



# MINUTES

## GENERAL MEETING

**Wednesday 19 January 2022**

commencing at 10.10am

held via TEAMS

**ENDORSED GM20220202**

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**Membership = 13**  
Mayor and all Councillors

**Quorum = 7**

***Adoption Extract from General Meeting – 2 February 2022 (Page 22/39)***

**General Meeting - 19 January 2022 (Pages 22/1 to 22/37)**

**RESOLUTION**

**Moved by Cr Yvonne Barlow**

**Seconded by Cr Jodie Shipway (Deputy Mayor)**

**CARRIED 13/0**

**That the minutes of the General Meeting held 19 January 2022, be confirmed.**

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# Moreton Bay Regional Council

GENERAL MEETING - 544  
19 January 2022

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## **STATEMENT - MEETING HELD VIA TELECONFERENCE - RECORDED**

The Mayor advised that the meeting would be held via teleconference and was physically closed to the public due to health and safety reasons associated with the public health emergency involving COVID-19.

The meeting would be recorded and then made available on the Council's website following the meeting.

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

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Cr Tony Latter provided the Acknowledgement of Country.

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

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Cr Tony Latter provided the opening prayer / reflection for the meeting.

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

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#### **Attendance:**

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

#### **Officers:**

Chief Executive Officer  
Deputy CEO/Director Projects & Asset Services  
Director Community & Environmental Services  
Director Finance & Corporate Services  
Director Infrastructure Planning  
Director Planning  
Chief Economic Development Officer  
Chief External Relations Officer  
Chief Legal Counsel

(Mr Greg Chemello)  
(Mr Tony Martini)  
(Mr Bill Halpin)  
(Ms Donna Gregory)  
(Ms Amanda Creevey)  
(Mr David Corkill)  
(Mr Paul Martins)  
(Mr Joshua O'Keefe)  
(Ms Kate Draper)

Manager Community Engagement

Ms Julie Spencer

Team Leader Executive Support

Kathrine Crocker

#### **Apologies:**

Nil

## 4. MEMORIALS OR CONDOLENCES

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The Mayor (Cr Peter Flannery) asked Council to take a moment to acknowledge the families in our region and across the world that have been impacted by the tsunami that hit **Tonga** over the preceding weekend - our thoughts, prayers and condolences are with them as we await information on the sheer impact of this natural disaster, knowing that it may mean these communities continue to recover for years to come.

The Mayor referred to Moreton Bay's proud connection to Tonga - a number of residents in our region have deep roots there, and families from Tonga who call our region their second home, including fellow councillor, Karl Winchester and his mother, former councillor Koliana Winchester. Council's thoughts are with Cr Winchester and his family during this time and hope that that his families in Tonga are safe and that they can begin to recover as soon as possible.

Cr Karl Winchester thanked the Mayor and Council for their thoughts, and also thanked the Australian Government for deploying defence force personnel to the area, which is greatly appreciated.

Cr Brooke Savage sought to pay respects and extended condolences to our community after the sudden and very sad loss of **Rich Brasted**. A much-loved member of the Bribie Tigers Football (Soccer) club and coach of the Senior women's and miniroos, Rich contributed significantly to the club and made such an impact to each and every person who had the opportunity to work with him. Rich was a man of genuine kindness and positivity, a real 'people person' and an inspirational character who created real energy and brought teams together.

Cr Savage extended Council's deepest condolences to Rich's family, friends and colleagues at this difficult time.

Cr Brooke Savage also acknowledged the passing of **Brother Charles** from the Abbey Church Caboolture on 2 January 2022. Brother Charles, or "BC" as he was affectionately known within our community, was an incredible man who served his community relentlessly through his life. Even after becoming unwell his biggest battle was not with his health but with letting go of his extensive roles volunteering and giving to others. Brother Charles loved sport and was known across our region for his extensive work with Caboolture Soccer, Little Athletics, Regional and District Representative Sports and many others.

Cr Savage took the opportunity to extend her condolences to Brother Charles' family, friends, the entire Abbey and St Michael's community saying that he was so very dearly loved and will be so very missed.

Cr Sandra Ruck referred to **the four people who tragically lost their lives when a single-engine light plane crashed in the waters of Moreton Bay near the Redcliffe Aerodrome** on Sunday, 19 December 2021 - the pilot, Robert (Roy) Watterson and passengers Chris Mocanu and Chris' two children, his 10-year-old daughter Lavinia, and 9-year-old son Lucas.

Cr Ruck conveyed Council's heartfelt condolences to the families and friends of Roy, Chris, Lavinia and Lucas, noting we deeply share your grief.

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 - 8 December 2021 (Pages 21/1873 - 21/2079)

#### RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Mark Booth

CARRIED 13/0

That the minutes of the General Meeting held 8 December 2021, be confirmed.

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## 6. PRESENTATION OF PETITIONS

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

There were no petitions tabled at the meeting.

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## 7. CORRESPONDENCE

### 7.1. Correspondence from the Electoral Commission of Queensland re By-election Division 7 (63538427)

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A copy of the statutory Notice of Election Result in accordance with section 100 of the *Local Government Electoral Act 2011* informing Council that Yvonne Barlow had been duly elected received from the Electoral Commission of Queensland (ECQ) (dated 20 December 2021) was tabled.

The Mayor congratulated Cr Yvonne Barlow on her successful election and welcomed her to 'the team' - noting Cr Barlow's past experience as a Councillor of 11 years with the former Pine Rivers Shire Council, past-President of the Australian Local Government Women's Association (ALGWA), as well as her personal talents as a great entertainer.

On behalf of Council, the Mayor offered Cr Barlow whatever support and help she needed.

Cr Barlow responded thanking the Mayor, Councillors and in particular the residents of Division 7, noting it was an honour and privilege to represent the community in this very important role.

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## 8. COMMUNITY COMMENT

In accordance with Council's Policy 2150-062, the Community Comment session is not conducted at the first General Meeting of Council for the calendar year.

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

*(s262 of the Local Government Regulation 2012)*

There were no notices of motion.

## 10. CONFLICTS OF INTEREST NOTIFIED TO THE CEO

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

### 10.1. Declarable Conflict of Interest - Cr Darren Grimwade

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Darren Grimwade informed the meeting of a declarable conflict of interest in matters relating to development application DA/2021/5206 located at Samford Hotel, 44 Main Street, Samford Village, as he is a friend of Mr Robert Comiskey, a Director of Comiskey Management Services Pty Ltd, the applicant.

Cr Grimwade has indicated he will not participate in decisions relating to DA/2021/5206 including discussion, debate and voting and will elect to leave future meetings.

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

*(as referred by the Chief Executive Officer)*

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

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

Session	Portfolio Councillor	Deputy Portfolio Councillor
<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 (Deputy Mayor)	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

*To assist the meeting process via video conference, the Mayor chaired all sessions of today's meeting*

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## 1 PROGRESSIVE ECONOMY SESSION

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### ITEM 1.1 REVIEW OF CORPORATE STRUCTURE

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 63579829 : 29 December 2021 - **Refer Supporting Information 63595738**  
*Responsible Officer:* GC, Chief Executive Officer (CEOs Office)

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#### Executive Summary

Pursuant to section 196 of the *Local Government Act 2009*, (Act), the Council must have an organisational structure that is appropriate to the performance of its responsibilities.

This report provides recommendations for Council in relation to changes which will contribute to the Council's goals for effective and sustainable service delivery.

This matter is brought to the attention of Council under the **An engaged council portfolio** as Council's corporate structure has been one of continuous progression to enable the ongoing delivery of services as efficiently and effectively as possible.

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#### RESOLUTION

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Moved by Cr Mark Booth

Seconded by Cr Brooke Savage

CARRIED 13/0

1. That the corporate structure be approved as contained in supporting information #1 to this report.
2. That the Chief Executive Officer be authorised to do all things necessary to implement the new structure.

ITEM 1.1 REVIEW OF CORPORATE STRUCTURE - 63579829 (Cont.)

## OFFICER'S RECOMMENDATION

1. That the corporate structure be approved as contained in supporting information #1 to this report.
2. That the Chief Executive Officer be authorised to do all things necessary to implement the new structure.

## **REPORT DETAIL**

### **1. Background**

At its meeting of 19 October 2021, council's Executive Leadership Team considered the corporate structure in the context of changes in council's operating environment including position titles relating to senior leadership which would inform the composition of the Executive Leadership Team (ELT).

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

Ideally, a local government's organisational structure should facilitate the effective delivery of both internal and external service functions.

Council's corporate structure reflects functions based on the framework outlined below:

- **Directorates** - being the 5 key operational areas of Council
- **Departments** - being the various key operational areas within each Directorate, plus a small number of which report direct to the CEO (ie. Strategy & Advocacy, Economic Development, Legal Services and Internal Audit)
- **Branches** - functional teams within a Department
- **Sections** - specific teams within a Branch
- **Units** - small teams within a Section

In an endeavour to provide clarification and to assist in determining the composition of the ELT, the below characteristics of each level of leadership was noted:

- Directors lead **directorates**.  
The characteristics of Directors are:
  - their title is **Director directorate**
  - Directors report direct to the CEO and
  - Directors oversight a number of departments
- Within each directorate, Managers lead departments.
  - Their title is **Manager department**.
  - Departments may have a range of branches.
  - If they do, then the leaders of branches is **Branch manager or Branch Coordinator**

In addition, there is a small number of Departments and functional areas that do not lie within a directorate but instead report direct to the CEO.

These departments are positioned this way in the organisational structure to reflect their strategic importance to the organisation; and to reflect their importance to our communities and industry.

- The leaders of these departments are therefore called the **Chief Department Officer**.
- Where the team is so small not to warrant being considered a Department (ie Internal Audit), the leader will not be a Chief.

*ITEM 1.1 REVIEW OF CORPORATE STRUCTURE - 63579829 (Cont.)*

Currently ELT comprises the CEO, the 5 Directors, the Manager Strategy & Advocacy and Chief Economic Development Officer.

Recent considerations identified the need for the Chief Legal Counsel to be included as a member of the ELT. This approach supports the suggested logic where ELT would comprise of Directors and Chiefs.

In accordance with this rationale, a change to the title of the Strategy & Advocacy department is recommended within the established corporate structure, as follows:

**2.1 Strategy & Advocacy Department (proposed External Relations Department)**

This department has evolved over time from Strategy & Engagement to Strategy & Advocacy - the key driver being the new Advocacy Plan.

However, the proposed renaming of this department to "External Relations" will more accurately reflect the role and strategic function to Council's engagement with external stakeholders including various levels of government. It also reflects the recent reality that a number of departments/branches are now involved in formulating key corporate strategies.

This proposal would also see a change to the Manager Strategy & Advocacy position title, to Chief External Relations Officer.

The proposed corporate structure is provided in supporting information #1.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

The Council must approve an appropriate organisational structure in order to comply with section 196 of the *Local Government Act 2009* (Act). Appointments to the organisational structure must be in accordance with the Act.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

The structure has been developed in accordance with the provisions of the Act.

**3.4 Risk Management Implications**

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

**3.5 Delegated Authority Implications**

The continual evolution of the organisational structure will allow for the proper consideration of appropriate delegations to ensure Council operates efficiently and effectively.

**3.6 Financial Implications**

The financial implications of the organisational structure are within the current budget.

**3.7 Economic Benefit Implications**

☒ Nil identified

**3.8 Environmental Implications**

☒ Nil identified

**3.9 Social Implications**

☒ Nil identified

*ITEM 1.1 REVIEW OF CORPORATE STRUCTURE - 63579829 (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

The proposed structure has been developed by the Chief Executive Officer in consultation with the Executive Leadership Team.

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## 2 THRIVING COMMUNITIES SESSION

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No items for consideration.

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## 3 WELL-PLANNED REGION (PLANNING) SESSION

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No items for consideration.

## 4 WELL-PLANNED REGION (TRANSPORT) SESSION

### ITEM 4.1

### MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION - EXPRESSIONS OF INTEREST

Meeting / Session: 4 WELL-PLANNED REGION (TRANSPORT)  
Reference: 63607503 : 6 January 2021  
Responsible Officer: HM, Senior Project Manager (ECM Project Management)

#### Executive Summary

This report seeks Council approval to undertake an Expression of Interest (EOI) process for the 'MBRC - Youngs Crossing Road - Bridge and Road Construction' project prior to inviting construction tenders.

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

Council officers consider it is in the public interest to invite EOI before inviting written tenders for the construction of 'MBRC - Youngs Crossing Road - Bridge and Road Construction' as it will enable Council to consider tenders from a short-list of EOI respondents. As a mandatory requirement, prospective tenderers will need to be on the National Prequalification System (NPS) for Road and Bridge construction and address important non-price evaluation criteria. Those recommended for shortlisting will have demonstrated an ability to achieve the outcomes envisaged by Council. The reduced number of tenderers will lessen the time and cost (for both Council and tenderers) associated with considering all potential tenders, enhance the competitiveness of those shortlisted, while also better aligning the procurement phase with the completion of the detailed design documentation.

This matter is brought to the attention of Council under the **Well-planned region portfolio** as this project aims to provide more reliable access and is subject to the Federal Government funding contribution under the Urban Congestion Fund program.

#### RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Sandra Ruck

CARRIED 13/0

1. That Council resolve that it is in the public interest to invite Expressions of Interest (EOI) prior to requesting written tenders for this project.
2. That Council invite Expressions of Interest for the 'MBRC - Youngs Crossing Road - Bridge and Road Construction' project and subsequently invite tenders from an appropriate short-list of respondents to the EOI.
3. That the Chief Executive Officer be authorised to do all things necessary to implement recommendation 2 in accordance with the Local Government Regulation 2012.

**ITEM 4.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION - EXPRESSIONS OF INTEREST - 63579829 (Cont.)**

## **OFFICER'S RECOMMENDATION**

1. That Council resolve that it is in the public interest to invite Expressions of Interest (EOI) prior to requesting written tenders for this project.
2. That Council invite Expressions of Interest for the '*MBRC - Youngs Crossing Road - Bridge and Road Construction*' project and subsequently invite tenders from an appropriate short-list of respondents to the EOI.
3. That the Chief Executive Officer be authorised to do all things necessary to implement recommendation 2 in accordance with the Local Government Regulation 2012.

## **REPORT DETAIL**

### **1. Background**

The '*MBRC - Youngs Crossing Road - Bridge and Road Construction*' project is located on Youngs Crossing Road and extends between Protheroe Road, Joyner to Dayboro Road, Petrie. The objective of the project is to create a four-lane road connection from Protheroe Road to Dayboro Road and provide a new 1% Annual Exceedance Probability AEP (Q100) four lane bridge crossing of North Pine River and Sideling Creek.

The project scope also includes the provision for amended access to the Thompson Bus Services depot, signalisation of the intersection of Youngs Crossing Road and Protheroe Road, an upgrade to the existing signalised intersection of Youngs Crossing Road and Dayboro Road. Project works will also include pavements, road furniture, street lighting, stormwater infrastructure, green infrastructure, noise walls, landscaping and offset planting.



**Figure 1 - Site location and general layout**

*ITEM 4.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION - EXPRESSIONS OF INTEREST - 63579829 (Cont.)*

**2. Explanation of Item**

Council undertook an industry briefing on 12 November 2021 to raise awareness of the upcoming 'MBRC - Youngs Crossing Road - Bridge and Road Construction' project with construction contractors that deliver similar projects in South East Queensland. The high attendance at this briefing indicates a good level of interest in the project from potential construction tenderers.

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

Council officers consider it is in the public interest to invite EOI before inviting written tenders for the construction of 'MBRC - Youngs Crossing Road - Bridge and Road Construction' as it will enable Council to consider tenders from a short-list of EOI respondents who have addressed various non-price evaluation criteria and demonstrated an ability to achieve the outcomes envisaged by Council, and thereby avoid the time and cost (for both Council and tenderers) associated with considering all potential tenders, while also better aligning the procurement phase with the completion of the detailed design documentation.

The indicative target construction procurement program consists of the following two-phase approach;

Phase 1 - Expressions of Interest (EOI):

- EOI open to the market in early February 2022
- Short-list notification to Council in April 2022

Phase 2 - Request for Tenders (RFT):

- RFT invite to short-list in May 2022
- Tender recommendation to Council in August 2022

**3. Strategic Implications**

3.1 Legislative / Legal Implications

The proposed EOI and subsequent tender process will be undertaken in accordance with the requirements set out in the Local Government Regulation 2012.

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 EOI will be completed 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 will be evaluated against Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative

3.4 Risk Management Implications

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

- a. EOI process will reduce time and cost (for both Council and tenderers) associated with associated with considering all potential tenders;
  - i. Tenders are invited from a short-list, therefore all interested companies do not have to provide written tenders, increasing competitive interest of companies by reducing their potential lost time and costs

*ITEM 4.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION - EXPRESSIONS OF INTEREST - 63579829 (Cont.)*

- ii. Reduced time and cost to Council at the tender phase as a result of considering tenders from a short-list as opposed to a potential high number of tenders
  - b. The EOI process will allow Council to commence the construction procurement phase as currently programmed and in parallel with finalising the detailed design documentation;
    - i. Providing the appropriate level of design documentation at both the EOI stage and tender stage of the procurement phase instead of increased time, cost and quality risks associated with multiple tender document updates as the detailed design is finalised concurrently with a single phase open tender process.
  - c. An initial mandatory requirement of the National Prequalification System level will be required of all EOI respondents to ensure the initial field of potential respondents are suitably qualified to consider the project. The non-price evaluation criteria will then be used to select the respondents considered able to provide the most advantageous outcome to MBRC. Various non-price evaluation criteria will be considered in the EOI to address risks associated with e.g.;
    - i. Company financial profile
    - ii. Construction methodology and delivery program
    - iii. Company experience, capability, resources and workload
    - iv. Materials supply
    - v. Environmental, Workplace Health & Safety, Quality and Traffic Management
- 3.5 Delegated Authority Implications  
There are no delegated authority implications associated with this project.
- 3.6 Financial Implications  
Council has allocated a total of \$65,000,000 towards this project over the 21-22 to 23-24 financial years. The financial forecast also includes \$32.75 million of revenue from the Federal Government, as part of the Urban Congestion Fund program.
- 3.7 Economic Benefit Implications  
The EOI process will reduce time and cost (for both Council and tenderers) associated with considering all potential tenders. The process will also enhance the competitiveness of responses at the tender phase as the reduced field will increase each tenderers chances of success.
- 3.8 Environmental Implications  
Construction environmental management requirements will be considered as part of the procurement evaluation process.
- 3.9 Social Implications  
Construction social implications will be considered as part of the procurement evaluation process.
- 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  
Council undertook an industry briefing on 12 November 2021 to raise awareness of the upcoming 'MBRC - Youngs Crossing Road - Bridge and Road Construction' project with construction contractors that deliver similar projects in South East Queensland. Council will further advise the companies who registered for the industry briefing (including those who attended and those who were absent) and relevant industry bodies of the proposed procurement model. Council will also provide an appropriate update on the project website and Council's Working with Council website.

*ITEM 4.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION - EXPRESSIONS OF INTEREST - 63579829 (Cont.)*

Council's Project Management department will continue to consult with Council's Procurement Services and Legal Services departments throughout the procurement process. An external Probity Advisor has been engaged for this project and will also be consulted throughout the procurement process.

## **ATTENDANCE**

Cr Mick Gillam left the meeting at 10.30AM.

## ITEM 4.2

### TENDER - GRIFFIN - HENRY/DOHLES ROCKS ROADS - ROAD RECONSTRUCTION

Meeting / Session: 4 WELL-PLANNED REGION (TRANSPORT)  
Reference: 62441596 : 7 January 2022 - Refer **Confidential** Supporting Information  
63254688  
Responsible Officer: HM, Senior Project Manager (ECM Project Management)

#### Executive Summary

Tenders were invited for the 'Griffin - Henry/Dohles Rocks Roads - Road Reconstruction (MBRC-RFT-21)' project. Tenders closed on 8 December 2021 with a total of six tender submissions received, five of which were conforming and one of which was non-conforming.

It is recommended that the tender for the 'Griffin - Henry/Dohles Rocks Roads - Road Reconstruction (MBRC-RFT-21)' project be awarded to Hazell Bros (QLD) Pty Ltd, for the sum of \$10,707,235 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

This project has received \$4,000,000 in funding from the Federal Government's Urban Congestion Fund program.

The supporting information to this report is confidential to the extent that it contains information that is confidential to the Council and is made available to councillors for the purposes of this meeting, in accordance with sections 254D(3) and 254D(5) of the Local Government Regulation 2012.

This matter is brought to the attention of Council under the Well-Planned Region (Transport) portfolio, providing increased vehicle and pedestrian safety by improving the intersection signalling and raising the level of the road and footpath to reduce flood risks, as part of the Regional Integrated Transport Strategy.

#### RESOLUTION

Moved by Cr Sandra Ruck

Seconded by Cr Adam Hain

CARRIED 13/0

1. That the tender for the 'Griffin - Henry/Dohles Rocks Roads - Road Reconstruction (MBRC-RFT-21)' project be awarded to Hazell Bros (QLD) Pty Ltd, for the sum of \$10,707,235 (excluding GST).
2. That Council acknowledges:
  - a) that the agreement will require an estimated sum of \$2,500,000 for the project during the 2021-22 financial year, and Council is requested to account for this expenditure as part of the quarter two financial review process;
  - b) that the agreement will require \$12,200,000 during the 2022-23 financial year, which includes the additional sum of \$2,456,096, being the project shortfall; and Council is requested to account for this future expenditure as part Council's strategic financial plan and budget for the 2022-23 financial year.
3. That the Council enters into an agreement with Hazell Bros (QLD) 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 Hazell Bros (QLD) Pty Ltd for the 'Griffin - Henry/Dohles Rocks Roads - Road Reconstruction (MBRC-RFT-21)' project 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 4.2 TENDER - GRIFFIN - HENRY/DOHLES ROCKS ROADS - ROAD RECONSTRUCTION - 63579829 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That the tender for the 'Griffin - Henry/Dohles Rocks Roads - Road Reconstruction (MBRC-RFT-21)' project be awarded to Hazell Bros (QLD) Pty Ltd, for the sum of \$10,707,235 (excluding GST).
2. That Council acknowledges:
  - a) that the agreement will require an estimated sum of \$2,500,000 for the project during the 2021-22 financial year, and Council is requested to account for this expenditure as part of the quarter two financial review process;
  - b) that the agreement will require \$12,200,000 during the 2022-23 financial year, which includes the additional sum of \$2,456,096, being the project shortfall; and Council is requested to account for this future expenditure as part Council's strategic financial plan and budget for the 2022-23 financial year.
3. That the Council enters into an agreement with Hazell Bros (QLD) 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 Hazell Bros (QLD) Pty Ltd for the 'Griffin - Henry/Dohles Rocks Roads - Road Reconstruction (MBRC-RFT-21)' project 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 project is located at the intersection of Henry Road and Dohles Rocks Road, Griffin. The project scope is to improve the flood immunity of the road, which includes:

- Raising the level of the road;
- Constructing a new road and pavement; and
- Signalisation of the modified intersection.

The project also includes the upgrade of existing culverts on Dohles Rocks Road at the outlet to the North Pine River (refer Figure 2, Project Site #2) which is required as part of the ultimate flood immunity design for Henry Road and Dohles Rocks Road. These project works will be delivered separate to the tendered works within this report (refer Figure 2, Project Site #1) and in conjunction with the 'Griffin - Griffin Environmental Reserve - Asbestos Remediation' project as a result of associated combined environmental approvals. Construction for these works are expected to occur from mid-2022 following receipt of associated development and environmental approvals.

The project also includes the construction of a new non-signalised T-intersection along Henry Road for the entry and exit into the new Griffin Sports Complex. These intersection works will be delivered in conjunction with the ongoing construction of the 'Griffin - Griffin Sports Complex - Sporting Complex Development' project.

The objective of the project is to improve the quality, safety and flood immunity of the intersection.

Construction is expected to commence mid-2022, subject to supply times of Reinforced Concrete Box Culverts (RCBC), which is currently estimated to be 6-12 months. The construction phase is estimated to take 12 months to complete, which includes an allowance for wet weather (3 months).

ITEM 4.2 TENDER - GRIFFIN - HENRY/DOHLES ROCKS ROADS - ROAD RECONSTRUCTION - 63579829 (Cont.)



Figure 2: Henry Road/ Dohles Rocks Road Intersection - Locality Plan

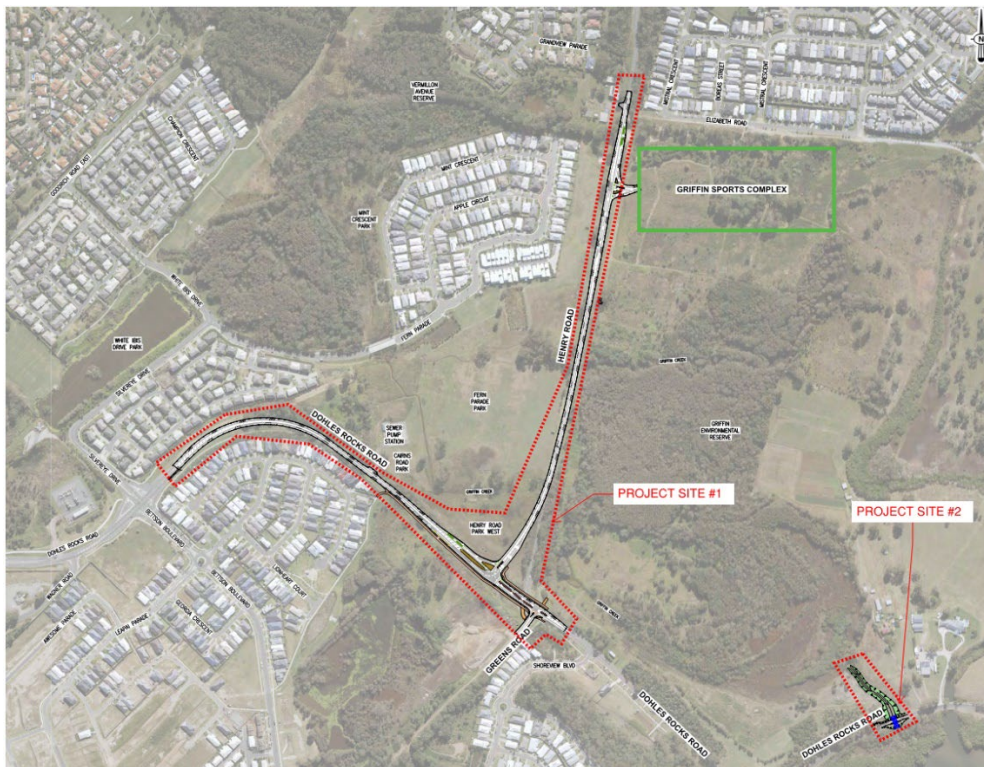


Figure 2: Henry Road/ Dohles Rocks Road Intersection - Project Site Locations

ITEM 4.2 TENDER - GRIFFIN - HENRY/DOHLES ROCKS ROADS - ROAD RECONSTRUCTION - 63579829 (Cont.)

**2. Explanation of Item**

Tenders were invited for the 'Griffin - Henry/Dohles Rocks Roads - Road Reconstruction (MBRC-RFT-21)' project, which closed on 8 December 2021 with a total of six tenders received, five of which were conforming and one of which was non-conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE (Pre Local Preference)	EVALUATION SCORE (Post Local Preference)
1	Hazell Bros (QLD) Pty Ltd	100.00	103.75
2	Hall Contracting Pty Ltd	95.39	95.39
3	Cragcorp Pty Ltd, trading as Queensland Bridge & Civil	94.33	94.33
4	CCA Winslow P/L	79.67	79.67
5	Allroads Pty LTD	73.42	73.42
6	Pentacon Pty Ltd	Non-conforming	

**Hazell Bros (QLD) Pty Ltd ('HB')** - submitted a comprehensive tender that demonstrated their relevant experience. A tender clarification meeting was held on 15 December 2021, at which HB demonstrated their relevant experience, methodology, company capability, understanding of the project and capability in delivering the project. HB provided examples of relevant project experience, including Old North Road, Warner (valued at \$11.5M) and Dohles Rocks Road and Bruce Highway Intersection Upgrade (valued at \$5.2M) both for Moreton Bay Regional Council; and Mount Lindesay Highway — Rosia Road to Stoney Camp Road (valued at \$17.5M) for Department of Transport and Main Roads.

HB provided a competitively priced tender. The evaluation panel considers the tender from HB to represent the best overall value and lower risk to Council.

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

The flood immunity of the existing intersection is 50% Annual Exceedance Probability (AEP); the flood immunity of the completed intersection will be 1% AEP.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Due to the value of work expecting to be greater than \$200,000, Council called a public tender for the work through MBRC's e-Tendering Portal, 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

ITEM 4.2 TENDER - GRIFFIN - HENRY/DOHLES ROCKS ROADS - ROAD RECONSTRUCTION - 63579829 (Cont.)

- Local Government Regulation 2012 Chapter 6.

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

3.4 Risk Management Implications

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

Financial Risk:

A third-party financial assessment has been carried out and the recommended tenderer was rated 'acceptable'.

Construction Risks:

- The recommended tenderer will provide a program of works, staging plans, traffic management plans, safety management plan, environmental management plan, and quality management documentation as part of the contract to detail how they will plan, establish and manage project construction risks which will be reviewed and approved by Project Management.
- The recommended tenderer has indicated their understanding of the project site to ensure the safety and well-being of all during the works.
- The recommended tenderer has indicated their understanding of the project site to ensure minimum disruption of traffic during the works, including;
  - Construction of temporary roadways to maintain single lane of traffic in each direction along both Dohles Rocks Road and Henry Road, at all times unless otherwise agreed by Council noting;
    - If any works are found to require temporary lane closures they will be restricted to outside of peak AM and PM travel times (i.e. potentially allowed during the day between 9am-2pm or as nightworks, however acceptance would be subject to review of contractor TGS and traffic modelling as required)
  - Minimising nightworks unless where traffic lane closures are unavoidable:
    - Asphalt surfacing;
    - Linemarking; and
    - Commissioning of traffic signals
- The recommended tenderer has indicated their understanding of the project site to ensure the appropriate environmental protection measures are implemented during the works.
- The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- The project construction program includes an allowance of three months wet weather with consideration to the low-lying flood prone site.
  - The project team will work with Council's Asset Maintenance department to ensure roles and responsibilities for road closures during flood events are clear prior to commencement of works on site.
- The recommended tenderer has indicated that their program of works and construction methodology takes into consideration the current and future access arrangements for the 'Griffin - Griffin Sports Complex - Sporting Complex Development 1' project.
- Council has undertaken advanced procurement for the steel reinforced concrete pipes and reinforced concrete box culverts required for this project in order to mitigate potential project delays associated with the industry wide supply shortages.
- The project program and commencement date detailed has considered the current estimated lead times for both the steel reinforced concrete pipes (SRCP) and RCBC.
- The project is not impacted by any Development Approvals.
- Dilapidation inspections will be conducted prior to works commencing on site to record the existing condition of assets and again after construction to record any change.
- The project design consultant (Stantec Australia Pty Ltd) will provide construction phase support to ensure the construction is undertaken in accordance with the project geotechnical and environmental requirements.

ITEM 4.2 TENDER - GRIFFIN - HENRY/DOHLES ROCKS ROADS - ROAD RECONSTRUCTION - 63579829 (Cont.)

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.3M, providing the expenditure has been provided for in Council's annual budget.

The cost of this project exceeds the delegated limit and is therefore reported to Council for consideration.

3.6 Financial Implications

Council has allocated a total of \$13,184,542 in the Capital Projects Program towards this project, with \$284,542 in the 2019-20 FY and \$766,600 in the 2020-21 FYI for design. \$12,133,400 is allocated in the 2021-22 FY for construction. \$4,000,000 in funding has been committed to the project from the Federal Government, through the Urban Congestion Fund funding program. All financial information below is excluding GST.

Design (2019-20, 2020-21, 2021-22)	\$	1,559,367
Tender Price (Construction)	\$	10,707,235
Contingency (10%)	\$	1,070,723
Consultancy Fees	\$	165,916
MBRC SRCP & RCBC supply	\$	1,243,715
Estimate for Dohles Rocks Road North Pine River outlet culvert upgrade not including 'Griffin - Griffin Environmental Reserve - Asbestos Remediation' project	\$	557,115
Estimate for Survey (ADAC Capture and Aerial Imagery)	\$	25,000
Estimate for Services Works		
• Energex overhead power relocations	\$	50,000
• Telstra/NBN overhead and underground communications relocations	\$	150,000
• Unitywater sewer and water service protection works	\$	50,000
Estimate for QLeave (0.575%)	\$	61,567
<b>Total Project Cost</b>	<b>\$</b>	<b>15,640,638</b>
<b>Revenue/funding:</b>		
Federal Government Urban Congestion Fund funding	\$	4,000,000
<b>Sub Total</b>	<b>\$</b>	<b>11,640,638</b>
MBRC allocation:		
MBRC project allocation	\$	13,184,542
<b>Sub Total</b>	<b>\$</b>	<b>13,184,542</b>
<b>Project shortfall/gap</b>	<b>\$</b>	<b>2,456,096</b>

Estimated ongoing operational/maintenance costs \$140,000 (<1% of project cost) per F/Y.

Estimated operational/maintenance costs for pavement level adjustment post construction of \$350,000 in the 2025/26 FY\*.

ITEM 4.2 TENDER - GRIFFIN - HENRY/DOHLES ROCKS ROADS - ROAD RECONSTRUCTION - 63579829 (Cont.)

\*A section of Henry Road (design CH100-CH550) is expected to require post construction pavement level adjustment in this area. This is due to forecast ground settlements that are unable to reasonably be addressed through preloading or replacement of unsuitable ground activities during construction in this section of the project.

The budget amount for this project is insufficient. That Council acknowledges:

- a) that the agreement will require an estimated sum of \$2,500,000 for the project during the 2021-22 financial year, and Council is requested to account for this expenditure as part of the quarter two financial review process; and
- b) that the agreement will require \$12,200,000 during the 2022-23 financial year, which includes the additional sum of \$2,456,096, being the project shortfall; and Council is requested to account for this future expenditure as part Council's strategic financial plan and budget for the 2022-23 financial year.

3.7 Economic Benefit Implications  
Improved intersection efficiency.

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  
Social benefits include:

- Improving safety for all road users;
- Reducing delays for commuters;
- Increasing the flood immunity which will reduce the number of closures and improve trafficability of the subject roads during flood events.

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

3.11 Consultation / Communication  
A communication plan has been prepared for this project. Communication strategies include project notices to be issued four weeks prior to the commencement of works and projects signs displayed on site prior to construction. VMS boards alerting traffic of the works will be installed on site two weeks prior to commencement of works and remain on site for the duration of works to advise road users of changes to traffic conditions. Additional project notices to adjacent residents will also be issued prior to nightworks activities.

Council has provided updates to the community through the project website. The detailed communications plan will include a Councillor weekly email update and fortnightly project website page updates. The Divisional Councillor has been consulted and is supportive of the project.

Council has also consulted with the Department of Transport and Main Roads regarding future state road planning activities. Whilst DTMR is still continuing within its planning within the general area, DTMR has advised that the Henry Road project will not become a stranded or short life asset.

Council will continue to consult with the Federal Government regarding their project funding contribution under the Urban Congestion Fund program.

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## **5 HEALTHY ENVIRONMENTS SESSION**

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No items for consideration.

### **ATTENDANCE**

Julie Spencer attended the meeting for discussion on Item 6.1.

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## 6 AN ENGAGED COUNCIL SESSION

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### ITEM 6.1 MORETON SAYS PULSE SURVEY 1 REPORT

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 63468125 : 8 December 2021 - **Refer Supporting Information 63536587**  
*Responsible Officer:* JS, Manager Community Engagement (FCS Community Engagement)

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#### Executive Summary

Council undertook the first Pulse survey of the *Moreton Says* program between October and November 2021. The survey focused on the new Corporate Plan, Community Wellbeing Strategy and preparedness for extreme weather events.

This matter is brought to the attention of Council under the **An Engaged Council** portfolio as *Moreton Says* is an initiative to support Council's commitment to meaningfully engage with communities across our region.

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#### RESOLUTION

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Moved by Cr Tony Latter

Seconded by Cr Jodie Shipway (Deputy Mayor)

**CARRIED 13/0**

**That the Moreton Says: Pulse Survey 1 Report be received.**

*ITEM 6.1 MORETON SAYS PULSE SURVEY 1 REPORT - 63468125 (Cont.)*

## OFFICER'S RECOMMENDATION

That the Moreton Says: Pulse Survey 1 Report be received.

## **REPORT DETAIL**

### **1. Background**

*Moreton Says* is a three-year engagement program Council is delivering to bring the voices of community members that live, work, play or travel through the region into Council's decision-making and planning. The program involves a substantial engagement program which includes a series of regionwide surveys. Council has engaged Voconiq, a third-party provider, to deliver the survey program and associated analysis.

A Council briefing was conducted on 1 December 2021 for the purpose of sharing the preliminary results of pulse survey 1. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

*The results report, which is expected to be finalised in late December/early January to be shared with Councillors and the community.*

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

The first pulse survey of the *Moreton Says* program was undertaken across a four-week period between 20 October and 24 November 2021. The survey sought our communities' input on:

- the new Corporate Plan and Community Wellbeing Strategy as part of the *Our Moreton* project;
- community resilience for extreme weather events; and
- communities' relationship with Council. This is included in every survey to enable the tracking of changes in this relationship over time.

The survey was completed by more than 2,370 people. This represents a large, statistically robust sample for analysis and to inform Council's decision-making and planning.

Voconiq has undertaken detailed analysis of the pulse survey data and prepared a report of the results. Council has committed to share the *Moreton Says* survey results with the community.

Community preparedness for extreme weather events was also examined and it was found that overall, community members are more confident in their preparation for significant storm tides and floods but had lower levels of confidence that they were prepared for cyclones and bushfires.

*Moreton Says* will be back in March 2022 to focus on Council's environment, sustainability, integrated transport and growth management strategies.

### **3. Strategic Implications**

3.1 Legislative / Legal Implications ☒ Nil identified

3.2 Corporate Plan / Operational Plan  
Strengthening Communities: Strong local governance - a council connected with its community.

3.3 Policy Implications  
The release of the *Moreton Says* pulse survey 1 report is consistent with Council's Community Engagement Policy 2150-010.

3.4 Risk Management Implications ☒ Nil identified

3.5 Delegated Authority Implications ☒ Nil identified

*ITEM 6.1 MORETON SAYS PULSE SURVEY 1 REPORT - 63468125 (Cont.)*

3.6 Financial Implications ☒ Nil identified

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications  
Moreton Says pulse survey provides valuable insights to inform Council's and communities' planning and decision-making.

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  
Council delivered a range of communication and engagement activities during the pulse survey open period to encourage community participation in the survey.

## ITEM 6.2 MONTHLY REPORTING PACKAGE - 30 NOVEMBER 2021

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 63549416 : 21 December 2021 - **Refer Supporting Information 63549894**  
*Responsible Officer:* JG, Acting Manager Accounting Services (FCS Accounting Services)

### Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 30 November 2021. In accordance with Part 9, section 204 of the Local Government Regulation 2012, a financial report is required to be presented to Council on a monthly basis.

This matter is brought to the attention of Council under the **An Engaged Council portfolio** as prudent fiscal management is important to ensure the financial sustainability of Council.

### RESOLUTION

Moved by Cr Jodie Shipway (Deputy Mayor)

Seconded by Cr Brooke Savage

CARRIED 13/0

That the Financial Reporting Package for the year to date period ending 30 November 2021 be received.

*ITEM 6.2 MONTHLY REPORTING PACKAGE - 30 NOVEMBER 2021 - 63549416 (Cont.)*

## OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 30 November 2021 be received.

## **REPORT DETAIL**

### **1. Background**

The Financial Reporting Package for the month ending 30 November 2021 is contained within the supporting information to this report.

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

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

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

The fifth month of the 2021/22 financial year is complete and the performance and position of Council is outlined below in the context of the attached report (supporting information #1).

#### Operating Result (page 1)

As at 30 November 2021, actual operating revenue was \$257.7 million compared to operating expenses of \$195.6 million thus representing an operating surplus of \$62.1 million (compared to the budgeted operating surplus of \$61.2 million).

#### Operating Revenues (page 1)

The second quarter rates and utility charges were levied in late September. Rates and utility charges represent the bulk of the revenue recognised thus far being \$171.8 million - approximately 50% of the budgeted rate for the year.

Fees and charges revenue is exceeding budget expectations with Development Services fees driving the majority of this variance. The timing of the recent annual animal registrations has also contributed to the positive variance.

Operational grants and subsidies are tracking below budget due to a timing difference. Consistent with previous years the financial assistance grant represents 75% of all the operational grants Council receives and it is paid quarterly. Half of the 21/22 grant was paid at the end of 2020/21. It is expected that half of the 22/23 grant will be paid at the end of 21/22 which is when the bulk of this revenue item will be recognised.

The Unitywater participation revenue is a conservative estimate and is a non-cash revenue stream.

#### Operational Expenses (page 1)

Overall, total operating expenses are tracking to budget, albeit with some minor variances in the different expense categories.

Employee benefits are tracking slightly above budget while Material and Services are trending below budget but, again, this is expected to be largely a timing difference with spend expected to increase over the coming months.

#### Capital Revenue (page 1)

Infrastructure cash contributions from developers are tracking well above budget thus far, reflecting the continuing property development growth experienced in 2020/21.

*ITEM 6.2 MONTHLY REPORTING PACKAGE - 30 NOVEMBER 2021 - 63549416 (Cont.)*

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

Capital grants and subsidies are below budget due to timing differences. With numerous Federal and State Government grant sources due to be received over 21/22, the bulk of the projects receiving the funding will not reach their payment milestones until the second half of 2021/22.

Operating Revenue and Operating Expenditure Graphs (page 2)

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

Given the majority of Council's operating revenue cycle is rate related (quarterly in advance), revenue will track above the budgeted revenue line and slowly edge closer to the line as the quarters draw to a close.

Conversely, operating expenses will generally track below the budget line and trend that way, gradually drawing closer to the line as the end of the financial year approaches.

Capital Expenditure (page 3, 4 and 5)

The *total capital expenditure progress* line graph summarises the percentage of all capital expenditure completed to date compared to a linear budget spend. Capital expenditure for the first five months amounted to \$64.3 million or 20.23% of the total program.

The *capital expenditure by portfolio program* table breaks down the capital spend into program categories.

The table indicates that aside from spending \$64.3 million thus far, there is an additional \$188.1 million in purchase orders which in total equates to \$209.7 million in committed capital works.

The *capital expenditure progress % to date by portfolio program* graph tracks the percentage spend by portfolio program compared to the budget to date. The orange line represents the year to date budget at 33.00% highlighting the linear budget spend to November 2021. Variations across the programs are normal as capital project delivery is not linear in nature so timing differences are expected.

Challenges in regard to delays in sourcing materials due to supply chain delays, as well as the availability of trades in many sectors, is likely to impact the overall deliverability of the capital program. This is being monitored and assessed ahead of the Q2 budget review.

Balance Sheet and Cash Flow (page 6)

The Balance sheet lists Council assets and liabilities and net community equity.

The Cash flow statement indicates a closing cash balance in the amount of \$397.7 million for November. It should be noted that the forecast for the end of June 2022 will see this decrease to \$223.5 million.

Treasury Report (page 7 and 8)

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

Interest earned on investments was approximately \$547k for the year to the end of November and achieved 10.62% of the annual budget (\$5.2m). The low returns are reflective of the market. The weighted average return on all investments for Council is now sitting at a very low 0.41%.

The Investment graphs give an indication of the percentage of investments held with each financial institution and the maturity profile of Council's investments. Council currently has \$355 million of cash at call with the remaining \$10 million maturing over next 1 to 3 months.

The QIC Growth Fund is currently valued at \$122 million as at the end of November. Council originally invested \$100 million in this fund in June 2018.

ITEM 6.2 MONTHLY REPORTING PACKAGE - 30 NOVEMBER 2021 - 63549416 (Cont.)

Council has repaid debt of \$10 million this year. Council is expected to repay debt in the amount of \$42 million for the year and budgeted to borrow \$50 million to fund capital works. Borrowings (if required) would be drawn down in May/June 2022.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
  - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
  - (b) otherwise—at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

Compliance to Council's Investment Policy is confirmed.

#### 3.4 Risk Management Implications

Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. Through the quarterly budget review process as matters arise they can be addressed and priorities changed accordingly

#### 3.5 Delegated Authority Implications ☒ Nil identified

#### 3.6 Financial Implications

As at the end of November 2021, Council's operating surplus was \$62.1 million while capital expenditure amounted to \$64.3 million.

#### 3.7 Economic Benefit Implications ☒ Nil identified

#### 3.8 Environmental Implications ☒ Nil identified

#### 3.9 Social Implications ☒ Nil identified

#### 3.10 Human Rights Implications

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

Director Finance and Corporate Services

## ITEM 6.3 2021/2022 SYSTEMATIC INSPECTION PROGRAM - REGULATED DOGS

Meeting / Session: 6 AN ENGAGED COUNCIL  
Reference: 63207921 : 4 January 2022  
Responsible Officer: SM, Local Laws Manager (CES Customer Response Services)

### Executive Summary

One of the purposes of the *Animal Management (Cats and Dogs) Act 2008* (the 'Act') is to provide for the effective management of regulated dogs. The term regulated dog is defined in the Act to include a declared dangerous dog and a declared menacing dog (a 'declared dog'). To keep a declared dog, its owner must adhere to the permit conditions set out in Schedule 1 of the Act (the 'permit conditions'). Council proposes to conduct a proactive inspection program to monitor adherence with these conditions and reduce the risk posed by these animals.

Council's approval is being sought for the commencement of an approved inspection program to monitor declared dog owners' compliance the Act generally and specifically with the Schedule 1 permit conditions.

The proposed 2021/22 Systematic Inspection Program - Regulated Dogs would be conducted between 1 March 2022 and 30 June 2022.

This matter is brought to the attention of Council under the **An Engaged Council portfolio** as it relates to the monitoring of declared dogs in the region to ensure a safe community.

### RESOLUTION

Moved by Cr Cath Tonks

Seconded by Cr Karl Winchester

CARRIED 13/0

That, pursuant to section 113 of the *Animal Management (Cats and Dogs) Act 2008* (the 'Act'), Council resolves to approve an inspection program which is:

- a) a systematic inspection program;
- b) for the purpose of assisting Council in monitoring compliance with the Act;
- c) to be conducted between 1 March 2022 and 30 June 2022; and
- d) to involve the entry to and inspection of any property within Council's local government area by Council officers authorised to do so where a property is recorded on Council's regulated dog register as being the place of keeping for a regulated dog.

*ITEM 6.3 2021/2022 SYSTEMATIC INSPECTION PROGRAM - REGULATED DOGS - 63207921 (Cont.)*

**OFFICER'S RECOMMENDATION**

That, pursuant to section 113 of the *Animal Management (Cats and Dogs) Act 2008* (the 'Act'), Council resolves to approve an inspection program which is:

- a) a systematic inspection program;
- b) for the purpose of assisting Council in monitoring compliance with the Act;
- c) to be conducted between 1 March 2022 and 30 June 2022; and
- d) to involve the entry to and inspection of any property within Council's local government area by Council officers authorised to do so where a property is recorded on Council's regulated dog register as being the place of keeping for a regulated dog.

**REPORT DETAIL**

**1. Background**

The *Animal Management (Cats and Dogs) Act 2008* Act provides for the effective management of regulated dogs. The term regulated dog is defined in the Act to include a declared dangerous dog and a declared menacing dog. To keep a declared dog, its owner must adhere to the Schedule 1 permit conditions.

It is important that the owners of declared dogs adhere to the permit conditions as any failure to do so can pose a public safety risk. For example, permit conditions require that a declared dog must, unless there is a reasonable excuse not to, be kept in a proper enclosure. If an owner of a declared dog does not comply with this condition, then there is an increased risk that their dog will escape its place of keeping and attack a person or animal.

Under section 113 of the Act, Council can resolve to approve an approved inspection program. An approved inspection program provides duly authorised officers the power to enter properties designated in the program for the duration of the program to monitor declared dog owners' compliance with the Schedule 1 permit conditions.

**2. Explanation of Item**

The proposed approved inspection program would:

1. be a systemic inspection program, which would provide the duly authorised officers with powers of entry to any property within Council's local government area where a property is recorded on Council's regulated dog register as being the place of keeping for a regulated dog;
2. occur between 1 March 2022 and 30 June 2022;
3. focus on monitoring declared dog owners' compliance with the Schedule 1 permit conditions; and
4. involve the publication of a notice in a newspaper circulating within Council's local government area and on Council's website at least 14 days but not more than 28 days before the commencement of the program.

If, as a result of the proposed program, Council identifies any non-compliance with the Act then Council's ordinary enforcement and compliance processes are available to be applied.

ITEM 6.3 2021/2022 SYSTEMATIC INSPECTION PROGRAM - REGULATED DOGS - 63207921 (Cont.)

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

Council officers are equipped with audio-enabled body-worn cameras whilst entering residents' properties and dwellings and interacting with those present. It is a risk that, during these interactions, Council officers may inadvertently record a private conversation to which they are not a party or otherwise collect personal information in a way inconsistent with Council's obligations under the *Information Privacy Act 2009*.

Council mitigates this risk through the provision of staff training and standard operating procedures with a focus on privacy obligations.

#### 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

Council is empowered under the Act to protect the community from damage or injury, or risk of damage or injury, from declared dogs and may take steps to ensure those dogs are:

- (i) not a risk to community health or safety; and
- (ii) controlled and kept in a way consistent with community expectations and the rights of individuals.

An approved systematic inspection program allows Council to proactively monitor and ensure the owners of declared dogs within Council's local government area are adhering to the Schedule 1 permit conditions and otherwise complying with the Act.

All inspections will be undertaken with the necessary COVID precautions in place to ensure staff and community safety

#### 3.5 Delegated Authority Implications

☒ Nil identified

#### 3.6 Financial Implications

☒ Nil identified

#### 3.7 Economic Benefit Implications

☒ Nil identified

#### 3.8 Environmental Implications

☒ Nil identified

#### 3.9 Social Implications

Residents have the right to feel safe within their communities, accordingly it is important that the owners of declared dogs adhere to the permit conditions as any failure to do so can pose a public safety risk.

#### 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. The officers consider that, should Council resolve in accordance with their recommendation, that resolution will be compatible with residents' human rights.

#### 3.11 Consultation / Communication

Director Community and Environmental Services  
Legal Services

## ITEM 6.4 MEETING SCHEDULE 2022 - AMENDMENT

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 63619925 : 10 January 2022  
*Responsible Officer:* KC, Team Leader Executive Support (FCS Governance & Executive Services)

### Executive Summary

The purpose of this report is to recommend a number of amendments to the adopted 2022 Meeting Schedule for the reasons as outlined in the report.

This report also includes a recommendation to delay the conduct of the Community Meeting scheduled for 16 February 2022 at the Deception Bay Community Hall due to the current Covid-19 safety measures in place.

This matter is brought to the attention of Council under the **An engaged council portfolio** and ensures Council fulfils its legislative obligations regarding the conduct of regular Council meetings, is in line with Council's Decision Making Framework and provides opportunity for Council to engage with respective communities within the region via the conduct of regular Community Meetings.

### RESOLUTION

Moved by Cr Jodie Shipway (Deputy Mayor)

Seconded by Cr Yvonne Barlow

CARRIED 13/0

1. That the 2022 Meeting Schedule be amended as follows:
  - a) the General Meeting on Wednesday 19 October 2022 be rescheduled to be conducted on Wednesday 26 October 2022;
  - b) the purpose of the Special Meeting on Friday 17 June 2022 (adoption of 2022/23 Budget & Operational Plan) be extended to include the adoption of Council's Corporate Plan;
  - c) the Community Meeting scheduled for Wednesday 16 February at Deception Bay, be postponed to 20 April 2022; and an ordinary General Meeting be held in its stead at Caboolture commencing at 9.30am; and
  - d) the Community Meeting location of Woodford be rescheduled as the location for the Community Meeting to be held on Wednesday 15 June 2022.
2. That the amendments to the meeting schedule be published on Council's website and be displayed in a conspicuous place in each of Council's administration buildings in accordance with ss 254B(2) and (3) respectively of the Local Government Regulation 2012.
3. That the location for Community Meetings scheduled for 17 August 2022 and 16 November 2022 be further considered at an appropriate time.

*ITEM 6.4 MEETING SCHEDULE 2022 - AMENDMENT - 63619925 (Cont.)*

**OFFICER'S RECOMMENDATION**

1. That the 2022 Meeting Schedule be amended as follows:
  - a) the General Meeting on Wednesday 19 October 2022 be rescheduled to be conducted on Wednesday 26 October 2022;
  - b) the purpose of the Special Meeting on Friday 17 June 2022 (adoption of 2022/23 Budget & Operational Plan) be extended to include the adoption of Council's Corporate Plan;
  - c) the Community Meeting scheduled for Wednesday 16 February at Deception Bay, be postponed to 20 April 2022; and an ordinary General Meeting be held in its stead at Caboolture commencing at 9.30am; and
  - d) the Community Meeting location of Woodford be rescheduled as the location for the Community Meeting to be held on Wednesday 15 June 2022.
2. That the amendments to the meeting schedule be published on Council's website and be displayed in a conspicuous place in each of Council's administration buildings in accordance with ss 254B(2) and (3) respectively of the Local Government Regulation 2012.
3. That the location for Community Meetings scheduled for 17 August 2022 and 16 November 2022 be further considered at an appropriate time.

**REPORT DETAIL**

**1. Background**

At its post-election meeting held 29 April 2020 (Page 20/611), Council resolved that its General Meetings would be generally conducted fortnightly on a Wednesday commencing at 9.30am on a rotation basis between Council's administration offices at Strathpine and Caboolture.

It was further resolved that at least once every four months, a General Meeting of Council be held at another location within the Moreton Bay Region in conjunction with a community engagement and a 'meet the councillors' event.

Pursuant to s254B(1) of the Local Government Regulation 2012, Council must adopt and publish a list of Council general (ordinary) and standing committee meetings each year. To satisfy this legislative requirement Council adopted the meeting schedule for the period January to December 2022 on 10 November 2021 (Page 21/1735).

**2. Explanation of Item**

Towards the end of each calendar year, Council's meeting schedule is prepared taking into consideration certain events and dates. At times, the confirmation of event dates as well as considered timing of projects, may necessitate amendment to the meeting schedule.

In addition to this, the prevailing Covid-19 safety measures dictate further amendment to the adopted 2022 meeting schedule.

It is therefore proposed, that:

- a) the General Meeting on Wednesday 19 October 2022, be rescheduled to be conducted on Wednesday 26 October 2022 to enable Councillor attendance at the LGAQ Annual Conference 17-19 October; and

*ITEM 6.4 MEETING SCHEDULE 2022 - AMENDMENT - 63619925 (Cont.)*

- b) the purpose of the Special Meeting on Friday 17 June 2022 (adoption of 2022/23 Budget & Operational Plan) be extended to include the adoption of Council's Corporate Plan following extensive community engagement.

Further, at its Post-election meeting, Council resolved that at least once every four months, a General meeting and 'meet the councillors' forum would be conducted.

Council conducted the first of its Community Meetings at Samford on 15 September 2021, and have included dates for Community Meetings in the 2022 meeting schedule as follows:

- 16 February at the Deception Bay Community Hall;
- 20 April at the Woodford Memorial Hall;
- 15 June (location yet to be determined)
- 17 August (location yet to be determined); and
- 16 November (location yet to be determined)

However, due to the ever-changing and persistent Covid-19 safety measures and restrictions, it is unrealistic to continue to prepare and plan for the meeting scheduled for 16 February in the current climate.

It is therefore proposed that:

- a) the Community Meeting scheduled for Wednesday 16 February at Deception Bay, be postponed to 20 April; and an ordinary General Meeting be held in its stead at Caboolture commencing at 9.30am; and
- b) the Community Meeting location of Woodford be rescheduled as the location for the Community Meeting to be held on Wednesday 15 June 2022.

As required, Council must publicly notify any change to the days and times of its meetings, pursuant to s254B(4) of the Local Government Regulation 2012. Accordingly, the amended meeting schedule will be displayed on Council's website and in a conspicuous place within each of its administration buildings.

### **3. Strategic Implications**

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

Council meetings are conducted in accordance with the Local Government Regulation 2012. Council must notify any change to the days and times to the adopted schedule as required under s254B of the Local Government Regulation 2012.

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

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

#### **3.3 Policy Implications**

Council meetings are scheduled in accordance with Council's Decision-Making Framework.

#### **3.4 Risk Management Implications** ☒ Nil identified

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

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

#### **3.7 Economic Benefit Implications** ☒ Nil identified

#### **3.8 Environmental Implications** ☒ Nil identified

#### **3.9 Social Implications** ☒ Nil identified

*ITEM 6.4 MEETING SCHEDULE 2022 - AMENDMENT - 63619925 (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**

The proposed amendments to the 2022 Meeting Schedule have been prepared in consultation with the Mayor, Councillors, Chief Executive Officer and Executive Leadership Team.

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

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There were no notified general business items or responses to questions taken on notice.

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**13. CLOSED SESSION**

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*(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.*

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

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No items for consideration.

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**15. CONFIDENTIAL GENERAL BUSINESS**

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No items for consideration.

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**16. CLOSURE**

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There being no further business the Chairperson closed the meeting at 10:48AM.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 22/1 to 22/37 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held Wednesday 19 January 2022.

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

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 2 February 2022.

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

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