



# MINUTES

## GENERAL MEETING

**Wednesday 20 October 2021**

commencing at 9.35am

Caboolture Chambers  
2 Hasking Street, Caboolture

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**ENDORSED GM20211110**

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Membership = 13  
Mayor and all Councillors

Quorum = 7

***Adoption Extract from General Meeting – 10 November 2021 (Page 21/1600)***

**General Meeting - 20 October 2021 (Pages 21/1518 - 21/1598)**

**RESOLUTION**

**Moved by Cr Brooke Savige**

**Seconded by Cr Cath Tonks**

**CARRIED 12/0**

**That the minutes of the General Meeting held 20 October 2021, be confirmed.**

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## **STATEMENT - ATTENDEES AND LIVESTREAMING**

The Mayor to advise that the meeting will be live streamed and the video recording of the meeting will be available on the council's website.

Attendees must be aware that incidental capture of an image or sound of persons in the public gallery, may occur.

By remaining at the meeting attendees consent to being filmed and the possible use of their image and sound being published in the live streaming and recorded video of this meeting.

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### **1. ACKNOWLEDGEMENT OF COUNTRY**

Cr Brooke Savige provided the Acknowledgement of Country.

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### **2. OPENING PRAYER / REFLECTION**

Cr Brooke Savige provided the opening prayer / reflection for the meeting.

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### **3. ATTENDANCE & APOLOGIES**

#### **Attendance:**

Cr Peter Flannery (Mayor) (Chairperson)  
Cr Brooke Savige  
Cr Mark Booth  
Cr Adam Hain  
Cr Jodie Shipway  
Cr Sandra Ruck  
Cr Karl Winchester  
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 Projects & Asset Services	(Mr Tony Martini)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Finance & Corporate Services	(Ms Donna Gregory)
Interim Director Infrastructure Planning	(Ms Jackie Frost)
Director Planning	(Mr David Corkill)
Chief Economic Development Officer	(Mr Paul Martins)
Manager Strategy & Advocacy	(Mr Joshua O'Keefe)
Meeting Support	(Larissa Kerrisk)

#### **Apologies:**

Cr Denise Sims

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#### 4. MEMORIALS OR CONDOLENCES

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

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#### 5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

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##### General Meeting - 6 October 2021 (Pages 21/1444 - 21/1512)

###### RESOLUTION

Moved by Cr Jodie Shipway  
Seconded by Cr Adam Hain

CARRIED 12/0

That the minutes of the General Meeting held 6 October 2021, be confirmed.

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#### 6. ADOPTION OF AUDIT COMMITTEE MEETING REPORT & RECOMMENDATIONS

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##### Audit Committee Meeting - 7 October 2021 (Pages 21/1513 - 21/1517)

###### RESOLUTION

Moved by Cr Matt Constance  
Seconded by Cr Cath Tonks

CARRIED 12/0

That the report and recommendations of the Audit Committee Meeting held 7 October 2021, be adopted.

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#### 7. PRESENTATION OF PETITIONS

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*(Addressed to the Council and tabled by Councillors)*

There were no petitions tabled.

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#### 8. CORRESPONDENCE

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##### 8.1. Cr Denise Sims resignation 20 October 2021 (63134104)

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The Chief Executive Officer tabled correspondence dated 19 October 2021 received from Cr Denise Sims, advising of her resignation from both roles as Councillor of Moreton Bay Regional Council and Deputy Mayor effective from 20 October 2021.

The Chief Executive Officer advised Council of the process and action required subsequent to Cr Sims' resignation, being that:

- under section 162(1)(f) of the *Local Government Act 2009*, the Councillor's office now becomes vacant, and
- pursuant to section 175(2)(b) of the *Local Government Act 2009* Moreton Bay Regional Council must, by resolution, appoint a Deputy Mayor at its first meeting after the office of the Councillor who is the Deputy Mayor becomes vacant. Noting that given the Chief Executive Officer received the resignation prior to today's General Meeting, it is at this meeting that the appointment must occur.



**9. COMMUNITY COMMENT**

There were 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)*

There were no notices of motion.

**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*

There are no notified conflicts of interest.

**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
<b>1 Progressive economy</b>	Vacant	Cr K Winchester
<b>2 Thriving communities</b>	Cr M Gillam	Cr S Ruck
<b>3 Well-planned region (planning)</b>	Cr J Shipway	Cr M Booth
<b>4 Well-planned region (transport)</b>	Cr A Hain	C T Latter
<b>5 Healthy environments</b>	Cr C Tonks	Cr B Savige
<b>6 An engaged council</b>	Cr M Constance	Cr D Grimwade

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## **ITEM 1.1 - DECLARATION OF INTEREST**

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

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Darren Grimwade informed the meeting of a declarable conflict of interest in Item 1.1 as Mr Shane Newcombe, CEO & Chairman of Moreton Bay Region Industry & Tourism (MBRIT), the recommended tenderer, is a friend of Cr Grimwade.

**Cr Darren Grimwade elected not to participate in the decision and retired from the meeting at 9.42am**

### **Previously declared Declarable Conflict of Interest - Cr Matt Constance**

Cr Matt Constance referred to a previously declared conflict of interest (General Meeting 28 October 2020 Page 20/1814) relating to Shane Newcombe, the Chairman and CEO of Moreton Bay Region Industry and Tourism Limited (MBRIT), the recommended tenderer for Item 1.1.

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

Cr Constance remained in the meeting.

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## **1 PROGRESSIVE ECONOMY SESSION**

**(Cr K Winchester)**

### **ITEM 1.1**

### **TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903)**

*Meeting / Session:* 1 PROGRESSIVE ECONOMY  
*Reference:* 63036175 : 7 October 2021 - **Refer Supporting Information 63087403 & Confidential Supporting Information 63036174, 63036173**  
*Responsible Officer:* MS, Project Officer (CEO Economic Development)

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#### **Executive Summary**

Tenders were invited for the 'Knowledge, Innovation and Entrepreneurship Services (MBRC101903)' project. Tenders closed on 20 May 2021 with a total of one tender submission received, and it was a conforming tender submission.

It is recommended that the tender for the 'Knowledge, Innovation and Entrepreneurship Services (MBRC101903)' project be awarded to Moreton Bay Region Industry and Tourism (MBRIT), for the sum of \$332,412.50 (excluding GST, per annum) for the initial period of two (2) years, with the option to extend this contract for an additional one year (subject to satisfactory performance, and determined 90 days prior to the end of the contract term), as this tender was evaluated as representing the best overall value to Council.

This matter is brought to the attention of Council under the Progressive Economy portfolio as the awarding of this contract will create opportunities for local community members and businesses to leverage Knowledge, Innovation and Entrepreneurship services, allowing for the development of the region's innovation capacity and capability and furthering the region's attainment of an innovative reputation and becoming a Top 10 Regional Innovation Hub a 'Brighter' goal of the Regional Economic Development Strategy (REDS).

ITEM 1.1 TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903) - 63036175 (Cont.)

**RESOLUTION**

Moved by Cr Mick Gillam

Seconded by Cr Tony Latter

CARRIED 11/0

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

1. That the tender for the '*Knowledge, Innovation and Entrepreneurship Services (MBRC101903)*' project be awarded to Moreton Bay Region Industry and Tourism (MBRIT), for the sum of \$332,412.50 (excluding GST, per annum) for the initial period of two years, with the option to extend this contract for an additional one year (subject to satisfactory performance, and determined 90 days prior to the end of the contract term).
2. That the Council enters into an agreement with Moreton Bay Region Industry and Tourism (MBRIT), 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 Moreton Bay Region Industry and Tourism (MBRIT) for the '*Knowledge, Innovation and Entrepreneurship Services (MBRC101903)*' project 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 it be noted that this project has been awarded under the existing budget allocation for Knowledge, Innovation and Entrepreneurship services, within the Industry Advancement branch's budget allocation.
6. That Council acknowledges:
  - a) the agreement will require the continuation of this operational funding for the 2022-23 financial year and additional year(s), subject to the satisfactory performance in the initial year and subject to the contract extension granted; and
  - b) the intention to account for this future expenditure as part of Council's budget for the 2022-23, financial year and additional year(s) subject to the satisfactory performance in the initial year and subject to the contract extension granted.

*ITEM 1.1 TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903) - 63036175 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the tender for the '*Knowledge, Innovation and Entrepreneurship Services (MBRC101903)*' project be awarded to Moreton Bay Region Industry and Tourism (MBRIT), for the sum of \$332,412.50 (excluding GST, per annum) for the initial period of two years, with the option to extend this contract for an additional one year (subject to satisfactory performance, and determined 90 days prior to the end of the contract term).
2. That the Council enters into an agreement with Moreton Bay Region Industry and Tourism (MBRIT), 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 Moreton Bay Region Industry and Tourism (MBRIT) for the '*Knowledge, Innovation and Entrepreneurship Services (MBRC101903)*' project 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 it be noted that this project has been awarded under the existing budget allocation for Knowledge, Innovation and Entrepreneurship services, within the Industry Advancement branch's budget allocation.
6. That Council acknowledges:
  - a) the agreement will require the continuation of this operational funding for the 2022-23 financial year and additional year(s), subject to the satisfactory performance in the initial year and subject to the contract extension granted; and
  - b) the intention to account for this future expenditure as part of Council's budget for the 2022-23, financial year and additional year(s) subject to the satisfactory performance in the initial year and subject to the contract extension granted.

## **REPORT DETAIL**

### **1. Background**

Knowledge, innovation, entrepreneurship and business start-ups are important features in any modern economy.

New business start-ups provide jobs and can expand exponentially. Encouraging innovation and entrepreneurship, particularly in young people will contribute effectively to building a more dynamic and brighter economy across the Moreton Bay Region. The strength of Moreton Bay's innovation and entrepreneurship ecosystem resides in the development of programs to support the REDS objective of becoming a top 10 regional knowledge and innovation hub.

At the 28 October 2020 Council Meeting, Council resolved (GM-518, A20698203) to invite Expressions of Interest (EOI) for regionally benefitting services broadly relating to Destination Management, Economic Development and Events that would support the implementation of the Council's REDS.

On 7 November 2020, Council invited expressions of interest from proponents with the capability to deliver one or more of the following services as listed below:

- Destination Management and Tourism and/or
- Business development and support and/or
- Knowledge, Innovation and Entrepreneurship, and/or

*ITEM 1.1 TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903) - 63036175 (Cont.)*

- Regional Awareness, Pride and Attractive Lifestyle.

The EOI process closed on 2pm, 9 December 2020. A total of two proposals were received from two respondents for Knowledge, Innovation and Entrepreneurship Services.

At the 17 March 2021 Council Meeting, Council considered the outcomes of the EOI process and resolved (GM-526, 61713034) to approve a closed request for tender be extended to two suppliers for Knowledge, Innovation and Entrepreneurship Services.

A standalone process and assessment panel was formed for the Knowledge, Innovation and Entrepreneurship Services Request for Tender (RFT), under the guidance and observation of an independent probity advisor and independent technical advisor from Department Tourism, Innovation and Sport (DTIS) to provide subject matter expertise.

In response to the Knowledge, Innovation and Entrepreneurship Services RFT, which closed on 20 May 2021, Council received one (1) complying submission.

The evaluation panel met on 25 May 2021, to consider the proposal received. Following this evaluation panel meeting, additional information was sought from and provided by MBRIT in June 2021. Following the receipt of this additional information, the evaluation panel unanimously determined that the proposal for Separable Portions 1, 3 and 4 met the requirements of the RFT, while Portion 2 was to be withdrawn from the marketplace as it did not meet the budget and scope of the RFT.

Council also sought a third-party comprehensive Credit Rating Report by Equifax for the respondent (see Confidential Supporting Information #2). The results for the recommended tenderer's financial status is outlined in section 3.4 of this document.

A Council briefing was conducted on 22 September 2021, for the purpose of sharing information. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

*The outcome of RFT2 shall be presented to a General Meeting for consideration.*

The objective of the Knowledge, Innovation and Entrepreneurship Services project is to underpin the delivery and achievement of the following key Knowledge, Innovation and Entrepreneurship initiatives outlined in Regional Economic Development Strategy (REDS):

- Develop Moreton Bay's reputation as a desirable region to establish a high-growth knowledge-based business
- Stimulate local private business leaders to participate and develop initiatives and promote an entrepreneurial agenda within the region
- Establish an entrepreneurial hub targeted at businesses with high growth ambitions, cultivate and attract relevant industry talent, preferably in the knowledge-based industries
- Develop a targeted program aimed at 18-30-year-old founders to develop and support their entrepreneurial capabilities as they have the potential to start early and develop multiple ventures over their lifetime
- Promote business excellence through a highly competitive awards and recognition program for innovation and create pathways into national and international award categories, and
- Enhance a regional education and training offering that aligns to the demands of a changing economy, technology and innovation.

Specifically, the Request for Tender included four separable portions, being:

1. The Provision of a Regional Innovation Co-Ordinator (RIC).
2. The Provision of Specialist Mentoring and Advice Services to local businesses and entrepreneurs.

**ITEM 1.1 TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903) - 63036175 (Cont.)**

3. Youth Capability Building through the coordination and Delivery of two workshop events.
  - (i) A start-up weekend for youth based on the Techstars methodology and
  - (ii) A coding/robotics workshop for teachers in the region
4. Capability Building through coordination and Delivery of two showcase event days
  - (i) Creative Industries Demo Day, and
  - (ii) an Innovations Day.

**2. Explanation of Item**

Tenders were invited for the 'Knowledge, Innovation and Entrepreneurship Services (MBRC101903)' project. Tenders closed on 20 May 2021 with a total of one (1) tender submission received, which was a conforming tender. The tenderer's proposal for each of the separable portions were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

For clarity, Separable Portion 2 has been withdrawn from the marketplace, primarily due to the quality and proposed price of those services.

Separable Portion 1: The Provision of a Regional Innovation Co-Ordinator (RIC).

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	Moreton Bay Region Industry and Tourism (MBRIT)	71.33	81.33

Separable Portion 3: Youth Capability Building through the coordination and Delivery of two workshop events

- (i) A start-up weekend for youth based on the Techstars methodology and
- (ii) A coding/robotics workshop for teachers in the region

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	Moreton Bay Region Industry and Tourism (MBRIT)	65.33	75.33

Separable Portion 4: Capability Building through coordination and Delivery of two showcase event days

- (i) Creative Industries Demo Day, and
- (ii) an Innovations Day

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	Moreton Bay Region Industry and Tourism (MBRIT)	68.33	78.33

*ITEM 1.1 TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903) - 63036175 (Cont.)*

**Moreton Bay Region Industry and Tourism (MBRIT)** - submitted a comprehensive tender that demonstrated their relevant experience. Clarification of the tender response was requested via email and was provided on 2 June 2021 and 10 June 2021, in which MBRIT provided additional detail to clarify quote details, methodology and governance, understanding of the project and capability in delivering the project.

MBRIT provided a very comprehensive response to the tender that detailed the programs that will support Moreton Bay regional start-ups, scale-ups and foster the region's entrepreneurial spirit by providing access to the resources that will enable Moreton Bay locals, including our local youth in particular, to prosper and to build the capability to compete successfully in global markets. The evaluation panel considers the tender from MBRIT to represent the best overall value for Council.

It is recommended that Moreton Bay Region Industry and Tourism (MBRIT) be awarded the contract for the separable portions 1, 3 and 4, noting separable portion 2 has been removed from the marketplace as an RFT and Officers will use Council's Request for Quote (RFQ) process to obtain relevant quotes/services for future project/services delivery.

### **3. Strategic Implications**

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

Due to the value of work expecting to be greater than \$200,000, Council called for tenders for the work through MBRC's eTendering Portal, in accordance with the Local Government Act 2009. At a Council meeting dated 17 March 2021, it was endorsed by Council that, following an Expressions of Interest (EOI) process, the Request for Tender (RFT) would be a closed tender, which would only invite the two vendors who had submitted an EOI to submit a response.

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

This project is consistent with the Corporate Plan outcome - Creating Opportunities: Local jobs for residents - an innovative and thriving economy.

#### **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.
- *Regional Economic Development Strategy 2020-2041* (3 February 2021)

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

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

Risk Management Implications have been considered and will be managed throughout the course of the services being provided.

##### *Financial Risk:*

A third-party financial assessment has been carried out by Equifax Australasia Credit Ratings Pty Ltd ('Equifax') and the recommended tenderer was rated satisfactory for the purposes of providing the services detailed in the tender.

The third-party assessor's key recommendation was the following extensions of the contract:

- An unconditional payable-on-demand performance bond or bank guarantee be obtained from an APRA regulated entity to cover any re-tendering costs and payments made in advance (if any).

ITEM 1.1 TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903) - 63036175 (Cont.)

The recommended mitigation is able to be implemented by Council.

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.

*As this report is a multi-year contract with the possibility of extension it is being brought before Council.*

3.6 Financial Implications

Council has allocated \$500,000 in the 21-22 operational services Industry Advancement budget for the Knowledge, Innovation and Entrepreneurship purposes. The estimated cost as tendered by MBRIT is within budget allocation. All financial information below is excluding GST.

Tender Price - Year 1	\$	332,412.50
Tender Price - Year 2	\$	332,412.50
Tender Price - Year 3 (optional)	\$	332,412.50
<b><u>Total Project Cost</u></b>	<b>\$</b>	<b><u>997.237.50</u></b>

Year 3 is a possible extension. The budget amount for this project is sufficient.

3.7 Economic Benefit Implications

The 'Brighter' goal of the Regional Economic Development Strategy is for the region to become a Top 10 Regional Innovation Hub. By hitting the goals of the REDS by 2041, our Gross Regional Product and job creation will be 19% higher than what's currently projected. Key to achieving the goals of the REDS is to embrace innovation across all industries to diversify the region's innovative capacity and capability and reduce the reliance on population-driven industries.

The success of the Knowledge, Innovation and Entrepreneurship services in the region will drive the economic development of the region for generations to come.

3.8 Environmental Implications                       Nil identified

3.9 Social Implications

The awarding of this contract will create opportunities for local community members and businesses to leverage the Knowledge, Innovation and Entrepreneurship services, further allowing for the development of the region's innovation capacity and capability and furthering the region's attainment of an innovative reputation and becoming a Top 10 Regional Innovation Hub. ('Brighter' goal of the Regional Economic Development Strategy it will also provide programs for a range of young people and create/support education, training and employment pathways.

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Mayor, Councillors and the Executive Leadership Team have been consulted.

The following departmental stakeholders have been consulted in regard to this RFT for the provision of Knowledge, Innovation and Entrepreneurship services:



*ITEM 1.1 TENDER - KNOWLEDGE, INNOVATION AND ENTREPRENEURSHIP SERVICES (MBRC101903) - 63036175 (Cont.)*

- Strategy & Advocacy
- Legal Services
- Procurement Services
- Queensland Department of Tourism, Innovation and Sport (DTIS) (External)
- Local Buy (External)

## **ATTENDANCE**

Cr Darren Grimwade returned to the meeting at 9.47am following discussion on Item 1.1.

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**2 THRIVING COMMUNITIES SESSION**

**(Cr M Gillam)**

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**ITEM 2.1**

**OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - JOSEPH CRESCENT**

*Meeting / Session:* 2 THRIVING COMMUNITIES  
*Reference:* 62447908 : 6 July 2021 - **Refer Supporting Information 62447906**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

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**Executive Summary**

Council called for expressions of interest (EOI) from not-for-profit community organisations to lease the soon-to-be-constructed community building located at 7 Joseph Crescent, Deception Bay - Division 5 (*refer Supporting Information #1*) under the provision of Council's Community Leasing Policy (No. 2150-079). Two applications were received and assessed through this process.

This report seeks Council's approval to grant a lease to the recommended applicant, Redcliffe Environmental Forum Inc. The proposed lease would take effect following the completion of the Joseph Crescent facility.

This matter is brought to the attention of Council under the Thriving Communities portfolio as it relates to the provision of a lease to a community organisation which will support the delivery of services to community through the Redcliffe Environmental Forum's 300+ members who provide a range of environmental rehabilitation, education and facilitation projects.

Further, this matter is reported to Council as section 236(2) of the Local Government Regulation 2012 requires Council resolution to apply the exception under section 236(1)(b)(ii) to dispose of land and buildings (via a lease to a community organisation) other than by tender or auction.

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**RESOLUTION**

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**Moved by Cr Sandra Ruck**

**Seconded by Cr Mark Booth**

**CARRIED 12/0**

- 1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.**
- 2. That subject to recommendation 3, the Redcliffe Environmental Forum Inc. be granted a lease over an area at 7 Joseph Crescent, Deception Bay (*refer Supporting Information #1*) for a period of five years, following construction of the community building.**
- 3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.**
- 4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.**

ITEM 2.1 OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - JOSEPH CRESCENT - 62447908  
(Cont.)

### OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That subject to recommendation 3, the Redcliffe Environmental Forum Inc. be granted a lease over an area at 7 Joseph Crescent, Deception Bay (*refer Supporting Information #1*) for a period of five years, following construction of the community building.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

### **REPORT DETAIL**

#### **1. Background**

Construction has commenced on a new community building located at 7 Joseph Crescent, Deception Bay. Once complete (early 2022), the facility will provide two connecting meetings spaces, a kitchenette, public amenities and an open terrace/veranda space.

Following an initial investigation by Council officers, it was determined that the preferred management model for the facility was to provide a lease to a community organisation for management and activation of the meeting spaces, kitchenette and open terrace / veranda space. The public amenities were determined to be most appropriately managed by Council given their intended role in servicing other open space areas within the Joseph Crescent precinct.

In accordance with Council's Community Leasing Policy, Council may undertake an Expression of Interest (EOI) process to select the most appropriate community organisation to receive tenure over a Council-controlled facility. Accordingly, on 23 April 2021, Council called for EOIs from not-for-profit community organisations to lease the Joseph Crescent community building following completion of construction works.

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

Applications under the EOI process were received from the following community organisations:

- Redcliffe Environmental Forum Inc.; and
- Mindle Bygul Aboriginal Corporation.

Both applications were reviewed against the following criteria by a panel consisting of senior Council officers:

- Activation and utilisation of the facility in the best interests of the community and Council;
- Activation of the facility with consideration to the environmental significance of the site;
- Maintenance capacity;
- Financial capacity; and
- Ability to meet the obligations of a lessee under Council's Community Leasing Policy.

As an outcome of this assessment process, it is recommended that a lease be offered to the Redcliffe Environmental Forum Inc. over the area identified in *Supporting Information #1*, under the provisions of Council's Community Leasing Policy. Further, it is proposed that this lease be for a period of five (5) years, commencing after the completion of facility construction works.

*ITEM 2.1 OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - JOSEPH CRESCENT - 62447908*  
(Cont.)

Redcliffe Environmental Forum Inc.

Established in 2006, the Redcliffe Environmental Forum Inc. (REF) is a local, volunteer run community organisation servicing the Moreton Bay region. The objects of the organisation are to promote environmental awareness in the community through a focus on environmental rehabilitation, education and facilitation.

The organisation currently has over 300 members and has successfully delivered several environmentally focused projects and events throughout the region.

Should REF be successful in its application, the organisation proposes to activate the Joseph Crescent community building through the expansion of its environmental programs and services, and by making the facility available for use by other like-minded community organisations.

When assessing REF's application, Council officers considered REF to be the most suitable organisation to hold tenure over the Joseph Crescent community building due to:

- its ongoing involvement in the Moreton Bay community;
- its proposed activities aligning with the design, size and intended use of the facility; and
- the organisation's demonstrated capacity to expand its services.

### **3. Strategic Implications**

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

The Council must comply with the *Local Government Act 2009* and the Local Government Regulation 2012 when it disposes of valuable non-current assets. In accordance with section 224(6) of the Regulation, the disposal of a valuable non-current asset includes the disposal of all or any part of an interest in the asset (for example the grant of a lease over land or a building).

Section 236(2) of the Regulation provides that the exception in section 236(1)(b)(ii) of the Regulation applies only if the Council has decided by resolution that it may apply. By resolving that the exception applies, Council can dispose of the land and buildings (via a lease to a community organisation) other than by tender or auction. The organisation identified in this report is a community organisation for the purposes of the Regulation.

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

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

#### **3.3 Policy Implications**

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

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

It is recognised that permitting community organisations to occupy and manage Council-owned or controlled land and assets presents an associated level of risk. As a core function of Council is the provision of community facilities, this risk level is considered acceptable. However, to mitigate the risk, the lease document clearly outlines the responsibilities and obligations of the parties and includes a requirement for the community organisation(s) to hold appropriate levels public liability insurance.

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

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

**3.6 Financial Implications**  Nil identified

**3.7 Economic Benefit Implications**  Nil identified

*ITEM 2.1 OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - JOSEPH CRESCENT - 62447908  
(Cont.)*

3.8 Environmental Implications

The provision of a community lease to Redcliffe Environmental Forum Inc. will provide increased opportunities for the group to deliver community programs focused on environmental awareness and education, and contribute towards the region's ecological sustainability.

3.9 Social Implications

The issuing of a lease to Redcliffe Environmental Forum Inc. will provide the group with facilities to support their own operations, as well those of other community organisations (via hire arrangements).

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Councillor Division 5  
Relevant Council Departments

**ITEM 2.2  
NEW LEASE - THE SCOUT ASSOCIATION OF AUSTRALIA QUEENSLAND  
BRANCH INC - CLONTARF BRANCH**

*Meeting / Session:* 2 THRIVING COMMUNITIES  
*Reference:* 62748856 : 7 October 2021 - Refer Supporting Information 62748859  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

**Executive Summary**

This report seeks Council's approval for the provision of a lease to The Scout Association of Australia Queensland Branch Inc. (Scout Association) at Yourell Park, 75 Maine Road, Clontarf (refer *Supporting Information #1*). The proposed lease would take effect once the construction of a new Scout Den is completed at the site.

This matter is brought to the attention of Council under the Thriving Communities portfolio as it relates to the provision of a lease to a community organisation which will support the delivery of services to community through the Scout Association's range of programs.

Further, this matter is reported to Council as section 236(2) of the Local Government Regulation 2012 requires Council resolution to apply the exception under section 236(1)(b)(ii) to dispose of land and buildings (via a lease to a community organisation) other than by tender or auction.

**RESOLUTION**

Moved by Cr Karl Winchester

Seconded by Cr Tony Latter

CARRIED 12/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3 and 4, The Scout Association of Australia Queensland Branch Inc be granted a lease over an area at 75 Maine Road, Clontarf (refer *Supporting Information #1*) for a period aligning with their existing lease at the location, 3 September 2024.
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 The Scout Association of Australian Queensland Branch Inc. surrendering its existing lease at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

*ITEM 2.2 NEW LEASE - THE SCOUT ASSOCIATION OF AUSTRALIA QUEENSLAND BRANCH INC - CLONTARF BRANCH - 62748856 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3 and 4, The Scout Association of Australia Queensland Branch Inc be granted a lease over an area at 75 Maine Road, Clontarf (refer *Supporting Information #1*) for a period aligning with their existing lease at the location, 3 September 2024.
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 The Scout Association of Australian Queensland Branch Inc. surrendering its existing lease at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

## **REPORT DETAIL**

### **1. Background**

Since June 2003, The Scout Association of Australia Queensland Branch Inc (Scout Association) has held a lease with Council over a building and storage shed at Yourell Park, 75 Maine Road, Clontarf (refer *Supporting Information #1*) for the purpose of operating a scout den. The current lease is due to expire on 3 September 2024.

Following a recent facility assessment, various accessibility and 'levels of service' deficiencies were identified. Accordingly, Council determined that the building would be demolished and replaced with a new fit-for-purpose scout den.

Demolition of the original scout den has now been completed, and construction works have commenced for the new facility (estimated completion in November 2021).

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

To enable the Scout Association to recommence operations from the site following completion of construction works, Council will be required to enter into a new lease with the organisation over a revised area consisting of a new scout den and fenced area at Yourell Park, 75 Maine Road, Clontarf (refer *Supporting Information #1*).

The construction of the new scout den and fenced area will see the organisation's lease area increased by approximately 165m<sup>2</sup>, representing an increase of approximately 29% in comparison to its existing lease. In accordance with Council's Community Leasing - Improvement Works and Area Amendment Policy Directive (2160-026), due to the size of the lease area increase being greater than 20% of the organisation's original lease area, Council must consider the new lease at a General Meeting.

Accordingly, subject to the organisation surrendering its existing lease at this location, this report recommends that Council approves the granting of a new lease to the Scout Association under the terms and conditions of Council's Community Leasing Policy (2150-079) over the area identified in *Supporting Information #1*. Further, it is recommended that the provision of this lease be for a period aligning with the expiry of the organisation's existing lease at this location, being 3 September 2024.

ITEM 2.2 NEW LEASE - THE SCOUT ASSOCIATION OF AUSTRALIA QUEENSLAND BRANCH INC - CLONTARF BRANCH - 62748856 (Cont.)

**3. Strategic Implications**

3.1 Legislative / Legal Implications

The Council must comply with the *Local Government Act 2009* and the Local Government Regulation 2012 when it disposes of valuable non-current assets. In accordance with section 224(6) of the Regulation, the disposal of a valuable non-current asset includes the disposal of all or any part of an interest in the asset (for example the grant of a lease over land or a building).

Section 236(2) of the Regulation provides that the exception in section 236(1)(b)(ii) of the Regulation applies only if the Council has decided by resolution that it may apply. By resolving that the exception applies, Council can dispose of the land and buildings (via a lease to a community organisation) other than by tender or auction. The organisation identified in this report is a community organisation for the purposes of the Regulation.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

It is recognised that permitting community organisations to occupy and manage Council owned or controlled land and assets presents an associated level of risk. As a core function of Council is the provision of community facilities, this risk level is considered acceptable. However, to mitigate the risk, the lease document clearly outlines the responsibilities and obligations of the parties and includes a requirement for the community organisation(s) to hold appropriate levels of public liability insurance.

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 including, but not limited to negotiating, making, amending and signing to execute the new lease.

3.6 Financial Implications  Nil identified

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications

The issuing of a lease to The Scout Association of Australia Queensland Branch Inc will provide the organisation with facilities to support its operations.

3.10 Human Rights Implications

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

3.11 Consultation / Communication

Cr Karl Winchester (Division 6)  
Relevant Council Departments  
The Scout Association of Australia Queensland Branch Inc



**ITEM 2.3  
MORETON BAY LOCAL DISASTER MANAGEMENT GROUP MEMBERSHIP**

*Meeting / Session:* 2 THRIVING COMMUNITIES  
*Reference:* 62958456 : 21 September 2021  
*Responsible Officer:* CP, Emergency Management and Public Safety Manager (PAS Emergency Management and Public Safety)

**Executive Summary**

A recent review has been undertaken into the structure and membership of the MBRC Local Disaster Management Group (LDMG) and its sub-groups, taking into account lessons learned from recent disaster exercises, machinery of government changes within the Queensland Government and organisational changes within Council.

This report is to reaffirm some existing appointments and approve a number of new appointments.

This matter is brought to the attention of Council under the Thriving Communities portfolio due to its importance in contributing to a safer and more resilient community through the provision of effective disaster management.

**RESOLUTION**

Moved by Cr Brooke Savige

Seconded by Cr Tony Latter

**CARRIED 12/0**

1. That Cr Peter Flannery, Mayor Council be appointed Chairperson and Cr Matt Constance Deputy Chairperson of the Moreton Bay Local Disaster Management Group.
2. That Cr Tony Latter and Cr Mark Booth be appointed as observers.
3. That the membership of the Moreton Bay Local Disaster Management Group be approved, as follows:
  - a) The Chairperson
  - b) The Deputy Chairperson
  - c) The Local Disaster Coordinator
  - d) The Moreton Recovery Coordinator
  - e) The Moreton Bay LDMG Secretariat
  - f) Australian Red Cross (Queensland)
  - g) Department of Education
  - h) Energex
  - i) Queensland Ambulance Service
  - j) Queensland Fire and Emergency Services
  - k) Queensland Health
  - l) Queensland Police Service
  - m) State Emergency Service
  - n) Unitywater
4. That the appointment of positions to undertake roles within the Local Disaster Management Group and/or Moreton Recovery Group be approved, as follows:
  - a) Chairperson Moreton Recovery Group - Chairperson of the LDMG
  - b) Deputy Chairperson Moreton Recovery Group - Deputy Chairperson of the LDMG
  - c) Local Disaster Coordinator - Deputy CEO / Director Projects and Asset Services
  - d) Deputy Local Disaster Coordinator - Director Infrastructure Planning
  - e) Deputy Local Disaster Coordinator - Manager Asset Maintenance

*ITEM 2.3 MORETON BAY LOCAL DISASTER MANAGEMENT GROUP MEMBERSHIP - 62958456 (Cont.)*

- f) Deputy Local Disaster Coordinator - Drainage, Waterways and Coastal Planning Manager**
- g) Deputy Local Disaster Coordinator - Emergency Management and Public Safety Manager**
- h) Moreton Bay LDMG Secretariat - Disaster Management Coordinator**
- i) Deputy Moreton Bay LDMG Secretariat - Disaster Resilience and Recovery Coordinator**
- j) Moreton Recovery Coordinator - Director Community and Environmental Services**
- k) Deputy Moreton Recovery Coordinator - Manager Community Services, Sport and Recreation**
- l) Deputy Moreton Recovery Coordinator - Manager Cultural Services**

*ITEM 2.3 MORETON BAY LOCAL DISASTER MANAGEMENT GROUP MEMBERSHIP - 62958456 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That Cr Peter Flannery, Mayor Council be appointed Chairperson and Cr Matt Constance Deputy Chairperson of the Moreton Bay Local Disaster Management Group.
2. That Cr Tony Latter and Cr Mark Booth be appointed as observers.
3. That the membership of the Moreton Bay Local Disaster Management Group be approved, as follows:
  - a) The Chairperson
  - b) The Deputy Chairperson
  - c) The Local Disaster Coordinator
  - d) The Moreton Recovery Coordinator
  - e) The Moreton Bay LDMG Secretariat
  - f) Australian Red Cross (Queensland)
  - g) Department of Education
  - h) Energex
  - i) Queensland Ambulance Service
  - j) Queensland Fire and Emergency Services
  - k) Queensland Health
  - l) Queensland Police Service
  - m) State Emergency Service
  - n) Unitywater
4. That the appointment of positions to undertake roles within the Local Disaster Management Group and/or Moreton Recovery Group be approved, as follows:
  - a) Chairperson Moreton Recovery Group - Chairperson of the LDMG
  - b) Deputy Chairperson Moreton Recovery Group - Deputy Chairperson of the LDMG
  - c) Local Disaster Coordinator - Deputy CEO / Director Projects and Asset Services
  - d) Deputy Local Disaster Coordinator - Director Infrastructure Planning
  - e) Deputy Local Disaster Coordinator - Manager Asset Maintenance
  - f) Deputy Local Disaster Coordinator - Drainage, Waterways and Coastal Planning Manager
  - g) Deputy Local Disaster Coordinator - Emergency Management and Public Safety Manager
  - h) Moreton Bay LDMG Secretariat - Disaster Management Coordinator
  - i) Deputy Moreton Bay LDMG Secretariat - Disaster Resilience and Recovery Coordinator
  - j) Moreton Recovery Coordinator - Director Community and Environmental Services
  - k) Deputy Moreton Recovery Coordinator - Manager Community Services, Sport and Recreation
  - l) Deputy Moreton Recovery Coordinator - Manager Cultural Services

## **REPORT DETAIL**

### **1. Background**

A recent review into the structure and membership of the Moreton Bay Local Disaster Management Group (LDMG) and its sub-groups has occurred, taking into account lessons learned from recent disaster exercises, machinery of government changes within the Queensland Government and organisational changes within Council. This report is to reaffirm existing appointments and approve new appointments.

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

#### Local Disaster Management Group Chairperson and Deputy Chairperson

Section 29 of the *Disaster Management Act 2003* (Qld) (the Act) requires Council to have an LDMG (a local group) for the local government area. Section 34 of the Act requires this group to have a Chairperson and Deputy Chairperson and these persons are prescribed by regulation.

*ITEM 2.3 MORETON BAY LOCAL DISASTER MANAGEMENT GROUP MEMBERSHIP - 62958456 (Cont.)*

Section 10 of the *Disaster Management Regulation 2014* (Qld) (the Regulation) states the Chairperson and Deputy Chairperson of a local group are the persons appointed by the relevant local government for the local group to be the Chairperson and Deputy Chairperson. It also states the Chairperson must be a Councillor of a local government. Section 9 of the Regulation states that the local government may appoint a person as a member only if satisfied the person has the necessary expertise or experience to be a member.

Accordingly, Mayor Peter Flannery, has been nominated to fulfil the role of Chairperson and Cr Matt Constance has been nominated to fulfil the role of Deputy Chairperson of the Moreton Bay LDMG. Both of these elected officials have the necessary expertise and experience to undertake these roles including having completed the training obligations as defined in the Queensland Disaster Management Training Framework.

Local Disaster Management Group Membership

The LDMG membership has been reviewed periodically, including in 2011, 2016, 2017, 2019 and 2020. To address recent organisational changes and learnings from disaster exercises, the following membership changes are proposed:

- a) The Chairperson
- b) The Deputy Chairperson
- c) The Local Disaster Coordinator
- d) The Moreton Recovery Coordinator
- e) The Moreton Bay LDMG Secretariat
- f) Australian Red Cross (Queensland)
- g) Department of Education
- h) Energex
- i) Queensland Ambulance Service
- j) Queensland Fire and Emergency Services
- k) Queensland Health
- l) Queensland Police Service
- m) State Emergency Service
- n) Unitywater

Section 13 of the Regulation states that 'a quorum for a meeting of a disaster management group is the number equal to one half of its members for the time being holding office plus one; or if one-half of its members for the time being holding office is not a whole number, the next highest whole number'. Accordingly, the quorum for the LDMG will remain at eight (8) members.

It should also be acknowledged that a number of organisations will continue to serve the LDMG in an advisory capacity or through support through the Moreton District Disaster Management Group as required. These organisations are detailed as follows:

- a) APA Group
- b) Australian Defence Force
- c) Bureau of Meteorology
- d) Department of Agriculture and Fisheries
- e) Department of Children, Youth Justice and Multicultural Affairs
- f) Department of Communities, Housing and Digital Economy
- g) Department of Employment, Small Business and Training
- h) Department of Energy and Public Works
- i) Department of Environment and Science
- j) Department of Regional Development, Manufacturing and Water
- k) Department of Resources
- l) Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships
- m) Department of State Development, Infrastructure, Local Government and Planning
- n) Department of Tourism, Innovation and Sport

ITEM 2.3 MORETON BAY LOCAL DISASTER MANAGEMENT GROUP MEMBERSHIP - 62958456 (Cont.)

- o) Department of Transport and Main Roads
- p) Local Government Association of Queensland
- q) Maritime Safety Queensland
- r) National Broadband Network
- s) Queensland Corrective Services
- t) Queensland Rail
- u) Queensland Reconstruction Authority
- v) Redcliffe Coast Guard
- w) Seqwater
- x) Surf Life Saving Queensland
- y) Telstra
- z) Volunteer Marine Rescue

Council appointments to LDMG and Moreton Recovery Group

Given recent changes in organisational structure, it is important to reiterate those Council positions that have been appointed roles to support Council's disaster management arrangements. The position of Local Disaster Coordinator is mandated within the *Disaster Management Act 2003* (Qld). Given the importance of this role, it is recommended that a number of additional positions within Council are trained to support and back up this legislated position. The other positions are defined within Council's Local Disaster Management Plan or Disaster Management Recovery Plan. These positions/roles are detailed below:

- a) Chairperson Moreton Recovery Group - Chairperson of the LDMG
- b) Deputy Chairperson Moreton Recovery Group - Deputy Chairperson of the LDMG
- c) Local Disaster Coordinator - Deputy CEO / Director Projects and Asset Services
- d) Deputy Local Disaster Coordinator - Director Infrastructure Planning
- e) Deputy Local Disaster Coordinator - Manager Asset Maintenance
- f) Deputy Local Disaster Coordinator - Drainage, Waterways and Coastal Planning Manager
- g) Deputy Local Disaster Coordinator - Emergency Management and Public Safety Manager
- h) Moreton Bay LDMG Secretariat - Disaster Management Coordinator
- i) Deputy Moreton Bay LDMG Secretariat - Disaster Resilience and Recovery Coordinator
- j) Moreton Recovery Coordinator - Director Community and Environmental Services
- k) Deputy Moreton Recovery Coordinator - Manager Community Services, Sport and Recreation
- l) Deputy Moreton Recovery Coordinator - Manager Cultural Services

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

Section 29 of the *Disaster Management Act 2003* (Qld) requires Council to have an LDMG (a local group) for the local government area. Section 34 of the Act requires this group to have a Chairperson and Deputy Chairperson and these persons are prescribed by regulation. Section 10 of the Disaster Management Regulation 2014 (Qld) states the Chairperson and Deputy Chairperson of a local group are the persons appointed by the relevant local government for the local group to be the Chairperson and Deputy Chairperson. It also states the Chairperson must be a Councillor of a local government. Section 9 of the Regulation states that the local government may appoint a person as a member only if satisfied the person has the necessary expertise or experience to be a member.

#### 3.2 Corporate Plan / Operational Plan

Strengthening Communities: Safe neighbourhoods - a safe and resilient community.

3.3 Policy Implications  Nil identified

3.4 Risk Management Implications  Nil identified

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications  Nil identified

*ITEM 2.3 MORETON BAY LOCAL DISASTER MANAGEMENT GROUP MEMBERSHIP - 62958456 (Cont.)*

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications  Nil identified

3.10 Human Rights Implications

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 right implications relevant to Council's decision in this matter

3.11 Consultation / Communication

Regarding the proposed LDMG membership changes, consultation has occurred with the Deputy CEO / Director Projects and Asset Services, Director Community and Environmental Services and assorted council officers. Initial consultation has also occurred with the Queensland Police Service and Queensland Fire and Emergency Services.

Queensland Fire and Emergency Services (QFES) will be notified of the recommended appointments as required under the *Disaster Management Act 2003*.

**ITEM 2.4  
SANDSTONE POINT COMMUNITY AND SPORTS COMPLEX MASTER PLAN -  
ADOPTION**

*Meeting / Session:* 2 THRIVING COMMUNITIES  
*Reference:* 63028276 : 1 October 2021 - Refer Supporting Information 62355754;  
62355758 and **Confidential** Supporting Information 62355798; 63028523  
*Responsible Officer:* JC, Team Leader Sports and Recreation Planning (IP Parks & Recreation Planning)

**Executive Summary**

In the 2018/19 Financial Year, Council allocated funds to commence the development of a master plan for the Sandstone Point Community and Sports Complex. The draft Sandstone Point Community and Sports Complex Master Plan (draft plan) has now been completed which provides a framework for the delivery of infrastructure to support facility improvements over the next 10-15 years.

The draft master plan has been developed generally in accordance with Policy No 2150-088 (Preparation of Master Plans for Council-Controlled or Owned Sites) and Policy No 38-2150-010 (Community Engagement Policy).

Community feedback was invited between 14 March and 30 March 2019 in a manner consistent with Policy No: 38-2150-010 - Community Engagement.

The final draft of the master plan (ref: June 2021 Rev F) is now ready for Council to consider for endorsement with (refer supporting information #1). A master plan report has been prepared which outlines the master planning process and includes relevant vision and objectives, technical reports etc. (refer confidential supporting information #3 and #4).

This matter is brought to the attention of Council under the Thriving Communities portfolio as the long term master planning and progressive development of community and sports complexes is an essential role of Council to enable its community organisations and residents to participate in a range of cultural, sporting and recreation pursuits.

**RESOLUTION**

Moved by Cr Brooke Savige

Seconded by Cr Jodie Shipway

CARRIED 12/0

1. That having regard to the information provided within this report, Council endorses the Sandstone Point Community and Sports Complex Master Plan (June 2021 Rev F) in accordance with Policy No 2150-088 (Preparation of Master Plans for Council-Controlled or Owned Sites).
2. That the embellishments identified in the master plan (estimated in the order of \$4.5M) be updated in Council's forward Capital Works Program and be funded subject to broader infrastructure prioritisation and budget availability.

ITEM 2.4 SANDSTONE POINT COMMUNITY AND SPORTS COMPLEX MASTER PLAN - ADOPTION - 63028276  
(Cont.)

**OFFICER'S RECOMMENDATION**

1. That having regard to the information provided within this report, Council endorses the Sandstone Point Community and Sports Complex Master Plan (June 2021 Rev F) in accordance with Policy No 2150-088 (Preparation of Master Plans for Council-Controlled or Owned Sites).
2. That the embellishments identified in the master plan (estimated in the order of \$4.5M) be updated in Council's forward Capital Works Program and be funded subject to broader infrastructure prioritisation and budget availability.

**REPORT DETAIL**

**1. Background**

The Sandstone Point Community and Sports Complex (the site) is located at Bestmann Road East, Sandstone Point (refer Figure 1). The facility is currently used by several sporting and community organisations and acts as the central core for the social and physical activity needs of the Sandstone Point community.



Figure 1: Site Context



Figure 2: Local Context

Council's Interim Sports Facility Plan acknowledges that the current facility, although of a local scale, provides a district function for sporting and recreation needs in its catchment. In recent years, new sporting and community organisations have emerged and are now operating from the site, extending its use beyond that originally envisaged for the facility. The lack of field lighting, for example, means the facility cannot be utilised for training, competition activities and community events in the evening, resulting in underutilisation of the site.

The draft master plan has been developed generally in accordance with Policy No 2150-088 (Preparation of Master Plans for Council-Controlled or Owned Sites) and Policy No 38-2150-010 (Community Engagement Policy).

Community feedback was invited between 14 March and 30 March 2019 and was undertaken in accordance with Policy No: 38-2150-010 Community Engagement. Three phases of community consultation were undertaken to inform the development of the master plan including:

- Phase 1: Site-user-group workshops;
- Phase 2: Community engagement; and
- Phase 3: Feedback on the draft plan.



*ITEM 2.4 SANDSTONE POINT COMMUNITY AND SPORTS COMPLEX MASTER PLAN - ADOPTION - 63028276  
(Cont.)*

During the community consultation period, 35 people provided survey responses (refer supporting information #2). While general support was received for the draft master plan, the community identified a number of issues which officers felt needed resolution:

1. Access from the local shops to the community hall via a direct pathway;
2. Vehicle access to the community hall and nearby storage shed;
3. New pathway access to the community hall from carpark;
4. Closer car parking to the community hall for elderly and persons and those with a disability;
5. Resolution of drainage issues leading to regular site inundation and;
6. Management of mosquito breeding in poorly drained areas.

The identified issues and constraints were investigated and dealt with as best as practically possible. Significant site constraints such as semi-regular flood inundation and planning scheme overlays have prohibited significant changes to the site which might have otherwise resolved some identified issues.

The final draft of the master plan (June 2021 Rev F) is now ready for Council to consider for endorsement. (refer supporting information #1). A master plan report has been prepared which outlines the master planning process and includes the vision and objectives, relevant technical reports etc. (refer confidential supporting information #3 and #4).

The master plan will:

- help Council and site users plan for and fund required infrastructure upgrades to meet the district level catchment standard;
- assist in the orderly delivery of infrastructure; and
- support applications by Council or site users for external funding.

The draft plan has been informed by comprehensive stakeholder engagement. Minor changes have been implemented following the three phases of community engagement and internal stakeholder review and the completion of a preliminary engineering design phase.

Three phases of community consultation have been undertaken to inform the development of the draft plan:

- Phase 1: Site-user-group workshops;
- Phase 2: Community engagement; and
- Phase 3: Feedback on the draft plan.

Three Council briefings were conducted on 26 February 2019, 3 December 2019 and via Council Portal on 18 August 2021 respectively, for the purpose of sharing information and providing technical advice to Council on the matter. In line with Council's decision-making framework, an extract from the relevant minutes of the briefings, is provided in Table 1.

On 26 February 2019 the draft master plan was presented at a Council briefing with the intention to seek Council's support to undertake the third phase of consultation - public feedback. Council was generally supportive of the draft master plan and approved the commencement of phase 3 community consultation.

On 3 December 2019 the draft master plan was presented to Council following the completion of phase 3 consultation and commencement of technical studies and preliminary engineering design. Council supported the plan with the intention that a report be submitted to a future General Meeting for consideration of endorsement.

Following completion of technical studies and preliminary engineering design, the draft master plan was again provide to Council on 18 August 2021 without objection.

*ITEM 2.4 SANDSTONE POINT COMMUNITY AND SPORTS COMPLEX MASTER PLAN - ADOPTION - 63028276  
(Cont.)*

## **2. Explanation of Item**

The draft plan has been prepared in accordance with relevant Council policies and has been informed by comprehensive internal and external stakeholder engagement.

Technical studies and preliminary engineering design have now been completed and the draft plan duly updated, which provides cost estimates to inform Council's forward 10-year Capital Works Program.

Council officers recommend that the draft Sandstone Point Community and Sports Complex Master Plan be endorsed by Council in accordance with Policy No 2150-088 (Preparation of Master Plans for Council-Controlled or Owned Sites).

## **3. Strategic Implications**

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

The following commonwealth, state government and local government legislation and/or instruments are relevant to the development of the Sandstone Point Community and Sports Complex site:

- *Aboriginal Cultural Heritage Act 2003*
- *Environmental Protection and Biodiversity Conservation Act 1999*
- Moreton Bay Regional Council Planning Scheme 2016
- *Nature Conservation Act 1992*
- *Planning Act 2016*
- Planning Regulation 2017
- *Vegetation Management Act 1999*

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

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

### **3.3 Policy Implications**

The following policies have guided the development of the draft master plan and have bearing on the matter:

- Policy No 2150-088 (Preparation of Master Plans for Council-Controlled or Owned Sites); and
- Policy No: 38-2150-010 Community Engagement.

3.4 Risk Management Implications                       Nil identified

3.5 Delegated Authority Implications                       Nil identified

### **3.6 Financial Implications**

Embellishments identified in the draft plan have been estimated in the order of \$4.5M. Projects have been loaded into Council's forward 10-year Capital Works Program to this effect and will be funded subject to broader infrastructure prioritisation and budget availability.

### **3.7 Economic Benefit Implications**

The Value of Community Sport Infrastructure report commissioned by the Australian Sports Commission states that the cost of physical inactivity equates to an average loss of 1.8 working days per year, at an average cost of \$458 per worker per year. The draft plan supports and encourages opportunities for increased physical activity within the Sandstone Point community and surrounds (KPMG, 2018).

### **3.8 Environmental Implications**

The draft plan has been designed to minimise impacts on environmental values. Any clearing will be undertaken in accordance with relevant approvals and offset planting will be undertaken where required.

*ITEM 2.4 SANDSTONE POINT COMMUNITY AND SPORTS COMPLEX MASTER PLAN - ADOPTION - 63028276  
(Cont.)*

3.9 Social Implications

The Value of Community Sport Infrastructure report commissioned by the Australian Sports Commission states that investment in community sport infrastructure amplifies positive social and health outcomes which occur through participation in recreation-based activities (KPMG, 2018).

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. Whilst extensive community consultation was undertaken as part of the development of the draft plan, adjoining residents may perceive that the erection of new sports field lighting may impact on their human rights. The sports field lighting has been designed to comply with all relevant Australian Standards. The draft plan identifies the need for screen planting to occur along the shared boundary with adjoining residents to mitigate any additional perceived impacts.

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 Human Rights.

3.11 Consultation / Communication

As detailed within this report, extensive internal and external engagement has occurred as part of the draft master plan development. Officers consider that community engagement has been carried out in accordance with Policy No: 38-2150-010 Community Engagement.

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**ITEM 2.5  
ESTABLISHMENT OF MAYOR'S OLYMPIC AND PARALYMPIC LEGACY WORKING  
GROUP**

*Meeting / Session:* 2 THRIVING COMMUNITIES  
*Reference:* 63078018 : 12 October 2021  
*Responsible Officer:* Sean Jacobs, Principal Advocacy and Major Projects Advisor (CEO Strategy & Advocacy)

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**Executive Summary**

The purpose of this report is to recommend the establishment of a Mayor's Olympic and Paralympic Legacy Working Group.

The Group is to be advisory in nature only. Its primary aim is to assist in identifying regional economic, infrastructure, sustainability, social and health-related legacy opportunities through the various stages of preparation for the 2032 Olympic and Paralympic Games.

This matter is brought to the attention of Council under the Thriving Communities portfolio as it relates to identifying Olympic and Paralympic legacy opportunities, which will help support regional wellbeing and other services.

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**RESOLUTION**

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**Moved by Cr Mark Booth**

**Seconded by Cr Matt Constance**

**CARRIED 12/0**

- 1. That Council agrees to the formation of a Mayor's Olympic and Paralympic Legacy Working Group.**
- 2. That Council notes that the Mayor's Olympic and Paralympic Legacy Working Group is a non-legislated group and is formed with the objectives, membership and terms outlined in this report.**

*ITEM 2.5 ESTABLISHMENT OF MAYOR'S OLYMPIC AND PARALYMPIC LEGACY WORKING GROUP - 63078018  
(Cont.)*

## OFFICER'S RECOMMENDATION

1. That Council agrees to the formation of a Mayor's Olympic and Paralympic Legacy Working Group.
2. That Council notes that the Mayor's Olympic and Paralympic Legacy Working Group is a non-legislated group and is formed with the objectives, membership and terms outlined in this report.

## **REPORT DETAIL**

### **1. Background**

The International Olympic Committee recognises 'legacy' as a key part of the 2032 Olympic and Paralympic Games, noting a specific objective of the Games is to deliver lasting benefits for people, and the considerable opportunity for the Games to change a community, a city, its image and its infrastructure.

It is proposed a Mayor's Olympic and Paralympic Legacy Working Group be established to support this function and to ensure there is widespread local support at each stage of Games preparation, and that the views, expectations and concerns of local sectors are understood and considered as early as possible.

The Mayor, as a representative on the Council of Mayors (SEQ) board, with the Mayors of each of the SEQ councils, will utilise the Committee's views to articulate regional legacy and other opportunities as part of the Council of Mayors (SEQ) forum.

The Working Group is not an Advisory Committee, which has distinct implications under the Local Government Act.

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

#### Terms

The Mayor, as a representative on the Council of Mayors (SEQ) board, with the Mayors of each of the SEQ councils, will utilise the Committee's views to articulate regional legacy and other opportunities as part of the Council of Mayors (SEQ) forum.

#### Purpose

To help identify, advise and guide regional and local legacy<sup>1</sup> outcomes for the Moreton Bay Region as part of the 2032 Olympic and Paralympic Games, on behalf of Moreton Bay Regional Council. The objectives of the Legacy Working Group will be to:

- Advise on pragmatic Olympic legacy opportunities within the Moreton Bay Region.
- Provide advice to/advocate to government for certain projects and internal approvals of programs and initiatives as required.
- Help catalyse and provide support for Olympic-related opportunities as they apply to the region and activities already underway.
- Enable a powerful advocacy voice on Olympic legacy issues and other related regional opportunities.

#### Authority

The Legacy Working Group is consultative and advisory in nature. It does not have authority to make decisions but will make recommendations to Council. The structure of the group will retain the necessary flexibility to ensure it continues to achieve Council objectives through all stages of the Olympic Games development. For this reason the group will not take the form of an organised advisory committee pursuant to the Local Government Act 2009 (Qld).

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<sup>1</sup> Within the Olympic and Paralympic context, legacy relates to the lasting outcomes and benefits of the project.

*ITEM 2.5 ESTABLISHMENT OF MAYOR'S OLYMPIC AND PARALYMPIC LEGACY WORKING GROUP - 63078018  
(Cont.)*

Membership and terms of appointment

Legacy Working Group Members will have a local connection to the Moreton Bay Region and be drawn from various sectors. Composition will include appointed representatives of:

- 1x Local Tourism Organisation;
- 1x Economic Development (from REDS Taskforce);
- 1x Queensland Government;
- 1x Olympian;
- 1x Paralympian; and
- 1x Regional Development Australia Moreton Bay.

Composition will include expressions of interest from the following sectors:

- Education – 2x school-aged representatives, 2x university students and 2x trade students/apprentices;
- Social and community– 2x representatives (from health, homelessness or other social sector);
- Person with a disability/accessibility - 1x representative;
- First Nation - 1x representative; and
- Culturally and linguistically diverse - 1x representative.

No less than ten Legacy Working Group Members shall be appointed by the Mayor for a term of two years. Staggered appointments will take place to ensure continuity of membership.

Membership is honorary, unremunerated and non-pensionable.

The Mayor may appoint other Members over time if it is considered this representation will best further the Legacy Working Group's purpose.

Note all Councillors can attend as observers noting their decision making role at a General Meeting. In recognition of Council's sister city relationship with Winton, the Mayor of Winton (or Councillor alternate) will be invited to attend with observer status.

Frequency and process

Meetings shall be called by the Chair and / or held bi-annually.

Meetings will be Chaired by the Mayor. The current governance structure of Council's general meeting will be used. A designated delegate will Chair in the Mayor's absence.

Appropriate support will be provided by a related Moreton Bay Regional Council (MBRC) internal working group, comprised of MBRC Officers.

Secretariat

Secretariat support will be provided by MBRC.

Quorum

Consists of half the total number of appointed members.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

The Mayor's Olympic and Paralympic Legacy Working Group is a non-legislated group.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

Policy recommendations proposed or agreed by the Working Group are not binding on Council or MBRC Officers. Any adjustments to MBRC policy will be made using appropriate procedures.

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*ITEM 2.5 ESTABLISHMENT OF MAYOR'S OLYMPIC AND PARALYMPIC LEGACY WORKING GROUP - 63078018  
(Cont.)*

3.4 Risk Management Implications

As the Working Group is a new body, with no legally valid or binding authority, Councillors on the Working Group may debate and make decisions in this forum that are not legally valid/binding.

3.5 Delegated Authority Implications

The Working Group is consultative and advisory in nature. It does not have authority to make decisions but will make recommendations to Council.

3.6 Financial Implications

Nil identified

3.7 Economic Benefit Implications

Working Group members from this sector will have a connection to the Moreton Bay Region and bring particular expertise in the area of economic growth and development.

3.8 Environmental Implications

Working Group members from this sector will have a connection to the Moreton Bay Region and bring particular expertise in the areas of sustainability and other environmental legacy opportunities.

3.9 Social Implications

Working Group members from this sector will have a connection to the Moreton Bay Region and bring particular expertise in the areas of health, homelessness and other social sector related legacy opportunities.

3.10 Human Rights Implications

The International Olympic Committee recognises 'legacy' as a key part of the 2032 Olympic and Paralympic Games, noting a specific objective of the Games is to deliver lasting benefits for people, and the considerable opportunity for the Games to change a community, a city, its image and its infrastructure.

3.11 Consultation / Communication

The Mayor, Chief Executive Officer and Legal Services were consulted in the preparation of this report.

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**3 WELL-PLANNED REGION (PLANNING) SESSION**

**(Cr J Shipway)**

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**ITEM 3.1**

**MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 S18 TAILORED AMENDMENT - MINISTER'S APPROVAL TO ADOPT AND SETTING OF COMMENCEMENT DATE**

*Meeting / Session:* 3 WELL-PLANNED REGION (PLANNING)  
*Reference:* 62949031 : 5 October 2021 - **Refer Supporting Information 63016798**  
*Responsible Officer:* AJ, Coordinator Planning Scheme (PL Strategic Planning & Place Making)

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**Executive Summary**

On 9 December 2020, Council resolved to make an amendment to the MBRC Planning Scheme under Section 18 of the *Planning Act 2016* for 'Neighbourhood Development Plan No.1 (NDP1) of the Caboolture West Local Plan' (**the Proposed Amendment**). The Proposed Amendment will guide the orderly, balanced and sequenced planning and development of the NDP1 area, and establishes a statutory framework to support development, to deliver critical infrastructure (including social/ community infrastructure) in a coordinated way, and assist the assessment of development applications in accordance with its provisions.

On 31 March 2021, Council resolved to commence a concurrent formal State interest review and public consultation process for the Proposed Amendment, along with the making of a new Planning Scheme Policy - *Planning Scheme Policy - Caboolture West Local Plan - Neighbourhood Development Plan No.1 (NDP1)* (**the Proposed PSP**), and its associated public consultation process.

The State interest review and public consultation process for the Proposed Amendment is complete and at the General Meeting of 18 August 2021, Council resolved to:

- a. respond to submitters in line with the Consultation Report prepared in accordance with Council's Statutory obligations;
- b. make the associated changes to the Proposed Amendment; and
- c. request the Minister for the Department of State Development, Infrastructure, Local Government and Planning (the Planning Minister) advise Council it may adopt the Proposed Amendment in accordance with the requirements of that advice.

Furthermore, Council resolved that on the basis that the Planning Minister gives Council a notice stating that Council may adopt the Proposed Amendment document, the Chief Executive Officer be authorised to do all things reasonable and necessary in order to adopt the Proposed Amendment document.

On 26 September 2021, the Planning Minister provided notice to Council that it may proceed to adopt the Proposed Amendment, without any associated conditions or changes. In reaching this significant milestone in the statutory amendment process, subsequent steps and internal processes are required to be undertaken for the amendment to take effect (commencement date).

On 28 September 2021, the Planning Minister also enacted the Caboolture West Emerging Community Area Temporary Local Planning Instrument No. 1 of 2021 to support a future planning framework over part of the Caboolture West area and protect State interests, until such time as detailed land use and infrastructure planning has been undertaken and approved. Importantly, this does not impact the adoption and commencement of the proposed NDP1 amendment or the Proposed PSP.

The purpose of this report is to seek Council's approval of the commencement date for the Proposed Amendment (which is also proposed to coincide with the Proposed PSP) as well as finalise necessary publishing processes, including correcting any drafting errors and making associated administrative changes of an editorial nature.



*ITEM 3.1 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 S18 TAILORED AMENDMENT - MINISTER'S APPROVAL TO ADOPT AND SETTING OF COMMENCEMENT DATE - 62949031 (Cont.)*

This matter is brought to the attention of Council under the Well Planned Region (Planning) portfolio as the orderly development of Caboolture West NDP1 has a direct nexus to Council's aspirations and actions for a well-planned region.

**RESOLUTION**

Moved by Cr Tony Latter

Seconded by Cr Mark Booth

CARRIED 12/0

1. That Council notes the notice from the Minister for the Department of State Development, Infrastructure, Local Government and Planning that Council may adopt the Proposed Amendment - *Caboolture West Local Plan Neighbourhood Development Plan Area No.1* without any associated conditions or changes.
2. That the date the Proposed Amendment - *Caboolture West Local Plan Neighbourhood Development Plan Area No.1* takes effect (commencement date) be 26 October 2021.
3. That the Chief Executive Officer be authorised to correct drafting errors and make administrative changes of an editorial nature prior to the commencement date as part of publishing the Proposed Amendment - *Caboolture West Local Plan Neighbourhood Development Plan Area No.1*, including incorporating adoption and commencement dates, and an updated Planning Scheme version number, and otherwise comply with the requirements of the Notice provided under s18(3) of the Planning Act 2016 (titled *Chief Executive Notice - Neighbourhood Development Plan No.1 (NDP1) of the Caboolture West Local Plan - Proposed amendment to the Moreton Bay Regional Council Planning Scheme - Moreton Bay Regional Council*).

ITEM 3.1 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 S18 TAILORED AMENDMENT - MINISTER'S APPROVAL TO ADOPT AND SETTING OF COMMENCEMENT DATE - 62949031 (Cont.)

### OFFICER'S RECOMMENDATION

1. That Council notes the notice from the Minister for the Department of State Development, Infrastructure, Local Government and Planning that Council may adopt the Proposed Amendment - *Caboolture West Local Plan Neighbourhood Development Plan Area No.1* without any associated conditions or changes.
2. That the date the Proposed Amendment - *Caboolture West Local Plan Neighbourhood Development Plan Area No.1* takes effect (commencement date) be 26 October 2021.
3. That the Chief Executive Officer be authorised to correct drafting errors and make administrative changes of an editorial nature prior to the commencement date as part of publishing the Proposed Amendment - *Caboolture West Local Plan Neighbourhood Development Plan Area No.1*, including incorporating adoption and commencement dates, and an updated Planning Scheme version number, and otherwise comply with the requirements of the Notice provided under s18(3) of the Planning Act 2016 (titled *Chief Executive Notice - Neighbourhood Development Plan No.1 (NDP1) of the Caboolture West Local Plan - Proposed amendment to the Moreton Bay Regional Council Planning Scheme - Moreton Bay Regional Council*).

### **REPORT DETAIL**

#### **1. Background**

Caboolture West is the region's largest emerging / new neighbourhood growth area projected to accommodate a population of approximately 68,000 residents and 27,000 dwellings over the next 40 years. The MBRC Planning Scheme identifies NDP1 as the first neighbourhood development plan area for Caboolture West.

At its General Meeting on 9 December 2020, Council resolved to make an amendment to the MBRC Planning Scheme under Section 18 of the *Planning Act 2016* (the Act) for NDP1 of the Caboolture West Local Plan.

The Proposed Amendment will guide the orderly, balanced and sequenced planning and development of the NDP1 area, and establishes a statutory framework to support development, to deliver critical infrastructure (including social/ community infrastructure) in a coordinated way, and assist the assessment of development applications in accordance with its provisions. To achieve this, the Proposed Amendment includes a plan for NDP1, supporting local plan code provisions and the supplementary Proposed PSP (the subject of a separate report seeking approval to adopt and commence). This provides planning provisions to support a range of housing outcomes, a local centre, a State school, a district sports park and local park network and green network precinct, primarily along the Caboolture River corridor.

On 25 February 2021, the Chief Executive Officer wrote to the Chief Executive of the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) advising of Council's intent to make a tailored amendment to the MBRC Planning Scheme under s18(2) of the Act. On 11 March 2021, the Chief Executive of DSDILGP provided '*the Notice*' under s18(3) of the Act with the process for making a s18 planning scheme amendment, and the proposed communications strategy. Council decided to progress the amendment at its General Meeting on 31 March 2021.

Consultation on the Proposed Amendment was undertaken from 27 April 2021 to 25 May 2021 and 49 submissions were received. On 28 May 2021, Council also received the State Interest review response, including actions to be addressed and advice matters for consideration, prior to providing the Proposed Amendment to the Minister for consideration and requesting adoption of the Proposed Amendment.

On 18 August 2021, Council resolved to respond to submitters in line with the Consultation Report prepared, make the associated changes to the Proposed Amendment and to write to the Planning Minister requesting approval for Council to adopt the Proposed Amendment in accordance with the Notice.

**ITEM 3.1 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 S18 TAILORED AMENDMENT - MINISTER'S APPROVAL TO ADOPT AND SETTING OF COMMENCEMENT DATE - 62949031 (Cont.)**

On 26 September 2021, the Planning Minister provided advice that Council may proceed to adopt the Proposed Amendment, without any associated conditions or changes.

On 28 September 2021, the Planning Minister also enacted the Caboolture West Emerging Community Area Temporary Local Planning Instrument No. 1 of 2021 to support a future planning framework over part of the Caboolture West area and protect State interests, until such time as detailed land use and infrastructure planning has been undertaken and approved. Importantly, this does not impact the adoption and commencement of the Proposed Amendment or the Proposed PSP.

**2. Explanation of Item**

The Notice outlines the process for making the Proposed Amendment. Steps 1-17 have now been completed and relevant next steps 18 and 20 are summarised in the table below:

Step	Summary of Action	Task owner
Step 6	Local government considers Chief Executive response ( <i>i.e. the state interest review response</i> )	MBRC
Step 7	Local government considers all properly made submissions	MBRC
Step 8	Local government notifies submitters about submissions and consideration process	MBRC
Step 9	Local government prepares written consultation report	MBRC
Step 10	Local government changes the proposed planning scheme amendment	MBRC
Step 11	Local government ensures changes made still meet relevant State interest	MBRC
Step 12	Local government repeats consultation due to scheme changes ( <i>only applicable if changes are considered 'significantly different' having regard to Schedule 2 of the Ministers Guidelines and Rules</i> )	MBRC - not applicable
Step 13	Local government limits public consultation to only those aspects changed ( <i>only applicable if Step 12 applies</i> )	MBRC - not applicable
Step 14	Local government requests Minister's approval to allow Council to adopt the proposed planning scheme amendment	MBRC
Step 15	Minister provides a notice to allow Council to adopt the proposed planning scheme amendment and any conditions that apply	Minister
Step 16	Any Minister conditions stated on the notice must be complied with before the local government can adopt the proposed planning scheme amendment	Minister - not applicable
Step 17	The local government must decide to adopt or not proceed with the proposed planning scheme amendment	MBRC
Step 18	The local government must publish a public notice if it decides to adopt the proposed planning scheme amendment	MBRC
Step 19	If local government decides not to proceed with the proposed planning scheme amendment, the local government must publish a public notice of the decision not to adopt	MBRC - not applicable
Step 20	The local government must give the Chief Executive a copy of the public notice; and if adopted, a copy of the planning scheme amendment and shapefiles of any mapping.	MBRC

Following Council giving notice to the Minister requesting approval to adopt (Step 14 of the Notice), the Minister has considered whether Council may adopt the Proposed Amendment and now provided Council with a notice advising Council the Proposed Amendment may be adopted (Step 15 of the Notice). This advice did not include any conditions to be complied with before adopting the Proposed Amendment. As such, following Council's resolution at the General Meeting of 18 August 2021 to adopt the Proposed

*ITEM 3.1 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 S18 TAILORED AMENDMENT - MINISTER'S APPROVAL TO ADOPT AND SETTING OF COMMENCEMENT DATE - 62949031 (Cont.)*

Amendment, the next steps in the statutory process are steps 18 and 20 as outlined above (noting that step 19 is not applicable).

The proposed commencement date for the Proposed Amendment is 26 October 2021.

The necessary internal publishing processes, including those associated with Council's planning scheme publishing software platform (Keystone), are also now required to be undertaken for the amendment to take effect (commencement date). This involves translating the Proposed Amendment into the software platform and undertaking a detailed checking process to identify and resolve any administrative changes of an editorial nature that may be required to address matters such as spelling, grammar, formatting or presentation, numbering and cross-references. In addition, the amended planning scheme must then be made available on Council's website (eScheme and PDF documents) and public facing interactive mapping is required to be updated accordingly.

### **3. Strategic Implications**

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

Progression of the Proposed Amendment to the Planning Scheme has been undertaken in accordance with the Act and the process prescribed in the Notice.

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

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

#### **3.3 Policy Implications**

The Proposed Amendment to the Planning Scheme establishes a statutory framework to support coordinated development, deliver critical infrastructure in a coordinated manner and assist the assessment of development applications in NDP1 of the Caboolture West local plan area.

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

Keeping the Planning Scheme contemporary reduces the risk of inappropriate development occurring within the Region. The Proposed Amendment and the Proposed PSP provide a framework for the provision of necessary trunk infrastructure before development is able to proceed to avoid adverse impacts on Council's future infrastructure planning via its LGIP.

#### **3.5 Delegated Authority Implications                    Nil identified**

#### **3.6 Financial Implications                                    Nil identified**

#### **3.7 Economic Benefit Implications**

Keeping the Planning Scheme contemporary assists in attracting appropriate development into the Region.

#### **3.8 Environmental Implications**

Keeping the Planning Scheme contemporary assists in maintaining the appropriate balance between protecting the environment and accommodating growth within the Region.

#### **3.9 Social Implications**

Keeping the Planning Scheme contemporary assists in facilitating optimum social outcomes.

#### **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 right implications relevant to Council's decision in this matter.

*ITEM 3.1 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 S18 TAILORED AMENDMENT - MINISTER'S APPROVAL TO ADOPT AND SETTING OF COMMENCEMENT DATE - 62949031 (Cont.)*

3.11 Consultation / Communication

The Proposed Amendment has been discussed internally within Council and with relevant State agencies. The Proposed Amendment has undergone public consultation between 27 April 2021 to 25 May 2021. A total of 49 submissions were received. Feedback has been provided by way of a publicly available Consultation Report, and letter responding to each submitter.

**ITEM 3.2**  
**MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST**  
**NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 (NEW) PLANNING**  
**SCHEME POLICY - ADOPTION AND SETTING OF COMMENCEMENT DATE**

*Meeting / Session:* 3 WELL-PLANNED REGION (PLANNING)  
*Reference:* 62842971 : 5 October 2021 **Refer Supporting Information 62866726**  
*Responsible Officer:* AJ, Coordinator Planning Scheme (PL Strategic Planning & Place Making)

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**Executive Summary**

On 9 December 2020, Council resolved to make an amendment to the MBRC Planning Scheme under Section 18 of the *Planning Act 2016 (the Act)* for '*Neighbourhood Development Plan No.1 (NDP1) of the Caboolture West Local Plan*' (**the proposed NDP1 amendment**). The proposed NDP1 amendment establishes a statutory framework to support development, deliver critical infrastructure (including social/community infrastructure) and assist the coordinated assessment of development applications in NDP1.

On 31 March 2021, Council resolved to make an associated new Planning Scheme Policy (**PSP**) (**the proposed PSP**) and commence the public consultation process in accordance with Section 22 of the Act and the *Minister's Guidelines and Rules (the MGR)*. The proposed PSP supports the proposed NDP1 amendment by providing an overview of the land use and infrastructure planning rationale in preparing the proposed NDP1.

No submissions were received on the proposed PSP during its public consultation process. Consequently, the only changes made to the proposed PSP following public consultation are administrative changes of an editorial nature.

On 18 August 2021, Council resolved to authorise the Chief Executive Officer to adopt the proposed NDP1 amendment on the basis that the Minister for the Department of State Development, Infrastructure, Local Government and Planning gives Council a notice stating that the Council may adopt the proposed NDP1 amendment. In the same General Meeting, Council also noted that the proposed PSP would be the subject of a separate and future report.

On 28 September 2021, the Planning Minister also enacted the Caboolture West Emerging Community Area Temporary Local Planning Instrument No. 1 of 2021 to support a future planning framework over part of the Caboolture West area and protect State interests, until such time as detailed land use and infrastructure planning has been undertaken and approved. Importantly, this does not impact the adoption and commencement of the proposed NDP1 amendment or the proposed PSP.

The purpose of this report is to seek Council's approval to adopt and commence the proposed PSP to coincide with the proposed NDP1 amendment.

This matter is brought to the attention of Council under the Well Planned Region (Planning) portfolio as the orderly development of Caboolture West NDP1 has a direct nexus to Council's aspirations and actions for a well-planned region.

*ITEM 3.2 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 (NEW) PLANNING SCHEME POLICY - ADOPTION AND SETTING OF COMMENCEMENT DATE - 62842971 (Cont.)*

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**RESOLUTION**

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**Moved by Cr Tony Latter**

**Seconded by Cr Mark Booth**

**CARRIED 12/0**

1. That Council adopt the proposed Planning Scheme Policy - Planning Scheme Policy - Caboolture West Local Plan - Neighbourhood Development Plan No.1 (NDP1) as contained in Supporting Information #1.
2. That the date the proposed Planning Scheme Policy takes effect (commencement date) be 26 October 2021.
3. That the Chief Executive Officer be authorised to do all things reasonable and necessary in order to follow the process to adopt the proposed Planning Scheme Policy in accordance with Section 22 of the Planning Act 2016 and Chapter 3, Part 1 of the Minister's Guidelines and Rules for the adoption of the proposed Planning Scheme Policy - Planning Scheme Policy - Caboolture West Local Plan - Neighbourhood Development Plan No.1 (NDP1).
4. That the Chief Executive Officer be authorised to make administrative changes of an editorial nature to the adopted Planning Scheme Policy document prior to the commencement date as part of publishing the document, including incorporating adoption and commencement dates.

ITEM 3.2 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 (NEW) PLANNING SCHEME POLICY - ADOPTION AND SETTING OF COMMENCEMENT DATE - 62842971 (Cont.)

### OFFICER'S RECOMMENDATION

1. That Council adopt the proposed Planning Scheme Policy - *Planning Scheme Policy - Caboolture West Local Plan - Neighbourhood Development Plan No.1 (NDP1)* as contained in Supporting Information #1.
2. That the date the proposed Planning Scheme Policy takes effect (commencement date) be 26 October 2021.
3. That the Chief Executive Officer be authorised to do all things reasonable and necessary in order to follow the process to adopt the proposed Planning Scheme Policy in accordance with Section 22 of the *Planning Act 2016* and Chapter 3, Part 1 of the *Minister's Guidelines and Rules* for the adoption of the proposed Planning Scheme Policy - *Planning Scheme Policy - Caboolture West Local Plan - Neighbourhood Development Plan No.1 (NDP1)*.
4. That the Chief Executive Officer be authorised to make administrative changes of an editorial nature to the adopted Planning Scheme Policy document prior to the commencement date as part of publishing the document, including incorporating adoption and commencement dates.

### **REPORT DETAIL**

#### **1. Background**

Caboolture West is the region's largest emerging/ new neighbourhood growth area projected to accommodate a population of approximately 68,000 residents and 27,000 dwellings over the next 40 years. The MBRC Planning Scheme identifies NDP1 as the first neighbourhood development plan area for Caboolture West.

On 9 December 2020, Council resolved to make an amendment to the MBRC Planning Scheme under Section 18 of the Act for '*Neighbourhood Development Plan No.1 (NDP1) of the Caboolture West Local Plan*' (the proposed NDP1 amendment). The proposed NDP1 amendment establishes a statutory framework to support development, deliver critical infrastructure (including social/ community infrastructure) and assist the coordinated assessment of development applications in NDP1.

On 31 March 2021, Council resolved to make a new PSP and commence its public consultation process in accordance with Section 22 of the Act and the MGR. The proposed PSP supports the proposed NDP1 amendment by providing an overview of the land use and infrastructure planning rationale in preparing the proposed NDP1.

Consultation on the proposed PSP was undertaken from 27 April 2021 to 25 May 2021 and occurred concurrently with the proposed NDP1 amendment. No submissions were received on the proposed PSP during its public consultation process. Consequently, the only changes made to the PSP following public consultation are minor editorial changes to ensure alignment of terminology with the proposed NDP1 amendment and correct references to maps outside of the PSP.

On 18 August 2021, Council resolved to authorise the Chief Executive Officer to adopt the proposed NDP1 amendment on the basis that the Minister for the Department of State Development, Infrastructure, Local Government and Planning gives Council a notice stating that the Council may adopt the proposed NDP1 amendment. In the same General Meeting, Council also noted that the proposed PSP would be the subject of a separate and future report.

On 28 September 2021, the Planning Minister also enacted the Caboolture West Emerging Community Area Temporary Local Planning Instrument No. 1 of 2021 to support a future planning framework over part of the Caboolture West area and protect State interests, until such time as detailed land use and



*ITEM 3.2 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 (NEW) PLANNING SCHEME POLICY - ADOPTION AND SETTING OF COMMENCEMENT DATE - 62842971 (Cont.)*

infrastructure planning has been undertaken and approved. Importantly, this does not impact the adoption and commencement of the proposed NDP1 amendment or the proposed PSP.

**2. Explanation of Item**

Having now finalised the consultation process in accordance with the Act and the MGR, Council must now decide to adopt the proposed PSP. The process to adopt the proposed PSP is outlined in the MGR, Chapter 3, Part 1, Section 5. In accordance with MGR the relevant steps are as follows:

*5.1 After completing the relevant actions under this part, the local government must decide to adopt or not to proceed with the proposed PSP or PSP amendment.*

*5.2 Public notice about the decision must be given in accordance with the requirements in the Act and as prescribed in Schedule 5.*

*5.3 The local government must, within 10 days of giving public notice under this section, give the chief executive—*

- a) *a copy of the public notice; and*
- b) *if adopted, a certified copy of the PSP as adopted or amended, including—*
  - (i) *an electronic copy of the amendment or instrument; and*
  - (ii) *a copy of all electronic planning scheme spatial data files (mapping), relevant to the PSP.*

It is recommended that Council adopt the proposed PSP.

The specific actions under Section 5.2 requires that after Council has decided to adopt the proposed PSP it must publish a public notice in accordance with the requirements of the MGR (Schedule 5, paragraph (3)), which outlines that the notice must state:

- the name of the local government;
- the title of the adopted PSP or PSP amendment;
- the commencement date for the PSP or PSP amendment;
- the purpose and general effect of the PSP or PSP amendment;
- if the PSP or PSP amendment applies only to part of a local government area - a description about the location of that area;
- if the adopted PSP replaces an existing PSP, the title of the existing PSP; and
- where a copy of the PSP or PSP amendment may be inspected and purchased.

The requirements of a public notice in accordance with the Act (Schedule 2, definition of public notice, paragraph (c)) specify that for a public notice about an amendment of a local planning instrument, the notice is to be published:

- In the gazette; and
- In a newspaper circulating the local government area; and
- On the local government's website.

It is recommended that the adoption date be the date of this report, as per the officer's recommendation. It is also recommended that the proposed PSP's commencement date coincide with commencement date of the proposed NDP1 amendment, as per the officer's recommendation.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Progression of the proposed PSP has been undertaken in accordance with the Act.

*ITEM 3.2 MBRC PLANNING SCHEME - PROPOSED CABOOLTURE WEST NEIGHBOURHOOD DEVELOPMENT PLAN (AREA) NO.1 (NEW) PLANNING SCHEME POLICY - ADOPTION AND SETTING OF COMMENCEMENT DATE - 62842971 (Cont.)*

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The proposed PSP supports the proposed NDP1 amendment that establishes a statutory framework to support development, deliver critical infrastructure and assist the coordinated assessment of development applications in NDP1 of the Caboolture West local plan area.

3.4 Risk Management Implications

Keeping the Planning Scheme contemporary reduces the risk of inappropriate development occurring within the Region.

3.5 Delegated Authority Implications                     Nil identified

3.6 Financial Implications                                     Nil identified

3.7 Economic Benefit Implications

Keeping the Planning Scheme contemporary assists in attracting appropriate development into the Region.

3.8 Environmental Implications

Keeping the Planning Scheme contemporary assists in maintaining the appropriate balance between protecting the environment and accommodating growth within the region.

3.9 Social Implications

Keeping the Planning Scheme contemporary assists in facilitating optimum social outcomes.

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

The proposed PSP has been discussed internally within Council. The proposed PSP has also undergone a period of public consultation in accordance with the requirements of Section 22 of the Act and the MGR, providing an opportunity for community feedback/ public submissions to be provided.

No public submissions were received on the proposed PSP during the public consultation period.

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**ITEM 3.3**  
**DOG OFF LEASH AREA PLANNING AND DESIGN GUIDELINES**

*Meeting / Session:* 3 WELL-PLANNED REGION (PLANNING)  
*Reference:* 62188757 : 7 June 2021 - **Refer Supporting Information 61738706; 61765834**  
*Responsible Officer:* BS, Senior Business Systems Officer (IP Directorate)

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**Executive Summary**

This report seeks Council endorsement for the draft Dog Off Leash Area (DOLA) Planning and Design Guidelines and associated Dog Agility Guidelines (the Guidelines). Council officers have sought and received feedback from various stakeholders including RSPCA and Dogs Queensland.

This item is presented under the Well-Planned Region Portfolio as the Guidelines will assist Council officers regarding future installations or upgrades to DOLAs across the Moreton Bay Region (the Region). The Guidelines will also be made available to developers where they are providing DOLAs within their overall development area.

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**RESOLUTION**

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Moved by Cr Cath Tonks

Seconded by Cr Sandra Ruck

**CARRIED 12/0**

**That the Dog Off Leash Area Planning and Design Guidelines and Dog Agility Guidelines be endorsed to enable a consistent approach to be applied to the location and standard of future facilities provided throughout the Region.**

*ITEM 3.3 DOG OFF LEASH AREA PLANNING AND DESIGN GUIDELINES - 62188757 (Cont.)*

**OFFICER'S RECOMMENDATION**

That the Dog Off Leash Area Planning and Design Guidelines and Dog Agility Guidelines be endorsed to enable a consistent approach to be applied to the location and standard of future facilities provided throughout the Region.

**REPORT DETAIL**

**1. Background**

Sustained regional population growth, high dog ownership rates and a societal preference towards informal unstructured outdoor recreation has put increasing pressure on the public open space network to cater for dog related infrastructure and activities. Dog exercise and recreation is an increasingly popular reason why people visit parks within the Region. It is therefore evident that recreational opportunities for dogs and owners need to be appropriately provided – however this must be balanced with the community's broader demands for other activities and established uses within public open space.

A dog off leash area is defined as a recreational space on public lands designated by a resolution of Council, whereby dogs are not required to be on a lead. The Guidelines have been produced for the purpose of establishing a strategic framework to determine the feasibility and assessment of future dog off leash areas within the Region.

The process undertaken to assess a DOLA request is outlined in the Guidelines in order to determine the appropriateness and practicality of the proposal. An assessment of the site is required to ensure integration with surrounding land uses is achieved without compromising any existing recreational, environmental or other established interests.

**2. Explanation of Item**

The Guidelines are intended to assist officers in the assessment of proposals for design and construction of DOLAs within the Region to ensure the facilities are fit for purpose and consistent with contemporary community expectations. They may also be a useful resource for developers, individuals and community groups when proposing or requesting dog off leash areas.

The Guidelines were presented to the RSPCA and to Dogs Queensland for feedback and both parties provided responses.

The RSPCA were supportive of Council's initiative to establish a guideline for DOLAs and only noted the importance of providing appropriate shade and drinking water within each new facility. No changes were required to be made to the Guidelines to satisfy the RSPCA regarding their need for water or shade at each new facility as these were already well catered for in the Guidelines.

Dogs Queensland requested some minor changes to the layout and heights of the equipment specified within Council's Dog Agility Guidelines. Council officers considered the request reasonable and the suggested changes have since been updated.

It is important to note that the Guidelines represent a contemporary approach to planning for such facilities however, from time to time, variations may be required to achieve appropriate community outcomes due to site specific issues such as access, geography, environmental constraints, proximity to businesses and residents. Where this occurs, the issues will be reported to Council when seeking endorsement for the proposed dog off leash area.

It is also acknowledged that in some instances, historic facilities may not be in keeping with the intent of the Guidelines however, they will not be retrospectively applied to existing facilities. Furthermore, the Guidelines should not be applied to beach areas as these areas are subject to compliance with State Government Guidelines. When established facilities are scheduled for renewal, they will be assessed for ongoing suitability.

ITEM 3.3 DOG OFF LEASH AREA PLANNING AND DESIGN GUIDELINES - 62188757 (Cont.)

**3. Strategic Implications**

- 3.1 Legislative / Legal Implications  Nil identified
- 3.2 Corporate Plan / Operational Plan  
Valuing Lifestyle: Quality recreation and cultural opportunities - active recreation opportunities.
- 3.3 Policy Implications  
Nil Policy Implications.  
The Dog Off Leash Area Planning and Design Guidelines will be applied where applicable until the next planning scheme amendment is adopted.
- 3.4 Risk Management Implications  
These Guidelines will reduce the risk to Council of negative feedback from poorly located DOLAs.
- 3.5 Delegated Authority Implications  
Note that any minor updates to the DOLA Guidelines and Dog Agility Guidelines can be undertaken under CEO delegation.
- 3.6 Financial Implications  Nil identified
- 3.7 Economic Benefit Implications  Nil identified
- 3.8 Environmental Implications  
The Guidelines assist in selecting locations for DOLAs in a manner which does not negatively impact sensitive environmental areas.
- 3.9 Social Implications  
A positive impact will be felt by the community. The adoption of the Guidelines will also provide the community with transparency as to the methodology and references that officers follow to assess the appropriateness of a facility.
- 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 right implications relevant to Council's decision in this matter.
- 3.11 Consultation / Communication  
RSPCA and Dogs Queensland have been consulted and their feedback is reflected in the Guidelines. Council officers have been consulted for feedback.

A Council briefing was conducted on 24 March 2021 for the purpose of sharing information and providing advice/views to Council on the matter.

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**4 WELL-PLANNED REGION (TRANSPORT) SESSION**

**(Cr A Hain)**

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**ITEM 4.1**

**TENDER - D'AGUILAR - D'AGUILAR HIGHWAY (MT MEE ROAD TO SCOTTS LANE) - PATHWAY CONSTRUCTION**

*Meeting / Session:* 4 WELL-PLANNED REGION (TRANSPORT)  
*Reference:* 62599230 : 6 October 2021 - Refer **Confidential Supporting Information 62918267**  
*Responsible Officer:* CR, Coordinator Project Delivery (PAS Project Management)

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**Executive Summary**

Tenders were called from Council's Prequalified Civil Construction Panel for the 'D'Aguilar - D'Aguilar Highway (Mt Mee Road to Scotts Lane) - Pathway Construction (MBRC8453 / VP258661)' project. Tenders closed on 14 September 2021 with a total of three conforming tender submissions received.

It is recommended that the tender for the 'D'Aguilar - D'Aguilar Highway (Mt Mee Road to Scotts Lane) - Pathway Construction (MBRC8453 / VP258661)' project be awarded to The Landscape Construction Company Pty Ltd, for the sum of \$1,275,155.35 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

This project has received \$376,123 in funding from the Federal Government's LRCIP2 (COVID-19) program.

This matter is brought to the attention of Council under the well-planned region (transport) portfolio, supporting a well-connected region by providing improved pedestrian and cyclist infrastructure.

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**RESOLUTION**

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Moved by Cr Tony Latter

Seconded by Cr Mick Gillam

**CARRIED 12/0**

1. That the tender for the 'D'Aguilar - D'Aguilar Highway (Mt Mee Road to Scotts Lane) - Pathway Construction (MBRC008453 / VP258661)' project be awarded to The Landscape Construction Company Pty Ltd, for the sum of \$1,275,155.35 (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 the 'D'Aguilar - D'Aguilar Highway (Mt Mee Road to Scotts Lane) - Pathway Construction (MBRC008453 / VP258661)' project and any required variations of the agreement on Council's behalf.
4. The Local Preference Policy was not applied as the project was procured via Council's Civil Construction panel arrangement in line with Council's Procurement policy.
5. To allow the agreement to be entered into, and for the project to commence, Council commits to the provision of an additional \$555,000 in funding for the project at the 2021-22 FY quarter two review process.

*ITEM 4.1 TENDER - D'AGUILAR - D'AGUILAR HIGHWAY (MT MEE ROAD TO SCOTTS LANE) - PATHWAY CONSTRUCTION - 62599230 (Cont.)*

**OFFICER'S RECOMMENDATION**

1. That the tender for the 'D'Aguilar - D'Aguilar Highway (Mt Mee Road to Scotts Lane) - Pathway Construction (MBRC008453 / VP258661)' project be awarded to The Landscape Construction Company Pty Ltd, for the sum of \$1,275,155.35 (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 the 'D'Aguilar - D'Aguilar Highway (Mt Mee Road to Scotts Lane) - Pathway Construction (MBRC008453 / VP258661)' project and any required variations of the agreement on Council's behalf.
4. The Local Preference Policy was not applied as the project was procured via Council's Civil Construction panel arrangement in line with Council's Procurement policy.
5. To allow the agreement to be entered into, and for the project to commence, Council commits to the provision of an additional \$555,000 in funding for the project at the 2021-22 FY quarter two review process.

**REPORT DETAIL**

**1. Background**

The project is located at D'Aguilar Highway, between Scotts Lane and Mount Mee Road, D'Aguilar. The project scope is for the improvement of pedestrian and cyclist facilities and includes:

- Demolition and earthworks;
- Construction of a 1.8-3m wide reinforced concrete footpath;
- Electrical and stormwater service relocations;
- Construction of retaining walls and fencing;
- Installation of signage;
- Construction of Boardwalk (composite fibre material - 90m<sup>2</sup>/30m length);
- Construction of stormwater drainage and
- Pavement widening

The objective of the project is to provide a high-quality walking and cycling environment to encourage an increased number of people to walk and cycle in the area.

The boardwalk design will commence in November 2021, with construction commencing in December 2021. Construction is estimated to take 23 weeks to complete, which includes an allowance for wet weather (29 days).

ITEM 4.1 TENDER - D'AGUILAR - D'AGUILAR HIGHWAY (MT MEE ROAD TO SCOTTS LANE) - PATHWAY CONSTRUCTION - 62599230 (Cont.)



Figure 1: Site Area (Between Scotts Lane and Mount Mee Road, D'Aguiar) - Location Plan

**2. Explanation of Item**

Tenders were called from Council's Prequalified Civil Construction Panel for the 'D'Aguiar - D'Aguiar Highway (Mt Mee Road to Scotts Lane) - Pathway Construction (MBRC8453 / VP258661)' project, which closed on 14 September 2021, with a total of three tenders received, all of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE (Pre Local Preference)
1	The Landscape Construction Company Pty Ltd	100
2	Auzcon Pty Ltd	93.47
3	AllenCon Pty Ltd	86.30



*ITEM 4.1 TENDER - D'AGUILAR - D'AGUILAR HIGHWAY (MT MEE ROAD TO SCOTTS LANE) - PATHWAY CONSTRUCTION - 62599230 (Cont.)*

**The Landscape Construction Company Pty Ltd ('TLCC')** - submitted a comprehensive tender that demonstrated their relevant experience. A tender clarification meeting was held on 21 September 2021, at which TLCC demonstrated their relevant experience, methodology, company capability, understanding of the project and capability in delivering the project. TLCC provided examples of relevant project experience, including Dohles Rocks Foreshore Transformation (valued at \$450k); Caboolture to Wamuran Rail Trail Stage 2 (Design & Construct) (valued at \$630k); and Redcliffe, Anzac Avenue - Footpath Upgrade (valued at \$380k), all for Moreton Bay Regional Council.

The tender from TLCC was the lowest price offered and achieved the highest evaluation score. The evaluation panel considers the tender from TLCC to represent the best overall value for Council.

**Auzcon Pty Ltd ('AC')** - submitted a comprehensive and well-presented tender, demonstrating their project experience, however, there were no additional benefits identified for the higher price.

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

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Council sought quotations via Council's Prequalified Civil Construction Panel (MBRC008453) for the work through Vendor Panel, in accordance with the *Local Government Act 2009*.

**3.2 Corporate Plan / Operational Plan**

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Diverse transport options - an integrated regional transport network.

**3.3 Policy Implications**

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

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

The Local Preference Policy was not applied as the project was procured via Council's 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 recommended tenderer is prequalified on Council's Prequalified Civil Construction Panel (MBRC008453).

*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 by Project Management.
- b. The recommended tenderer has indicated their understanding of the project site to ensure the safety and well-being of all during the works and 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.

ITEM 4.1 TENDER - D'AGUILAR - D'AGUILAR HIGHWAY (MT MEE ROAD TO SCOTTS LANE) - PATHWAY CONSTRUCTION - 62599230 (Cont.)

- c. 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 foresee any COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- d. Dilapidation inspections will be conducted prior to works commencing for site 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 \$950,000 in the Capital Projects Program towards this project, with \$50,000 for design in the 2020-21 FY and \$900,000 in the 2021-22 FY for construction. The project has received \$376,123 in funding from the Federal Government LCRIP2 program. All financial information below is excluding GST.

Design (2020-21)	\$ 50,885.00
Tender Price (Construction)	\$ 1,275,155.35
Contingency (10%)	\$ 127,515.54
Off set tree planting	\$ 40,000.00
QLeave (0.575%)	\$ 7,332.14
<b><u>Total Project Cost</u></b>	<b><u>\$ 1,500,888.03</u></b>
Federal Government LRCIP2 COVID-19 funding	\$ 376,123
<b><u>Net cost to Council</u></b>	<b><u>\$ 1,124,765.03</u></b>

Estimated ongoing operational/maintenance costs \$ 7,605 per FY.

The budget amount for this project is insufficient. To allow this project to proceed and for Council to enter into the arrangement, Council commits to the provision of an additional \$555,000 in the 2021-22 FY quarter two review process.

3.7 Economic Benefit Implications

The project will provide a new pathway to expand the active transport network and provide a link along D'Aguilar Highway between Scotts Lane and Mt Mee Road, D'Aguilar.

3.8 Environmental Implications

An Environmental Management Plan will be provided to Council by the recommended 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 project will benefit the community by providing a high quality and safe pedestrian and cyclist footpath, to support an active lifestyle.

*ITEM 4.1 TENDER - D'AGUILAR - D'AGUILAR HIGHWAY (MT MEE ROAD TO SCOTTS LANE) - PATHWAY CONSTRUCTION - 62599230 (Cont.)*

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 right implications relevant to Council's decision in this matter.

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 prior to construction. The stakeholders, including residents, have been consulted regarding the project. The detailed communications plan will include a Councillor weekly email update and website page with fortnightly updates. The Divisional Councillor has been consulted and is supportive of the project.

**ITEM 4.2**  
**KORMAN ROAD, GRIFFIN - ROAD RENAMING PROPOSAL**

*Meeting / Session:* 4 WELL-PLANNED REGION (TRANSPORT)  
*Reference:* 62861156 : 5 October 2021  
*Responsible Officer:* HG, Coordinator Transport Network Management (IP Integrated Transport Planning)

**Executive Summary**

Korman Road, Griffin is divided into two sections, a northern and southern section both named Korman Road, that is separated by an extensive park / environmental area. This can cause confusion and misdirection of traffic for the community and as a result, the renaming of both roads was considered.

Community consultation was undertaken throughout 2021 in line with Council Policy - *Allocation of Road Names and Street Address Numbers - 11-2150-038*. After careful consideration of the feedback received from the community, it is recommended that the northern section of Korman Road be renamed Verano Road, and that the southern section of Korman Road remain as Korman Road.

This matter is brought to the attention of Council under the Well-planned (transport) portfolio to remove any potential for confusion and misdirection of traffic that is currently occurring on both sections of Korman Road, Griffin.

**RESOLUTION**

Moved by Cr Jodie Shipway

Seconded by Cr Mick Gillam

CARRIED 12/0

1. That the northern section of Korman Road, Griffin be renamed Verona Road and that Council cover reasonable out of pocket expenses incurred by residents as a result of renaming the northern section of Korman Road, up to the value of \$100 per property (on presentation of receipts).
2. It is recommended that the southern section of Korman Road remain as Korman Road.

ITEM 4.2 KORMAN ROAD, GRIFFIN - ROAD RENAMING PROPOSAL - 62861156 (Cont.)

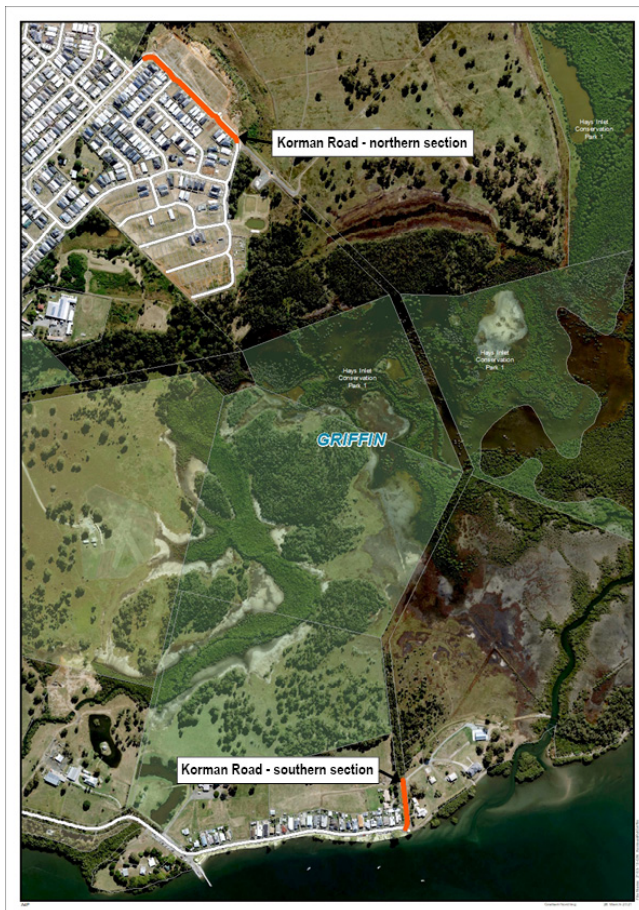
**OFFICER'S RECOMMENDATION**

1. That the northern section of Korman Road, Griffin be renamed Verona Road and that Council cover reasonable out of pocket expenses incurred by residents as a result of renaming the northern section of Korman Road, up to the value of \$100 per property (on presentation of receipts).
2. It is recommended that the southern section of Korman Road remain as Korman Road.

**REPORT DETAIL**

**1. Background**

Korman Road, Griffin is divided into two sections, a northern and southern section both named Korman Road, that is separated by an extensive park / environmental area as shown in Figure 1.



**Figure 2: Sections of Korman Road, Griffin**

At a Council briefing session held on 20 January 2021, it was suggested Korman Road could be renamed 'Korman Road North' and 'Korman Road South' in the respective sections of the road, in line with Council Policy - *Allocation of Road Names and Street Address Numbers - 11-2150-038*.

As required under Council's *Allocation of Road Names and Street Address Numbers* policy, when the renaming of existing roads is considered, consultation must be undertaken with councillor/s for the Division/s directly affected by a road renaming proposal, and existing residents and/or owners of properties along the road.

*ITEM 4.2 KORMAN ROAD, GRIFFIN - ROAD RENAMING PROPOSAL - 62861156 (Cont.)*

Community consultation was undertaken between Friday 16 April 2021 and Friday 14 May 2021. The consultation process yielded insights into stakeholder road renaming preferences as well as any ongoing inconvenience associated with the two sections of Korman Road. Of the 20 responses received, 60% supported the proposal to change the road names to 'Korman Road North' and 'Korman Road South'. Residents that did not support renaming both sections to 'Korman Road North' and 'Korman Road South', recommended that a unique name be considered for the northern and / or southern sections.

It is noted that most residents along the northern section supported a unique name change, however, residents along the southern section did not support changing the southern section name. In selecting a new unique road name for the northern section of Korman Road, Council considered a name that reflects several other names in the local area relating to seasons or the sun. Research was undertaken and existing road names checked with Development Services. The proposed new name for the northern section of Korman Road is Verano Road, which is Spanish for summer.

A follow up letter was sent to residents on 15 July 2021 to provide feedback on the survey outcomes and Council's proposal to change the northern section of Korman Road to Verano Road. Only one objection to this proposal was received.

Residents of the southern section of Korman Road expressed concerns to Council on several occasions about inconvenience associated with lost vehicles using the southern section of Korman Road to turn around and damage to private driveways.

A directional sign (Figure 2) was installed on the north-western corner of Korman Road and Dohles Rock Road intersection in January 2021 to direct lost vehicles/emergency services to turn around at the eastern end of Dohles Rock Road and to avoid using private driveways.



**Figure 3: Directional sign at the intersection of Korman Road and Dohles Rock Road**

Council liaised with Department of Natural Resources and Mines (DNRM) to ensure that street numbers for the northern section of Korman Road were updated on all GPS providers. Council also informed emergency services of appropriate route to access addresses associated with the northern section of Korman Road if called out.

## **2. Explanation of Item**

As required under Council's *Allocation of Road Names and Street Address Numbers* policy, when the renaming of existing roads is considered, consultation must be undertaken with councillor/s for the Division/s directly affected by a road renaming proposal, and existing residents and/or owners of properties along the road.

*ITEM 4.2 KORMAN ROAD, GRIFFIN - ROAD RENAMING PROPOSAL - 62861156 (Cont.)*

At a Council briefing session held on 20 January 2021, it was suggested Korman Road could be renamed 'Korman Road North' and 'Korman Road South' in the respective sections of the road however, after community consultation the majority of feedback from the community was received as follows:

- Rename the northern section of Korman Road to Verano Road
- Leave the southern section of Korman Road as is

### **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  
The proposed road name change is to be progressed in accordance with Council Policy

3.4 Risk Management Implications  Nil identified

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications  
The cost associated with Council covering out of pocket expenses to the value of \$100 (excluding GST) per property as a result of the proposed name change.

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications  
The proposed name change will remove any potential for confusion and misdirection of traffic that is currently occurring for both sections of Korman Road.

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication  
The divisional councillor was consulted and community consultation was undertaken between Friday 16 April 2021 and Friday 14 May 2021.

Subsequent to Council's consideration communication with the residents will be undertaken as outlined below:

- a letter to all residents and/or owners of all properties along Korman Road;
- an email to participants who nominated via the survey that they wished to receive project updates via email; and
- a comprehensive 'change of address checklist', or similar, provided to all residents and/or owners of all properties along the northern section Korman Road
- notifications / updates to GPS systems and emergency services updates

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**5 HEALTHY ENVIRONMENTS SESSION**

**(Cr C Tonks)**

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No items for consideration.



**6 AN ENGAGED COUNCIL SESSION****(Cr M Constance)****ITEM 6.1  
ENTERPRISE GIS SOFTWARE RENEWAL**

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 62807002 : 27 August 2021  
*Responsible Officer:* SA, ICT Infrastructure and GIS Coordinator (FCS Information & Communication Technology)

**Executive Summary**

Council has a significant investment in software licensing for Geographic Information Systems (GIS). There are emerging opportunities to apply GIS technology to many additional operational and technical areas within Council. For this reason, Council greatly benefits from its Enterprise License Agreement (ELA) with ESRI (Council's GIS solution provider). An Enterprise Licence Agreement provides Council with numerous benefits including:

- a lower cost per unit for licensed software;
- complete flexibility to deploy software products when and where needed;
- substantially reduced administrative and procurement expenses; and
- maintenance and support on all ESRI software deployed under this agreement including:
  - unlimited access to technical support for key personnel;
  - latest releases of software from ESRI for products included in the ELA;
  - discounted training; and
  - complimentary registration to the annual ESRI International User Conference.

Due to Council's continually expanding use of GIS it is considered an appropriate investment in this software. The three-year time frame secures the price, and the Enterprise License Agreement gives Council the flexibility for future deployment options.

This matter is brought to the attention of Council under the An Engaged Council portfolio as the GIS is a key information system that provides numerous online services to the public, and provides Council operational efficiencies in its service delivery.

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 Adam Hain****Seconded by Cr Mick Gillam****CARRIED 12/0**

1. That in accordance with section 235(a) of the Local Government Regulation, Council is satisfied that there is only one supplier (ESRI Australia) that is reasonably available to provide an Enterprise License Agreement for Council's GIS system.
2. That Council enters into an Enterprise License Agreement for Council's GIS system with ESRI Australia, as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the Enterprise License Agreement with ESRI Australia for Council's GIS system and any required variations of the agreement on the Council's behalf.

ITEM 6.1 ENTERPRISE GIS SOFTWARE RENEWAL - 62807002 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That in accordance with section 235(a) of the Local Government Regulation, Council is satisfied that there is only one supplier (ESRI Australia) that is reasonably available to provide an Enterprise License Agreement for Council's GIS system.
2. That Council enters into an Enterprise License Agreement for Council's GIS system with ESRI Australia, as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the Enterprise License Agreement with ESRI Australia for Council's GIS system and any required variations of the agreement on the Council's behalf.

**REPORT DETAIL**

**1. Background**

In 2018, Council entered into an Enterprise Licence Arrangement (ELA) with ESRI Australia for its GIS software provision and maintenance. At this time Council resolved that ESRI was the only supplier that could offer this type of arrangement for its GIS system.

The following resolution appears on Minute Page 18/2116 of the General Meeting of Council held 16 October 2018:

<p><u>Ex. Coordination Committee Meeting held 9 October 2018 (MP. 18/2096):</u></p> <p>COMMITTEE RECOMMENDATION</p> <ol style="list-style-type: none"><li>1. That in accordance with section 235(a) of the Local Government Regulation, Council is satisfied that there is only one supplier (ESRI Australia) that is reasonably available to provide an Enterprise License Agreement for Council's GIS system.</li><li>2. That Council enters into an Enterprise License Agreement for Council's GIS system with ESRI Australia, as described in this report.</li><li>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 Enterprise License Agreement with ESRI Australia for Council's GIS system and any required variations of the agreement on the Council's behalf.</li></ol>
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The ELA established in 2018 was for a period of three years and is about to expire. It is proposed that Council agrees to a similar arrangement with ESRI Australia for the next three years to maintain and improve its GIS system.

**2. Explanation of Item**

The ESRI Enterprise License Agreement (ELA) is a three-year agreement that will grant Council access to, maintenance of, and vendor support on the nominated ESRI software for the term of the agreement. The ELA will be effective from the date executed and will require a firm, three-year commitment. ESRI Australia is the exclusive distributor for ESRI software within Australia. As such, ESRI Australia is the only company that can offer this type of agreement for the software of Council's GIS system.

ITEM 6.1 ENTERPRISE GIS SOFTWARE RENEWAL - 62807002 (Cont.)

The ELA includes unlimited access for to the ESRI Enterprise Software listed below.

**Enterprise License Software—Unlimited Quantities**

- ArcGIS Desktop Advanced
- ArcGIS Desktop Extensions  
(3D, Spatial, Geostatistical, Network, Schematics, Workflow Manager, Publisher, Data Reviewer)
- ArcGIS for Server
- ArcGIS for Server Extensions  
(3D, Spatial, Geostatistical, Network, Schematics, Workflow Manager)
- ArcGIS Image Server
- ArcGIS GeoEvent Server

The following software items are included in the ELA as limited quantities.

**Enterprise License Software —Limited Quantities**

- ArcGIS Online (50)
- ArcGIS Hub Premium (100)
- CityEngine (1)
- ArcGIS Urban (1)
- ArcGIS SiteScan (50k)
- Insights for ArcGIS Enterprise (6)
- Insights for ArcGIS Online (6)
- ArcGIS Enterprise Level 2 Users (250)
- ArcGIS Monitor (12 Cores)

Payment terms for the ELA are as follows:

	Year 1	Year 2	Year 3	Total ELA Fee
<b>ELA Fee Payments (\$AUD Ex. GST)</b>	\$458,000	\$477,000	\$496,000	\$1,431,000

All current Council departments, employees, and in-house contractors will be eligible to use the software and services listed above.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Pursuant to the Local Government Regulation 2012 ('Regulation'), Council is obliged to seek tenders prior to entering into a contract for the supply of goods or services involving a cost of more than \$200,000.

An exception to this general requirement is contained in s. 235(a) of the Regulation which allows Council to contract directly with a supplier without first inviting tenders if the Council resolves that it is satisfied that there is only one supplier of the product reasonably available to it.

As ESRI is the owner and supplier of Council's GIS systems, Council is only able to license its product with this company. As such, Council will need to resolve that it is satisfied that ESRI is the only supplier of these products and services reasonably available to it in order to avail itself of the exception available at s. 235(a) of the Regulation.

**3.2 Corporate Plan / Operational Plan**

Creating Opportunities: Digital literacy and commerce - a digital region.

*ITEM 6.1 ENTERPRISE GIS SOFTWARE RENEWAL - 62807002 (Cont.)*

3.3 Policy Implications

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

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

3.4 Risk Management Implications  Nil identified

3.5 Delegated Authority Implications

3.6 Financial Implications

The ESRI Enterprise Licence Agreement is over a 3-year term, totalling \$1,431,000 (ex GST).

The cost for FY2022 has been budgeted.

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications  Nil identified

3.10 Human Rights Implications

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

3.11 Consultation / Communication

The Procurement and Legal departments were consulted during this process.

**ITEM 6.2  
MORETON BAY RAIL RESIDENTIAL PARKING PERMIT SYSTEM (TRIAL) POLICY**

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 63016528 : 7 October 2021 - Refer Supporting Information 63020991 & 62880250  
*Responsible Officer:* SM, Shane Mansfield, Local Laws Manager (CES Customer Response Services)

**Executive Summary**

The Moreton Bay Rail Residential Parking Permit System (Trial) Policy was adopted by Council on 24 November 2015. This was in response to concerns by residents adjacent to rail stations on the new Moreton Bay Rail Line about significant local parking impacts.

This matter is brought to the attention of Council under the An Engaged Council portfolio as it relates to the review of a Council policy with consideration of Council's local laws.

Officers have undertaken a review of Council's Moreton Bay Residential Parking Permit System (Trial) Policy (No. 2150-085) (*refer Supporting Information #1*) which identified the policy exceeds current regulatory needs. Current permit use across the scheme is minimal, with parking impacts from rail commuters within the on-street parking areas not being realised at the levels anticipated.

The purpose of this report is to seek Council's approval to revoke the policy, on the basis that proposed changes to on-street parking arrangements and Council's existing local law provisions for permits will adequately address any future impacts within these areas.

Current Moreton Bay Rail Residential Parking Permits will expire on 31 October 2021.

**RESOLUTION**

**Moved by Cr Karl Winchester**

**Seconded by Cr Mick Gillam**

**CARRIED 12/0**

1. That the Moreton Bay Rail Residential Parking Permit System (Trial) Policy be revoked.
2. That the Chief Executive Officer be authorised to take all action necessary to:
  - a) Introduce new parking arrangements to allow general parking for up to five (5) hours 'P5 - Mon-Fri 6am-6pm' including the replacement of parking signage within the Moreton Bay Rail on-street parking areas.
  - b) Advise current permit holders, within the designated areas, of the new parking and permit arrangements by 31 October 2021.

*ITEM 6.2 MORETON BAY RAIL RESIDENTIAL PARKING PERMIT SYSTEM (TRIAL) POLICY - 63016528 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the Moreton Bay Rail Residential Parking Permit System (Trial) Policy be revoked.
2. That the Chief Executive Officer be authorised to take all action necessary to:
  - a) Introduce new parking arrangements to allow general parking for up to five (5) hours 'P5 - Mon-Fri 6am-6pm' including the replacement of parking signage within the Moreton Bay Rail on-street parking areas.
  - b) Advise current permit holders, within the designated areas, of the new parking and permit arrangements by 31 October 2021.

## **REPORT DETAIL**

### **1. Background**

In response to significant community concern that residential on-street parking in the vicinity of new rail stations would be heavily impacted by commuters, the Moreton Bay Rail Residential Parking Permit System (Trial) Policy (2150-085) was adopted by Council on 24 November 2015.

The policy established an administrative framework to address resident's concerns in areas adjacent to the rail stations along the new Moreton Bay rail line (*refer Supporting Information #2 to #6*). This included establishing two residential parking permit types, Resident Permits and Visitor permits.

A Council briefing was conducted on 6 October 2021 for the purpose of sharing information and providing advice 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:**

Report to be provided to a General Meeting for consideration of revoking the Moreton Bay Rail Resident Parking Permit System Policy.

Community feedback in August 2018 resulted in a reduction of the geographical area of the on-street parking management scheme including the removal of the Rothwell area. There are currently 87 Residential parking permits and 607 Visitor parking permits.

With the impending expiry of the permits on 31 October 2021 a review of vehicle parking and the use of issued parking permits over a three-month period was undertaken which identified low permit use. This finding is supported by observations of minimal impact on parking generally within the streets surrounding the Moreton Bay rail stations. Additionally, TransLink parking data further supports the assumption that all stations currently provide sufficient on-site car parking.

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

The Moreton Bay Rail Residential Parking Permit System was introduced as a trial. Since the commencement of the trial, impacts to on street parking surrounding the Moreton Bay Rail stations have been identified as minimal and the utilisation of resident and visitor permits is low.

Accordingly, it is recommended that Council revoke the Moreton Bay Rail Residential Parking System (Trial) Policy (No. 2150-085) and instead introduce new parking arrangements, including the replacement of current parking signage with 'P5 - Mon-Fri 6am-6pm', in the Moreton Bay rail on-street parking areas to allow general parking for up to five (5) hours.

*ITEM 6.2 MORETON BAY RAIL RESIDENTIAL PARKING PERMIT SYSTEM (TRIAL) POLICY - 63016528 (Cont.)*

The proposed changes will allow visitors, businesses and others to park within these streets without the need for a Visitors' parking permit. Residents will be provided with more flexibility, reducing or negating the need to apply for a Residential parking permit. However importantly, this arrangement will continue to act as a deterrent to rail commuters.

### **3. Strategic Implications**

3.1 Legislative / Legal Implications  Nil identified

3.2 Corporate Plan / Operational Plan  
Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications  
Council regularly reviews its policies for applicability, effectiveness and consistency with relevant legislation, Council resolutions and other Council documents.

The review identified that the need for a policy is not required to manage impacts to residential parking adjacent to the Moreton Bay rail line. A decision to revoke the policy will align with Council's local laws.

3.4 Risk Management Implications  
Proposed changes to on-street parking arrangements and Council's existing local law provisions for permits will adequately address any future impacts.

3.5 Delegated Authority Implications  
As per Officers Recommendation 2, that the Chief Executive Officer be authorised to introduce new parking arrangements to allow general parking for up to five (5) hours take all action necessary to 'P5 - Mon-Fri 6am-6pm' including the replacement of parking signage within the Moreton Bay Rail on-street parking areas and advise current permit holders, within the designated areas, of the new parking and permit arrangements by 31 October 2021.

3.6 Financial Implications  Nil identified

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications  Nil identified

3.10 Human Rights Implications  
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 officers consider that there are no human rights implications relevant to Council's decision in this matter.

3.11 Consultation / Communication  
Manager Asset Maintenance  
Coordinator Transport Network Management  
Governance and Executive Services  
Director Community and Environmental Services  
Councillors

**ITEM 6.3**

**TENDER - MBRC – BUILDINGS - SERVICING OF FIRE PROTECTION EQUIPMENT**

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 63042813 : 7 October 2021; Refer **Confidential Supporting Information 63042798**  
*Responsible Officer:* CB, Team Leader - Contracts and Compliance (PAS Asset Maintenance)

**Executive Summary**

Tenders were invited for the ‘*Servicing of Fire Protection Equipment (MBRC-RFT43)*’ contract through open tender using e-Procure. Tenders closed on 3 August 2021, with eight conforming submissions received.

It is recommended that the tender for the ‘*Servicing of Fire Protection Equipment (MBRC-RFT43)*’ be awarded to ARA Fire Protection Services Pty Ltd for an estimated total sum of \$616,026.20 for the initial contract period of two years eight months (1 November 2021 to 30 June 2024), with an option to extend by a further three x one-year periods, subject to satisfactory performance.

This project has been considered in accordance with Council’s Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

This matter is brought to the attention of Council under the ‘An Engaged Council’ portfolio as the ‘*Servicing of Fire Protection Equipment*’ contract will ensure compliance with all relevant standards and regulations relating to this matter.

**RESOLUTION**

Moved by Cr Brooke Savige

Seconded by Cr Jodie Shipway

CARRIED 12/0

1. That the tender for the ‘*Servicing of Fire Protection Equipment (MBRC-RFT43)*’ be awarded to ARA Fire Protection Services Pty Ltd for an estimated total sum of \$616,026.20 for the initial contract period of two years eight months (1 November 2021 to 30 June 2024), with an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That Council acknowledges:
  - a) The agreement will require \$148,929.00 (excluding GST) in operational funding during the 2021-22 financial year for the servicing of fire protection equipment;
  - b) The agreement will require \$230,095.31 (excluding GST) in operational funding during the 2022-23 financial year for the servicing of fire protection equipment; and
  - c) The agreement will require \$237,001.89 (excluding GST) in operational funding during the 2023-24 financial year for the servicing of fire protection equipment;
3. That the Council enters into an agreement with ARA Fire Protection Services Pty Ltd as described 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 agreement with ARA Fire Protection Services Pty Ltd for ‘*Servicing of Fire Protection Equipment (MBRC-RFT43)*’ and any required variations of the agreement on Council’s behalf.
5. That it be noted this project has been considered in accordance with Council’s Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.



ITEM 6.3 TENDER - MBRC – BUILDINGS - SERVICING OF FIRE PROTECTION EQUIPMENT - 63042813 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That the tender for the 'Servicing of Fire Protection Equipment (MBRC-RFT43)' be awarded to ARA Fire Protection Services Pty Ltd for an estimated total sum of \$616,026.20 for the initial contract period of two years eight months (1 November 2021 to 30 June 2024), with an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That Council acknowledges:
  - a) The agreement will require \$148,929.00 (excluding GST) in operational funding during the 2021-22 financial year for the servicing of fire protection equipment;
  - b) The agreement will require \$230,095.31 (excluding GST) in operational funding during the 2022-23 financial year for the servicing of fire protection equipment; and
  - c) The agreement will require \$237,001.89 (excluding GST) in operational funding during the 2023-24 financial year for the servicing of fire protection equipment;
3. That the Council enters into an agreement with ARA Fire Protection Services Pty Ltd as described 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 agreement with ARA Fire Protection Services Pty Ltd for 'Servicing of Fire Protection Equipment (MBRC-RFT43)' and any required variations of the agreement on Council's behalf.
5. That it be noted this project has been considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

**REPORT DETAIL**

**1. Background**

The servicing of fire protection equipment throughout the region is undertaken through a contract arrangement, this contract covers approximately 600 Council buildings, including community leased sites. The previous agreement for these services expired on 30 June 2021, with the previous contractor participating in an interim agreement until 31 October 2021, which will align this the new agreement's commencement date.

The scope of the agreement allows for maintenance of fire protection equipment, including fire blankets, fire extinguishers, batteries, hose reels, emergency lighting and other miscellaneous fire protection equipment. The maintenance frequency varies between monthly, three monthly, six monthly, annually, five yearly and 10 yearly depending on equipment type. The agreement requires that the services are to be undertaken and completed by qualified technicians with QBCC Contractor Licenses.

**2. Explanation of Item**

Tenders were invited for the 'Servicing of Fire Protection Equipment (MBRC-RFT43)' contract through open tender using e-Procure. Tenders closed on 3 August 2021, with eight conforming submissions received.

Tenders were considered by a selection panel in accordance with Council's Procurement Policy and the mandatory selection criteria set out in the tender documentation. All tenderers and their final weighting scores are tabled below (ranked from highest to lowest with Post-LP Evaluation Score).

ITEM 6.3 TENDER - MBRC – BUILDINGS - SERVICING OF FIRE PROTECTION EQUIPMENT - 63042813 (Cont.)

Rank	Tenderer	Evaluation Score Pre-LP	Evaluation Score Post-LP
1	FVS Fire Pty Ltd	98.15	101.90
<b>2</b>	<b>ARA Fire Protection Services Pty Ltd</b>	<b>95.49</b>	<b>95.49</b>
3	Premier Fire Pty Ltd	90.05	90.05
4	Fire Services Qld Pty Ltd	87.87	87.87
5	Chubb Fire and Security Pty Ltd	87.35	87.35
6	Wormald Australia Pty Ltd	84.38	84.38
7	Airmaster Corporation Pty Ltd (TA Fire2u)	78.91	78.91
8	Endfire Engineering Services Pty Ltd	71.84	71.84

**FVS Fire Pty Ltd ('FVS')** - submitted a comprehensive tender submission which demonstrated the required level of skill, knowledge, experience and capacity to undertake the works required. FVS are a Brisbane based company with their head office based in Shailer Park. FVS's submission demonstrated the required level of skill, knowledge and experience held by FVS key staff, and demonstrated their capacity to undertake the works required. The submission from FVS was the second lowest priced offer and received the highest Post-LP evaluation score, however, the panel considered that there was no demonstrable benefit to Council for the higher priced offer and this submission was not considered by the evaluation panel to provide best value to Council.

**ARA Fire Protection Services Pty Ltd ('ARA')** - submitted a comprehensive tender submission which demonstrated the required level of skill, knowledge, experience and capacity to undertake the works required. ARA are a Sydney based company with their head office based in Camperdown and local operations based out of Loganholme. ARA's submission demonstrated the required level of skill, knowledge and experience held by their key staff, and demonstrated their capacity to undertake the works required. ARA was the lowest priced offer and received the second highest Post-LP evaluation score. At a post tender clarification meeting, ARA provided the evaluation team with confidence in their ability to deliver the service required and is the evaluation panel's recommendation to award to ARA as this offer represents best value to Council.

**Premier Fire Pty Ltd ('PF')** - submitted a comprehensive tender submission which demonstrated the required level of skill, knowledge, experience and capacity to undertake the works required. PF are a Townsville based company with their head office based in Garbutt. PF's submission demonstrated the required level of skill, knowledge and experience held by their key staff, and demonstrated their capacity to undertake the works required. The submission from PF was the third lowest priced offer and received the third highest Post-LP evaluation score, however, there was no demonstrable benefit to Council for the higher priced offer and this submission was not considered by the evaluation panel to provide best value to Council.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

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

#### 3.2 Corporate Plan / Operational Plan

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

ITEM 6.3 TENDER - MBRC – BUILDINGS - SERVICING OF FIRE PROTECTION EQUIPMENT - 63042813 (Cont.)

3.3 Policy Implications

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

- Council's Procurement Policy 2150-006
- Council's Local Preference Corporate Directive - 2180-054
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

Tenders were considered against Council's Procurement Policy under Competitive Local Business and Industry (local preference) initiative, however, the recommended tenderer of this report is not a local company within the Moreton Bay region.

3.4 Risk Management Implications

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

Risk	Mitigation
No Council attendance during servicing/maintenance to validate completion.	ARA confirmed they will submit regular service reports as evidence once works are completed. A reference check was undertaken on ARA with organisations where ARA perform similar work. Feedback on their performance was positive.
Efficient and effective response time in attending emergencies.	ARA confirmed that they will arrive onsite and commence work within the required tendered timeframe. A reference check was undertaken on ARA with organisations where ARA perform similar work. Feedback on their performance was positive.
Attend all Council buildings within the periodic servicing timeframes considering the large geographical spread and number of Council buildings	ARA have confirmed that their company can service all sites within the timeframe and have enough technicians and plant resources available to fulfil the requirements of the tender. A reference check was undertaken on ARA with organisations where ARA perform similar work. Feedback on their performance was positive.

A third-party financial status review of the recommended tenderer *ARA Fire Protection Services Pty Ltd* was undertaken with a financial status rating of 'satisfactory' confirming their financial capacity to deliver the required works.

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

3.5 Delegated Authority Implications

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.

*This report requires approval of a multi-financial year agreement which is unable to be determined at this time by the CEO under delegation Council-163.*

*ITEM 6.3 TENDER - MBRC – BUILDINGS - SERVICING OF FIRE PROTECTION EQUIPMENT - 63042813 (Cont.)*

3.6 Financial Implications

Council has a combined budget allocation of \$238,961 in the 2021-22 Operational Services Budget under projects 20692, 20693, 20694, 20735 and 20736 for the servicing of fire equipment under this arrangement. The estimated cost as tendered by ARA Fire Protection Services Pty Ltd is within budget allocation and hence additional funds will not be required. All financials below are excluding GST.

Tender Price - Year 1 (November 21 - June 22)	\$183,592.80
Tender Price - Year 2 (July 22 - June 23)	\$259,894.20
<u>Tender Price - Year 3 (July 23 - June 24)</u>	<u>\$172,539.20</u>
<b>Total Contract - Initial Term (Nov-21 - Jun-24)</b>	<b>\$616,026.20</b>

3.7 Economic Benefit Implications

Effective maintenance of Fire Protection Equipment will ensure reliable equipment operation and extend overall lifecycle, thus saving Council from costly early replacement.

3.8 Environmental Implications

Performing regular maintenance on Fire Protection Equipment will ensure that these facilities operate efficiently, eliminating potential environmental impacts and meeting Council's environmental obligations.

3.9 Social Implications

Performing maintenance on Fire Protection Equipment continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

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 in this matter.

3.11 Consultation / Communication

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

**ITEM 6.4**  
**TENDER - 21/22 REGIONAL TRAFFIC SIGNAL NETWORK MAINTENANCE PROGRAM**

Meeting / Session: 6 AN ENGAGED COUNCIL  
Reference: 62895638 : 7 October 2021 - Refer **Confidential Supporting Information 62895615**  
Responsible Officer: DS, Senior Technical Officer (PAS Asset Maintenance)

**Executive Summary**

Tenders were invited for the '21/22 Regional Traffic Signal Network Maintenance (MBRC-RFT44)' program through open tender using e-Procure. Tenders closed on 29 July 2021, with conforming submissions received from five companies.

It is recommended that the tender for the '21/22 Regional Traffic Signal Network Maintenance (MBRC-RFT44)' program be awarded to Downer EDI Works Pty Ltd for the estimated total sum of \$345,991.13 (excluding GST) for the initial period of one year and eight months (1 November 2021 to 30 June 2023), or \$207,594.68 per annum, with an option to extend by a further three x one-year periods, subject to satisfactory performance.

This project has been considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

This matter is brought to the attention of Council under the 'An Engaged Council' portfolio as the '21/22 Regional Traffic Signal Network Maintenance' program will improve the efficiency and effectiveness of Council's service delivery.

**RESOLUTION**

Moved by Cr Karl Winchester

Seconded by Cr Sandra Ruck

CARRIED 12/0

1. That the tender for the '21/22 Regional Traffic Signal Network Maintenance (MBRC-RFT44)' program be awarded to Downer EDI Works Pty Ltd for the estimated total sum of \$345,991.13 (excluding GST) for the initial period of one year eight months (1 November 2021 to 30 June 2023), or \$207,594.68 per annum, with an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That Council acknowledges that the agreement will require \$207,594.68 (excluding GST) plus CPI increase during the 2022-23 financial year and Council is requested to account for this future expenditure as part of Council's strategic financial plan and budget for the 2022-23 financial year
3. That the Council enters into an agreement with Downer EDI Works Pty Ltd as described 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 agreement with Downer EDI Works Pty Ltd for the '21/22 Regional Traffic Signal Network Maintenance (MBRC-RFT44)' and any required variations of the agreement on Council's behalf.
5. 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.

*ITEM 6.4 TENDER - 21/22 REGIONAL TRAFFIC SIGNAL NETWORK MAINTENANCE PROGRAM - 62895638*  
(Cont.)

## OFFICER'S RECOMMENDATION

1. That the tender for the '21/22 Regional Traffic Signal Network Maintenance (MBRC-RFT44)' program be awarded to Downer EDI Works Pty Ltd for the estimated total sum of \$345,991.13 (excluding GST) for the initial period of one year eight months (1 November 2021 to 30 June 2023), or \$207,594.68 per annum, with an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That Council acknowledges that the agreement will require \$207,594.68 (excluding GST) plus CPI increase during the 2022-23 financial year and Council is requested to account for this future expenditure as part of Council's strategic financial plan and budget for the 2022-23 financial year
3. That the Council enters into an agreement with Downer EDI Works Pty Ltd as described 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 agreement with Downer EDI Works Pty Ltd for the '21/22 Regional Traffic Signal Network Maintenance (MBRC-RFT44)' and any required variations of the agreement on Council's behalf.
5. 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.

## **REPORT DETAIL**

### **1. Background**

Moreton Bay Regional Council has an extensive and growing network of signalised intersections under Council control, currently there are a total of 132 sets of traffic lights throughout the region. These signalised intersections are subject to regular audits and require ongoing routine maintenance, monitoring and emergency callouts to ensure that the signalised intersections remain in an operational, compliant and safe condition for general users. The maintenance of Council's traffic signal network is undertaken through a contract arrangement and the current contract is due to expire on 31 October 2021.

Signalised intersections require regular auditing (lamp runs) to ensure they are safe and operational. Ongoing 24/7 monitoring is undertaken via a remote auditing software (STREAMS), this software continuously checks all signalised intersections on the network and will send through alerts and fault reports. The successful contractor will be responsible for undertaking the STREAMS monitoring and actioning any alerts and/or faults raised by the system. They will also undertake monthly auditing, reactive maintenance and reporting on all of Council's signalised intersections.

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

Tenders were invited for the '21/22 Regional Traffic Signal Network Maintenance (MBRC-RFT44)' program through open tender using e-Procure. Tenders closed on 29 July 2021, with conforming submissions received from five companies. This maintenance contract is for an initial period of one year eight months (1 November 2021 to 30 June 2023), with an option to extend by a further three x one-year periods, subject to satisfactory performance.

The tenders were assessed by the assessment panel in accordance with Council's Procurement Policy and the selection criteria as set out in the tender documentation. All tenderers and the final weighting scores are tabled below (ranked from highest to lowest with Post-LP Evaluation Score):

ITEM 6.4 TENDER - 21/22 REGIONAL TRAFFIC SIGNAL NETWORK MAINTENANCE PROGRAM - 62895638  
(Cont.)

Rank	Tenderer	Evaluation Score Pre-LP	Evaluation Score Post-LP
1	Downer EDI Works Pty Ltd	98.99	106.49
2	MI Electric Pty Ltd ATF The Morris Family Trust	91.58	91.58
3	Department of Transport and Main Roads	91.38	91.38
4	J & P Richardson Industries Pty Ltd	78.44	78.44
5	GNB Energy Pty Ltd	41.36	41.36

**Downer EDI Works Pty Ltd ('Downer')** - provided a quality submission, have extensive knowledge and experience and met all the criteria outlined in the tender specification. Downer's submission clearly demonstrated their ability to deliver all aspects of the tender to a high-quality standard. Downer currently maintain all traffic signals for the Gold Coast City Council to a satisfactory standard. The offer submitted from Downer was the lowest priced and received the highest evaluation score and was considered best value for Council and is the recommendation of this report.

**MI Electric Pty Ltd ('MI')** - addressed all aspects of the criteria outlined in the tender specification, demonstrated a clear understanding of the scope of works and that they have the resource capacity required to undertake the works. The offer from MI was the second lowest priced and received the second highest evaluation score however there was no benefit to Council for the higher cost and so this offer was not deemed best value to Council.

**Department of Transport and Main Roads ('DTMR')** - addressed all aspects of the criteria outlined in the tender specification, demonstrated a clear understanding of the scope of works and that they have the resource capacity required to undertake the works. DTMR are the incumbent contractor for these works.

The offer from DTMR was the third lowest priced and received the third highest evaluation score, however there was no benefit to Council for the higher cost and so this offer was not deemed best value for Council.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

Due to the contracts combined multi-year value of service being greater than \$200,000, Council called a public tender for the services through e-Procure 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: Diverse transport options - an integrated regional transport network.

#### 3.3 Policy Implications

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

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

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

#### 3.4 Risk Management Implications

A third-party financial status review of the recommended tenderer was undertaken with a financial status rating of *'very strong'* confirming their financial capacity to deliver the contracted works.

ITEM 6.4 TENDER - 21/22 REGIONAL TRAFFIC SIGNAL NETWORK MAINTENANCE PROGRAM - 62895638  
(Cont.)

The recommended tenderer currently undertakes traffic signal maintenance works across Australia and in particular a large network of signals for the Gold Coast City Council and perform this work to a satisfactory standard.

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

3.5 Delegated Authority Implications

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 term of this contract covers multiple years and requires future expenditure as part of Council's strategic financial plan and budget and is therefore reported to Council for consideration.*

3.6 Financial Implications

The recommended tendered amount for the '2021-2022 Regional Traffic Signal Network Maintenance' program is within the program and annual budget allocation of \$405,000. This project will be debited to project number 20422.106.22004. All financials shown below are excluding GST.

Tender Price - Year 1 (November 2021 - June 2022)	\$ 138,396.45
Tender Price - Year 2 (July 2022 - June 2023)	\$ 207,594.68
Year 2 - CPI (Estimated at 3%)	\$ 6,227.84
<b>Total Contract - One year eight months term (Nov-2021 to Jun 2023)</b>	<b>\$ 352,218.97</b>

The budget amount for this project is sufficient.

3.7 Economic Benefit Implications

The appointment of the recommended tenderer will enable Council to maintain a safe road network in a timely and cost-effective manner.

3.8 Environmental Implications  Nil identified

3.9 Social Implications

This contract will improve safety and trafficability for road users.

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

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



**ADJOURNMENT**

The meeting adjourned for morning tea and closed session at 10.20am.

**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.

**CLOSED SESSION**

**RESOLUTION**

Moved by Cr Tony Latter

Seconded by Cr Cath Tonks

**CARRIED 12/0**

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

The closed session commenced at 10.20am (livestreaming paused).

**OPEN SESSION**

**RESOLUTION**

Moved by Cr Jodie Shipway

Seconded by Cr Tony Latter

**CARRIED 12/0**

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

The open session resumed at 11.36am (livestreaming resumed).

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**14. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL**

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**ITEM C.1 – CONFIDENTIAL**  
**NEW INVESTMENT FOR MORETON BAY REGION**

**Meeting / Session:** 1 PROGRESSIVE ECONOMY

**Reference:** 63029454 : 1 October 2021 - Refer **Confidential Supporting Information:**  
63029450, 63029453, 63029452, 63029449, 63029455, 63029451

**Responsible Officer:** CH, Principal Investment Lead (CEO Economic Development)

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**Basis of Confidentiality**

Pursuant to s254J(3) of the Local Government Regulation 2012, clause (g), as the matter involves negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**Executive Summary**

The Moreton Bay Region has the opportunity to expand its knowledge, innovation and entrepreneurship credentials through new investment attraction opportunities.

This matter is brought to the attention of Council under the Progressive Economy portfolio as the potential investment will create economic benefits for the region, including its 29,000 plus existing businesses, and contribute to a bigger, bolder and brighter region as outlined in the Regional Economic Development Strategy (REDS) and its targets of a \$40 billion economy and 100,000 jobs and becoming a Top 10 Regional Knowledge and Innovation Hub.

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**RESOLUTION**

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Moved by Cr Mick Gillam

Seconded by Cr Cath Tonks

**CARRIED 12/0**

1. That Council notes the content of this confidential report.
2. That Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute all documentation necessary to engage in the investment opportunity detailed in this confidential report.

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## 15. ELECTION OF DEPUTY MAYOR

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### Statement from Cr Peter Flannery (Mayor)

*"It is my duty to advise the Chamber today that our Chief Executive Officer has received a resignation letter from our Deputy Mayor Cr Denise Sims.*

*I want to comment on her remarkable personal and professional journey over the past five years, because I think we can all learn something from the humility she brought to this leadership role.*

*The transparency and accountability reforms we're enacting were driven by her.*

*The very fact that this meeting is being livestreamed is thanks to her commitment to ensuring the community has greater understanding of our decision making processes.*

*We are all richer for it, especially our community.*

*The fact that trust levels in Moreton Bay Council have never been higher, at a time in political history when levels of trust in Government have been at their lowest... is remarkable.*

*Politics is a tough game and in the end there are only two ways all of us will leave this place.*

*Either at a time of our own choosing, or when the community votes you out.*

*I'm pleased for Cr Sims that she was able to make this decision at a time of her own choosing so that she could be with her family.*

*On behalf of the Council and this region, I thank her for her service."*

All Councillors conveyed their best wishes to Denise Sims for her future endeavours acknowledging the hard work she has passionately undertaken on behalf of the region since being elected as a Councillor in 2016, and Deputy Mayor in 2020.

The Mayor (Cr Peter Flannery) concurred with the Councillors' sentiments, saying he would miss Denise as Deputy Mayor and hoped that her health improved with the support of her family.

The Chief Executive Officer extended gratitude on behalf of Moreton Bay Regional Council's management and staff noting that Denise was a great champion for the cultural change of the organisation and for transparency to the community.

### Election of the Deputy Mayor process

In accordance with section 175(2) of the *Local Government Act 2009* the Council is required to appoint a Deputy Mayor at this meeting.

The Chief Executive Officer outlined the process for the election of the Deputy Mayor as proposed below.

1. Mayor to call for any nominations for the position of Deputy Mayor.
2. Councillors may nominate themselves or another Councillor for the position of Deputy Mayor.
  - a. Nominations must be moved and seconded to be accepted.
  - b. A Councillor nominated by anyone other than themselves has the right to not accept the nomination.
3. If only one Councillor is nominated, that Councillor is elected.

Election of Deputy Mayor (cont'd)

4. If more than one Councillor is nominated, a motion must be moved that Council resolve an ordinary (secret) ballot selection process.
5. Councillors will vote for one person in secret, the votes collected by the scrutineers, and counted by the Chief Executive Officer.
6. The Chief Executive Officer will announce the Councillor with the least votes (no vote numbers will be cited).
7. Repeat above two steps until two nominees remain, when the Chief Executive Officer will announce the name of the successful nominee.
8. A motion to be moved and seconded to vote by show of hands on the nominated candidate for Deputy Mayor.

**MAYOR TO CALL FOR NOMINATIONS FOR THE POSITION OF DEPUTY MAYOR**

The Mayor called for nominations for the position of Deputy Mayor, noting the following nominees:

1. Cr Tony Latter (seconded by Cr Mick Gillam)
2. Cr Jodie Shipway (seconded by Cr Cath Tonks)
3. Cr Adam Hain (seconded by Cr Brooke Savige)

**COUNCIL TO RESOLVE SELECTION PROCESS AND VOTING OPTION**

**RESOLUTION**

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 12/0

1. That Council adopts the election process outlined above, including the ordinary (secret) ballot option to select the nominated candidate for appointment as Deputy Mayor.
2. That the Chief Executive Officer and Chief Legal Counsel be appointed as scrutineers for the counting of ballots.

**VOTING CONDUCTED BY ORDINARY (SECRET BALLOT)**

Voting was undertaken in line with the adopted process.

At the end of Round 1 - the Chief Executive Officer announced the Councillor with the least votes that would not be considered in the next round. Voting was repeated for Round 2. The Chief Executive Officer announced the name of the successful nominee, Cr Jodie Shipway.

**RESOLUTION**

Moved by Cr Tony Latter

Seconded by Cr Adam Hain

CARRIED 12/0

1. That Cr Jodie Shipway be appointed to the position of Deputy Mayor.
2. That the position of Deputy Mayor be considered in April 2022.

Election of Deputy Mayor (cont'd)

Cr Jodie Shipway (Deputy Mayor) thanked Council for her appointment to Deputy Mayor of Moreton Bay Regional Council. She noted Council's resilience to deal with the unexpected and paid respect to Denise Sims as outgoing Deputy Mayor.

The Chief Executive Officer advised that the Electoral Commission of Queensland (ECQ) will be notified advising the vacancy for Division 7 and a by-election will be held within two months for that division. Additionally, Portfolio Councillor adjustments will be made at the next General Meeting as a result of the vacancy.

**125<sup>th</sup> ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ)  
CONFERENCE - UPDATE TO VOTING DELEGATES**

**RESOLUTION**

Moved by Cr Jodie Shipway

Seconded by Cr Mick Gillam

**CARRIED 12/0**

Noting the resignation of Cr Denise Sims (Deputy Mayor) and the resolution of Council dated 26 May 2021 for voting delegates at the 125<sup>th</sup> Annual Local Government Association of Queensland (LGAQ) Conference, that the two voting delegates for Moreton Bay Regional Council be updated to Cr Peter Flannery (Mayor) and Cr Adam Hain.

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

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**ITEM 16.1  
INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA, QUEENSLAND  
(IPWEAQ) EXCELLENCE AWARD**

Cr Mick Gillam made mention that Moreton Bay Regional Council had been declared the winner of the Institute of Public Works Engineering Australasia Qld (IPWEA) 2021 Excellence Award (Projects \$5 - \$10 million) for The Mill at Moreton Bay Water Park and Play Space. Cr Gillam thanked staff involved in the creation, planning, design and building of this wonderful site.

The Mayor concurred with Cr Gillam stating that the Water Park and Play Space is a popular weekend destination.

**ITEM 16.2  
REGIONAL EVENTS**

Cr Peter Flannery (Mayor) made mention of his attendance together with Cr Brooke Savige to the **2021 Emergency Services Expo** at Bribie Island held on Sunday 17 October 2021. The Mayor said it was a great event organised Marine Rescue Bribie Island with the message of preparedness for the summer season.

Cr Brooke Savige concurred with the Mayor and added that the message of preparedness was evident and noted that we have a world-class Disaster Management Group and that the Moreton Bay Region is very prepared.

Cr Mick Gillam advised that the **Teddy Bears' Picnic at Pine Rivers Park** scheduled for tomorrow, 21 October 2021, has been cancelled due to anticipated wet weather.

**17. CONFIDENTIAL GENERAL BUSINESS**

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No items for consideration.

**18. CLOSURE**

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There being no further business the Chairperson closed the meeting at 12.08pm.

**CHIEF EXECUTIVE OFFICER'S CERTIFICATE**

I certify that minute pages numbered 21/1518 to 21/1598 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held Wednesday 20 October 2021.

\_\_\_\_\_  
Greg Chemello  
Chief Executive Officer

**CONFIRMATION CERTIFICATE**

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 10 November 2021.

\_\_\_\_\_  
Greg Chemello  
Chief Executive Officer

\_\_\_\_\_  
Councillor Peter Flannery  
Mayor