



MINUTES

GENERAL MEETING

Wednesday 28 October 2020

commencing at 9.32am

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 was physically closed to the public.

However, was live-streamed via a link on Council's website

ENDORSED GM20201112

Adoption Extract from General Meeting – 12 November 2020 (Page 20/1863)

General Meeting - 28 October 2020 (Pages 20/1797 to 20/1861)

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Tony Latter

CARRIED 10/0

That the minutes of the General Meeting held 28 October 2020, be confirmed.

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1. ACKNOWLEDGEMENT OF COUNTRY

Cr Cath Tonks provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Cr Cath Tonks provided the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

Cr Denise Sims (Deputy Mayor) (Chairperson)
Cr Brooke Savige
Cr Mark Booth
Cr Adam Hain
Cr Jodie Shipway
Cr Sandra Ruck
Cr Karl Winchester
Cr Cath Tonks
Cr Matt Constance
Cr Darren Grimwade
Cr Tony Latter

Apologies:

Cr Peter Flannery (Mayor) - who is attending other official Council business
Cr Mick Gillam

Officers

Chief Executive Officer	(Mr Greg Chemello)
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)
Chief Economic Development Officer	(Mr Paul Martins)
Manager Governance & Executive Services	(Darren Dallinger)
Meeting Support	(Hayley Kenzler)

4. MEMORIALS OR CONDOLENCES

Councillors observed a moment's silence in memory of residents who had passed away, noting Council's sympathy.

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 7 October 2020 (Pages 20/1734 - 20/1791)

RESOLUTION

Moved by Cr Karl Winchester

Seconded by Cr Tony Latter

CARRIED 11/0

That the minutes of the General Meeting held 7 October 2020, be confirmed.

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

Audit Committee Meeting - 8 October 2020 (Pages 20/1792 - 20/1796)

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Cath Tonks

CARRIED 11/0

That the report and recommendations of the Audit Committee Meeting held 8 October 2020, be adopted.

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

6.1. Petition: Alleged dog attack - Biggs Avenue, Beachmere (A20695299)

Cr Mark Booth tabled a petition containing 23 signatures, received from Noela Shaw, reading as follows:

"We the undersigned residents of Beachmere, Queensland, 4510, respectfully request that the Moreton Bay Regional Council take into impoundment the dog alleged to have attacked a dog "Pat in Biggs Avenue, Beachmere on Saturday the twenty sixth of September 2020.

As a result of the alleged attack, Pat was taken to a vet where it was decided to put Pat down due to his extensive injuries.

Further we requested that if confirmed to be the attacking dog, that all nearby local residents be individually notified of that dangerous and fatal incident and appropriate action be taken so as such an attack does not happen again.

We are concerned that if left to be as is, the alleged attacking dog may attack a dog again and may even attack a person."

Cr Booth advised that the matter is currently under investigation.

Council received the petition, referring it to the Director Community & Environmental Services.

6.2. Petition: Frank McAdam - Midge Problem, Riversleigh Road - Beachmere (A20727913)

Cr Mark Booth tabled a petition containing 23 signatures, received from Frank McAdam, reading as follows:

'We the undersigned are residents of Beachmere in you're [sic] Moreton Bay Regional Shire. We are requesting what we believe to be you're [sic] responsibility to reduce the impact of the Midge problem that we are experiencing within our properties in and around Riversleigh Road Beachmere. This problem is making the outdoor use and enjoyment of our properties almost impossible.

We have previously contacted the council about this problem, and although we were given some helpful advice about what we could do, we feel that this is more than an individual property problem but a problem that should be undertaken on a larger scale' like the spraying for mosquito's [sic] are.

We hope that you would be able to assist us with this request.'

Council received the petition, referring it to the Director Community & Environmental Services for investigation and report to Council, if required.

6.3. e-Petition: Carly Taylor - Say No to Andrew Petrie Drive Alignment (A20741036)

On behalf of Cr Mick Gillam, Cr Cath Tonks tabled an e-petition containing 665 names as at today's date, that was initiated by the Option 1 Youngs Crossing Road Upgrade - Committee (Carly Taylor - Principal Petitioner), reading as follows:

"Dear Honorary Mayor and Respected Moreton Bay Councillors, I would like to thank you for giving the greater community a chance to have our say on the Youngs Crossing Upgrade Project.

We too have been engaging with the community regarding the pros and cons of both options. Given that we have been almost overwhelmed by objection to Option 2, we decided to run a petition.

Please find attached the results of this petition to date. As you can see from these results, Option 2 is not a popular choice. I am sure that the councils survey will show similar results with further detail regarding how Option 2 negatively affects them.

We ask that, based on the petition results, council rejects Option 2."

Council received the petition, referring it to the Director Infrastructure Planning for investigation and report to Council, if required.

7. CORRESPONDENCE

There was no correspondence for tabling.

8. DEPUTATIONS / COMMUNITY COMMENT

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

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

(s262 of the Local Government Regulation 2012)

9.1. Notice of Motion - Delay conduct of a General Meeting of Council at another location NOM/40

Cr Peter Flannery (Mayor) had advised his intention to move a Notice of Motion at this meeting, however in the Mayor's absence Cr Denise Sims (Deputy Mayor) moved the Notice of Motion on his behalf as permitted under section 4.2.1(a) of Council's Meeting Procedures & Standing Orders Policy.

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Sandra Ruck

CARRIED 11/0

That resolution 3 of Item 1.1 appearing on Minute Page 20/1514 of the General meeting held 19 August 2020, which reads:

"That the conduct of a General Meeting of Council at another location within the Moreton Bay region in conjunction with a community engagement and a 'meet the councillors' event which was due to occur in August 2020, be delayed until December 2020 due to COVID-19 restrictions."

BE AMENDED and the following resolution be inserted in its stead:

"That the conduct of a General Meeting of Council at another location within the Moreton Bay region in conjunction with a community engagement and a 'meet the councillors' event, be delayed until a date to be determined in 2021 due to COVID-19 restrictions."

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

ATTENDANCE

Mr Darren Dallinger attended the meeting at 9.39am for discussion on Items 1.1 to 1.5 inclusive.

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr D Sims, Deputy Mayor)

**ITEM 1.1
2019-20 ANNUAL REPORT**

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20673306 : 12 October 2020 - **Refer Supporting Information A20704120**
Responsible Officer: SN, Strategic Planning and Policy Officer (CEO Strategy & Engagement)

Executive Summary

This report seeks Council's consideration of the Moreton Bay Regional Council 2019-20 Annual Report.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Adam Hain

CARRIED 11/0

That the Moreton Bay Regional Council 2019-20 Annual Report be adopted as tabled.

ITEM 1.1 2019-20 ANNUAL REPORT - A20673306 (Cont.)

OFFICER'S RECOMMENDATION

That the Moreton Bay Regional Council 2019-20 Annual Report be adopted as tabled.

REPORT DETAIL

1. Background

The Moreton Bay Regional Council 2019-20 Annual Report (refer Supporting Information) has been prepared in accordance with the *Local Government Act 2009* and Local Government Regulation 2012. This legislation stipulates how a Council is required to measure its performance in its annual report against its Operational Plan and the objectives of its Corporate Plan.

In accordance with section 182 of the Local Government Regulation 2012, a local government must adopt its annual report within one month after the day the auditor-general gives the auditor-general's audit report about the local government's financial statements for the financial year to the local government.

2. Explanation of Item

The 2019-20 Annual Report outlines Council's operations, activities and financial performance for the reporting period for residents, ratepayers, customers and other interested parties.

The 2019-20 report highlights Council's investment in initiatives, projects and partnerships which support the region's thriving regional economy. During the reporting period this included the opening of the region's first full-service university campus - USC Moreton Bay, as well as steps to establish an independent professional board to oversee future development and investment across the surrounding Council-owned and controlled land within the Moreton Bay Priority Development Area in Petrie.

The report provides an overview of Council's response to the Coronavirus pandemic. This included stimulus initiatives to provide an economic boost for the region with a focus on supporting local clubs and businesses.

It also outlines how Council continued to look at new and innovative ways of doing businesses, as demonstrated through the rollout of a pilot project which uses artificial intelligence fitted to waste trucks to assist Council maintaining the region's \$2 billion local road network.

The 2019-20 Annual Report is guided by the Council's Corporate Plan 2017-22. The document contains financial highlights, operational activities and achievements, information related to corporate governance requirements, and the Community Financial Report.

Once adopted, the 2019-20 Annual Report will be made available for download at www.moretonbay.qld.gov.au/annualreport and a copy made available for viewing at council's customer services centres.

3. Strategic Implications

3.1 Legislative / Legal Implications

The preparation and adoption of an Annual Report is a requirement of the Local Government Regulation 2012. The Annual Report must contain specific detail as required by 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

Nil identified

ITEM 1.1 2019-20 ANNUAL REPORT - A20673306 (Cont.)

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications Nil identified
- 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

Councillors, the CEO, Directors and other relevant Council officers have been consulted in the development of this report.

**ITEM 1.2
FINANCIAL AND CONTRACTUAL DELEGATION TO CHIEF EXECUTIVE OFFICER -
QUARTER ENDING 30 SEPTEMBER 2020**

Meeting / Session: 1 GOVERNANCE
Reference: A20708986 : 20 October 2020 - **Refer Supporting Information A20709362**
Responsible Officer: DD, Manager Governance & Executive Services (FCS Governance & Executive Services)

Executive Summary

At its meeting of 5 August 2020, Council delegated its powers to the Chief Executive Officer to authorise expenditure of money up to and including the amount of \$25,000,000 as well as power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges, subject to certain criteria.

In accordance with specified criteria, this report provides detail of contracts in excess of \$500,000 for the quarter ending 30 September 2020.

RESOLUTION

**Moved by Cr Jodie Shipway
Seconded by Cr Tony Latter**

CARRIED 11/0

That Council notes the report provided in supporting information #1 detailing contracts in excess of \$500,000 which the Chief Executive Officer has entered into for the period ending 30 September 2020 under Council delegation (Council-163).

ITEM 1.2 FINANCIAL AND CONTRACTUAL DELEGATION TO CHIEF EXECUTIVE OFFICER - QUARTER ENDING 30 SEPTEMBER 2020 - A20708986 (Cont.)

OFFICER'S RECOMMENDATION

That Council notes the report provided in supporting information #1 detailing contracts in excess of \$500,000 which the Chief Executive Officer has entered into for the period ending 30 September 2020 under Council delegation (Council-163).

REPORT DETAIL

1. Background

Council revised the Chief Executive Officer's financial and contractual delegations at its meeting of 5 August 2020. The purpose of the review was to implement a system to better reflect operational needs and enable efficient and effective decisions to be made.

The Chief Executive Officer was authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging any of the particular contracts and any required variations of the contracts on Council's behalf.

2. Explanation of Item

The following resolution appears on minute page 20/1454-55 of the General Meeting held 5 August 2020.

1. That pursuant to section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer its power to authorise expenditure of money up to and including the amount of \$25,000,000 subject to the following criteria:
 - a) the expenditure is in accordance with the *Local Government Act 2009*;
 - b) the expenditure has been provided for in Council's annual budget, except in the case of genuine emergency or hardship where the budget does not make provision; and
 - c) the expenditure is not materially greater than the budget allocation.
2. That pursuant to section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer its power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report, subject to the following criteria:
 - a) the contract has been formed in accordance with the *Local Government Act 2009* and Council's Procurement Policy;
 - b) the expenditure under the contract has been provided for in Council's annual budget, except in the case of genuine emergency or hardship where the budget does not make provision;
 - c) any contract greater than the budget allocation is to be reported to Council; and
 - d) details of contracts in excess of \$500,000 to be reported to Council on a quarterly basis.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging any of the above contracts and any required variations of the contracts on Council's behalf.

ITEM 1.2 FINANCIAL AND CONTRACTUAL DELEGATION TO CHIEF EXECUTIVE OFFICER - QUARTER ENDING 30 SEPTEMBER 2020 - A20708986 (Cont.)

All delegations are subject to any limitations of the *Local Government Act 2009* and Local Government Regulation 2012, Council's budget, and Council's Procurement Policy (where applicable).

Any contracts entered into under delegation Council-163, that exceed \$500,000, must be reported to the Council on a quarterly basis.

3. Strategic Implications

3.1 Legislative/Legal Implications

Under s257 of the *Local Government Act 2009* (Act), the Council may, by resolution, delegate powers given to it under the Act or any other Act, to the Chief Executive Officer. The Council cannot delegate a power that an Act states must be exercised by resolution.

Details of contracts awarded by Council worth \$200,000 or more, are published on the Council's website in accordance with Section 237 of the *Local Government Regulation 2012*.

3.2 Corporate Plan / Operational Plan

Governance & Leadership: Efficient and effective management of Council's operations.

3.3 Policy Implications

Exercising of the delegation must be in accordance with Council's Procurement Policy.

3.4 Risk Management Implications

The regular review of delegations to the CEO will ensure that Council's delegations are up-to-date and accord with legislation.

Reporting of contracts entered into exceeding \$500,000 keeps Council informed of decisions made under delegation by the Chief Executive Officer.

3.5 Delegated Authority Implications

Council's financial and contractual delegation to the Chief Executive Officer enables efficient and effective decisions to be made, with a greater number of tenders being awarded and contracts entered into in a timely manner, without requiring a Council resolution.

3.6 Financial Implications

All expenditure under delegation Council-163 must be provided for in Council's annual budget, except in the case of genuine emergency or hardship where the budget does not make provision.

3.7 Economic Benefit 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

Consultation has been undertaken with the Chief Executive Officer.

**ITEM 1.3
ADOPTION OF COUNCILLORS REIMBURSEMENT OF EXPENSES AND PROVISION
OF FACILITIES POLICY - 2150-046**

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20711488 : 19 August 2020 - **Refer Supporting Information A20603534**
Responsible Officer: DD, Manager Governance & Executive Services (FCS Governance & Executive Services)

Executive Summary

The purpose of this report is to seek Council's consideration of minor revisions made to the Councillors Reimbursement of Expenses and Provision of Facilities Policy 2150-046.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Cath Tonks

CARRIED 11/0

That the Councillors Reimbursement of Expenses and Provision of Facilities Policy 2150-046 be adopted, as appearing in the supporting information to this report.

ITEM 1.3 ADOPTION OF COUNCILLORS REIMBURSEMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY - 2150-046 - A20711488 (Cont.)

OFFICER'S RECOMMENDATION

That the Councillors Reimbursement of Expenses and Provision of Facilities Policy 2150-046 be adopted, as appearing in the supporting information to this report.

REPORT DETAIL

1. Background

The *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* introduced a range of changes to local government legislation that commenced on 12 October 2020. These changes necessitate a series of consequential amendments to key Council policies, including the Councillors Reimbursement of Expenses and Provision of Facilities Policy 2150-046.

2. Explanation of Item

The *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* introduced a new requirement for the Chief Executive Officer (CEO) to adopt guidelines for the provision of administrative support to Councillors.

As a consequence of the CEO's adoption of these guidelines, a minor amendment has been made to Councillors Reimbursement of Expenses and Provision of Facilities Policy 2150-046 to reference the new guidelines.

3. Strategic Implications

3.1 Legislative / Legal Implications

These revisions have been developed in accordance with the *Local Government Act 2009*, and the new provisions commencing on 12 October 2020.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The Councillors Reimbursement of Expenses and Provision of Facilities Policy 2150-046 is consistent with Council's adopted Policy Framework.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications Nil identified

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

The CEO and Directors have been consulted in the preparation of this report.

ITEM 1.4
ADOPTION OF COUNCIL POLICIES

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20418638 : 19 August 2020 - **Refer Supporting Information A20646334; A20608922; A20377409**
Responsible Officer: DD, Manager Governance & Executive Services (FCS Governance & Executive Services)

Executive Summary

The purpose of this report is to seek Council's consideration of revisions made to the:

- Decision Making Framework;
- Meeting Procedures and Standing Orders; and
- Deputations/Community Comment Session Policy 2150-062.

These revisions incorporate consequential amendments arising from the commencement of the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* in addition to other minor updates required to ensure the continued applicability and effectiveness of these key documents.

RESOLUTION

Moved by Cr Jodie Shipway
Seconded by Cr Adam Hain

CARRIED 11/0

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

- a) Decision Making Framework;
- b) Council's Meeting Procedures and Standing Orders; and
- c) Community Comment Session Policy 2150-062.

ITEM 1.4 ADOPTION OF COUNCIL POLICIES - A20418638 (Cont.)

OFFICER'S RECOMMENDATION

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

- Decision Making Framework;
- Council's Meeting Procedures and Standing Orders; and
- Community Comment Session Policy 2150-062.

REPORT DETAIL

1. Background

The *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* passed the Legislative Assembly on 18 June 2020 and introduced a range of amendments to local government legislation. As a consequence of provisions commencing on 12 October 2020, changes are required to Council's Decision-Making Framework; and Council's Meeting Procedures and Standing Orders.

In addition to these amendments, the Deputations / Community Comment Session Policy 2150-062 has been reviewed for applicability and effectiveness in accordance with Council's adopted Policy Framework for Council's consideration.

2. Explanation of Item

Decision-Making Framework and Meeting Procedures and Standing Orders

The *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* introduced a new chapter on conflicts of interest into the *Local Government Act 2009*, in addition to a range of other amendments. As a consequence, it is necessary to amend Council's Decision-Making Framework, Meeting Procedures and Standing Orders to reflect these changes.

Policy 2150-062 - Community Comment Session

This Policy establishes procedures to allow Moreton Bay Regional Council residents and ratepayers the opportunity to address Council.

Overview of amendments:

The Policy formerly included information about deputations made to Council. Deputations are now considered in Council's Meeting Procedures and Standing Orders Policy and have been removed from this Policy.

New provisions have been included for residents and/or ratepayers who may have additional needs to receive assistance, where appropriate, to apply and/or participate in the community comment session.

The Policy has also been reformatted into sections, with amendments being made to the Application Process and Meeting Process sections of the policy as outlined below:

Application Process:

A copy of the full address must be provided to the CEO three business days prior to the date of the presentation.

Meeting Process:

- a) speakers will be required to adhere to the address as provided to the CEO
- b) speakers will be reminded of their obligations at the meeting including that parliamentary privilege is not extended to the local government nor the comments or discussions made during the course of the meeting proceedings
- c) at the conclusion of the meeting the CEO may clarify any statement or view expressed by the speaker, however no debate will be entered into.

ITEM 1.4 ADOPTION OF COUNCIL POLICIES - A20418638 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

These revisions have been developed in accordance with the *Local Government Act 2009*, and the new provisions commencing on 12 October 2020.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The Community Comment Session Policy 2150-062 was reviewed in accordance with Council's adopted Policy Framework.

3.4 Risk Management Implications

It is considered that the Community Comment Session Policy 2150-062 establishes clear guidelines to ensure that opportunity exists for the community to address Council on matters, while providing parameters should an address be considered irrelevant, offensive or unduly long.

Application forms must be received by the CEO seven days prior to the General Meeting date at which a resident, ratepayer or group of ratepayers and residents wish to speak, for the CEO to determine.

A copy of the full address must be provided to the CEO three business days prior to the date of the presentation.

The CEO will have the opportunity to clarify any statements or views that may be inaccurate or unlawful.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

The Community Comment Session provides an opportunity for the community to address Council. The Community Comment Session Policy has been amended to include provision for residents and/or ratepayers who may have additional needs to receive assistance, where appropriate, to apply and/or participate in the community comment session.

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.

The operation of the Community Comment Session Policy may affect a person's freedom of expression. Officers consider that the Policy is compatible with a person's freedom of expression as Council has complied with all legislative requirements in the matter and any limits (if any) are reasonable and justifiable in the circumstances.

The operation of the Community Comment Session Policy may affect a person's right not to have a person's privacy, family, home or correspondence unlawfully or arbitrarily interfered with and not to have the person's reputation unlawfully attacked. Officers consider that the operation of the Policy is compatible with a person's rights in respect of privacy and reputation because Council has complied with all legislative requirements in the matter and any limits (if any) are reasonable and justifiable in the circumstances.

ITEM 1.4 ADOPTION OF COUNCIL POLICIES - A20418638 (Cont.)

3.11 Consultation / Communication

These revisions have been developed in consultation with the Council and the Executive Management Team.

ITEM 1.5 - DECLARATION OF INTEREST

Declarable Conflict of Interest - Cr Darren Grimwade

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Darren Grimwade informed the meeting of a declarable conflict of interest in Item 1.5 as Mr Shane Newcombe, CEO & Chairman of MBRIT (Moreton Bay Region Industry & Tourism), the entity who currently holds the Service Level Agreement with Council to provide Destination Management, Economic Development and Event services is a friend of Cr Grimwade.

Cr Grimwade elected not to participate in the decision and retired from the meeting at 9.50am.

Declarable Conflict of Interest - Cr Matt Constance

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Matt Constance informed the meeting of a declarable conflict of interest in Item 1.5 as Cr Constance attended and officiated as Celebrant at the wedding of Shane Newcombe, the Chairman and CEO of MBRIT (Moreton Bay Region Industry and Tourism Limited) in 2018.

However, Cr Matt Constance has considered his position and is firmly of the opinion that he could participate in the decision including discussion, debate and voting on the matter in the public interest.

Councillor seeking to participate in the decision - eligible Councillors must decide

RESOLUTION

Moved by Cr Karl Winchester

Seconded by Cr Mark Booth

CARRIED 9/0

That in accordance with s150ES of the *Local Government Act 2009*, and having considered the Councillor's conflict of interest as described, it is decided that Cr Matt Constance may participate in the decision including discussion, debate and voting on the matter as it is considered that this is in the public interest.

FOR:

Cr Brooke Savige
Cr Mark Booth
Cr Adam Hain
Cr Jodie Shipway
Cr Sandra Ruck
Cr Karl Winchester
Cr Denise Sims (Deputy Mayor)
Cr Cath Tonks
Cr Tony Latter

AGAINST:

Nil

Cr Matt Constance having declared a conflict of interest was not eligible to vote

Cr Darren Grimwade had declared a conflict of interest and had retired from the meeting

Cr Matt Constance remained in the meeting.

**ITEM 1.5
EXPRESSION OF INTEREST - DESTINATION MANAGEMENT, ECONOMIC
DEVELOPMENT AND EVENTS**

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20698203 :28 October 2020
Responsible Officer: PM, Chief Economic Development Officer (CEO Economic Development)

Executive Summary

Council has commenced a process to develop a new Regional Economic Development Strategy (REDS) for the region. The draft strategy outlines a new plan to modernise Moreton Bay's economy, attract more investment, and create 100,000 new jobs by 2041. It has been developed collaboratively with contributions from local businesses, chambers of commerce, business and industry associations and numerous other important stakeholders.

Under section 228 of the Local Government Regulation 2012, a local government may invite Expressions of Interest before inviting written tenders if the local government decides by resolution that it would be in the public interest to do so.

This report seeks Council approval to undertake an Expressions of Interest (EOI) process to establish the market interest and viability of a range of regionally-benefitting services broadly relating to Destination Management, Economic Development and Events that support the implementation of the Council's new REDS. This process would be conducted prior to inviting written tenders.

MOTION

Moved by Cr Adam Hain

Seconded by Cr Tony Latter

1. That for those reasons mentioned in 4 below, Council decides it is in the public interest to invite expressions of interest (EOIs) before inviting written tenders for a number of regionally-benefitting services broadly relating to Destination Management, Economic Development and Events which support the implementation of the Council's Regional Economic Development Strategy (REDS). This will enable Council to consider proposals that may be submitted under an EOI process before progressing to tender from a shortlist of EOI respondents.
2. That Council invite Expressions of Interest for regionally-benefitting services broadly relating to Destination Management, Economic Development and Events that support the implementation of the Council's Regional Economic Development Strategy (REDS) and then potentially invites tenders from a shortlist of respondents.
3. That the Chief Executive Officer be authorised to do all things necessary to complete the EOI and tender process, including but not limited to, acting in accordance with sections 228(5) and (6) of the Local Government Regulation 2012 and inviting tenders from an appropriate shortlist of respondents.
4. That, in accordance with s228(3)(b) of the Local Government Regulation 2012, Council record its reasons for resolving to invite Expressions of Interest before inviting written tenders, as follows:
 - a) to enable Council to canvass the interest and capacity of providers outside Council in relation to the Council Services identified in the accompanying officer's report having regard to Council's desired terms, prior to inviting written tenders;
 - b) to reduce for providers the time and expense associated with preparing a full tender response where such a response may not be required following the preparation of a short list from which written tenders will be invited; and
 - c) to maximise Council's resources in the tender process.

ITEM 1.5 EXPRESSION OF INTEREST - DESTINATION MANAGEMENT, ECONOMIC DEVELOPMENT AND EVENTS - A20698203 (Cont.)

5. That the Chief Executive Officer reports to the Council about the tender process and recommends a preferred tenderer/s for Council's approval.

AMENDMENT MOVED

Cr Brooke Savige moved the following amendment:

That an additional recommendation be included, to read as follows:

That prior to commencing the Tender process, the Chief Executive Officer report to a General Meeting on the outcome of the Expression of Interest process.

Seconded by Cr Matt Constance

The amendment was put to the vote and declared **CARRIED 10/0**

Cr Darren Grimwade had declared a conflict of interest and had retired from the meeting

THE AMENDMENT BECOMES THE MOTION, and was put:

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Adam Hain

CARRIED 10/0

Cr Darren Grimwade had declared a conflict of interest and had retired from the meeting

1. That for those reasons mentioned in 4 below, Council decides it is in the public interest to invite expressions of interest (EOIs) before inviting written tenders for a number of regionally-benefitting services broadly relating to Destination Management, Economic Development and Events which support the implementation of the Council's Regional Economic Development Strategy (REDS). This will enable Council to consider proposals that may be submitted under an EOI process before progressing to tender from a shortlist of EOI respondents.
2. That Council invite Expressions of Interest for regionally-benefitting services broadly relating to Destination Management, Economic Development and Events that support the implementation of the Council's Regional Economic Development Strategy (REDS) and then potentially invites tenders from a shortlist of respondents.
3. That the Chief Executive Officer be authorised to do all things necessary to complete the EOI and tender process, including but not limited to, acting in accordance with sections 228(5) and (6) of the Local Government Regulation 2012 and inviting tenders from an appropriate shortlist of respondents.
4. That, in accordance with s228(3)(b) of the Local Government Regulation 2012, Council record its reasons for resolving to invite Expressions of Interest before inviting written tenders, as follows:
 - a) to enable Council to canvass the interest and capacity of providers outside Council in relation to the Council Services identified in the accompanying officer's report having regard to Council's desired terms, prior to inviting written tenders;

ITEM 1.5 EXPRESSION OF INTEREST - DESTINATION MANAGEMENT, ECONOMIC DEVELOPMENT AND EVENTS - A20698203 (Cont.)

- b) to reduce for providers the time and expense associated with preparing a full tender response where such a response may not be required following the preparation of a short list from which written tenders will be invited; and**
 - c) to maximise Council's resources in the tender process.**
- 5. That the Chief Executive Officer reports to the Council about the tender process and recommends a preferred tenderer/s for Council's approval.**
- 6. That prior to commencing the Tender process, the Chief Executive Officer report to a General Meeting on the outcome of the Expression of Interest process.**

ITEM 1.5 EXPRESSION OF INTEREST - DESTINATION MANAGEMENT, ECONOMIC DEVELOPMENT AND EVENTS - A20698203 (Cont.)

OFFICER'S RECOMMENDATION

1. That for those reasons mentioned in 4 below, Council decides it is in the public interest to invite expressions of interest (EOIs) before inviting written tenders for a number of regionally-benefitting services broadly relating to Destination Management, Economic Development and Events which support the implementation of the Council's Regional Economic Development Strategy (REDS). This will enable Council to consider proposals that may be submitted under an EOI process before progressing to tender from a shortlist of EOI respondents.
2. That Council invite Expressions of Interest for regionally-benefitting services broadly relating to Destination Management, Economic Development and Events that support the implementation of the Council's Regional Economic Development Strategy (REDS) and then potentially invites tenders from a shortlist of respondents.
3. That the Chief Executive Officer be authorised to do all things necessary to complete the EOI and tender process, including but not limited to, acting in accordance with sections 228(5) and (6) of the Local Government Regulation 2012 and inviting tenders from an appropriate shortlist of respondents.
4. That, in accordance with s228(3)(b) of the Local Government Regulation 2012, Council record its reasons for resolving to invite Expressions of Interest before inviting written tenders, as follows:
 - a) to enable Council to canvass the interest and capacity of providers outside Council in relation to the Council Services identified in the accompanying officer's report having regard to Council's desired terms, prior to inviting written tenders;
 - b) to reduce for providers the time and expense associated with preparing a full tender response where such a response may not be required following the preparation of a short list from which written tenders will be invited; and
 - c) to maximise Council's resources in the tender process.
5. That the Chief Executive Officer reports to the Council about the tender process and recommends a preferred tenderer/s for Council's approval.

REPORT DETAIL

1. Background

Moreton Bay Region remains one of Australia's fastest growing regions with a population forecast to grow by over 50 per cent to more than 690,000 by 2041, that's larger than the population of Tasmania. However, over the last ten years, employment and business growth has not kept pace with the population growth. During this time, the regional economy has become very aligned to and reliant upon population growth. To ensure the regional economy can quickly respond to changing markets and evolve into the future, it's essential to diversify the range and type of drivers that have traditionally underpinned its success.

The Regional Economic Development Strategy is designed to help the region reach its 2041 goals of being "Bigger, Bolder, Brighter". It will drive the region's economic agenda to grow the regional economy to \$40 billion, support 16,000 new businesses and create 100,000 new local jobs. It has been developed collaboratively with contributions from local businesses, chambers of commerce, business and industry associations and numerous other important stakeholders.

Council currently has a Service Level Agreement with Moreton Bay Region Industry and Tourism (MBRIT) to support the delivery of a range of economic development services that benefit the Moreton Bay Region. These services broadly relate to Destination Management, Business Support and Events.

ITEM 1.5 EXPRESSION OF INTEREST - DESTINATION MANAGEMENT, ECONOMIC DEVELOPMENT AND EVENTS - A20698203 (Cont.)

Council's new draft REDS has identified a role for lead agencies to support the strategy's delivery framework, and a range of expanded services. Lead agencies would deliver services, in conjunction with key regional stakeholders, that support tourism; innovation and start-ups; existing businesses as well as the identity and lifestyle of the Moreton Bay Region.

A Council briefing was conducted on 26 August 2020 to discuss this matter in detail. The CEO noted the way forward 'That consideration of an EOI be submitted to the General Meeting in early November'.

It is considered that an EOI process would help to ensure Council was able to assess all proposals from the market, and a report be prepared for Council consideration.

2. Explanation of Item

As outlined in this report, Council's new REDS has identified a role for lead agencies to support the strategy's delivery framework, and to deliver a range of new and expanded services. Lead agencies would deliver services, in conjunction with key regional stakeholders, that support tourism; innovation and start-ups; existing businesses as well as the identity and lifestyle of the Moreton Bay Region.

This report seeks Council approval to undertake an Expressions of Interest (EOI) process to establish the market interest and viability to deliver a range of regionally-benefitting services broadly relating to Destination Management, Economic Development and Events that support the implementation of the Council's new REDS. This includes services and events some of which may supersede those which are currently delivered through its Service Level Agreement with MBRIT. The EOI process allows Council to consider proposals and determine which provide the best overall benefit to the region, before inviting written tenders.

Upon finalisation of the process, Council may seek to end its current Service Level Agreement with MBRIT and enter into a new arrangement with successful proponent/s.

3. Strategic Implications

3.1 Legislative / Legal Implications

Under section 228 of the Local Government Regulation 2012, a local government may invite expressions of interest before inviting written tenders if the local government decides by resolution that it would be in the public interest to do so.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The primary purpose of the EOI is to develop a shortlist for a subsequent tender/s in order to support the delivery of the REDS.

3.4 Risk Management Implications

The primary risk is probity. An independent probity advisor has been appointed to support the EOI process which will be conducted in accordance with the relevant legislation and policies.

3.5 Delegated Authority Implications

As noted in the recommendation.

ITEM 1.5 EXPRESSION OF INTEREST - DESTINATION MANAGEMENT, ECONOMIC DEVELOPMENT AND EVENTS - A20698203 (Cont.)

3.6 Financial Implications

Appropriate financial considerations will be applied, and formal arrangements will be entered into with any successful tenderer, however, the primary purpose of the EOI is to develop a shortlist for a subsequent tender therefore no immediate financial implications are identified at this time.

There is a potential future financial consideration related to the amendment or termination of Council's Service Level Agreement with Moreton Bay Region Industry and Tourism.

3.7 Economic Benefit Implications

There is no economic benefit arising as a direct result of this report. However, the EOI process may lead to a tender phase and subsequent outcomes that support Council's desired economic outcomes as outlined in the draft REDS.

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Executive Management Team, Councillors, Legal Services, Procurement Services have been consulted through this process.

ATTENDANCE

Cr Darren Grimwade returned to the meeting at 10.09am after consideration on Item 1.5.

Mr Darren Dallingier left the meeting at 10.09am after Item 1.5.

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

No items for consideration.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

ITEM 3.1

NAMING OF COUNCIL FACILITY - DAYBORO DEPOT

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20384499 : 19 October 2020
Responsible Officer: RM, Manager Asset Maintenance (ECM Asset Maintenance)

Executive Summary

On 24 July 2020, Barry Juffs, a multi-skilled plant operator based out of Council's Dayboro Works Depot, retired after 53 years of service with Council. Barry commenced with Council in 1967 at the age of 17-years-old. Barry was based at the Dayboro Works Depot (Div 11) for his whole working life with Council and to recognise Barry's service to Council, it is proposed that the Dayboro Works Depot be named in Barry's honour.

It is the recommendation of this report that Council's Dayboro Works Depot located at Laidlaw Street, Dayboro be officially named the '*Barry Juffs Dayboro Works Depot*' in honour of Barry's 53 years of service with Council.

RESOLUTION

Moved by Cr Darren Grimwade

Seconded by Cr Sandra Ruck

CARRIED 11/0

That Council's Dayboro Works Depot located at Laidlaw Street, Dayboro be officially named the '*Barry Juffs Dayboro Works Depot*' in honour of Barry's 53 years of service with Council.

ITEM 3.1 NAMING OF COUNCIL FACILITY - DAYBORO DEPOT - A20384499 (Cont.)

OFFICER'S RECOMMENDATION

That Council's Dayboro Works Depot located at Laidlaw Street, Dayboro be officially named the 'Barry Juffs Dayboro Works Depot' in honour of Barry's 53 years of service with Council.

REPORT DETAIL

1. Background

Barry Juffs commenced his employment with Council as a 17-year-old in 1967, where he commenced as a labourer at the Dayboro Works Depot. Barry worked as a labourer for two years at which point, he was trained up to operate the backhoe loader; Barry continued to operate the backhoe for Council, in the Dayboro region, up until his retirement on 24 July 2020; giving Council 53 years of loyal service.

The Juffs family are well known and respected in the Dayboro region, Barry himself lives just a few minutes away from the Dayboro Works Depot. Throughout his time with Council, Barry has worked with several family members, specifically his father in his early years, his uncle, his brother-in-law, his cousin and his son. Barry was a well-respected member of the Asset Maintenance team, he was a highly skilled backhoe operator who had intricate local knowledge of the Dayboro region which will be missed by all.

2. Explanation of Item

To honour Barry's 53 years of service with Council, which was served in the Dayboro region, the Asset Maintenance department is seeking Council approval to officially rename the Dayboro Works Depot, located at Laidlaw Street, Dayboro to the 'Barry Juffs Dayboro Works Depot'. The department believe this to be a fitting tribute to honour Barry's long service to the community especially given this was mostly served within the Dayboro region.

Below is a draft of the proposed sign to be erected at the Dayboro Works Depot if approval is granted for the renaming of the depot.



3. Strategic Implications

3.1 Legislative / Legal Implications

Nil identified

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Renaming request in line with 'Policy 2150-039 Naming of Council Owned or Administrative Buildings, structures and other Assets (excluding Roads)'

ITEM 3.1 NAMING OF COUNCIL FACILITY - DAYBORO DEPOT - A20384499 (Cont.)

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The cost to manufacture and install the new signs at the Dayboro Works Depot is estimated to be \$1,000 which will be funded by the Asset Maintenance Operations Budget.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

Given Barry and his family's history within the Dayboro region, it is expected that the renaming of the Depot in Barry's honour will be well received amongst the local community.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Consultation has been carried with the Division 11 Councillor and internal Stakeholders along with Barry Juffs and his family. No objections have been received from any party consulted.

**ITEM 3.2
TENDER - MURRUMBA DOWNS - OGG ROAD PARK - SCOUT BUILDING
CONSTRUCTION**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20649928 : 12 October 2020 - Refer Supporting Information A20675379
and **Confidential** Supporting Information A20579722
Responsible Officer: SC, Senior Project Manager (ECM Project Management)

Executive Summary

Tenders were called for the 'Murrumba Downs - Ogg Road Park - Scout Building Construction (MBRC010192)' project with tenders closing on 7 October 2020 with a total of one tender received, which was conforming.

It is recommended that the tender for the 'Murrumba Downs - Ogg Road Park - Scout Building Construction (MBRC010192)' project be awarded to A & SE Amirsardari, trading as Caspian Building Services for \$653,320.00 (excluding GST) as this offer represents the best overall value to Council.

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Cath Tonks

CARRIED 11/0

1. That the tender for 'Murrumba Downs - Ogg Road Park - Scout Building Construction (MBRC010192)' project be awarded to A & SE Amirsardari, trading as Caspian Building Services for the sum of \$653,320.00 (excluding GST).
2. That the Council enters into an agreement with A & SE Amirsardari, trading as Caspian Building Services A & SE Amirsardari T/A Caspian Building Services 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 & SE Amirsardari, trading as Caspian Building Services for the 'Murrumba Downs - Ogg Road Park - Scout Building Construction (MBRC010192)' project and any required variations of the agreement on Council's behalf.
4. That to allow this project to continue, and for Council to enter into the agreement with A & SE Amirsardari, trading as Caspian Building Services for the project, Council commits to the provision of \$225,000 in additional funding for the project, with the funding to be provided at the quarter two financial review process.

ITEM 3.2 TENDER - MURRUMBA DOWNS - OGG ROAD PARK - SCOUT BUILDING CONSTRUCTION - A20649928 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Murrumba Downs - Ogg Road Park - Scout Building Construction (MBRC010192)' project be awarded to A & SE Amirsardari, trading as Caspian Building Services for the sum of \$653,320.00 (excluding GST).
2. That the Council enters into an agreement with A & SE Amirsardari, trading as Caspian Building Services A & SE Amirsardari T/A Caspian Building Services 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 & SE Amirsardari, trading as Caspian Building Services for the 'Murrumba Downs - Ogg Road Park - Scout Building Construction (MBRC010192)' project and any required variations of the agreement on Council's behalf.
4. That to allow this project to continue, and for Council to enter into the agreement with A & SE Amirsardari, trading as Caspian Building Services for the project, Council commits to the provision of \$225,000 in additional funding for the project, with the funding to be provided at the quarter two financial review process.

REPORT DETAIL

1. Background

The project is located at Ogg Road Park, 9 Ogg Road, Murrumba Downs. The project scope includes the design and construction of a new District Level Scout building, including the provision of services and connection to the existing car park facilities. The objective of the project is to relocate the Kallangur Scouts group from their existing buildings and provide services to the surrounding suburbs of Kallangur, Murrumba Downs, Griffin and North Lakes which are currently not serviced.

The project is a design and construct tender with the design process commencing in November 2020 and construction concluding in July 2021, including an allowance for wet weather.

Figures 1 and 2 below provide information on the indicative location and building footprint for the new facility. The final location and design details will be resolved during the design process.



Figure 1 - Ogg Road Park

ITEM 3.2 TENDER - MURRUMBA DOWNS - OGG ROAD PARK - SCOUT BUILDING CONSTRUCTION - A20649928 (Cont.)

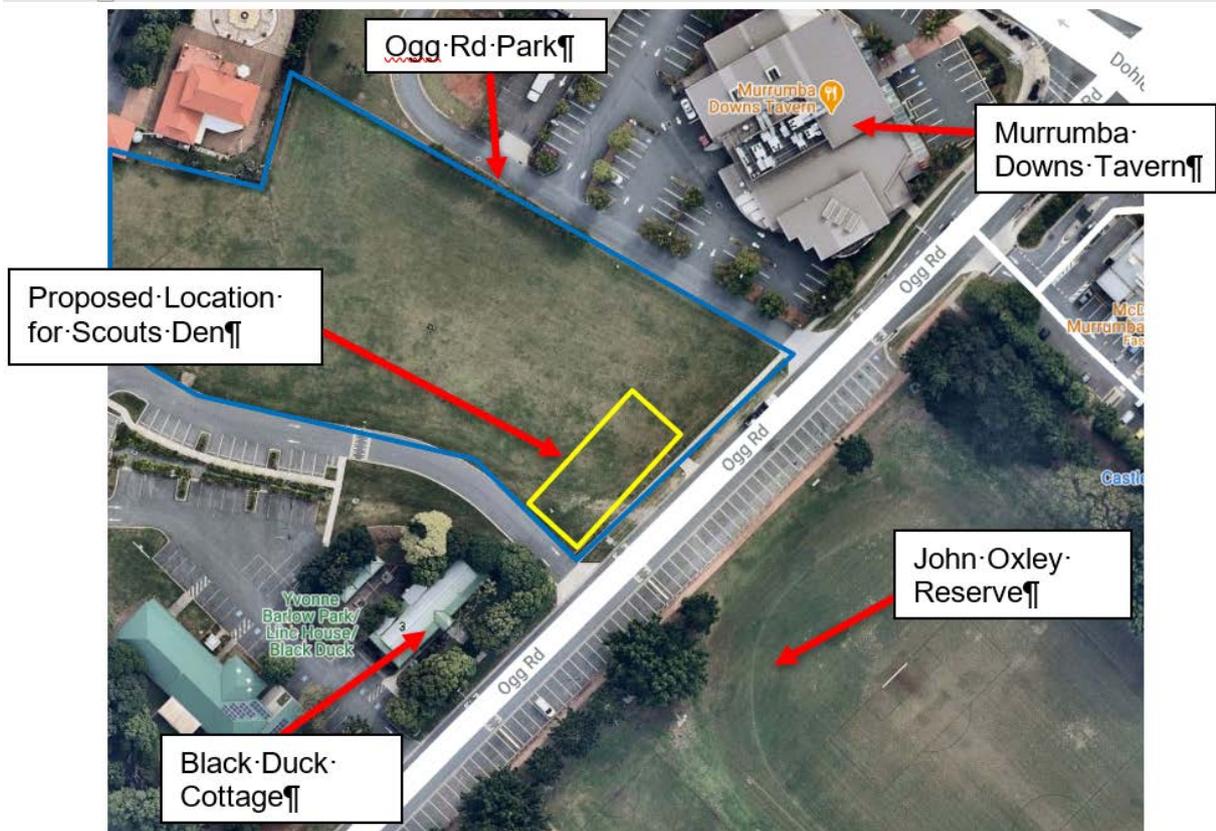


Figure 2 - Indicative Building Location

2. Explanation of Item

Tenders for the 'Murrumba Downs - Ogg Road Park - Scout Building Construction (MBRC010192)' project closed on 7 October 2020 with one tender received, which was conforming. The tender was assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

The tenderers and their evaluation score are tabled below (ranked from highest to lowest).

RANK	TENDERER	EVALUATION SCORE (Pre LP)	EVALUATION SCORE (Post LP)
1	A & SE Amirsardari, trading as Caspian Building Services	100.00	115.00

A & SE Amirsardari, trading as Caspian Building Services ('CBS') - submitted a well-presented tender demonstrating relevant similar project experience. A tender clarification meeting was held on 13 October 2020, at which CBS demonstrated their relevant experience, methodology, understanding of the project and capability in delivering the project. CBS is based within the MBR region and has previously undertaken building projects for Moreton Bay Regional Council (MBRC) including: Williamina Court Sports Complex - Building Renewal project (valued at \$212,000), Bells Caravan Park Amenities upgrade (valued at \$184,000) and Woody Point Arboretum Park Toilet Block (valued at \$315,000).

CBS's submission was determined to provide value for money to Council when compared with two similar projects. The evaluation panel recommends that the tender from CBS represents overall value offer to Council.

ITEM 3.2 TENDER - MURRUMBA DOWNS - OGG ROAD PARK - SCOUT BUILDING CONSTRUCTION - A20649928 (Cont.)

This project was brought forward without a completed design, due to the timing associated with the Federal COVID-19 funding program. A design and construct (D&C) tender was enacted to reduce delivery timeframes, however contractors see a greater risk with design and construct tenders, as compared with design and then tender construction only tenders, where the former involves more effort and risk with significant coordination/effort between the builder, their designer, their building certifier and Council.

To provide some consideration of the tender received, a review was undertaken to two similar council projects, one project which was completed in 2019/20, and the other project another COVID-19 project currently at the 50% design stage.

1. Deception Bay Scout Building

- completed in 2019/20
- tendered construction price \$395,177 - \$2,148/m²
- 184m² GFA (220m² including eaves)
- no design or approvals costs within this construction price.
- no car park, lighting
- includes demolition costs
- no security screens to doors and windows, no acoustic insulation to ceilings
- local level facility

2. Clontarf Beach Scout Building

- currently in design with construction estimate \$600k - \$2,752/m²
- 218m² GFA (266m² including eaves)
- includes demolition costs
- DDA car space and lighting
- acoustic insulation to ceiling and security screens to doors and windows
- district level facility

3. Ogg Road, Murrumba Downs Scout Building

- subject of this report
- tendered construction price of \$653,320 (\$63k design and approvals, \$590k construction, \$40k provisional sum for pump station and telemetry) - \$2,682/m²
- 220m² GFA (269m² including eaves)
- acoustic insulation to ceilings security screens to windows and doors
- district level facility

3. Strategic Implications

3.1 Legislative / Legal Implications

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

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.

ITEM 3.2 TENDER - MURRUMBA DOWNS - OGG ROAD PARK - SCOUT BUILDING CONSTRUCTION - A20649928 (Cont.)

Tenders were assessed against Council's Procurement Policy under the Local Preference - Corporate Directive 2180-054.

3.4 Risk Management Implications

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

Financial Risks:

A third-party review of financial status has been carried out and the recommended tenderer was rated 'marginal'. Additional security in the form of 10% retention will be sourced from the Contractor.

Construction Risks:

- a. The recommended tenderer will provide a program of works, traffic management plans, safety management plan, environmental management plan, tree management plan, and quality management documentation as part of the contract to detail how they will plan, establish and manage project construction risks which will be reviewed and audited by Project Management.
- b. The recommended tenderer has indicated their understanding of the project site and the proximity of the sports field and other nearby activities including the regional SES facility to ensure the safety and well-being of all during the works.
- c. The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- d. A Development Approval has been approved for the proposed development. The design outcomes will be submitted to Development Services for review to ensure that the design is generally in accordance with the Development Approval.
- e. The procurement risks relating to this project are considered low as there is adequate lead time for the recommended tenderer to procure the relevant project construction materials.
- f. At the tender clarification meeting, the recommended tenderer advised that there were no foreseen COVID-19 related impacts with regard to material supply chains and delivery of the project works.
- g. Dilapidation inspections will be conducted prior to works commencing around the carpark entrance and carpark to record the existing condition of assets and again after construction to record any change.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated a total of \$500,000 for this project in the 20-21 FY Capital Projects Program, comprising \$265,917 of funding from the local community infrastructure program (LCIP) and also \$234,083 in Federal COVID-19 funding. All financial information provided below is excluding GST.

Tender Price (Design and Construction)	\$ 653,320.00
Contingency (10%)	\$ 65,332.00
QLeave (0.575%)	\$ 3,756.59

Total Project Cost	\$ 722,408.59
	=====
Estimated ongoing operational/maintenance costs	\$7,500.00 per F/Y.

The budget amount for this project is insufficient. To allow this project to continue, Council will need to commit to the remaining funds of \$225,000 being approved at the quarter two financial process.

ITEM 3.2 TENDER - MURRUMBA DOWNS - OGG ROAD PARK - SCOUT BUILDING CONSTRUCTION - A20649928 (Cont.)

3.7 Economic Benefit Implications Nil identified

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. The environment management plan will be monitored and audited by project management during the construction phase.

3.9 Social Implications

The construction of the Ogg Road Scout Building will provide a modern, accessible District level facility that will support scouting activities in the Kallangur, Murrumba Downs, Griffin and Northlakes area.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices issued four weeks prior to the commencement of works and project signs displayed on site four weeks prior to construction. Government funding signage will be installed four weeks before construction. Weekly email updates during construction will be provided for the Divisional Councillor. The Divisional Councillor has been consulted and is supportive of the project.

4 PLANNING SESSION**(Cr D Grimwade)**

ITEM 4.1**AGREEMENT - HEALTHY LAND AND WATER LIMITED - REGIONAL**

Meeting / Session: 4 PLANNING
Reference: A20315895 : 23 July 2020 Refer **Confidential Supporting Information**
A19235448
Responsible Officer: CB, Principal Environment Officer (PL Directorate)

Executive Summary

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

In response to requests from residents to remove litter and debris from the Caboolture River, Council engaged HLW in 2018 to facilitate a clean-up operation of the waterway for a 12-month trial period. The *2018-2019 HLW Annual Clean Up Program Report* indicated a successful initial trial in the Caboolture River, with over 6500 items of litter removed from the waterway.

Council currently has a three-year Agreement with HLW to facilitate the delivery of a number of services during the 2019/20, 2020/21 and 2021/22 financial years, as specified within the *Healthy Land and Water Network Member Agreement*. This agreement satisfies the requirements of a sole supplier agreement for the purposes of the *Local Government Act 2009*.

Additional clean-up activities were undertaken in the first six months of the 2019/20 financial year. However, the new the three-year Agreement did not support this on an ongoing basis, as River Clean Up program is not one of the core programs included in the sole provider relationship with HLW.

The purpose of this report is to seek Council's approval to add the River Clean Up program to the existing sole supplier contractual arrangement with HLW so that the program can be procured through that mechanism in 2020-21 and 2021-22. Funds are available in the Environmental Planning and Policy budget for this purpose.

RESOLUTION

Moved by Cr Matt Constance**Seconded by Cr Adam Hain****CARRIED 11/0**

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

ITEM 4.1 AGREEMENT - HEALTHY LAND AND WATER LIMITED - REGIONAL - A20315895 (Cont.)

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

Council currently has a three-year Agreement with HLW to facilitate the delivery of services during the 2019/20, 2020/21 and 2021/22 financial years. The terms of this partnership are detailed in the *Healthy Land and Water Network Member Agreement* (see Supporting Information). This partnership provides Council with access to specialist services relating to waterways and catchment management, including HLW's scientific expert panel.

HLW's established Clean Up program has been operating for over 16 years in South East Queensland and includes partnerships with a variety of local, state and federal government agencies as well as private industry. In response to requests from residents to remove litter and debris from the Caboolture River, Council engaged HLW in 2018 through a resolution that satisfied the sole supplier provisions of the *Local Government Act 2009* to facilitate a clean-up operation on the waterway for a 12-month period.

The Caboolture River clean-up project was integrated with the clean-up program delivered by HLW across other local government areas in the south east Queensland region. The litter collected is analysed to provide data about the type, quantity and source of litter entering the waterway. The data can be used at a local and regional scale to reduce litter entering waterways.

The 2018-2019 HLW *Annual Clean Up Program Report* indicated a successful initial trial in the Caboolture River, with over 6500 items of litter removed along 21 kilometres of waterway. The most common items collected included plastic bottles, food wraps and plastic pieces. These results were also included in HLW's collective regional litter database which supports Council to implement regional behaviour change and community education and engagement initiatives. Additional clean-up activities were undertaken in the first six months of the 2019/20 financial year. However, the new the three-year Agreement did not support this on an ongoing basis, as River Clean Up program is not one of the core programs included in the sole provider relationship with HLW.

Other SEQ Councils and organisations use local litter collection data and results to target community awareness programs and actions through investment in specific waste reduction initiatives. As per the other core and non-core services provided by HLW, Environmental Planning and Policy (EPP) believe that *due to the cross regional collaborative nature of HLW's work there is no other entity that could reasonably be expected to deliver these services to Council.*

ITEM 4.1 AGREEMENT - HEALTHY LAND AND WATER LIMITED - REGIONAL - A20315895 (Cont.)

2. Explanation of Item

The existing sole supplier relationship established through the report to Council on 25 September 2019 "Council Report Healthy Land and Water Funding Agreement 2019-20 to 2021-22" does not extend to this service. However, it is proposed through the resolution recommended in this report, to add the service to this arrangement allowing for it to be procured in accordance with Council's budget.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

A trial Clean-Up program with HLW was successfully undertaken in 2018. The sole-supplier agreement includes clauses outlining the process for termination should Healthy Land and Water be unable to satisfactorily deliver services to Council's specifications.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The sole supplier agreement will enable Council to engage HLW to undertake the River Clean-Up program without first inviting written quotes or tenders.

The Environmental Services department has funds allocated in its 20/21 financial year and operational budget to fund delivery of the River Clean Up program in the current financial year (\$25,000). Allocations will be required in future budgets if Council wishes to continue the program.

3.7 Economic Benefit Implications

Nil identified

3.8 Environmental Implications

The sole-supplier agreement will define services that HLW will provide, namely undertaking the River Clean-Up program. This will result in a decrease in litter and debris within the target waterways.

3.9 Social Implications

Data indicates that waterways play an important role in the daily lives of South East Queensland residents, and that they enjoy a range of wellness benefits from their use. The benefits derived from waterways and the corresponding value placed on them by members of the community is compromised when they are perceived to be contaminated by litter.

Communities that have a positive image of their local waterways are more likely to make personal decisions that protect the quality of their waterways. By continuing the River Clean Up program, the health of waterways in the region will be improved and community sentiment towards them strengthened. Data collected will enable Council to target future community awareness programs it may undertake.

ITEM 4.1 AGREEMENT - HEALTHY LAND AND WATER LIMITED - REGIONAL - A20315895 (Cont.)

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication
Legal Services
Healthy Land and Water Ltd

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr S Ruck, Proxy)

ITEM 5.1

NEW LEASE - VIETNAM VETERANS' ASSOCIATION OF AUSTRALIA, BRIBIE ISLAND AND DISTRICTS SUB-BRANCH INC.

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20223406: 1 July 2020 - **Refer Supporting Information A20223404**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a lease to the Vietnam Veterans' Association of Australia, Bribie Island and Districts Sub-Branch Inc. at Vietnam Veterans Park, 94 Toorbul Street, Bongaree Division 1 (refer Supporting Information #1).

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Tony Latter

CARRIED 11/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That subject to recommendation 3, Vietnam Veterans' Association of Australia, Bribie Island and Districts Sub-Branch Inc. be granted a lease over an area at 94 Toorbul Street, Bongaree (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.1 NEW LEASE - VIETNAM VETERANS' ASSOCIATION OF AUSTRALIA, BRIBIE ISLAND AND DISTRICTS SUB-BRANCH INC. - A20223406 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That subject to recommendation 3, Vietnam Veterans' Association of Australia, Bribie Island and Districts Sub-Branch Inc. be granted a lease over an area at 94 Toorbul Street, Bongaree (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

Since 1996, the Vietnam Veterans' Association of Australia, Bribie Island and Districts Sub-Branch Inc. (the Organisation) has held a rolling agreement with Council to perform ongoing ground maintenance works within the Vietnam Veterans Park, 94 Toorbul Street, Bongaree. A new maintenance agreement has recently been executed, which commenced 1 July 2020, for a period of five years, with the option for three two-year extensions.

In addition to the above maintenance agreement, the Organisation has also occupied a storage shed and container within the park, (refer Supporting Information #1) for the purpose of storing maintenance equipment to support their operations. However the Organisation has operated without formal tenure arrangements being in place.

2. Explanation of Item

As a result of recent discussions with Council officers, the Organisation has confirmed its willingness to formalise their tenure over the storage shed and container at Vietnam Veterans Park at Bongaree.

Accordingly, this report recommends that Council approves the granting of a lease, under the terms and conditions of Council's Community Leasing Policy, over the areas identified in Supporting Information #1 for a period of five years.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

ITEM 5.1 NEW LEASE - VIETNAM VETERANS' ASSOCIATION OF AUSTRALIA, BRIBIE ISLAND AND DISTRICTS SUB-BRANCH INC. - A20223406 (Cont.)

3.3 Policy Implications

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

As per Officer's Recommendation 4 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new lease.

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

The issuing of a lease to Vietnam Veterans' Association of Australia, Bribie Island and Districts Sub-Branch Inc. will provide the organisation with facilities to support its operations.

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 decisions.

3.11 Consultation / Communication

Cr Savage - Division 1

Relevant Council departments

Vietnam Veterans' Association of Australia, Bribie Island and Districts Sub-Branch Inc.

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 6.1

MONTHLY FINANCIAL REPORTING PACKAGE - 30 SEPTEMBER 2020

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20681381 : 13 October 2020 - **Refer Supporting Information A20677302**
Responsible Officer: DC, Accounting Services Manager (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 September 2020.

RESOLUTION

Moved by Cr Cath Tonks

Seconded by Cr Jodie Shipway

CARRIED 11/0

That the Financial Reporting Package for the year to date period ending 30 September 2020 be received.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 SEPTEMBER 2020 - A20681381 (Cont.)

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 30 September 2020 be received.

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 30 September 2020 is contained within the supporting information to this report.

This package contains a number of financial documents to provide a breakdown of key financial data and includes:

- o Statement of Revenues and Expenses
- o Capital Expenditure by Portfolio Program
- o Balance Sheet and Cash Flows
- o Treasury Report

2. Explanation of Item

The third month of the 2020/21 financial year is complete and the performance and position of Council is outlined below in the context of the attached report.

Council amended its 2020/21 Budget during the month of August and the budget amounts in the attached report reflect the amendments adopted.

Operating Result (page 1)

As at 30 September 2020 operating revenue was \$212.2 million compared to operating expenses of \$105.1 million thus representing an operating surplus of \$107.1 million, which is largely in line with expectations.

Operating Revenues (page 1)

The second quarter rates and utility charges were levied in late September and represent the bulk of the revenue recognised thus far being \$164.9 million. This equates to approximately 50% of the budgeted rate and utility charge revenue for the year.

The positive variance in Fees and Charges is a timing difference due to animal registrations being issued for the year and a significant portion of these fees have been received. In addition to this, building, plumbing and development application fees are all exceeding budget expectations after the first quarter.

Interest revenue is currently tracking in line with budget expectations.

Operational grants and subsidies are tracking below budget, largely due to a timing difference. The Financial Assistance Grant represents 75% of all the operational grants Council receives and is paid quarterly. The timing difference currently evident will continue to occur until May/June next year at which point it is expected that half of the 2021/22 Financial Assistance Grant will be paid.

Other revenues are also tracking behind budget at this stage with a few timing differences impacting on budget performance. Tax Payments from Unitywater represent 65% of this budget item. Current payments received are provisional and are subject to variation at the end of the financial year once Unitywater's end of year tax position is known.

The Unitywater participation revenue is a conservative budget estimate and is a non-cash revenue stream. Revenue is accrued in line with the budget each month and adjusted at year end in accordance with Unitywater's end of financial year result.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 SEPTEMBER 2020 - A20681381 (Cont.)

Operational Expenses (page 1)

Employee benefits are tracking slightly below budget however this is largely a timing difference that will resolve itself as more positions are filled.

Material and Services are also trending below budget but, again, this is expected to be a timing difference with spend expected to increase over coming months.

Depreciation expenses and finance costs are tracking to budget.

Capital Revenue (page 1)

Infrastructure cash contributions from developers is tracking well above budget after the first three months. Even though a conservative budget was estimated, the level of contributions received is above expectations and, if it continues, it will likely exceed the annual budget and be comparable to past year's revenues.

All infrastructure asset contributions that have been received to date have been recognised. As these contributions tend to come in irregularly a considerable quantum is still expected over the remainder of the financial year.

Capital grants and subsidies are well above budget largely due to a timing difference. Grants payments are usually received once work has been completed however in some instances Council receives grant monies up front, which is what occurred in July when Council received 50% of the Working for Queensland COVID-19 stimulus funds from the State Government in the amount of \$3.96 million. A further \$2.75 million was received from the State Government's Unite and Recover Community Stimulus Fund. A further \$2 million was received in September.

Operating Revenue and Operating Expenditure Graphs (page 2)

The purpose of these graphs is to track actual revenue and actual expenses to a linear monthly budget.

Given the majority of Council's operating revenue cycle is rate related (quarterly in advance), revenue will track to the right hand side of the budgeted revenue line and slowly edge closer to the line as the quarters draw to a close. Given the second quarter's rate levy occurred in late September the orange trend line has moved away from the blue budget line as expected.

Conversely, operating expenses will generally track to the left of the budget line and trend that way, gradually drawing closer to the line as the end of the financial year approaches. The orange trend line is progressing as expected.

Capital Expenditure (page 3, 4 and 5)

Capital expenditure is \$44 million after the first three months of 2020/21 and represents 18.2% of the total program. The *total capital expenditure progress* graph summarises the percentage of all capital expenditure completed to date compared to a linear budget spend.

The *capital expenditure by portfolio program* table breaks down the capital spend into program categories. In addition to the actual spend to date of \$44.0 million, there are committed costs (orders placed for works) in the amount of \$102.3 million bringing the total cost to \$146.3 million of the current \$242 million program (60% of the capital program committed).

The associated *capital expenditure progress* graph tracks the percentage spend by portfolio program compared to the budget to date. The orange line represents the year to date budget at 25% highlighting the linear budget spend to September 2020. Variations across the programs are normal as capital project delivery is not linear in nature so timing differences are expected. These will decrease over time.

Balance Sheet and Cash Flow (page 6)

The Balance sheets list Council assets and liabilities and net community equity.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 SEPTEMBER 2020 - A20681381 (Cont.)

The Cash flow statement indicates a closing cash balance in the amount of \$376 million for September. The forecast for the end of June 2021 is currently \$302 million.

Treasury Report (page 7 and 8)

The Treasury Report outlines Council performance with respect to cash investments and borrowings.

Interest earned on investments was approximately \$0.9 million. Interest rates on offer are quite low in the current market with deposit terms of less than 2 years offering interest rates of less than 1% per annum. The weighted average return on all investments for Council is now sitting at 0.99%.

The Investment graphs give an indication of the percentage of investments held with each financial institution and the maturity profile of Council's investments. Council currently has \$246 million of cash at call with the remaining \$130 million maturing over next 3 to 12 months.

The QTC Growth Fund continues to recover from the lows it experienced in April/May 2020 and has reached a balance of \$105 million as at the end of September.

Council's total debt position has decreased slightly (\$370m to \$361m) as a repayment was made in September. Council is expected to repay debt in the amount of \$37 million for the year and is budgeted to borrow \$40 million to fund capital works. Borrowings are expected to be drawn down in May/June 2021.

Coronavirus Pandemic Impacts

Council included a number of support measures in its 2020/21 Budget and also took a conservative approach to some revenue streams (fees and charges, infrastructure cash contributions) in anticipation of a further deterioration in the economy over 2020/21. These measures and impacts will continue to be monitored over the coming months to assess if the Council's budget requires amending to reflect the changing circumstances.

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.

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.

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. The ongoing COVID-19 pandemic will continue to present new risks requiring Council to closely monitor its performance and position compared to budget and continually refine its long term financial modelling projections to inform decision making.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 SEPTEMBER 2020 - A20681381 (Cont.)

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
As at the end of September 2020, Council's operating surplus is \$107.2 million while capital expenditure amounted to \$44 million.
- 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

ITEM 6.2
AUDITOR-GENERAL OBSERVATION REPORT 2019/20

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20690347 : 14 October 2020 - **Refer Supporting Information A20690142**
Responsible Officer: DC, Accounting Services Manager (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Auditor-General's observation report relating to the audit of Council's Financial Statements for 2019/20.

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Mark Booth

CARRIED 11/0

That the Auditor-General's observation report relating to the audit of Council's 2019/20 Financial Statements be received.

ITEM 6.2 AUDITOR-GENERAL OBSERVATION REPORT 2019/20 - A20690347 (Cont.)

OFFICER'S RECOMMENDATION

That the Auditor-General's observation report relating to the audit of Council's 2019/20 Financial Statements be received.

REPORT DETAIL

1. Background

The Auditor-General must prepare an observation report about the audit of a local government's financial statements in accordance with section 54 of the *Auditor-General Act 2009*.

In accordance with the Local Government Regulation 2012, the Mayor must present the Auditor-General's observation report about the audit of the Council.

2. Explanation of Item

The Council's 2019/20 Financial Statements were signed by Council on 12 October 2020 and subsequently certified by QAO on 13 October 2020 with an unmodified audit opinion.

Section 213(2) of the Local Government Regulation 2012 states:

An Auditor-General's observation report, about an audit of a local government's financial statements, is a report about the audit prepared under section 54 of the Auditor-General Act 2009 that includes observations and suggestions made by the Auditor-General about anything arising out of the audit.

In accordance with section 213(3) of the Local Government Regulation 2012 the Mayor must present the Auditor-General's observation report at the next ordinary meeting of the local government.

The supporting information report (pages 3 to 5) highlights the following observations for the 2019/20 Audit:

- 1 Significant Deficiency; and
- 3 Deficiencies.

QAO's recommendation and management's response to the deficiencies identified is provided in the attached report.

The significant deficiency of contributed asset recognition is an issue that has appeared regularly over past few years but is progressively getting better. Management will continue to work over the course of this year to improve the timely recognition of all contributed assets received from developers. The other three deficiencies are minor in nature and require some policy/procedural corrections that should be resolved by the end of 2020.

The supporting information report (page 6) also provides an update on two internal control issues and three other matters reported from the 2018/19 audit.

As indicated in the attached supporting information the two internal control issues have been resolved by management but QAO is yet to verify. QAO will confirm resolution of these two issues during the 2020/21 Audit.

In addition, there are three other minor matters also identified from 2018/19 Audit. Other matters are minor suggested improvements by QAO and in that regard management is committed to implementing those improvements. One has been implemented and the remaining two will be completed by the end of the calendar year.

ITEM 6.2 AUDITOR-GENERAL OBSERVATION REPORT 2019/20 - A20690347 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

The observation report is a report prepared by the Auditor-General in accordance with section 54 of the *Auditor-General Act 2009*.

In accordance with section 213(3) of the Local Government Regulation 2012, the Mayor must present the Auditor-General's observation report at the next ordinary meeting of the local government.

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 Auditor-General's Observation Report assesses the risks and possible implications associated with deficiencies and matters observed during the audit of the financial statements. Observations identified can be significant deficiencies, deficiencies or other matters. Management provides responses to recommendations suggested in the observation report, assigned to officers with a due date for completion with a view to reducing or eliminating the risk associated with the observations raised.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The QAO Audit Fee was initially estimated to be in the amount of \$240,000 (exclusive of GST) at the time the External Audit Plan was agreed to with Council in February 2020. QAO have confirmed that the final Fee will remain at \$240,000. This amount was provided for in Council's 2019/20 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

Acting Chief Executive Officer, Director Finance and Corporate Services, Manager Governance and Executive Services, Financial Operations Manager

ITEM 6.3

AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 1 BUDGET REVIEW

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20697631 : 14 October 2020 - **Refer Supporting Information A20700325**
Responsible Officer: DW, Management Accounting Coordinator (FCS Accounting Services)

Executive Summary

The purpose of this report is to adopt an amended Council Budget for 2020/21.

With the first quarter of 2020/21 now concluded a budget review has been undertaken to identify any potential amendments required to Council's budget due to changes in revenue and expense projections over the remainder of the financial year.

The review has highlighted that Council's budget for 2020/21 will require formal amendment as a result of changes identified.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Cath Tonks

CARRIED 11/0

That pursuant to section 169 and 170 of the Local Government Regulation 2012, Council adopts the amended budget for the 2020/21 financial year, as tabled, incorporating:

- a) Statement of Income and Expenditure (Long Term Financial Forecast, 10 years);
- b) Statement of Financial Position (Long Term Financial Forecast, 10 Years);
- c) Statement of Cash Flows (10 Years);
- d) Statement of Changes in Equity (10 Years);
- e) Measures of Financial Sustainability (10 years);
- f) The total value of the change expressed as a percentage in the rates and utility charges (no change);
- g) Additional Legislative Disclosures (no change);
- h) Revenue Policy 2020/21 (no change);
- i) Revenue Statement 2020/21 (no change); and
- j) Benefitted Area Maps (no change).

ITEM 6.3 AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 1 BUDGET REVIEW - A20697631 (Cont.)

OFFICER'S RECOMMENDATION

That pursuant to section 169 and 170 of the Local Government Regulation 2012, Council adopts the amended budget for the 2020/21 financial year, as tabled, incorporating:

- a) Statement of Income and Expenditure (Long Term Financial Forecast, 10 years);
- b) Statement of Financial Position (Long Term Financial Forecast, 10 Years);
- c) Statement of Cash Flows (10 Years);
- d) Statement of Changes in Equity (10 Years);
- e) Measures of Financial Sustainability (10 years);
- f) The total value of the change expressed as a percentage in the rates and utility charges (no change);
- g) Additional Legislative Disclosures (no change);
- h) Revenue Policy 2020/21 (no change);
- i) Revenue Statement 2020/21 (no change); and
- j) Benefitted Area Maps (no change).

REPORT DETAIL

1. Background

Council adopted its 2020/21 Budget in late June 2020 and then amended the budget in August 2020 to accommodate carry over expenditure budgets that were unspent from 2019/20.

At the end of every quarter a review is undertaken to ascertain if Council's budget requires formal amendment as a result of changes identified to forecasted revenues and expenses. The review has highlighted that Council's budget for 2020/21 will require formal amendment as a result of changes identified.

A Council briefing was conducted on 14 October 2020 to advise Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

The CEO noted that a report will be submitted to the General Meeting of 28 October 2020 for consideration to adopt an amendment to Council's 2020/21 Budget.

2. Explanation of Item

Council's budget is built around many varying assumptions and anticipated levels of revenue and expenditure at the start of the financial year. As the financial year progresses various factors can influence Council's forecast revenue and expenditure necessitating Council to amend its budget to account for the changing circumstances. Accordingly, when the change to forecast revenue and expenditure is considered significant, Council should formally amend its budget in accordance with sections 169 and 170 of the *Local Government Regulation 2012*.

The following contributing factors require the budget to be amended:

Operating Revenue (decreasing by \$0.5 million)

- Council approved an extension to the period where no interest would be applied to overdue rates until 1 April 2021.

Operating Expenditure (increasing by \$8.3 million)

The primary drivers for the increase are:

- Waste Levy - forecast based on the 2019/20 outcome - \$2.5 million. This information was not available at the time of budget preparation.
- Economic Development - establishment of a new Department - \$1.77 million. These costs have been estimated by the CEDO which was appointed after the budget was finalised.
- Annual partnership with Caboolture Sports Club - \$500,000 (not included in original budget)
- New contract for Regional Security Services - \$490,000 (Report to Council 24 June)

ITEM 6.3 AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 1 BUDGET REVIEW - A20697631 (Cont.)

- Redcliffe Memorial Pool - additional costs identified - \$410,000 (Report to Council 16 September)
- Black Duck Lake System - additional costs identified - \$210,000
- Planning Scheme Amendments - Temporary Local Planning Instrument work - \$200,000.
- Corporate System upgrade - additional costs largely associated with the delay in going live due to COVID - \$200,000. Project is still within the total project budget approved.
- Redcliffe Settlement Cove Lagoon - additional costs identified - \$120,000
- Mathieson Park Change Rooms - additional contribution - \$115,000 (Report to Council 5 August)
- Healthy and Active Moreton - additional funds - \$100,000

Capital Revenue (increasing by \$5.4 million)

- Additional revenue provided by the State Government to assist with funding capital works to promote economic stimulus.

Capital Expenditure (increasing by \$7.2 million)

- Additional costs directly related to the revenues provided by the State Government to assist with funding capital works (\$5.4 million)
- An allocation of \$1 million to progress and develop infrastructure designs
- Mango Hill - Capestone Boulevard/ St Benedict's Close - Pedestrian Signals (\$180,000)
- Gravel Road Sealing - Elimbah, Mt Delaney and Laceys Creeek (\$381,000)
- Sandstone Point Sports Ground - Sportsfield lighting (\$363,000)
- Redcliffe Showgrounds - Field Lighting Renewal (\$150,000)

Accordingly, the Council's Amended Budget for 2020/21 is presented for adoption incorporating all the relevant documentation as required under the legislation.

3. Strategic Implications

3.1 Legislative / Legal Implications

In accordance with sections 169 and 170 of the Local Government Regulation 2012 the Council may amend its annual budget during the financial year.

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

Organisationally and beyond there are a wide number of strategic and operational risks that can impact on the delivery of Council's Budget. The ongoing COVID-19 pandemic is one such risk, albeit to date, the impact has not been significant on the delivery of Council services and resources.

As the budget is built on assumptions and expectations, the objective of the quarterly budget review process is to provide the flexibility for Council to address financial risk and respond to changing circumstances and redirect monies where necessary.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

Any amendments proposed to the current year budget will have the greatest impact on 2020/21. As the amending of the current year budget incorporates updating the ten-year financial forecast, subsequent years beyond 2020/21 will be affected but in very minimal terms. Financial Sustainability Indicators across the ten years remain largely unaffected.

ITEM 6.3 AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 1 BUDGET REVIEW - A20697631 (Cont.)

3.7 Economic Benefit Implications

The Council's annual budget facilitates significant infrastructure expenditure, maintenance activities and other services that offer an economic stimulus to the region through employment and business development.

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Chief Executive Officer (Acting), Directors, Managers and other officers of Council as required.

ITEM 6.4
QUARTER 1 OPERATIONAL PLAN REVIEW 2020/21

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20697634 : 14 October 2020 - **Refer Supporting Information A20698741**
Responsible Officer: DW, Management Accounting Coordinator (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Quarter 1 Operational Plan Review for 2020/21.

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Jodie Shipway

CARRIED 11/0

That the Quarter 1 Operational Plan Review for 2020/21 be received.

ITEM 6.4 QUARTER 1 OPERATIONAL PLAN REVIEW 2020/21 - A20697634 (Cont.)

OFFICER'S RECOMMENDATION

That the Quarter 1 Operational Plan Review for 2020/21 be received.

REPORT DETAIL

1. Background

Every financial year Council must prepare and adopt an annual operational plan. The plan must be reported upon at regular intervals of not more than three months. The Quarter 1 report on the Operational Plan for 2020/21 is presented with an assessment of Council's achievements as measured against relevant key performance indicators (KPI's) along with an accompanying commentary for each Department of Council.

2. Explanation of Item

The first quarter report on the Operational Plan provides non-financial information on Council's organisational performance. Included in this report are key performance indicator targets and associated achievements with accompanying commentary relevant to the KPI's and other significant operational matters.

3. Strategic Implications

3.1 Legislative / Legal Implications

In accordance with section 174 of the *Local Government Regulation 2012* the Council is required to prepare and report on a quarterly basis the progress towards implementing the annual Operational Plan.

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

Operationally there are a wide number of risks that can impact on the delivery of the Operational Plan. These risks are recorded in the Council's Enterprise Risk Management Register and managed accordingly by each Department.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

Nil identified

3.7 Economic Benefit Implications

The Operational Plan contributes to the Corporate Plan in achieving three key themes. Economic benefit implications relate to the theme of:

- Creating Opportunities

Delivered through two key strategies:

- Develop a sustainable, innovative and thriving economy that creates valuable employment for residents, protects the region's high quality of life and provides a prosperous future for residents.
- Develop projects which deliver strategic opportunities for the Moreton Bay Region.

ITEM 6.4 QUARTER 1 OPERATIONAL PLAN REVIEW 2020/21 - A20697634 (Cont.)

3.8 Environmental Implications

The Operational Plan contributes to the Corporate Plan in achieving three key themes. Environmental implications relate to the theme of:

- Valuing Lifestyle

Delivered through three key strategies:

- Maintain sustainable waste management for the Moreton Bay Region.
- Maintain and enhance the health of the natural environment.
- Protect public assets and maintain environmental standards through management of the stormwater network, coastal areas and waterways.

3.9 Social Implications

The Operational Plan contributes to the Corporate Plan in achieving three key themes. Social implications relate to the theme of:

- Strengthening Communities

Delivered through three key strategies:

- Develop a strong and inclusive community.
- Provide residents opportunity to participate and engage with their community.
- Maintain a lifestyle enhanced and protected by local law.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

The Executive Management Team, Managers and other key Council officers were involved in preparing the first quarter report.

11. NOTIFIED GENERAL BUSINESS ITEMS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

11.1. Notified Declarable Conflict of Interest - Cr D Grimwade - matters relating to Australian National Homes Pty Ltd.

Cr Darren Grimwade has notified the Chief Executive Officer of the following declarable conflict of interest. Despite technically not having a conflict of interest with the company past 12 October 2020, Cr Grimwade is making the declaration to be cautious and on the advice from the relevant authorities.

Declarable Conflict of Interest - Cr Darren Grimwade

Pursuant to section 150EQ of the Local Government Act 2009, I inform the meeting that I have a conflict of interest, either real or presumed, in Development Application No. 2018/37090/V2L lodged by Lendlease Communities (Pine Valley) Pty Ltd and Development Application No 2020/40859/V2L lodged by Australian National Homes Pty Ltd.

The nature of the conflict of interest in the Lend Lease development application arises as Lend Lease's development application is over land which adjoins land owned by a donor to the Councillor's 2016 election campaign, namely Australian National Homes Pty Ltd. Australian National Homes Pty Ltd, donated \$10,000 to the Councillor's 2016 election campaign on 5 February 2016.

By virtue of that same donation, Cr Grimwade also declares a conflict of interest in the Development Application by Australian National Homes Pty Ltd.

Cr Grimwade has considered his position and is firmly of the opinion that he could participate in the decision relating to the development applications listed below, including discussion, debate and voting on the matters in the public interest:

- a. Development Application No. 2018/37090/V2L; and**
- b. Development Application No 2020/40859/V2L**

As suggested by the Chief Executive Officer each individual development application matter was considered separately, as follows:

a. Development Application No. 2018/37090/V2L (Lendlease Communities (Pine Valley) Pty Ltd)

Councillor seeking to participate in the decision - eligible Councillors must decide

RESOLUTION

Moved by Cr Cath Tonks

Seconded by Cr Jodie Shipway

CARRIED 10/0

That in accordance with s150ES of the *Local Government Act 2009*, and having considered the Councillor's conflict of interest as described, it is decided that Cr Darren Grimwade may participate in the decision including discussion, debate and voting on the matter as it is considered that this is in the public interest.

FOR:

Cr Brooke Savige

Cr Mark Booth

Cr Adam Hain

Cr Jodie Shipway

Cr Sandra Ruck

Cr Karl Winchester

Cr Denise Sims (Deputy Mayor)

Cr Cath Tonks

Cr Matt Constance

Cr Tony Latter

AGAINST:

Nil

Cr Darren Grimwade having declared a conflict of interest was not eligible to vote

b. Development Application No. 2020/40859/V2L (Australian National Homes Pty Ltd)

Councillor seeking to participate in the decision - eligible Councillors must decide

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Cath Tonks

CARRIED 10/0

That in accordance with s150ES of the *Local Government Act 2009*, and having considered the Councillor's conflict of interest as described, it is decided that Cr Darren Grimwade may participate in the decision including discussion, debate and voting on the matter as it is considered that this is in the public interest.

FOR:

Cr Brooke Savige

Cr Mark Booth

Cr Adam Hain

Cr Jodie Shipway

Cr Sandra Ruck

Cr Karl Winchester

Cr Denise Sims (Deputy Mayor)

Cr Cath Tonks

Cr Matt Constance

Cr Tony Latter

AGAINST:

Nil

Cr Darren Grimwade having declared a conflict of interest was not eligible to vote

11.2. Notified Declarable Conflict of Interest - Cr M Booth - matters relating to the proposed North Harbour Marina PDA

Cr Mark Booth has notified the Chief Executive Officer of the following declarable conflict of interest.

Declarable Conflict of Interest - Cr Mark Booth

Pursuant to section 150EQ of the Local Government Act 2009, I inform the meeting that I have a declarable conflict of interest in matters that relate to the proposed North Harbour Marina PDA as my parents Marion Booth & Arthur Booth own and live in their house which is within the North Harbour Estate, the area under consideration.

Cr Booth believes that his parents will have no greater gain, or loss from the proposed PDA, than any of the other 1000+ residents who own property within the estate.

Cr Booth has considered his position and is firmly of the opinion that he could participate in decisions relating to the proposed North Harbour Marina PDA in the public interest and seeks Council approval to continue to serve the constituents of Division 2 by participating in decisions including discussion, debate and voting.

Councillor seeking to participate in the decision - eligible Councillors must decide

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Sandra Ruck

CARRIED 10/0

That in accordance with s150ES of the *Local Government Act 2009*, and having considered the Councillor's conflict of interest as described, it is decided that Cr Mark Booth may participate in the decision including discussion, debate and voting on the matter as it is considered that this is in the public interest.

FOR:

Cr Brooke Savige
Cr Adam Hain
Cr Jodie Shipway
Cr Sandra Ruck
Cr Karl Winchester
Cr Denise Sims (Deputy Mayor)
Cr Cath Tonks
Cr Matt Constance
Cr Darren Grimwade
Cr Tony Latter

AGAINST:

Nil

Cr Mark Booth having declared a conflict of interest was not eligible to vote

11.3. Notified Declarable Conflicts of Interest - Cr S Ruck

Cr Sandra Ruck has notified the Chief Executive Officer of the following declarable conflicts of interest.

1. Declarable Conflict of Interest - Cr Sandra Ruck - Leases at the Redcliffe Aerodrome

Pursuant to s150EQ of the Local Government Act 2009, I inform the meeting that as the terms and conditions of all leases at the Redcliffe Aerodrome are currently being considered by Council, I have a declarable conflict of interest in matters relating to the Redcliffe Aerodrome as Mrs Loretta Kelly, a part-owner of Flinders Aviation a lease holder at the Redcliffe Aerodrome, supported Cr Ruck's 2020 electoral campaign with donations totalling \$970, as follows:

- a) *\$900 on 22 November 2019 deposited into Cr Ruck's Campaign Account as payment for 12 dinner tickets for a fundraising dinner which included meals and two guest speakers for which Mrs Kelly's guests repaid Mrs Kelly on the night;*
- b) *\$50 on 18 January 2020 deposited into Cr Ruck's Campaign Account in lieu of her attendance at a second fundraiser event; and*
- c) *\$20 on 23 February 2020 paid in cash at the door as an entry fee to a third fundraising event.*

Mrs Kelly's interest in the matter is that she is a concerned lease holder, owning the building from which Flinders Aviation operates, but not the land on which the building stands.

Further, Mrs Kelly has been a friend of Cr Ruck for a number of years and Cr Ruck has attended one meeting at the aerodrome with Mrs Kelly, to discuss concerns at the aerodrome.

Cr Ruck has indicated she will not participate in decisions relating to terms and conditions of all leases at the Redcliffe Aerodrome including discussions, debate and voting and will elect to leave future meetings.

2. Declarable Conflict of Interest - Cr Sandra Ruck - Queens Beach North proposed dog off-leash area

Pursuant to s150EQ of the Local Government Act 2009, I inform the meeting that I have a declarable conflict of interest in matters relating to Queens Beach North proposed dog off-leash area due to a relationship with a resident (Colin Scobie) who resides and owns property opposite the boat ramp at Queens Beach North.

Mr Scobie has been a strong advocate for not allowing dogs on the beach at Queens Beach North.

Mr Scobie is also a friend of Cr Ruck and has been known to her through her involvement with a local Rotary Club for 12 years and having attended Rotary Functions at his home.

Mr Scobie also assisted Cr Ruck during her election campaign by handing out How To Vote Cards at a pre-poll booth, as well as attending fundraising events - making the following purchases amounting in total to approximately \$50:

- dinner ticket and raffle tickets at a fundraising event on 22 November 2019*
- raffle tickets at a fundraising event on 18 January 2020*
- raffle tickets at a fundraising event on 23 February 2020*

Cr Ruck has indicated she will not participate in decisions relating to Queens Beach North proposed dog off-leash area including discussion, debate and voting and will elect to leave future meetings.

11.4. Notified Declarable Conflicts of Interest - Cr D Grimwade

1. Prescribed Conflict of Interest - Cr Darren Grimwade - Redcliffe Aerodrome matters

Pursuant to s150EQ of the Local Government Act 2009, I inform the meeting that as the terms and conditions of all leases at the Redcliffe Aerodrome are currently being considered by Council, I have a prescribed conflict of interest in matters relating to the Redcliffe Aerodrome as Mr Paul Gripske, a lessee at the Redcliffe Aerodrome via a Superannuation Fund he holds an interest in, is a Director of Roy Gripske & Sons Pty Ltd.

Cr Grimwade received a political donation in the amount of \$2000 from Roy Gripske & Sons Pty Ltd on 12 February 2020, for the Councillor's 2020 election campaign.

Cr Grimwade has indicated he will not participate in decisions relating to terms and conditions of all leases at the Redcliffe Aerodrome including discussion, debate and voting and will leave future meetings.

2. Prescribed Conflict of Interest - Cr Darren Grimwade - Narangba Innovation Precinct Matters

Pursuant to s150EQ of the Local Government Act 2009, I inform the meeting that as Council is currently considering a Planning Scheme amendment in relation to this matter, I have a prescribed conflict of interest in matters relating to the Narangba Innovation Precinct as follows:

1. Roy Gripske & Sons Pty Ltd

- i. Roy Gripske & Sons Pty Ltd was a political donor in the Councillors 2020 election.
- ii. A donation of \$2,000 was made to the Councillor on the 12th February 2020.
- iii. Roy Gripske & Sons Pty Ltd operates a business in the Narangba Innovation Precinct (11 Sodium Street, Narangba).

2. Tom Raleigh

- i. Tom Raleigh was a political donor in the Councillors 2020 election.
- ii. A donation of \$2,000 was made to the Councillor on the 20th February 2020.
- iii. Tom is the owner of a business in the Narangba Innovation Precinct (Kingswood Cabinets).

3. Lindsay Packer

- i. Lindsay Packer was a political donor in the Councillors 2020 election.
- ii. A donation of \$750 was made to the Councillor on the 2nd March 2020.
- iii. Lindsay is the owner of a business in the Narangba Innovation Precinct (Packer Leather).

Cr Grimwade has indicated he will not participate in decisions relating to the Planning Scheme amendment involving the Narangba Innovation Precinct including discussion, debate and voting and will leave future meetings.

11.5. Regional Events

Council acknowledged recent events that had taken place in the region:

- **Moreton Bay Opening of the Caboolture Sports Cricket Development Centre** at Council's Grant Road Sports Complex, Morayfield.
- **Youth Art Awards** held Saturday 24 November 2020

11.6. Election of Local Government Association of Queensland Ltd (LGAQ) President

Cr Denise Sims (Deputy Mayor - Chairperson) conveyed Council's congratulations to Cr Mark Jamieson on his recent re-election as President of the Local Government Association of Queensland Ltd (LGAQ).

11.7. Retirement - Manager Legal Services

Cr Denise Sims (Deputy Mayor) referred to the impending retirement of Council's Manager Legal Services - Mr John Hall, and provided the following comments:

I would like to take this opportunity on behalf of Council to thank John Hall, our Manager Legal Services, for his contribution to the Moreton Bay Region over the past two years. When John commenced at Council we could immediately see he was the right person for the job. John's 30 plus years' experience in local government meant that he had mastered a huge breadth of law and was able to advise Council and officers with a confidence and professionalism that was appreciated by all. John enjoyed the respect of his team and colleagues from day one and has been a valued and inspiring leader of the team. He has always been available for people seeking guidance and is always the calmest person in the room.

Beyond his legal skills and professionalism; John can be described as a person with integrity, a person you can trust and rely on. He has displayed a genuine concern for the wellbeing of Councillors and officers and always had the best interest of the region at heart. John has been a pleasure to work with on a day to day basis, always positive and smiling - despite being a commuter from the sunny coast each day.

John, on behalf of Council I would like to again express our thanks for all you have done for us and the Moreton Bay community, and we wish you all the very best in retirement. We hope you can find your way to the golf course more often and enjoy some long-awaited vacations with you wife and family.

John thanked the Deputy Mayor for her kind words on behalf of Council, saying that he had enjoyed his time at Moreton Bay, and wished the staff and Councillors well for the future.

12. CLOSED SESSION

(s254J 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.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

CLOSED SESSION

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Cath Tonks

CARRIED 11/0

That Council move into closed session pursuant to the provisions of s254J of the Local Government Regulation 2012 to discuss Items C.1 to C.2.

The closed session commenced at 11.02am (livestreaming paused).

During closed session, Council adjourned for morning tea.

Council resumed the meeting in closed session, following morning tea adjournment.

OPEN SESSION

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Tony Latter

CARRIED 11/0

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

The open session (livestreaming) resumed at 11.37am.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

ACQUISITION OF LAND FOR ROAD PURPOSES - DAKABIN

Meeting / Session: 2 INFRASTRUCTURE & PLANNING

Reference: A19516817 : 26 May 2020 - Refer **Confidential Supporting Information:**
A19503787, A20075954, A19583451 & A20330362

Responsible Officer: TT, Senior Technical Officer (IP Integrated Transport Planning)

Basis of Confidentiality

Pursuant to s254J of the Local Government Regulation 2012, clause (h), as the matter involves negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*.

Executive Summary

This report seeks Council approval to acquire land for road purposes to facilitate a future road transport network upgrade.

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Cath Tonks

CARRIED 11/0

1. That Council delegates to the Chief Executive Officer the power to negotiate and finalise the purchase of the properties described in this confidential report (Land).
2. That failing a negotiated purchase of the Land on terms satisfactory to the Chief Executive Officer, delegates the power to the Chief Executive Officer to take the Land for road purposes by way of compulsory acquisition in accordance with the requirements of the *Acquisition of Land Act 1967 (Act)* which includes, without limitation, the power to prepare, serve and amend a notice of intention to resume.
3. That Council delegates the power to the Chief Executive Officer to make an application to the Minister for Natural Resources, Mines and Energy to take the Land under section 9 of the Act, if required.
4. That Council delegates authority to the Chief Executive Officer to settle the claims for compensation if the Land is compulsorily acquired.
5. That Council authorises the Chief Executive Officer to do all other things that are necessary to give effect to the taking of the Land.

ITEM C.2 – CONFIDENTIAL

ACQUISITION OF LAND FOR ROAD PURPOSES - PETRIE

Meeting / Session: 2 INFRASTRUCTURE PLANNING

Reference: A20619619 : 28 September 2020 - Refer **Confidential Supporting Information A20669078 & A20330537**

Responsible Officer: SJ, Manager Integrated Transport Planning (IP Integrated Transport Planning)

Basis of Confidentiality

Pursuant to s254J of the Local Government Regulation 2012, clause (h), as the matter involves negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*.

Executive Summary

This report seeks Council approval to acquire land for road purposes to facilitate a future road transport network upgrade.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Sandra Ruck

CARRIED 11/0

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

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

13. CLOSURE

There being no further business the Chairperson closed the meeting at 11.38am.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/1797 to 20/1861 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 28 October 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 12 November 2020.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor