



AGENDA

GENERAL MEETING

Wednesday 17 March 2021
commencing at 9.30am

Strathpine Chambers
220 Gympie Road, Strathpine

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Wednesday 17 March 2021 commencing at 9.30am in Strathpine Chambers, 220 Gympie Road, Strathpine to give consideration to the matters listed on this agenda.

Greg Chemello
Chief Executive Officer

11 March 2021

Membership = 13
Mayor and all Councillors

Quorum = 7

Agenda for public distribution

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STATEMENT - ATTENDEES AND LIVESTREAMING

The Mayor to advise that this 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.

1. ACKNOWLEDGEMENT OF COUNTRY

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

2. OPENING PRAYER / REFLECTION

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

3. ATTENDANCE & APOLOGIES

Attendance:

Cr Denise Sims (Deputy Mayor)

Apologies:

Cr Peter Flannery (Mayor) attending Council of Mayors delegation in Canberra.

4. MEMORIALS OR CONDOLENCES

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

5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 3 March 2021 (Pages 21/114 - 21/156)

RESOLUTION that the minutes of the General Meeting held 3 March 2021, be confirmed.

Attachment #1 Unconfirmed Minutes - General Meeting 3 March 2021.

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

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

7. CORRESPONDENCE

Receipt of correspondence addressed to the Council and tabled by the Chief Executive Officer, and Council responses to petitions tabled and community comment addresses (at the discretion of the CEO).

8. COMMUNITY COMMENT

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

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

(s262 of the Local Government Regulation 2012)

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

10. 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

Cr Darren Grimwade has notified the Chief Executive Officer that pursuant to s150EQ of the *Local Government Act 2009*, he has a declarable conflict of interest in matters relating to development application DA/2021/0494 located at 10 Henderson Road Burpengary QLD 4505, as he is a friend of Mr Robert Comiskey the son of Erica and Paul Comiskey, the owners of the land subject to the application.

Cr Grimwade has indicated he will not participate in decisions relating to DA/2021/0494 including discussion, debate and voting and will elect to leave future meetings.

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

ITEM 1.1 FOREIGN ARRANGEMENTS SCHEME

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: 61232222 : 1 March 2021 **Refer Supporting Information 61585891 & 61585893**
Responsible Officer: MS, Project Officer (CEO Economic Development)

Executive Summary

Australia's Foreign Relations (State and Territory Arrangements) Act 2020 fosters a systematic and consistent approach to foreign engagement across all levels of Australian government. It creates a scheme (the Foreign Arrangements Scheme) to ensure that arrangements between State or Territory Governments and Foreign Government entities do not adversely affect Australia's foreign relations and are not inconsistent with Australia's foreign policy.

Under the scheme, local governments, including Moreton Bay Regional Council, are required to notify the Minister for Foreign Affairs (the Minister) if they enter, or propose to enter, a foreign arrangement (including arrangements already in place as at 10 December 2020).

OFFICER'S RECOMMENDATION

That pursuant to section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer all functions and powers under *Australia's Foreign Relations (State and Territory Arrangements) Act 2020* (the Act), as amended from time to time, including, but not limited to, the power to make all required notifications under the Act.

ITEM 1.1 FOREIGN ARRANGEMENTS SCHEME - 61232222 (Cont.)

REPORT DETAIL

1. Background

The Foreign Arrangements Scheme (the scheme) deals with foreign arrangements. These are written arrangements, agreements, contracts, understandings or undertakings between State and Territory entities and foreign entities. They may be legally-binding or not legally-binding.

The scheme provides a process for States and Territories and their entities to notify the Minister of Foreign Affairs (the Minister) if they propose to enter, or enter, a foreign arrangement. It creates obligations in respect of both future arrangements and existing arrangements. It also deals with subsidiary arrangements entered into for the purposes of implementing a foreign arrangement.

Arrangements are notified to the Minister through the online portal.

2. Explanation of Item

The scheme covers Moreton Bay Regional Council as a local government, and also **foreign entities**, including:

- a foreign country, its national government and a department or agency of that national government (core foreign entities); and
- a province, state, self-governing territory, region, local council, municipality or other political subdivision of a foreign country (including its governments, departments, agencies), an authority of a foreign country established for a public purpose, and a foreign university that does not have institutional autonomy (non-core foreign entities).

3. Strategic Implications

All applicable foreign arrangements already in operation, or that will come into operation between 10 December 2020 and 10 June 2021 are required to be submitted to the Minister via the Department of Foreign Affairs and Trade (DFAT) online portal by 10 June 2021. Future applicable foreign arrangements entered into, or proposed to be entered into, after 10 June 2021 must be submitted to the portal within 14 days of their commencement.

Table 1, below, shows those arrangements that have been identified as being applicable under the Act and will therefore be submitted to the online portal for notification to the Minister. Some non-applicable arrangements are also included for information and as example.

Table 1: Identified Foreign Arrangements for submitting as notification to the Minister

Arrangement	Criteria			Applicable for notification to Foreign Minister?
	Pre-existing? (operating on or after 10 Dec 2020)	Applicable foreign entity?	Applicable arrangement?	
Applicable Arrangements				
Sister City Agreement - Moreton Bay Regional Council and Sanyo Onoda city	Yes	Yes	Yes	Yes
Non-applicable Arrangements				
Planning Division project work with MIT, Boston NY	No Project is complete	Yes	Yes	No

More information of the detail to be inserted into DFAT's online portal is contained in the supporting information to this report.

ITEM 1.1 FOREIGN ARRANGEMENTS SCHEME - 61232222 (Cont.)

Commencing 10 March 2021, Council will also be required to notify the Minister of a proposal to enter a non-core foreign arrangement.

For clarity, Council will not need to seek *approval* from the Minister for prospective non-core foreign arrangements prior to commencement, rather MBRC is only required to submit notification of intention to enter into negotiations with a foreign entity. The Minister may then make a declaration prohibiting negotiation or entering into a non-core arrangement if satisfied that the negotiation or arrangement would adversely affect Australia's foreign relations or would be inconsistent with Australia's foreign policy.

Should the Minister not be notified of an applicable foreign arrangement by 10 June 2021, that arrangement is then deemed to not be in operation after 10 June 2021.

All arrangements submitted as notification to the Minister will remain on the public register (unless determined to be sensitive in nature and to be excluded from the register).

In summary, applicable foreign arrangements in operation, or coming into operation between 10 December 2020 and 10 June 2021 must be lodged onto DFAT's online portal by 10 June 2021.

All applicable arrangements coming into operation after 10 June 2021 must be lodged onto DFAT's portal within 14 days of their commencement.

Appropriate administrative arrangements have been developed and will be implemented to ensure compliance with the required obligations.

3.1 Legislative / Legal Implications

Under the scheme, Moreton Bay Regional Council (MBRC), as a local government, is classed as a non-core State/Territory entity. As a consequence, all applicable foreign arrangements entered into by Moreton Bay Regional Council are non-core foreign arrangements. This is the case irrespective of the nature of the relevant foreign entity with whom the arrangement is entered into.

All non-core foreign arrangements between MBRC and an applicable foreign entity are required to be submitted as notification to the Minister. For clarity, this is inclusive of: if Council enters, or proposes to enter, a foreign arrangement and all arrangements in place as at 10 December 2020.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications ☒ Nil identified

3.4 Risk Management Implications ☒ Nil identified

3.5 Delegated Authority Implications ☒ Nil identified

3.6 Financial Implications ☒ Nil identified

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications ☒ Nil identified

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication

Council's Legal department have been consulted in the preparation of this report and the development of the administrative process.

SUPPORTING INFORMATION

Ref: 61585893

The following list of supporting information is provided for:

ITEM 1.1

FOREIGN ARRANGEMENTS SCHEME

#1 Signed 1992 Redcliffe and Sanyo Onoda Japan Sister City Agreement

#2 Signed 2010 Moreton Bay Regional Council and Sanyo City Agreement

ITEM 1.2 DESTINATION MANAGEMENT, ECONOMIC DEVELOPMENT AND EVENTS EXPRESSION OF INTEREST

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: 61713034
Responsible Officer: KH, Economic Intelligence Manager (CEO Economic Development)

Executive Summary

Council called for expressions of interest (EOI) for Destination Management, Economic Development and Events which support the implementation of the Council's Regional Economic Development Strategy (REDS).

10 submissions were received and assessed through this process as follows:

- Seven (7) for Destination Management and Tourism
- Four (4) for Business development and support
- Three (3) for Knowledge, Innovation and Entrepreneurship
- Four (4) for Regional Awareness, Pride and Attractive Lifestyle

Of the above, only one respondent submitted an EOI for all four categories.

This report seeks Council's approval to progress a preferred shortlist of respondents to a closed request for tender (RFT) for three of the four service streams; and disaggregate one service stream to allow for open requests for quote (RFQ) to be invited at a program and service activity level.

OFFICER'S RECOMMENDATION

1. That service specifications be prepared to allow for the request for tender and request for quote documentation to go to market and for selection of the best return on investment for services and programs and outcomes that support the Regional Economic Development Strategy.
2. That Council approve a closed request for tender be extended to the preferred short list of suppliers for Destination Management and Tourism programs (two suppliers); Knowledge, Innovation and Entrepreneurship programs (two suppliers); and Regional Awareness, Pride and Attractive Lifestyle (two suppliers) to be delivered by one or more external lead agencies under multi-year contract/s.
3. That the services outlined in the Expressions of Interest for Business development and support be disaggregated and that Request for Quotes be invited on a program and service activity level, to best complement the economic development activities being undertaken by Council in line with the Regional Economic Development Strategy.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, acting in accordance with section 228(7) of the Local Government Regulation 2012, negotiating and finalising related programs of work and contracts prior to submitting for final Council consideration/approval.

ITEM 1.2 FOREIGN ARRANGEMENTS SCHEME - 61713034 (Cont.)

REPORT DETAIL

1. Background

In August 2020, Council discussed the need for engagement of lead agencies to support the delivery framework of the pending new Regional Economic Development Strategy (REDS), which has since been adopted by Council on 3 February 2021. Such lead agencies would, in conjunction with key regional stakeholders, deliver services that support tourism; innovation and start-ups; existing businesses; as well as the identity and lifestyle of the Moreton Bay Region.

The launch of the REDS has provided an opportunity to review economic development support services required by Council and at a Council meeting on 28 October 2020 (A20698203), Council resolved that:

- It would be in the public interest to invite expressions of interest (EOIs) before inviting written tenders for a number of regionally benefitting services broadly relating to Destination Management, Economic Development and Events which support the implementation of the Council's Regional Economic Development Strategy (REDS);
- That the invitation for Expressions of Interest for regionally benefitting services should broadly relate to Destination Management, Economic Development and Events that support the implementation of the Council's Regional Economic Development Strategy (REDS); and
- Prior to the progression from an EOI to Tender process the Chief Executive Officer would report back to General Meeting on the outcome of the Expression of Interest process.

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
- Regional Awareness, Pride and Attractive Lifestyle.

The EOI process closed on 2pm, 9 December 2020 with 18 proposals from 10 respondents.

A Council briefing was conducted on 27 January 2021 to update Council on the EOI process.

2. Explanation of Item

In responses to the invitation for EOIs, Council received 18 proposals across all four service delivery categories from 10 respondents, as follows:

- Seven (7) for Destination Management and Tourism
- Four (4) for Business development and support
- Three (3) for Knowledge, Innovation and Entrepreneurship
- Four (4) for Regional Awareness, Pride and Attractive Lifestyle.

Only one respondent submitted a proposal for all four service delivery streams.

The Assessment Panel engaged an independent Probity Advisor to oversee the entire process and ensure appropriate governance around the short-listing process.

Destination Management and Tourism

- Two of the seven submissions demonstrated high capability and experience sought by Council in the majority of service activities required within this EOI stream.
- Some of the proposed activities of the higher ranked submissions would require a significant increase in funding investment by Council.

ITEM 1.2 FOREIGN ARRANGEMENTS SCHEME - 61713034 (Cont.)

Business Development and Support

- One of the four submissions demonstrated sound capability in many service activities required within this EOI stream.
- Two submitters proposed to deliver a narrow subset of the full scope of activities required; however, the services offered were highly relevant to the delivery of the REDS and reflect contemporary approaches to Business Support and Development.
- Since the launch of the REDS, Council has increased internal resourcing to support and deliver components of this work.
- Specialist services, where required, will be obtained via RFQ. The individual cost of each service will be below the tender threshold.

Knowledge Innovation and Entrepreneurship

- Two of the three submissions demonstrated similarly high capability and experience in the majority of service activities required within this EOI stream. These two submissions demonstrated strengths in different EIO criteria.
- Some of the proposed activities of the higher ranked submissions would require a significant increase in funding investment by Council.

Regional Awareness & Pride

- One of the four submissions demonstrated high capability and experience in the majority of service activities required within this EOI stream.
- Some of the proposed activities of the higher ranked submissions would require an increase in funding investment by Council.
- More than one submission demonstrated a high level of capacity in community event delivery.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Healthy and supportive communities - a healthy and inclusive community.

3.3 Policy Implications

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

3.4 Risk Management Implications

Risks outlined in Council Report A20698203 (28 October 2020) in relation to the EOI process are also applicable to the proposed closed tender process.

The most significant risks are probity, continuity of service and industry confidence.

The probity risk has been managed through the appointment of an independent probity advisor to support the EOI process, which was conducted in accordance with the relevant legislation and policies. Advice from the independent probity advisor is that it is normal practice during a tendering process not to disclose the names of the tenderers (outside of the formal evaluation and assessment panel) until the procurement process has been completed. This reduces associated risks and protects the integrity of the overall procurement process. In reflection of this advice, this report to Council has excluded the names of the companies/organisations on the preferred short list of suppliers.

ITEM 1.2 FOREIGN ARRANGEMENTS SCHEME - 61713034 (Cont.)

The continuity of service and industry confidence risks will be managed through:

- the commitment of funding for MBRIT to deliver the 2021 events calendar, irrespective of the outcome of ongoing tender process; and
- the development and implementation of a comprehensive risk management plan.

3.5 Delegated Authority Implications

As noted in the recommendation.

3.6 Financial Implications

Appropriate financial considerations will be applied, and formal arrangements will be entered into with any successful tenderer. There is a potential future financial consideration related to the future work/scope of agreements(s). Such funding will be considered through Council's normal budget management process.

3.7 Economic Benefit Implications

There is no economic benefit arising as a direct result of this report. However, the tender/quote process will support Council's desired economic outcomes as outlined in the draft REDS and lead to regional economic benefit.

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

☒ Nil identified

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

Independent Probity Advisor, Executive Leadership Team, Councillors, Legal Services and Procurement Services have been consulted through this process.

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

ITEM 2.1

FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: 61712125 : 3 March 2021 - **Refer Supporting Information 61636744**
Responsible Officer: JF, Asset Management Manager (IP Asset Management)

Executive Summary

The purpose of this report is to present the Flood Management Devices Portfolio Asset Management Plan to Council for adoption.

A Flood Management Devices Asset Management Plan (AMP) has been developed which includes the flood management devices throughout the region. Council currently has 288 devices, with a replacement value of \$3.18 million.

Flood management devices represent a significant risk should they not be maintained appropriately as they are critical assets throughout Council's flood response during flood events. To sustain the existing flood management devices asset portfolio and provide the expected community and technical levels of service, the Flood Management Devices Portfolio Asset Management Plan proposes that Council should increase the planned and reactive maintenance budget from \$46K to \$113.5K per annum, and continue to invest in the acquisition, upgrade and renewal of flood management device assets with a minor increase in the budget from \$125K to \$135K per annum from FY2024 to FY2029 and then increasing to \$227.5K per annum from FY2030.

The combined operational and capital funding increases will ensure the existing asset base is consistently functioning as expected and is in an adequate condition and maintained appropriately over a longer-term horizon. This will significantly reduce the risk of flood management device failure, health and safety risks and will minimise the likelihood of expensive lump sum replacement expenditure in the future.

OFFICER'S RECOMMENDATION

1. That the Flood Management Devices Asset Management Plan be adopted, as tabled.
2. That provision be made in the next long term financial forecast for the capital and maintenance funding required to progressively improve and upgrade the Council's flood management devices network to meet the standards of service outlined in the Flood Management Devices Asset Management Plan. The budget allocation increases are:
 - a) An increase to the capital budget for asset renewals/new/upgrade from the current budget of \$125,000 on average, to \$135,000 per annum from FY2024 onwards, and further increase to \$227,500 per annum from FY2030 onwards.
 - b) An increase to the current maintenance budgets for planned and reactive maintenance from \$46,000 to \$113,500 per annum from FY2022 onwards, to allow for adequate maintenance and inspection of assets.

ITEM 2.1 FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN - 61712125 (Cont.)

REPORT DETAIL

1. Background

A Council briefing was conducted on 3 March 2021 for the purpose of sharing information and providing advice/views to Council on the matter, and to receive Councillor feedback and input.

Council Briefing outcomes were noted as follows:

- The Flood Management Devices Asset Management Plan to be submitted to a General Meeting for consideration of adoption.

As part of the ongoing development of Council's asset management planning, a Flood Management Devices Portfolio Asset Management Plan (AMP) has been developed. The AMP outlines the Council's approach to the management of Flood Management Device (FMD) assets located throughout the Council's region. FMD assets include flood monitoring, flood warning and flood information devices. These assets are specifically relied on for the provision of public warning messages and collectively provide information of what is occurring within the region in a flood event including telemetry rain gauges services broadcast to public portals and BoM websites.

Their function supports the Moreton Bay Regional Council (MBRC) Local Disaster Management Plan (flood response) and the MBRC Floodplain Risk Management Framework and Water Strategy 2012-2031.

FMD assets typically have a useful life of 15 - 20 years and collectively have an estimated total replacement value of \$3.18M. The table and graphs below summarise Council's asset base, age profile, asset condition, and expected useful life within this portfolio.

Device Type	Asset Type Description	Qty	Expected Useful Life (Years)	Current Average Age (Years)	Current Replacement Cost
Flood Monitoring	Telemetry Gauge	98	15-20	10.0	\$2,391,174
	Seepage Monitoring Devices (Water Quality)	1	20	14.3	\$11,956
	Flooded Road Sensor	4	15	3.5	\$40,000
	Flooded Road Warning System	10	15	1.4	\$259,700
Flood Information	Environ Base Station	2	20	N/A	\$200,000
	Maximum Height Gauge	10	20	2.1	\$220,000
Flood Warning	Road Closure Identification Indicators	163	15	N/A	\$61,000
TOTAL		288			\$3,183,830

Table 1 - Asset Portfolio Breakdown

ITEM 2.1 FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN - 61712125 (Cont.)

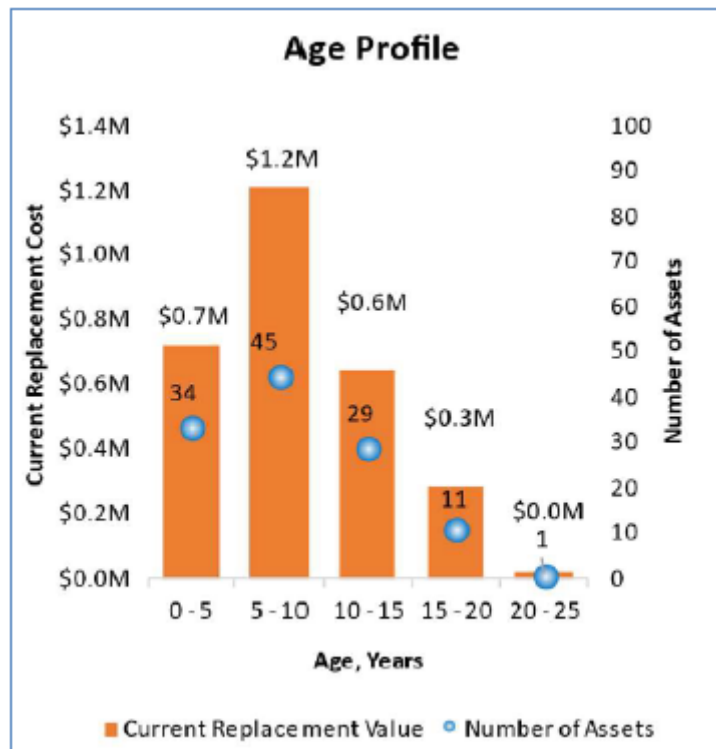


Figure 1 - Asset Management within MBRC Statutory Planning Context

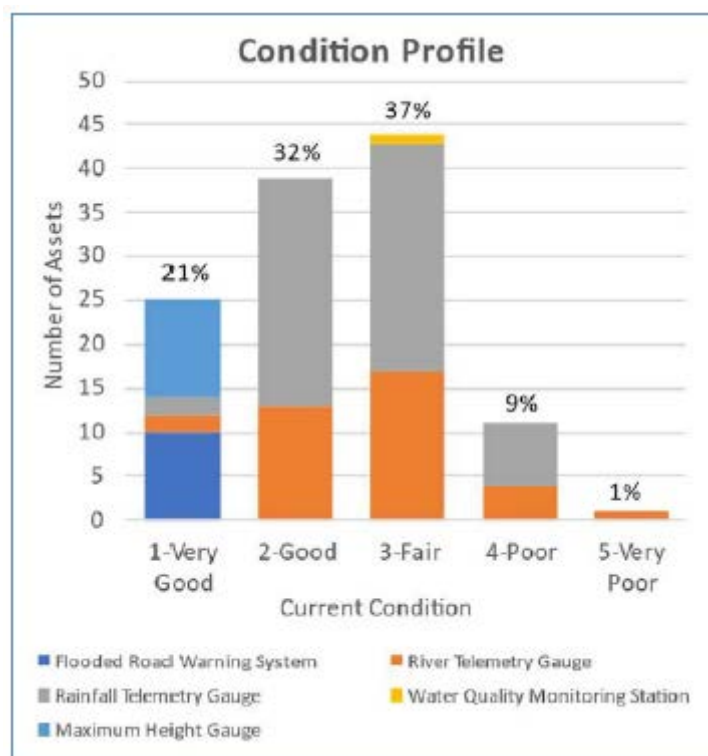


Figure 2 - Asset Condition Profile

ITEM 2.1 FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN - 61712125 (Cont.)

2. Explanation of Item

The Flood Management Devices Portfolio Asset Management Plan has been developed as a tool to assist Council in achieving the following key strategic asset management objectives:

- Optimising maintenance and renewal practices
- Prioritising investment to achieve maximum value
- Validating investment decisions to confirm funds are being spent effectively
- Identifying lower lifecycle cost solutions
- Managing risk to an appropriate level
- Monitoring and recording of the condition of flood management device assets
- Modelling to predict future condition and associated maintenance requirements
- Optimise asset performance
- Minimise asset failure where minimal assets reach a condition state 4 (poor)

Condition

Understanding the condition of Council's flood management device assets is important for their effective management. It is noted that a Condition 1 rating is very good with a Condition 5 rating meaning an asset is in a very poor condition.

Key Issues

- FMD assets have a relatively short expected lifespan (15 - 20 years) compared to most local government infrastructure assets. Many of Council's FMD assets will start reaching the end of their expected life within the next 10 years.
- If budget allocations are not adjusted, there is an increased risk that flood management devices will not function as intended. This may result in substandard services being provided by the assets, ongoing customer complaints through the inability and/or failure to meet community expectations for timely flood warnings or major flood events, and inability and/or failure for Council's Disaster Management Group to adequately plan for future or major flood events.

Maintenance Strategy

The recommended maintenance strategy incorporates additional proactive maintenance with the aim of reducing reactive maintenance, preventing defects and prolonging the useful life of flood management devices. The goal of proactive maintenance is to maintain assets in condition state 1 or 2 and prevent deterioration to an unacceptable state.

3. Strategic Implications

3.1 Legislative / Legal Implications

Section 167 - Preparation of a Long-Term Asset Management Plan - of the Local Government Regulation 2012 states that –

- (1) *A local government must prepare and adopt a Long-Term Asset Management Plan.*
- (2) *The Long-Term Asset Management Plan continues in force for the period stated in the plan unless the local government adopts a new Long-Term Asset Management Plan.*
- (3) *The period stated in the plan must be 10 years or more.*

Additionally, Section 168 of the Local Government Regulation 2012 states that Council's Long-term Asset Management Plan must:

- (a) *provide for strategies to ensure the sustainable management of the assets mentioned in the local government's asset register and the infrastructure of the local government; and*
- (b) *state the estimated capital expenditure for renewing, upgrading and extending the assets for the period covered by the plan; and*
- (c) *be part of, and consistent with, the long-term financial forecast.*

ITEM 2.1 FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN - 61712125 (Cont.)

3.2 Corporate Plan / Operational Plan

Council is committed to achieving the community's vision for the Moreton Bay Region. This vision represents a thriving region of opportunity where our communities enjoy a vibrant lifestyle and is structured upon three key elements; creating opportunities, strengthening communities and valuing lifestyle. These three tiers are underpinned by concepts such as local jobs for residents, strong local governance, and quality recreation and cultural opportunities.

The Strategic Asset Management Plan (SAMP) and supporting AMP have direct linkages with other corporate documents as illustrated in the diagram below:

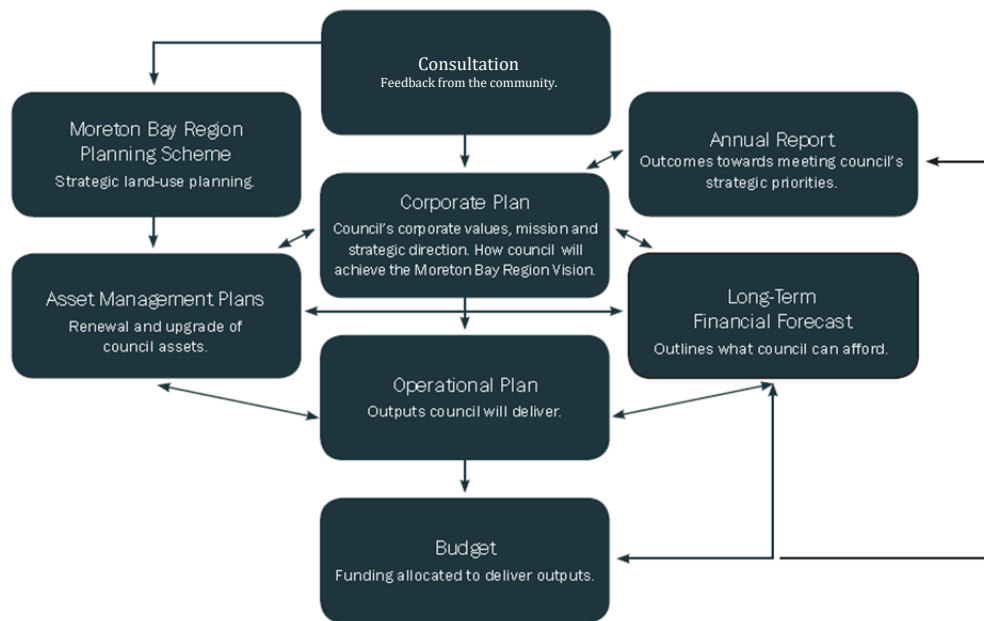


Figure 3 - Asset Management within MBRC Statutory Planning Context

As mentioned above, these plans inform Council's Long Term Financial Forecast (LTFF) in relation to costs associated with new, renewal and upgrade of assets. The plan also guides Council's Corporate Plan in relation to what Council intends to achieve, in relation to strategic asset management and informs Council's capital works program which forms part of the Operational Plan and Budget.

3.3 Policy Implications

The Infrastructure Asset Management Policy (Policy No. 12-2150-043) was adopted by Council on 9th December 2020.

3.4 Risk Management Implications

Risk management associated with flood management device assets are included in the plan

3.5 Delegated Authority Implications

☒ Nil identified

3.6 Financial Implications

Projected condition modelling below shows that with the currently adopted funding schedule the condition of flood management device assets will decline as per the figure below. With the recommended funding the overall portfolio is expected to continue to meet service levels and strategic objectives well into the future.

ITEM 2.1 FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN - 61712125 (Cont.)

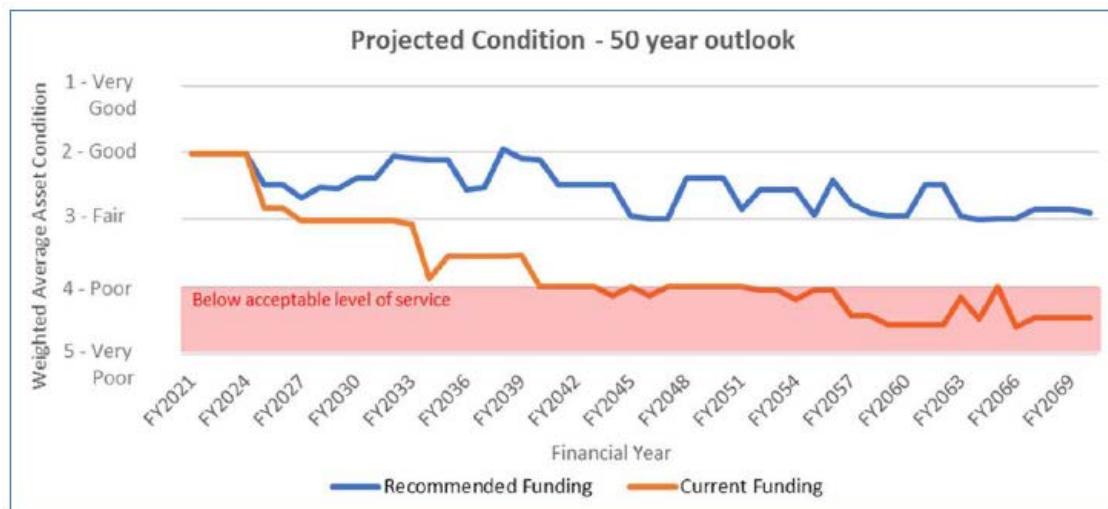


Figure 4 - Asset Projected Condition Outlook

The recommended budget allocations are outlined below:

- Increase the current budgets for planned and reactive maintenance from \$46,000 to **\$113,500 per annum** to allow for adequate maintenance and inspection of assets, from FY2022 onwards.
- Minor increase to the budget for asset renewals/new/upgrade from its **biennial** budget of \$250,000 (average annual expenditure of \$125,000 per annum) to an average annual spend of **\$135,000 from FY2024** onwards and further increase to an average annual spend of **\$227,500 from FY2030** onwards.

Should these recommended budget allocations be adopted into the next long term financial forecast, the predicted condition profile of the flood management device asset portfolio will be in a much improved position for the Council and will minimise the risk of future large lump sum replacement expenditure.

As per Council's strategic asset management framework, it is imperative that Council adopts a proactive approach to managing flood management device assets including planned preventative and routine maintenance. The recommended funding adjustments, both for capital renewal/replacement and routine and planned maintenance, will allow Council to achieve its strategic asset management objectives including:

- Organisational commitment to effective asset management
- Managing risk appropriately
- Delivery of services to agreed standards
- Optimise asset performance
- Minimize asset failure through earlier intervention

3.7 Economic Benefit Implications

Sustainable provision and management of MBRC's flood management device assets supports economic growth across the region. Additionally, a well-managed flood management device portfolio improves the overall amenity of the region and is highly valued by the community.

3.8 Environmental Implications

The effective management of MBRC's flood management device assets assists in improving environmental outcomes.

ITEM 2.1 FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN - 61712125 (Cont.)

3.9 Social Implications

The timely and cost-effective management of MBRC's flood management device assets contributes to the overall benefit of residents, visitors, business and industry, by providing the necessary assets to support the region's quality lifestyle.

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication

MBRC officers, asset owners and Councillors have been consulted in the preparation of this plan.

SUPPORTING INFORMATION

Ref: [61636744](#)

The following list of supporting information is provided for:

ITEM 2.1

FLOOD MANAGEMENT DEVICES PORTFOLIO ASSET MANAGEMENT PLAN

#1 Flood Management Portfolio Asset Management Plan - March 2021

ITEM 2.2 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: 61599363 : 3 March 2021 - Refer **Confidential** Supporting Information
61614274
Responsible Officer: JS, Lead Engineer - Coastal Infrastructure (IP Drainage, Waterways & Coastal Planning)

Executive Summary

This report seeks Council approval to progress stakeholder consultation, contract preparation and tendering for the *Pacific Harbour Maintenance Dredging* project (the Project) based on the preferred dredging and material transport methodology determined following the Expressions of Interest (EOI).

The Project involves the removal of approximately 75,000 m³ of material from within Pacific Harbour, plus transport, placement and treatment at Moreton Bay Regional Council's (MBRC) site located at 1077 Bribie Island Road, Ningi.

The EOI was tendered on Saturday, 26 September 2020 for a period of 6.5 weeks. Eight submissions from six Respondents were received. The submissions broadly identified two viable dredging and material disposal options by Contractors:

1. Cutter Suction Dredger (CSD) and transport by Pipeline via Ningi Creek; and
2. Grab Dredger (barge-mounted excavator), transfer to trucks within the canal estate, and transport by Road (via Cosmos Ave, Sunderland Drive, and Bribie Island Road).

A high-level summary of each option is provided in Table 1.

Table 1 High-level options summary

Option	#1 CSD + Pipeline	#2 Grab Dredge + Trucks
Number of Submissions	4	2
Estimated dredging duration (weeks)	28	51
Estimated total truck movements	60	8,000

Based on the information provided by EOI respondents, the Preferred Option is Option 1 (CSD + Pipeline). This option is preferred as it will avoid an estimated 8,000 round-trips by trucks on local and state roads, and the overall project duration is expected to be significantly less than for Option 2 (approximately half). Additionally, limited relevant experience for projects of this scale were provided by EOI Respondents for the trucking option, whereas a number of previous projects with comparable dredging volumes and pumping distances were provided by Respondents for the pipeline option.

It is recommended that MBRC progress stakeholder engagement, statutory approvals applications, contract preparation and tendering for the project based on the Preferred Option of CSD and Pipeline via Ningi Creek. It is also intended that Alternatives to the Preferred Option will be allowed in the eventual tender.

OFFICER'S RECOMMENDATION

1. That stakeholder engagement, statutory approvals applications, contract preparation and tendering for the project based on the Preferred Option of Cutter Suction Dredge and Pipeline via Ningi Creek, be progressed.
2. That all Respondents to the Expression of Interest (EOI) be invited to tender the works.
3. That the Chief Executive Officer be authorised to do all things necessary to implement recommendations 1 and 2 in accordance with the Local Government Regulation 2012.

ITEM 2.2 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - 61599363 (Cont.)

REPORT DETAIL

1. Background

The *Canal Estates Portfolio Asset Management Plan* (CEPAMP) outlines MBRC's objective to maintain canals to the depths nominated in the *Long-Term Maintenance Plans* (LTMPs) to ensure safe navigation and mooring of vessels. Canal depths within the lower reaches of the Pacific Harbour canal estate have reached the nominated 'trigger depths' and therefore maintenance dredging is required.

The proposed maintenance dredging campaign involves the removal of approximately 75,000m³ of material from within lower Skippers Canal and the Marina, as shown in Figure 1.

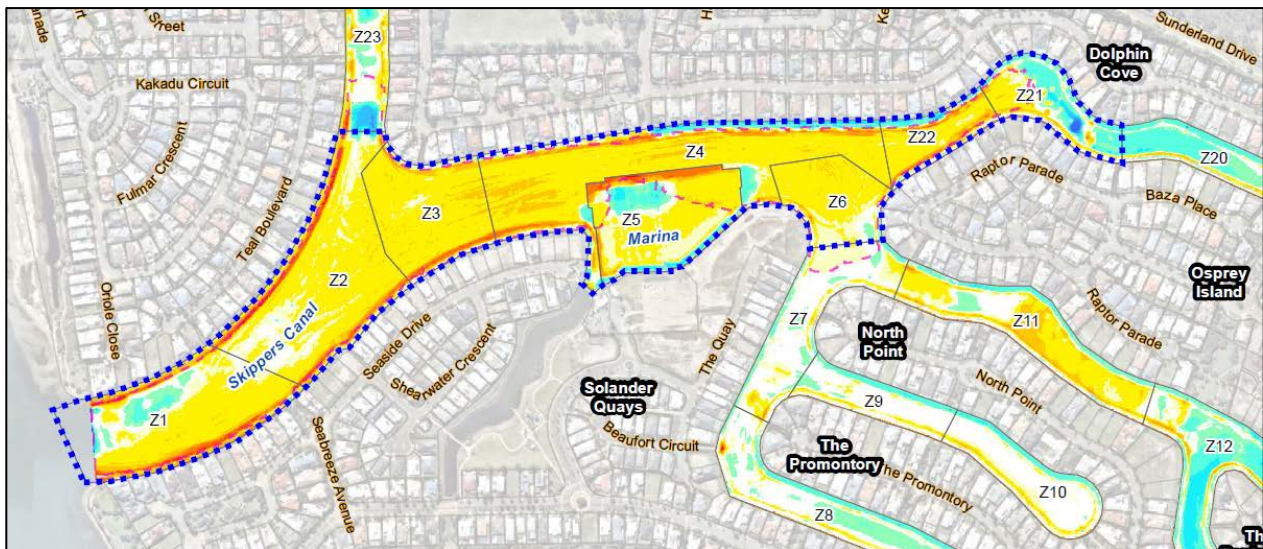


Figure 1 Pacific Harbour Maintenance Dredging project - proposed dredge area (refer dotted blue polygon)

The maintenance dredging was originally planned (several years ago) to be completed via grab dredging (i.e. barge-mounted excavator or similar) into barges with disposal of the material at the State managed Mud Island Dredged Material Placement Area (in Moreton Bay offshore from Fishermen's Island). However, statutory approvals applications for this proposal were rejected by the Department of Transport and Main Roads (DTMR) due to the risk of a barge impacting the Bribie Island Bridge. MBRC subsequently investigated alternative dredging and material disposal methods, including potential land-based sites that could receive the dredged material.

Following a number of workshops to consider potential dredge spoil disposal options, a report to Council was submitted proposing that Council acquire a land site, specifically for this purpose.

The following resolution appears on Minute Page 19/167 of the General Meeting of Council held 19 February 2019:

Ex. Coordination Committee held 19 February 2019 (Page 19/194):	
1.	That the land described in this confidential report be acquired in accordance with Council Policy No. 12-2150-057 Resumptions and Acquisitions of Land.
2.	That the Chief Executive Officer be authorised to do all things necessary to give effect to Recommendation 1.

The property located at 1077 Bribie Island Road was formally acquired for the purpose of managing and disposing dredge spoil in April 2019, and a public consultation session was held at the Ningi Community Hall shortly following the site acquisition on 22 May 2019.

ITEM 2.2 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - 61599363 (Cont.)

Since acquisition of the Ningi site, the Infrastructure Planning department has been working to complete the necessary planning, design, and statutory approvals acquisition tasks to allow for dredged material placement at the site. Detailed sediment sampling and analysis of sediments in Pacific Harbour was completed in early-mid 2020, and a specialist consultant is currently engaged to prepare the requisite statutory approvals applications for the project. Existing engineering design and specification documents are available from the originally planned project (2013-14), and the update of this documentation will be commissioned once the Preferred Option is confirmed by Council.

Significant site works have also been undertaken on the Ningi site, including demolition and removal of dilapidated buildings; installation of security and boundary fencing; rehabilitation and revegetation of the western vegetation buffer; and attainment of approvals to install a drain along the western site boundary.

Most recently, Council resolved to invite Expressions of Interest (EOI) for the maintenance dredging works in line with the following resolution on Minute Page 20/1631 of the General Meeting of Council held 2 September 2020:

RESOLUTION

1. That Council resolve that it is in the public's interest to invite Expressions of Interest prior to requesting written tenders for this project.
2. That Council invite Expressions of Interest for the Pacific Harbour Maintenance Dredging 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.

The following section of this report outlines the EOI objectives, outcomes, and proposed path-forward.

2. Explanation of Item

As per the EOI Council Report, the EOI was developed to facilitate:

- *assessment of dredging and material transport options available in the market, including indicative pricing;*
- *selection of a preferred option(s) to carry forward into the detailed design & specification and approvals acquisition tasks/phases;*
- *shortlisting of suitably experienced contractors for the eventual tender;*
- *further consultation with stakeholders regarding likely dredging and material transport methods, plus project timeframes.*

The EOI was tendered on Saturday 26th September 2020 for a period of 6.5 weeks. Eight submissions from six Respondents were received.

Following review of the EOI submissions a summary of the submitted information, including a map of the proposed material transport routes and estimated project costs, has been prepared and is provided within the Supporting Information. In addition to the Supporting Information, a summary of the key advantages and risks for each of the two options is presented in Table 2.

ITEM 2.2 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - 61599363 (Cont.)

Table 2 Advantages & risks - Options comparison

Option	Option 1 - CSD + Pipeline	Option 2 - Grab Dredge + Trucks
Key advantages	<ul style="list-style-type: none"> • Shorter dredging duration • Most economical dredging method • Accurate dredging • Largely continuous operation (within permitted day-time working hours) • Limited disturbance to residents and road users 	<ul style="list-style-type: none"> • Fewer statutory approvals required • Easier to treat PASS (Potential Acid Sulphate Soils) • Negligible tailwater to manage at Ningi site • Reduced impact on marine navigation within canal estate & waterways (Pumicestone Passage & Ningi Ck)
Key risks/challenges	<ul style="list-style-type: none"> • Additional statutory approvals required • Pipeline crossing of Pumicestone Passage • Potential for pipeline leaks • Tailwater management within Ningi site & water quality impacts to Ningi Ck • In-line treatment of PASS material • Booster station operations & potential pipeline blockages • Potential noise impacts due to booster stations • Additional preparatory earthworks required at Ningi site 	<ul style="list-style-type: none"> • Traffic & Pedestrian management - large number of traffic movements incl. on local roads & Bribie Island Bridge • Significantly longer dredging duration • Spillage of material on roads • Higher cost

The third option identified by two Respondents, entailing dredging, material rehandling through/beneath the Bribie Island Bridge, and disposal at the Mud Island Dredged Material Placement Area (MIDMPA) has previously been precluded by DTMR due to restrictions on vessel movements in proximity to the Bribie Island Bridge. As such, this option has not been considered further.

A pre-lodgement meeting was held with State Agencies and MBRC's approvals consultant on Tuesday 1st December 2020 to discuss the project and the Agencies' interests. Key feedback received from agencies for the two options is summarised as follows:

- Option 1 - CSD + Pipeline:
 - Temporary structures (pipeline) in a Fish Habitat Area B (Ningi Creek) - approvals from Department of Agriculture & Fisheries (DAF)
 - Impacts to marine plants (principally seagrasses) - approvals from DAF
 - Pipeline Crossing of Pumicestone Passage - approval conditions (incl. Marine Execution Plan) from MSQ
 - Pipeline and Booster Stations in Moreton Bay Marine Park - Marine Park Permit required from DES
- Option 2 - Grab Dredge + Road-based transport:
 - General traffic management (Bribie Island Road & Bribie Island Bridge) - requires Traffic Report and DTMR approval
 - Site entrance off Bribie Island Road - requires detailed assessment and DTMR approval

Overall, State Agencies did not identify any critical issues or concerns regarding the proposed works and attainment of approvals.

ITEM 2.2 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - 61599363 (Cont.)

Based on the information provided by EOI respondents, and the outcomes of the pre-lodgement meeting with State Agencies, the recommended option to progress through to design and tendering is Option 1 (CSD + Pipeline). As captured in Table 3, this option is preferred as it will avoid an estimated 8,000 round-trips by trucks on local and state roads, and the overall project duration is expected to be significantly less than for Option 2 (approx. half). Additionally, limited relevant experience for projects of this scale were provided by EOI Respondents for Option 2, whereas a number of previous projects with comparable dredging volumes and pumping distances were provided by Respondents for Option 1.

Table 3 Key differentiating factors

Option	Option 1 - CSD + Pipeline	Option 2 - Grab Dredge + Trucks
Dredging duration (weeks)	28	51
Impacts to residents	Limited impacts expected	1 truck every 8-13 mins for >1 year on local roads (approx. 8,000 round trips)
Project experience	At least three relevant previous projects provided	Limited to no relevant experience for projects of this size/scale provided

Accordingly, it is recommended that MBRC progress stakeholder engagement, statutory approvals applications, contract preparation and tendering for the project based on the Preferred Option of Cutter Suction Dredge and Pipeline via Ningi Creek. Additionally, it is recommended that all six respondents to the EOI be invited to tender the works.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The tender process will be completed in accordance with the provisions of the following documents:

- Council's Procurement Policy 10-2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

The Project Risk Management Plan identified that seeking Expressions of Interest and shortlisting contractors prior to requesting written tenders will help mitigate a range of project risks, including the following:

- Approvals delays (or rejection) due to alternative dredging & transport methodologies submitted at tender phase.
- Inexperienced contractors tendering the works and subsequent failure to fulfil project objectives.
- Inadequate consultation with stakeholders regarding transport methods and project timeframes prior to works commencement.
- Project delays as a result of obtaining approvals for, and specifying, dredging and material transport methods that are not available in the market, environmentally unsustainable and/or not financially feasible.

3.5 Delegated Authority Implications

☒ Nil identified

ITEM 2.2 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - 61599363 (Cont.)

3.6 Financial Implications

The cost of maintenance dredging and spoil disposal within Pacific Harbour is funded by the *Pacific Harbour Canal Maintenance Special Charge*.

A total of \$8,977,000, covering dredging and spoil disposal, is currently allocated across FY21/22 and FY22/23 for this project within the Pacific Harbour 50y Canal Maintenance Model. The budgeted costs include a charge to the levy of \$30 per cubic meter for placement of material at the Ningi site - totalling \$2.25M for this project.

The Indicative Pricing provided by EOI respondents indicates that the above allocated budget will be adequate to fund the works.

Note that funds currently allocated in Council's FY20/21 Budget and Operational Plan (\$2,710,600) will not be expended and will be returned to the reserve to fund future works.

3.7 Economic Benefit Implications

The proposed maintenance dredging will help to ensure safe navigation and mooring at the Pacific Harbour Marina, and therefore help to maintain the economic benefits to the area associated with the marina and attached businesses.

3.8 Environmental Implications

The project sites are located adjacent to parts of the Moreton Bay Marine Park and a designated Fish Habitat Area. Whilst environmental permits and approvals have not yet been finalised, these will be secured prior to tendering the works. Environmental monitoring, as required by the final approvals, will be undertaken throughout the works. An environmental management plan will also likely be required, including review and endorsement by the Department of Environment and Science prior to works commencing.

3.9 Social Implications

The proposed maintenance dredging will have a positive impact to the residents and marina users of Pacific Harbour. However, there are a range of potential negative social impacts associated with the project and these are broadly outlined on MBRC's project web page, along with proposed high-level measures to minimise impacts. The identified potential impacts include; Noise, Dust, Odour and Water Quality, and these will be managed during the works.

MBRC's Cultural Heritage Planning Officer continues to work with representatives of the traditional custodians (Kabi Kabi people), and the Infrastructure Planning and Asset Maintenance departments, towards preparation of a Cultural Heritage Management Plan (within a broader Environmental Management Plan for the site), to help protect cultural heritage values identified within the site.

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

The Councillor for Division 1 has been consulted regarding the outcomes of the EOI as well as the proposed path-forward for the project, and is supportive of the Preferred Option (Option 1). The Councillor has also provided feedback and advice regarding community consultation moving forward.

Other consultation undertaken to-date regarding this project is summarised as follows:

- Public consultation session at Ningi Community Hall - 22 May 2019.
- Pacific Harbour Canal Property Owner's Association (PHCPOA) - four-monthly meetings (ongoing) - including Division 1 Councillor & DWCP Manager (incl. Jun 2019, Oct 2019, Feb 2020, Jun 2020, Oct 2020 and March 2021).
- Project Web Page established June 2019 (ongoing).

ITEM 2.2 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - 61599363 (Cont.)

This Council Report has been prepared in-lieu of a Council Briefing Session as originally identified in the EOI Council Report. The original purpose of the Briefing Session was to advise Council of the proposed methodology that will be tendered and to inform the community consultation program.

Future stakeholder communication will be delivered in-line with the Project Communication Management Plan. This is proposed to include:

- Project update communication - in parallel with the Council Report
- Updates to project webpage
- Already scheduled meetings with PHCPOA
- Future project update communication following attainment of Statutory Approvals
- Media release during project tendering
- Projects works notifications following Contract Award - as appropriate.

Communication will be targeted to reach the following key groups:

- Ningi residents
- Pacific Harbour residents
- Recreational users (i.e. recreational boating & fishing)
- Local State and Federal parliament members

SUPPORTING INFORMATION

Ref: 61614274

The following list of supporting information is provided for:

ITEM 2.2

BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING

Confidential #1 Factual Summary of EOI submissions

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

No items for consideration.

4 PLANNING SESSION

(Cr D Grimwade)

No items for consideration.

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

ITEM 5.1

PROPOSED AMENDMENT TO SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: 61635540 : 17 February 2021 - **Refer Supporting Information 61696595, 61696642 & 61696652**
Responsible Officer: SM, Local Laws Manager (CES Customer Response)

Executive Summary

This report recommends that Council makes:

- *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Subordinate Local Law No. 5 (Parking) 2011) 2021; and*
- *A consolidated version of Moreton Bay Regional Council Subordinate Local Law No. 5 (Parking) 2011.*

The purpose and general effect of the proposed amendment is to amend Schedule 3 of *Moreton Bay Regional Council Subordinate Local Law No. 5 (Parking) 2011* to increase the penalty units from two (2) to four (4), for the offence of 'stopping (without displaying a current parking permit for people with disabilities) in a parking area for people with disabilities'.

The below recommendations comply with Council's adopted local law-making process.

OFFICER'S RECOMMENDATION

1. That Council resolves to propose to make *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Subordinate Local Law No. 5 (Parking) 2011) 2021 (refer Supporting Information #1).*
2. That Council resolves that the amending law referred to in paragraph 1 makes an insubstantial change and does not affect any anti-competitive provision such that steps 2 to 4 inclusive of Council's adopted local law-making process does not need to be satisfied.
3. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Subordinate Local Law No. 5 (Parking) 2011) 2021 (refer Supporting Information #1).*
4. That pursuant to section 32(1) of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of *Moreton Bay Regional Council Subordinate Local Law No. 5 (Parking) 2011 (refer Supporting Information #2).*
5. That the Chief Executive Officer be authorised to:
 - a) publicise that the local laws referred to at paragraphs 3 and 4 have been made by publishing a notice of making each local law in accordance with section 29B of the *Local Government Act 2009*; and
 - b) do such other things as required under the *Local Government Act 2009* in respect of the local laws referred to at paragraphs 3 and 4, which includes giving the Minister a copy of the local laws and making a copy of the local laws available for inspection and purchase at Council's public offices.

ITEM 5.1 PROPOSED AMENDMENT TO SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011 - 61635540 (Cont.)

REPORT DETAIL

1. Background

Schedule 3 of the *Moreton Bay Regional Council Subordinate Local Law No. 5 (Parking) 2011* (**Parking Local Law**) sets out penalties for certain minor traffic offences enforced by Council under the *Transport Operations (Road Use Management – Road Rules) Regulation 2009*.

In 2020 the Queensland Government made the *Transport Legislation (Disability Parking and Other Matters) Amendment Act 2020*, which increased the penalty units listed in the *State Penalties Enforcement Regulation 2014* for the *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, section 203(1). The amendment increased the penalty from 2 penalty units (\$266) to four 4 penalty units (\$533) for the offence of 'stopping (without displaying a current parking permit for people with disabilities) in a parking area for people with disabilities' (**Offence**).

The amendments made by the Queensland Government do not automatically change the penalty for the Offence under the Parking Local Law, which is currently 2 penalty units.

It is open to Council to amend the Parking Local Law to also increase the penalty for the Offence from 2 penalty units to 4 penalty units to align to the State's penalty increase.

2. Explanation of Item

It is recommended that Council make the *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Subordinate Local Law No. 5 (Parking) 2011) 2021* (**Amending Local Law**) and a consolidated version of *Moreton Bay Regional Council Subordinate Local Law No. 5 (Parking) 2011* (**Consolidated Local Law**) to increase the penalty for the Offence, in accordance with Council's adopted local law making process.

The reasons for this are:

- Given the changes to State legislation, Council should now consider an amendment to the penalty units applied in its local laws.
- The amendment will ensure consistency with the penalty of the State. It is important to note that Queensland Police Officers may issue fines for this offence under the State's new penalty.
- The proposed amendment aligns with the intent of Council's Disability Access and Inclusion Plan.

Moreton Bay Regional Council's Disability Access and Inclusion Plan consultation identified the occupation of accessible car parking bays by people without a valid permit as a key issue of concern for people who depend on access to these parking bays. This proposed amendment aligns with the intent of Council's Disability Access and Inclusion Plan 2018-2022 to provide equal access to community facilities, services and opportunities for people with disabilities. It will provide a greater level of deterrence against people occupying accessible parking bays without a valid permit, thereby ensuring they are reserved for people who need access to them.

Under Council's adopted local law making process for making a subordinate local law (*refer Supporting Information #3*), Council is not required to undertake public consultation (steps 2 to 4 inclusive) where it decides by resolution that the proposed amendment only amends an existing subordinate local law to make an "insubstantial change" and the amendment does not affect an anti-competitive provision.

Council officers consider the proposed amendment is an insubstantial change as it seeks to increase a penalty in line with State penalties. The amendment does not affect an anti-competitive provision. Accordingly, Council officers do not consider public consultation is required on the amendment and considers that steps 2 to 4 of Council's adopted local law-making process does not need to be satisfied.

Council may now, by resolution, decide to make the amendments to the Parking Local Law.

ITEM 5.1 PROPOSED AMENDMENT TO SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011 - 61635540 (Cont.)

If Council makes the Amending Local Law, Council officers recommend that Council also make the Consolidated Local Law, which is a document that accurately combines the local law as it was made with all the amendments made to the local law since it was originally made.

3. Strategic Implications

3.1 Legislative / Legal Implications

The amendment to *Moreton Bay Regional Council Subordinate Local Law No. 5 (Parking) 2011* will be undertaken in accordance with the *Local Government Act 2009* and Council's adopted local law-making process.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

☒ Nil identified

3.4 Risk Management Implications

☒ Nil identified

3.5 Delegated Authority Implications

☒ Nil identified

3.6 Financial Implications

☒ Nil identified

3.7 Economic Benefit Implications

☒ Nil identified

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

The amendment to *Moreton Bay Regional Council Subordinate Local Law No. 5 (Parking) 2011* will increase the penalty for drivers who park in a disability parking space without the required permit. This amendment aligns with the intent of Council's Disability Access and Inclusion Plan.

3.10 Human Rights Implications

Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that there are not human rights implications relevant to Council's decision.

3.11 Consultation / Communication

Council's Legal Services Department and Community Services Sport and Recreation Department has been consulted and provided input into the formulation of this report.

SUPPORTING INFORMATION

Ref: [61696595](#), [61696642](#) & [61696652](#)

The following list of supporting information is provided for:

ITEM 5.1

PROPOSED AMENDMENT TO SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011

#1 Proposed Amendment to Subordinate Local Law No 5 (2021)

#2 Current Subordinate Local Law No 5 (2011)

#3 Local Law Making Process (2014)

ITEM 5.2 INFRINGEMENT NOTICE COURT ELECTIONS

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: 61730299 : 1 March 2021
Responsible Officer: GL, Brief Management and Prosecutions Coordinator (CES Customer Response)

Executive Summary

Council's approval is sought for the commencement of two prosecutions in the Magistrates Court for alleged offences under Moreton Bay Regional Council Local Law No. 2 (Animal Management) 2011 and Moreton Bay Regional Council Local Law No. 4 (Local Government Controlled Areas and Roads) 2011.

The *State Penalties Enforcement Act 1999* allows for a person who has been issued with a penalty infringement notice to elect to have the matter heard through the Magistrates Court instead of paying the infringement.

Council has received two (2) elections requests from members of the community who have received penalty infringement notices. These matters have been assessed and are considered appropriate to proceed as requested to the Magistrates Court. In order to progress these matters a resolution of Council is sought authorising officers to commence proceedings for these matters.

OFFICER'S RECOMMENDATION

1. That Council authorise the Chief Executive Officer to commence prosecutions in the Magistrates Court for each of the matters described in this report, for what Council officers allege to be offences under the *Moreton Bay Regional Council Local Law No.2 (Animal Management)* and *Moreton Bay Regional Council Local Law No.4 (Local Government Controlled Areas and Roads) 2011*.
2. That the prosecutions described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM 5.2 INFRINGEMENT NOTICE COURT ELECTIONS - 61730299 (Cont.)

REPORT DETAIL

1. Background

Council's Local Laws provide a legal and procedural framework for their administration, implementation and enforcement.

The purpose of the Local Laws is to:

- maintain community expectations and standards;
- protect the environment, public health and safety; and
- maintain community amenity through the administration and regulation of activities such as:
 - prescribed activities (local law approvals)
 - prohibited and restricted activities
 - the keeping of animals
 - the regulation of parking.

Council officers are authorised by the Chief Executive Officer, in accordance with their delegations, to issue Penalty Infringement Notices for offences that relate to Council's Local Laws and State legislation.

When a Penalty Infringement Notice is issued to a person for an offence, the *State Penalties Enforcement Act 1999* states that the alleged offender must, within 28 days after the date of the infringement notice, elect one of the following options:

- a) pay the fine in full or
- b) pay the fine in instalments (penalty amounts over \$200) or
- c) make an election to the administering authority to have the matter of the offence decided in a Magistrates Court.

In addition to the abovementioned options, Council provides the alleged offender with the opportunity to request a review of the issuing of the penalty infringement notice. Whilst there is no legislative requirement for this review, Council will undertake a review of the facts and circumstances relating to the issue of the penalty infringement notice and consider any reasonable or compassionate grounds offered by the alleged offender. A review decision is provided to the requestor in writing.

If an alleged offender elects to have the matter heard and determined by a Magistrates Court, officers undertake the same review process to ensure that the infringement notice has been correctly and lawfully issued before progressing the matter.

2. Explanation of Item

Council has received two (2) requests from community members who were issued with a penalty infringement notice and who have elected for the matter to be heard by the Magistrates Court instead of paying the infringement, that are considered appropriate to proceed with to the Magistrates Court.

The penalty infringement notices were issued to the requestors for what Council officers allege to be offences under *Moreton Bay Regional Council Local Law No. 2 (Animal Management) 2011* ('Local Law 2') and the *Moreton Bay Regional Council Local Law No. 4 (Local Government Controlled Areas and Roads) 2011* ('Local Law 4').

Local Law 2 provides amongst other things that it is an offence for a person to fail to provide proper enclosure and prevent animal from wandering.

Local Law 4 provides amongst other things that it is an offence for a person to engaging in a restricted activity by driving or parking a vehicle within a park/reserve.

ITEM 5.2 INFRINGEMENT NOTICE COURT ELECTIONS - 61730299 (Cont.)

Council is the responsible agency for enforcement and regulation of Moreton Bay Regional Council Local Laws. The matters have been reviewed to ensure the penalty infringement notices have been correctly and lawfully issued in preparation for progressing to court.

Officers propose to proceed as requested by the alleged offenders with the two prosecutions to the Magistrates Court. Table 1 below outlines the offences for which the alleged offenders have elected to proceed to court.

Table 1 - Court elect infringements

Summary of charges - Infringement Notice Court Elections		Prosecution reference numbers
Matter 1	Charge 1 - Failure to provide proper enclosure and prevent animal from wandering	LS/2021/0062
Matter 2	Charge 1 - Engaging in a restricted activity - driving and parking within a park/reserve.	LS/2021/0170

3. Strategic Implications

3.1 Legislative / Legal Implications

Prosecutions would be commenced in the Magistrates Court against each of the individuals who were, at the material time, the responsible person for each these matters for offences under Local Law 2 and Local Law 4.

Section 237(2) of the *Local Government Act 2009* provides that 'a local government may start proceeding under the *Justices Act 1886* in the name of a local government employee who is a public officer within the meaning of that Act'.

The Chief Executive Officer falls within that definition and there are a number of advantages in commencing a prosecution in the name of the employee as opposed to the Council itself, in particular some degree of protection in relation to costs and the ability to deal with the matter should the defendant fail to appear.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

☒ Nil identified

3.4 Risk Management Implications

The statutory schemes established by Local Laws rely on Council to investigate, monitor and enforce the offences against those laws. The matters have been reviewed in preparation for court.

3.5 Delegated Authority Implications

☒ Nil identified

3.6 Financial Implications

Legal and court costs associated with the commencement of legal proceedings, including court filing fees will be met through existing budget allocations. The matters will be handled by Council's Brief Management and Prosecutions Coordinator through to the Magistrates Court therefore no external fees will be applicable.

ITEM 5.2 INFRINGEMENT NOTICE COURT ELECTIONS - 61730299 (Cont.)

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications

Court proceedings can establish broader understanding of statutory and local laws regulation and build community confidence in Councils ability to effectively address offending.

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 Council's decision in this circumstance is compatible with a person's human rights because any person against whom prosecution proceedings are commenced will have the right to a fair hearing.

3.11 Consultation / Communication

Legal Services Department

Director Community & Environmental Services

ITEM 5.3 COMMENCEMENT OF PROSECUTIONS

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: 61689076 : 1 March 2021
Responsible Officer: GL, Brief Management and Prosecutions Coordinator (CES Customer Response)

Executive Summary

Investigations have been conducted in relation to two dog attacks and a matter of unauthorised tree removal from a Council reserve where the investigating officers have recommended prosecution as a means of enforcement.

Council's approval is sought for the commencement of three prosecutions in the Magistrates Court for what Council Officers allege to be offences under the *Animal Management (Cats and Dogs) Act 2008* (the Act) and the *Moreton Bay Regional Council Local Law No. 2 (Animal Management) 2011* (Local Law 2) and the *Moreton Bay Regional Council Local Law No. 4 (Local Government Controlled Areas and Roads) 2011* (Local Law 4).

The matters have been reviewed and assessed as appropriate to progress for prosecution in the Magistrates court.

OFFICER'S RECOMMENDATION

1. That Council authorise the Chief Executive Officer to commence prosecutions in the Magistrates Court for each of the matters described in this report, for what Council officers allege to be offences under the *Animal Management (Cats and Dogs) Act 2008*, *Moreton Bay Regional Council Local Law No.2 (Animal Management) 2011* and *Moreton Bay Regional Council Local Law No.4 (Local Government Controlled Areas and Roads) 2011*.
2. That the prosecutions described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM 5.3 COMMENCEMENT OF PROSECUTIONS - 61689076 (Cont.)

REPORT DETAIL

1. Background

Council is the responsible agency for enforcement and regulation under the Act and Moreton Bay Regional Council Local Laws and as such has a responsibility to take enforcement action when breaches are identified.

Investigations have been conducted in relation to two dog attacks and a matter of unauthorised tree removal from a Council reserve. It is considered appropriate, and in the public interest, to progress these matters to the Magistrates Court for prosecution.

The Act and Local Law 2 provide legal and procedural frameworks for the administration, implementation and enforcement of animal ownership and management practices.

The Act provides that amongst others it is an offence for a person to fail to take reasonable steps to ensure a dog does not attack and Local Law 2 provides that amongst others it is an offence to fail to provide a proper enclosure and prevent an animal from wandering.

Council's approval is sought for the commencement of two (2) prosecutions in the Magistrates Court against two individuals for what Council officers allege to be offences under the Act and Local Law 2.

The *Moreton Bay Regional Council Local Law No. 4 (Local Government Controlled Areas and Roads) 2011* (Local Law 4) provides that it is an offence for a person to engage in restricted activities outside the extent permitted under a subordinate local law.

For the purpose of Local Law 4 it is a restricted activity to undertake an alteration or improvement to a local government area. This includes to plant, clear, damage, remove or interfere with any fauna, plants or plant material, trees, soils, sands, rocks or other materials in or on a local government-controlled area.

Council's approval is also sought for the commencement of one (1) prosecution in the Magistrates Court against an individual for what Council officers allege to be an offence under Local Law 4.

A summary of facts has been drafted for each matter and reviewed to ensure there is sufficiency of evidence to prove the offences.

2. Explanation of Item

Investigations have been conducted in relation to two dog attacks and a matter of unauthorised tree removal from a Council reserve where the investigating officers have recommended prosecution as a means of enforcement.

The improper keeping of animals presents a risk within the community. An opportunity exists in each of these matters for Council to take enforcement action against the responsible person for keeping a dog improperly and, in doing so, encourage both individual and community compliance under the Act and Local Law 2.

Given the seriousness of the attacks in these matters, and that the most serious of the charges can only be enforced against by prosecution, Council officers consider this to be the most appropriate action.

The undertaking of restricted activities presents a risk within the community and to community assets. An opportunity exists in this matter for Council to take enforcement action against the responsible person for the unauthorised removal of 4 mature trees from a Council reserve under Local Law 4.

Prosecution provides a means for Council to seek restitution of the costs to replace the trees from the offender. Council officers consider prosecution to be the most appropriate action.

ITEM 5.3 COMMENCEMENT OF PROSECUTIONS - 61689076 (Cont.)

Table 1 below outlines the alleged offences for each matter.

Table 1 - Prosecutions

Summary of charges - Prosecutions		Prosecution reference number
Matter 1	Charge 1 - Failure to provide proper enclosure and prevent animal from wandering Charge 2 - Failing to ensure dog does not attack a person causing bodily harm Charge 3 - Failing to ensure dog does not attack a person causing bodily harm Charge 4 - Fail to control animal in public place Charge 5 - Failing to ensure dog does not attack a person causing bodily harm Charge 6 - Knowingly provided false or misleading information. Charge 7 - Breach of a permit condition for Dangerous Dog - muzzled in public	LS/202/0098
Matter 2	Charge 1 - Failing to ensure dog does not attack another animal causing bodily harm.	LS/2021/0059
Matter 3	Charge 1 - Engage in a restricted activity outside the extent permitted under subordinate local law	LS/2021/0198

3. Strategic Implications

3.1 Legislative / Legal Implications

Prosecutions would be commenced in the Magistrates Court against each of the individuals who were, at the material time, the responsible person for each these matters for offences under the Act, Local Law 2 and Local Law 4.

Section 237(2) of the *Local Government Act 2009* provides that 'a local government may start proceedings under the *Justices Act 1886* in the name of a local government employee who is a public officer within the meaning of that Act'. The Chief Executive Officer falls within that definition and there are a number of advantages in commencing a prosecution in the name of the employee as opposed to the Council itself, in particular some degree of protection in relation to costs and the ability to deal with the matter should the defendant fail to appear.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

☒ Nil identified

3.4 Risk Management Implications

The statutory schemes established by the Act and Local Laws rely on Council to investigate, monitor and enforce the offences against those laws. The matters have been reviewed and assessed in preparation for court.

3.5 Delegated Authority Implications

☒ Nil identified

3.6 Financial Implications

Legal and court costs associated with the commencement of legal proceedings, including court filing fees will be met through existing budget allocations. The matters will be handled by Council's Brief Management and Prosecutions Coordinator through to the Magistrates Court therefore no external fees will be applicable.

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17 March 2021

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ITEM 5.3 COMMENCEMENT OF PROSECUTIONS - 61689076 (Cont.)

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications

Court proceedings can establish broader understanding of statutory and local laws regulation and build community confidence in Councils ability to effectively address offending.

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 Council's decision in this circumstance is compatible with a person's human rights because any person against whom prosecution proceedings are commenced will have the right to a fair hearing.

3.11 Consultation / Communication

Legal Services Department

Director Community & Environmental Services

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration.

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

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

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.

RESOLUTION to move into closed session to discuss confidential matters.

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

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

14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

PROPOSED LEASE FOR TELECOMMUNICATIONS FACILITY

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES

Reference: 61483640 : 19 January 2021 - Refer **Confidential** Supporting Information
61483646

Responsible Officer: AS, Manager Property Services (CES Property & Commercial Services)

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.

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)(c)(vi) to dispose of a valuable non-current asset if the grant of a lease is for the purpose of a lease for a telecommunication tower.

Executive Summary

This report seeks Council's approval for the provision of a lease to Telstra Corporation Limited ACN 051 775 556 (**Telstra**), for the purpose of a telecommunications facility on the terms outlined in this report.

ITEM C.2 – CONFIDENTIAL
PROPERTY ACQUISITION - KALLANGUR

Meeting / Session: 2 INFRASTRUCTURE PLANNING

Reference: 61657290 : 8 March 2021 - Refer **Confidential** Supporting Information
61657292

Responsible Officer: AS, Manager Property Services (CES Property & Commercial Services)

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

Council's approval is sought for the purchase of a residential property in Kallangur to enhance an important recreation and environmental / water way corridor.

14b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.



MINUTES

GENERAL MEETING

Wednesday 3 March 2021

commencing at 9.32am

Caboolture Chambers
2 Hasking Street, Caboolture

Membership = 13

Mayor and all Councillors

UNCONFIRMED

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Statement - livestreaming

Prior to opening the meeting, the Mayor advised that this 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.

1. ACKNOWLEDGEMENT OF COUNTRY

Cr Adam Hain provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Cr Adam Hain provided the opening prayer / reflection for the meeting.

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 Denise Sims (Deputy Mayor)
Cr Cath Tonks
Cr Matt Constance
Cr Darren Grimwade
Cr Tony Latter

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

Apologies:

Cr Mick Gillam

4. MEMORIALS OR CONDOLENCES

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

5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

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

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Cath Tonks

CARRIED 12/0

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

6. ADOPTION OF AUDIT COMMITTEE MEETING REPORT & RECOMMENDATIONS

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

RESOLUTION

Moved by Cr Cath Tonks

Seconded by Cr Sandra Ruck

CARRIED 12/0

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

7. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

There were no petitions for tabling by Councillors.

8. CORRESPONDENCE

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

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

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

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

11.1. Declarable Conflict of Interest - Cr Matt Constance

Pursuant to s150EQ of the *Local Government Act 2009*, I have a declarable conflict of interest for potential future matters relating to the review of Council's Sister Cities relationships as Craig Shim of Alphacrane (a personal friend) has been appointed by Council officers through RFQ to undertake this review.

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

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

RESOLUTION

Moved by Cr Karl Winchester

Seconded by Cr Adam Hain

CARRIED 11/0

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

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

Cr Matt Constance remained in the meeting.

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

No items for consideration.

UNCONFIRMED

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

ITEM 2.1**GRIFFIN ACTIVE TRANSPORT NETWORK PLAN**

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

Executive Summary

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

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

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

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

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

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

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

RESOLUTION

Moved by Cr Jodie Shipway**Seconded by Cr Denise Sims (Deputy Mayor)****CARRIED 12/0**

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

A Council briefing was conducted on 3 February 2021 for the purpose of sharing information and providing advice/views to Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

The CEO noted the way forward:

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

2. Explanation of Item

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

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

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

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

Further information and mapping are provided in the supporting information.

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

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications ☒ Nil identified

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

3.3 Policy Implications ☒ Nil identified

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

3.5 Delegated Authority Implications ☒ Nil identified

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

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

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

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

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

3.9 Social Implications

- With more people using active transport it will lead to a more accepted cycling culture in the community
- More people using active transport means results in a healthier population and less strain on the health system
- Less cars on the road means less traffic, less traffic accidents and less time spent in congestion

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

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

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savage)**ITEM 3.1****TENDER - CLONTARF - CLONTARF BEACH SCOUT GROUP - BUILDING UPGRADE**

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

Executive Summary

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

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

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

RESOLUTION

Moved by Cr Karl Winchester

Seconded by Cr Jodie Shipway

CARRIED 12/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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



Figure 1 - Locality Plan

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

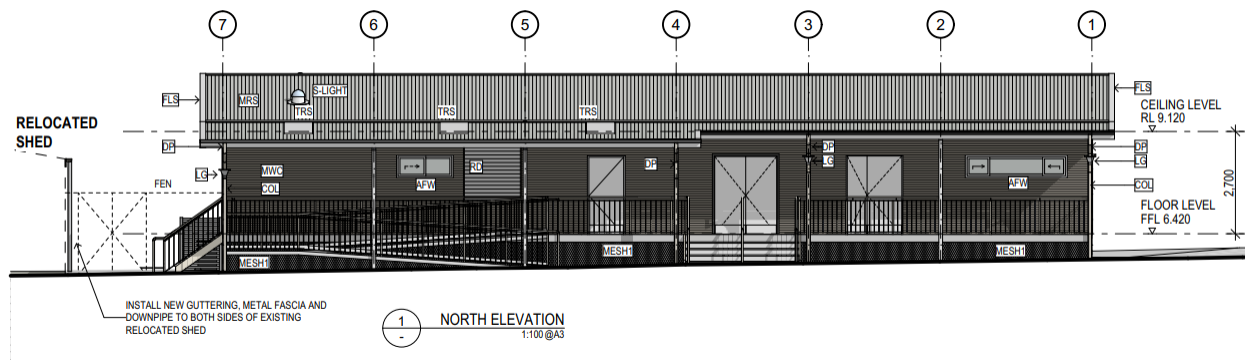


Figure 2 - Front Elevation

2. Explanation of Item

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

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

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

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

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality Recreation and Cultural Opportunities - Active Recreation Opportunities - Community Services

3.3 Policy Implications

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

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

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

3.4 Risk Management Implications

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

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

Construction Risks:

- a. The recommended tenderer will provide a program of works, staging plans, traffic management plans, safety management plan, environmental management plan, and quality management documentation as part of the contract to detail how they will plan, establish and manage project construction risks which will be reviewed and audited by Project Management.
- b. The recommended tenderer has indicated their understanding of the project site and the proximity of the natural environment and surrounding properties to ensure the safety and wellbeing of all during the works.

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

- c. The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- d. The procurement risks relating to this project are considered low as there is adequate lead time for the recommended tenderer to procure the relevant project construction materials. At the tender clarification meeting, the recommended tenderer did not raise any COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- e. The project has an approved Development Approval and that there are no other DA's impacting the project.
- f. Dilapidation inspections will be conducted prior to works commencing on surrounding areas to record the existing condition of assets and again after construction to record any change

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

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

3.6 Financial Implications

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

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

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

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

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

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

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications

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

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

3.9 Social Implications

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

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

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

UNCONFIRMED

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

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

Executive Summary

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

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

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

RESOLUTION

Moved by Cr Karl Winchester

Seconded by Cr Cath Tonks

CARRIED 12/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

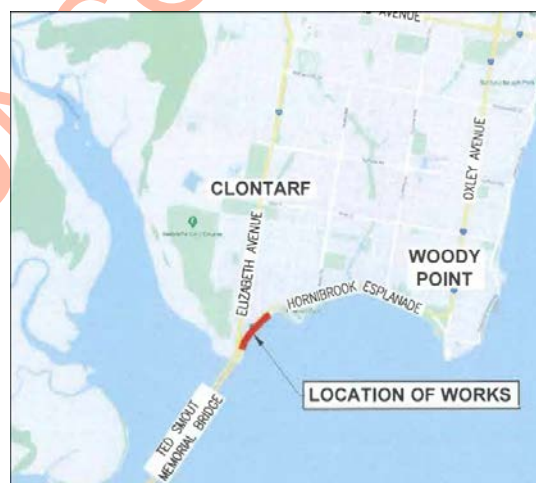


Figure 1: Location of Works

2. Explanation of Item

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

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

3.4 Risk Management Implications

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

Financial Risk:

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

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

Construction Risks:

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

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

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

3.6 Financial Implications

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

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

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

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

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

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

3.7 Economic Benefit Implications

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

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

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

UNCONFIRMED

ITEM 3.3 - DECLARATION OF INTEREST**Declarable Conflict of Interest - Cr Brooke Savage**

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Brooke Savage informed the meeting of a declarable conflict of interest in Item 3.3 as a close family friend (Nathan Gundry) is employed by T2 Electrical & Data Pty Ltd, one of the tenderers for this project.

Cr Brooke Savage elected not to participate in the decision and retired from the meeting at 10:00 AM.

ITEM 3.3**TENDER - MBRC - SPORTSFIELD NEW LIGHTING PROGRAM - PACKAGE 2**

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

Executive Summary

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

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

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

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Jodie Shipway

CARRIED 11/0

Cr Brooke Savage had declared a conflict and had left the meeting

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

The two projects are as follows:-

108277 Sandstone Point Sports Ground - Sportsfield Lighting

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

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



Figure 1 - Sandstone Point Locality Plan

108300 Woody Point - Filmer Park - Cricket Lighting Renewal

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



Figure 2 - Filmer Park Locality Plan

2. Explanation of Item

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

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

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

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

3.3 Policy Implications

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

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

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

3.4 Risk Management Implications

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

Financial Risks:

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

Construction Risks:

- The recommended tenderer will provide a program of works, staging plans, traffic management plans, safety management plan, environmental management plan, and quality management documentation as part of the contract to detail how they will plan, establish and manage project construction risks which will be reviewed and audited by Project Management.
- The recommended tenderer has indicated their understanding of the project site and the proximity of the natural environment and surrounding properties to ensure the safety and well-being of all during the works.
- 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 procurement risks relating to this project are considered low as there is adequate lead time for the recommended tenderer to procure the relevant project construction materials. At the tender clarification meeting, the recommended tenderer did not raise any COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- The project is not impacted by any Development Approvals.
- Dilapidation inspections will be conducted prior to works commencing on fields and surrounding areas to record the existing condition of assets and again after construction to record any change.

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

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

3.6 Financial Implications

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

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

Design 20/21	\$	46,500.00
Tender Price (Construction)	\$	741,989.00
Contingency (10%)	\$	74,198.90
QLeave (0.575%)	\$	4,266.44
Construction Phase Consultants	\$	1,000.00
Total Project Cost	\$	867,954.34

State Govt's W4Q funding program	\$	280,000.00
Federal Govt's CDG funding program	\$	242,000.00
Net Package Cost	\$	345,954.34

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

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

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

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

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

ATTENDANCE

Cr Brooke Savage returned to the meeting at 10.01am following consideration of Item 3.3.

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

ITEM 4.1**PROPERTY ACQUISITION - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES**

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

Executive Summary

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

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

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

RESOLUTION

Moved by Cr Cath Tonks**Seconded by Cr Denise Sims (Deputy Mayor)****CARRIED 12/0**

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

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

A Council briefing was conducted on 9 February 2021 for the purpose of sharing information and providing advice/views to Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing is provided below:

The CEO noted the way forward:

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

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

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

2. Explanation of Item

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

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

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

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

3.9 Social Implications

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

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

3.10 Human Rights Implications

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

3.11 Consultation / Communication

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

Internal Consultation

Environmental Services

Development Services

Integrated Transport Planning and Design

Cultural Services

Strategic Infrastructure and Planning

Community Sports and Recreation

Natural Areas

Property and Commercial Services (Including Herron Todd White valuers)

UNCONFIRMED

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

ITEM 5.1

MORETON BAY REGIONAL COUNCIL SCHOLARSHIP PROGRAM - ELIGIBILITY CRITERIA EXPANSION

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

Executive Summary

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

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

RESOLUTION

Moved by Cr Brooke Savage

Seconded by Cr Mark Booth

CARRIED 12/0

1. That Council approves an amendment to the eligibility criteria of the Moreton Bay Regional Council Scholarship Program, in partnership with the University of the Sunshine Coast, to include those students commencing eligible undergraduate study at USC's Caboolture campus.
2. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that University of the Sunshine Coast is the only supplier who is reasonably available for the provision of the Moreton Bay Scholarship Program.
3. That Council enters into a variation of the three-year (2020 - 2022) Scholarship Agreement with the University of the Sunshine Coast as outlined in this report.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the variation of the Scholarship Agreement and any further required variations of eligibility criteria of the Moreton Bay Council Scholarship Program and the Scholarship Agreement on the Council's behalf, as described in this report.

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

OFFICER'S RECOMMENDATION

1. That Council approves an amendment to the eligibility criteria of the Moreton Bay Regional Council Scholarship Program, in partnership with the University of the Sunshine Coast, to include those students commencing eligible undergraduate study at USC's Caboolture campus.
2. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that University of the Sunshine Coast is the only supplier who is reasonably available for the provision of the Moreton Bay Scholarship Program.
3. That Council enters into a variation of the three-year (2020 - 2022) Scholarship Agreement with the University of the Sunshine Coast as outlined in this report.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the variation of the Scholarship Agreement and any further required variations of eligibility criteria of the Moreton Bay Council Scholarship Program and the Scholarship Agreement on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

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

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

COMMITTEE RECOMMENDATION

1. That Council approve the establishment of a Moreton Bay Regional Council Scholarship Program in partnership with the University of the Sunshine Coast.
2. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that University of the Sunshine Coast is the sole supplier who is reasonably available for the provision of the Moreton Bay Scholarship Program.
3. That Council enter into a three-year (2020 - 2022) Scholarship Agreement with the University of the Sunshine Coast.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the Scholarship Agreement and any required variations of the Scholarship Agreement on the Council's behalf, as described in this report.

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

2. Explanation of Item

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

☒ Nil identified

3.4 Risk Management Implications

☒ Nil identified

3.5 Delegated Authority Implications

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

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

3.6 Financial Implications

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

3.7 Economic Benefit Implications

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

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

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

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

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

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

3.10 Human Rights Implications

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

3.11 Consultation / Communication

External

- USC - Greg Bradley, Manager Donor Programs

Internal

- All Councillors (Council Briefing 17 February 2021)

ITEM 5.2 NEW LEASE - PINE HILLS HOCKEY CLUB INC

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: 61590439 : 21 January 2021 - **Refer Supporting Information 61590438**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a lease to Pine Hills Hockey Club Inc. over a clubhouse building at James Drysdale Reserve, 2 Pine Hills Drive, Bunya - Division 10 (refer to Supporting Information #1). The proposed lease will take effect following Pine Hills Dirt Racing Inc. surrendering its existing lease over the subject building.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Jodie Shipway

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 recommendations 3 and 4, Pine Hills Hockey Club Inc be granted a lease over an area at James Drysdale Reserve, 2 Pine Hills Drive, Bunya (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the grant of this lease is subject to Pine Hills Dirt Racing Inc. surrendering its existing lease over the clubhouse building at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

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

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendations 3 and 4, Pine Hills Hockey Club Inc be granted a lease over an area at James Drysdale Reserve, 2 Pine Hills Drive, Bunya (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the grant of this lease is subject to Pine Hills Dirt Racing Inc. surrendering its existing lease over the clubhouse building at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

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

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

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

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

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

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

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

2. Explanation of Item

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

☒ Nil identified

3.5 Delegated Authority Implications

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

3.6 Financial Implications

☒ Nil identified

3.7 Economic Benefit Implications

☒ Nil identified

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

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

3.10 Human Rights Implications

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

3.11 Consultation / Communication

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

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 6.1

MONTHLY FINANCIAL REPORTING PACKAGE - 31 JANUARY 2021

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: 61617061: 11 February 2021 - **Refer Supporting Information 61610167**
Responsible Officer: DC, Accounting Services Manager (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 31 January 2021.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Tony Latter

CARRIED 12/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 31 January 2021 is contained within the supporting information to this report.

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

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

2. Explanation of Item

The year to date Financial report as at the end of January is complete and the performance and position of Council is outlined below in the context of the attached report.

Council amended its 2020/21 Budget during the month of October which is shown alongside the original adopted budget in the report where applicable.

Operating Result (page 1)

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

Operating Revenues (page 1)

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

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

Interest revenue is tracking as expected.

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

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

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

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

Operational Expenses (page 1)

Employee benefits are tracking to budget.

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

Depreciation expenses and finance costs are tracking to budget.

Capital Revenue (page 1)

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

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

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

Operating Revenue and Operating Expenditure Graphs (page 2)

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

Given the majority of Council's operating revenue cycle is rate related (quarterly in advance), revenue will track to the right-hand side of the budgeted revenue line and slowly edge closer to the line as the quarters draw to a close. This is reflected in the movement of the orange revenue line from July to January as it moves closer to the linear trend.

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

Capital Expenditure (page 3, 4 and 5)

Capital expenditure is \$103.5 million after the first seven months of 2020/21 and represents 41.53% of the total program. The *total capital expenditure progress* graph summarises the percentage of all capital expenditure completed to date compared to a linear budget spend.

The *capital expenditure by portfolio program* table breaks down the capital spend into program categories. In addition to the actual spend to date of \$103.5 million, there are committed costs (orders placed for works) in the amount of \$89.9 million bringing the total cost to \$193.4 million of the current \$249 million program (77.7% of the capital program committed).

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

Balance Sheet and Cash Flow (page 6)

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

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

Treasury Report (page 7 and 8)

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

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

Interest earned on investments was approximately \$1.9 million. Interest rates on offer are quite low in the current market with deposit terms of less than 2 years offering interest rates of less than 1% per annum. The weighted average return on all investments for Council is now sitting at 0.82%.

The Investment graphs give an indication of the percentage of investments held with each financial institution and the maturity profile of Council's investments. Council currently has \$288 million of cash at call with the remaining \$60 million maturing over next 3 to 12 months.

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

Council's total debt position has decreased (\$370m to \$352m) as repayments were made in September and December. Council is expected to repay debt in the amount of \$37 million for the year and is budgeted to borrow \$40 million to fund capital works. Borrowings are expected to be drawn down in May/June 2021.

Coronavirus Pandemic Impacts

Council included a number of support measures in its 2020/21 Budget and also took a conservative approach to some revenue streams (fees and charges, infrastructure cash contributions) in anticipation of a further deterioration in the economy over 2020/21. These measures and impacts will be reviewed as part of the quarter 2 budget review.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. The ongoing COVID-19 pandemic will continue to present new risks requiring Council to closely monitor its performance and position compared to budget and continually refine its long-term financial modelling projections to inform decision making.

3.5 Delegated Authority Implications ☒ Nil identified

3.6 Financial Implications

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

3.7 Economic Benefit Implications ☒ Nil identified

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

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

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

ITEM 13.1 VARIOUS REGIONAL EVENTS

Cr Matt Constance acknowledged emergency workers who assisted with clean up and ensuring community safety following storms experienced last night, Tuesday 2 March 2021.

Cr Peter Flannery (Mayor) mentioned he had attended the following regional events:

- Business Moreton Bay Region presents Ita Buttrose AC OBE Luncheon held on Friday 26 February 2021 at the Grand Ballroom, Eatons Hill Hotel.
- Australian Indigenous Football Teams vs Peninsula Power held on Saturday 27 February 2021 at AJ Kelly Park, Kippa-Ring.
- Opening of Northern Grandstand & Female Change Rooms and Amenities held on Saturday 27 February 2021 at Moreton Daily Stadium.
- Suncorp Super Cup Netball Pre-Season match Sunshine Coast Lightning vs Queensland Firebirds held on Thursday 25 February 2021 at Morayfield Sports and Events Centre (MSEC).

Cr Sandra Ruck advised she had represented the Mayor at the Aiga Samoa Association North Brisbane Inc.'s 20 Year Anniversary event held on Saturday 27 February 2021 at Maoto Fono, Deception Bay.

14. CLOSED SESSION

(s254J of the Local Government Regulation 2012)

No items for consideration.

14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

No items for consideration.

14b. CONFIDENTIAL GENERAL BUSINESS

No notified items for consideration.

15. CLOSURE

There being no further business the Chairperson closed the meeting at 10.21am.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 21/114 to 21/156 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 3 March 2021.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 17 March 2021.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor

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