



# MINUTES

## GENERAL MEETING

**Wednesday 1 September 2021**  
commencing at 9.34am

Strathpine Chambers  
220 Gympie Road, Strathpine

**ENDORSED GM20210915**

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**Membership = 13**  
Mayor and all Councillors

**Quorum = 7**

***Adoption Extract from General Meeting – 15 September 2021 (Page 21/1401)***

**General Meeting - 1 September 2021 (Pages 21/1357 - 21/1397)**

**RESOLUTION**

**Moved by Cr Jodie Shipway**

**Seconded by Cr Mark Booth**

**CARRIED 12/0**

**That the minutes of the General Meeting held 1 September 2021, be confirmed.**

**LIST OF ITEMS**

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- |            |   |             |
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| <b>2.</b>  | <b>OPENING PRAYER / REFLECTION</b>  | <b>1357</b> |
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| <b>4.</b>  | <b>MEMORIALS OR CONDOLENCES</b>   | <b>1358</b> |
| <b>5.</b>  | <b>CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING</b>                                | <b>1358</b> |
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| <b>8.</b>  | <b>CORRESPONDENCE</b>   | <b>1359</b> |
|            | 8.1. RESPONSE to Petition: Jamie Preece (62483370)  |             |
| <b>9.</b>  | <b>COMMUNITY COMMENT</b>  | <b>1359</b> |
|            | 9.1. Community Comment: Wayne Cadan - Master Plan for Rob Akers Reserve (62800458)          |             |
| <b>10.</b> | <b>NOTICES OF MOTION (Repeal or amendment of resolutions)</b>                               | <b>1359</b> |
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|            | 11.2. Declarable Conflict of Interest - Cr Jodie Shipway                                    |             |
|            | <i>Councillor seeking to participate in the decision - eligible Councillors must decide</i> | 1360        |
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1 September 2021

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## **STATEMENT - ATTENDEES AND LIVESTREAMING**

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

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

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

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

Cr Mark Booth provided the Acknowledgement of Country.

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

Cr Mark Booth provided the opening prayer / reflection for the meeting.

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

#### **Attendance:**

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

#### **Officers**

Chief Executive Officer	(Mr Greg Chemello)
Deputy CEO/Director Projects & Asset Services	(Mr Tony Martini)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Finance & Corporate Services	(Ms Donna Gregory)
Interim Director Infrastructure Planning	(Ms Jackie Frost)
Director Planning	(Mr David Corkill)
Chief Economic Development Officer	(Mr Paul Martins)
Manager Strategy & Advocacy	(Mr Joshua O'Keefe)

#### **Apologies:**

Nil

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#### 4. MEMORIALS OR CONDOLENCES

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The Mayor made special mention of the late **Mr Don Connolly OAM**, a former Pine Rivers Shire Councillor who had passed away on 9 August 2021 at the age of 82 years.

Don committed his lifetime to community organisations and charities, with achievements such as a Life Membership of the Apex Club of Sandgate, Honorary Life Membership of the Pine Rivers Daybreak Club, and Life Member of the Pine Rivers Show Society, serving on many board positions and was a member of various community groups. Don was instrumental in the establishment of many community organisations including branches PCYCs, senior citizen dance programs and Relay for Life campaigns.

Moving to the Moreton Bay Region in 1978, Don continued his service and the Mayor said that while Don's commitments have been recognised with life memberships, awards, pins and plaques, none were as prestigious as the 2006 Queen's Birthday Honours Order of Australia Medal in the General Division by the Governor of Queensland for service to the community through youth, aged, welfare, service and health organisations.

Don loved his community and gave 100% commitment to every organisation he supported. His legacy will live through the lives he changed for the better and his contribution to charities.

The Mayor offered sincere condolences to Don's wife Olwyn, his children Paula and Amanda, his grandchildren, his siblings, and all of those in the community who were touched by his work.

Cr Denise Sims (Deputy Mayor) and Cr Cath Tonks echoed the sentiments of the Mayor.

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

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

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##### **General Meeting - 18 August 2021 (Pages 21/1303 - 21/1356)**

###### **RESOLUTION**

Moved by Cr Tony Latter

Seconded by Cr Cath Tonks

CARRIED 13/0

That the minutes of the General Meeting held 18 August 2021, be confirmed.

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

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##### **Audit Committee Meeting - 12 August 2021 (Pages 21/1293 - 1302)**

###### **RESOLUTION**

Moved by Cr Cath Tonks

Seconded by Cr Jodie Shipway

CARRIED 13/0

That the report and recommendations of the Audit Committee Meeting held 12 August 2021, be adopted.

## 7. PRESENTATION OF PETITIONS

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

There were no petitions for tabling.

## 8. CORRESPONDENCE

### 8.1. RESPONSE to Petition: Jamie Preece (62483370)

At the General Meeting held 23 June 2021, Council received a petition from Jamie Preece regarding a request to cancel footpath construction at Cuthbert Street, Albany Creek.

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

## 9. COMMUNITY COMMENT

Cr Peter Flannery (Mayor) opened the Community Comment session, making the required statement regarding the conduct of the Session, and invited Wayne Cadan to address Council.

### 9.1. Community Comment: Wayne Cadan - Master Plan for Rob Akers Reserve (62800458)

Wayne Cadan was invited to address the Council in respect of the Master Plan for Rob Akers Reserve. The following points were made as part of the address:

- Community consultation to date
- Poor Driver behaviour of Vehicles travelling North/North-East or South/South-West on Bells Pocket Road
- Safety concerns
- Vegetation classification - the existing tree vegetation on the eastern side of Bells Pocket Road between his residence and Rob Akers Reserve is not classed as 'significant' vegetation
- Creating an additional road access point to Rob Akers Reserve does not appear to provide any additional benefit other than very occasional convenience

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

*(s262 of the Local Government Regulation 2012)*

There were no Notices of Motion.



## 11. CONFLICTS OF INTEREST NOTIFIED TO THE CEO

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

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

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Darren Grimwade informed the meeting of a declarable conflict of interest in matters relating to development application DA/2021/3278 located at 298 Old Gympie Road, Dakabin, as he is a friend of Mr Robert Comiskey, a Director of Dakabin Property Pty Ltd, the applicant.

Cr Grimwade has indicated he will not participate in decisions relating to DA/2021/3278 including discussion, debate and voting and will elect to leave future meetings.

### 11.2. Declarable Conflict of Interest - Cr Jodie Shipway

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Jodie Shipway informed the meeting of a declarable conflict of interest in matters relating to DA/2021/1653 located at Brays Road, Griffin as she is a friend of Chris and Lisa Pascoe and Neil and Debbie Carsburg who live in close proximity to the development.

**However, Cr Jodie Shipway has considered her position and is firmly of the opinion that she 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 Matt Constance

Seconded by Cr Denise Sims (Deputy Mayor)

CARRIED 12/0

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

#### FOR:

Cr 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 Mick Gillam  
Cr Cath Tonks  
Cr Matt Constance  
Cr Darren Grimwade  
Cr Tony Latter

#### AGAINST:

Nil

*Cr Jodie Shipway having declared a conflict of interest was not eligible to vote*

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

*(as referred by the Chief Executive Officer)*

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

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

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

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**1 PROGRESSIVE ECONOMY SESSION**

**(Cr D Sims, Deputy Mayor)**

No items for consideration.

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**2 THRIVING COMMUNITIES SESSION**

**(Cr M Gillam)**

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**ITEM 2.1**

**TENDER - WOODFORD - WOODFORD MEMORIAL HALL - AIR CONDITIONING INSTALLATION**

*Meeting / Session:* 2 THRIVING COMMUNITIES  
*Reference:* 62586003: 16 August 2021- Refer **Confidential Supporting Information 62474432**  
*Responsible Officer:* SC, Senior Project Manager (PAS, Project Management)

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**Executive Summary**

Tenders were invited for the 'Woodford - Woodford Memorial Hall - Air Conditioning Installation (MBRC-RFT18)' project. Tenders closed on 30 June 2021 with a total of four tender submissions received, three of which were conforming and one was non-conforming.

It is recommended that the tender for the 'Woodford - Woodford Memorial Hall - Air Conditioning Installation (MBRC-RFT18)' project be awarded to Premier HVAC Pty Ltd for the sum of \$454,487 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

This matter is brought to the attention of Council under the Thriving Communities Portfolio, as the provision of a new, efficient air conditioning system to ensure a safe, comfortable internal environment for hall users facilitates interaction, socialisation and involvement, supporting a thriving community.

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**RESOLUTION**

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Moved by Cr Tony Latter

Seconded by Cr Sandra Ruck

**CARRIED 13/0**

1. That the tender for the 'Woodford - Woodford Memorial Hall - Air Conditioning Installation (MBRC-RFT18)' project be awarded to Premier HVAC Pty Ltd, for the sum of \$454,487 (excluding GST).
2. That the Council enters into an agreement with Premier HVAC 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 Premier HVAC Pty Ltd for the 'Woodford - Woodford Memorial Hall - Air Conditioning Installation (MBRC-RFT18)' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That to allow Council to enter into the agreement Council commits to the provision of an additional \$120,000 in funding for the project at the 2021-22 FY quarter one review process.

*ITEM 2.1 TENDER - WOODFORD - WOODFORD MEMORIAL HALL - AIR CONDITIONING INSTALLATION - 62586003 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the tender for the 'Woodford - Woodford Memorial Hall - Air Conditioning Installation (MBRC-RFT18)' project be awarded to Premier HVAC Pty Ltd, for the sum of \$454,487 (excluding GST).
2. That the Council enters into an agreement with Premier HVAC 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 Premier HVAC Pty Ltd for the 'Woodford - Woodford Memorial Hall - Air Conditioning Installation (MBRC-RFT18)' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That to allow Council to enter into the agreement Council commits to the provision of an additional \$120,000 in funding for the project at the 2021-22 FY quarter one review process.

## **REPORT DETAIL**

### **1. Background**

The project is located at Woodford Memorial Hall, 103 - 107 Archer Street, Woodford. The project scope includes the construction of an air conditioning system, which involves an electrical upgrade necessary to complete the works. These works were recommended in the Community Halls Network Plan, to improve the facility for the community.

The objective of the project is to provide a new, efficient air conditioning system to ensure a safe, comfortable internal environment for hall users.

Works will commence in September 2021, following which a 16-week lead time for the manufacture and supply of the main air conditioning plant is required. During this lead time, preparatory works on site will commence, which are estimated to take nine weeks, once plant arrives on site a further two weeks will be required to install, connect and commission the new air conditioning systems. The total duration for the project is estimated to take 18 weeks to complete, which includes an allowance for wet weather.



**Figure 1: Woodford Memorial Hall - Locality Plan**

ITEM 2.1 TENDER - WOODFORD - WOODFORD MEMORIAL HALL - AIR CONDITIONING INSTALLATION - 62586003 (Cont.)

**2. Explanation of Item**

Tenders were invited for the 'Woodford - Woodford Memorial Hall - Air Conditioning Installation (MBRC-RFT18)' project, which closed on 30 June 2021, with a total of four tenders received, three of which were conforming and one was non-conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE (Pre Local Preference)	EVALUATION SCORE (Post Local Preference)
1	Premier HVAC Pty Ltd	100.00	107.50
2	Siganto Air Service and Solutions Pty Ltd	99.68	107.18
3	Airmaster	93.38	100.88
4	Hirotec Maintenance QLD Pty Ltd	Non-Conforming	

**Premier HVAC Pty Ltd ('PH')** - submitted a comprehensive tender that demonstrated their relevant experience. A tender clarification meeting was held on 12 August 2021, at which PH demonstrated their relevant experience, methodology, company capability, understanding of the project and capability in delivering the project. PH provided examples of relevant project experience, including Westfield Chermide HVAC Upgrade (valued at \$220k) for Westfield Scentre Group; Hyperdome Tenancy HVAC Upgrades (valued at \$285k) for Queensland Investment Corporation; and design and construction of HVAC upgrades at Kmart - Carindale (valued at \$2.1M) for Kmart Australia Limited.

The tender from PH provided a comprehensive response, provided the lowest price and achieved the highest evaluation score. The evaluation panel considers the tender from PH to represent the best overall value for Council.

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

**Airmaster ('AI')** - there were no additional benefits identified for the higher price and their non-price response provided limited information to demonstrate their methodology and understanding of the project.

**Hirotec Maintenance QLD Pty Ltd ('HM')** - Non-conforming, - HM's tender response did not provide mandatory documentation, therefore was non-conforming.

**3. Strategic Implications**

3.1 Legislative / Legal Implications

Due to the value of work expecting to be greater than \$200,000, Council called an open public tender for the work through MBRC's e-Tendering Portal, in accordance with the Local Government Act 2009.

3.2 Corporate Plan / Operational Plan

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

ITEM 2.1 TENDER - WOODFORD - WOODFORD MEMORIAL HALL - AIR CONDITIONING INSTALLATION - 62586003 (Cont.)

3.3 Policy Implications

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

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

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

3.4 Risk Management Implications

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

*Financial Risk:*

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

*Construction Risks:*

- a. The recommended tenderer will provide a program of works, staging plan, traffic management plan, 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 monitored and audited by project management during the construction phase.
- b. The recommended tenderer has indicated their understanding of the project site to ensure the safety and well-being of all during the works.
- c. The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- d. 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 noted that due to COVID-19 related impacts, the manufacture and supply of the main air conditioning plant will be prolonged and that additional time has been included within their tender to reflect information known at this time.
- e. To avoid delays onsite, the commencement of works will take into consideration the time required to manufacturer and supply the main air conditioning plant to site. The current lead time for the main air conditioning plant is 16 weeks, which has been allowed for in the works commencement date detailed.
- f. An Energex power upgrade is required to enable the air conditioning equipment to operate. An application to upgrade the power supply has been submitted to Energex which is currently being assessed. A period of approximately 26 weeks has been indicated for the assessment and upgrade process. This time has been taken into consideration as part of the works. Any delay by Energex is not considered to materially impact on the functionality of the hall as the hall does not currently have air conditioning.
- g. The project is not affected by or impacted by any external Development Approvals.
- h. Dilapidation inspections will be conducted prior to works commencing for the building and surrounding areas to record the existing condition of assets and again after construction to record any change.

ITEM 2.1 TENDER - WOODFORD - WOODFORD MEMORIAL HALL - AIR CONDITIONING INSTALLATION - 62586003 (Cont.)

3.5 Delegated Authority Implications

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

*The cost of this project 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 \$455,000 in the 2021-22 FY Capital Projects Program for construction. Design has been completed in the 2020-21 FY under the MBRC - Community Hall - Air Conditioning and Solar Installation Capital Projects Program. All financial information below is excluding GST.

Energex Power Upgrade (estimate)	\$	60,000.00
Tender Price (Construction)	\$	454,487.00
QLeave (0.575%)	\$	2,614.00
Contingency (10%)	\$	45,000.00
Supervision / Administration Costs	\$	8,000.00
<b>Total Project Cost</b>	<b>\$</b>	<b>570,101.00</b>

Estimated ongoing operational/maintenance costs \$13,200.00 per F/Y.

The budget amount for this project is insufficient. To allow this project to proceed and for Council to enter into the arrangement, Council commits to the provision of an additional \$120,000 in the 2021-22 FY quarter one review process.

3.7 Economic Benefit Implications

This project will provide an improved ability for the community to utilise the Memorial Hall in all weather conditions, increasing the utilisation of the Hall.

3.8 Environmental Implications

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

3.9 Social Implications

Community halls facilitate the interaction, socialisation and involvement of residents in community life for positive health and well-being outcomes. The availability of community halls enables the provision of community-based events, private functions and activities that require access to suitable shared space on a temporary or regular basis in a cost-efficient manner. The delivery of this project will improve the amenity for users of the Woodford Memorial Hall and encourage additional utilisation.

3.10 Human Rights Implications

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

3.11 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices issued four weeks prior to the commencement of works and projects signs displayed on site prior to construction. The stakeholders, including facility users and staff have been consulted regarding the project. The detailed communications plan will include a Councillor fortnightly email update.

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

**(Cr J Shipway)**

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No items for consideration.

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

**(Cr A Hain)**

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No items for consideration.



**5 HEALTHY ENVIRONMENTS SESSION****(Cr C Tonks)****ITEM 5.1****TENDER - COASTAL HAZARD ADAPTATION STRATEGY PHASES 4-8**

*Meeting / Session:* 5 HEALTHY ENVIRONMENTS  
*Reference:* 62667332 : 10 August 2021 - Refer **Confidential** Supporting Information  
**62378862**  
*Responsible Officer:* GD, Principal Lead - Coastal Environment Strategies (IP Strategic Infrastructure Planning)

**Executive Summary**

Moreton Bay Regional Council (MBRC) has commenced preparation of a Coastal Hazard Adaptation Strategy (CHAS) through the QCoast<sub>2100</sub> program. An open Request for Tender process (MBRC-RFT27) was undertaken seeking tenders to deliver the CHAS Phases 4 - 8 including:

- Identification of key assets potentially impacted
- Risk assessment of key assets in coastal hazard areas
- Identification of potential adaptation options
- Socio-economic appraisal of adaptation options
- Strategy development, implementation and review

It is recommended that the tender for the project be awarded to Alluvium Consulting Pty Ltd for the sum of \$268,444 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

Council is finalising an updated funding agreement to receive \$401,500 funding from the QCoast<sub>2100</sub> program from the Local Government Association of Queensland and Department of Environment and Science.

This matter is brought to the attention of Council under the Healthy Environments portfolio to identify the current and future risk posed by coastal hazards and their impact on the built and natural environment. The CHAS will also identify measures to reduce coastal hazard risk and protect community values in coastal areas.

**RESOLUTION****Moved by Cr Jodie Shipway****Seconded by Cr Mick Gillam****CARRIED 13/0**

1. That the tender for Coastal Hazard Adaptation Strategy Phases 4 - 8 be awarded to Alluvium Consulting Pty Ltd for the amount of \$268,444 (excluding GST).
2. That the Council enters into an agreement with Alluvium Consulting 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 Alluvium Consulting Pty Ltd for CHAS Phases 4 - 8 and any required variations of the agreement on Council's behalf.
4. That Council finalise funding for this project for the amount of \$401,500 from the Local Government Association of Queensland and Department of Environment and Science as part of the QCoast<sub>2100</sub> program.
5. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderer is a local company.

*ITEM 5.1 TENDER - COASTAL HAZARD ADAPTATION STRATEGY PHASES 4-8 - 62667332 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the tender for Coastal Hazard Adaptation Strategy Phases 4 - 8 be awarded to Alluvium Consulting Pty Ltd for the amount of \$268,444 (excluding GST).
2. That the Council enters into an agreement with Alluvium Consulting 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 Alluvium Consulting Pty Ltd for CHAS Phases 4 - 8 and any required variations of the agreement on Council's behalf.
4. That Council finalise funding for this project for the amount of \$401,500 from the Local Government Association of Queensland and Department of Environment and Science as part of the QCoast<sub>2100</sub> program.
5. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderer is a local company.

## **REPORT DETAIL**

### **1. Background**

Moreton Bay Regional Council (MBRC) has commenced preparation of a CHAS through the QCoast<sub>2100</sub> program. In June 2016, the Local Government Association of Queensland (LGAQ) in conjunction with the Department of Environment and Science (DES) launched QCoast<sub>2100</sub>, a program to assist Queensland local governments to plan for coastal hazards adaptation, in response to the potential impacts of climate change. *QCoast<sub>2100</sub> Minimum Standards and Guidelines* outline an eight phase process for the preparation of a coastal hazard adaptation strategy, which are broadly described as follows:

<b>Phase 1:</b>	Plan for life-of-project stakeholder communication and engagement
<b>Phase 2:</b>	Scope coastal hazard issues for the area of interest
<b>Phase 3:</b>	Identify areas exposed to current and future coastal hazards
<b>Phase 4:</b>	Identify key assets potentially impacted
<b>Phase 5:</b>	Risk assessment of key assets in coastal hazard areas
<b>Phase 6:</b>	Identify potential adaptation options
<b>Phase 7:</b>	Socio-economic appraisal of adaptation options
<b>Phase 8:</b>	Strategy development, implementation and review

MBRC has commenced preparation of a CHAS in accordance with the QCoast<sub>2100</sub> guidelines. Phases 1 and 2 have been completed. Phase 3 is nearing completion. Tenders were requested for completing Phases 4 - 8 inclusive.

The services requested for CHAS Phases 4 - 8 included assessing the risk from the projected effects of coastal hazards over the medium to long term and investigating mitigation measures across key areas of Council operations by:

- identifying the likelihood and consequence of coastal hazards adversely impacting Council operations and community assets
- reducing or avoid future exposure to significant risks and financial costs of future coastal hazard impacts
- clarifying its role in responding to future coastal hazard risks and setting the direction for this response
- planning for the long-term protection of coastal infrastructure, built environment and services within at-risk areas
- informing asset management and planning, including nature conservation, recreation, cultural heritage values, and other public amenities

ITEM 5.1 TENDER - COASTAL HAZARD ADAPTATION STRATEGY PHASES 4-8 - 62667332 (Cont.)

- responding effectively to statutory planning and policy direction at the State level e.g. State Planning Policy
- planning for long-term management of coastal infrastructure, built environment and services within at-risk areas;
- building the knowledge and capacity of staff to respond to coastal hazard planning needs and events.

**2. Explanation of Item**

Tenders were received from four companies which were all conforming. The tenders were assessed by the assessment panel in accordance with Council's procurement policy and the selection criteria set out in the tender documents. Three of the tendering companies had experience delivering a CHAS for other Councils. An evaluation meeting was held on the 12<sup>th</sup> July with Council officers.

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

Rank	Tenderer	Evaluation Score
1	Alluvium Consulting Pty Ltd	105.88
2	Water Technology Pty Ltd	95.80
3	BMT Commercial Pty Ltd	89.00
4	Covey Associates Pty Ltd	50.51

**Alluvium Consulting Pty Ltd** - submitted a comprehensive tender that demonstrated their relevant experience. A tender clarification meeting was held on 15 July 2021, at which Alluvium Consulting Pty Ltd provided examples of the final CHAS documents produced for other Councils to demonstrate that they have achieved six endorsed final CHAS documents for Councils in Queensland, including Sunshine Coast and Redlands.

Alluvium Consulting Pty Ltd were the most experienced tenderer at preparing CHAS's under the *QCoast<sub>2100</sub>* framework. They have worked closely with the LGAQ and DES to ensure the work they undertake through the *QCoast<sub>2100</sub>* program meets the *Minimum Standards and Guidelines* as well as Council's requirements.

Alluvium Consulting Pty Ltd satisfied the evaluation team that they met the requirements of the request for tender specification.

**Water Technology Pty Ltd** - submitted a comprehensive tender that demonstrated their relevant experience. The additional benefits of a strong planning and economic team came at a higher cost

**BMT Commercial Pty Ltd** - submitted a comprehensive tender that demonstrated their relevant experience. Whilst the project team put forward was highly experienced there were no additional benefits for the higher price.

**Covey Associates Pty Ltd** - submitted a tender that demonstrated their understanding of the project but did not provide detail on how they would deliver the key tasks.

**3. Strategic Implications**

3.1 Legislative / Legal Implications

The calling of public tenders and establishment of a contract of services is in accordance with section 233 of the Local Government Regulation 2012.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Strengthening Communities: Safe neighbourhoods - a safe and resilient community.

*ITEM 5.1 TENDER - COASTAL HAZARD ADAPTATION STRATEGY PHASES 4-8 - 62667332 (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**

The appointment of a consultant will assist in the timely delivery of works whilst complying with Council's Procurement Policy. A risk assessment of the services to be supplied under the purchasing arrangement was undertaken during the development of the tender documentation. Where appropriate, specific requirements in relation to risk management and insurance coverage were included in the tender requirements and assessed as part of the overall evaluation process.

**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 budgeted over multiple financial years and is therefore reported to Council for consideration.*

**3.6 Financial Implications**

Council has allocated a total of \$270,000 in the 2021-22 FY and 2022-23 FY for delivery of phases 4-8 of the CHAS.

Tender Price (Supply)	\$	268,444
Contingency	\$	0
		-----
Total Project Cost (excluding GST)	\$	268,444
		=====
 Estimated ongoing operational/maintenance costs	 \$	 nil.

The budgeted amount for this project is sufficient.

Funding of \$401,500 to be received via the QCoast<sub>2100</sub> program from LGAQ and Department of Environment and Science (DES) will be recognised in Council's budget.

**3.7 Economic Benefit Implications**                     Nil identified

**3.8 Environmental Implications**                     Nil identified

**3.9 Social Implications**                                 Nil identified

**3.10 Human Rights Implications**

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

*ITEM 5.1 TENDER - COASTAL HAZARD ADAPTATION STRATEGY PHASES 4-8 - 62667332 (Cont.)*

3.11 Consultation / Communication

Representatives from Council's Infrastructure Planning Division and Finance and Corporate Services Division sat on the evaluation panel for this tender. In addition, a representative from the Planning Division reviewed the request for tender documentation.

Corporate Procurement managed the process through preparation, release, evaluation and award.

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**6 AN ENGAGED COUNCIL SESSION**

**(Cr M Constance)**

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**ITEM 6.1**

**COUNCIL OPERATIONS - CHRISTMAS/NEW YEAR PERIOD 2021/22**

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 62357375 : 23 August 2021  
*Responsible Officer:* BH, Director Community & Environmental Services (CES Directorate)

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**Executive Summary**

The purpose of this report is to seek approval for Council's operational arrangements over the 2021/22 Christmas/New Year period occurring from midday on Friday, 24 December 2021 to 8.30am on Tuesday, 4 January 2022.

This matter is brought to Council under the Engaged Council Portfolio as the matter is considering and responding to service delivery requirements.

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**RESOLUTION**

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Moved by Cr Jodie Shipway

Seconded by Cr Cath Tonks

**CARRIED 13/0**

1. That during the 2021/22 Christmas/New Year period, reduced operations be approved from midday on Friday 24 December 2021 until 8.30am on Tuesday 4 January 2022, with operational arrangements during this period being determined by the Chief Executive Officer in consultation with the respective Director.
2. That the Chief Executive Officer ensure details of the reduced operations be appropriately advertised.

ITEM 6.1 COUNCIL OPERATIONS - CHRISTMAS/NEW YEAR PERIOD 2021/22 - 62357375 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That during the 2021/22 Christmas/New Year period, reduced operations be approved from midday on Friday 24 December 2021 until 8.30am on Tuesday 4 January 2022, with operational arrangements during this period being determined by the Chief Executive Officer in consultation with the respective Director.
2. That the Chief Executive Officer ensure details of the reduced operations be appropriately advertised.

**REPORT DETAIL**

**1. Background**

Moreton Bay Regional Council (MBRC) has historically reduced operations from midday on Christmas Eve, 24 December until the business day following the New Year's Day public holiday.

During this period, service areas such as waste facilities, galleries, museums and libraries continue to operate as normal. Whilst key service teams such as customer services, local laws, rating services, payroll and public health operate reduced services and emergency crews are available to respond to urgent service-level matters.

**2. Explanation of Item**

For the 2021/22 Christmas/New Year period it is recommended that Council:

- reduce its operations from midday on Friday, 24 December 2021 until Tuesday, 4 January 2022; however
- continue to operate the after-hours service, emergency crews and key service teams as determined by the Chief Executive Officer in consultation with the respective Directors.
- open its Call Centre, during normal business hours, on 29, 30 and 31 December 2021.

Details of Council's 2021/22 Christmas/New Year operational arrangements will be made available in Council facilities, on Council's website, and be appropriately advertised prior to Christmas.

In line with normal practice, those officers not required to work over the Christmas/New Year period will be required to utilise 3 + RDOs to offset the days taken during the period (29, 30 and 31 December). Of note, in 2021, Monday and Tuesday, 27 and 28 December are the gazetted public holidays for Christmas Day and Boxing Day respectively, due to Christmas Day falling on a Saturday and Boxing Day falling on a Sunday.

**3. Strategic Implications**

- |     |  |  |
|-----|--|--|
| 3.1 | <u>Legislative / Legal Implications</u>  | <input checked="" type="checkbox"/> Nil identified |
| 3.2 | <u>Corporate Plan / Operational Plan</u><br>Strengthening Communities: Strong local governance - strong leadership and governance. |  |
| 3.3 | <u>Policy Implications</u>   | <input checked="" type="checkbox"/> Nil identified |
| 3.4 | <u>Risk Management Implications</u>  | <input checked="" type="checkbox"/> Nil identified |
| 3.5 | <u>Delegated Authority Implications</u>  | <input checked="" type="checkbox"/> Nil identified |
| 3.6 | <u>Financial Implications</u>  | <input checked="" type="checkbox"/> Nil identified |
| 3.7 | <u>Economic Benefit Implications</u>   | <input checked="" type="checkbox"/> Nil identified |

ITEM 6.1 COUNCIL OPERATIONS - CHRISTMAS/NEW YEAR PERIOD 2021/22 - 62357375 (Cont.)

3.8 Environmental Implications  Nil identified

3.9 Social Implications

The opening of the Call Centre over this period will improve the level of access to Council and service availability for residents and ratepayers

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

Cultural Services

Customer Response

Waste Services

After-hours Service Providers



**ITEM 6.2  
COMMENCEMENT OF PROSECUTIONS - FAILURE TO RENEW REGULATED DOG  
REGISTRATION**

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 62734551 : 24 August 2021  
*Responsible Officer:* GL, Brief Management and Prosecutions Coordinator (CES Customer Response)

**Executive Summary**

Investigations have been conducted in relation to the failure of regulated dog owners to renew their dog's registration for 2020/21 which expires on 30 September 2021. Officers recommend prosecution as a means of enforcement.

Council's approval is being sought for the commencement of fifty-eight (58) prosecutions in the Magistrates Court for what Council Officers allege to be offences under Section 57(2) of the *Animal Management (Cats and Dogs) Act 2008* (the Act).

This matter is brought to the Council under the Engaged council portfolio as regulatory enforcement through the commencement of prosecutions is required to achieve compliance with the act.

**RESOLUTION**

Moved by Cr Tony Latter

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That Council authorise the Chief Executive Officer to commence prosecutions in the Magistrates Court for the matters described in this report, for what Council officers allege to be offences under the *Animal Management (Cats and Dogs) Act 2008*.
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 6.2 COMMENCEMENT OF PROSECUTIONS - FAILURE TO RENEW REGULATED DOG REGISTRATION - 62734551 (Cont.)*

**OFFICER'S RECOMMENDATION**

1. That Council authorise the Chief Executive Officer to commence prosecutions in the Magistrates Court for the matters described in this report, for what Council officers allege to be offences under the *Animal Management (Cats and Dogs) Act 2008*.
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*.

**REPORT DETAIL**

**1. Background**

Council is the responsible agency for enforcement and regulation under the *Animal Management (Cats and Dogs) Act 2008* (the Act). The Act provides legal and procedural frameworks for the administration, implementation and enforcement of animal ownership and management practices.

The Act provides that the owner of a dog must, before the period of registration for the dog expires, pay the registration fee for the dog. It is an offence under the Act to fail to comply with this requirement.

Investigations have been conducted in relation to the failure of regulated dog owners to renew the registration of their regulated dangerous or menacing dogs. It is considered appropriate, and in the public interest, to progress these matters to the Magistrates Court for prosecution.

Council's approval is sought for the commencement of fifty-eight (58) prosecutions in the Magistrates Court against fifty-four (54) individuals for what Council officers allege to be offences under the Act. (*Four individuals own two regulated dogs and have failed to comply to renew the registration of both dogs*)

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

**2. Explanation of Item**

Investigations have been conducted in relation to the failure of regulated dog owners to renew the registration of the dogs where officers have recommended prosecution as a means of enforcement.

The improper management and keeping of animals present a risk and incur cost to the community. An opportunity exists in each of these matters for Council to take enforcement action against the responsible person and, in doing so, encourage both individual and community compliance under the Act.

By proceeding through to prosecution, Council is able to present all of the facts and request the highest possible penalty. However, Council officers consider prosecution to be the most appropriate action. The matters have been reviewed and assessed as appropriate to progress for prosecution in the Magistrates court.

Table 1 below outlines the alleged offences for each matter.

**Table 1 - Prosecutions**

Matter	Summary of charges - Prosecutions		Prosecution reference number
<b>1 - 54</b>	Charge 1 - 1/10/2020	Failure to renew registration	LS/2021/0502
<b>55 - 58</b>	Charge 1 - 1/10/2020 Charge 2 - 1/10/2020	Failure to renew registration Failure to renew registration	LS/2021/0502

*ITEM 6.2 COMMENCEMENT OF PROSECUTIONS - FAILURE TO RENEW REGULATED DOG REGISTRATION - 62734551 (Cont.)*

### 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 offence under the Act.

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 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 costs will be applicable.

#### 3.7 Economic Benefit Implications

Nil identified

#### 3.8 Environmental Implications

Nil identified

#### 3.9 Social Implications

Court proceedings establish broader understanding of statutory and local laws regulation and build community confidence in Council's 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

Director Community and Environmental Services  
Legal Services

**ITEM 6.3**  
**MONTHLY FINANCIAL REPORTING PACKAGE - 31 JULY 2021**

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 62680972 : 11 August 2021 - **Refer Supporting Information 62678070**  
*Responsible Officer:* DC, Manager Accounting Services (FCS Accounting Services)

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**Executive Summary**

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

This matter is brought to the attention of Council under the An Engaged Council Portfolio as in accordance with Part 9, section 204 of the Local Government Regulation 2012, a financial report is required to be presented to Council on a monthly basis.

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**RESOLUTION**

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**Moved by Cr Mick Gillam**

**Seconded by Cr Sandra Ruck**

**CARRIED 13/0**

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

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ITEM 6.3 MONTHLY FINANCIAL REPORTING PACKAGE - 31 JULY 2021 - 62680972 (Cont.)

## OFFICER'S RECOMMENDATION

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

## **REPORT DETAIL**

### **1. Background**

The Financial Reporting Package for the month ending 31 July 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 first month of the 2021/22 financial year is complete and the performance and position of Council is outlined below in the context of the attached report.

#### Operating Result (page 1)

As at 31 July 2021 operating revenue was \$97.8 million compared to operating expenses of \$33.5 million thus representing an operating surplus of \$64.3 million.

#### Operating Revenues (page 1)

The first quarter rates and utility charges were levied in July and represent the bulk of the revenue recognised for the month being \$86.3 million. This equates to approximately 25% of the budgeted rate and utility charge revenue for the year.

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

Other revenues will pick up as the year progresses, particularly when Tax Payments from Unitywater resume in August.

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

#### Operational Expenses (page 1)

Employee benefits are tracking below budget, however this a timing difference and will change over the next few months as associated recruitment continues.

Material and Services, while trending below budget, are tracking as expected for this stage of the year.

Depreciation expenses and finance costs are tracking to budget. Depreciation expense is an estimate at this stage as the asset register is currently closed off for year-end processing and reconciliation as part of the 2020/21 Audit. Depreciation processing will recommence in September.

#### Capital Revenue (page 1)

Infrastructure cash contributions from developers is tracking well above budget for the month, reflecting the continuing the growth experienced in 2020/21.

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ITEM 6.3 MONTHLY FINANCIAL REPORTING PACKAGE - 31 JULY 2021 - 62680972 (Cont.)

Infrastructure asset contributions and the subsequent asset register recognition will resume in September once the 2020/21 Audit is complete.

Capital grants and **subsidies** are well below budget for July due to timing differences. Until such time as projects reach their milestones revenue cannot be recognised. As capital projects complete toward the second half of 2021/22 most of the revenue will be recognised at that time.

Operating Revenue and Operating Expenditure Graphs (page 2)

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

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

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

Capital Expenditure (page 3, 4 and 5)

Capital expenditure for the first month amounted to \$9.98 million or 4.07% of the total program. The committed expenses column on the far right of the table indicates purchase orders placed, which during the year will translate into actual expenses. In total there is approximately \$142.8 million of the capital works program committed (actuals column plus the committed column) for 2021/22.

The *total capital expenditure progress* line 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.

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 8.33% highlighting the linear budget spend to July 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 \$353.6 million for July. It should be noted that the forecast for the end of June 2022 will see this decrease to \$223.5 million.

Treasury Report (page 7 and 8)

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

Interest earned on investments was approximately \$123k for the month and achieved 2.39% of the annual budget (\$5.2m). Interest rates on offer in the market are at all-time lows.

The weighted average return on all investments for Council is now sitting at 0.43%.

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 \$324 million of cash at call with the remaining \$30 million maturing over next 3 to 12 months.

The QIC Growth Fund is currently valued at \$123 million as at the end of June. Council originally invested \$100 million in this fund in June 2018.

ITEM 6.3 MONTHLY FINANCIAL REPORTING PACKAGE - 31 JULY 2021 - 62680972 (Cont.)

Council's debt position has not changed since the close of the 2020/21 Financial year. Council is expected to repay debt in the amount of \$42 million for the year and budgeted to borrow \$50 million to fund capital works. Borrowings (if required) would be drawn down in May/June 2022.

**3. Strategic Implications**

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Compliance to 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. Through the quarterly budget review process as matters arise they can be addressed and priorities changed accordingly.

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

As at the end of July 2021, Council's operating surplus is \$64.3 million while capital expenditure amounted to \$9.98 million.

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications  Nil identified

3.10 Human Rights Implications

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

3.11 Consultation / Communication

Director Finance and Corporate Services

**ITEM 6.4  
TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND  
NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD  
REHABILITATION**

*Meeting / Session:* 6 AN ENGAGED COUNCIL  
*Reference:* 62334545 : 3 August 2021 - Refer **Confidential Supporting Information 62455605**  
*Responsible Officer:* NM, Acting Program Management Manager (PAS Project Management)

**Executive Summary**

Tenders were invited for the 'Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Change and Road Rehabilitation (MBRC-RFT13)' project. Tenders closed on 13 July 2021 with a total of four conforming tenders received.

It is recommended that the tender for the 'Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Change and Road Rehabilitation (MBRC-RFT13)' project be awarded to ADCO Constructions Pty Ltd, for the sum of \$34,291,331 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

This matter is brought to the attention of Council under the Engaged Council Portfolio. The benefits of a new centralised works depot, located at Narangba, are that Council's needs are met and maintenance costs reduced with consolidation of three older sites (Petrie, Burpengary, Deception Bay) reducing overall operational costs and reflecting an engaged Council.

**RESOLUTION**

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Sandra Ruck

CARRIED 13/0

1. That the tender for the 'Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Change and Road Rehabilitation (MBRC-RFT13)' project be awarded to ADCO Constructions Pty Ltd, for the sum of \$34,291,331 (excluding GST).
2. That the Council enters into an agreement with ADCO Constructions Pty Ltd, as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with ADCO Constructions Pty Ltd for the 'Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Change and Road Rehabilitation (MBRC-RFT13)' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project was considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That Council acknowledges that the agreement will require an estimated sum of \$26,000,000 during the 2022-23 financial year and Council is requested to account for this future expenditure as part Council's strategic financial plan and budget for the 2022-23 financial year.



*ITEM 6.4 TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD REHABILITATION - 62334545 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the tender for the '*Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Change and Road Rehabilitation (MBRC-RFT13)*' project be awarded to ADCO Constructions Pty Ltd, for the sum of \$34,291,331 (excluding GST).
2. That the Council enters into an agreement with ADCO Constructions Pty Ltd, as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with ADCO Constructions Pty Ltd for the '*Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Change and Road Rehabilitation (MBRC-RFT13)*' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project was considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That Council acknowledges that the agreement will require an estimated sum of \$26,000,000 during the 2022-23 financial year and Council is requested to account for this future expenditure as part Council's strategic financial plan and budget for the 2022-23 financial year.

## **REPORT DETAIL**

### **1. Background**

Two projects were combined in this tender, due to the works complimenting one another and being in a similar location. The two projects are:

1. Narangba - Boundary Road - Depot Development; and
2. Narangba - Boundary Road - Intersection Change and Road Rehabilitation.

The first project is located at Boundary Road, Narangba. The project scope is for the construction of a new Council depot on land described as 179 Boundary Road (Lot 595 SL4475) and 135 Boundary Road (Lot 572 CP849525), Narangba (refer to figure 1 below). The works include construction of:

- Office accommodation;
- Fleet workshop;
- Store;
- Storage sheds;
- Car parking and laydown areas to accommodate anticipated internal and external office staff including fleet vehicles; and
- Staff amenities.

The second project includes the construction of a new intersection to Boundary Road, Narangba (associated with the new depot), and road rehabilitation (refer to figure 2 below), which includes construction of:

- Signalised intersection between new depot access road and Boundary Road; and
- Pavement rehabilitation of Boundary Road.

The objective of this work is to construct a new depot to address deficiencies in existing depots and provide a modern facility that aligns with the needs of Council, consolidating three depots into one and reducing reoccurring maintenance costs.

Construction will commence in September 2021 and is estimated to take 97 weeks to complete, which includes an allowance for wet weather (148 days – 29.6 weeks).

ITEM 6.4 TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD REHABILITATION - 62334545 (Cont.)



Figure 1: Boundary Road - Depot Development - Locality Plan



Figure 2 -Boundary Road - Intersection & Roadwork - Locality Plan



ITEM 6.4 TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD REHABILITATION - 62334545 (Cont.)



Figure 3 - General Layout - Works Depot

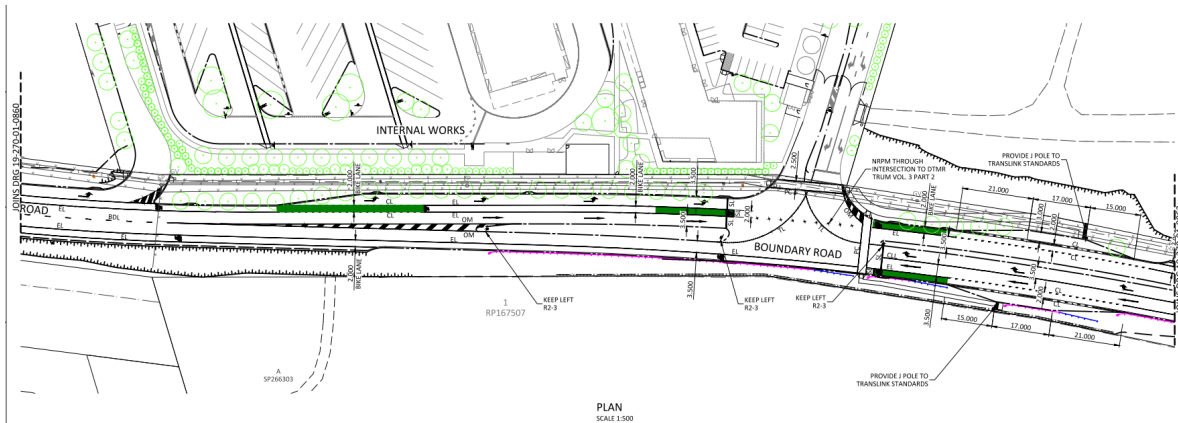


Figure 4 - General Layout - Intersection Works

2. Explanation of Item

Tenders were invited for the 'Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Change and Road Rehabilitation (MBRC-RFT13)' project, which closed on 13 July 2021, with a total of four conforming tenders received. 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	ADCO Constructions Pty Ltd	98.01	105.51

ITEM 6.4 TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD REHABILITATION - 62334545 (Cont.)

RANK	TENDERER	EVALUATION SCORE (Pre Local Preference)	EVALUATION SCORE (Post Local Preference)
2	BADGE Constructions (QLD) Pty Ltd	94.92	102.42
3	Broad Construction Pty Ltd	88.88	88.88
4	Kane Constructions (QLD) Pty Ltd	88.57	88.57

**ADCO Constructions Pty Ltd ('AD')** - submitted a comprehensive tender that demonstrated their relevant experience. A tender clarification meeting was held on 28 July 2021, at which AD further demonstrated their understanding of the project with a comprehensive well considered methodology. AD noted prior experience with dynamic impact rolling to achieve settlement of the existing fill and also outlined methodology in relation to dust suppression which is of concern due to the extent of earthworks. AD also demonstrated their company capability, experience and capability in delivering the project. To better understand the requirements to manage potential land contamination issues, AD sought advice from Council's Environmental Consultant during the tender phase. Additionally, AD provided a considered risk mitigation strategy, addressing community and resident safety along with site specific environmental risks, demonstrating exceptional understanding of the project requirements.

AD provided examples of relevant project experience, including Eagle Farm Trade Coast Bus Depot (valued at \$33.9M) for Brisbane City Council; North Lakes Costco (valued at \$19.1M) for Costco; Ipswich Costco (valued at \$22.8M) for Costco; Strathpine SRG Office Development (valued at \$33.5M) for Primewest; Hope Island Marketplace (valued at \$48M) for Austin Property Development; and Pimpama City Shopping Centre (valued at \$39M) for Financial Securities Pty Ltd.

AD provided a competitively priced option. The evaluation panel considers the tender from AD to represent the best overall value and lowest risk for Council.

**BADGE Constructions (QLD) Pty Ltd ('BA')** - submitted a well-presented tender and was the lowest priced tender returned. A tender clarification meeting was held on 2 August 2021, at which BA demonstrated their experience, methodology, company capability and understanding of the project.

BA provided examples of project experience, including Sunshine Coast Depot (valued at \$7.8M) for Roadtek; Caboolture Watchhouse (valued at \$12.3M) for Queensland Police Service; Kallangur Community Hub (valued at \$1.8M) for QBuild; Darwalla Hatchery (valued at \$14.3M) for Darwalla Group; Caboolture Police Station (valued at \$12.3M) for Queensland Police Service; and Munitions Facility (valued at \$22.1M) for Rheinmetall Nioa Munitions.

The submission and subsequent clarification of the tender from BA included departures to Council's standard tender and contract conditions that may have a cost implication including:

- Special Conditions Clause 4 - Omissions;
- Condition of Offer Clause 20 - Omissions; and
- Conditions of Offer Clause 6 - Tenderer Warranties.

In clarification, BA advised that they had approached the Tender in a manner that did not allow for risks associated with Council's Omissions and Warranties clauses. The tender from BA was therefore not considered by the evaluation panel, the best overall value for Council based on the assessment.

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

ITEM 6.4 TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD REHABILITATION - 62334545 (Cont.)

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Due to the value of work expecting to be greater than \$200,000, Council called a public tender for the work through MBRC's e-Tendering Portal, in accordance with the Local Government Act 2009.

**3.2 Corporate Plan / Operational Plan**

This project is consistent with the Corporate Plan outcome - Strengthening Communities: Strong local governance - a council connected with its community.

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

**3.4 Risk Management Implications**

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

*Landfill Closure Plan:*

179 Boundary Road, Narangba (refer Figure 1) is a former landfill site and is in the closure plan phase. The site is currently subject to an Environmental Authority (EPPR00749313) and Department of Environment and Resource Management (DERM) Development Permit (SPDE01499311). A Site Closure Plan has been prepared and submitted to the Department of Environment and Science (DES) for approval. This closure plan provides guidance for compliance with closure conditions contained in the Environmental Authority, which have been addressed during the design phase. The Environmental Authority has been amended to reflect this development and approved by DES.

*Native Title and Cultural Heritage:*

Council's Community Services department has reviewed the site and advised the site is located within an area of potential cultural heritage sensitivity. Due to the previous disturbance on the site, this is not considered to pose a risk to the project.

Council's Legal Services have confirmed any native title rights and interests which may have existed on the land have been extinguished.

*Planning Approval:*

This project will not require a planning approval based upon advice received from Development Services.

*License Agreement:*

There was a licence agreement to operate a recycling facility over the proposed depot site (Lot 595 on SL4475) to another party. The licence agreement expired in April 2019.

*Financial Risk:*

A third-party financial assessment has been carried out and the recommended tenderer was rated ('BB - Near Prime') - Low to moderate level of risk.

ITEM 6.4 TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD REHABILITATION - 62334545 (Cont.)

*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 to ensure the safety and well-being of all during the works.
- c. The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- d. 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.
- e. Current market feedback indicates that a project of this size is at risk of labour and truck shortages. The recommended tenderer has considered this risk and provided mitigation methods including out of hours deliveries.
- f. Current market conditions indicate price volatility in the materials market, particularly for steel. The evaluation panel have clarified with the recommended tenderer to confirm that their price is a lump sum and inclusive of market risks.
- g. The project is not impacted or affected by any external Development Approvals. Building and Plumbing Approvals have been received for the works.
- h. Operational approvals have been obtained for clearing and filling over sewer. Unitywater approval has been obtained, including water and sewer connections and trade waste disposal.
- i. Negotiations with service providers has been completed for all relevant alterations to services.
- j. Dilapidation inspections will be conducted prior to works commencing for site and surrounding areas to record the existing condition of assets and again after construction to record any change.

3.5 Delegated Authority Implications

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

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

3.6 Financial Implications

Council has allocated a total of \$44,521,378 in the Capital Projects Program towards the combined project (depot and external road works), with \$715,000 for planning in the 2017-18 and 2018-19 FYs; \$1,806,378 for design in the 2019-20 and 2020-21 FYs; and \$16,000,000 in the 2021-22 FY for construction. A further \$26,000,000 towards the combined project is identified in the draft 2022/23 FY Capital Projects Program budget for construction. All financial information below is excluding GST.

Planning (2017-18)	\$	211,958.56
Planning (2018-19)	\$	273,945.64
Design (2019-20)	\$	1,023,962.16
Design (2020-21)	\$	1,346,885.06
Unitywater Headworks Charge (2020-21)	\$	402,396.73
Tender Price (Construction)	\$	34,291,331.00
QLeave (Paid 2020-21 for Building Approval)	\$	215,625.00
Service Relocations	\$	186,849.38
Contingency (10%)	\$	3,429,133.10
Supervision / Administration Costs	\$	400,000.00

**Total Project Cost** **\$ 41,782,086.63**

Estimated ongoing operational/maintenance costs \$ 635,000 per F/Y.

*ITEM 6.4 TENDER - NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION CHANGE AND ROAD REHABILITATION - 62334545 (Cont.)*

The budget amount for this project over the two FYs 2021-22 and 2022-23 is sufficient. Council acknowledges that the agreement will require an estimated sum of \$26,000,000 during the 2022-23 financial year and Council is requested to account for this future expenditure as part Council's strategic financial plan and budget for the 2022-23 financial year.

3.7 Economic Benefit Implications

The economic benefits of a new centralised works depot located at Narangba, include establishment of one centralised depot, meeting Council's needs and reducing maintenance costs with consolidation of three sites (Petrie, Burpengary, Deception Bay).

3.8 Environmental Implications

Environmental risks associated with existing site conditions have been considered. An Environmental Management Plan and Contaminated Land Management Plan will be provided to Council by the recommended tenderer detailing the management of environmental and potential site contamination matters affecting the project during construction. The environment management plan will be monitored and audited by project management during the construction phase.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

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

3.11 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices issued 4 weeks prior to the commencement of works and projects signs displayed on site prior to construction. Additional communication including project notices and variable message signs will be provided prior to any out of hours work activity. The stakeholders, including future facility users have been consulted and involved in the design of the project. The detailed communications plan will include a Councillor fortnightly email update and fortnightly updates for the website.

**ITEM 6.5  
TENDER - GROUNDS MAINTENANCE SERVICES - NORTHERN DISTRICTS**

Meeting / Session: 6 AN ENGAGED COUNCIL  
Reference: 62735416 : 24 August 2021 - Refer **Confidential Supporting Information**  
62735321  
Responsible Officer: TO, Team Leader - Assets (PAS Asset Maintenance)

**Executive Summary**

Tenders were invited for the *Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*, project through open tender using 'e-Procure'. Tenders closed on 13 July 2021 with 5 conforming submissions received.

It is recommended that the tender for '*Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*' be awarded to Jungle Busters Group Pty Ltd for the estimated total sum of \$3,632,906.97 (excluding GST) for an initial period of one year nine months (1 October 2021 to 30 June 2023), or \$1,981,585.62 (excluding GST) per annum, with an option to extend by a further two x one-year periods, subject to satisfactory performance, as this offer represents the best overall value to Council.

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

This matter is brought to the attention of Council under the 'An Engaged Council' portfolio as the '*Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*' will deliver valued services to our community including providing regularly well maintained open spaces under a Contract arrangement that will improve the efficiency and effectiveness of Council's service delivery.

**RESOLUTION**

Moved by Cr Karl Winchester

Seconded by Cr Tony Latter

CARRIED 13/0

1. That the tender for the '*Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*' project be awarded to Jungle Busters Group Pty Ltd for the estimated total sum of \$3,632,906.97 (excluding GST) for an initial period of one year nine months (1 October 2021 to 30 June 2023), or \$1,981,585.62 (excluding GST) per annum, with an option to extend by a further two x one-year periods, subject to satisfactory performance.
2. That the Council enters into an agreement with Jungle Busters Group 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 Jungle Busters Group Pty Ltd for the '*Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderer is a local company.
5. That Council commits to the provision of an additional budget allocation of \$198,513.80 for the 2021-22 financial year, at the 2021-22 quarter one financial review process.
6. That Council acknowledges that the agreement will require \$119,652.62 during the 2022-23 financial year and that Council is requested to account for this future expenditure as part of the Council's strategic financial plan and budget for the 2022-23 financial year.



*ITEM 6.5 TENDER - GROUNDS MAINTENANCE SERVICES - NORTHERN DISTRICTS - 62735416 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the tender for the '*Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*' project be awarded to Jungle Busters Group Pty Ltd for the estimated total sum of \$3,632,906.97 (excluding GST) for an initial period of one year nine months (1 October 2021 to 30 June 2023), or \$1,981,585.62 (excluding GST) per annum, with an option to extend by a further two x one-year periods, subject to satisfactory performance.
2. That the Council enters into an agreement with Jungle Busters Group 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 Jungle Busters Group Pty Ltd for the '*Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been considered in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderer is a local company.
5. That Council commits to the provision of an additional budget allocation of \$198,513.80 for the 2021-22 financial year, at the 2021-22 quarter one financial review process.
6. That Council acknowledges that the agreement will require \$119,652.62 during the 2022-23 financial year and that Council is requested to account for this future expenditure as part of the Council's strategic financial plan and budget for the 2022-23 financial year.

## **REPORT DETAIL**

### **1. Background**

Council currently undertakes a large portion of its grounds maintenance operations across the region through contracted delivery. These contracts allow commercial opportunity within the region and enable an efficient and consistent standard of programmed works through the development of set maintenance areas and service frequencies across the region. The frequencies of maintenance within this contract have been set at 18 cycles per annum.

The grounds maintenance works listed under the *Grounds Maintenance Services - Northern Districts (MBRC-RFT32)* project was originally let under contract *MBRC008251- Grounds Maintenance Services - Regional - Portion 4*, which expired its fixed two-year term on 30 June 2021. The decision was made by Council that those works were not being performed to a satisfactory standard and that neither of the two x one-year optional extensions would be offered, and that Council would retender these works.

The grounds maintenance works listed under the *Grounds Maintenance Services - Northern Districts (MBRC-RFT32)* project is being currently managed under a short term three month 'Request for Quotation' arrangement (*MBRC-RFQ22*).

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

Tenders were invited for *Grounds Maintenance Services - Northern Districts (MBRC-RFT32)*, through open tender using 'e-Procure'. Tenders closed on 13 July 2021 with 5 conforming submissions received.

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

ITEM 6.5 TENDER - GROUNDS MAINTENANCE SERVICES - NORTHERN DISTRICTS - 62735416 (Cont.)

Rank	Tenderer	Evaluation Score Pre-LP	Evaluation Score Post-LP
1	Jungle Busters Group Pty Ltd	96.40	111.40
2	Southern Cross facilities Pty Ltd	94.58	102.08
3	Coast2Coast Grounds and Gardens Pty Ltd	85.05	100.05
4	Skyline Landscape Services (QLD) Pty Ltd	87.52	87.52
5	Multhana Property Services Pty Ltd	77.90	77.90

**Jungle Busters Group Pty Ltd (JBG)** - The submission from JBG was very strong and included a detailed and clear understanding of the project requirements and scope, and demonstrated a high level of skill, knowledge, experience and qualifications desirable for this tender. JBG's depot and head office are located within the Moreton Bay Regional Council (MBRC) area. JBG have undertaken grounds maintenance works for Council previously to a high standard. The offer from JBG was the second lowest price and received the highest evaluation score and was considered best value to Council and is the recommendation of this report.

**Southern Cross Facilities Pty Ltd (SCF)** - The submission from SCF was very strong and included a detailed and clear understanding of the project requirements and scope, and demonstrated a high level of skill, knowledge, experience and qualifications desirable for this tender. The offer from SCF was the third lowest price and received the second highest evaluation score. There was no extra benefit to Council for the additional cost and so this offer was not deemed best value to Council.

**Coast2Coast Grounds & Gardens Pty Ltd (C2C)** - The submission from C2C was not as strong as other offers and did not demonstrate a clear understanding of the project requirements and scope desirable for this tender. Based on the submission, the assessment panel have concerns about C2C's ability to deliver the works under this tender. The offer from C2C was the lowest price however received the third highest Post LP evaluation score. Given the concerns around delivery, the offer from C2C was not considered best value to Council.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

Due to the value of the work a competitive open tender process was undertaken. The tender was called 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 contract has been procured in accordance with the provisions of the following documents:

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

Tenders were considered against Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the recommended tenderer of this report are a local company within the MBRC area.

ITEM 6.5 TENDER - GROUNDS MAINTENANCE SERVICES - NORTHERN DISTRICTS - 62735416 (Cont.)

3.4 Risk Management Implications

Due to the value of the work a competitive open tender process was undertaken. The tender was called in accordance with the *Local Government Act 2009*.

The agreement's requirements will ensure that the recommended tenderer's staff are suitably qualified and experienced to undertake these specialised services in accordance with tender specifications and stakeholder expectation. The recommended tenderer will be required to comply with Council's WH&S requirements and undertake a formal induction process prior to commencing the ground works.

A third-party review of financial status has been carried out and the recommended tenderer has received a rating of 'satisfactory'. The recommended tenderer has undertaken previous works for Council as well as holding Council's current fixed-term contract for 'Eastern Districts' and have delivered the works to a satisfactory standard.

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

3.5 Delegated Authority Implications

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

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

3.6 Financial Implications

Council has allocated \$1,861,933 in the 21-22 operational services budget for the Grounds Maintenance Services - Northern Districts contracted works. The estimated cost as tendered by Jungle Busters Group Pty Ltd is not within budget allocation.

Additional funds of \$198,513.80 will be required in the 2021-22 quarter one financial year review process. The current short-term grounds maintenance contract for the period (1 July - 30 September 2021) has an awarded contract value of \$409,125.45 (*CEO Approved Report 2021-00312*)

Council acknowledges that the agreement will require an estimated \$119,652.62 during the 2022-23 financial year and Council is requested to account for this in future expenditure as part of Council's strategic financial plan and budget for the 2022-23 financial year. The arrangement will be debited to budget number 20431.101. All financials shown below are excluding GST.

Tender Price - Year 1 (October 21 - June 22)	\$1,651,321.35
Tender Price - Year 2 (July 22 - June 23)	\$1,981,585.62
<b>Total Contract - One year nine months Term (Oct-21 - Jun-23)</b>	<b>\$3,632,906.97</b>

The estimated value for the works, the subject of this agreement, will in future years, be impacted by the addition and removal of assets from this contract and CPI adjustments as outlined in the tender specification.

3.7 Economic Benefit Implications

The effective management and maintenance of parks, streetscapes, walkways and urban roadsides and their subsequent presentation has a definitive effect on the perception that people have of the region. Past observation has shown recommended tenderers procure resources and recruit staff from within our region.

*ITEM 6.5 TENDER - GROUNDS MAINTENANCE SERVICES - NORTHERN DISTRICTS - 62735416 (Cont.)*

3.8 Environmental Implications

The recommended tenderer will be subject to the same State and Federal environmental legislation that regulates Council's parks maintenance activities.

3.9 Social Implications

The provision and regular maintenance of these parks, streetscapes, walkways and urban roadsides assets have positive implications in terms of visual amenity, public safety outcomes and create a general feeling of wellbeing for the community.

3.10 Human Rights Implications

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

3.11 Consultation / Communication

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

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

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**ITEM 13.1  
BRAVEHEARTS' WHITE BALLOON DAY - FRIDAY 10 SEPTEMBER 2021**

The Mayor acknowledged the Bravehearts' organisation and Bravehearts' White Balloon Day, Australia's largest and longest-running campaign dedicated to preventing child sexual assault and exploitation to be held on Friday 10 September 2021.

The Mayor said that the annual event is held during National Child Protection Week and unites communities to make a commitment to protecting kids.

To assist with raising awareness about child protection and promoting child safety, Council will be promoting the day through its social media, and the Mayor urged the community to get involved.

**ITEM 13.2  
REGIONAL EVENTS**

Cr Adam Hain thanked Moreton Bay Region Industry and Tourism on the delivery of the **Open Air Comedy Night** held on 22 August 2021 as part of the Caboolture Festival.

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**14. CLOSED SESSION**

*(s254J of the Local Government Regulation 2012)*

Consideration of confidential officers' reports as referred by the Chief Executive Officer and confidential general business matters as raised at the meeting.

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

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No items for consideration.

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**14b. CONFIDENTIAL GENERAL BUSINESS**

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No items for consideration.

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**15. CLOSURE**

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There being no further business the Chairperson closed the meeting at 10.28am.

# Moreton Bay Regional Council

GENERAL MEETING - 537  
1 September 2021

**PAGE 21/1397**  
Minutes

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## CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 21/1357 to 21/1397 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 1 September 2021.

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

## CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 15 September 2021.

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

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