide Hazard Overlay map, due to sufficient technical information being provided to demonstrate that the actual topography on the Site is flatter than how it is currently mapped.

The current overlay mapping represents what, at the time when the mapping was undertaken, was an operating mine. Therefore, the mapping does not represent what is currently on site and therefore the proposed amendment to the Building Heights Overlay mapping is supported by Council officers.

3.3.2.3 Effect of the variations on submission rights

The effect of the variation is that under the current zoning of the land, any Dwelling House on the land would require a Development Permit for a Material Change of Use and be Impact Assessable, whereas, with the benefit of the variation, a Development Permit for a Material Change of Use for a Dwelling House is unlikely to be required and if it is, it would be Code Assessable development only. On that basis, members of the public would not be able to make a submission.

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As the variation request has been made as part of the development application for a Preliminary Approval for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation, members of the public have a clear appreciation and understanding of what is proposed. In addition, the variation request relates only to a limited number of proposed land uses, and therefore other land uses (such as Multiple Dwelling) have not been contemplated and will not receive the benefit of the variation. Further, a number of the uses requested already occur on the site or are able to already occur in limited / small scale circumstances as articulated in section 1.7.7.1 of the Council's Planning Scheme.

Therefore, whilst the proposed variation will remove the opportunity in the future for submissions to be made about Dwelling Houses for example, sufficient information has been provided to enable members of the public to raise those concerns in respect of those uses. While the variation will allow for example a development application to be lodged to subdivide the land into residential allotments, subdivision is code assessable and therefore not a matter the community has an opportunity to formally comment on. However, the application has stated that the proposed maximum site density would be 20 dwellings per hectare, providing certainty of the density to the community, and if approved is a recommended condition of approval.

In respect to the proposed variations to the numerous overlay maps, the effect of those variations is clear in the development application and opportunities to raise concerns now exist with members of the community. Further, the effect of these changes are inconsequential as the application of the aforementioned varied overlays do not influence the level of assessment and therefore the opportunity for public input remains the same.

3.3.2.4 Any other matter prescribed by regulation

The corresponding section 32 of the *Planning Regulation 2017* provides guidance on assessing variation requests specifically in relation to section 61(2)(d) of the *Planning Act 2016*:

32 Assessing variation requests—Act, s 61

For section 61(2)(d) of the Act, an assessment manager must consider the following matters when assessing a variation request, to the extent the matter is relevant to the request—

- (a) the common material;*
- (b) the regional plan for a region;*
- (c) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme;*
- (d) any temporary State planning policy.*

The common material is a defined term of the *Planning Regulation 2017*, meaning:

common material, for a development application, means—

- (a) all the material about the application that the assessment manager receives before the application is decided, including—*
 - (i) any material relating to a proposed development application that is substantially similar to the development application as made; and*
 - (ii) any material attached to, or given with, the development application; and*
 - (iii) any material relating to the application given to the assessment manager after the application is made; and*
 - (iv) any referral agency's response, including any advice or comment given by a referral agency and any response given under section 57 of the Act; and*
 - (v) any properly made submissions about the application, other than a submission that is withdrawn; and*

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- (vi) any other submission about the application that the assessment manager has accepted; and
 - (vii) any other advice or comment about the application that a person gives to the assessment manager; and
- (b) if a development approval for the development is in effect—the approval; and
(c) an infrastructure agreement applying to the premises.

As part of the development application process, any material relating to, attached to, or given with the development application has been assessed.

The State Assessment and Referral Agency (**SARA**) was triggered as a referral as part of the application, specifically under Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (*Planning Regulation 2017*): Development impacting on state-transport infrastructure. The response from the SARA, in summary, stated:

- provide a future bus route through the site;
- provide a bus indent bay;
- upgrade the intersection of South Pine Road with Kremzow Road;
- upgrade the intersection of South Pine Road and Old North Road; and
- ensuring stormwater management of the development results in no worsening or actionable nuisance to the state-controlled roads.

All properly made and or accepted submissions were considered throughout the development assessment process. Notably the majority are in support of the proposal.

No existing development approval or infrastructure agreement applies to the premises.

Accordingly, the development application is compliant with Section 32(a) of the *Planning Regulation 2017*.

The South East Queensland Regional Plan has been considered in Section 3.2.2 of this Assessment Report and accordingly, the development application is compliant with Section 32(b) of the *Planning Regulation 2017*.

The State Planning Policy is considered in Section 3.2.1 of this Assessment Report and accordingly, the development application is compliant with Section 32(c) of the *Planning Regulation 2017*.

No temporary State Planning Policy is applicable to the Site and therefore the development application is compliant with Section 32(d) of the *Planning Regulation 2017*.

Having carried out the assessment of the Variation Request, it has been demonstrated that;

- (a) It is aligned with the proposed uses contained in the Material Change of Use - Preliminary Approval component of the development application; and
- (b) It is consistent with the rest of the MBRC Planning Scheme; and
- (c) The effect of the variation on submitters rights is acceptable as submitters with concerns have had the opportunity to make a submission about this development application; and
- (d) The development application is compliant with the other matters as prescribed in Section 32 of the *Planning Regulation 2017*.

Accordingly, the variation request has demonstrated it warrants favourable consideration.

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3.3.3 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
Zone/ Local Plan Code		
General Residential Zone Code - Next Generation Neighbourhood precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO2, PO3. Note, an assessment against PO46, PO48, PO49-51, PO52, PO53-57 has not been undertaken as part of this development application as all performance outcomes relate to specific uses which will be subject to future Material Change of Use applications in which the respective Performance Outcomes in question will be applicable and assessed where triggered as assessable development.
Environmental Management and Conservation Zone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nil.
Limited Development Zone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nil.
Recreation and Open Space Zone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nil.
Overlay Codes		
Flood Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nil.

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 3.3.4.

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3.3.4 Performance Outcome Assessment

Performance Outcome	Example
General Residential Zone Code - Next Generation Neighbourhood Precinct	
<p>PO2 Buildings and structures have a height that:</p> <ul style="list-style-type: none"> a. is consistent with the low to medium rise character of the Next Generation Neighbourhood precinct; b. responds to the topographic features of the site, including slope and orientation; c. is not visually dominant or overbearing with respect to the streetscape; <p>responds to the height of development on adjoining land where contained within another precinct or zone.</p>	<p>PO2 Buildings and structures have a height that:</p> <ul style="list-style-type: none"> • is consistent with the low to medium rise character of the Next Generation Neighbourhood precinct; • responds to the topographic features of the site, including slope and orientation; • is not visually dominant or overbearing with respect to the streetscape; <p>responds to the height of development on adjoining land where contained within another precinct or zone.</p>
<p>PO3 The height of non-residential buildings does not adversely affect amenity of the area or of adjoining properties.</p>	<p>PO3 The height of non-residential buildings does not adversely affect amenity of the area or of adjoining properties.</p>
<i>Performance Outcome Assessment</i>	
<p>The variation application proposes to amend the maximum building height permitted to 8.5m. The proposed building height is less than the maximum building height currently permitted on the site being 12m reflecting its location in the Industry Zone.</p> <p>The proposed building height is consistent with the low to medium character of the Next Generation Neighbourhood Precinct and will not result in buildings or structures being visually obtrusive or dominant.</p> <p>The proposal accords with the requirements of Performance Outcomes PO2 and PO3.</p>	

3.3.5 Overall Outcome Assessment

Due to the nature of the development application, being a Material Change of Use - Preliminary Approval for Dwelling House, Dual Occupancy, Home Based Business, Environment Facility, Major Electricity Infrastructure, Market, Outdoor Sport and Recreation, Park, Shop, Substation, Sales Office, Telecommunications Facility, Theatre, Tourist Attraction and Utility Installation and a request to vary the MBRC Planning Scheme to include the Site in the General Residential Zone - Next Generation Neighbourhood Precinct, Environmental Management and Conservation Zone, Limited Development Zone and Recreation and Open Space Zone, the proposal is required to be assessed against the applicable Overall Outcomes of the codes as follows noting that the assessment has been limited to only those applicable to the proposal.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
a. The Next generation neighbourhood precinct supports site densities between 15 and 75 dwellings per hectare.	Yes	The proposal is for a Variation and Preliminary approval and therefore no specific site density has been provided at this time. However, a recommended condition of approval limits the site density to a maximum of 20 dw/ha and therefore complies with Overall Outcome a.
b. Neighbourhoods will have a mix of residential uses, tenure and densities on a variety of lot sizes providing housing choice and affordability for different lifestyle choices and life stages to meet diverse community needs.	Yes	Upon receipt of a further development application the proposal will need to accord with the requirements of the relevant codes and therefore, on this basis, the proposal can accord with Overall Outcome b., and c.
c. Neighbourhoods are designed to provide well-connected, safe and convenient movement and open space networks through interconnected streets and active transport linkages that provide high levels of accessibility between residences, open space areas and places of activity		
d. Medium to high density uses (e.g. Multiple dwelling , Relocatable home park , Residential care facility , Retirement facility , Rooming accommodation, Short-term accommodation are located in proximity to a range of services and public transport stops(s) or station(s).	NA	Not applicable.
e. The design, siting and construction of residential uses are to: (vi) contribute to an attractive streetscape with priority given to pedestrians; (vii) encourage passive surveillance of public spaces; (viii) results in privacy and residential amenity consistent with the low to medium density residential character intended for the area; (ix) provide a diverse and attractive built form;	Yes	Upon receipt of a further development application the proposal will need to accord with the requirements of the relevant codes and therefore, on this basis, the proposal can accord with Overall Outcome e.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
<ul style="list-style-type: none"> (x) orientate to integrate with the street and surrounding neighbourhood; (xi) incorporate sub-tropical urban design principles that respond to local climatic conditions; (xii) incorporate sustainable practices including maximising energy efficiency and water conservation; (xiii) incorporate natural features and respond to site topography; (xiv) cater for appropriate car parking and manoeuvring areas on-site; (xv) be of a scale and density consistent with the low to medium density residential character intended for the area; (xvi) provide urban services such as reticulated water, sewerage, sealed roads, parks and other identified infrastructure; (xvii) ensure domestic outbuildings are subordinate in appearance and function to the dwelling. 		
<p>f. Home based business can only be established where the scale and intensity of the activity does not detrimentally impact upon the character and amenity associated with the surrounding area. Specifically, Home based business does not include the sale or restoration of more than 4 vehicles in any calendar year or, undertake a mechanical repairs or panel beating activity associated with a business at the subject premises.</p>	Yes	For the purpose of assessment of this development application Overall Outcome f. is noted for any future applications for home-based business uses.
<p>g. Non-residential uses in the next generation neighbourhood precinct take the form of community activities, corner stores,</p>	No	The proposal includes non residential uses that is not a community activity, corner store, neighbourhood hubs or local centres and therefore does not accord with Overall Outcome g. However some of the proposed

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
neighbourhood hubs or local centres.		uses such as Major Electricity Infrastructure (powerlines) currently exist on the site and will continue to exist on the site and are often located in parts of the General Residential Zone. Other non residential uses within the application are permitted to occur as Accepted Development in limited circumstances and those are proposed to continue. Therefore, while there might be technical non compliance with the Overall Outcome, on balance there is no material or real conflict with what the Outcome was intending.
h. Community activities: (xviii) establish in a location that may be serviced by public transport; (xix) do not negatively impact adjoining residents or the streetscape; (xx) do not undermine the viability of existing or future centres.	NA	No community activity uses proposed.
i. The design, siting and construction of non-residential uses: (xxi) maintains a human scale, through appropriate building heights and form; (xxii) provides attractive, active frontages that maximise pedestrian activity along road frontages, movement corridors and public spaces (excluding Service stations); (xxiii) provides for active and passive surveillance of road frontages, movement corridors and public spaces; (xxiv) promotes active transport options and ensures an oversupply of car parking is not provided; (xxv) locates car parking so as not to dominate the street; (xxvi) does not result in large internalised shopping	Yes	For the purpose of assessment of this development application Overall Outcome I. is noted for any future applications.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
centres (e.g. large blank external walls with tenancies only accessible from within the building) surrounded by expansive areas of surface car parking		
<p>n. General works associated with the development achieves the following:</p> <ul style="list-style-type: none"> i. new development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and reticulated electricity (underground wherever possible), water and sewerage (where available); ii. the development manages stormwater to: <ul style="list-style-type: none"> A. ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters; B. prevent stormwater contamination and the release of pollutants; C. maintain or improve the structure and condition of drainage lines and riparian areas; D. avoid off-site adverse impacts from stormwater. iii. the development does not result in unacceptable impacts on the capacity and safety of the external road network; iv. the development ensures the safety, efficiency and useability of access ways and parking areas; v. site works including earthworks are managed to be safe and have minimal impacts on adjoining or 	Yes	As discussed in more detail in later sections of this report, the application as submitted was found to be deficient in assessing its impacts on the Council's road network. Recommended conditions of approval have however been developed to mitigate those impacts. Other infrastructure networks are able to accommodate the development. Subject to the application of the recommended conditions of approval the proposal will comply with the Overall Outcome.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
adjacent premises, the streetscape or the environment.		
o. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.	Yes	This application is for a Variation and Preliminary Approval and therefore, for the purpose of this development application, is compliant with Overall Outcome o., p., & q.
p. Noise generating uses are designed, sited and constructed to minimise the transmission of noise to appropriate levels and do not cause environmental harm or nuisance		
q. Noise sensitive uses are designed, sited and constructed so as not to be subject to unacceptable levels of noise		
u. Development in the Next generation neighbourhood precinct does not include any of the following: ... • Tourist attraction • Theatre ...	No	The proposal includes a Tourist attraction and Theatre use and therefore is not compliant with Overall Outcome u. However, these uses are only contemplated in this zone when they are a temporary use and complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development' of the planning scheme. More specifically in this instance, the uses can only occur if temporary and if they are operating under a local law approval for the prescribed activity, "operation of temporary entertainment events". Therefore, while there might be technical non compliance with the Overall Outcome, on balance there is no material or real conflict with what the Outcome was intending.
v. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone	Yes	Although Tourist attraction and Theatre uses are proposed which are inconsistent with Overall Outcome u., the other proposed land uses, subject to the recommended limitations on their application, having been considered on their merits are acceptable and comply with Overall Outcome v.

Based on the assessment above, on balance, the proposal is consistent with the Overall Outcomes of the code(s).

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In addition, section 45 (5) of the *Planning Act 2016* states the assessment may be carried out against, or having regard to, any other relevant matter other than a person's personal circumstances, financial or otherwise. The other relevant matters to which regard may be had in the assessment of the proposed development, are discussed in section 3.8 of this report.

3.4 Trunk Infrastructure

In accordance with section 4 of the MBRC Planning Scheme, the Site is NOT located in the identified Priority Infrastructure Area (PIA) in the Council's Local Government Infrastructure Plan (LGIP). However, as the development application only seeks a Preliminary Approval for various land uses and a variation to the effect of the planning scheme, any development approval given does not authorise development to commence. Therefore, no Levied Charge can be applied at this time and instead would be applied in the future if any Development Permit is sought and given.

In addition, as the site and its road frontages are not included in the PIA in the LGIP, any land or works would not have the automatic benefit of an offset.

3.4.1 *Additional Trunk Infrastructure Costs*

In accordance with section 130 of the *Planning Act 2016*, an additional payment condition may be imposed if the proposed development;

- (a) Either;
 - a. generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
 - b. requires new trunk infrastructure earlier than when identified in the LGIP; or
 - c. is for premises located completely or partly outside the Priority Infrastructure Area; and
- (b) The development will impose additional trunk infrastructure costs on Council after taking into account the levied charge and any trunk infrastructure provided, or to be provided by the development.

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition at this time however it is likely one or more additional payment conditions will be applied with any subsequent development application seeking a Development Permit.

3.5 Recording of particular approvals on the MBRC Planning Scheme

In accordance with section 89 of the *Planning Act 2016*, the approval is required to be noted on Schedule 4 of the MBRC Planning Scheme, as the development approval would be a variation approval given under section 61 of the *Planning Act 2016*.

3.6 Referrals

3.6.1 *Council Referrals*

3.6.1.1 Development Engineering

3.6.1.1.1 Traffic, Access & Parking

The submitted Integrated Transport Assessment in support of the development has not been accepted or approved by Council. Modelling issues include and are not limited to;

- (a) The traffic assessment evaluation methodology,
- (b) Validation of the traffic data,
- (c) Unconfirmed traffic growth rates,

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- (d) Uncalibrated modelling,
- (e) Unmodelled alternative Kremzow Road access (Swan Parade),

Microsimulation modelling has been undertaken by Council's Integrated Transport Planning and Design Department (ITPD) to assist in the assessment of this development application and the application immediately to the west. In all modelling, no connection between Kremzow Road and Warner Road to the south has been considered that has been abandoned in the assessment of this development application and current structure planning. The impacts of the proposed developments adjacent to Kremzow Road have been modelled to establish acceptable intersection locations and configurations, that preserve the safety and efficiency of the road network.

It is recommended that development be conditioned for all future road and traffic works to be supported by an amended Integrated Transport Assessment undertaken at the time of development.

The submitted Structure Plan indicates development access (Left-in/Left-out) onto Old North Road (an arterial road) which is acceptable however the proposed access onto Kremzow Road (a sub-arterial road) is not supported by Council officers due to;

- sight line issues,
- concerns about intersection spacing to the east;
- the proposed intersection layout; and
- an unacceptable impact on the safety and efficiency of the road network in the vicinity of the site within the design horizon.

Instead, it has been identified that an acceptable northern development access can occur with the construction of the fourth leg of the existing Swan Parade/Kremzow Road intersection. It is therefore recommended that if approved, the development be conditioned to upgrade this intersection with the inclusion of traffic signals to create a safe and efficient all movements access for the development. Council officers have prepared a conceptual design of the intersection that has determined the land required to be dedicated as road reserve to create the 4th leg of the intersection that is shown below. Relevantly, this 4th leg does require land to be dedicated predominantly from the subject site but also from the adjoining Mordar development to the west. This design is also based on the use of retaining walls at the new property boundary to minimise the loss of vegetation that batters otherwise create.



Diagram 1: Land Required for Swan Parade / Kremzow Rd 4th leg.

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The applicant has identified through traffic modelling external intersections that will be impacted by the development either immediately or within the 10 year modelling horizon. The applicant identified intersections needing to be upgraded are listed below as (a)-(c) below however Council officers through the assessment of the applicant's traffic assessment and their own traffic modelling have identified a fourth intersection at a minimum that will also need to be upgraded;

- (a) Old North Road / Lavarach Road;
- (b) Old North Road / Kremzow Road;
- (c) Kremzow Road / Leitches Road;
- (d) Kremzow Road / Doherty Street.

It is recommended that the identified intersections as a minimum be conditioned for upgrades based on a revised Integrated Transport Assessment undertaken at the time of further development to mitigate the development impacts. No road connection to the south (Warner Road) has been proposed by the applicant or evaluated by Council in the assessment of this development application.

Kremzow Road is mapped as a Council sub arterial road with an existing reserve width of predominantly 20m. Council's Planning Scheme Policy for Integrated design - Appendix A lists a preferred sub arterial road reserve width of 30m to contain the listed road attributes. Due to the existing environmental constraints to the north of Kremzow Road, any additional land required will need to be provided from within the subject site along its northern boundary. While a 10 metre dedication would be required to align with the typology nominated in the PSP, the review carried out by Council officers suggests that with some reductions in the road elements (for example a 2m wide footpath instead of the nominated standard of 2.5m), it is approximated that only a 3.5m dedication is required from the subject site along the majority of its northern boundary. However, there may be additional land requirements as a result of future intersection design as well as to accommodate other infrastructure such as a 300mm diameter water main proposed by the applicant to service the development. It is therefore recommended that any development approval be conditioned to provide additional Kremzow Road reserve to a sub arterial road standard.

The upgraded Swan Parade/Kremzow Road intersection will ultimately also service future adjacent development immediately to the west. To allow this to occur, it is recommended that the development be conditioned to dedicate land to road reserve to the extent required to facilitate suitable western access in the absence of this development. The reserve dedication is to consider the layout of the ultimate intersection and extend south into the development at least 100m to provide space for the first practical internal intersection allowing an east/west connection.

Town Planning comment

A recognised issue with the development application relying on a 4th leg of the Kremzow Rd / Swan Parade intersection is that not all of the land required is controlled by one applicant, however approximately ¾ would be required from the subject site. This makes development of the land to the west somewhat dependent on the land from the subject site being dedicated as road reserve with construction carried out a later time by whoever decides to proceed first. To facilitate a timely dedication of land as road reserve needed to service whichever development proceeds first, it is a recommended condition of approval that the development be required to dedicate land as road reserve in advance of any future development application lodged with the Council seeking a Development Permit for Reconfiguring a Lot. It is also recommended that if the land has not been dedicated in advance of such a future application, that the application become impact assessable rather than code assessable.

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3.6.1.1.2 Stormwater / Flooding

The Stormwater Management Plan submitted in support of the application has been accepted as demonstrating stormwater quality and quantity measures suitable for Preliminary approval. Subsequent development applications will be required to address the stormwater treatment requirements of the Planning Scheme current at the time of application.

3.6.1.2 Environmental Planning

3.6.1.2.1 Variations to Overlay Mapping

Environmental Areas Overlay Map

The subject site is currently mapped under the Environmental Areas Overlay map with areas identified as:

- High Value MSES areas;
- MSES Koala Offsets areas;
- High Value MLES - Biodiversity Priority Areas (BPA); and
- Value Offset MLES Waterway Buffer for a W3 waterway (Conflagration Creek).

As part of the variation request the applicant has proposed to vary the Environmental Areas Overlay Map to remove all mapped areas within the part of the site proposed to have the planning scheme varied to apply the General Residential Zone instead.

Environmental Areas Overlay - Sub Component MSES and Koala Offset Areas

In giving consideration to a request to vary the effect of the MBRC Planning Scheme it is appropriate to have regard to the applicable state planning instruments. Part G, Appendix 1, Table B of the State Planning Policy 2017, provides a list of State mapping layers that must be appropriately integrated into a Planning Scheme. In giving consideration to that mapping and the proposal, consideration has been focused on the portion of the site proposed to be included into the General Residential Zone where the overlay is proposed to be varied by removing all restrictions / controls that apply to that part of the site. An image of the proposed variation to the mapping is provided above in section 3.3.2.2., Figure 5.

Existing vegetation exists along the northern and eastern boundaries of the site immediately adjacent to Kremzow Road and Old North Road. The vegetation on these boundaries continues to have environmental value consistent with the MSES or State Koala Habitat Mapping and is proposed to be retained. Therefore, it is not appropriate to remove this area (the mapping along the northern and eastern boundaries of the site) from the Environmental Areas Overlay. In contrast, internal parts of the site and the western boundary have been lawfully cleared of vegetation with no environmental values remaining. The mapping has therefore in these parts of the Site been superseded by other events and become out of date and is shown below in Figure 10. It is reasonable therefore that the Environmental Areas Overlay be amended to exclude these parts of the site. Accordingly, it is recommended that if approved, the applicant be required to submit an amended Environmental Areas Overlay Map maintaining the values within 50 meters of the frontage of the site to Kremzow Road (measured from the site boundary post any land dedications required for road widening / site access) and Old North Road (measured from the location of the existing koala fence in the road reserve).

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Figure 10: Current Environmental Areas Overlay Map over aerial photography

Environmental Areas Overlay - Sub Component MLES Areas

The Environmental Assessment Report (EAR) submitted by the applicant has identified vegetation along the northern and eastern boundaries of the site and in the southern part of the site south of the powerline easement as important wildlife corridors. The applicant's response to the Council's information request states that vegetation along the northern and eastern boundaries of the site will be enhanced through the provision of offset planting. Therefore, as the remaining vegetation mapped as High Value MLES is to be retained and enhanced, the requested variation to remove these areas from the Council's Environmental Areas Overlay is not supported. Similar to the MSES above, the area should extend for 50 metres from the frontage of the site to Kremzow Road (measured from the site boundary post any land dedications required for road widening / site access) and Old North Road (measured from the location of the existing koala fence in the road reserve).

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Environmental Offset Receiving Area Overlay

The Environmental Offset Receiving Areas Overlay map represents the region's key ecological corridors that are the major pathways for wildlife and plant distribution in Moreton Bay. These areas are also Council's preferred locations for land-based and advanced offsets. It has been noted in the submitted Ecological Assessment Report (EAR) that the existing vegetation along the northern and eastern boundaries of the site, as well as the vegetation in the southern part of the site south of the powerlines is currently being utilised as a wildlife movement corridor for Koala's (a priority species of the Moreton Bay Region). However, as shown above in section 3.3.2.2 Figure 7 of this report, the applicant has proposed to remove all of the parts of the site proposed to be varied by applying the General Residential Zone from the Environmental Offset Receiving Area Overlay.

The applicant has stated that offset replanting would be located in disturbed areas within the vegetation buffer that exists along the northern and eastern boundaries of the site, the Council's road reserve along Old North Road (between the site boundary and koala exclusion fencing) and the conservation and open space zones at a ratio of 3:1.

As the retained vegetation within the northern and eastern boundaries is currently being utilised as a wildlife corridor by priority species and will be used as Environmental Offset Receiving Areas, the Overlay map should reflect this. Internal to the site and outside of these corridors, it is appropriate that the Overlay map be amended to exclude these areas. Therefore, the variation as proposed by the applicant is not supported or agreed with and it is recommended that any approval given require an amended Environmental Offset Receiving Area Overlay be submitted with the area maintained as an offset receiving area extending for 50 metres from the frontage of the site to Kremzow Road (measured from the site boundary post any land dedications required for road widening / site access) and Old North Road (measured from the location of the existing koala fence in the road reserve).

Bushfire Hazard Overlay

The applicant has proposed to remove all of the parts of the site proposed to be varied by applying the General Residential Zone from the Bushfire Hazard Overlay Map as reflecting areas of the site that no longer have a potential bushfire risk. As mentioned in the applicant's response to the Council's information request, vegetation along the northern and eastern boundaries of the site will be retained and enhanced. Therefore, the Bushfire Hazard Overlay map should reflect these statements and retained/enhanced vegetation on the site as a fire source. Therefore, the variation as proposed by the applicant is not supported or agreed with and it is recommended that any approval given require an amended Bushfire Hazard Area Overlay be submitted with the area maintained as a medium bushfire hazard extending for 50 metres from the frontage of the site to Kremzow Road (measured from the site boundary post any land dedications required for road widening / site access) and Old North Road (measured from the location of the existing koala fence in the road reserve).

3.6.1.2.2 Koala Habitat Assessment

As the proposed development application was submitted before the 7th February 2020, the proposed development is to be assessed under the mapping and legislation in effect prior to that date.

The subject site is wholly located within a Priority Koala Assessable Development Area (PKADA) and is mapped as containing areas of High and Medium Value Bushland Habitat, as well as High, Medium and Low Value Rehabilitation Areas. Therefore, the proposed development has been assessed against Schedule 11, Part 2, Section 6 of the *Planning Regulation 2017* as in effect at the date of lodgement.

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As shown in Figures 11, 12 and 13 below, Koalas are known to traverse the site along its northern and eastern site boundaries. As shown on the proposed Structure Plan in Figure 4 above, the applicant is seeking approval for vehicular access into the site to occur mid block along the frontage of the site to Kremzow Road at the location where heavy vehicles currently enter into the site. Information submitted with the development application clearly identifies access at this location will require additional works and vegetation clearing creating a larger break in the environmental corridor along the northern site boundary which is not preferred.

Internal consultation with Council's Development Engineers and Traffic and Transport Planners as stated in section 3.6.1.1 of this report above confirms that vehicular access into the site at this location has not been demonstrated and has both potential impacts on road safety and road network efficiency / function. Instead, an appropriate location has been identified at the western edge of the site by creating a 4 way intersection with Swan Parade. In addition, based on future traffic along the Kremzow Road frontage of the site, Council's Traffic and Transport Planners have identified that road widening of Kremzow Road will be required. In both locations, some clearing of vegetation will be necessary not dissimilar to what would be required with the applicant's proposal. These road network connections and upgrades have been identified as necessary for the future development of the area and would therefore represent linear infrastructure. As such, where the required development for transport and linear infrastructure has been identified, the development has also been assessed under Schedule 11, Part 2, Section 4.

Assessment benchmarks under Schedule 11, Part 2, Section 6 requires that the development provides, to the greatest extent practicable, safe koala movement measures that are appropriate for—

- the development; and
- the habitat connectivity value of the premises.

Where vegetation clearing is permitted to occur, it also provides for the application of clearing requirements to allow for koalas to move from the area being cleared without human intervention.

It is acknowledged that the extent of Koala Habitat mapping over the site has not been updated to match the values on-ground, with a large portion of the mapping not containing Non-Juvenile Koala Habitat Trees (NJKHTs). The applicant has provided extensive research and field studies to ground truth koala populations and movement within the subject site and for the wider Warner Investigation Area. It has been found that the only areas containing NJKHTs are the buffers along the northern and eastern boundaries, and the southern vegetation area located south of the powerline easement. A detailed vegetation survey provided in the EAR also identifies the retained vegetation along the northern and eastern borders of the site are consistent with the mapped Koala habitat values for the respective areas.

Field surveys on the site and surrounding areas determined that the proposed Environmental Management and Conservation Zone in the southern part of the site had the highest utilisation by Koalas within the Warner Investigation Area and is the most intact fauna habitat area on site. However, Koala's are also utilising the vegetated buffers along the eastern and northern boundaries of the site to connect to vegetated areas north of Kremzow Road as shown in Figures 11, 12 and 13 below.

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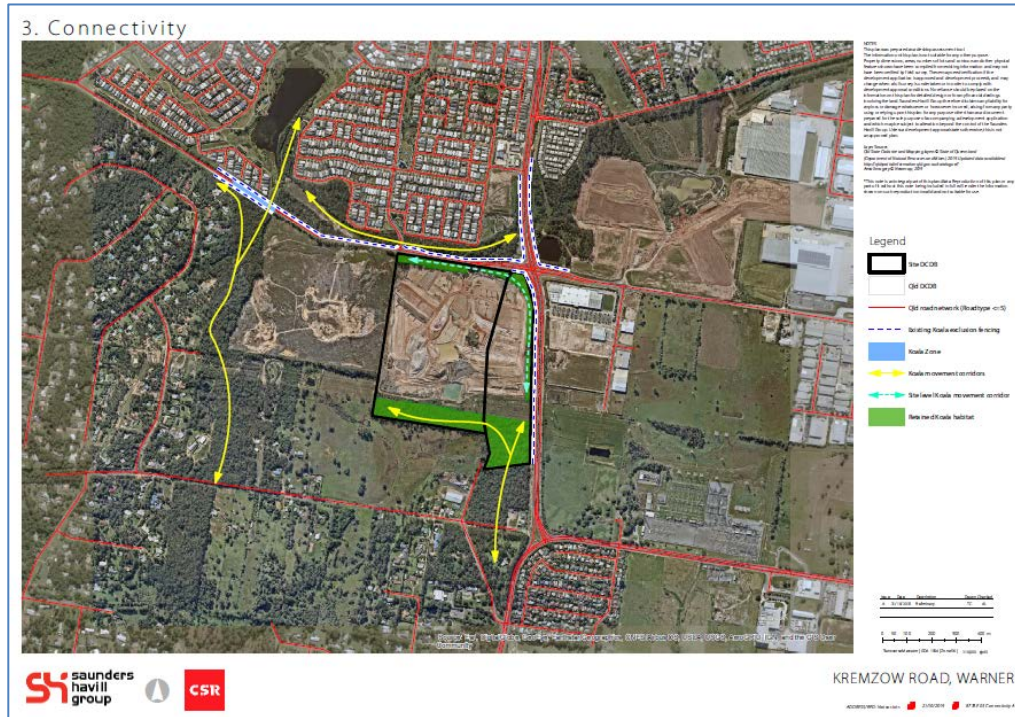


Figure 11: Koala Habitat Connectivity (Saunders Havill,16/10/2019)

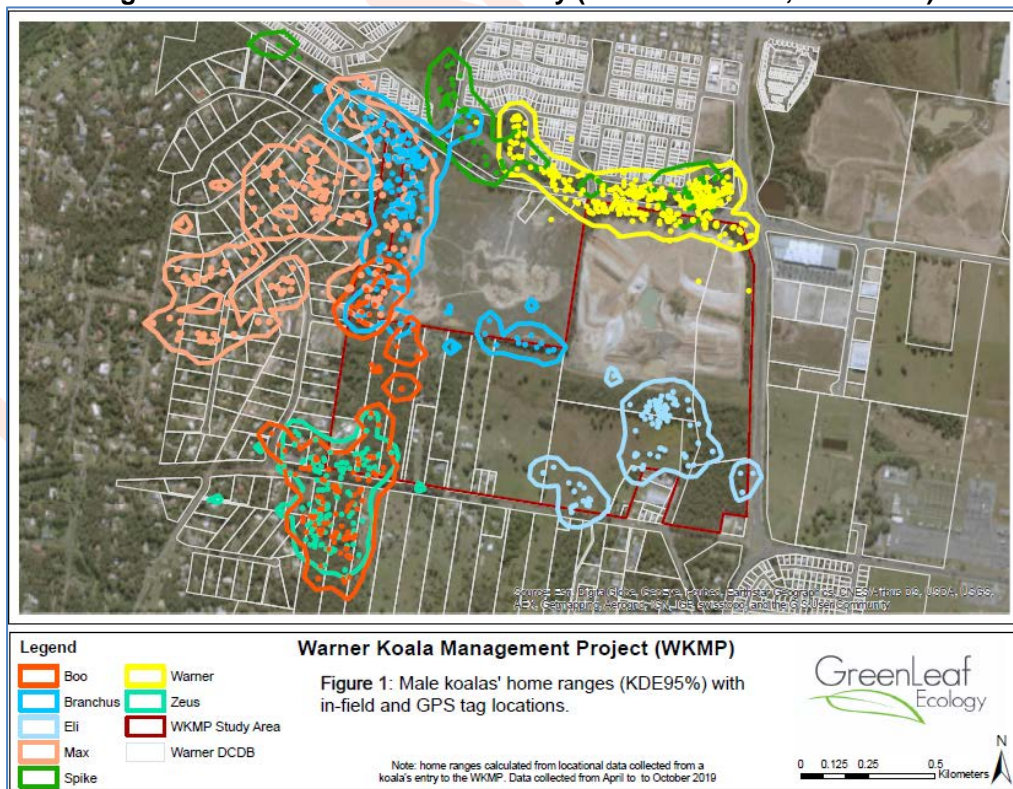


Figure 12: Koala (Males) Home ranges (Groundwork Plus, 19/12/2019)

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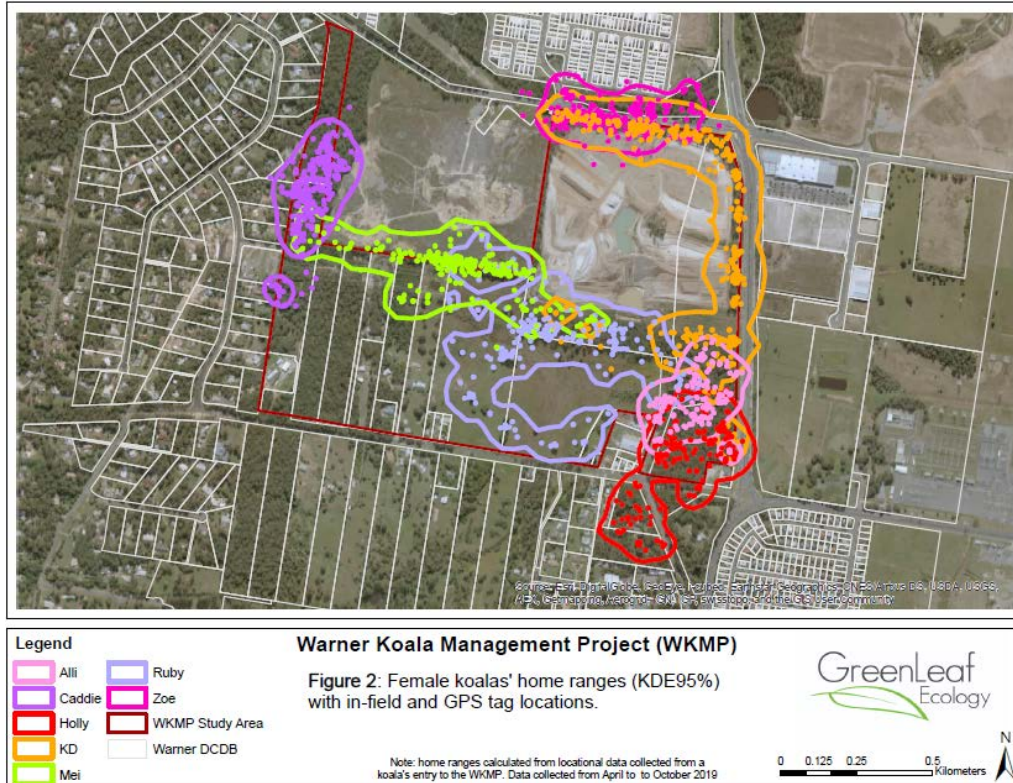


Figure 13: Koala (Females) Home ranges (Groundwork Plus, 19/12/2019)

The proposed development avoids the significant bushland habitat area in the south, and with the recommended conditions of approval limits the required vegetation clearing to allow road access from Kremzow Road (northern boundary) and Old North Road (eastern boundary). The unavoidable removal of NJKHTs within the mapped Koala Habitat areas will be offset on site under the *Environmental Offsets Act 2014*.

As the development proposes to retain and enhance koala habitat in the northern and eastern boundaries of the site, increased traffic along Kremzow Road (which intersects koala habitat areas onsite and to the north), can increase risk to koala movement through the likelihood of vehicle strike. Therefore, it has been suggested by the Applicant to Council that a koala friendly fauna crossing between the site and areas of Bushland to the north of Kremzow Road will be installed as part of road upgrades associated with the site entry. Details of the crossing will be identified at the detailed design phase however it is likely to include a fauna underpass designed in accordance with the DTMR fauna sensitive road design manual and any other relevant guidelines and design manuals.

Furthermore, Koala habitat is proposed to be enhanced throughout the site through provisions of wildlife corridors and green infrastructure koala movement corridors.

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To ensure the proposed development complies with Schedule 11, Part 2, Section 4 and 6 of the *Planning Regulations 2017*, it is recommended that any approval require the future development of the site to have:

- (a) An amended Landscape Concept Plan so all identified and proposed wildlife movement corridors within the site have a minimum width of 50m.
- (b) The provision of a fauna underpass (suitable for terrestrial species such as koalas) is required under Kremzow Road, linking existing and proposed wildlife corridors with Koala habitat north of Kremzow Road.
- (c) Detailed designs are required for safe koala movement infrastructure (i.e. signage, fauna underpasses, fauna exclusion fencing, etc.) within the site and linking wildlife corridors with koala habitat north of Kremzow Road.
- (d) 50m wildlife corridors within the site are to be protected in perpetuity from future development.
- (e) Where NJKHTs are required to be cleared, any unavoidable clearing of NJKHTs is to be offset at a ratio of 3:1 as per the Environmental Offset Act 2014.
- (f) The provision of an Ecological Restoration Plan for degraded areas within the Environmental Zone

Note: 50m Wildlife corridors along the northern and eastern borders of the site and within the residential areas of the site, are considered a reasonable width for the site, given the existing width of the vegetated boundaries for the site are currently being utilised by koala's and other fauna. In addition, 50m wide corridors are cited by the applicant as being the appropriate width of a corridor numerous times in its submission to the Council about the adjoining Mordar development to the west.

3.6.1.2.3 Strategic Framework

The subject site contains areas of protected vegetation by way of MSES Regulated Vegetation Category B (Endangered or of concern), defined watercourse and associated riparian zone (Conflagration Creek) in the south of the site; and Koala Bushland Habitat in the South of the site as well as in the retained vegetated buffer along the northern and eastern borders of the site. The subject site is also mapped as containing Ecological Connections under the Green Infrastructure Network (Figure 14).

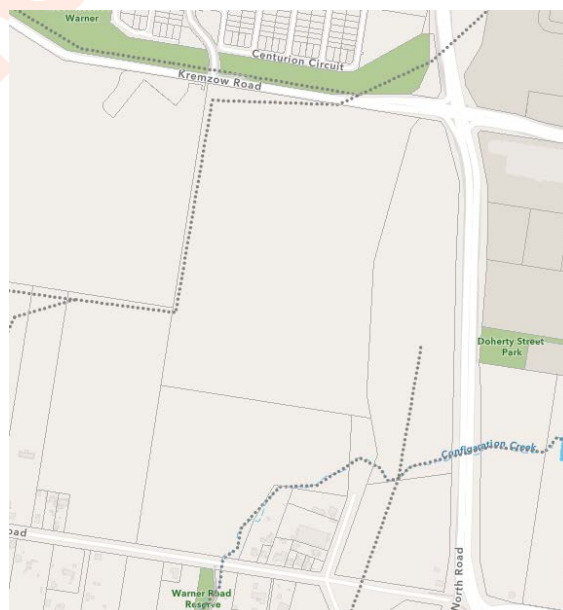


Figure 14: Green Infrastructure Network - Ecological Connections

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Although, the ecological connection in the west of the site has been legally cleared through current use of the site, the ecological connections to the north and west of the site can be enhanced with the protection and enhancement of vegetation in the south of the site as well as the vegetation along the eastern and northern borders. The Applicant has also suggested improving ecological connections from south to north within the site through the provision of wildlife corridors as well as improving ecological connections to vegetation to the north of Kremzow Road via a fauna underpass.

Ecological Assessments of the site identified the habitat of two priority species of Moreton Bay. Of these species one – the wallum froglet - is listed as 'vulnerable under the *Nature Conservation Act 1992* and another – the koala – is listed under both the *Nature Conservation Act 1992* and the *Environmental Protection and Biodiversity Conservation Act 1999* as vulnerable. The wallum froglet habitat was identified in the south-west corner of the site. Vegetation within proximity to this area will be retained in the proposed Environmental Management and Conservation Zone. Vegetation clearing within proximity to Wallum Froglet Habitat is not proposed for development.

Field surveys on the site and surrounding areas determined that the proposed Environmental Management and Conservation Zone in the south of the site had the highest utilisation by Koalas within the Warner Investigation Area and is the most intact fauna habitat area on site with abundant mature native canopy and some large hollow trees recorded. The future development of the site, subject to the application of the recommended conditions of approval will retain and enhance the above-mentioned vegetation by:

- (a) Protecting vegetation in the south of the site through environmental zoning;
- (b) Retaining and enhancing koala habitat vegetation along the northern and eastern borders of the site;
- (c) Unavoidable clearing of koala habitat trees will be offset as per the *Environmental Offset Act 2014*; and
- (d) Koala habitat being enhanced throughout the site through provisions of wildlife corridors and green infrastructure.

It is also noted that the applicant has made commitments to the community to ensure habitat connectivity by densely vegetating (with appropriate flora species) and linking the site's southern habitat with private and public vegetated lots to the west of the site. The applicant's EAR identified regional ecosystems in the southern area of the site contained the highest quality for fauna habitat. The vegetation was identified as habitat for a range of species including the yellow-footed antechinus. Yellow-footed antechinus has also been located in regional ecosystems west of the development site on the Mordar site.

From an Environmental Planning Perspective, reliance on a powerline easement as a wildlife corridor is not suitable for all species identified in the EAR (i.e. open spaces are a barrier for movement for smaller terrestrial species as this increases chances of attack from species of prey). Clearing of NJKHT's onsite, will be offset via replanting in disturbed areas within the vegetation buffer that is proposed along the northern and eastern boundaries, the Council strip along Old North Road (between boundary and koala exclusion fencing) and the conservation and open space zones at a ratio of 3:1.

To ensure the proposed development complies with the Strategic Outcomes of the Planning Scheme, the application of the matters referred to above in section 3.6.1.2.3 (a)-(f) are recommended to be applied.

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3.6.2 Referral Agencies

3.6.2.1 Concurrence Agencies - Department of State Development, Manufacturing, Infrastructure and Planning

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) for matters relating to State-Controlled Roads. Council was advised on 29 April 2020 that DSDMIP has no objection to the development application subject to a number of conditions being attached to Council’s Decision Notice. The conditions require;

- a future bus route to be provided through the site between the proposed access to Kremzow Road, the proposed access to Old North Road and to the land immediately west described as Lot 2 on SP271748 (Mordar land); and
- a bus indent bay must be provided on the northbound side of Old North Road, to the north of the development’s Old North Road access location; and
- Road works comprising upgrades to the intersection of South Pine Road with Kremzow Road; and
- Road works comprising upgrades to the intersection of South Pine Road with Old North Road; and
- Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road

3.6.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

3.6.2.3 Third Party Agencies

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

3.7 Public Consultation

3.7.1 *Public Notification Requirements under the Development Assessment Rules*

- (d) Public Notification was served on all adjoining landowners on 30 October 2019.
- (e) The development application was advertised in the Pine Rivers Press on 31 October 2019.
- (f) A notice in the prescribed form was posted on the relevant land on 31 October 2019 and maintained for a period of 30 business days until 13 December 2019.

3.7.2 *Submissions Received*

Council received the following types of submissions in respect to this development application.

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		161
	Petition	0	0
Not Properly Made	Letter, Email, Fax		15
	Petition	0	0
Total			176

The matters raised within the submission(s) are outlined below:

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Assessment of Submissions

SUBMISSIONS - IN SUPPORT

148 CSR website proforma submissions in support of the proposed development were received.

12 individual submissions in support of the proposed development were received.

Proforma Submissions

As a mechanism to engage with the community, CSR created the Warner Quarry website. A key function of the Warner Quarry website was to provide members of the public with a portal to select one or more drafted comments only in support of the development application. Each selected comment (often multiple) was then automatically compiled into an email in addition to the other requirements of a properly made submission and then automatically emailed to Council. Proforma hard copies were also circulated allowing members of the community the same options as described on the Warner Quarry website. The hardcopies were then collated and brought to Council.

The pre-drafted comments/options available to a person to nominate support for were:

- CSR will gift 7 hectares of habitat (in the south) and 3 hectares of habitat (north and east perimeter) - this is a win for biodiversity in Warner.
- I support this DA as a welcoming new residential community with space for kids to roam, learn, explore and grow.
- I support this new residential community as a leading example of new planning and design that promotes constructive engagement between all stakeholders.
- I support the flow on economic benefits that CSR's project will activate in the region.
- I support community stewardship of habitat and fauna in our neighbourhoods - as is proposed by CSR.
- I support the principles of the concept plan lodged with Council as it was developed in partnership with the Warner Working Group.
- Research funded by CSR and the work of koala groups tells us a lot about the koala population - we are all responsible for ensuring this population is not ignored or diminished by other developers or government.

Each of these submissions has not been individually assessed as they are self-explanatory and support the recommendation of Council officer to approve the development proposal.

The submitters were also granted the opportunity to provide their own comment, each of which are provided below:

- *Lets protect our kids and our Flora and Fauna. After these devastating bush fires, we are at significant risk losing our koala population. Australian kids have the right to see Koalas in their natural habitats, not through a glass panel in a zoo.*
- *Great ideas for a new formula in property development.*
- *Do what we can now to save our native animals. I want my daughter to see koalas in the wild like I did when I was young. Let's do something before it is really too late and all we can do is 'google' them.*
- *Road congestion will increase unless this is also addressed immediately!*
- *We have lost so much Koala habitat with the wholesale clearing and high density (possible future slum) development along Rode and Albany Creek Roads. These areas previously had large treed blocks, but the developers chose not to design in retaining any mature trees. They are ugly and increase the heat load of the area. Along with fires this will have reduced koala habitat. We know they are here, I have*

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even seen one running along the side of Old Northern Road in Everton Hills, but they won't last if we don't retain and recreate habitat for them.

- All housing developments should have to include corridor of land set aside for native fauna and flora
- I have never been so impressed by a DA that I have actually taken the time to voice my opinion. This is a first for me and one that I hope I am encouraged to do again, because the quality of this proposal speaks volumes to me of how development can be done differently.

I truly hope council not only wholeheartedly endorse this, but also to use it as an example for other developers as proof that development and natural habitats don't have to be one or the other. The work CSR has done in our communities to hear us and to model their proposal around how important koalas are to our community really speaks volumes of the consideration that has gone into this proposal.

I look forward to showing people in the future this amazing area that will be preserved for families and communities, both koalas and our own and will feel very proud that I was able to use my one small voice to support that.

- Help Look after our animals, before there are none left
- I support that as qld residents we need to support sustainable development that meets people and environmental needs. For too long development has been approved based on the dollar it is time to change that.
- Help those who support the animals. We are all they have and we are the ones who have taken so much already
- Green space and discovery trails through - essential for children and wildlife
- Please no more cookie cutter estates
- Pockets of natural bushland can only benefit communities ... people, wildlife and the planet
- No more development that will hurt our environment
- can't wait for the new blocks.
- All new residential and commercial building in Moreton Bay should be planned and developed to support and promote growth of the natural flora and fauna if the region.
- This development should go ahead. Through careful consultation with the community and listening to all concerns prior to development application they have already modified the design to find the best compromise for this site. They have also gifted 7 hectares for a fauna and flora preservation and the council should help ensure that this area is continued to be used for this purpose in the years to come. I think this CSR have gone the extra mile setting a better standard for development in this region and I hope the neighbouring sites abide by the same high standards CSR have set within WIA. I think this is a development that the community can be proud of for years to come without regret like other recent developments in the MBRC region. Kudos to CSR.
- To truly support fauna habitat in and around this development, faunal movement solutions will need to be incorporated in any major road and transport corridors.
- I support CSR because they seem to be the only developer who has a genuine interest in working with the local Warner Community to plan for and include the future good of the community and our local flora and fauna. This truly is how a next generation or emerging community should be master planned without a destructive cost to any wildlife in the area.
- This is the standard that all other developments should match.
- Well done CSR such a great thing you have done for the community.

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- *That a company who truly consults with the community and incorporates the feedback that comes from that consultation, should be rewarded with support for their project.*
- *Koala habitat and the natural aspects of this region need to be preserved. It is one of the aspects that drew me to this area - large blocks of land surrounded by nature. Developments that encourage and support this are supported by the community. Other proposed developments in this area do not support these values that the community holds and are packing in smaller block size at the expense of the natural habitat. Developments like this do not help the community to grow sustainably. Warner Quarry has taken the time to engage with locals and develop a proposal that considers the natural habitat and that deserves the support of the community.*
- *Koala and kid friendly development should be the baseline expectation - with no exceptions!*
- *I'm thankful for the example of the CSR's project and respect for the wildlife and the communities - This is what we would like in the WIA off Warner road which is right amongst acerage on an already busy road. Not opposed to development... just opposed to the micro high density estates which bring chaos and more traffic which the roads and neighbourhoods struggle to carry... which then empty out onto main road which already is scary and difficult to get onto... Requires a whole lot more better planning... because if we were forced to take Eatons Crossing Road, (which has the very same issues) then that would cause insurmountable added issues. Would like to see the cul-de-sac end of Warner road very uniquely and intelligently empty out back onto South Pine Road. It should never have been closed off...*
- *This is a positive project plan that can be an example for future DAs.*
- *This is a great example of new planning and design that gives kids and koalas space to thrive. I support the principles of the concept plan as lodged with the Council.*
- *The development is a benchmark for infill development that offers a lot more than developers would usually propose in terms of green space in a residential development. It proposes large tracts of land that will allow flora and fauna to thrive in an area that is otherwise undergoing a generational shift to outer-suburbia. The development has my full support, and it appears it has been hindered in the approval process by NIMBY's wanting to save the green space near their own properties. The reality is that the lifestyle benefits for suburban families will be less heavy vehicle traffic and more families enjoying green space as an alternative to living in urban sprawl. Sometimes, people need to look beyond their own back yard.*
- *The welfare of wildlife especially koalas and their habitat must always be a priority when considering any new development.*
- *No more development the roads can't handle it.*
- *Please keep the bushland in conjunction with the housing in such a way as to keep our amazingly diverse native wildlife that we have here.*
- *CSR have actively engaged the community in consultation and proven that solutions are achievable for the preservation of koala habitat whilst creating new neighbourhood communities.*
- *Do not want a bus route through CSR development*
- *CSR's engagement with the community is exactly what every developer should do.*
- *I support koala friendly development such as this.*
- *This is development best practice and we need to ensure this is what other developers must also meet. There is no point if the other developers in this region are not also working with communities to develop estates that compliment and support our wildlife and lifestyles. CSR have conducted themselves throughout this project as an open and transparent company and their assistance at creating a new type of development is refreshing and it is about time our council listen to the community and start doing development differently where there can be wins for both developer, community and wildlife.*

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- *I support this development because they have listened to the community.*
- *With koala's now considered 'functionally extinct', Australian developers need to think about wildlife more than ever. There is such a hugely diverse amount of wildlife in the Warner area and hopefully it will remain that way for a long time to come.*
- *Get these developments over ASAP some we can have some relief from the continual dust we have been getting from the quarry for a number of years. Done and dusted ASAP.*
- *That with mutual respect, co - operation and understanding, ALL stakeholders will feel the support of ALL groups convinced that development and wildlife can live in harmony. I have no respect for those whose negative beliefs deny present and future generations of animals and humans to co - exist in a win - win scenario.*
- *Less development more protection of existing habitats. Less or no use of plastic in development sites. Heavy fines and or prosecution for rampant plastic litter left over after development!*
- *CSR have gone to substantial effort beyond what is required of them in order to understand the condition and movements of the local koala population and use that information to inform their design. I feel that not supporting this application would be defacto support for the industrial development that could occur on this site as of right and without the care and consideration given by CSR.*
- *Although I am not in the Warner Quarry area I firmly believe this planning and design model has to be the way of the future in all developments for the sake of our entire area - fauna, residents, and long term outlooks for the Moreton Bay Region.*
- *Can only be positive.*
- *I commend this application to MBRC and hope it will be approved.*
- *Very good design. I would like to see it approved. Keeping room for kids and Koalas - love it.*
- *The MBCC do not care about local fauna. Please do not develop where proposed. The council have lost my & my neighbour's votes by continuing to develop and ignoring our local fauna especially our koalas. They only care about how much money they can make for themselves. I'm disgusted by them.*
- *This development is an example of great corporate spirit. Other corporates should follow the lead by giving back to the community.*
- *It is important that council understand the concerns of the local community and include these concerns in future developments. Small standalone areas are not satisfactory for our local wildlife. They need reasonable sized wildlife corridors to move around in.*
- *I am from NSW, looking to purchase a house in the area. Highly support this fauna friendly development.*
- *It is absolutely crucial for both human and wildlife communities to leave open green space and safe connecting corridors for wildlife free from cheek by jowl housing. The urban heat island effect is horrendous in developments where the houses are jammed together and green spaces and big beautiful trees are razed and replaced with bitumen, concrete and bricks. This will be a good example to follow for all other developments in this region if we are ever to have livable suburbs this shire can be proud of.*
- *The devastating bushfires happening now in Queensland and nation wide make it even more essential that wildlife are provided with safe areas of their habitat to live and thrive in !*
- *This is a necessary development that will be a better fit for Warner - in this part of the region than Industrial.*
- *Too many small lot developments being developed.*
- *Do not want a bus route through this development.*
- *As a long-term contractor to CSR, we have had the opportunity to work with the quarry operator and developer towards significant changes in the way that*

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development is delivered in Queensland suburbs. The CSR DA keeps room for kids and koalas. It presents an excellent opportunity to create a legacy that changes how we develop in our region. From now on, just like this development, all developments in koala overlay areas should be required to keep habitat trees, create habitat, link habitat with existing corridors, enhance corridors, maintain the existing seed bank and facilitate grow back. The vigorous regenerative nature of eucalypt forests is such that CSR's work in restoration to date is achieving successes. CSR's weed control and watering regime of course also needs to be implemented by others in future too. My additional grounds for support are the proposal's responsiveness to three themes of the MBRC Strategic Framework. The Strategic Framework is a spatial development plan setting the policy direction for the planning scheme. The Strategic Framework is heavily based on the now superseded SEQ Regional Plan 2009 and sets out a vision for the Moreton Bay Region. This vision is based around 12 key themes which relate back to the desired regional outcomes in the SEQ Regional Plan 2009.

*Strong Communities
Settlement Pattern and Urban Form
Employment Location.*

I highlight here my particular endorsement of the Strong Communities theme. MBRC seeks to provide, under the Strong Communities theme, a range of appropriate housing types, community facilities, services and public spaces across the region to meet the needs and lifestyle expectations of the community, promote cultural, recreational and social interaction, and develop a community identity. CSR's Urbis report tells us that specifically, MBRC's two key policies under this theme are to –

- 1. increase the population living close to established services, public transport and employment, and*
- 2. bring services, public transport and employment closer to where people live.*

This is intended to reduce the overall cost of living for Moreton Bay residents by reducing transport and energy costs. The Strategic Framework also seeks to promote a greater diversity of housing types to ensure the needs of the community are met. ShapingSEQ indicates that meeting strategic targets and achieving its vision will require SEQ local governments to work in tandem with the Queensland Government. As key partners in planning for a liveable, prosperous and sustainable region, local governments have been given the responsibility to ensure all local planning initiatives are working to achieve common regional goals. (Urbis CSR report 2019). The proposed development is consistent with the strategies and targets of ShapingSEQ and the MBRC Strategic Framework. I support it. Thank you.

- Our company has been a contractor to CSR for some time and I support their innovation in Warner and surrounds.*

Recent land supply reports indicate that the Moreton Bay LGA has significantly more future industrial land than residential land, with a particular shortage of infill residential development sites (Urbis IR report 2019). To satisfy the continuing demand levels for residential dwellings in Warner and the broader Moreton Bay Region and meet the targets of the South East Queensland Regional Plan 2017,

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there is a requirement for additional non- residential zoned land parcels to be converted to residential zoning.

This will only work though, if there is community endorsement for such infill development. I support the infill development proposed by CSR because it's been designed collectively – residents, school kids, business owners, interest groups, koala rescuers and advocates planners and scientists – all contributed to the development's fauna friendly design.

CSR is investing in the empowerment and education of our future leaders. The Habitat Heroes initiative on the quarry is creating tomorrow's change agents and habitat stewards. Kids are deeply involved in the discussion about the current operation, about rehabilitation work and the future redevelopment.

This means that the recommendations of the Koala Expert Panel (2017) can be realised in what is a unique development with unique opportunities for the enduring engagement of current residents and new residents in meaningful ongoing oversight of fauna and flora –

- 1. Strategic, coordinated approach to koala conservation*
- 2. Koala habitat is protected*
- 3. Strategic and landscape scale koala habitat restoration*
- 4. Coordinated threat reduction and koala population management*
- 5. Strong community partnerships and engagement*
- 6. Targeted mapping, monitoring, research, reporting*

All of us will care more for our environment and the amazing wildlife it accommodates, if we have experiences with that wildlife. Children in Warner see koalas most days – they live amongst them. It's important this unique habitat, shared by humans, is maintained, enhanced and protected. Thank you.

- This is the future of developments. Protecting our wildlife and green spaces.*
- I encourage Council to approve the CSR Warner Quarry DA and to use this opportunity to lead a new way of developing land in our region. I support the consultative approach CSR has taken to creating a unique design that many in the community endorse.*
- I support CSR's development application (DA) for the redevelopment of the Warner Quarry, changing its use from General Industry to Residential.*

I am a supporter because finally a developer gets it. Koalas and other wildlife are precious and must be the constraint that leads development planning – not be left to the last minute and a tick-box exercise.

The CSR DA does this. It keeps room for kids and koalas. It gives a great opportunity to create a legacy that changes how we develop in our region. From now on, just like this development, all developments in koala overlay areas should be required to keep all trees that are practical, create habitat, link habitat with existing corridors, enhance corridors, maintain the existing seed bank and facilitate grow back.

The vigorous regenerative nature of eucalypt forests is such that CSR's work in restoration to date is achieving successes. CSR's weed control and watering regime of course also needs to be implemented by others in future too. The state rejected our planning scheme because of koalas – so we need to follow suit and get on board with the CSR way of doing development differently. Sure, this takes mutual

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compromise and some hard discussions. The alternative is the continued adversarial arguments and side-taking which so far isn't getting us to good approvals that are supported by communities.

CSR is contributing in meaningful ways to the persistence of our urban koala population. They've been investing for a decade in the region.

They've made a lot of contributions to Warner's vegetated corridors and they are building on their historical good work and outcomes in fauna management.

The Koala Expert Panel called for a strategic, coordinated and integrated approach to new ways of managing urban koalas. Look to this development as a model – a pilot. Thank you.

In addition, there were 12 unique submissions in support of the development application, citing items of support as:

- Additional population growth boosting the economy;
- Koala friendly development;
- Additional parks for locals;
- MBRC has significantly more industrial land than residential land, with a particular shortage of infill residential development sites;
- Ensure housing supply and affordability;
- Meeting the SEQRP 2017 targets;
- Considerable positive environmental initiatives;
- Level of public consultation;
- Perception of forgone development for environmental purposes;
- *The Warner Koala Management Program being wholly funded by CSR at around \$50,000 per month since the start of 2019;*

Each of these submissions has not been individually assessed as Council determines that they are self-explanatory and support Council officers recommendation for approval.

SUBMISSIONS - OPPOSED

A total of 1 properly made submission in opposition to the proposal.

Issue - Level of detail

CSR's proposed Structure Plan does not provide sufficient detail to allow Council, the community or Mordar (which may be directly affected by what is proposed) to clearly understand what is in fact proposed. The Structure Plan is limited to main land use areas, intersection locations and main active transport routes, with only a nominal indication of a potential road connection to Mordar's land.

The Structure Plan does not show other relevant matters such as: the location of the collector roads, koala exclusion fencing (if any) or likely areas for potential supporting land uses, noting that a wide range of land uses have been nominated in the Preliminary MCU. For instance no details are provided with respect to uses such as Market, Outdoor Sport and Recreation, Shop, Theatre or Tourist attraction, that are not necessarily compatible with a residential environment. If any of these uses are ultimately proposed, where are they to be located and what traffic loads and other impacts could be expected? More details are necessary for stakeholders to understand the nature of the proposal.

Discussion

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Council acknowledges the submitters concern seeking greater clarity as to the uses and similarly, where any future roads etc. may be located. However, this application is for a Variation to the Scheme to allow future development to occur in accordance with a different zoning and further, a Preliminary Approval for various uses. If this application is approved, Council note that a future Reconfiguring a Lot application will require assessment against the provisions of the Reconfiguring a Lot Code - General Residential Zone - Next Generation Neighbourhood Precinct which will provide the clarity sought by the submitter at this stage and before any development occurs on site. With respect to the proposed non residential uses - they will be limited to circumstances where they are often Accepted Development having an often very low or temporary impact, if any.

This is not sufficient grounds for refusal of the application.

Issue - Structure plan integration

CSR's Structure Plan, seen in Figure 4 above, shows a double headed arrow in the middle of the sites' common boundary, 'floating' without connection to either CSR's or Mordar's proposed internal road network. This arrow seems to represent a potential lower order road connection between the proposed communities, rather than more substantial Contemporary Residential road. Mordar believes better interconnectivity is required to support a combined community consisting of greater than 900 dwellings.

CSR's indicative road connection is shown at the highest topographical point of Mordar's property, adjacent to a steep quarry face associated with Boral's / CSR's former mining operations. This is not physically suitable to accommodate a Local Collector road and would preclude a potential future bus route connecting the two communities (as required in Council's ROL code and by SARA).

Discussion

Council acknowledge the submitters concern seeking greater clarity as to the road connections between the CSR site and the neighbouring (123 Kremzow Road, Warner) Mordar site. It is recognised that interconnections are important and changes to the proposed CSR Structure Plan to have a connection at the southern and northern parts of the common boundary are warranted and recommended as conditions of approval.

Issue - Alternative wider structure plan

Council have repeatedly expressed a preference for the main intersection to Kremzow Rd to be a shared upgraded signalised intersection opposite Swan Parade, as shown in the former MBRC Structure Plan.

In recognition of this fact, an alternative Structure Plan, has been prepared to indicate how the potential structure plan could be amended to accommodate this outcome.

Mordar however does not control the majority of the land adjacent to the intersection and cannot unilaterally pursue this option. In addition, the land immediately to the south of this potential intersection contains koala habitat subject to both existing and potential new koala regulations also preventing this option to be directly proposed by CSR.

In order for the Swan Parade access to be achieved it will need to be facilitated by Council. Several actions would be required by Council and CSR, addressing both traffic and environmental issues and concerns, as well as statutory processes, to achieve the desired outcome in an effective and fair manner.

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Discussion

Council notes the submitters concern and acknowledge that the access locations onto the existing network has been a critical item of assessment for the development application. A condition of this approval is to provide a four-way intersection with Swan Parade and further, a left in left out intersection with Old North Road.

Issue - Landscape Concept Plan

CSR's Landscape Concept Plan is difficult to interpret and understand. The concept sketch does not include a legend and is incomplete as it only represents part of the site.

The Landscape Concept Plan, shows the main collector roads as thin dashed lines drawn over the top of (and even under) broad green arrows, seemingly intended to convey an enhanced ecological function. Some sections of road include hatched coloured areas, at locations intersecting with black lines (perhaps representing pathways for people or fauna movements, but this is unclear).

Discussion

Council acknowledges the submitters concern.

As part of the recommended conditions of approval and in line with the commitments CSR made to the greater community through its community engagement program, Council has conditioned higher level outcomes in relation to green infrastructure networks on the site which, seek to achieve what is depicted in the Landscape Concept Plan and CSR's vision of the development and its commitments to the community. Specifically, the Landscape Concept Plan will be amended:

- to have all identified and proposed wildlife movement corridors within the site having a minimum width of 50m; and
- to include the provision of a fauna underpass under Kremzow Road, linking existing and proposed wildlife corridors with vegetation north of Kremzow Road.

Issue - Koala exclusion fencing

In preparing Mordar's Application, ecological advice indicated the best long term outcome for the local and sub regional koala populations is to preserve and link existing vegetated areas to form continuous ecological corridors, using koala exclusion fencing to limit the potential for key risks such as car strike, dog attack and pool drownings. Accordingly, Mordar proposes to fence the entire southern and western interfaces to ecological corridors, providing connectivity to the fauna crossing to Kremzow Rd and to vegetated lands east and south, including CSR's retained southern vegetation.

To the extent CSR's proposal allows koalas to traverse the contemporary Next Generation suburban environment (which is not clear) it is not considered best practice. Risks to koalas from cars, dogs and pools outweigh any potential benefits.

To be effective, the koala exclusion fencing needs to be continuous, as partial fencing is likely to lead to disorientation and entrapment, further heightening risk. It is submitted that the best practice koala planning outcome for the locality is to consolidate the koala population within primary habitat and movement corridors with the consistent and integrated use of koala exclusion fencing. CSR should clearly identify the koala habitat areas and exclusion fencing.

Discussion

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Council acknowledge the submitters concern.

If this application is approved, Council note that a future Reconfiguring a Lot application will be required which is the appropriate mechanism to condition Koala exclusion fencing.

Issue - Eastern and Northern Vegetation

CSR's Structure Plan shows existing vegetation on the eastern and northern site perimeters to be retained.

CSR have not reflected this vegetation in their Land Use Plan and seek to amend existing Overlay Mapping to remove all references to existing vegetation north of the southern powerline easement, as well as the koala offsets. Whilst there is merit in amending mapping to reflect site conditions, the proposed mapping goes well beyond this.

If the existing vegetation is to be maintained, as stated as a commitment and reflected in the Structure Plan, why would it be necessary to amend the mapping?

Discussion

The submitters concerns are acknowledged and have been agreed with in the assessment of the proposal by Council officers. Accordingly, the recommended conditions of approval are to not amend the overlay along the northern and eastern boundaries of the site for a distance of 50m from the boundaries, given the intent of the applicant to retain and rehabilitate those corridors.

Issue - Bushfire Mapping

CSR propose to remove all bushfire mapping from their site, north of the southern easement.

The bushfire mapping change appears as a corollary to the requested vegetation mapping change. Removal of vegetation would aid in the removal of the bushfire risk classification (though not completely due to vegetation in the road corridors).

This mapping change however is also inconsistent with the Landscape Concept Plan and the stated retention of eastern and southern vegetation.

Discussion

The submitters concerns are acknowledged and have been agreed with in the assessment of the proposal by Council officers. Accordingly, the recommended conditions of approval are to amend the Bushfire Hazard area overlay to reflect the maintenance and enhancement of the environmental corridors that would be fire sources.

Issue - Environmental Offset Receiving Area

Similarly, CSR have sought to remove the existing Environmental Offset Receiving Areas from the areas north of the southern easement. This also appears to be inconsistent with other aspects of the proposal.

Discussion

The submitters concerns are acknowledged and have been agreed with in the assessment of the proposal by Council officers. Accordingly, the recommended conditions of approval

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are to not amend the overlay along the northern and eastern boundaries of the site for a distance of 50m from the boundaries, given the intent of the applicant to retain and rehabilitate those corridors.

Issue - Trunk Water Main Location

The trunk water supply for both Mordar and CSR's sites require the construction of a 300mm water main from an existing water main located on Kremzow Rd, near Ira Buckby Rd. The Necessary Infrastructure Plan prepared by Integran shows the trunk main running along Kremzow Rd, past Mordar's site, before entering CSR's land at their proposed Kremzow Rd access location.

As this main is required to service both properties, RMA have shown the main running along Kremzow Rd, entering Mordar's land at the main site entrance, and connecting to the eastern and southern boundary to service multiple properties, in line with Unitywater's infrastructure planning.

The Integran report identified both the Kremzow Rd main and CSR's proposed internal main as Trunk Works, due to the size of the main, and the works serving more than one development. Whilst correct for Kremzow Rd, this would not be the case for the proposed 300mm internal main through CSR's land, as there is no need to connect to the south (and connection to the south would involve construction through retained vegetation).

In contrast, running the internal main through Mordar's land would satisfy trunk main criteria, reduce the extent of trunk main and provide a more efficient network overall. We also note that Unitywater indicated that this main is 250mm, not 300mm.

We also note that the diagram submitted by Integran for water and sewer recognises the need to connect the southern sewer to Mordar's land, however appears to show the water main connecting to the sewer, which is clearly drawn in error.

Discussion

Council acknowledges the submitters concern however, the trunk water main location and discussions concerning the creation of an efficient water supply network need to be had directly with Unitywater and not the Council.

3.7.3 Notice of Compliance

The Notice of Compliance was received by Council on 16 December 2019. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

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3.8 Other Matters

3.8.1 Local Recreation Park

Councils Information Request dated 7 February 2020 stated:

An area of 29.615 hectares is proposed to be included into the General Residential Zone - Next Generation Precinct having a maximum Net Residential Density of 20 dwellings per hectare; equating to a maximum of 592 dwellings. If each dwelling was taken to have an average household size of 2.9 persons, the maximum total number of persons would be 1717 people. Based on the Desired Standards of Service in the Council's LGIP, of 1 hectare per 1000 persons, 1.717 hectares is required to be allocated to a Local Park. The land proposed to be included in the Recreation and Open Space zone is unlikely to be suitable. Clarity is therefore sought on the area of land proposed to be provided for park purposes.

The applicant has since revised the maximum number of dwellings on site to 460 and therefore, Council's calculation must also be revised based on the requirements of the DSS. A development of 460 dwellings at a rate of 2.6 persons per dwelling, would require a local recreation park of approximately 1.2ha. However, the suburb of Warner has an average occupancy of 3.1 persons per dwelling reflecting its larger proportion of new, young, households that if applied instead would increase the required Local Recreation Park to 1.43 hectares.

The applicant undertook a review of the Parks requirements for the CSR Warner Development Application and separated their analysis into two separate issues, as discussed in the summary below.

Applicant Issue 1 - Proposed development must provide local parks in accordance with the provision rates in the LGIP Desired Standards of Service (DSS).

The applicant references Sarbi Park, Brownell St Park and Delawar Rd Park all being within *reasonable* walking distance. Council contend that only Brownell Street Park is within 400m (355m) of the site proper and is accessed via a crossing of Kremzow Road. Council officers reasonably are of the view that very few if any lots once developed, will be within the 400m accessibility standard as required by Table 4.4.3.1. of the DSS. Council's *Urban Recreation Park Plan (2012-2031)* states *the recommendations of the Urban Recreation Park Plan are therefore focused around the provision of upgrades to existing local parks based on the development of a playground strategy.* The Brownlee Street park appears to be fully embellished and therefore none of the three parks identified are within the accessibility standards and able to be embellished.

Moreover, Brownell Street Park also has approximately 634 lots within 400m of it. At a rate of 2.6 persons per dwelling - the park is servicing 1648 people meaning that it should be 1.648ha in area. However, the park is roughly 1.07ha in area (meaning that it should only be servicing 1070 people) but is instead servicing the 1648 people meaning it is therefore currently over capacity.

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Further, the applicant cites Rolland Parade Park and Bray Park (Dick Turnbull Park) as examples of parks not meeting the DSS. Neither park was approved under the current Planning Scheme or LGIP and therefore have little standing as a comparative example. A better example of current Council policy is the local recreation park presently being competed at 84 Samsonvale Road which is 1.12ha in size based on an application of the Council's adopted DSS.

The applicant also states that as it does not propose to provide the larger Local Recreation Park as it is also providing;

- 0.25ha of constrained open space (power easement) adjacent to the proposed Local Recreation Park resulting in what is functionally, a single larger recreation area; and
- 0.5ha of constrained open space (detention basin) that will be designed so it can be used for kickabout activities when not being used as a drainage function; and
- 7.16ha of linear, constrained, linkage and active spaces areas (power easement) - .
- 6.78 ha of conservation land - Including a recreational trail and improved connectivity of the existing and future local park network.

Council officers do not agree with this position for a Local Recreation Park as much of the land referred to by the applicant is preserved for environmental purposes and not recreational purposes.

Applicant Issue 2 - Land encumbered by easement is not preferred to be counted as local park

The applicant states *“The Planning Scheme and LGIP do not require development to fully provide for their own local park requirements (as demonstrated above). The infrastructure charges levied by Council for the proposed development are intended for use by Council in delivering the DSS in an efficient and coordinated manner”*.

Council officers contend this statement. Whilst the Residential Zone Code - Next Generation Neighbourhood Precinct doesn't specify park requirements, it would be required upon reconfiguration under PO19-PO22 of the Reconfiguring a Lot Code, General Residential Zone - Next Generation Neighbourhood Precinct which refers to PSP - Integrated Design (Appendix B Open and Civic Space Design) - a document which materially mirrors the requirements of the DSS.

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The applicant is however correct in referring to the Council's *Urban Recreation Park Plan (2012-2031)* that includes recommendations for allowable portions of constrained land (including power easements) in recreational space. For local recreation parks, these recommendations state that 0% is acceptable for local recreation park, however the recommendations also state that this acceptable level only applies to the minimum area (not the total park). Therefore, 0.5ha is to be unconstrained and the balance can be a combination of constrained or unconstrained. In this instance the land encumbered by an easement immediately adjacent to the unconstrained Local Recreation Park would be available to be included into the calculation.

4. Strategic Implications

4.1 Legislative/Legal Implications

The applicant (and submitter/s) have appeal rights in accordance with the *Planning Act 2016*.

4.2 Corporate Plan / Operational Plan

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

4.3 Policy Implications

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

4.4 Risk Management Implications

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

4.5 Delegated Authority Implications

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

4.6 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.

4.7 Economic Benefit Implications

Appropriate development supports the growing Moreton Bay region.

4.8 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.

4.9 Social Implications

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

4.10 Consultation / Communication

Refer to section 3.7

ATTENDANCE

Mr Dan Staley, Ms Amy White and Mr Marco Alberti left the meeting at 12.02pm.

Cr Peter Flannery (Mayor) attended the meeting at 12.03pm and assumed the Chair.

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

Declarations of interest statement

There are no personal interests to be declared for items in this session.

**ITEM 5.1
ENVIRONMENTAL BURSARY 2020**

*Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A19880547: 25 May 2020
Responsible Officer: RM, Manager Environmental Services (CES Environmental Services)*

Executive Summary

Moreton Bay Regional Council offers a \$2,000 environmental bursary annually. The environmental bursary targets students from the Moreton Bay region commencing studies in an environmental-based degree.

Applications for the 2020 environmental bursary closed on 20 March, with Jason Ramsay presenting as the strongest applicant.

RESOLUTION

**Moved by Cr Darren Grimwade
Seconded by Cr Cath Tonks**

CARRIED 13/0

That Mr Jason Ramsay is awarded the Don Perrin Environmental Bursary for 2020.

ITEM 5.1 ENVIRONMENTAL BURSARY 2020 - A19880547 (Cont.)

OFFICER'S RECOMMENDATION

That Mr Jason Ramsay is awarded the Don Perrin Environmental Bursary for 2020.

REPORT DETAIL

1. Background

Council offers an environmental bursary (the Don Perrin Environmental Bursary) annually to assist a student who is undertaking an environmental-based university degree.

A person is eligible to apply if they:

1. Are a resident of the Moreton Bay Region;
2. Have graduated from Year 12 within the last two years; and
3. Have accepted an offer to study an environmental-based university degree commencing in 2020.

Examples of environmental-based university degrees include a Bachelor of Science, Bachelor of Environmental Science, Bachelor of Wildlife Science and Bachelor of Environmental Law.

2. Explanation of Item

The 2020 Environmental Bursary was promoted to:

- All high schools within the region and several high schools adjoining the region;
- All South East Queensland Universities; and
- Residents via Council's website, Councillor newsletters and social media posts.

Applications closed on 20 March 2020. The Manager, Environmental Services together with the Coordinator Environment and Conservation reviewed the applications against the eligibility and selection criteria and recommend the submission by Mr Jason Ramsay.

Mr Ramsay presented a strong application. Mr Ramsay is a resident of Bray Park, attended Pine Rivers State High School and is currently studying a Bachelor of Environmental Management at the University of the Sunshine Coast.

Mr Ramsay volunteers with the Pine Rivers Community Nursery and Francis Road Bushcare group. Mr Ramsay also has a keen interest in hospitality and has used his skills as part of the high school's café and catering events. In addition, Mr Ramsay has demonstrated his commitment to the community, volunteering at the Pine Rivers Neighbourhood Centre Riverstop Community Café, during school holidays.

Mr Ramsay's aspiration is to understand the complex issues relating to water management and would like to pursue a career path that will address the sustainable use of water resources in South East Queensland.

Bursary recipients are encouraged to apply the skills acquired during their study to the Moreton Bay Region by participating in Council environmental activities or events, such as National Tree Day.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

ITEM 5.1 ENVIRONMENTAL BURSARY 2020 - A19880547 (Cont.)

3.3 Policy Implications

The presentation of the environmental bursary is aligned with Council's Sustainability Policy 12-2150-044 which aims to improve performance in biodiversity protection and environmental enhancement in the wider community.

3.4 Risk Management Implications

If the bursar voluntarily leaves their elected environmental field of study during the first year of study, they may be required to repay the full amount of the bursary.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Funds for the environmental bursary for 2019/2020 are included in the Environmental Services budget allocation (20162.000).

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Portfolio Councillor
Relevant Divisional Councillor
Director Community and Environmental Services

ITEM 5.2

KOALA MONITORING SERVICES PHASE 4 - THE MILL AT MORETON BAY

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A19899852 : 22 May 2020
Responsible Officer: RM, Manager (CES Environmental Services)

Executive Summary

Council acquired the former Petrie Paper Mill site, Gympie Road, Petrie, now known as *The Mill at Moreton Bay* for a university campus and associated community development. The site includes areas of koala bushland habitat which will be impacted by the intended site development, however, Council has committed to deliver a net gain in environmental values across the site by establishing additional koala bushland habitat and ensuring koala safety during the construction phase.

As part of the site's development, Council needed to engage a service provider with specialist expertise to develop and undertake a koala monitoring program, to ensure the safety of the koala population during periods of construction. Due to the specialist nature of these services there is only one supplier, Endeavour Veterinary Ecology Pty Ltd (EVE), with the experience and specialist knowledge to deliver the services sought.

EVE completed phases 1 and 2 of the koala monitoring program between March 2017 and June 2018. Phase 3 of the koala monitoring program will conclude on 30 June 2020. In order to engage EVE to continue the monitoring program during the ongoing construction phase, an exemption is required under section 235(b) of the Local Government Regulation 2012.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Matt Constance

CARRIED 13/0

1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to invite quotes or tenders for the services.
2. That Council enters into an agreement with Endeavour Veterinary Ecology Pty Ltd to implement phase 4 of the koala monitoring program for *The Mill at Moreton Bay* site between 1 July 2020 and 30 June 2022, 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 Endeavour Veterinary Ecology Pty Ltd to implement phase 4 of the koala monitoring program for *The Mill at Moreton Bay* site between 1 July 2020 and 30 June 2022 and any required variations of the agreement on Council's behalf.

ITEM 5.2 KOALA MONITORING SERVICES PHASE 4 - THE MILL AT MORETON BAY - A19899852 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to invite quotes or tenders for the services.
2. That Council enters into an agreement with Endeavour Veterinary Ecology Pty Ltd to implement phase 4 of the koala monitoring program for *The Mill at Moreton Bay* site between 1 July 2020 and 30 June 2022, 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 Endeavour Veterinary Ecology Pty Ltd to implement phase 4 of the koala monitoring program for *The Mill at Moreton Bay* site between 1 July 2020 and 30 June 2022 and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

In March 2017, as part of the development of *The Mill at Moreton Bay* site at Petrie, Council engaged the services of EVE to implement a koala monitoring program.

The following resolution appears on Minute Page 17/392 of the General Meeting of Council held 21 March 2017:

Ex. Coordination Committee Meeting held 21 March 2017 (MP17/409):

COMMITTEE RECOMMENDATION

1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to invite quotes or tenders for the services.
2. That Council engage Endeavour Veterinary Ecology Pty Ltd to develop and implement a two-phase koala monitoring program for *The Mill at Moreton Bay* site.
3. That details and costs of phase two of the program be the subject of a further report to council.

Phase 1 (March to June 2017) involved an intensive site assessment to identify and tag all koalas on *The Mill at Moreton Bay* site. During phase 1, EVE identified 45 koalas which were health checked and fitted with telemetry devices for monitoring purposes.

ITEM 5.2 KOALA MONITORING SERVICES PHASE 4 - THE MILL AT MORETON BAY - A19899852 (Cont.)

The following resolution appears on Minute Page 17/1249 of the General Meeting of Council held 27 June 2017:

Ex. Coordination Committee Meeting held 27 June 2017 (MP 17/1351):

COMMITTEE RECOMMENDATION

1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to invite quotes or tenders for the services.
2. That Endeavour Veterinary Ecology Pty Ltd be engaged to implement phase 2 of the koala monitoring program for *The Mill at Moreton Bay* site between 1 July 2017 and 30 June 2018.
3. That a copy of this report be sent to all Koala Groups within the region.

Phase 2 of the koala monitoring program commenced on 1 July 2017, for a period of 12 months and involved ongoing koala monitoring and associated veterinary health assessments and treatment. EVE provided monthly reports to Council detailing outcomes and related costs. EVE continued to successfully deliver the koala monitoring program across the project site, assisting to ensure that no koalas were injured or killed as a result of construction works. In June 2018, 53 koalas had been fitted with telemetry devices for monitoring purposes.

The following resolution appears on Minute Page 18/1260 of the General Meeting of Council held 12 June 2018:

Ex. Coordination Committee Meeting held 12 June 2018 (MP 18/1297):

COMMITTEE RECOMMENDATION

1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to invite quotes or tenders for the services.
2. That Council engage Endeavour Veterinary Ecology Pty Ltd to implement phase 3 of the koala monitoring program for *The Mill at Moreton Bay* site between 1 July 2018 and 30 June 2020.
3. That a copy of this report be sent to the local state members and local Koala Groups for information.

Phase 3 of the koala monitoring program commenced on 1 July 2018 and has continued to be effective despite increased works on site. Similar to phase 2, the program involved the continuation of koala monitoring, veterinary health assessment and treatment and detailed monthly reporting provided by EVE. EVE continues to successfully deliver the koala monitoring program across the project site, assisting to ensure that no koalas are injured or killed as a result of construction works. As at 30 April 2020, 86 koalas have been fitted with telemetry devices and there are 26 dependent joeys who will be fitted with telemetry devices at approximately 12 months of age.

ITEM 5.2 KOALA MONITORING SERVICES PHASE 4 - THE MILL AT MORETON BAY - A19899852 (Cont.)

A Council briefing was conducted on 20 May 2020 to update Council on this matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

<p><i>BRIEFING 1b THE MILL AT MORETON BAY - KOALA MONITORING PROGRAM - PHASE 4</i></p> <p>Discussions consisted of:</p> <ul style="list-style-type: none">- The Koala Management Plan for the site incorporates a koala monitoring and health assessment program.- No koalas have been killed or injured as a direct result of ongoing construction work and the koala population throughout The Mill site is healthy.- Ongoing construction works will be undertaken at The Mill including koala habitat revegetation across 26 hectares of the site over the next two years.- The Koala Management Plan for the site is considered 'best practice' and is an example of proactive wildlife management for a complex construction site.- The type of koala monitoring undertaken for the site is in accordance with the Environment Protection and Biodiversity Conservation Act (EPBC) approval conditions (e.g. active/intensive and passive monitoring programs).

2. Explanation of Item

The operational and construction works across the project site will continue over the next 2 years. To support the ongoing health and safety of the koalas at *The Mill at Moreton Bay* site it is proposed to continue the koala monitoring program.

Under the provisions of the Local Government Regulation 2012, Council may enter into a contract with a provider where Council is satisfied that because of the specialised nature of the services to be provided, it would be impractical or disadvantageous for Council to seek quotes or tenders for the services.

EVE has successfully delivered phases 1, 2 and 3 of the koala monitoring program at *The Mill at Moreton Bay* site. This report recommends that EVE be engaged to implement phase 4 of the koala monitoring program between 1 July 2020 and 30 June 2022, facilitating the delivery of Council's koala safety commitments.

3. Strategic Implications

3.1 Legislative / Legal Implications

Section 235(b) of the Local Government Regulation 2012 provides that Council may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if Council resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Council's Procurement Policy 2150-006 allows the consideration of exceptions permitted under the Local Government Regulation 2012.

ITEM 5.2 KOALA MONITORING SERVICES PHASE 4 - THE MILL AT MORETON BAY - A19899852 (Cont.)

3.4 Risk Management Implications

EVE has specialist knowledge and experience in delivering successful koala monitoring programs within the Moreton Bay Region and specifically on and adjacent to *The Mill at Moreton Bay* site. In addition, EVE has the required animal handling and animal ethics approvals issued by the State Government.

The use of an experienced and specialist koala services contractor will assist in identifying and appropriately managing koala safety risks during construction activities.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Appropriate budget provisions have been forecast in the 2020/2021 and 2021/2022 financial years.

Services include “real-time” monitoring telemetry field monitoring, koala capture, health assessments, veterinary treatments, project management and reporting.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications

It is considered that EVE has the specialist expertise to undertake a koala monitoring program to ensure the safety of the koala population during periods of construction. Continuity of the koala monitoring program aligns with Council’s commitment to koala safety and conservation measures.

3.9 Social Implications

This project has received increasing media and community attention and has been a positive demonstration of Council’s commitment to preserve the ecology of the site. The project has also supported the University of Sunshine Coast’s research in combating disease in koala populations that will benefit the koala not only in South East Queensland but in all koala habitats across Australia.

3.10 Human Rights Implications

Under the *Human Rights Act 2019* (Qld), Council must not make a decision which is incompatible with human rights. Council must also give proper consideration to any human rights relevant to its decision. There are no human rights relevant to Council’s decision and Council’s decision is compatible with human rights.

3.11 Consultation / Communication

Director Community and Environmental Services
Manager, Financial and Project Services
Senior Procurement Advisor
Manager, Major Projects (University Project)
Council Briefing - 20 May 2020

**ITEM 5.3
COMMUNITY GRANTS POLICY REVIEW**

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20096347 : 29 May 2020 - **Refer Supporting Information A20094039 & A20093729**
Responsible Officer: MM, Manager - Community Services, Sport and Recreation (CES Community Services, Sport & Recreation)

Executive Summary

Council regularly reviews its policies for applicability, effectiveness and consistency with relevant legislation, Council resolutions and other Council documents. Officers have undertaken a review of Council's Community Grants Policy (No. 2150-030) and framework to identify opportunities to improve the effectiveness of the relevant programs in responding to community needs and corporate objectives.

The purpose of this report is to seek Council's consideration of a revised Community Grants Policy (refer Supporting Information #1), incorporating a number of proposed amendments arising from the review process.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Cath Tonks

CARRIED 13/0

1. That pursuant to section 195 of the Local Government Regulation 2012, Council adopts the Community Grants Policy as amended and appearing in Supporting Information #1 of this report.
2. That in relation to the Local Community Support Grant and Annual Celebrations Grant included in the amended policy, pursuant to section 257 of the *Local Government Act 2009* Council delegates to the Chief Executive Officer the power under section 194 of the Local Government Regulation 2012 to:
 - a) determine whether Council is satisfied a grant will be used for a purpose that is in the public interest;
 - b) determine whether the community organisation meets the criteria stated in the amended Community Grants Policy; and
 - c) give a grant consistent with the amended Community Grants Policy.

ITEM 5.3 COMMUNITY GRANTS POLICY REVIEW - A20096347 (Cont.)

OFFICER'S RECOMMENDATION

1. That pursuant to section 195 of the Local Government Regulation 2012, Council adopts the Community Grants Policy as amended and appearing in Supporting Information #1 of this report.
2. That in relation to the Local Community Support Grant and Annual Celebrations Grant included in the amended policy, pursuant to section 257 of the *Local Government Act 2009* Council delegates to the Chief Executive Officer the power under section 194 of the Local Government Regulation 2012 to:
 - a. determine whether Council is satisfied a grant will be used for a purpose that is in the public interest;
 - b. determine whether the community organisation meets the criteria stated in the amended Community Grants Policy; and
 - c. give a grant consistent with the amended Community Grants Policy.

REPORT DETAIL

1. Background

In accordance with the review triggers, officers have undertaken a review of Council's Community Grants Policy (Policy) to identify opportunities to improve the effectiveness of Council's community granting programs and optimise its support for community organisations.

The review process focused on the suite of granting programs administered by Council under the Policy, inclusive of:

- Community Activities Grant;
- Community Facilities Grant;
- Community Organisation Development Grant;
- Community Organisation Equipment Grant;
- Individual Achievement Grant;
- Road Safety Grant;
- Regional Arts Development fund (RADF);
- Regional Community Project Grant;
- COVID-19 Community Infrastructure Revitalisation Grant; and
- COVID-19 Community Organisation Hardship and Assistance Grant.

In addition to the review of Council's existing granting programs, officers also investigated:

- the potential for new granting programs to be established in response to emerging community needs and identified grant-making trends; and
- opportunities to include other existing support programs of Council under the provisions of the Policy.

A Council Briefing was conducted on 21 May 2020 to provide Council with an explanation regarding the findings of the review process and the proposed amendments to Council's Policy. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

BRIEFING 2 - COMMUNITY GRANTS PROGRAM 2020/21

Discussion related to the review of Council's Community Grant Policy and framework consisted of:

- an overview of Council's existing community grants framework;
- a briefing regarding the subscription rates and effectiveness of the Community Organisation Equipment Grant and the Community Organisation Development Grant;
- a briefing regarding opportunities for improvement identified for the Community Activities Grant and Community Facilities Grant;
- an overview of a proposed new Local Community Support Grant program; and
- a briefing regarding policy head-of-power provisions for operational contributions to community organisations.

ITEM 5.3 COMMUNITY GRANTS POLICY REVIEW - A20096347 (Cont.)

2. Explanation of Item

As a result of the recent review process, a series of amendments are proposed to Council's Community Grants Policy (No. 2150-030). Table 2.1 below provides an overview of the core amendments proposed.

Table 2.1 - Proposed Policy Amendments

Proposed amendment	Detail
Establishment of a new Local Community Support Grant program	<p>The proposed new grant program will support eligible community organisations to undertake local projects and initiatives for a community purpose.</p> <p>Further information regarding the proposed Local Community Support Grant is provided in the draft applicant Guidelines (refer Supporting Information #2).</p>
Removal of the Community Organisation Equipment Grant	<p>Competitive assessment of applications under this grant at a regional level has proven difficult for assessing officers.</p> <p>It is proposed that eligible community organisations be able to apply to Council under the proposed new Local Community Support Grant for equipment purchases. Applications will therefore be competitively assessed at a local level, rather than a regional level.</p>
Removal of the Community Organisation Development Grant	<p>This grant has been identified as having a low level of subscription in comparison to other grants.</p> <p>It is proposed that eligible community organisations will be able to apply to Council under the proposed new Local Community Support Grant for organisation development projects and initiatives.</p> <p>Further, Council officers will continue to assist community organisations with their club governance and business planning activities (where appropriate and required) as part of its business-as-usual Sport and Recreation operations.</p>
Inclusion of Annual Celebrations Grants	<p>Support provided to community organisations towards annual celebrations (eg. Youth Week, National Aboriginal and Islanders Day Observance Committee (NAIDOC) Week, Seniors Week, Disability Action Week and Harmony Week) has been included under the provisions of Council's Community Grants Policy and framework.</p>
Amendment to the Individual Achievement Grant	<p>The applicant eligibility criteria for this grant has been expanded to:</p> <ul style="list-style-type: none"> • enable schools to receive a grant in support of school achievement awards; and • enable support for individuals selected to compete at the Summer and Winter Special Olympic World Games.
Inclusion of Community Operational Support Grants	<p>Support provided to community organisations towards their delivery of services or activities has been included under</p>

ITEM 5.3 COMMUNITY GRANTS POLICY REVIEW - A20096347 (Cont.)

Proposed amendment	Detail
	the provisions of Council's Community Grants Policy and framework.
Removal of the Road Safety Grant	<p>Discontinued at the commencement of the 2019/20 financial year due to low subscription rates, provision for a dedicated road safety grant program has been removed from the Policy.</p> <p>Road safety related projects and initiatives remain eligible under Council's existing Community Activities Grant and the proposed new Local Community Support Grant.</p>
Removal of annual funding limit impacts for auspice organisations.	<p>The policy has been amended to further support eligible community organisations which auspice grants for unincorporated / informal community groups.</p> <p>Where a community organisation auspices a grant for an unincorporated / informal community group, those grant funds will no longer form part of the auspicing organisation's annual funding limits.</p>

This report recommends that Council adopts the Community Grants Policy, as amended and appearing in supporting information #1 of this report.

In relation to the Local Community Support Grant and Annual Celebrations Grant, the report further recommends that the Chief Executive Officer (CEO) be delegated to:

- determine whether Council is satisfied that a grant will be used for a purpose that is in the public interest;
- determine whether the community organisation meets the criteria stated in the amended Community Grants Policy; and
- give a grant consistent with the amended Community Grants Policy.

The provision of this new delegation to the CEO will add to existing delegations (No. 142 and 155) approved by Council at its 24 September 2019 and 25 March 2020 General Meetings for the following grants which remain under the amended Policy:

- Community Activities Grant;
- Community Facilities Grant;
- Individual Achievement Grant;
- Regional Arts Development fund (RADF);
- COVID-19 Community Infrastructure Revitalisation Grant; and
- COVID-19 Community Organisation Hardship and Assistance Grant.

3. Strategic Implications

3.1 Legislative / Legal Implications

In accordance with Sections 194 and 195 of the Local Government Regulation 2012, in order to award community grants a local government must prepare and adopt a policy about local government grants to community organisations (a community grants policy), which includes the criteria for a community organisation to be eligible for a grant from the local government. The recommendations in this report will amend, Council's existing Community Grants Policy (N0.2150-030).

ITEM 5.3 COMMUNITY GRANTS POLICY REVIEW - A20096347 (Cont.)

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

This report recommends that Council approve a series of amendments to its Community Grants Policy (2150-030) resulting from a recent policy review process.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

This report recommends that, in relation to the Local Community Support Grant and Annual Celebrations Grant, the CEO be delegated to:

- determine whether Council is satisfied that a grant will be used for a purpose that is in the public interest;
- determine whether the community organisation meets the criteria stated in the amended Community Grants Policy; and
- give a grant consistent with the amended Community Grants Policy.

3.6 Financial Implications

Budgetary allocations to granting programs provided for under Council's Community Grants Policy (No. 2150-030) are determined as part of Council's annual budget deliberations.

3.7 Economic Benefit Implications

Council's community grant programs facilitate the delivery of community projects and events that contribute to the local economy through increased tourism and community activity.

3.8 Environmental Implications

Council's community grant programs facilitate the delivery of environmental projects such as revegetation and environmental education initiatives in the community.

3.9 Social Implications

Council's community grant programs build the capacity of local community organisations to deliver a variety of community services and programs that respond to the needs of the Moreton Bay community.

3.10 Human Rights Implications Nil identified

Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that there are no human rights implications relevant to Council's decision.

3.11 Consultation / Communication

Council Briefing - 21 May 2020

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

Declarations of interest statement

There are no personal interests to be declared for items in this session.

**ITEM 6.1
MONTHLY REPORTING PACKAGE - APRIL 2020**

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20048519 : 18 May 2020 - **Refer Supporting Information A20047050**
Responsible Officer: CP, Accountant (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 30 April 2020.

RESOLUTION

Moved by Cr Jodie Shipway
Seconded by Cr Tony Latter

CARRIED 13/0

That the Financial Reporting Package for the year to date period ending 30 April 2020 be received.

ITEM 6.1 MONTHLY REPORTING PACKAGE - APRIL 2020 - A20048519 (Cont.)

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 30 April 2020 be received.

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 30 April 2020 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes:

- ✓ Financial Statements
 - Statement of Comprehensive Income shows all income and expenditure as at the end of the April period.
 - The Statement of Financial Position highlights Council's position at the end of April and itemises assets, liabilities and community equity.
 - Statement of Cash Flows which represents the cash inflows and outflows during the month.
 - Statement of sources and applications of capital funding.
- ✓ Treasury Report
 - The Treasury Report highlights key areas of performance relating to Council's investments and borrowings.

2. Explanation of Item

The financial results for the month of April are complete. A commentary is provided on significant matters that occurred during the month.

Impacts of the Coronavirus Pandemic

Council's investment with Queensland Investment Corporation (QIC) declined from a high of \$112 million as at the end of January to just under \$100 million as at the end of March. For the month of April, the investment recovered slightly and is now sitting at about \$100 million. This is a long term investment and it is anticipated that in time it should recover and increase in value.

Fees and Charges

Revenues associated with fees and charges have been impacted by the following:

- refunding food licencing fees (\$730,000);
- closure of Council facilities such as pools, caravan parks, sport centres, entertainment centres; and
- a general slight decline in some fees across the board.

Operating Expenditure

Council had committed to bringing forward certain maintenance works and providing community infrastructure and hardship grants in response to the pandemic.

3. Strategic Implications

3.1 Legislative / Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
 - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
 - (b) otherwise—at a meeting of the local government once a month.

ITEM 6.1 MONTHLY REPORTING PACKAGE - APRIL 2020 - A20048519 (Cont.)

(3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed for the month of April.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. Risks are documented and evaluated as part of the operational plan preparation in conjunction with the annual budget cycle and are monitored throughout the year.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

As at the end of April 2020, Council's operating result is \$134.9 million and the capital expenditure incurred amounted to \$157.58 million.

The Coronavirus pandemic continues to impact some of Council's revenues and contribute toward additional operating costs as Council brings forward certain maintenance works and provides assistance through community infrastructure and hardship grants.

All of these considerations have been taken into account in reviewing the 2019/20 budget position and the formulation of the draft budget for 2020/21.

3.7 Economic Benefit Implications

Nil identified

3.8 Environmental Implications

Nil identified

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Director Finance and Corporate Services and Accounting Services Manager.

ITEM 6.2
REVENUE POLICY 2020/21

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20082213 : 27 May 2020 - **Refer Supporting Information A20082190**
Responsible Officer: JL, Financial Operations Manager (FCS Financial Operations)

Executive Summary

Pursuant to section 104 of the *Local Government Act 2009* (Act) and section 193 of the Local Government Regulation 2012 (Regulation) Council is required to prepare a Revenue Policy on an annual basis.

The policy must be prepared in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.

The Revenue Policy is a key component of the system of financial management established by Council in accordance with the Act.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Mark Booth

CARRIED 13/0

That the 2020/21 Revenue Policy be adopted, as tabled.

ITEM 6.2 REVENUE POLICY 2020/21 - A20082213 (Cont.)

OFFICER'S RECOMMENDATION

That the 2020/21 Revenue Policy be adopted, as tabled.

REPORT DETAIL

1. Background

The Revenue Policy is a key component of the Financial Policies required under the *Local Government Act 2009* and will provide guidance during the development of the 2020/21 budget.

2. Explanation of Item

In accordance with the requirements set out under section 193 of the Local Government Regulation 2012, the Revenue Policy must incorporate:

- (a) the principles that the local government intends to apply in the financial year for—
 - I levying rates and charges; and
 - ii. granting concessions for rates and charges; and
 - iii. recovering overdue rates and charges; and
 - iv. cost-recovery methods; and
- (b) if the local government intends to grant concessions for rates and charges - the purpose for the concessions; and
- (c) the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

The Council must review the Revenue Policy annually and in sufficient time to allow an annual budget that is consistent with the Revenue Policy to be adopted for the next financial year.

3. Strategic Implications

3.1 Legislative / Legal Implications

Council is required to prepare a Revenue Policy under section 104 of the *Local Government Act 2009*. Section 193 of the Local Government Regulation 2012 outlines the requirements of the Revenue Policy.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The Revenue Policy is required under section 104 of the Local Government Act 2009.

3.4 Risk Management Implications

The risk to Council lies in the implementation and application of the Revenue Policy. Council must set rates and charges at a level that is sufficient to provide for both current and future community requirements. To mitigate this risk, Council undertakes long term financial modelling to inform decision making.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The annual budget for the 2020/21 financial year must be consistent with the principles outlined in the Revenue Policy.

ITEM 6.2 REVENUE POLICY 2020/21 - A20082213 (Cont.)

- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

In preparing the amended Revenue Policy for the 2020/21 financial year, the Director Finance and Corporate Services, Financial Operations Manager and Manager Development Services were consulted.

ATTENDANCE

Mr Denis Crowe attended the meeting at 12.14pm for discussion on Item 6.3

ITEM 6.3
2020/21 SCHEDULE OF FEES AND CHARGES

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20067428 : 21 May 2020 - Refer Supporting Information A20076173 & A20076693
Responsible Officer: DC, Accounting Services Manager (FCS Accounting Services)

Executive Summary

A review of fees and charges has been undertaken in preparation for the 2020/21 budget process and the commencement of the new financial year.

The proposed 2020/21 Full Schedule of Fees and Charges is submitted for adoption.

RESOLUTION

Moved by Cr Jodie Shipway
Seconded by Cr Cath Tonks

CARRIED 13/0

1. That the 2020/21 Full Schedule of Fees and Charges be adopted as provided in Supporting Information #1, and commence from 1 July 2020.
2. That it be noted the Development Services Department will undertake industry consultation with regard to some of its application fees with a view to providing a briefing to Council on the outcomes of this consultation by the end of July 2020.
3. That it be noted the Development Services Schedule of Fees and Charges 2020/2021 as provided in Supporting Information #2 will be made available to industry and customers for their use in understanding the new fee structure applicable from 1 July 2020.
4. That it be noted a future report will be presented to Council in late 2020 to amend the Waste Services Department's Fees and Charges to take into account the \$5 per tonne increase in the Waste Levy applicable from 1 January 2021.

ITEM 6.3 2020/21 SCHEDULE OF FEES AND CHARGES - A20067428 (Cont.)

OFFICER'S RECOMMENDATION

1. That the 2020/21 Full Schedule of Fees and Charges be adopted as provided in Supporting Information #1, and commence from 1 July 2020.
2. That it be noted the Development Services Department will undertake industry consultation with regard to some of its application fees with a view to providing a briefing to Council on the outcomes of this consultation by the end of July 2020.
3. That it be noted the Development Services Schedule of Fees and Charges 2020/2021 as provided in Supporting Information #2 will be made available to industry and customers for their use in understanding the new fee structure applicable from 1 July 2020.
4. That it be noted a future report will be presented to Council in late 2020 to amend the Waste Services Department's Fees and Charges to take into account the \$5 per tonne increase in the Waste Levy applicable from 1 January 2021.

REPORT DETAIL

1. Background

A Council briefing was conducted on 19 May 2020 to enable further explanation/clarification to be provided to the Council on the proposed 2020/21 Schedule of Fees and Charges. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

19 May 2020 The CEO noted the way forward:

ECM

The Engineering Construction & Maintenance, Infrastructure Planning and Waste Services schedule of fees and charges 2020/21 were noted as presented by Director Engineering Construction & Maintenance.

CES

Community & Environmental Services schedule of fees and charges 2020/21 were reviewed with the following notes:

Redcliffe Entertainment Centre (REC):

The 'Redcliffe Entertainment Centre - Duty Manager - Monday to Friday - Up to 3 Additional Hours' line item wording be amended to reflect the rate of \$64.00, charged hourly.

Planning

The CEO will work through the timeframe and implementation of the Planning component of fees and charges to be adopted in order to provide the industry with 60 days' notice of changes.

Finance & Corporate Services

Accounting Services Manager will arrange for the 2020/21 schedule of fees and charges to be provided to Council for consideration (excluding the Planning component, to be provided at a later stage).

It was noted that the report to Council for the adoption of fees and charges will be in line with CPI increase.

2. Explanation of Item

Council has in excess of 1000 fees and charges for specific services. These fees and charges are reviewed at least annually to ensure they are appropriate. The setting of separate fees and charges aligns with the user-pays philosophy of Council.

ITEM 6.3 2020/21 SCHEDULE OF FEES AND CHARGES - A20067428 (Cont.)

Fees and charges revenue represents a sizeable portion of the Council's overall operating revenues at approximately \$35 million per annum.

The majority of the proposed fees and charges for 2020/21 reflect an increase in line with the estimated Consumer Price Index (CPI). It should be noted that a number of new fees have been recommended, while it is proposed to discontinue others that are longer required.

The Development Services Department has reviewed its fees and charges with a view to reducing the complexity in calculating fees for specific Council services. In that regard the proposed schedule of fees and charges for 2020/21 includes the outcome of that process. Some fees have been set at 'price on application' with the intent to have targeted industry consultation. The results of the industry consultation will be brought back to a future Briefing Session of Council. It is proposed that Supporting Information #2 will be made available to industry and customers to assist them in better understanding the new fee structure.

The Waste Services Department's fees and charges as provided at the Briefing Session on 19 May factored in the State Government's anticipated \$5 per tonne increase in Waste Levy, applicable from 1 July 2020.

Recent correspondence from the State Government advises that the \$5 per tonne Waste Levy increase is to be postponed and will now take effect from 1 January 2021.

Accordingly, the Waste Services Department's fees and charges as presented for adoption, have been updated to remove the impacts of the \$5 per tonne Waste Levy increase that was expected on 1 July 2020.

However, given the Waste Levy will now increase by \$5 per tonne from 1 January 2021 a further report will be presented to Council towards the end of 2020 to amend the Waste Services Department's fees and charges to include the impacts of the \$5 per tonne Waste Levy increase applicable from 1 January 2021.

In general terms if any fees and charges require amending over the course of the financial year a report will be presented to Council with those proposed amendments.

3. Strategic Implications

3.1 Legislative / Legal Implications

All cost recovery fees identified in the attached reports have been prepared in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

The key strategic risk for Council in the setting of fees and charges is the projected revenue stream that they generate. Fees and charges revenue represents a sizeable portion of the Council's overall operating revenues and as such there is an element of risk associated with forecasting the expected revenue as many fees and charges are dependent on the level of economic activity and/or demand for Council services.

To mitigate this risk, a conservative approach is taken as to the expected levels of revenue anticipated in the context of the fee and the current economic environment.

3.5 Delegated Authority Implications

Nil identified

ITEM 6.3 2020/21 SCHEDULE OF FEES AND CHARGES - A20067428 (Cont.)

3.6 Financial Implications

Fees and charges represent a significant component of Council's operational revenues and feeds into Council's annual budget process. The revenue projections for 2020/21 are impacted by the ongoing uncertainty surrounding the economic downturn associated with the pandemic.

3.7 Economic Benefit Implications

Whilst the fees and charges do not drive any direct economic benefit to the region they do act as a barometer in terms of the level of economic activity in the region as their charging demonstrates the demand, or otherwise, for Council services.

3.8 Environmental Implications

Nil identified

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Council, Executive Management Team and officers of Council.

ATTENDANCE

Mr Denis Crowe left the meeting at 12.15pm after Item 6.3.

11. NOTIFIED GENERAL BUSINESS ITEMS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

**ITEM 11.1
DEVELOPMENT APPLICATION - PACIFIC HARBOUR
(BS)**

Cr Savige, following consideration on Item 4.3 requested that investigation be carried out on the capacity, efficiency and safety of the road access in to and out of the suburb of Banksia Beach.

Cr Savige said that Banksia Beach was much larger, serviced by one road and although preliminary investigations had been undertaken, it was timely to do a more thorough investigation.

RESOLUTION

**Moved by Cr Brooke Savige
Seconded by Cr Jodie Shipway**

CARRIED 13/0

That the Chief Executive Officer investigate the capacity, efficiency and safety of the road access in to and out of the suburb of Banksia Beach and provide to a future Council Briefings.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

No items for consideration.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

CLOSURE

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

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/867 to 20/1133 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 10 June 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 24 June 2020.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor



REPORT

Audit Committee Meeting

Monday 15 June 2020

commencing at 2.00pm

Strathpine Chambers
220 Gympie Road, Strathpine

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Audit Committee meeting held on 15 June 2020 were recommended to the Council for adoption.

COUNCILLOR MATT CONSTANCE
INTERIM CHAIRPERSON
AUDIT COMMITTEE

Membership = 4

(Chairperson and one member)

Cr Matt Constance (interim Chairperson)

Mr Patrick McCallum

Cr Cath Tonks

Mr Stephen Coates

Cr Jodie Shipway (alternate member)

UNCONFIRMED

SCHEDULE OF ITEMS

1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

CLOSED SESSION (Confidential items)

OPEN SESSION

2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

ITEM 2.1 ORGANISATIONAL REVIEW IMPLEMENTATION	1137
ITEM 2.2 LOCAL GOVERNMENT MUTUAL MEMBERSHIP RENEWAL 2020/21	1137

3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

ITEM 3.1 CORPORATE SYSTEMS REVIEW	1138
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4 FINANCIAL REPORTING

ITEM 4.1 MONTHLY FINANCIAL REPORT - MARCH 2020	1139
ITEM 4.2 QUARTER 3 OPERATIONAL PLAN REVIEW	1139
ITEM 4.3 DRAFT PROFORMA FINANCIAL STATEMENTS FOR 2019/20	1140
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5 EXTERNAL AUDITOR REPORT

ITEM 5.1 QAO INTERIM MANAGEMENT REPORT FOR THE YEAR ENDED 30 JUNE 2020	1141
ITEM 5.2 QUEENSLAND AUDIT OFFICE UPDATE	1141

6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS

ITEM 6.1 INTERNAL AUDIT OVERVIEW	1142
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7 GENERAL BUSINESS

ITEM 7.1 AUDIT COMMITTEE TERMS OF REFERENCE - STANDING AGENDA ITEMS	1143
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8 NEXT AUDIT COMMITTEE MEETING

CLOSURE

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

Cr Matt Constance (Interim Chairperson)
Cr Cath Tonks
Cr Jodie Shipway (alternate member)

Mr Patrick McCallum
Mr Stephen Coates

Invited External Representatives:

Mr Charles Strickland (Queensland Audit Office)
Ms Cini Philip (Queensland Audit Office)

Officers:

Chief Executive Officer
Director Finance & Corporate Services
Accounting Services Manager

Greg Chemello
Donna Gregory
Denis Crowe

Team Leader Meeting Support

Kathrine Crocker

Apologies:

Nil

Stephen Coates was not present at the commencement of the meeting.

1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

Committee members are required to provide written declarations declaring any potential or actual conflicts of interest they may have in relation to their responsibilities.

As they arise between meetings, or at the beginning of each Committee meeting, members are required to declare any new or changed potential or actual conflicts of interest that may apply to specific matters on the meeting agenda.

Declaration of Conflict of Interest - Mr Pat McCallum

Mr Patrick McCallum disclosed that he performs services for the firm O'Connor Marsden & Associates (OCM) which has been engaged by Council to lead a review of its Risk Management Framework.

Mr McCallum is employed by and does not have an ownership interest in OCM.

Mr Patrick McCallum also disclosed that his son, Lance McCallum, was the Member for Bundamba and was also a member of the State Government's Economics and Governance Committee - a portfolio committee of the Queensland Legislative Assembly responsible for the portfolio areas including Local Government, Racing, and Multicultural Affairs.

Mr McCallum will take the Audit Committee Chair's advice to avoid any perception of a possible conflict should it arise.

CLOSED SESSION (Confidential items)

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

COMMITTEE RECOMMENDATION

Moved by Pat McCallum

Seconded by Cr Cath Tonks

CARRIED

That the meeting be closed 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.

The closed session commenced at 2.10pm.

ATTENDANCE

The following representatives attended the meeting for discussion on respective items, leaving the meeting after discussion on those specific matters:

Item 2.1 - Organisational Review Implementation

Bruce Davidson - Change Facilitator

Item 6.1 2(e) - Internal Audit Review

Stuart McDowall (Grant Thornton) * via Skype

Item 3.1 - Corporate Systems Review

Loretta Libke - Project Manager

Item 6.1 2(d) - Progress report on the implementation of audit recommendations

Tony Martini - Director Engineering, Construction & Maintenance * via Skype

Bill Halpin - Director Community & Environmental Services * via Skype

ATTENDANCE

Stephen Coates attended the meeting at 2:26 PM during discussion on Item 2.1.

During Closed Session, the Audit Committee went into a 'Committee of the Whole' session and officers retired from the meeting at this time.

OPEN SESSION

COMMITTEE RECOMMENDATION

Moved by Pat McCallum

Seconded by Stephen Coates

CARRIED

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

The open session resumed at 4:17 PM.
Officers returned to the meeting at this time.

2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS**ITEM 2.1
ORGANISATIONAL REVIEW IMPLEMENTATION**

Meeting / Session: AUDIT COMMITTEE
Reference: A20132812 : 9 June 2020 - **Refer Supporting Information A20132814**
Responsible Officer: BD, Change Facilitator (CEOs Office)

In September 2019 Council adopted the Organisational Review Report by Grassroots Connections Australia (GCA) and committed to the implementation of the report's recommendations.

A report prepared by the Change Facilitator provided an update on the progress of the implementation strategy for the Audit Committee's information.

COMMITTEE RECOMMENDATION

Moved by Pat McCallum

Seconded by Cr Cath Tonks

CARRIED

That the status report on the organisational review implementation be noted.

**ITEM 2.2
LOCAL GOVERNMENT MUTUAL MEMBERSHIP RENEWAL 2020/21**

Meeting / Session: AUDIT COMMITTEE
Reference: 9 June 2020 **Refer Supporting Information A20128872**
Responsible Officer: DG, Director Finance & Corporate Services (CEO, Finance & Corporate Services)

1. Executive Summary

The attached Briefing Note regarding Council's Local Government Mutual Membership for 2020/21 was provided to Council on 9 June 2020, and is also provided to Audit Committee for information.

COMMITTEE RECOMMENDATION

Moved by Stephen Coates

Seconded by Cr Cath Tonks

CARRIED

That the Briefing Note regarding Council's Local Government Mutual Membership for 2020/21 be noted.

3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

ITEM 3.1 CORPORATE SYSTEMS REVIEW

Meeting / Session: AUDIT COMMITTEE
Responsible Officer: LL, Project Manager

Project Manager attended to provide an update on the TechOne project.

COMMITTEE RECOMMENDATION

Moved by Cr Cath Tonks
Seconded by Pat McCallum

CARRIED

That the update provided in relation to the TechOne project be noted.

4 FINANCIAL REPORTING

ITEM 4.1 MONTHLY FINANCIAL REPORT - MARCH 2020

Meeting / Session: AUDIT COMMITTEE
Reference: **Refer Supporting Information A19947412 (Extract of Actual Report to General Meeting)**
Responsible Officer: DW, Coordinator Accounting Services (CEO Accounting Services)

In accordance with the adopted Audit Plan a copy of the most recent Monthly Financial Report for March 2020, as adopted by Council at its meeting of 27 May 2020, is attached for Committee's information (refer supporting information #1).

It is noted that the attachment is as an extract of the report and supporting information from that meeting.

COMMITTEE RECOMMENDATION

Moved by Pat McCallum
Seconded by Cr Cath Tonks

CARRIED

That the Monthly Financial Report for March 2020, be received and noted.

ITEM 4.2 QUARTER 3 OPERATIONAL PLAN REVIEW

Meeting / Session: AUDIT COMMITTEE
Reference: **Refer Supporting Information A19995421 (Extract of Actual Report to General Meeting)**
Responsible Officer: DC, Accounting Services Manager (CEO Accounting Services)

A copy of the Quarter 3 Operational Plan Review for 2019/20, as adopted by Council at its meeting of 27 May 2020, is attached for Committee's information (refer supporting information #1).

It is noted that the attachment is as an extract of the report and supporting information from that meeting.

COMMITTEE RECOMMENDATION

Moved by Cr Cath Tonks
Seconded by Pat McCallum

CARRIED

That the Quarter 3 Operational Plan Review for 2019/20, be received and noted.

ITEM 4.3
DRAFT PROFORMA FINANCIAL STATEMENTS FOR 2019/20

Meeting / Session: AUDIT COMMITTEE
Reference: A20036479: 14 May 2020 - **Refer Supporting Information A19845683**
Responsible Officer: DC, Accounting Services Manager (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the draft proforma financial statements for 2019/20.

COMMITTEE RECOMMENDATION

Moved by Stephen Coates

Seconded by Pat McCallum

CARRIED

1. That the draft proforma financial statements for 2019/20 be noted by the Committee.
2. That it be noted the pro-forma financial statements, as presented, will require some changes and will be included in the draft financial statements when presented at the August Meeting.

ITEM 4.4
DRAFT BUDGETED FINANCIALS

Meeting / Session: AUDIT COMMITTEE
Reference: **Refer Supporting Information A20152989**
Responsible Officer: DG, Director Finance & Corporate Services (FCS, Directorate)

COMMITTEE RECOMMENDATION

Moved by Cr Cath Tonks

Seconded by Stephen Coates

CARRIED

That the draft budgeted financials be received.

5 EXTERNAL AUDITOR REPORT

ITEM 5.1

QAO INTERIM MANAGEMENT REPORT FOR THE YEAR ENDED 30 JUNE 2020

Meeting / Session: AUDIT COMMITTEE
Reference: Refer Supporting Information A19836247

By correspondence dated 20 March 2020, the Queensland Audit Office provided its interim management report for the financial year ended 30 June 2020, detailing the outcomes of its interim audit (refer supporting information #1).

COMMITTEE RECOMMENDATION

Moved by Pat McCallum
Seconded by Stephen Coates

CARRIED

That the Interim Management Report for the financial year ended 30 June 2018 be received and noted.

ITEM 5.2

QUEENSLAND AUDIT OFFICE UPDATE

Meeting / Session: AUDIT COMMITTEE
Reference: 9 June 2020 - Refer Supporting Information A20135057

Queensland Audit Office will provide an update to the Audit Committee.

COMMITTEE RECOMMENDATION

Moved by Cr Cath Tonks
Seconded by Stephen Coates

CARRIED

That the Queensland Audit Office update be received and noted.

6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS

ITEM 6.1 INTERNAL AUDIT OVERVIEW

Meeting / Session: AUDIT COMMITTEE
Reference: A20101418 : 1 June 2020 - Refer Supporting Information A20129352,
A20101426 & A20129582
Responsible Officer: DG, Director (FCS Directorate)

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 provides information to the Audit Committee on the activities of the Internal Audit function for the period from 20 February 2020 to 15 June 2020.

COMMITTEE RECOMMENDATION

Moved by Stephen Coates

Seconded by Cr Cath Tonks

CARRIED

That the Audit Committee notes and endorses this report and associated supporting information.

7 GENERAL BUSINESS

ITEM 7.1

AUDIT COMMITTEE TERMS OF REFERENCE - STANDING AGENDA ITEMS

Committee requested the following standing agenda items to be included:

- minutes of the Fraud & Risk Control Group meetings; and
- a "Committee of the Whole" session be included within General Business.

COMMITTEE RECOMMENDATION

Moved by Stephen Coates

Seconded by Cr Cath Tonks

CARRIED

That the Principal Internal Auditor review the Committee meeting agenda to ensure the Committee's mandate is covered and appropriate standing items are included.

8 NEXT AUDIT COMMITTEE MEETING

6 August 2020

8 October 2020 - teleconference

12 November 2020

CLOSURE

There being no further business the Chairperson closed the meeting at 4:27 PM