



AGENDA

GENERAL MEETING

Wednesday 3 March 2021

commencing at 9.30am

Caboolture Chambers
2 Hasking Street, Caboolture

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Wednesday 3 March 2021 commencing at 9.30am in Caboolture Chambers, 2 Hasking Street, Caboolture to give consideration to the matters listed on this agenda.

Greg Chemello
Chief Executive Officer

25 February 2021

Membership = 13
Mayor and all Councillors

Quorum = 7

[Agenda for public distribution](#)

LIST OF ITEMS

1.	ACKNOWLEDGEMENT OF COUNTRY	5
2.	OPENING PRAYER / REFLECTION	5
3.	ATTENDANCE & APOLOGIES	5
4.	MEMORIALS OR CONDOLENCES	5
5.	CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING	5
	General Meeting - 17 February 2021 (Pages 21/86 - 21/113)	5
	Attachment #1 Unconfirmed Minutes - General Meeting 17 February 2021	
6.	ADOPTION OF AUDIT COMMITTEE MEETING REPORT & RECOMMENDATIONS	5
	Audit Committee Meeting - 11 February 2021 (Pages 21/74 - 21/85)	5
	Attachment #2 Unconfirmed Report & Recommendations - Audit Committee Meeting 11 February 2021	
7.	PRESENTATION OF PETITIONS	6
	<i>(Addressed to the Council and tabled by Councillors)</i>	
8.	CORRESPONDENCE	6
	8.1. RESPONSE to Petition: Fred Chappel: Weir Road, Morayfield - Entrance to Plantation Retirement Resort (61606059)	
	Attachment #1 Petition response letter	
9.	COMMUNITY COMMENT	6
10.	NOTICES OF MOTION (Repeal or amendment of resolutions)	6
	<i>(s262 of the Local Government Regulation 2012)</i>	
11.	CONFLICTS OF INTEREST NOTIFIED TO THE CEO	6
12.	OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)	6
	<i>(as referred by the Chief Executive Officer)</i>	
	1 GOVERNANCE & ENGAGEMENT SESSION (Cr P Flannery, Mayor)	7
	2 INFRASTRUCTURE PLANNING SESSION (Cr A Hain)	8
	ITEM 2.1	8
	GRIFFIN ACTIVE TRANSPORT NETWORK PLAN	
	REPORT DETAIL	
	SUPPORTING INFORMATION	
	#1 Active Transport Network Plan - Griffin 2021	

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION (Cr B Savige)	13
ITEM 3.1	13
TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE REPORT DETAIL SUPPORTING INFORMATION Confidential #1 Tender Evaluation	
ITEM 3.2	19
TENDER - CLONTARF - HORNIBROOK ESPLANADE - SEGREGATED CYCLE PATHWAY (STAGE 1) REPORT DETAIL SUPPORTING INFORMATION Confidential #1 Tender Evaluation	
ITEM 3.3	24
TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2 REPORT DETAIL SUPPORTING INFORMATION Confidential #1 Tender Evaluation	
4 PLANNING SESSION (Cr D Grimwade)	31
ITEM 4.1	31
PROPERTY ACQUISITION - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES REPORT DETAIL SUPPORTING INFORMATION Confidential #1 Property Acquisition - Land Buyback Program for Environmental Purposes	
5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION (Cr M Gillam)	36
ITEM 5.1	36
MORETON BAY REGIONAL COUNCIL SCHOLARSHIP PROGRAM - ELIGIBILITY CRITERIA EXPANSION REPORT DETAIL	
ITEM 5.2	40
NEW LEASE - PINE HILLS HOCKEY CLUB INC REPORT DETAIL SUPPORTING INFORMATION #1 James Drysdale Reserve - Pine Hills Hockey Club Inc - Current and proposed lease and permit areas	

Moreton Bay Regional Council

GENERAL MEETING - 525
3 March 2021

PAGE 4
Agenda

6 FINANCE & CORPORATE SERVICES SESSION (Cr M Constance)	44
ITEM 6.1	44
MONTHLY FINANCIAL REPORTING PACKAGE - 31 JANUARY 2021	
REPORT DETAIL	
SUPPORTING INFORMATION	
#1 Monthly Financial Reporting Package	
13. NOTIFIED GENERAL BUSINESS ITEMS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE	49
14. CLOSED SESSION	49
<i>(s254J of the Local Government Regulation 2012)</i>	
14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL	49
14b. CONFIDENTIAL GENERAL BUSINESS	49

1. ACKNOWLEDGEMENT OF COUNTRY

Mayor, or nominee, to provide the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Mayor, or nominee, to provide the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

Cr Peter Flannery (Mayor) (Chairperson)

Apologies:

Cr Mick Gillam

4. MEMORIALS OR CONDOLENCES

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

5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 17 February 2021 (Pages 21/86 - 21/113)

RESOLUTION that the minutes of the General Meeting held 17 February 2021, be confirmed.

Attachment #1 Unconfirmed Minutes - General Meeting 17 February 2021

6. ADOPTION OF AUDIT COMMITTEE MEETING REPORT & RECOMMENDATIONS

Audit Committee Meeting - 11 February 2021 (Pages 21/74 - 21/85)

RESOLUTION that the report and recommendations of the Audit Committee Meeting held 11 February 2021, be adopted.

Attachment #2 Unconfirmed Report & Recommendations - Audit Committee Meeting 11 February 2021

7. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

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

8. CORRESPONDENCE

8.1. RESPONSE to Petition: Fred Chappel: Weir Road, Morayfield - Entrance to Plantation Retirement Resort (61606059)

At the General Meeting held 25 November 2020, Council received a petition from Fred Chappel requesting Council to consider road safety at Weir Road, Morayfield.

A copy of Council's response to the Chief Petitioner is provided for Council's information.

Attachment #1 Petition response letter

9. COMMUNITY COMMENT

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

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

(s262 of the Local Government Regulation 2012)

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

11. CONFLICTS OF INTEREST NOTIFIED TO THE CEO

Conflicts of interest notified to the CEO where not specifically related to an item on this agenda

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

No items for consideration.

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

ITEM 2.1 GRIFFIN ACTIVE TRANSPORT NETWORK PLAN

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: 61639258 : 3 March 2021 - **Refer Supporting Information 61662865**
Responsible Officer: AWG, Principal Transport Planner (IP Strategic Infrastructure Planning)

Executive Summary

Council officers in consultation with the local Divisional Councillors, have identified the need to develop a Griffin Active Transport Masterplan to provide for the safe and effective movement of pedestrians, cyclists and other pathway users through the area as new developments are introduced, including the new Griffin Sports Centre. The Masterplan includes a safer, more attractive north-south route, away from the Henry Road corridor which is subject to the future North-South Urban Arterial upgrade.

Development of the masterplan has considered key destinations in the locality and the desire lines between them to create an effective network plan to safely connect the surrounding community.

There are ongoing demands in the Griffin area for the provision of open space for community recreation purposes, and the Masterplan will seek to deliver active transport routes that will connect the community with desirable locations in their wider neighbourhood.

The masterplan has been broken into several stages, including sections of boardwalk along the North Pine River and semi-formal compacted gravel pathways in areas with potential constructability issues.

A high-level cost estimate for each new link has also been identified, with additional major works (risks) associated with each also outlined.

The masterplan will provide direction for planning and design of future pathways in Griffin, including those to be constructed by developers, and will be provided to the Department of Transport and Main roads (DTMR) to inform their planning for the future North South Urban Arterial road, to ensure future integrity of the pathway network is maintained.

The Griffin Active Transport Masterplan will provide a structured approach for delivering a pathway network in a rapidly developing suburb.

OFFICER'S RECOMMENDATION

1. That the Griffin Active Transport Masterplan be endorsed in-principle.
2. That the individual projects within the Griffin Active Transport Masterplan be included in the 10-year capital works program to assist with Council's long-term financial forecasting.
3. That the Griffin Active Transport Masterplan be published on Council's website and be forwarded to the Department of Transport and Main Roads to assist in their planning of the North South Urban Arterial (Moreton Connector).

ITEM 2.1 GRIFFIN ACTIVE TRANSPORT NETWORK PLAN - 61639258 (Cont.)

REPORT DETAIL

1. Background

A Council briefing was conducted on 3 February 2021 for the purpose of sharing information and providing advice/views to 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 the way forward:

A report to be provided to Council seeking endorsement of the Griffin Active Transport Network Plan in-principle.

2. Explanation of Item

Located east of the Bruce Highway and south of Rothwell, Griffin is a developing area with an approximate population of 7000 (ABS 2016). The area is zoned largely as General Residential with areas of Recreation and Open Space, and Environmental Management and Conservation.

Griffin is located in an area with high cultural heritage value with a large surface area subject to Native Title and Cultural Heritage Points. The Kabi Kabi First Nation Traditional Owners Group have identified a number of sites within Griffin that have been protected and will determine the outcome of future planning projects.

The area is also undergoing ongoing project development and delivery, including the construction of the Griffin Sports Complex, the Henry Road upgrade project and the future North South Urban Arterial Upgrade. There is also a significant amount of residential development that is currently underway.

The existing Moreton Bay Regional Council active transport overlay identifies the Bruce Highway, Brays Road, Henry Road and Dohles Rocks Road as primary routes within the Griffin catchment.

Further information and mapping are provided in the supporting information.

Council has identified the need to develop the Griffin Active Transport Masterplan to address the following:

- With the future North South Urban Arterial Upgrade aligning with the Henry Road corridor, there is a desire to take active transport movements away from the major road corridors and into areas of open space where there is an opportunity to provide a safer, more attractive route.
- In order to ensure the safe and effective movement of pedestrians, cyclists and other pathway users through the area as new development is introduced.
- To provide access to new and existing attractive open space areas, such as the new Griffin Sports Complex, and the Dohles Rocks Road foreshore precinct.

Development of the masterplan has considered key destinations and the desire lines between them to create an effective network plan to safely connect the surrounding community.

The masterplan identifies the primary and secondary routes proposed as part of the network, including sections of boardwalk along the North Pine River and semi-formal (compacted gravel) pathways in areas with potential constructability issues.

Furthermore, the proposed network has been broken down further into five stages of implementation:

- Stage 1: Missing links and links providing immediate connectivity
- Stage 2: Links connecting between existing development and the future Griffin Sports Complex
- Stage 3: Links connecting through future development and non-MBRC land
- Stage 4: Aspirational links and associated connections
- Stage 5: Future Aspirational Links

ITEM 2.1 GRIFFIN ACTIVE TRANSPORT NETWORK PLAN - 61639258 (Cont.)

The adoption of the Griffin Active Transport Masterplan would result in a defined active transport network with clear priority and timing, a connected suburb with safe and attractive active transport routes to reach all key destinations, opportunities to integrate with future development, opportunities to provide a highly attractive boardwalk 'destination' and other recreational routes, opportunities to connect to the wider network in Murrumba Downs and Mango Hill.

Without a network plan, there will be a lack of clear active transport implementation, which could lead to sporadic projects that create a number of missing links in the network and reduction in the use of active transport modes for trips and recreation.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Valuing Lifestyle: Diverse transport options - an integrated regional transport network.

3.3 Policy Implications Nil identified

3.4 Risk Management Implications
Some of the links identified in the network plan will require further scoping as part of more detailed investigations to overcome risks associated with property acquisition, major drainage works, major earthworks, major structural works and vegetation clearing.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
A high-level estimate to deliver the proposed links across the five stages has been prepared. Projects could be delivered via several funding sources including:

- Missing Links Program
- Active Transport Programs
- Recreational Trail Capital Program
- Local Community Infrastructure Projects
- Development Conditioning
- As part of North South Urban Arterial Construction (by DTMR)
- As part of Henry Road Upgrade (by Council)
- Part funding through the DTMR Cycle Network Local Government Grants Program
- Other Federal/State election commitments/grants

ePid 109474 has been created for a feasibility study, concept design and cost estimates of projects identified in Stages 1 and 2, with specific focus on links to the new sports complex and along Dohles Rocks Road to Osprey House and the boat ramp. This body of work has \$115,000 allocated for the 2021/22 financial year and will inform future capital ePids subject to Council budget and other necessary approvals.

3.7 Economic Benefit Implications
The pathway will attract more active transport users, creating a higher level of drop-in trips for local businesses e.g. coffee shop, take-away and other food shops and retail.

3.8 Environmental Implications

- The pathway will encourage more journeys to be made using active means, taking people out of their cars. Ultimately this leads to better air quality.
- Some of the links identified in the network plan will require vegetation clearing

3.9 Social Implications

- With more people using active transport it will lead to a more accepted cycling culture in the community

ITEM 2.1 GRIFFIN ACTIVE TRANSPORT NETWORK PLAN - 61639258 (Cont.)

- More people using active transport means results in a healthier population and less strain on the health system
- Less cars on the road means less traffic, less traffic accidents and less time spent in congestion

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

The Griffin Active Transport Network Plan was discussed with Councillor Sims and Councillor Shipway at a meeting with Council officers on 5 November 2020. It was subsequently presented to Councillors and the Executive Leadership Team in a Council briefing on 3 February 2021.

SUPPORTING INFORMATION

Ref: [61662865](#)

The following list of supporting information is provided for:

ITEM 2.1

GRIFFIN ACTIVE TRANSPORT NETWORK PLAN

#1 Active Transport Network Plan - Griffin 2021

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

ITEM 3.1

TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: 61630933: 15 February 2021 Refer **Confidential Supporting Information 61621382**
Responsible Officer: PJ, Project Manager (ECM Project Management)

Executive Summary

Tenders were called for the 'Clontarf - Clontarf Beach Scout Group - Building Upgrade (MBRC010535)' project. The tender closed on the 2nd February 2021 with a total of ten tenders received, six of which were conforming.

It is recommended that the tender for the 'Clontarf - Clontarf Beach Scout Group - Building Upgrade (MBRC010535)' project be awarded to James Trowse Qld Pty Ltd for the sum of \$800,200.00 (excluding GST) as this tender represents the best overall value to Council.

This project has received \$500,000 in funding from the Federal Government's COVID-19 program.

OFFICER'S RECOMMENDATION

1. That the tender for 'Clontarf - Clontarf Beach Scout Group - Building Upgrade (MBRC010535)' be awarded to James Trowse Qld Pty Ltd the amount of \$800,200 (excluding GST).
2. That the Council enters into an agreement with James Trowse Qld Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with James Trowse Qld Pty Ltd for 'Clontarf - Clontarf Beach Scout Group - Building Upgrade (MBRC010535)' and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That to allow this project to continue, and for Council to enter into the agreement with James Trowse Qld Pty Ltd for the project, Council commits to the provision of an additional \$200,000 in the quarter three financial review process.

ITEM 3.1 TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE - (Cont.)

REPORT DETAIL

1. Background

The project is located at 13 Isobel Street, Clontarf. The project scope includes the demolition of the existing structure, and design and construction of a new District Level Scout Building. This will include the provision of all services and construction of a new bitumen DDA compliant carpark including lighting. The new facility will be DDA compliant one-storey facility which will be fit for purpose.

Construction on proposed to commence in March 2021 and take 18 weeks to complete which includes an allowance for wet weather.



Figure 1 - Locality Plan

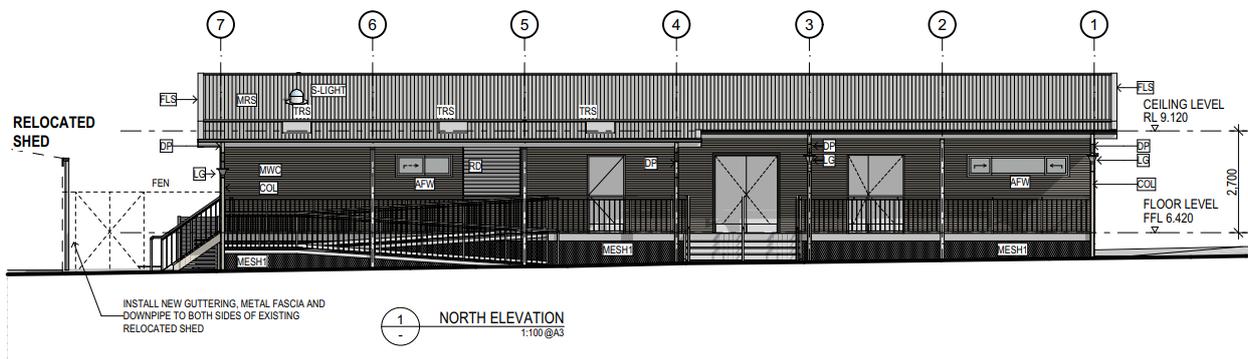


Figure 2 - Front Elevation

2. Explanation of Item

Tenders for the 'Clontarf - Clontarf Beach Scout Group - Building Upgrade (MBRC010535)' project closed on the 2nd February 2021 with ten tenders received, six of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

ITEM 3.1 TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE - (Cont.)

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

Rank	Tenderer	Evaluation Score (Pre-Local Preference)	Evaluation Score (Post Local Preference)
1	James Trowse Qld Pty Ltd	95.76	103.26
2	Unita Qld Pty Ltd	88.23	95.73
3	Renascent Queensland Pty Ltd	94.55	94.55
4	Future Fitouts Qld Pty Ltd	90.38	90.38
5	Kane Constructions (Qld) Pty Ltd, trading as Arete Australia	90.26	90.26
6	Fitout and Refurbishment Australia Pty Ltd	83.70	83.70
7	Stuart Saw Construction Alternative 1	Non-conforming	Non-conforming
8	Hanlon Industries	Non-conforming	Non-conforming
9	Wagners	Non-conforming	Non-conforming
10	Stuart Saw Construction	Non-conforming	Non-conforming

James Trowse Qld Pty Ltd ('JTQ') - submitted a comprehensive and well-presented tender demonstrating relevant similar project experience. A tender clarification meeting was held on 12th February 2021, JTQ demonstrated their relevant experience, methodology, understanding and capability in delivering the project. JTQ provided examples of similar projects including - Queens Park Croquet Club House interior and exterior upgrades (valued at \$591,300) for Queens Park Croquet Club; Morningside Football Club, Clubhouse and Carpark extension (valued at \$1.8M); Latter Day Saints Loganholme, construction of new Church, extensive civil and stormwater works; (valued at \$8.0M); Latter Day Saints Burpengary Extension to the existing hall / stage internal refurbishment to amenities (valued at \$3.3M).

The tender from JTQ was the lowest priced offer and achieved the highest evaluation score post local preference application. The evaluation panel recommends that the tender from JTQ represents the best overall value offer to Council.

Unita Qld Pty Ltd ('UQ') - submitted a comprehensive and well-presented tender, demonstrating their project experience: however, there were no additional benefits for the higher price.

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

Future Fitouts Qld Pty Ltd ('FFQ') - submitted a comprehensive and well-presented tender, demonstrating their project experience: however, there were no additional benefits for the higher price.

Kane Constructions (Qld) Pty Ltd, trading as Arete Australia ('AA') - submitted a comprehensive and well-presented tender, demonstrating their project experience: however, there were no additional benefits for the higher price.

Fitout and Refurbishment Australia Pty Ltd ('FRA') - submitted a comprehensive and well-presented tender, demonstrating their project experience: however, there were no additional benefits for the higher price.

Hanlon Industries, Stuart Saw Constructions (2 bids) and Wagners - submitted non-conforming tenders - not meeting the mandatory tender requirements or external financial assessment.

ITEM 3.1 TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE - (Cont.)

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 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 - Active Recreation Opportunities - Community Services

3.3 Policy Implications

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

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

Tenders were tested against Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

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.

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

Construction Risks:

- a. The recommended tenderer will provide a program of works, staging plans, traffic management plans, safety management plan, environmental 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 natural environment and surrounding properties to ensure the safety and wellbeing 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. 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. At the tender clarification meeting, the recommended tenderer did not raise any COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- e. The project has an approved Development Approval and that there are no other DA's impacting the project.
- f. Dilapidation inspections will be conducted prior to works commencing on surrounding areas to record the existing condition of assets and again after construction to record any change

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the 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 - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

The cost of this project requires an amendment to the budget allocation and is therefore reported to Council for consideration.

ITEM 3.1 TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE - (Cont.)

3.6 Financial Implications

Council has allocated a total of \$760,000 in the 20/21 FY Capital Projects Program with \$500,000 in funding from the Federal Government's COVID-19 program towards the project. All financial information provided is excluding GST.

Design	\$ 73,848.00
Tender Price (construction)	\$ 800,200.00
Contingency (10%)	\$ 80,020.00
QLeave (0.575%)	\$ 4,601.15
Total Project Cost	\$ 958,669.15
Federal Govt. COVID-19 Funding	\$ 500,000.00
Net Project Cost	\$ 458,669.15

As a result of the Federal Government's COVID-19 funding program the net cost of the project to MBRC is \$458,669.15, compared with a project cost of \$958,669.15 without the funding.

This project was brought forward by 12 months as a result of the funding program.

Estimated ongoing operational/maintenance costs \$9,120 per F/Y.

The budget amount for this project is insufficient. To allow this project to continue, and for Council to enter into the agreement with James Trowse Qld Pty Ltd for the project, Council commits to the provision of an additional \$200,000 in the quarter three financial review process.

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 new purpose-built compliant Clontarf Beach Scout Group Amenity will provide equal opportunity and accessibility, for greater inclusion for the Scout's Queensland Clontarf Beach District Scout Group and local community groups. The increased community venue availability will foster greater community participation and wellbeing.

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 will be provided for the Divisional Councillor. The Divisional Councillor has been consulted and is supportive of the projects.

SUPPORTING INFORMATION

Ref: 61621382

The following list of supporting information is provided for:

ITEM 3.1

TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE

Confidential #1 Tender Evaluation

ITEM 3.2
TENDER - CLONTARF - HORNIBROOK ESPLANADE - SEGREGATED CYCLE PATHWAY (STAGE 1)

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: 61579430 : 22 February 2021 - Refer **Confidential Supporting Information: 61541817**
Responsible Officer: CT, Project Engineer (ECM Project Management)

Executive Summary

Tenders were called for the 'Clontarf - Hornibrook Esplanade - Segregated Cycle Pathway (Stage 1) (VP211858)' project with tenders closing on the 25 January 2021 with a total of four tenders received, all of which were conforming.

It is recommended that the tender for 'Clontarf - Hornibrook Esplanade - Segregated Cycle Pathway (Stage 1) (VP211858)' project be awarded to The Landscape Construction Company Pty Ltd, for the sum of \$747,816.95 (excluding GST) as this tender represents the best overall value to Council.

This project has received \$390,000 in funding from the State Government's Working for Queensland program.

OFFICER'S RECOMMENDATION

1. That the tender for 'Clontarf - Hornibrook Esplanade - Segregated Cycle Pathway (Stage 1) (VP211858)' be awarded to The Landscape and Construction Company Pty Ltd for the amount of \$747,816.95 (excluding GST).
2. That the Council enters into an agreement with The Landscape Construction Company Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with The Landscape Construction Company Pty Ltd for 'Clontarf - Hornibrook Esplanade - Segregated Cycle Pathway (Stage 1) (VP211858)' 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 The Landscape Construction Company Pty Ltd for the project, Council commits to the provision of an additional \$385,000 in the 20/21 FY quarter three financial review process.

ITEM 3.2 TENDER - CLONTARF - HORNIBROOK ESPLANADE - SEGREGATED CYCLE PATHWAY (STAGE 1) - 61579430 (Cont.)

REPORT DETAIL

1. Background

The project is located on the southern side of the Hornibrook Esplanade, Clontarf. The project includes the construction of a separated 3m wide cycle pathway, new pathway lighting, amendments to the existing pedestrian pathway, on and off ramps, line marking and landscaping. The objective of the project is to create a high-quality separated cycling facility that safely separates pedestrians from high-speed groups of cyclists exiting the Hornibrook Bridge whilst also improving cycling usage.

Construction will commence in April 2021 and is currently programmed to be complete by 30 June 2021.

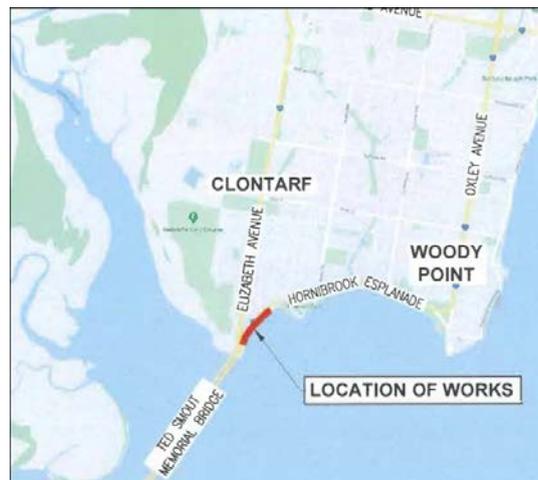


Figure 1: Location of Works

2. Explanation of Item

Tenders for the 'Clontarf - Hornibrook Esplanade - Segregated Cycle Pathway (Stage 1) (VP211858)' project closed on 25 January 2021, with a total of four tenders received all of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	The Landscape Construction Company Pty Ltd	100.00
2	AllenCon Pty Ltd	91.43
3	Ryan Civil Contracting Pty Ltd	91.41
4	Auzcon Pty Ltd	86.31

The Landscape Construction Company Pty Ltd ('TLCC') - submitted a comprehensive and well-presented tender demonstrating relevant similar project experience. A tender clarification meeting was held on 10 February 2021, at which TLCC demonstrated their relevant experience, methodology, understanding of the project and capability in delivering the project by the specified completion date. TLCC provided examples of relevant project experience including Anzac Avenue Concrete Footpath Construction (valued at \$380,000), Caboolture to Wamuran Rail Trail Stage 2 (\$630,000) and Dohles Rocks Road Foreshore Transformation (valued at \$450,000) for Moreton Bay Regional Council.

The tender from TLCC was the lowest price offered and achieved the highest evaluation score. The evaluation panel recommends that the tender from TLCC represents the best overall value offer to Council.

ITEM 3.2 TENDER - CLONTARF - HORNIBROOK ESPLANADE - SEGREGATED CYCLE PATHWAY (STAGE 1) - 61579430 (Cont.)

AllenCon Pty Ltd ('APL') - submitted a comprehensive and well-presented tender demonstrating relevant similar project experience, however there were no additional benefits for the higher price.

Ryan Civil Contracting Pty Ltd ('RCC') - submitted a comprehensive and well-presented tender demonstrating relevant similar project experience, however there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative / Legal Implications

Due to the nature of the work, Council offered the tender for the work through the Vendor Panel system to a Pre-Qualified Civil Construction Panel Arrangement (MBRC008453) in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

The Local Preference Policy was not applied, as the project was procured via a council Civil Construction panel arrangement in line with Council's Procurement policy.

3.4 Risk Management Implications

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

Financial Risk:

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

Construction Risks:

- a. The recommended tenderer will provide a program of works, traffic management plan, safety management plan and environmental plan as part of the contract to identify and detail how they will manage and mitigate project construction risks, this information will be assessed for appropriateness and audited by Council's Project Manager.
- b. The recommended tenderer has demonstrated their understanding of the project and the need to manage the impact of the works on pedestrians and vehicles. The contractor has programmed the works and allowed for appropriate resources to be available to complete the works in the required timeframe
- c. The recommended tenderer has demonstrated their understanding of the requirement for this project to be complete construction by no later than 30th June 2021. Their program of works has taken into consideration the provision of resources to achieve the required completion date.
- d. All permits and approvals required for this project have been obtained during the design phase.
- e. There are no Development Approvals associated with this project.
- f. There are no COVID-19 related impacts identified for this project.

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the 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 - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

ITEM 3.2 TENDER - CLONTARF - HORNIBROOK ESPLANADE - SEGREGATED CYCLE PATHWAY (STAGE 1) - 61579430 (Cont.)

The cost of this project is greater than the budget allocation and is therefore reported to Council for consideration.

3.6 Financial Implications

Council has allocated a total of \$530,000 in the 20/21 Capital Projects Program for the design and construction of this project. This project has received \$390,000 in funding from the State Government's COVID-19 Works for Queensland (W4Q) Program. All financials below are excluding GST.

Design	\$ 85,825.75
Tender Price (Construction this tender)	\$ 747,816.95
Contingency (10%)	\$ 74,781.70
<u>QLLeave (0.575%)</u>	<u>\$ 4,299.95</u>
<u>Total Project Cost</u>	<u>\$ 912,724.35</u>
State Government's W4Q COVID-19 funding	\$ 390,000.00
Net Project Cost	\$ 522,724.35

As a result of the State Government's Working for Queensland (COVID-19) funding program the net cost of the project to MBRC is \$ 522,724.35, compared with a project cost of \$912,724.35 without the funding.

This project was brought forward as a result of the funding program, with very little design work undertaken prior to inclusion in the W4Q program.

Estimated ongoing operational/maintenance costs \$ 2,040.00 per F/Y.

The budget amount for this project is insufficient. To allow this project to continue, and for Council to enter into the agreement with The Landscape Construction Company Pty Ltd for the project, Council commits to the provision of an additional \$385,000 in the quarter three financial review process.

3.7 Economic Benefit Implications

The pathway will attract more active transport users, creating a higher-level pedestrian traffic outside local business.

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 Environmental Management Plan will be monitored by Project Management during the construction phase.

3.9 Social Implications

Improve pedestrian safety by providing a separated provision for cyclists and pedestrians. This will ideally encourage more active transport and ultimately increase pedestrian and cyclist usage which also encourages a healthier community.

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 projects signs displayed on site four weeks prior to construction. Government funding signage will be installed four weeks prior to construction. Weekly email updates will be provided for the Divisional Councillor.

SUPPORTING INFORMATION

Ref: 61621382

The following list of supporting information is provided for:

ITEM 3.2

TENDER - CLONTARF - HORNIBROOK ESPLANADE - SEGREGATED CYCLE PATHWAY (STAGE 1)

Confidential #1 Tender Evaluation

ITEM 3.3

TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: 61631878: 2 February 2021 Refer **Confidential Supporting Information**
61624498
Responsible Officer: PC, Project Engineer (ECM Project Management)

Executive Summary

Tenders were called for the 'MBRC - Sportsfield New Lighting Program - Package 2 (MBRC010505)' project. The tender closed on 22 December 2020 with a total of six tenders received, four of which were conforming.

It is recommended that the tender for 'MBRC - Sportsfield New Lighting Program - Package 2 (MBRC010505)' project be awarded to Australian Sports Lighting Solutions Pty Ltd for the sum of \$741,989 (excluding GST) as this tender represents the best overall value to Council.

The lighting package two program has received a combined funding of \$522,000, with \$280,000 in funding from the State Government's Working for Queensland (W4Q COVID-19) program and \$242,000 from the Federal Government's CDG Program.

OFFICER'S RECOMMENDATION

1. That the tender for 'MBRC - Sportsfield New Lighting Program - Package 2 (MBRC010505)' be awarded to Australian Sports Lighting Solutions Pty Ltd the amount of \$741,989 (excluding GST).
2. That the Council enters into an agreement with Australian Sports Lighting Solutions Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Australian Sports Lighting Solutions Pty Ltd for 'MBRC - Sportsfield New Lighting Program - Package 2 (MBRC010505)' and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That to allow this project to continue, and for Council to enter into the agreement with Australian Sports Lighting Solutions Pty Ltd for the project, Council commits to the provision of an additional \$30,000 in the quarter three financial review process.

ITEM 3.3 TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2 - 61631878 (Cont.)

REPORT DETAIL

1. Background

The project combines two projects at separate sports facilities across the Moreton Bay region due to the similar nature of the works. This is the second of two packages for the 20/21 delivery of the 'Sportsfield Lighting New/Renewal/Upgrade Program'. The scope of works includes the installation of new sportsfield lighting including associated electrical works, civil, structural, control systems and commissioning.

Construction will commence in March 2021 and take 19 weeks to complete which includes allowances for wet weather.

The two projects are as follows:-

108277 Sandstone Point Sports Ground - Sportsfield Lighting

The project is located at Sandstone Point Sports Grounds, Bestmann Road East, Sandstone Point. The project scope includes the construction of new LED sport field lighting and electrical infrastructure for the field. The objective of the project is to install lighting to meet the Australian Standard for training and competition fixtures. In turn this will increase the utilisation of the field and meet the demand for increased participation.

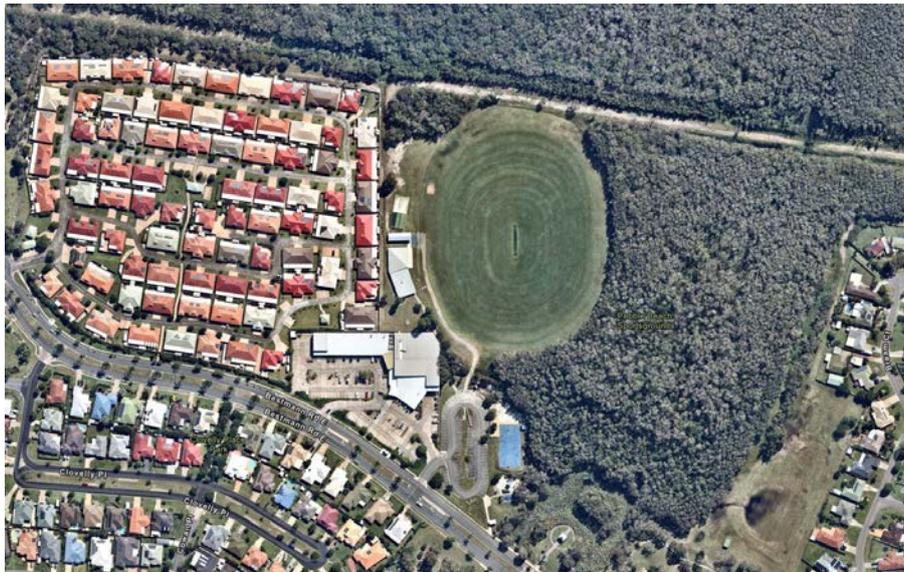


Figure 1 - Sandstone Point Locality Plan

108300 Woody Point - Filmer Park - Cricket Lighting Renewal

The project is located at Filmer Park, Hornibrook Esplanade, Woody Point. The project scope includes the renewal of sportsfield lighting and electrical infrastructure for cricket field 1 (refer Figure 2). The objective of the project is to replace existing poles and upgrade field lighting with additional poles to ensure Australian Standards for training and competition fixtures are met. In turn this will increase the utilisation of the field and meet the demand for increased participation.

ITEM 3.3 TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2 - 61631878 (Cont.)



Figure 2 - Filmer Park Locality Plan

2. Explanation of Item

Tenders for the 'MBRC - Sportsfield New Lighting Program - Package 2 (MBRC010505)' project closed on 22 December 2020 with six tenders received, four of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE (Pre Local Preference)	EVALUATION SCORE (Post Local Preference)
1	Australian Sports Lighting Solutions Pty Ltd	97.27	104.77
2	Main Constructions (Building) Pty Ltd	97.00	104.50
3	T2 Electrical & Data Pty Ltd	94.30	94.30
4	CV Energy Services	84.27	84.27
5	Precision Lighting and Electrical Service Pty Ltd	Non-conforming	Non-conforming
6	Coastal Energy	Non-conforming	Non-conforming

Australian Sports Lighting Solutions Pty Ltd ('ASLS') - submitted a comprehensive and well-presented tender demonstrating relevant similar project experience. A tender clarification meeting was held on 1 February 2021, at which ASLS demonstrated their relevant experience, methodology, understanding of the project and capability in delivering the project. ASLS provided examples of similar projects including - Sunshine Coast Stadium Lighting Upgrade, Sunshine Coast Regional Council (valued at \$2.98M); and Eagle Farm training tracks, Brisbane Racing Club, (valued at \$500,000); and the Laidley Recreation Multi Sports Reserve, Lockyer Valley Regional Council (valued at \$292,000).

ITEM 3.3 TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2 - 61631878 (Cont.)

The tender from ASLS was the lowest priced offer and achieved the highest evaluation score pre and post local preference application. The evaluation panel recommends that the tender from ASLS represents the best overall value offer to Council.

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

T2 Electrical & Data Pty Ltd ('T2') - submitted a comprehensive and well-presented tender, demonstrating their project experience; however, there were no additional benefits for the higher price.

CV Energy Services ('CV') - submitted a comprehensive and well-presented tender, demonstrating their project experience; however, there were no additional benefits for the higher price.

Precision Lighting and Electrical Service Pty Ltd and **Coastal Energy** - submitted non-conforming tenders - did not meet the mandatory tender financial requirements, or included the mandatory tender documentation requirements.

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 - active recreation opportunities.

3.3 Policy Implications

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

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

Tenders were tested against Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

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 successful tenderer was rated 'sound'.

Construction Risks:

- a. The recommended tenderer will provide a program of works, staging plans, traffic management plans, safety management plan, environmental 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 natural environment and surrounding properties to ensure the safety and well-being of all during the works.

ITEM 3.3 TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2 - 61631878 (Cont.)

- 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. 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. At the tender clarification meeting, the recommended tenderer did not raise any COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- e. The project is not impacted by any Development Approvals.
- f. Dilapidation inspections will be conducted prior to works commencing on fields and surrounding areas to record the existing condition of assets and again after construction to record any change.

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the 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 - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

The cost of this project requires an amendment to the budget allocation and is therefore reported to Council for consideration.

3.6 Financial Implications

Council has allocated a total of \$838,000 (\$413,000 for project budget No 108277 and \$425,000 for project budget No 108300) in the Capital Projects Program for these two projects. Council has received \$280,000 (108300) from the State Government's W4Q COVID-19 program, \$150,000 (108277) from Council's LCI Program and \$242,000 (108277) from the Federal Government's CDG Program towards the projects. All financial information provided below is excluding GST.

Design 20/21	\$	46,500.00
Tender Price (Construction)	\$	741,989.00
Contingency (10%)	\$	74,198.90
QLeave (0.575%)	\$	4,266.44
Construction Phase Consultants	\$	1,000.00
Total Project Cost	\$	867,954.34
State Govt's W4Q funding program	\$	280,000.00
Federal Govt's CDG funding program	\$	242,000.00
Net Package Cost	\$	345,954.34

As a result of the State Govt's W4Q program and the Federal Govt's CDG program the net cost of the lighting package to MBRC is \$345,954.34, compared with the package cost of \$ 867,954.34 without the funding. The projects within the package were brought forward one and three years respectively.

Estimated ongoing operational/maintenance costs \$2,620 per F/Y.

The budget amount for this project is insufficient. To allow this project to continue, and for Council to enter into the agreement with Australian Sports Lighting Solutions Pty Ltd for the project, Council commits to the provision of an additional \$30,000 in the quarter three financial review process.

3.7 Economic Benefit Implications

The expected outcome of the project is to install sport field lighting to the applicable Australian Standard to increase the field capacity by allowing access to the fields at night and meeting the demand of increased participation in the sport.

ITEM 3.3 TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2 - 61631878 (Cont.)

3.8 Environmental Implications

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

3.9 Social Implications

The additional lighting will provide capacity for the club to schedule night fixtures and training on fields. The provision of suitable facilities allows the clubs and community to promote healthy lifestyles.

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. Fortnightly email updates will be provided for the Divisional Councillors. The Divisional Councillors have been consulted and are supportive of the projects.

SUPPORTING INFORMATION

Ref: 61621382

The following list of supporting information is provided for:

ITEM 3.3

TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2

Confidential #1 Tender Evaluation

4 PLANNING SESSION

(Cr D Grimwade)

ITEM 4.1

PROPERTY ACQUISITION - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES

Meeting / Session: 4 PLANNING
Reference: 61627998 : 16 February 2021 **Confidential Supporting Information 61628072**
Responsible Officer: HL, Manager Environment and Sustainability Policy and Planning (PL Directorate)

Executive Summary

On 16 September 2020, Council requested officers assess a property for eligibility under Council's Strategic Land Acquisition fund or Council's recently announced *Land Buyback Program for Environmental Purposes Policy 2150-118*.

Detailed field and desktop assessments were undertaken for the property based on the criteria contained within the *Policy - Land Buyback Program for Environmental Purposes (2150-118)*. These include ecological values and integrity, aesthetics and accessibility, cultural heritage, planning constraints and opportunities, threats, and commercial valuations.

The purpose of this report is to seek Council's approval to acquire the property, which is described in confidential supporting information # 1 to this report.

OFFICER'S RECOMMENDATION

1. That Council delegates to the Chief Executive Officer the power to negotiate and finalise the purchase of the property described in confidential supporting information #1 to this report, under the Land Buyback Program for Environmental Purposes (2150-118) Policy.
2. That Council authorises the Chief Executive Officer to do all other things that are necessary to give effect to recommendation 1.

ITEM 4.1 PROPERTY ACQUISITION - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - 61631878 (Cont.)

REPORT DETAIL

1. Background

Following on from the Mayor's announcement during his commencement speech on 29 April 2020, the Planning Division prepared a draft policy for a Land Buyback Program for Environmental Purposes.

On 5 August 2020 Council resolved that Property Services investigate the potential acquisition of a confidential list of the highest-ranked properties nominated.

On 16 September 2020 Council added an additional property to that list based on discussion at the Council meeting.

A Council briefing was conducted on 9 February 2021 for the purpose of sharing information and providing advice/views to 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 the way forward:

The acquisition of Site 5 under the Strategic Land Acquisition Fund be brought to a future General Meeting for consideration.

Following the Council briefing held on 9 February 2021, officers have further reviewed the subject property against the Land Buyback Program for Environmental Purposes Policy and affirm that the property meets the criteria for acquisition under that policy, given its strategic environmental value, being an important riparian and overland ecological corridor.

This report recommends the acquisition of the land referred to as Site 5 in the minutes of the briefing provided above, and hereafter referred to as the **property**. Further information about the property is provided in confidential supporting information #1 to this report.

2. Explanation of Item

The acquisition of the property was investigated as part of the process for evaluating properties for acquisition under the Land Buyback Program for Environmental Purposes. The property is listed for sale as depicted in Figure 5, in confidential supporting information #1 to this report.

Following a detailed assessment of the attributes and condition of the property, acquisition is recommended. Acquisition of the property would improve connectivity between a Council-owned conservation reserve and Council parkland, extending and connecting protected areas. In addition, the detailed assessment identified weed management and revegetation of the property would contribute towards improvements of the riparian values of an important waterway, which borders the property. An investment in weed control and revegetation would be required to enhance these outcomes. The restoration and management costs for this property have been estimated and are outlined in confidential supporting information #1 to this report.

Independent to the Land Buyback Program for Environmental Purposes, acquisition of the property is also supported by the Green Infrastructure Program where the property was identified as having significant ecological value regarding the connectivity of protected areas, as described and depicted in Figure 3 in confidential supporting information #1 to this report.

The acquisition of the property will provide Council with the necessary land to improve connectivity between a Council-owned conservation reserve and Council parkland extending and connecting protected areas. Ecological restoration of the land will contribute to improved conservation values in the locality.

ITEM 4.1 PROPERTY ACQUISITION - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - 61631878 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

The *Local Government Act 2009* provides the head of power for Council to raise funds for the acquisition of land under the Land Buyback Program for Environmental Purposes. The acquisition referred to in this report is by voluntary negotiations and agreement. The acquisition will not be a compulsory acquisition.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Policy - Land Buyback Program for Environmental Purposes (2150-118) guides the expenditure of revenues gathered under the Regional Infrastructure and Environment Charge part (b) to acquire, restore and rehabilitate environmentally significant land to conserve the region's ecological communities and environmental values for the benefit of the community in the present and future.

3.4 Risk Management Implications

There is a risk that property prices could become inflated if the Council's deliberations on acquisition matters are not kept confidential.

3.5 Delegated Authority Implications

Acquisition of properties referred to in this report requires delegation of authority to the CEO to enter into contracts for land acquisition on Council's behalf.

3.6 Financial Implications

Council's 2020/21 revenue statement includes a Regional Infrastructure and Environment Charge to provide the primary funding mechanism for implementation of the *Policy - Land Buyback Program for Environmental Purposes (2150-118)* and associated program.

Subject to the final purchase price being determined of this land, and the outcome of negotiations with other acquisitions currently underway under this program, it is intended that all or part of this site be funded by 2020/21 FY revenue for the Land Buyback Program. In the event that the total cost of acquisitions for all sites exceeds the available funding under this program a further report will be brought forward addressing a proposed a funding approach.

3.7 Economic Benefit Implications

The Council's 2020-21 revenue statement notes that the conservation of environmental land confers a general benefit on all rateable land.

3.8 Environmental Implications

The acquisition of land under the *Policy - Land Buyback Program for Environmental Purposes (2150-118)* and associated program will help restore the Region's ecological communities and environmental values.

3.9 Social Implications

The acquisition of land under the *Policy - Land Buyback Program for Environmental Purposes (2150-118)* and the associated program will help expand the Region's conservation network for the benefit of the community in the present and in future.

3.10 Human Rights Implications

Under the Human Rights Act 2019 (Qld), Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that Council's decision in this circumstance (if it reflects the officer's recommendation) is compatible with (and does not limit) a person's rights because the acquisitions referred to in this report are by voluntary negotiations and agreement.

ITEM 4.1 PROPERTY ACQUISITION - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - 61631878 (Cont.)

3.11 Consultation / Communication

On consultation with Property Services, the property owner granted access to the property by Council officers to conduct environmental evaluations.

Internal Consultation

Environmental Services

Development Services

Integrated Transport Planning and Design

Cultural Services

Strategic Infrastructure and Planning

Community Sports and Recreation

Natural Areas

Property and Commercial Services (Including Herron Todd White valuers)

SUPPORTING INFORMATION

Ref: 61621382

The following list of supporting information is provided for:

ITEM 4.1

PROPERTY ACQUISITION - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES

Confidential #1 Property Acquisition - Land Buyback Program for Environmental Purposes

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

ITEM 5.1

MORETON BAY REGIONAL COUNCIL SCHOLARSHIP PROGRAM - ELIGIBILITY CRITERIA EXPANSION

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: 61617700 : 11 February 2021
Responsible Officer: NS, Coordinator Community Development (Community Services, Sport & Recreation)

Executive Summary

The Moreton Bay Regional Council (MBRC) Scholarship Program provides financial support to eligible students experiencing financial hardship to complete tertiary education studies at the University of the Sunshine Coast (USC). As per the Scholarship Agreement with USC, students must be undertaking their studies at USC's Moreton Bay campus in Petrie to be eligible to apply.

This report recommends that the eligibility criteria for the MBRC Scholarship Program be expanded to include students undertaking eligible studies at either the USC Moreton Bay campus or the USC Caboolture campus.

OFFICER'S RECOMMENDATION

1. That Council approves an amendment to the eligibility criteria of the Moreton Bay Regional Council Scholarship Program, in partnership with the University of the Sunshine Coast, to include those students commencing eligible undergraduate study at USC's Caboolture campus.
2. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that University of the Sunshine Coast is the only supplier who is reasonably available for the provision of the Moreton Bay Scholarship Program.
3. That Council enters into a variation of the three-year (2020 - 2022) Scholarship Agreement with the University of the Sunshine Coast as outlined in this report.
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 variation of the Scholarship Agreement and any further required variations of eligibility criteria of the Moreton Bay Council Scholarship Program and the Scholarship Agreement on the Council's behalf, as described in this report.

*ITEM 5.1 MORETON BAY REGIONAL COUNCIL SCHOLARSHIP PROGRAM - ELIGIBILITY CRITERIA
EXPANSION - 61631878 (Cont.)*

REPORT DETAIL

1. Background

The following resolution appears on Minute Page 19/197 of the General Meeting of Council held 26 February 2019:

Ex. Coordination Committee Meeting held 26 February 2019 (MP 19/214)

COMMITTEE RECOMMENDATION

1. That Council approve the establishment of a Moreton Bay Regional Council Scholarship Program in partnership with the University of the Sunshine Coast.
2. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that University of the Sunshine Coast is the sole supplier who is reasonably available for the provision of the Moreton Bay Scholarship Program.
3. That Council enter into a three-year (2020 - 2022) Scholarship Agreement with the University of the Sunshine Coast.
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 Scholarship Agreement and any required variations of the Scholarship Agreement on the Council's behalf, as described in this report.

The MBRC Scholarship Program provides for eight scholarships per annum in the years of 2020, 2021 and 2022. Each scholarship is for \$8,000 per year and is provided for the normal duration of the recipient's undergraduate degree, up to a maximum of five years of full-time study (\$40,000).

2. Explanation of Item

USC has two locations in the Moreton Bay Region; USC Caboolture campus and USC Moreton Bay campus. USC's Moreton Bay campus offers the vast majority of undergraduate degree courses available within the Moreton Bay Region (Eg. Business, Creative Industries, Education and Engineering degrees), however the Caboolture campus also offers degree level courses (Eg. Bachelor of Nursing Science).

Following Council's decision to establish the MBRC Scholarship Program in February of 2019, Council entered into a Scholarship Agreement with USC. This agreement, amongst other things, established the criteria that scholarship applicants must meet to be eligible for consideration under the program. The agreement sets out that applicants must:

- be full-time commencing undergraduate student undertaking study at USC's Moreton Bay campus in either a single or double degree;
- be a resident of the Moreton Bay Region for a minimum of two years immediately prior to, and at the time of, the application;
- have been out of school for a maximum of two academic years prior to the academic year they commence at USC's Moreton Bay campus;
- achieve an OP1 - 10 or ATAR equivalent 99-77.35
- demonstrate financial need;
- be a permanent resident of Australia, Australian citizen, New Zealand citizen or a permanent Australian Humanitarian Visa holder; and
- not be seeking to transfer credit from an undergraduate bachelor level program from any Higher Education provider.

Only applicants commencing undergraduate study at USC's Moreton Bay campus are eligible to apply for a scholarship under the program. Students undertaking study at the Caboolture campus are currently ineligible.

ITEM 5.1 MORETON BAY REGIONAL COUNCIL SCHOLARSHIP PROGRAM - ELIGIBILITY CRITERIA EXPANSION - 61631878 (Cont.)

The overarching objective of the MBRC Scholarship Program is to support eligible residents of the Moreton Bay Region that, due to economic barriers, may otherwise be unable to engage in or sustain tertiary studies within the region. In line with this objective, an opportunity has been identified for Council to broaden the eligibility criteria of the MBRC Scholarship Program to include those residents commencing eligible undergraduate studies at either the Caboolture campus or the Moreton Bay campus from 2022. Such a change would enable eligible residents seeking to undertake studies in fields such as Nursing Science at the Caboolture campus the ability to be considered for support under the program.

Consultation with USC representatives have confirmed that, should Council be supportive, USC would have no objection to the proposed eligibility criteria amendment, as detailed in this report.

3. Strategic Implications

3.1 Legislative / Legal Implications

In accordance with section 235(a) of the Local Government Regulation 2012, the Council may, by resolution, enter into a contract without complying with section 225 (Medium-sized contractual arrangement - quotes required) of the Regulation. Such a resolution can only be passed if the Council is satisfied that there is only one supplier reasonably available for the supply of the services.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: A place where people of all ages have easy access to education and training opportunities.

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

Nil identified

3.5 Delegated Authority Implications

Recommendation 4 of this report proposes that the CEO be delegated the power to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the variation of the Scholarship Agreement and any further required variations of eligibility criteria of the Moreton Bay Council Scholarship Program and the Scholarship Agreement on the Council's behalf, as described in this report.

3.6 Financial Implications

The expansion of the MBRC Scholarship Program eligibility criteria to include students studying of the Caboolture campus will not require any additional program funding. ie. The program will remain limited to the provision of eight scholarships annually throughout the duration of the program.

3.7 Economic Benefit Implications

The Regional Economic Development Strategy (REDS) 2020-2041 sets a new direction for economic growth. The REDS acknowledges that the region has pockets of significant socio-economic disadvantage and states the importance of providing alternative life paths for these residents, leading to increased levels of education, skills, employment and income so that all residents benefit from the new direction for economic growth. The MBRC Scholarship Program contributes to achieving this strategic objective.

It is also noted that the Caboolture campus offers the Bachelor of Nursing Science degree. Deloitte Access Economics (2018, *The future of work Occupational and education trends in nursing in Australia*) projected that demand for registered nurses is expected to grow by 41,000 people in Australia over the following five years, at an annual growth rate of 2.9%. This indicated that nursing will continue to be a strong employment sector.

3.8 Environmental Implications

Nil identified

ITEM 5.1 MORETON BAY REGIONAL COUNCIL SCHOLARSHIP PROGRAM - ELIGIBILITY CRITERIA EXPANSION - 61631878 (Cont.)

3.9 Social Implications

The Moreton Bay Region's higher education rate is approximately half the national average. Furthermore, according to the Australian Bureau of Statistics students living in low socio-economic areas are significantly less likely to complete Year 12 studies and engage in higher education.

With education attainment being one of the primary factors influencing the socio-economic profile of a community, expanding the eligibility criteria to include USC Caboolture will provide a direct and tangible contribution to improving the levels of education in the local community. It helps to create local and affordable access to higher education in vulnerable communities.

The expansion of the MBRC Scholarship Program to Caboolture campus students will also increase equity for local residents wanting to study within the Moreton Bay Region and subsequently improve affordability of higher education to a broader group.

3.10 Human Rights Implications

Under the *Human Rights Act 2019 (QLD)*, Council must not make a decision which is incompatible with human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that there are no human rights implications relevant to Council's decision.

3.11 Consultation / Communication

External

- USC - Greg Bradley, Manager Donor Programs

Internal

- All Councillors (Council Briefing 17 February 2021)

ITEM 5.2
NEW LEASE - PINE HILLS HOCKEY CLUB INC

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: 61590439 : 21 January 2021 - **Refer Supporting Information 61590438**
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 Pine Hills Hockey Club Inc. over a clubhouse building at James Drysdale Reserve, 2 Pine Hills Drive, Bunya - Division 10 (refer to Supporting Information #1). The proposed lease will take effect following Pine Hills Dirt Racing Inc. surrendering its existing lease over the subject building.

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendations 3 and 4, Pine Hills Hockey Club Inc be granted a lease over an area at James Drysdale Reserve, 2 Pine Hills Drive, Bunya (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 grant of this lease is subject to Pine Hills Dirt Racing Inc. surrendering its existing lease over the clubhouse building at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.2 NEW LEASE - PINE HILLS HOCKEY CLUB INC - 61631878 (Cont.)

REPORT DETAIL

1. Background

Since 2007, Pine Hills Dirt Racing Inc. (Dirt Racing Club) has held tenure over a clubhouse building at James Drysdale Reserve, Bunya (refer Supporting Information #1) for the purpose of operating a dirt racing club. The clubhouse is also utilised by Pine Hills Netball Club Inc. (Netball Club) and Pine Hills Hockey Club Inc. (Hockey Club) to support their club operations.

In late 2020, following liaison with the facility users, it was identified that the Hockey Club are the predominant user of the clubhouse building. Further, the Hockey Club currently holds the electrical account and has been responsible for developing and implementing a Memorandum of Understanding for use and maintenance of the clubhouse by the three resident clubs.

With consideration to the current utilisation of the facility and the existing management practices, a new tenure model for the clubhouse is proposed for implementation. This model would see:

- The existing lease to the Dirt Racing Club over the clubhouse surrendered by the group;
- A new lease provided to the Hockey Club over the clubhouse;
- A shared use agreement established between the Hockey Club and the Dirt Racing Club providing shared use of the clubhouse; and
- A shared use agreement established between the Hockey Club and the Netball Club providing shared use of the clubhouse.

Consultation with all three clubs has confirmed their support for the proposed new tenure model.

Other existing tenure arrangements between Council and the three clubs (refer Supporting Information #1) will remain unchanged. These include:

- The Dirt Racing Club retaining tenure over the track and ancillary structures;
- The Hockey Club retaining tenure of its existing storage areas and sports fields; and
- The Netball Club retaining tenure over the court surfaces.

2. Explanation of Item

To implement the new tenure model at this location, Council will need to provide the Hockey Club with a lease over the clubhouse building (refer Supporting Information #1). This lease will be subject to the Dirt Racing Club surrendering its existing lease over the clubhouse, and the establishment of shared use agreements by the Hockey Club with both the Dirt Racing Club and the Netball Club.

Accordingly, this report recommends that Council approves the granting of a lease, as described in this report, to Pine Hills Hockey Club Inc. over the area identified in Supporting Information #1. Further, it is recommended that the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, and for a period of five years.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

Moreton Bay Regional Council

ITEM 5.2 NEW LEASE - PINE HILLS HOCKEY CLUB INC - 61631878 (Cont.)

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

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

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

The provision of a lease to Pine Hills Hockey Club Inc. will provide the organisation with the facilities to support its operations, whilst also supporting the needs of other resident clubs.

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 this report.

3.11 Consultation / Communication

Pine Hills Hockey Club Inc.
Pine Hills Dirt Racing Inc.
Pine Hills Netball Club Inc.
Cr. Matt Constance (Division 10)

SUPPORTING INFORMATION

Ref: 61590438

The following list of supporting information is provided for:

ITEM 5.2

NEW LEASE - PINE HILLS HOCKEY CLUB INC

#1 James Drysdale Reserve - Pine Hills Hockey Club Inc - Current and proposed lease and permit areas

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 6.1

MONTHLY FINANCIAL REPORTING PACKAGE - 31 JANUARY 2021

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: 61617061: 11 February 2021 - **Refer Supporting Information 61610167**
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 31 January 2021.

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 31 January 2021 be received.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 31 JANUARY 2021 - 61617061 (Cont.)

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 31 January 2021 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 year to date Financial report as at the end of January 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 October which is shown alongside the original adopted budget in the report where applicable.

Operating Result (page 1)

As at 31 January 2021 operating revenue was \$360.2 million compared to operating expenses of \$262.1 million thus representing an operating surplus of \$98.1 million, which is largely in line with expectations.

Operating Revenues (page 1)

The third quarter rates and utility charges were levied in late December. Rates and utility charges represent the bulk of the revenue recognised thus far being \$248.2 million equating to approximately 76% of the budgeted rate and utility charge revenue for the year.

Fees and Charges revenue was budgeted on the conservative side with expected decreases resulting from the COVID 19 pandemic, however this has not eventuated with revenues derived from building, plumbing, development and waste services performing above original budget targets.

Interest revenue is tracking as expected.

Operational grants and subsidies are tracking below budget, entirely due to the timing of when grants are received. The Financial Assistance Grant represents 75% of all the operational grants Council receives and is paid quarterly. The bulk of this grant will be paid in May/June 2021 and will represent an early payment of the 2021/22 grant allocation.

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.

Operational Expenses (page 1)

Employee benefits are tracking to budget.

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

Depreciation expenses and finance costs are tracking to budget.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 31 JANUARY 2021 - 61617061 (Cont.)

Capital Revenue (page 1)

Infrastructure cash contributions from developers has exceeded the budget after the first seven months. In total \$32.3 million has been received to date against a budget \$30 million.

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 tracking just under the budget, entirely due to the timing of when grants are received.

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. This is reflected in the movement of the orange revenue line from July to January as it moves closer to the linear trend.

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 \$103.5 million after the first seven months of 2020/21 and represents 41.53% 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 \$103.5 million, there are committed costs (orders placed for works) in the amount of \$89.9 million bringing the total cost to \$193.4 million of the current \$249 million program (77.7% of the capital program committed).

The associated *capital expenditure progress % to date by portfolio program* graph tracks the percentage spend by portfolio program compared to the budget to date. The orange line represents the year to date budget at 58% highlighting the linear budget spend to January 2021. Variations across the programs are normal as capital project delivery is not linear in nature so timing differences are expected.

Balance Sheet and Cash Flow (page 6)

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

The Cash flow statement indicates a closing cash balance in the amount of \$347.9 million for January. The forecast for the end of June 2021 is currently \$251 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 \$1.9 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 0.82%.

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 \$288 million of cash at call with the remaining \$60 million maturing over next 3 to 12 months.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 31 JANUARY 2021 - 61617061 (Cont.)

The QIC Growth Fund is currently valued at \$112 million as at the end of January. Council originally invested \$100 million in this fund in June 2018.

Council's total debt position has decreased (\$370m to \$352m) as repayments were made in September and December. 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 be reviewed as part of the quarter 2 budget review.

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.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

As at the end of January 2021, Council's operating surplus is \$98.1 million while capital expenditure amounted to \$103.5 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

SUPPORTING INFORMATION

Ref: [61610167](#)

The following list of supporting information is provided for:

ITEM 6.1

MONTHLY FINANCIAL REPORTING PACKAGE - 31 JANUARY 2021

#1 Monthly Financial Reporting Package

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

Consideration of notified general business items (including reports on significant regional achievements) or responses to questions taken on notice.

14. 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.

RESOLUTION to move into closed session to discuss confidential matters.

Motions, other than procedural motions, cannot be moved in closed session.

RESOLUTION to reconvene in open session to decide those matters discussed whilst in closed session.

14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

No items for consideration.

14b. CONFIDENTIAL GENERAL BUSINESS

No notified items for consideration.



MINUTES

GENERAL MEETING

Wednesday 17 February 2021
commencing at 9.33am

Strathpine Chambers
220 Gympie Road, Strathpine

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 concerns associated with the public health emergency involving COVID-19.

Accordingly, this meeting is physically closed to the public.

However, the meeting will be live-streamed via a link on Council's website
(access to the link will be available immediately prior to the meeting)

Membership = 13
Mayor and all Councillors

UNCONFIRMED

LIST OF ITEMS

1.	ACKNOWLEDGEMENT OF COUNTRY	86
2.	OPENING PRAYER / REFLECTION	86
3.	ATTENDANCE & APOLOGIES	86
4.	MEMORIALS OR CONDOLENCES	86
5.	CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING	87
	General Meeting - 3 February 2021 (Pages 21/37 - 21/73)	87
	<i>RESOLUTION</i>	
6.	PRESENTATION OF PETITIONS	87
	<i>(Addressed to the Council and tabled by Councillors)</i>	
6.1.	Petition: Deborah Harrison - Requirement for a pedestrian crossing in Nathan Road, Kippa-Ring (61590227, 61590208)	
7.	CORRESPONDENCE	87
8.	COMMUNITY COMMENT	88
9.	NOTICES OF MOTION (Repeal or amendment of resolutions)	88
	<i>(s262 of the Local Government Regulation 2012)</i>	
10.	CONFLICTS OF INTEREST NOTIFIED TO THE CEO	88
10.1.	Cr Darren Grimwade - matters relation to 1796722 DA/5865/2011/PRE 7/12/2020 - Strathpine	
	<i>Declarable Conflict of Interest - Cr Darren Grimwade</i>	88
11.	OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)	88
	<i>(as referred by the Chief Executive Officer)</i>	
1	GOVERNANCE & ENGAGEMENT SESSION (Cr P Flannery, Mayor)	89
2	INFRASTRUCTURE PLANNING SESSION (Cr A Hain)	90
	ITEM 2.1	90
	REDCLIFFE COMMUNITY AND SPORTS CENTRE BUILDING RENEWAL - ADMIN HUB RENEWAL	
	<i>RESOLUTION</i>	
	REPORT DETAIL	
3	ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION (Cr C Tonks - Proxy)	95
	ITEM 3.1 - DECLARATION OF INTEREST	95
	<i>Conflict of Interest (Previously Notified) - Cr Darren Grimwade - Telstra Corporation Limited</i>	95
	ITEM 3.1	95

SOLE SUPPLIERS - RELOCATION OF SERVICE PROVIDER INFRASTRUCTURE	
RESOLUTION	
REPORT DETAIL	
4 PLANNING SESSION (Cr D Grimwade)	100
ITEM 4.1	100
LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - PRIORITY ACQUISITION LIST ANALYSIS	
RESOLUTION	
REPORT DETAIL	
5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION (Cr M Gillam)	105
ITEM 5.1	105
SOLE SUPPLIER - ANYWHERE THEATRE FESTIVAL LIMITED	
RESOLUTION	
REPORT DETAIL	
6 FINANCE & CORPORATE SERVICES SESSION (Cr M Constance)	108
ITEM 6.1	108
AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 2 BUDGET REVIEW	
RESOLUTION	
REPORT DETAIL	
12. NOTIFIED GENERAL BUSINESS ITEMS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE	112
ITEM 12.1	112
TABLING OF E-PETITIONS	
RESOLUTION	
ITEM 12.2	112
REGIONAL EVENTS	
13. CLOSED SESSION	112
<i>(s254J of the Local Government Regulation 2012)</i>	
14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL	112
14b. CONFIDENTIAL GENERAL BUSINESS	112
14. CLOSE	113

1. ACKNOWLEDGEMENT OF COUNTRY

Cr Mick Gillam provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Cr Mick Gillam provided the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

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

Officers:

Chief Executive Officer	(Mr Greg Chemello)
Deputy CEO/Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Finance & Corporate Services	(Ms Donna Gregory)
Director Infrastructure Planning	(Mr Andrew Ryan)
Director Planning	(Mr David Corkill)
Manager Strategy & Engagement	(Mr Joshua O'Keefe)

Apologies:

Cr Brooke Savige who is representing Council at the Pumicestone Catchment Convergence 2021 conference.

4. MEMORIALS OR CONDOLENCES

Cr Gilliam made mention of **Mrs Nola Rauber** who passed away recently, aged 75.

Nola was the wife of John Rauber, a former Pine Rivers Shire Council director and previous Chief Executive Officer of the Moreton Bay Regional Council.

Cr Gillam conveyed his condolences to Nola's family noting that her funeral would be held Monday 22 February 2021.

4. Memorials or Condolences cont'd

Cr Gillam also noted the recent passing of **John William Hayes** who passed away on Wednesday 3 February 2021. John was a long-term employee of the former Pine Rivers Shire Council commencing in 1973 as Deputy Shire Engineer and on his retirement in 2001 he held the position of Works Director.

Cr Gillam described John as an 'old-school gentleman' who was well liked and respected - as was witnessed by attendance of more than 50 former Pine Rivers staff members, Councillors and the last Pine Rivers Shire Council Mayor attending his funeral service.

Cr Gillam expressed his condolences to John's family and friends noting that he will be sadly missed by many in the community.

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

5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 3 February 2021 (Pages 21/37 - 21/73)

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Cath Tonks

CARRIED 12/0

That the minutes of the General Meeting held 3 February 2021, be confirmed.

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

6.1. Petition: Deborah Harrison - Requirement for a pedestrian crossing in Nathan Road, Kippa-Ring (61590227, 61590208)

Cr Sandra Ruck tabled a petition including an e-petition, containing 15 hard-copy and 421 electronic signatures, received from Deborah Harrison reading as follows:

"There is an URGENT requirement to have a pedestrian crossing in Nathan Road, Kippa Ring. Although the road is a 40 zone there is many cars that speed through this area. School children are navigating a busy road to cross. We the community request that the crossing includes a traffic calming effect that will help also allow the traffic from Morris Road to turn Right into Nathan Road and slow down the oncoming traffic. There are many concerned parents that feel due to the increased volume of traffic they fear for the safety of the children when they cross. The infrastructure upgrade of the curb, road and walkways were not completed when the Tigers football fields were completed. Many parents have opted to drive their children to school and not walk or ride which does not encourage a healthy lifestyle and reduction in traffic congestion on our roads. We request an Urgent even if temporary solution to this problem." [sic]

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. 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)

There are no Notices of Motion for this meeting.

10. CONFLICTS OF INTEREST NOTIFIED TO THE CEO

Conflicts of interest notified to the CEO where not specifically related to an item on this agenda

10.1. Cr Darren Grimwade - matters relation to 1796722 DA/5865/2011/PRE 7/12/2020 - Strathpine

Cr Darren Grimwade having notified the Chief Executive Officer, made the following declarable conflict 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 matters relating to 1796722 DA/5865/2011/PRE 7/12/2020 - Strathpine, for which a request for a pre-lodgement has been made. Cr Grimwade is a friend of Robert Comiskey, son of Paul Comiskey, the owner of the land the subject of the application.

Cr Grimwade has indicated he will not participate in decisions relation to 1796722 DA/5865/2011/PRE 7/12/2020 including discussion, debate and voting and will elect to leave future meetings.

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

No items for consideration.

UNCONFIRMED

2 INFRASTRUCTURE PLANNING SESSION**(Cr A Hain)**

ITEM 2.1**REDCLIFFE COMMUNITY AND SPORTS CENTRE BUILDING RENEWAL - ADMIN HUB RENEWAL**

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: 61570058 : 5 February 2021 - Refer **Confidential Supporting Information 61574177**
Responsible Officer: MK, Building and Facilities Planning Manager (IP Building and Facilities Planning)

Executive Summary

Tenders were invited for the “Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)” project. The tender closed on 15 December 2020 with a total of one tender received which was deemed conforming.

This report is being submitted to Council as a further financial commitment is required by Council to allow the project to proceed.

It is recommended that Council awards the primary contract for the “Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)” to Kimini Constructions Pty Ltd, for the sum of \$269,645.29 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

RESOLUTION

Moved by Cr Tony Latter**Seconded by Cr Mick Gillam****CARRIED 12/0**

1. That the tender for “Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)” be awarded to Kimini Constructions Pty Ltd for \$269,645.29 (excluding GST).
2. That Council enters into an agreement with Kimini Constructions Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Kimini Constructions Pty Ltd for “Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)” 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 Kimini Constructions Pty Ltd for the project, Council commits to the provision of an additional \$65,000 in the Quarter three financial review process.

ITEM 2.1 REDCLIFFE COMMUNITY AND SPORTS CENTRE BUILDING RENEWAL - ADMIN HUB RENEWAL - 61570058 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for "Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)" be awarded to Kimini Constructions Pty Ltd for \$269,645.29 (excluding GST).
2. That Council enters into an agreement with Kimini Constructions Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Kimini Constructions Pty Ltd for "Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)" 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 Kimini Constructions Pty Ltd for the project, Council commits to the provision of an additional \$65,000 in the Quarter three financial review process.

REPORT DETAIL

1. Background

The "Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)" project is located within Encircle Redcliffe Neighbourhood Centre, at 1 Lamington Drive, Redcliffe, QLD 4020, as shown in Figure 1.



Figure 1 - Location of Works

The Redcliffe Neighbourhood Centre provides essential support services to the community. It was identified that the back-administration hub of the building flooded during significant rain events, causing the space to be unusable by staff. An engineering inspection carried out by FSA Consulting Engineers identified that the cause of the water ingress was due to a failing retaining wall between the trotting oval and the back of the building.

An architect and engineer were then engaged to undertake the detail design of the demolition and reconstruction of the back-administration hub.

ITEM 2.1 REDCLIFFE COMMUNITY AND SPORTS CENTRE BUILDING RENEWAL - ADMIN HUB RENEWAL - 61570058 (Cont.)

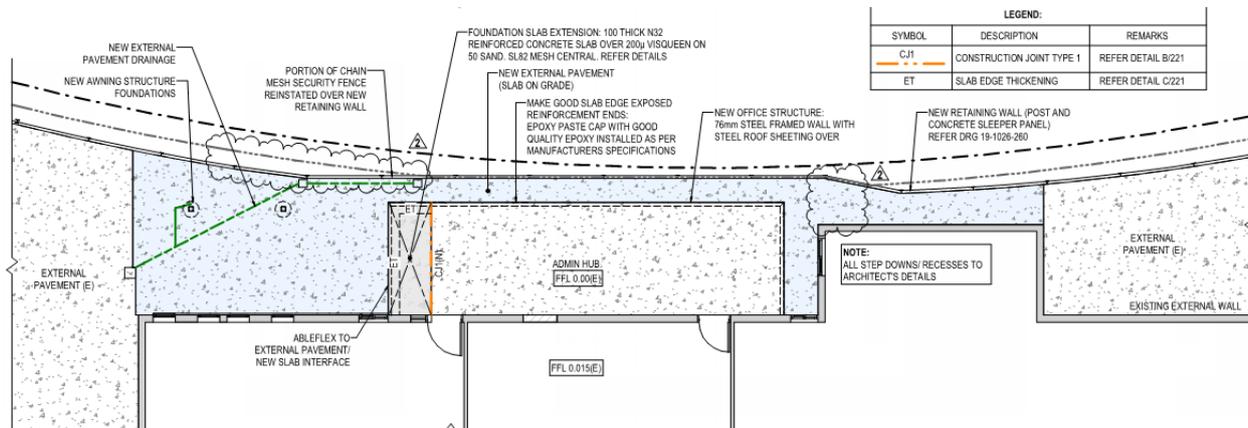


Figure 2 - Proposed Works Plan

The reconstruction will include a roof with a greater pitch angle and revised drainage to assist with moving the water away from the building. The failed retaining wall will also be replaced to ensure that water does not enter the back-patio area from the trotting oval, as outlined in Figure 2.

Works will be of 19 weeks' duration, excluding allowance for wet weather. Works have been scheduled to commence onsite in late February 2021, with completion by late June 2021.

2. Explanation of Item

Tenders for the "Redcliffe Community and Sports Centre Building Renewal - Admin Hub Renewal (MBRC010401)" project closed on 15th December 2020 with one tender received, which was deemed 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.

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

Rank	Tenderer	Evaluation Score (Pre-Local Preference)	Evaluation Score (Post-Local Preference)
1	Kimini Constructions	100.00	115.00

Kimini Constructions submitted a tender which extensively covered all evaluation criteria and all mandatory criteria. This included a detailed methodology and strategy, Gantt chart, and details of 3 previous relevant projects. One project included works for Moreton Bay Regional Council (MBRC), which demonstrates that Kimini Constructions have experience working with the Council. The other two projects included office refurbishments which showed that Kimini Constructions have experience with similar projects. Kimini Constructions attended a clarification meeting which was held on the 8th of January 2020. Kimini Constructions confirmed, all aspects of their tender which MBRC enquired about, including their proposed schedule of works. They also confirmed that they understood all points raised in the MBRC standard document: "Tender Clarification Meeting Agenda - AS2124".

Kimini Constructions have provided a Gantt Chart which indicates that they can complete the works in 19 weeks, excluding wet weather allowance. Kimini Constructions submission was considered by the evaluation panel to provide value for money to Council.

The tender received was compared with the pre-tender Quantity Surveyor (QS) estimate for the project. The tender received is fairly in line with the QS estimate as per below:

Pre-Tender Estimate:	Tendered Price:	Percentage Difference:
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ITEM 2.1 REDCLIFFE COMMUNITY AND SPORTS CENTRE BUILDING RENEWAL - ADMIN HUB RENEWAL - 61570058 (Cont.)

\$218,156.00 (Excl GST)	\$269,645.29 (Excl GST)	23.6%
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The difference between the pre-tender estimate and tendered price could be for several reasons. Firstly, there were significant access issues identified during the tender process, in order to maintain the operability for the Men's Shed, Neighbourhood Centre and for the Showgrounds Society. As a result, the contractor had to allow for extra equipment and machinery which was not picked up by the pre-tender estimate.

As well as this, due to the recent COVID-19 related Federal and State Government funding programs, the building industry has become flooded with projects. As a result, contractors can select which projects to tender for, or may not be able to quote due to commitments to complete other works.

A financial assessment was conducted for Kimini Constructions Pty Ltd on the 24th of November 2020 for a contract with a significantly larger value than this project. The result of the report was a score of 6.41 which reflected a sound outcome. The full VEDA assessment has been attached in the supporting confidential documents of this report.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

3.4 Risk Management Implications

The project risk has been assessed and the following issues identified, with risk mitigation treatments identified, as outlined below:

Construction Risks:

- a. The recommended contractor will provide a detailed program of works, a staging plan, site specific traffic management, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location.

Wet weather delays

The tender document required tenderers to include an allowance for inclement weather within their tendered construction time line. The allowance is based upon the Bureau of Meteorology Rainfall Graph for the Brisbane area. The contractor has provided an initial program of works with an inclusion of estimated wet weather days for the months of February to May.

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

ITEM 2.1 REDCLIFFE COMMUNITY AND SPORTS CENTRE BUILDING RENEWAL - ADMIN HUB RENEWAL - 61570058 (Cont.)

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the 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 - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

The cost of this project is greater than the budget allocation requiring a budget amendment, and is therefore reported to Council for consideration.

3.6 Financial Implications

Council has allocated \$293,000 in this financial year for the Redcliffe Community and Sports Centre - Clubhouse Renewal. Currently \$54,623.53 has been spent on design and the renewal of the roof at the front section of the building. This leaves \$238,376.47 for the construction and demolition of the back-administration hub in this financial year.

Renewal of Roof	\$54,623.53
Adjusted Tender Price (Construction)	\$269,645.29
Contingency (10%)	\$26,964.53

Total Project Cost	\$351,233.35
	=====
Estimated ongoing operational/maintenance costs	\$2,900 per F/Y.

This project will be debited to job/project number 107883.907.22004.

The budget amount for this project is insufficient. To allow this project to continue, and for Council to enter into the agreement with Kimini Constructions Pty Ltd, Council will need to commit to the provision of an additional \$65,000 in the quarter three financial review process.

3.7 Economic Benefit Implications

Kimini Constructions Pty Ltd are a local contractor based in Brendale. Undertaking this project will provide local economic benefits within the Moreton Bay Region.

3.8 Environmental Implications

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

3.9 Social Implications

The social implications for this project in relation to the Council are positive. By renewing this building, Council will be providing Encircle with better facilities for their staff to provide support services for the community.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Building & Facilities Planning will be in continuous communication with the Principal Contractor. Communication strategies include weekly site visits to gather updates from the contractor. In addition to this, the relevant stakeholders will be given consistent updates on the projects progress which can then be passed on to the community. The site will be set up to minimise the impact on the functionality of the Neighbourhood Centre, to ensure they can continue to provide their essential services to the community.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION (Cr C Tonks - Proxy)

ITEM 3.1 - DECLARATION OF INTEREST

Conflict of Interest (Previously Notified) - Cr Darren Grimwade - Telstra Corporation Limited

Cr Darren Grimwade referred to a previously declared conflict of interest (General Meeting 25 November 2020) in relation to Telstra Corporation Limited who is a recommended supplier for this item.

As previously decided by Council, Cr Grimwade is permitted to participate in any decisions relating to Telstra including discussion, debate and voting on matters in the public interest.

Cr Grimwade remained in the meeting.

**ITEM 3.1
SOLE SUPPLIERS - RELOCATION OF SERVICE PROVIDER INFRASTRUCTURE**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE

Reference: 61248382 : 1 February 2021

Responsible Officer: LP, Manager Project Management (ECM)

Executive Summary

Under section 235(a) of the Local Government Regulation 2012, Council may enter into a contract with a supplier without first inviting quotes or tenders, if it is satisfied that there is only one supplier who is reasonably available. Due to the nature of some services that Council procures, there is sometimes only one supplier who is reasonably available to Council.

This report recommends that Council resolves that it is satisfied that the suppliers set out in this report are the only suppliers reasonably available to deliver the relevant services listed.

This matter is reported to Council as section 235(a) of the Local Government Regulation 2012 requires Council resolution regarding sole supplier arrangements.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Adam Hain

CARRIED 12/0

1. That in accordance with s235(a) of the Local Government Regulation 2012, Council is satisfied that the below suppliers are the only suppliers reasonably available to deliver the relevant service:

	Supplier	Service
1.	Energex Limited - ABN 40 078 849 055 (Energex)	Construction services for non-contestable works / alterations on Energex's infrastructure (electrical) in Council's Region.
2.	Unitywater (Northern SEQ Distributor - Retailer Authority) - ABN 89 791 717 472 (Unitywater)	Construction services for non-contestable works / alterations on Unitywater's infrastructure (water and sewer trunk) in Council's Region.

ITEM 3.1 SOLE SUPPLIERS - RELOCATION OF SERVICE PROVIDER INFRASTRUCTURE - 61248382 (Cont.)

3.	NBN Co Limited - ABN 86 136 533 741 (NBN Co)	Construction services for non-contestable works/alterations on NBN Co's infrastructure (telecommunications) in Council's Region.
4.	Telstra Corporation Limited - ABN 33 051 775 556 (Telstra)	Construction services for non-contestable works/alterations on Telstra's infrastructure (telecommunications) in Council's Region.
5.	TPG Telecom Limited - ABN 76 096 304 620 (TPG)	Construction services for non-contestable works/alterations on TPG's infrastructure (telecommunications) in Council's Region.
6.	Australian Pipeline Limited - ABN 99 091 344 704 (APA Group)	Construction services for non-contestable works/alterations on APA Group's infrastructure (gas) in Council's Region.
7.	Singtel Optus Pty Limited - ABN 90 052 833 208 (Optus)	Construction services for non-contestable works/alterations on Optus' infrastructure (telecommunications) in Council's Region.

2. That the Chief Executive Officer be authorised to negotiate, make, amend, sign, vary and discharge agreements with the suppliers listed in paragraph 1 for the services listed in paragraph 1, on Council's behalf.
3. That Council notes that the Chief Executive Officer may only enter into contracts with suppliers for services if the conditions of existing delegation Council-163 are satisfied. That delegation includes a condition that the Chief Executive Officer will report details of any contract entered into in excess of \$500,000 (if any) to Council on a quarterly basis.

ITEM 3.1 SOLE SUPPLIERS - RELOCATION OF SERVICE PROVIDER INFRASTRUCTURE - 61248382 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with s235(a) of the Local Government Regulation 2012, Council is satisfied that the below suppliers are the only suppliers reasonably available to deliver the relevant service:

	Supplier	Service
1.	Energex Limited - ABN 40 078 849 055 (Energex)	Construction services for non-contestable works / alterations on Energex's infrastructure (electrical) in Council's Region.
2.	Unitywater (Northern SEQ Distributor - Retailer Authority) - ABN 89 791 717 472 (Unitywater)	Construction services for non-contestable works / alterations on Unitywater's infrastructure (water and sewer trunk) in Council's Region.
3.	NBN Co Limited - ABN 86 136 533 741 (NBN Co)	Construction services for non-contestable works/alterations on NBN Co's infrastructure (telecommunications) in Council's Region.
4.	Telstra Corporation Limited - ABN 33 051 775 556 (Telstra)	Construction services for non-contestable works/alterations on Telstra's infrastructure (telecommunications) in Council's Region.
5.	TPG Telecom Limited - ABN 76 096 304 620 (TPG)	Construction services for non-contestable works/alterations on TPG's infrastructure (telecommunications) in Council's Region.
6.	Australian Pipeline Limited - ABN 99 091 344 704 (APA Group)	Construction services for non-contestable works/alterations on APA Group's infrastructure (gas) in Council's Region.
7.	Singtel Optus Pty Limited - ABN 90 052 833 208 (Optus)	Construction services for non-contestable works/alterations on Optus' infrastructure (telecommunications) in Council's Region.

2. That the Chief Executive Officer be authorised to negotiate, make, amend, sign, vary and discharge agreements with the suppliers listed in paragraph 1 for the services listed in paragraph 1, on Council's behalf.
3. That Council notes that the Chief Executive Officer may only enter into contracts with suppliers for services if the conditions of existing delegation Council-163 are satisfied. That delegation includes a condition that the Chief Executive Officer will report details of any contract entered into in excess of \$500,000 (if any) to Council on a quarterly basis.

REPORT DETAIL

1. Background

The infrastructure networks of Energex, Unitywater, NBN Co., Telstra, TPG, APA Group and Optus (**Service Providers**) have been established in road corridors throughout the Moreton Bay Region.

As Council continues to upgrade its road network, the Service Providers need to be engaged to make infrastructure alterations to permit Council's programmed capital works. Engagements of this nature are common when road upgrades include configurations changes (widenings, intersection upgrades, etc.).

There is a cost associated with engaging the Service Providers to perform these alterations and therefore Council must comply with its legislative procurement obligations.

ITEM 3.1 SOLE SUPPLIERS - RELOCATION OF SERVICE PROVIDER INFRASTRUCTURE - 61248382 (Cont.)

2. Explanation of Item

Council is unable to alter a Service Provider's infrastructure because it lacks the relevant powers that are required by law to do so.

For example, under section 230 of the Electricity Act 1994 (Qld) a person must not wilfully and unlawfully interfere with an electricity entity's works. Energex is an "electricity entity" for the purposes of this Act and therefore its works cannot be interfered with by Council.

Under section 99BRBX of the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld), a person (other than a distributor-retailer) must not make a "connection". A "connection" includes an alteration to infrastructure which is part of a distributor-retailer's water infrastructure. Unitywater are the "distributor-retailer" for the Region and so any "connections" in the Region should be performed by it.

Under section 287 of the Gas Supply Act 2003 (Qld), a person must not wilfully tamper with a distributor's gas infrastructure. APA Group are a distributor for the purposes of this Act and therefore its infrastructure cannot be wilfully tampered with by Council.

Under section 474.6 of the Criminal Code Act 1995 (Cth), a person commits an offence if the person tampers with, or interferes with, a facility owned by a carrier. Telstra, NBN, TPG and Optus are carriers for the purposes of this Act and therefore their facilities (which includes any part of the infrastructure of their telecommunications network) cannot be interfered with by Council.

It follows that in officer's views, Council should engage the relevant Service Providers to perform Council's required alterations to the Service Provider's infrastructure to accommodate Council's programmed capital works.

Council engages Service Providers to perform this work frequently. Generally, Council officers have been approaching Council with frequent reports on a case-by-case basis to obtain Council's approval to engage these Service Providers under section 235(a) of the Local Government Regulation 2012 (**Regulation**).

Under section 235(a) of the Regulation, Council may enter into a contract with a Service Provider without first inviting quotes or tenders, if Council is satisfied that there is only one Service Provider who is reasonably available.

For the reasons set out above, officers consider that the Service Providers are the only suppliers reasonably available to perform alterations / construction works in relation to their own infrastructure.

If the officer's recommendation is approved, the procurement of the Services Providers to perform the relevant services will be streamlined (because case-by-case reports will not be required going forward) which will result in greater time efficiencies for Council's programmed capital works.

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 medium-sized or 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

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

3.3 Policy Implications

The recommendation of this report is consistent with Council's Procurement Policy 2150-006.

3.4 Risk Management Implications

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

ITEM 3.1 SOLE SUPPLIERS - RELOCATION OF SERVICE PROVIDER INFRASTRUCTURE - 61248382 (Cont.)

3.5 Delegated Authority Implications

Council's CEO has already been delegated authority to enter into contracts in the circumstances specified in section 235 of the Local Government Regulation 2012 (see delegation Council-150). If Council adopts the officer's recommendation in this report, the CEO will be able to enter into contracts with the Service Provider's for the relevant services listed in the recommendation.

In accordance with existing delegation Council-163, the Chief Executive Officer will be required to report details of any contract entered into in excess of \$500,000 (if any) to Council on a quarterly basis.

3.6 Financial Implications

Council will continue to pay Service Provider's costs associated with infrastructure alterations as they become required by projects.

3.7 Economic Benefit Implications

Council will reduce administration costs associated with reporting specific service conflicts.

3.8 Environmental Implications

Nil identified

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Legal Services has been consulted in the preparation of this report.

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

ITEM 4.1**LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - PRIORITY ACQUISITION LIST ANALYSIS**

Meeting / Session: 4 PLANNING
Reference: 61576126 : 4 February 2021 - Refer **Confidential Supporting Information 61576159**
Responsible Officer: BM, Coordinator Environmental Planning and Policy (PL Directorate)

Executive Summary

On 5 August 2020 Council received two reports on the Land Buyback Program for Environmental Purposes. One was titled *Draft Policy - Land Buyback Program for Environmental Purposes* and the other was titled *Land Buyback Program for Environmental Purposes - Draft Priority Acquisition List*.

The outcome of these two reports was that Council adopted the Policy for the *Land Buyback Program for Environmental Purposes (Policy No: 2150-118)* and requested that Property Services action the draft Priority Acquisition List (contained in confidential supporting information #1 to that report) to investigate potential acquisition of the properties listed.

Report - Draft Policy - Land Buyback Program for Environmental Purposes

RESOLUTION

That the Policy for the Land Buyback Program for Environmental Purposes be adopted, as provided in supporting information #1 to this report.

Report - Land Buyback Program for Environmental Purposes - Draft Priority Acquisition List

RESOLUTION

That the Land Buyback Program for Environmental Purposes - draft Priority Acquisition List (contained in confidential supporting information #1) be endorsed for action by Property Services.

On 16 September 2020 Council requested officers assess an additional property for eligibility under Council's Strategic Land Acquisition fund or Council's recently announced *Land Buyback Program for Environmental Purposes Policy 2150-118*.

Report - Land Acquisition Eligibility Investigation

RESOLUTION

- 1. That Council officers assess the properties discussed in closed session (as described in confidential file note A20545463) for eligibility under Council's Strategic Land Acquisition fund or Council's recently announced Land Buyback Program for Environmental Purposes Policy 2150-118.**
- 2. That the Chief Executive Officer be authorised to engage in the market processes as necessary to establish the feasibility of acquiring these properties if they are eligible under the above-mentioned Council policies and a report be provided back to Council.**

Property Services have contacted the owners of the properties subject to the 5 August 2020 and 16 September 2020 Council resolutions. Of the property owners contacted, five showed interest in possibly selling their properties to Council.

Detailed field and desktop assessments were undertaken at each of the five properties based on the criteria contained within the *Policy - Land Buyback Program for Environmental Purposes (2150-118)*. These include ecological values and integrity, aesthetics and accessibility, cultural heritage, planning constraints and opportunities, threats, and commercial valuations.

ITEM 4.1 LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - PRIORITY ACQUISITION LIST ANALYSIS - 61576126 (Cont.)

The purpose of this report is to seek Council's adoption of recommendations to acquire properties described in confidential supporting information # 1 to this report.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Mark Booth

CARRIED 12/0

1. **That Council delegates to the Chief Executive Officer the power to negotiate and finalise the purchase of the properties described in confidential supporting information #1 to this report.**
2. **That Council authorises the Chief Executive Officer to do all other things that are necessary to give effect to recommendation 1**

ITEM 4.1 LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - PRIORITY ACQUISITION LIST ANALYSIS - 61576126 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council delegates to the Chief Executive Officer the power to negotiate and finalise the purchase of the properties described in confidential supporting information #1 to this report.
2. That Council authorises the Chief Executive Officer to do all other things that are necessary to give effect to recommendation 1.

REPORT DETAIL

1. Background

Following on from the Mayor's announcement during his commencement speech on 29 April 2020, the Planning Division prepared a draft policy for a Land Buyback Program for Environmental Purposes.

On 5 August 2020 Council resolved that Property Services investigate potential acquisition of a confidential list of the highest-ranked properties nominated.

On 16 September 2020 Council added an additional property to that list based on discussion at the Council meeting.

Property Service contacted the owners of the 11 properties, with five owners showing interest.

Four of the properties were from the initial list of ten and the fifth was the additional property added on 16 September 2020.

A Council briefing was conducted on 9 February 2021 for the purpose of sharing information and providing advice/views to Council on the matter. The outcome of the briefing was:

The Land Buyback for Environmental Purposes - Priority Acquisition List Analysis be brought to the next General Meeting for consideration.
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2. Explanation of Item

Eleven properties were referred to Property Services for action. Of these eleven properties, five owners were open to the possibility of selling their properties to Council. Detailed assessments have been conducted for all five properties. From this process, properties have been identified for acquisition and retention in Council's environmental network, with funds from the Land Buyback Program for Environmental Purposes. The properties are described in confidential supporting information #1 to this report.

Properties recommended for acquisition in this report were selected based on consideration of their individual attributes and their broader ecological context in the region. The properties demonstrate intact and diverse ecological communities, which support or have the potential to support species of significant conservation value (including koalas). The vegetation communities on the properties were found to include restricted or threatened communities. The vegetation was also found to be in good ecological condition and have a high percentage of cover over the properties. The area to perimeter ratio of the properties is high providing a size and shape that supports efficient management. The properties also consolidate and improve the connectivity of publicly owned land in the conservation network. Risks associated with changes in land use and lawful clearing pathways were also considered.

In addition to having significant potential for contribution towards conservation of the ecological values of the region, the properties contribute to the preservation of cultural heritage, protect and promote regional aesthetic values, and have potential to provide opportunities for nature-based recreation activities where appropriate. Acquisition of the properties would also assist Council in managing future natural hazards, including floods and bushfires.

ITEM 4.1 LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - PRIORITY ACQUISITION LIST ANALYSIS - 61576126 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

The *Local Government Act 2009* provides the head of power for Council to raise funds for the acquisition of land under the Land Buyback Program for Environmental Purposes. Acquisitions referred to in this report are by voluntary negotiations and agreement. The acquisitions will not be compulsory acquisitions.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Policy - Land Buyback Program for Environmental Purposes (2150-118) guides the expenditure of revenues gathered under the Regional Infrastructure and Environment Charge part (b) to acquire, restore and rehabilitate environmentally significant land to conserve the region's ecological communities and environmental values for the benefit of the community in the present and future.

3.4 Risk Management Implications

There is a risk that property prices could become inflated if the Council's deliberations on acquisition matters are not kept confidential.

3.5 Delegated Authority Implications

Acquisition of properties referred to in this report requires delegation of authority to the CEO to enter into contracts for land acquisition on Council's behalf.

3.6 Financial Implications

Council's 2020/21 revenue statement includes a Regional Infrastructure and Environment Charge to provide the primary funding mechanism for implementation of the *Policy - Land Buyback Program for Environmental Purposes (2150-118)* and associated program.

3.7 Economic Benefit Implications

The Council's 2020-21 revenue statement notes that the conservation of environmental land confers a general benefit on all rateable land.

3.8 Environmental Implications

The acquisition of land under the *Policy - Land Buyback Program for Environmental Purposes (2150-118)* and associated program will help conserve the Region's ecological communities and environmental values.

3.9 Social Implications

The acquisition of land under the *Policy - Land Buyback Program for Environmental Purposes (2150-118)* and associated program will help expand and enrich the Region's conservation network for the benefit of the community in the present and in future.

3.10 Human Rights Implications

Under the Human Rights Act 2019 (Qld), Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Council's decision in this circumstance may affect a person's property rights, including a person's right to not be arbitrarily deprived of their property. Officers consider that Council's decision in this circumstance (if it reflects the officer's recommendation) is compatible with (and does not limit) a person's rights because the acquisitions referred to in this report are by voluntary negotiations and agreement.

*ITEM 4.1 LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - PRIORITY ACQUISITION LIST
ANALYSIS - 61576126 (Cont.)*

3.11 Consultation / Communication

Environmental Services

Development Services

Integrated Transport Planning and Design

Cultural Services

Strategic Infrastructure and Planning

Community Sports and Recreation

Property and Commercial Services (Including Herron Todd White valuers)

UNCONFIRMED

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

ITEM 5.1

SOLE SUPPLIER - ANYWHERE THEATRE FESTIVAL LIMITED

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: 61509662 : 3 February 2021
Responsible Officer: CG, Manager Cultural Services (CES Cultural Services)

Executive Summary

Under section 235(a) of the Local Government Regulation 2012, Council may, by resolution, purchase goods and services from a single supplier without seeking competitive quotations. Such purchases may only be made where the local government is satisfied that there is only one supplier who is reasonably available.

This report seeks Council's approval that in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that the Anywhere Theatre Festival Limited is the sole supplier available to provide the Anywhere Festival in the Moreton Bay Region.

This matter is reported to Council as section 235(a) of the Local Government Regulation 2012 requires Council resolution regarding sole supplier arrangements.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Denise Sims (Deputy Mayor)

CARRIED 12/0

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that the Anywhere Theatre Festival Limited is the sole supplier that is reasonably available to provide the Anywhere Festival in the Moreton Bay Region.
2. That Council enters into an agreement with the Anywhere Theatre Festival Limited for the provision of the Anywhere Festival from 6 - 23 May 2021.
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 the Anywhere Theatre Festival Ltd for the provision of the Anywhere Festival in May 2021 and any required variations of the agreement on Council's behalf.

ITEM 5.1 SOLE SUPPLIER - ANYWHERE THEATRE FESTIVAL LIMITED - 61509662 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that the Anywhere Theatre Festival Limited is the sole supplier that is reasonably available to provide the Anywhere Festival in the Moreton Bay Region.
2. That Council enters into an agreement with the Anywhere Theatre Festival Limited for the provision of the Anywhere Festival from 6 - 23 May 2021.
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 the Anywhere Theatre Festival Ltd for the provision of the Anywhere Festival in May 2021 and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Anywhere Theatre Festival Limited operates as a Queensland not-for-profit company. Established in Brisbane in 2011, The Anywhere Festival runs for two and a half weeks every May, with performances presented in a diverse range of indoor and outdoor spaces, including local businesses and community spaces.

The Festival aims to curate and produce a diverse and inclusive program, with the EOI welcoming all genres of performance from theatre to dance; comedy to immersive; filmed live performances to circus and poetry to walking tours.

The Anywhere Festival has been running in Brisbane City, Sunshine Coast, Noosa and councils in Sydney and Melbourne. This year, Ipswich has joined the Anywhere Festival and Moreton Bay has commenced preparations to enable our Council to join.

Fees contributed by councils to the Anywhere Festival pay for the marketing; event booking system; insurance; Artistic Director; producer resources; local workshops and payments to cover ten local artist's festival participation fees.

Council will contribute staff time to assist in Festival production, including assisting with the best placement of events and activation of Council, community and business spaces.

2. Explanation of Item

The Anywhere Festival presents many benefits to Council and the Moreton Bay Community. It enables cultural activation to be achieved in spaces that are more manageable within the COVID context. It supports our local arts and cultural sector to gain employment and increase skills with reduced costs to perform.

The Festival strongly supports local activation of places and spaces and it expands the arts and entertainment experiences on offer to local communities in the Moreton Bay Region. Additionally, it will contribute to the cultural tourism offering of the Region.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - celebrating local arts, culture and community.

ITEM 5.1 SOLE SUPPLIER - ANYWHERE THEATRE FESTIVAL LIMITED - 61509662 (Cont.)

- 3.3 Policy Implications Nil identified
- 3.4 Risk Management Implications
Public Liability for performances is an identified risk and is managed as part of festival processes and covered by festival insurance.
- 3.5 Delegated Authority Implications
As per Officer's Recommendation 3 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the agreement with the Anywhere Theatre Festival Ltd.
- 3.6 Financial Implications
\$20,000 cost is available within the 2020/21 Cultural Services operational budget.
- 3.7 Economic Benefit Implications
Cultural tourism; local jobs creation; associated economic benefits to support industries including transport, hospitality and accommodation.
- 3.8 Environmental Implications
Performances may be aligned to supporting sustainable and environmental outcomes.
- 3.9 Social Implications
Cultural engagement with community and opportunities to support Council's new community engagement strategy.
- 3.10 Human Rights Implications
Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that there are no human rights implications relevant to Council's decision.
- 3.11 Consultation / Communication
Manager Strategy and Engagement

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 6.1

AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 2 BUDGET REVIEW

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: 61538817 : 27 January 2021 - **Refer Supporting Information 61242306**
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 second 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 Mick Gillam

CARRIED 12/0

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 6.1 AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 2 BUDGET REVIEW - 61538817 (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

Quarterly budget reviews are undertaken to ascertain if Council's budget requires formal amendment as a result of changes identified to forecasted revenues and expenses.

Council adopted its 2020/21 Budget in late June 2020 and proceeded to amend the budget in August 2020 to ensure that funding was available for projects and initiatives that were continuing from 2019/20. The budget was again amended in October 2020 following the Quarter 1 Budget Review to reflect the changes identified.

A Council briefing was conducted on 27 January 2021 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:

That the changes forecast to the 2020/21 Budget as a result of the Quarter 2 Budget Review be presented to a future Council Meeting to formally amend the 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 (increasing by \$6.3 million)

- COVID 19 impacts - The adopted budget was conservative and included an anticipated reduction in fees and charges due to the COVID 19 pandemic however the reductions have not been as significant as originally forecast. In addition, Council's rebate allowance for eligible ratepayers due to the COVID 19 pandemic did not get the uptake expected due to the introduction of the Federal Government's Job Keeper Program. While in part these funds were used to offset the waiver of food licencing fees this year to support local businesses, the impact to revenue was not as great as originally forecast.
- Increased grant revenue - related to the final grant payment received for numerous completed flood warning and gauge installation projects.

ITEM 6.1 AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 2 BUDGET REVIEW - 61538817 (Cont.)

Operating Expenditure (increasing by \$2.5 million)

The primary drivers for the increase are:

- Employee Expenses - \$2.35 million - additional funds are required due to growth
- Legal Expenses - \$1.5 million to meet ongoing appeals
- New Event Sponsorship - \$500,000
- Depot Closure Planning - \$350,000
- Black Duck Lake System - ongoing maintenance works \$265,000
- The above increases are offset by a reduction in expenses of \$2.8 million. Council introduced COVID 19 Hardship and Infrastructure Grant Program in 2019/20 with funding initially spread across two financial years. Council agreed to bring forward the grant program in 2019/20 which has resulted in the requirement for an adjustment to the 20/21 budget.

Capital Revenue (increasing by \$19 million)

- Additional infrastructure charges revenue of \$15 million. Infrastructure charges revenue has exceeded the \$30 million budget in the first 6 months of the year. The original budget assumed infrastructure charges revenue may be reduced due to the COVID 19 pandemic, however this has not eventuated.
- Additional capital works revenue in the amount of \$4 million - revenue received from Unitywater for reimbursement of works undertaken at the Mill Site (\$2.7m) plus further grant monies related to black spot projects and automated weather stations.

Capital Expenditure (increasing by \$1.1 million)

- There were in excess of 200 adjustments proposed to various capital projects for the Quarter 2 review which netted off to a small increase in capital expenditure of just over \$1 million.

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.

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 6.1 AMENDMENT TO COUNCIL'S BUDGET 2020/21 - QUARTER 2 BUDGET REVIEW - 61538817 (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, Directors, Managers and other officers of Council as required.

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

**ITEM 12.1
TABLING OF E-PETITIONS**

Cr Adam Hain reported that he had received an e-petition from Mr Ian Lewis via an on-line platform (change.org) titled 'Help Save the Homes of the Kangaroos and Koalas'.

Cr Hain expressed concern that a majority of signatories on the petition are from overseas and questioned the validity of the petition.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Mick Gillam

CARRIED 12/0

1. That the e-petition received from Mr Ian Lewis titled 'Help Save the Homes of the Kangaroos and Koalas', be received.
2. That Council investigates how other levels of Government handle e-petitions and the validity of receiving same for further consideration by Council.

**ITEM 12.2
REGIONAL EVENTS**

Cr Adam Hain made reference to the **Moreton Bay Region Lunar New Year 2021 Festival** held in the Caboolture Town Square on Saturday 13 February 2021.

13. 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.

14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

No items for consideration.

14b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

14. CLOSE

There being no further business the Mayor closed the meeting at 9.59am.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 21/86 to 21/113 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 17 February 2021.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 3 March 2021.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor



REPORT

Audit Committee Meeting

Thursday 11 February 2021
commencing at 12.30pm

Strathpine Chambers
220 Gympie Road, Strathpine

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Audit Committee meeting held 11 February 2021 are recommended to the Council for adoption.

STEPHEN COATES
CHAIRPERSON
AUDIT COMMITTEE

Membership = 5

(two Councillors and three external members plus one alternate member (Councillor))

Councillors

Cr Matt Constance

Cr Cath Tonks

Cr Jodie Shipway (alternate member)

External Committee Members

Mr Stephen Coates (Chairperson)

Ms Helen Moore

Mr Peter Scott

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SCHEDULE OF ITEMS

1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

CONDUCT AND RECORD OF MEETING

2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

ITEM 2.1 76
SIGNIFICANT ORGANISATION & SYSTEM MATTERS

ITEM 2.2 77
ORGANISATIONAL REVIEW IMPLEMENTATION

3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

ITEM 3.1 78
CORPORATE SYSTEMS REVIEW

ITEM 3.2 79
FRAUD RISK & CORRUPTION CONTROL GROUP

ITEM 3.3 80
REPORTABLE LOSSES

ITEM 3.4 81
GOVERNANCE UPDATE

4 FINANCIAL REPORTING

ITEM 4.1 82
FINANCIAL REPORTS

5 EXTERNAL AUDITOR REPORT

ITEM 5.1 83
QUEENSLAND AUDIT OFFICE UPDATE

6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS

ITEM 6.1 84
INTERNAL AUDIT OVERVIEW

7 GENERAL BUSINESS

8 NEXT AUDIT COMMITTEE MEETING

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

Mr Stephen Coates (Chairperson)
Cr Matt Constance
Cr Cath Tonks
Ms Helen Moore
Mr Peter Scott

Invited External Representatives:

Mr Michael Keane (Queensland Audit Office)
Mr Charles Strickland (Queensland Audit Office)

Officers:

Chief Executive Officer	Greg Chemello
Director Finance & Corporate Services	Donna Gregory
Principal Internal Auditor	Jill Tavares
Accounting Services Manager	Denis Crowe
Manager Governance & Executive Services	Darren Dallinger
Meeting Support	Hayley Kenzler

Apologies:

External Representatives attended for:

Item 3.1 - Corporate Systems Review
Project Manager Loretta Libke - 12.52pm - 1.14pm

Item 3.2 - Item 3.4
Governance Manager, Megan Praeger - 1.20pm - 1.53pm

1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

Committee members are required to provide written declarations declaring any potential or actual conflicts of interest they may have in relation to their responsibilities.

As they arise between meetings, or at the beginning of each Committee meeting, members are required to declare any new or changed potential or actual conflicts of interest that may apply to specific matters on the meeting agenda.

Record of advice - Helen Moore

Helen Moore advised that although not a conflict of interest, wished to place on record that she was recently appointed to another Audit & Risk Committee being the Indigenous Land and Sea Corporation (a Federal Government Agency).

The Audit Committee noted the record of advice provided by Helen Moore in respect of her appointment to the Indigenous Land and Sea Corporation.

1.7. Special thanks to Cr Matt Constance - former Audit Committee Interim Chairperson

Stephen Coates, Audit Committee Chairperson provided special thanks to Cr Matt Constance for his contribution as former Interim Chairperson of the Audit Committee, noting that Cr Constance has always been very responsive to the committee and external members.

CONDUCT AND RECORD OF MEETING

Conduct in closed session

Council is obligated under Chapter 8, Part 2 Division 1A of the Local Government Regulation 2012 (Regulation) for its meetings to be open.

s254A(2) of the Regulation states that Division 1A does not apply to Audit Committee meetings.

In accordance with Council's Decision-making Framework, Audit Committee meetings are not open to the public and are conducted in closed session.

Record

The Audit Committee is a non-decision-making meeting.

S211 of the Regulation states:

- (1)(c) *as soon as practicable after a meeting of the committee, give the local government a written report about the matters reviewed at the meeting and the committee's recommendations about the matters.*
- (1)(4) *the Chief Executive Officer must present the report mentioned in subsection (1)(c) at the next meeting of the local government.*

The report and recommendations from this meeting will be submitted to Council's next General Meeting for adoption in accordance with s211 of the Regulation.

2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

ITEM 2.1 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

Meeting / Session: AUDIT
Responsible Officer: GC, Chief Executive Officer (CEO, CEO's Office)

The Chief Executive Officer provided an update to the Audit Committee on relevant organisational matters, as outlined below:

- Status update on Council's Governance reform, noting that a number of Governance policies had been adopted by Council on 9 December 2020, (being the Complaint Management Policy, Enterprise Risk Management Policy and the Fraud and Corruption Control Policy).
- Policy Framework Implementation - converting a number of Policies to Operational Directives was also endorsed by Council on 9 December 2020
- Risk Management discussions were continuing with staff, and Director Finance & Corporate Services noted that some of this work was delivered to Councillors during the Australian Institute of Company Directors Course undertaken
- TechOne Go-live on commencement of new-year - and that staff who delivered the system to the whole of Council have done a fantastic job
- Staffing - the quality of candidates applying for positions is amazing and that recruitment is on-target

COMMITTEE RECOMMENDATION

Moved by Cath Tonks

Seconded by Helen Moore

CARRIED

That the update provided by the Chief Executive Officer be noted.

ITEM 2.2
ORGANISATIONAL REVIEW IMPLEMENTATION

Meeting / Session: AUDIT COMMITTEE
Reference: Refer **Confidential** Supporting Information 61576229
Responsible Officer: DG, Director Finance & Corporate Services (CEO, Finance & Corporate Services)

COMMITTEE RECOMMENDATION

Moved by Matt Constance
Seconded by Peter Scott

CARRIED

That the update provided in relation to the organisational review implementation be noted.

UNCONFIRMED

3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

ITEM 3.1 CORPORATE SYSTEMS REVIEW

Meeting / Session: AUDIT COMMITTEE
Responsible Officer: LL, Project Manager (FCS Project Services)

Project Manager - Loretta Libke provided an update on the TechOne project.

COMMITTEE RECOMMENDATION

Moved by Helen Moore
Seconded by Cath Tonks

CARRIED

1. That the update provided in relation to the TechOne project be noted.
2. That the status report of the TechOne Project team be provided to the Audit Committee.

UNCONFIRMED

ITEM 3.2
FRAUD RISK & CORRUPTION CONTROL GROUP

Meeting / Session: AUDIT COMMITTEE
Reference: Refer **Confidential** Supporting Information 61564465 & 61568123
Responsible Officer: MP, Governance Manager (FCS, Executive Services)

As requested at the Audit Committee Meeting held 29 May 2019, the Fraud Risk Control Group Minutes are provided for committee's information.

The following documents are provided in the supporting information:

1. Fraud Risk and Corruption Control Group Minutes of 28 January 2021
2. Fraud and Corruption Trend Data 2020/21 (Q1 and Q2)

COMMITTEE RECOMMENDATION

Moved by Cath Tonks

Seconded by Matt Constance

CARRIED

That the Fraud Risk and Corruption Control Group Minutes of 28 January 2021 and Fraud and Corruption Trend Data 2020/21 (Q1 and Q2) be received and noted.

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ITEM 3.3
REPORTABLE LOSSES

Meeting / Session: AUDIT COMMITTEE
Reference: Refer **Confidential** Supporting Information 61552834
Responsible Officer: MP, Governance Manager (FCS, Executive Services)

Governance Manager will attend to talk to Council's Register of Reportable Loss - Council Assets, provided for the Audit Committee's information.

The Register will be provided to the Audit Committee on a quarterly basis.

COMMITTEE RECOMMENDATION

Moved by Peter Scott

Seconded by Stephen Coates

CARRIED

That the update provided in relation to Council's Register of Reportable Loss - Council Assets be noted.

UNCONFIRMED

ITEM 3.4
GOVERNANCE UPDATE

Meeting / Session: AUDIT
Reference: 61577725 : Refer **Confidential** Supporting Information 61576346
Responsible Officer: DC, Accounting Services Manager (CEO Accounting Services)

The purpose of this item is to provide a progress update on the implementation of the governance and integrity frameworks endorsed by the Audit Committee at its last meeting, specifically Enterprise Risk Management, Fraud and Corruption Control and Complaint Management. The update will include a high-level workplan with key milestones for the current year.

COMMITTEE RECOMMENDATION

Moved by Helen Moore
Seconded by Cath Tonks

CARRIED

That the update on the implementation of the Enterprise Risk Management, Fraud and Corruption Control and Complaint Management frameworks, be received and noted.

UNCONFIRMED

4 FINANCIAL REPORTING

ITEM 4.1 FINANCIAL REPORTS

Meeting / Session: AUDIT
Reference: **Refer Supporting Information 61482694 & 61494727 (Extract of Actual Report to General Meeting)**
Responsible Officer: DC, Accounting Services Manager (CEO Accounting Services)

In accordance with the adopted Audit Plan the following financial reports are attached for Committee's information (refer supporting information #1).

- a) Monthly Financial Report for December 2020, as adopted by Council at its meeting of Wednesday 3 February 2021; and
- b) Quarter 2 Operational Plan Review for 2020/21, as adopted by Council at its meeting of Wednesday 3 February 2021.

It is noted that the attachments are an extract of the report and supporting information from that meeting.

COMMITTEE RECOMMENDATION

Moved by Matt Constance

Seconded by Cath Tonks

CARRIED

That the Monthly Financial Report for December 2020 and the Quarter 2 Operational Plan Review for 2020/21, as adopted by Council on Wednesday 3 February 2021, be received and noted.

5 EXTERNAL AUDITOR REPORT

ITEM 5.1 QUEENSLAND AUDIT OFFICE UPDATE

Meeting / Session: AUDIT COMMITTEE
Reference: Refer **Confidential** Supporting Information 61565766

Queensland Audit Office provided an update to the Audit Committee.

COMMITTEE RECOMMENDATION

Moved by Stephen Coates
Seconded by Peter Scott

CARRIED

That the Queensland Audit Office update be received and noted.

UNCONFIRMED

6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS

ITEM 6.1 INTERNAL AUDIT OVERVIEW

Meeting / Session: AUDIT
Reference: 61572775 : 5 February 2021 - Refer **Confidential** Supporting 61573006
Responsible Officer: JT, Principal Internal Auditor (CEO's Office)

Basis of Confidentiality

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

Executive Summary

This report provides information to the Audit Committee on the activities of the Internal Audit function for the period from 7 November 2020 to 5 February 2021.

COMMITTEE RECOMMENDATION

Moved by Helen Moore

Seconded by Peter Scott

CARRIED

1. That the Audit Committee notes and endorses this report and associated supporting information.
2. That the draft scoping documents be circulated to the Audit Committee for comment, as they become available.

7 GENERAL BUSINESS

Nil

8 NEXT AUDIT COMMITTEE MEETING

20 May 2021

CLOSURE

There being no further business the Chairperson closed the meeting at 2.41pm.

UNCONFIRMED

Phone: (07) 3205 0555

Our Ref: [REDACTED]

Date: 19 February 2021



Mr Fred Chappel
[REDACTED]

Dear Mr Chappel,

Weir Road, Morayfield - Entrance to Plantation Retirement Resort

I refer to the petition lodged by you as the Principal Petitioner and tabled to Council on 25 November 2020; and Council's Integrated Transport Planning team's investigation and response.

Council officers have reviewed your concerns regarding Weier Road safety, specifically in relation to the left turn manoeuvre into the resort entrance off Weier Road. I understand your concerns about careless driving, speeding and tailgating by other drivers, especially when residents are turning left into the resort. I also thank you for meeting with Cr Hain and Council's engineer, Gleb Kolenbet on site on 28 January 2021, which allowed time to discuss and understand the situation. Based on the Council officer's review and discussion on site, I advise the following:

- Council will review the road operation and implement measures including road signage and line marking as necessary to inform southbound drivers in advance about the left turn into the resort and encourage safe driving. I anticipate that this will be in place by the end of March 2021. If these measures do not improve the situation within 6-12 months, Council will further investigate the installation of a short-left turn lane. A preliminary cost estimate indicates that a separate left turn lane will cost approximately \$300,000 to construct and needs to be approved by Council as currently it is not part of the budgeted capital works expenditure.
- Council will inform the local Police about the issues raised and request that the road is monitored for careless driving behaviour and speeding.

As the Principal Petitioner, can you please pass on the above information to other petitioners as required. Should you require further information on the project, please contact Council's Principal Integrated Transport Engineer, [REDACTED] via 3205 0555 or mbrc@moretonbay.qld.gov.au.

Yours sincerely,



Acting Director
Infrastructure Planning

cc: Cr Adam Hain - Division 3