



MINUTES

GENERAL MEETING

Wednesday 27 May 2020

commencing at 9.32am

Caboolture Chambers
2 Hasking Street, Caboolture

Pursuant to section 277E of the Local Government Regulation 2012 it is considered not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19

Accordingly, this meeting was physically closed to the public.
However, was live-streamed via a link on Council's website

ENDORSED GM20200610

Membership = 13
Mayor and all Councillors

Quorum = 7

Adoption Extract from General Meeting – 10 June 2020 (Page 20/868)

General Meeting - 27 May 2020 (Pages 20/795 - 20/866)

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Mark Booth

CARRIED 12/0

That the minutes of the General Meeting held 27 May 2020, be confirmed.

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1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

The Mayor provided the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

To minimise serious risks to the health and safety of persons caused by the public health emergency involving COVID-19, Councillors took part in the meeting by teleconferencing, as permitted under section 277B of the Local Government Regulation 2012.

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

| | |
|---|----------------------|
| Chief Executive Officer | (Mr Greg Chemello) |
| Deputy CEO/Director Engineering, Construction & Maintenance | (Mr Tony Martini) * |
| Director Community & Environmental Services | (Mr Bill Halpin) |
| Director Finance & Corporate Services | (Ms Donna Gregory) * |
| Director Infrastructure Planning | (Mr Andrew Ryan) * |
| Director Planning | (Mr David Corkill) |
| Accounting Services Manager | Denis Crowe * |
| Team Leader Meeting Support | Kathrine Crocker |

Apologies:

Nil

** attended via video conference from Strathpine Chambers*

4. MEMORIALS OR CONDOLENCES

Cr Karl Winchester referred to the passing of the late **Mr Norm Baker**. Mr Baker was inducted into Redcliffe City Lions Club in December 1987 and was a hard-working member fulfilling many roles since that time including Zone Chairman, member of the Board of Directors, President, Secretary and Treasurer, as well as being a Charter Member of Redcliffe Lions Club in 2008 - formed by the merger of Redcliffe Peninsula and Redcliffe City Lions Club.

Mr Baker was also recognised with a Melvin Jones Fellowship Award - the highest form of recognition and embodied humanitarian ideas consistent with the nature and purpose of Lionism.

During his working life, Mr Baker was also the Registrar at Clontarf Beach State High School and always had an interest in youth projects, including serving as Youth of the Year Chairman for many years. Mr Baker was made a Life Member of the Leukaemia Foundation of Qld in recognition of his hard and dedicated work for many years. He was also known to be a 'firm but fair' Presiding Officer at the Humpybong State School during elections.

On behalf of Council, Cr Winchester passed on his sincerest condolences to Mr Bakers' family and friends.

Cr Brooke Savage sought to acknowledge two incredible members of the Bribie Island community who have passed away recently.

The late **Mr Derek Cornett**, a well-known Division 1 community member and very successful business founder and operator of IGA Cornetts supermarkets - who was extremely 'giving to the community' and the late **Ms Karen Highlands** - a good friend of the Councillor - who was a valued volunteer at Busy Fingers and who had battled illness for many years.

Cr Savage conveyed her condolences to the family and friends of Mr Cornett and Ms Highlands, and to the Bribie Island community that was very troubled at the passing of these two community members.

The Mayor (Cr Peter Flannery) concurred with Cr Savage's comments acknowledging the significant amount of support the Cornett family provided to the community - always willing to assist with provision of produce for events and other activities, as well as the Busy Fingers Fundraisers Inc which also has been supporting the community for many years.

Cr Matt Constance made mention of the late **Mrs Wendy Robson**. Both Mrs Robson and her husband Darryl, had been members of the Golden Valley Keperra Lions Club for many years and had assisted with the many events conducted in the community. Mrs Robson would be remembered as a hardworking, dedicated person who put her heart into the community, and will be sadly missed.

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

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 13 May 2020 (Pages 20/619 - 20/794)

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Tony Latter

CARRIED 13/0

That the minutes of the General Meeting held 13 May 2020, be confirmed.

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

6.1. Petition: Sue Napier - DA/16705/2007/VCHG/2, 2 Gayundah Esp. Woody Point (A20071728)

Cr Karl Winchester tabled a petition containing 75 signatures, received from Sue Napier, reading as follows:

*"DO NOT GRANT any extensions to the currency period of Development approval:
DA/16705/2007/VCHG/2, 2 Gayundah Esplanade, Woody Point, LOT 12 RP808977 & LOT 99 RP30270,
FOR A MATERIAL CHANGE OF USE -DEVELOPMENT PERMIT FOR HOTEL. FOOD SERVICE &
MULTIPLE DEWLLING [sic].*

- 1. This approval is inconsistent with assessment benchmarks for the current MBRC Planning Scheme. It was approved under a now superseded planning scheme. It has been the subject of a number of extensions over a 13 year period.*
- 2. The approved development has not progressed with any significant action since 2008 apart from demolition of buildings and minor electrical work.*
- 3. There are 2 other current development approvals on this site DA/16705/2007/VCHG2-August 2nd 2018 and DA/16705/2007/VCHG/3-December 3rd 2019.*
- 4. As part of Council's determination to approve the DA2007/16705/VCHG3 December 3rd 2019-it was declared that it was better than the ugly DA2007/16705 which was referred to as "a block bulk design of 9-10 storeys", "a bulky, tall appearance at the pedestrian scale" "exceeded the anticipated site cover (approx 39%)"*
- 5. Councillor Gillam then spokesman for Planning & Development in an email December 4th 2019 to Susan Napier referred to the original DA2007/16705 in this way: "There is already an approved application for a big white box which would have been much more imposing on surrounding residents instead of the much more aesthetically pleasing outcome that has now been approved" (referring to approval of DA2007/16705/VCHG3 December 3rd 2019).*
- 6. There is no valid reason to extend the currency period of Development approval DA/16705/2007/VCHG/2 expiring 20th August 2020."*

Council received the petition, referring it to the Director Planning for investigation and report to Council.

7. CORRESPONDENCE

There was no correspondence for tabling.

8. DEPUTATIONS / COMMUNITY COMMENT

Cr Peter Flannery (Mayor) opened the Deputations / Community Comment session, making the required statement regarding the conduct of the Session and invited the participants to make their respective addresses.

General Meeting - 13 May 2020 (Pages 20/619 - 20/794) LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) - 2020 CIVIC LEADERS SUMMIT - A20045396 (Cont.)

8.1. Community Comment: Shane Murphy - Need for Interim Planning Scheme (A20070515)

Mr Shane Murphy addressed the Council in respect of 'the need for interim planning scheme controls before introducing shire wide neighbourhood charter plans', making the following comments:

- Woody Point has a wonderful neighbourhood character and amenity - wide streets, wide nature strips, houses set back from the front, mature trees and predominant built form of 1-3 storeys
- In addition, community facilities such as scenic parks and pathways, barbecues, picnic and playground facilities
- Small cluster of medium density apartments exist at the southern point - however they nestle within the skyline or background profile of approx. 21m
- Council's decision to approve the 'old Palace hotel site' for 45m height has paved the way for similar height developments to be applied for - namely 1 Lilla Street
- This 'gold rush fever' type behaviour will lead to the decimation of Woody Point's seaside charm
- Acknowledged importance of development, however sustainable, enduring and compatible development that enhances the community is best overall
- Development of Neighbourhood Plans as soon as possible is vital to to preserve and protect local character and amenity
- Also crucial is the introduction of Interim Planning Scheme Controls that enforce existing Town Plan schedules until Neighbourhood Plans can be adopted
- To change the character of Woody Point from a family-orientated village to high rise apartments with clogged streets of parked cars will destroy the sanctuary of this highly desirable destination in the pursuit of a 'quick sugar hit' of economic activity - with no enduring or durable economic development resulting in high rise towers that are out of sync with the local community.

8.2. Community Comment: Julia Nuske - Development Approvals (A20086163)

Ms Julia Nuske addressed the Council in respect of 'until neighbourhood plans for Woody Point and other suburbs of Moreton Bay that will be having neighbourhood plans are prepared, approved and operational, all Development Approvals where the currency period expires in 2020, should be carefully considered before any extensions are granted by MBRC', making the following comments:

- Request Council not to grant any extensions to the currency period of DA/16705/2007/VCHG/2 at 2 Gayundah Esplanade, Woody Point for material change of use - development permit for hotel, food service and multiple dwellings - as applied for on 8 May 2020. Request is supported by a petitions dated 25 May 2020
 - The development is inconsistent with assessment benchmarks for the current MBRC Planning Scheme - being approved under the now superseded planning scheme - and has been the subject of a number of extensions over a 13-year period
 - The development has not progressed with any significant action since 2008
 - There are two other current development approvals on this site dated 2 August 2018 and 3 December 2019
 - Councillor comments noted as "a block bulk design of 9-10 storeys", "a bulky, tall appearance at the pedestrian scale", and "exceeded the anticipated site cover (approx. 39%)"
 - Former Spokesperson for Planning & Development - Cr Mick Gillam, also referred to the original DA approval of 3 December 2019 as "there is already an approved application for a big white box which would have been much more imposing on surrounding residents instead of the much more aesthetically pleasing outcome that has now been approved"
 - No valid reason to extend the currency period

8.2 Community Comment: *Julia Nuske - Development Approvals (A20086163) Cont.*

- Request Council not to grant any extensions to the current period of DA/31353/2016/V2M - DA/31353/2016/VCHG/1 at 14-18 Alfred Street, Woody Point for material change of use - development permit for multiple dwellings (44 units) - as applied for on 5 May 2020. Request is supported by a petition tabled 13 May 2020
 - Biggest problem is the catastrophic effect on parking congestion in Alfred Street and nearby streets due to insufficient car spaces in the development and no requirement for visitor parking. This sends a message to the community that disabled or elderly visitors are not welcome in Woody Point. Parking is also required for tourists. Council has not undertaken any study on parking congestion in Woody Point - it would be a grave failure to continue to approve and extend development approvals that will exacerbate the issues
 - Council's current 2016 Planning Scheme has allowed major inappropriate development with significant problems including parking - needs to be brought in line with BCC parking amendment v17.00/2019 of '2spaces per 2 or 3 bedroom dwelling and 0.25 spaces per dwelling for visitor parking'
 - Height is excessive - just because an area is zoned with maximum height of 21m doesn't mean every property in the area is suitable for a 21m high building
 - The footprint of the building is excessive covering approx. 80% of the site with insufficient set backs
 - Impact on neighbouring properties is unacceptable - properties would be shaded at various times of the day (affecting roof-top solar systems as well and possible issues with mould formation), impact on breezes and solar glare would also be significant
 - What about the great Australian dream of owning your own home? People who have invested in this area when the maximum height was 3 storeys and who have spent significant amounts on renovating etc are now negatively impacted by this development approval
 - The built form is unattractive and completely out of character
 - The development is over-development for the area - there is no need for it! Other developments in the area that have water views have not been fully sold
 - The developer has had 4 years in which to have the development significantly built - ample time. The most recent request for extension of the currency period includes a statement "significant delays related to COVID-19" when the house on 14 Alfred Street (due to be demolished as part of this development) has just been leased for a 6-month period
 - Recent meeting with Council officers advised the reason to extend the currency period is that if it is not extended the developer may appeal the decision through court. This same reasoning was used by the former Mayor at the Council meeting of 3 December 2019 when the development was approved.
 - The possibility of developers appealing a decision through court is not a valid reason to approve or extend currency periods of inappropriate developments, but a consequence of very significant problems in Council's Planning Scheme and inappropriate developments that have been approved.
- There is opportunity for Council to reverse the current distrust held by many residents/ratepayers and anger over many recent approvals of inappropriate developments
- Prior to the March local government election, candidates proclaimed 'clean up the council', 'put residents first', 'put community first', 'sensible development', 'put residents before developers', 'the Planning Scheme was a big issue that needed to be addressed by the new council' - newly elected councillors have the opportunity for a fresh start in line with community expectation to truly put residents before developers and to rebuild the shattered trust and lack of confidence of many Moreton Bay residents/ratepayers
- What will you personally do about these 2 requests to extent currency?

8.3. Community Comment: Sue Napier - Multiple Development Applications on one site (A20075957)

Mrs Sue Napier addressed the Council in respect of 'the current MBRC policies, procedures and practices regarding multiple DA's on one site and the policies, procedures and practices for change applications to DA's', making the following comments:

- Currently Council allows more than one development application to be approved and current on any given site at the same time
- Regardless of any gaps or grey areas in the State Planning Act 2016 that technically allow this, it beggars belief that this could be considered reasonable, logical or even understandable
- How is anyone supposed to determine which development is the one that is going to go ahead - this causes confusion and means that the community has no idea exactly what has been approved versus what will actually be built. A recent example of this is an old application exists for a site that has been granted a number of extensions so that it remains current 13 years after it was first lodged - without any building occurring on the site. A number of separate applications containing different components and lodging them under different schemes has allowed this to occur. Is Council confused? - the community certainly is!
- Simple way to fix this
- I propose that Council immediately develop and implement policies and guidelines to ensure strict adherence to a new rule that only one development application may be approved and current on any site at any time
- For existing sites where more than one development approval is current, it is proposed that Council write to each relevant developer and advise that they must choose which development application they wish to proceed with, and any other approval will be automatically cancelled. A proposed 60-day timeframe in which to decide should be provided to the developer
- There is no reason or need to have more than one development application approved and current on one site. It should be mandatory as policy, that any new approval should automatically cancel any older approval.
- Further, that any amendment to a development application is assessed against the Planning Scheme that exists when the change/amendment is lodged. Developers should not be able to apply for development approvals or changes to be lodged under the guidelines of a superseded Planning Scheme
- Clearly and simply - one development application current per site at any given time and the development must fall within the polices and guidelines of the MBRC Planning Scheme 2016 until such time as any Neighbourhood Plans or other policies are developed, approved and implemented.

The Mayor thanked the attendees for their participation.

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

(s262 of the Local Government Regulation 2012)

There were no Notices of Motion.

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

Declarations of interest statement

There are no personal interests to be declared for items in this session.

ITEM 1.1

LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) - 2020 CIVIC LEADERS SUMMIT

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20045396 : 18 May 2020
Responsible Officer: LK, Executive Support Officer (FCS Executive Services)

Executive Summary

The purpose of this report is to seek Council direction in relation to Councillor attendance at the Local Government Association of Queensland (LGAQ) 2020 Civic Leaders Summit from 15 to 17 June 2020. This year the summit will be a virtual event due to the COVID-19 pandemic.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Mark Booth

CARRIED 13/0

- 1. That Cr Peter Flannery (Mayor) be authorised to attend the Local Government Association of Queensland (LGAQ) 2020 Civic Leaders Summit.**
- 2. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.**

ITEM 1.1 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) - 2020 CIVIC LEADERS SUMMIT - A20045396 (Cont.)

OFFICER'S RECOMMENDATION

1. That Cr Peter Flannery (Mayor) be authorised to attend the Local Government Association of Queensland (LGAQ) 2020 Civic Leaders Summit.
2. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

REPORT DETAIL

1. Background

Advice has been received that the LGAQ 2020 Civic Leaders Summit will be held as a virtual event from 15-17 June 2020. Cr Peter Flannery (Mayor) has expressed an interest in attending this conference.

2. Explanation of Item

The LGAQ 2020 Civic Leaders Summit is held once every four years and is an event for Mayors, Deputy Mayors and Chief Executive Officers (CEOs) only.

Due to the COVID-19 pandemic the summit will be run as a virtual event to be held over two half-days on Tuesday 16 June and Wednesday 17 June (with a half-hour 'how-to' virtual guide on Monday 15 June 2020).

The program/topics for the quadrennial summit includes:

- Keynote speakers - Hon Anastacia Palaszczuk MP and Hon Stirling Hinchliffe MP;
- First term Mayor panel discussion;
- The first 100 days;
- What civic leaders can and can't do;
- Meetings with regulators;
- The CEO and Mayor relationship; and
- Resources for Mayors.

The CEO will also be in attendance at this event.

3. Strategic Implications

- 3.1 Legislative / Legal Implications Nil identified
- 3.2 Corporate Plan / Operational Plan
Strengthening Communities: Strong local governance - strong leadership and governance.
- 3.3 Policy Implications
Arrangements will be made in accordance with Council's Professional Development Policy 2150-089.
- 3.4 Risk Management Implications Nil identified
- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
Appropriate funds have been provided in the 2019/20 budget.
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified

ITEM 1.1 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) - 2020 CIVIC LEADERS SUMMIT - A20045396 (Cont.)

3.9 Social Implications

Topics associated with the conference will address a range of social challenges facing local government.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Consultation has been undertaken with Cr Peter Flannery (Mayor), Cr Denise Sims (Deputy Mayor) and the CEO.

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

No items for consideration.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

Declarations of interest statement

There are no personal interests to be declared for items in this session.

ITEM 3.1

MORAYFIELD - Oakey Flat Road (Ashbrook Drive to Lakeview Road) - Road and Intersection Upgrade

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A19998017 : 11 May 2020
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

A quotation was sought from Energex Limited (Energex) for the design and relocation of power poles and associated street lighting as part of the 'Morayfield - Oakey Flat Road (Ashbrook Drive to Lakeview Road) - Road and Intersection Upgrade (Division 12)' project.

It is recommended that Council proceed with works as per the quotation contained in the Letter of Offer (WR7329999) from Energex for the sum of \$408,459.08 (excluding GST).

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Denise Sims (Deputy Mayor)

CARRIED 13/0

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Energex Limited is the only supplier who can undertake the design and relocation of power poles and associated street lighting as part of the 'Morayfield - Oakey Flat Road (Ashbrook Drive to Lakeview Road) Road and Intersection Upgrade' project.
2. That the Letter of Offer (WR7329999) from Energex Limited for design and relocation of power poles and associated street lighting as part of the 'Morayfield - Oakey Flat Road (Ashbrook Drive to Lakeview Road) - Road and Intersection Upgrade' project, for the sum of \$408,459.08 (excluding GST) be accepted.
3. That the Council enters into an agreement with Energex Limited as described in this report.
4. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Energex Limited for works described in Letter of Offer (WR7329999) and any required variations of the agreement on Council's behalf.

ITEM 3.1 MORAYFIELD - Oakey Flat Road (ASHBROOK DRIVE TO LAKEVIEW ROAD) - ROAD AND INTERSECTION UPGRADE - A19998017 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Energex Limited is the only supplier who can undertake the design and relocation of power poles and associated street lighting as part of the 'Morayfield - Oakey Flat Road (Ashbrook Drive to Lakeview Road) Road and Intersection Upgrade' project.
2. That the Letter of Offer (WR7329999) from Energex Limited for design and relocation of power poles and associated street lighting as part of the 'Morayfield - Oakey Flat Road (Ashbrook Drive to Lakeview Road) - Road and Intersection Upgrade' project, for the sum of \$408,459.08 (excluding GST) be accepted.
3. That the Council enters into an agreement with Energex Limited as described in this report.
4. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Energex Limited for works described in Letter of Offer (WR7329999) and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The project is located on Oakey Flat Road, between Ashbrook Drive and south of Lakeview Road, Morayfield. The project scope includes road widening and duplication of Oakey Flat Road and improvements at intersections along the Oakey Flat road corridor and provision of facilities to cater for future public transport needs.

Energex's Letter of Offer (WR7329999) includes the design and relocation of Energex HV and LV poles with their associated street lighting. The commencement of works is dependent on Energex formally programming the works upon receipt of approval from Council. Energex has indicated that the relocations would commence in June 2020 and the construction duration would be approximately four weeks.



Figure 1 - Project Locality Plan - Extent of Energex Relocation Works

ITEM 3.1 MORAYFIELD - Oakey Flat Road (Ashbrook Drive to Lakeview Road) - Road and Intersection Upgrade - A19998017 (Cont.)

2. Explanation of Item

A quotation was sought from Energex for the design and relocation of power poles and associated street lighting as part of the 'Morayfield - Oakey Flat Road, Ashbrook Drive to Lakeview Road - Road and Intersection Upgrade' project.

Energex provided a Letter of Offer (WR7329999) for the design and construction of the required works for the sum of \$408,459.08 (excluding GST).

Only Energex can undertake these works required to relocate their power network assets.

3. Strategic Implications

3.1 Legislative / Legal Implications

Due to the value of work being greater than \$200,000, an exception is required in accordance with section 235(a) of the Local Government Regulation 2012 that *'the local government resolves it is satisfied that there is only 1 supplier who is reasonably available'*, as outlined in Council's Procurement Policy 2150-006. Works or modifications to existing Energex assets are required to be done by Energex.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

3.4 Risk Management Implications

A detailed risk management plan has been prepared. The project risk relating to the Energex pole relocation works has been assessed and the following issues identified. The manner in which the possible impact of these risks is minimised is detailed below.

Construction Risks:

- Risk of design and construction non-compliances is lowered by having the asset owner complete the relocation works.
- These pole relocation works will be undertaken ahead of the civil works construction stage to ensure no conflicts during the road construction works.
- There are no Development Applications or Development Approvals (DA's) impacting these works.
- The current covid19 issues may impact the delivery and provision of materials for the Energex works.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated a total of \$11,500,000.00 for this project with \$500,000.00 in the 2019-20 FY Capital Projects Program, \$7,000,000.00 in the draft 2020-21 FY Capital Projects Program and \$4,000,000.00 in the draft 2021-22 FY Capital Projects Program (project 101927). All financials below are excluding GST.

| | |
|---|---------------|
| Pole Relocation Letter of Offer (Energex) | \$ 408,459.08 |
| Contingency (10%) | \$ 40,845.91 |
| | ----- |
| Total project cost | \$ 449,304.99 |
| | ===== |

ITEM 3.1 MORAYFIELD - OAKEY FLAT ROAD (ASHBROOK DRIVE TO LAKEVIEW ROAD) - ROAD AND INTERSECTION UPGRADE - A19998017 (Cont.)

Remaining allocated budget \$11,050,695.01

The civil works (not part of this contract) are currently programmed for tendering in mid-June 2020.

There are no ongoing operational/maintenance costs for the power pole relocation works as the assets are transferred to Energex to maintain.

The budget amount for this project at this time is sufficient.

3.7 Economic Benefit Implications

The project will supplement capacity improvements created by the recent construction of the Walkers Road and Oakey Flat Road intersection upgrade to accommodate future traffic volumes and provide pedestrian/cyclist connectivity.

3.8 Environmental Implications

Energex are required to comply with State Government environmental policies.

3.9 Social Implications

The project will provide a safe link for road users (motorists and cyclists) travelling this section of roadway.

3.10 Human Implications

Nil identified

3.11 Consultation / Communication

A detailed communications plan has been prepared. Variable message boards will be in place and project notices will be distributed two weeks prior to commencement of works and project signs placed four weeks prior to the commencement of works. Weekly project updates via email will be provided to the Divisional Councillor who has been consulted and is supportive of the project.

ITEM 3.2

BEE GEES WAY AUDIO VISUAL AND LIGHTING MAINTENANCE

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A19972854 : 28 April 2020 - Refer **Confidential Supporting Information A19713725**
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

The maintenance of Council's Bee Gees Way audio, visual and lighting systems is undertaken through a contract arrangement. Tenders were called for 'Bee Gees Way Audio Visual and Lighting Maintenance (Division 6) (MBRC009468)' through open tender using LG Tenderbox. Tenders closed on 18 February 2020, with one conforming submission received.

It is recommended that the contract for 'Bee Gees Way Audio Visual and Lighting Maintenance (MBRC009468)' be awarded to ProAV Solutions Queensland for an estimated sum of \$128,132.50 (excl. GST) for the initial period of 2 years (from 1 July 2020 to 30 June 2022), with an option to extend by a further three x one-year periods, subject to satisfactory performance as this represents best value to Council.

RESOLUTION

Moved by Cr Karl Winchester

Seconded by Cr Mick Gillam

CARRIED 13/0

1. That the tender for 'Bee Gees Way Audio Visual and Lighting Maintenance (MBRC009468)' be awarded to ProAV Solutions Queensland for the estimated sum of \$128,132.50 (excluding GST) for the initial period of 2 years (1 July 2020 to 30 June 2022), with an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That the Council enters into an agreement with ProAV Solutions Queensland 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 ProAV Solutions Queensland for 'Bee Gees Way Audio Visual and Lighting maintenance (MBRC009468)' and any required variations of the agreement on Council's behalf.

ITEM 3.2 BEE GEES WAY AUDIO VISUAL AND LIGHTING MAINTENANCE - A19972854 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Bee Gees Way Audio Visual and Lighting Maintenance (MBRC009468)' be awarded to ProAV Solutions Queensland for the estimated sum of \$128,132.50 (excluding GST) for the initial period of 2 years (1 July 2020 to 30 June 2022), with an option to extend by a further three x one-year periods, subject to satisfactory performance.
2. That the Council enters into an agreement with ProAV Solutions Queensland 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 ProAV Solutions Queensland for 'Bee Gees Way Audio Visual and Lighting maintenance (MBRC009468)' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The current audio, visual and lighting infrastructure at Bee Gees Way was installed five years ago, all maintenance and warranty has been undertaken as part of this arrangement by ProAV Solutions Qld Pty Ltd, which is due to expire 30 June 2020.

This Contract allows for maintenance of all elements of the audio, visual and lighting systems at Bee Gees Way. Depending on the equipment type the maintenance frequency varies, ranging from 2 monthly up to annual intervals. Included in the contract is condition and compliance assessments of the system, assessing functionality, recommendations as to upgrades and renewals to maximise the life of the assets and ensuring compliance with all applicable Acts, Regulations and Australian Standards.

2. Explanation of Item

Tenders were called for 'Bee Gees Way Audio Visual and Lighting Maintenance (MBRC009468)' through open tender using LG Tenderbox. Tenders closed on 18 February 2020, with one conforming submission received from ProAV Solutions Qld Pty Ltd. Given the high-profile location of Bee Gees Way, specialised audio, visual and lighting equipment installed and the requirement of reporting and key performance indicators under this contract; there were limited companies willing to submit a tender submission for this contract. The tendered annual maintenance contract amount has increased by approximately 3.8% per annum on the previous contract arrangement, which is deemed an acceptable increase in the market.

The submission was assessed by a selection panel in accordance with Council's Procurement Policy and the mandatory selection criteria set out in the tender documentation. The submission and its final weighting score is tabled below.

| Rank | Tenderer | Evaluation Score |
|------|------------------------------------|------------------|
| 1 | ProAV Solutions Queensland Pty Ltd | 100 |

ProAV Solutions Queensland Pty Ltd (PAVS) submitted a comprehensive tender submission. PAVS's submission demonstrated the required level of skill, knowledge, experience and their capacity to undertake the works required. At the post tender clarification meeting, PAVS provided the evaluation team with confidence in their ability to deliver the requirements of the tender. PAVS undertook the original installation of the equipment and has continued to maintain and service all elements for the past five years. During this period PAVS have performed to an acceptable standard and met all requirements of the contract. The price submitted is a fixed price for the initial two-year period. The offer from PAVS is considered by the panel to represent value for Council and is therefore recommended.

ITEM 3.2 BEE GEES WAY AUDIO VISUAL AND LIGHTING MAINTENANCE - A19972854 (Cont.)

The request for tender was provided to five organisations who were deemed capable of undertaking these works, however due to the unique nature of the install, associated maintenance works and high profile nature of the site, Council only received the one tender submission.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - celebrating local arts, culture and community.

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.

3.4 Risk Management Implications

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

| Risk | Mitigation |
|--|--|
| Attend site within the periodic maintenance timeframes. | PAVS confirmed they will perform all maintenance within the tendered timeframe and have the required technicians and plant resources available to fulfil the requirements of the tender. PAVS have met the requirements of site attendance in their previous Contract arrangements with Council for these works. |
| No Council attendance during maintenance to validate completion. | PAVS confirmed they will submit regular photographic service reports as evidence once works completed. PAVS have provided photographic service reports to Council in their previous Contract arrangement for these works. |
| Efficient and effective response time in attending emergencies. | PAVS confirmed that they will arrive onsite and commence work within the required tendered timeframe. PAVS have met all the response time requirements for emergencies in their previous Contract arrangement for these works. |

A third-party review of financial status of the recommended tenderer has been carried out with a rating of 'strong' which has confirmed that they have the financial capacity to carry out the required works.

3.5 Delegated Authority Implications Nil identified

ITEM 3.2 BEE GEES WAY AUDIO VISUAL AND LIGHTING MAINTENANCE - A19972854 (Cont.)

3.6 Financial Implications

The estimated costs as tendered by ProAV Solutions Pty Ltd are within budget allocation. All financials shown below are excluding GST.

| | |
|------------------------------|---------------|
| Tender Price | \$ 128,132.50 |
| Contingency - 5% | \$ 6,406.63 |
| | ----- |
| Total Project Cost (2 years) | \$ 134,539.13 |
| | ===== |

3.7 Economic Benefit Implications

Effective maintenance of the audio, visual and lighting system at Bee Gees Way will ensure reliable equipment operation and extend overall lifecycle, thus saving Council from costly early replacement.

3.8 Environmental Implications

Performing regular maintenance on the audio, visual and lighting system at Bee Gees Way will ensure this facility operates efficiently, eliminating potential environmental impacts and meeting Council's environmental obligations.

3.9 Social Implications

Performing regular maintenance on the audio, visual and lighting system at Bee Gees Way continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

ITEM 3.3

TENDER - PETRIE MILL REDEVELOPMENT STAGE 1 - PETRIE MILL REDEVELOPMENT WYLLIE PARK UPGRADE (MBRC009702)

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20033095 : 15 May 2020 - Refer **Confidential** Supporting Information A20034176
Responsible Officer: DV, Senior Construction Engineer (ECM Major Projects)

Executive Summary

Tenders were invited for the 'Petrie Mill Redevelopment Wyllie Park Upgrade - Division 8 (MBRC009702)' for the upgrade to the existing Wyllie Park. The tender closed on 28 April 2020 with 15 conforming tenders and two (2) non-conforming tenders received.

It is recommended that Council award the contract for the 'Petrie Mill Redevelopment Wyllie Park Upgrade (MBRC009702)' to Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow, for the sum of \$805,133.82 (ex GST), as this tender was evaluated as representing the best overall value to Council

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims (Deputy Mayor)

CARRIED 13/0

1. That the contract '*Petrie Mill Redevelopment Wyllie Park Upgrade (MBRC009702)*' be awarded to Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow, for the sum of \$805,133.82 (excl. GST).
2. That the Council enters into an agreement with Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow, 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 Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow, for '*Petrie Mill Redevelopment Wyllie Park Upgrade (MBRC009702)*' and any required variations of the agreement on Council's behalf.

ITEM 3.3 TENDER - PETRIE MILL REDEVELOPMENT STAGE 1 - PETRIE MILL REDEVELOPMENT WYLLIE PARK UPGRADE (MBRC009702) - A20033095 (Cont.)

OFFICER'S RECOMMENDATION

1. That the contract '*Petrie Mill Redevelopment Wyllie Park Upgrade (MBRC009702)*' be awarded to Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow, for the sum of \$805,133.82 (excl. GST).
2. That the Council enters into an agreement with Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow, 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 Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow, for '*Petrie Mill Redevelopment Wyllie Park Upgrade (MBRC009702)*' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The upgrade to Wyllie Park is an important part of the Petrie Mill Redevelopment project, in that it provides renewal works for the heritage listed park at the entrance to the development from Gympie Road and addresses the impact of the widening of Gympie Road and associated utility services relocations undertaken as part of the Stage 1 works. A significant portion of the scope was driven by the Gympie Road upgrade approval conditions and the design of the park upgrade is in accordance with the approved Heritage Master Plan. The scope of the park upgrade involves removal of redundant infrastructure, upgrading the access road and parking, construction of new pedestrian walkways, installation of new facilities in the form of BBQ's, bin enclosures and minor structures, as well as landscape planting and other softscape works.

The Operational Works permit is currently being finalised. It has introduced some minor stormwater additions. This has been captured in the Financial Implications by way of a separate 'water quality upgrade' item. The Operational Works permit is expected to be issued prior to the programmed commencement of works on site in mid-June 2020.

A Council briefing was conducted on 6 May 2020. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

BRIEFING 1 WYLLIE PARK - HERITAGE MASTER PLAN ENDORSEMENT UPDATE

Discussion consisted of:

- Overview of what the Master Plan entails;
- Noted that the Heritage Council has signed off on this Master Plan;
- Council Report to be brought to a future Meeting for Council's consideration to adopt the Heritage Master Plan

ITEM 3.3 TENDER - PETRIE MILL REDEVELOPMENT STAGE 1 - PETRIE MILL REDEVELOPMENT WYLLIE PARK UPGRADE (MBRC009702) - A20033095 (Cont.)



Figure 1 Locality Plan

2. Explanation of Item

Tenders were invited for the 'Petrie Mill Redevelopment Wyllie Park Upgrade (MBRC009702)' for the construction of the upgraded Wyllie Park, including civil and landscaping works. The tenders were assessed by Council's assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

| RANK | TENDERER | EVALUATION SCORE |
|------|---|------------------|
| 1 | Civil Contractors (Aust) Pty Ltd (trading as CCA Winslow) | 83.77 |
| 2 | Shadforth's Civil Pty Ltd T/A Shadforth | 82.95 |
| 3 | JMac Constructions Pty Ltd | 78.69 |
| 4 | Allroads Pty Ltd | 76.55 |
| 5 | The Landscape Construction Company Pty Ltd | 76.20 |
| 6 | Epoca Constructions Pty Ltd | 75.82 |
| 7 | Bellwether Contractors Pty Ltd | 73.19 |
| 8 | Pentacon Pty Ltd | 70.81 |
| 9 | CES Civil SEQ Pty Ltd | 66.16 |
| 10 | Ryan Civil Contracting Pty Ltd | 65.10 |

ITEM 3.3 TENDER - PETRIE MILL REDEVELOPMENT STAGE 1 - PETRIE MILL REDEVELOPMENT WYLLIE PARK UPGRADE (MBRC009702) - A20033095 (Cont.)

| RANK | TENDERER | EVALUATION SCORE |
|------|----------------------------------|------------------|
| 11 | Disc Landscapes and Construction | 60.44 |
| 12 | G&H Plant Hire Pty Ltd | 59.43 |
| 13 | RDS Roadworks Pty Ltd | 55.08 |
| 14 | Universal Civil Contracting | 50.04 |
| 15 | Privium Civil | 42.70 |

Civil Contractors (Aust) Pty Ltd, trading as CCA Winslow ('CCAW') - submitted a detailed tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. At the clarification meeting held on 11 May 2020, CCAW confirmed their pricing and detailed construction methodology, with clear details on maintaining access to the Queensland Rail (QR) corridor and MBRC sewer pump station. CCAW demonstrated a comprehensive understanding of the risks associated with the existing utility services located within Wyllie Park as well as the fauna spotting requirements related to the removal of existing vegetation. CCAW submission also nominated a high level of suitable personnel, including a Project Manager, Project Engineer and Project Supervisor. The tender submission program was detailed for all major activities in the contract scope of works and conformed with the construction period of 15 weeks from contract award, including the mandatory allowance of 5 days for inclement weather. Overall, CCAW demonstrated an in-depth understanding of the project requirements and site constraints. The tender was the lowest priced and was considered by the panel to provide the best overall value and outcome Council.

Shadforth's Civil Pty Ltd ('Shadforth') - submitted a detailed tender submission, with the submission demonstrating good experience on projects of a similar scale and complexity. The nominated personnel have good experience in similar types of works. During a tender clarification meeting held on 8 May 2020 Shadforth stated the Project Manager nominated in tender submission would have no direct operational involvement in the project and would function as a mentor/advisor to the Project Engineer who would effectively function as the Project Manager. At the tender clarification meeting, Shadforth provided some general construction methodology and strategies regarding the construction of the scope of works. The tender submission program conformed with the construction period of 15 weeks from contract award, including the mandatory allowance of 5 days for inclement weather. Although the submission was of a high standard, the tender did not provide any significant benefit to Council for the additional cost.

JMac Constructions Pty Ltd ('JMac') - submitted an appropriately detailed tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tender did not provide any significant benefit to Council for the additional cost.

Allroads Pty Ltd ('Allroads') - tender submission appropriately detailed and demonstrated their experience on projects of a similar scale and complexity. The tender submission did not extensively detail out the construction methodology in comparison to other tenderers. The submitted program conformed with the construction period of 15 weeks from contract award, including the mandatory allowance of 5 days for inclement weather. The tender did not provide any significant benefit to Council for the additional cost.

Non-Conforming Tenders

Two tenders were assessed as non-conforming, one submission comprised of a schedule of rates for labour hire to place concrete kerbing and the second submission a schedule of rates for crane hire.

ITEM 3.3 TENDER - PETRIE MILL REDEVELOPMENT STAGE 1 - PETRIE MILL REDEVELOPMENT WYLLIE PARK UPGRADE (MBRC009702) - A20033095 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

3.3 Policy Implications

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

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

3.4 Risk Management Implications

The project risk has been assessed and the following issues identified.

Project Risks

The key risks associated with the Petrie Mill Redevelopment Wyllie Park Upgrade package have been assessed and the following outlines those risks and the way the possible impact of these risks can be minimised.

Weather:

The tender document requires the tenderers to include an allowance for 5 inclement weather days. If applicable, extensions of time due to inclement weather will only be considered where the number of wet days has exceeded the included allowance and the tenderer will not be entitled to any payments as a result of delay due to excessive wet weather.

Traffic Management:

The tender package includes requirements to maintain access to Wyllie park, for QR maintenance access and MBRC owned sewer pump station.

Programme:

The works are required to be completed by 30 September 2020 to meet external funding obligations. The recommended tenderer has capacity to accelerate the works if unforeseen circumstances delay completion

Financial Capacity:

In accordance with Council's practice, a third-party review of financial status has been carried out on the recommended tenderer to ensure they have sufficient financial capacity to undertake the works. The recommended tenderer was rated 6.47 which reflects a sound outcome.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated funds in the 2019/2020 financial years for the Petrie Mill Redevelopment Stage 1 Works including the Wyllie Park Upgrade project. The works associated with the Wyllie Park Upgrade will be debited to Project Number 105223 and are within the allocation in the Stage 1 cost plan.

| | |
|--|---------------|
| Tender price (construction) | \$ 805,133.82 |
| Contingency (10%) | \$ 80,513.00 |
| Water Quality Upgrade (Op Works condition) | \$ 40,000.00 |

ITEM 3.3 TENDER - PETRIE MILL REDEVELOPMENT STAGE 1 - PETRIE MILL REDEVELOPMENT WYLLIE PARK UPGRADE (MBRC009702) - A20033095 (Cont.)

| | |
|--------------------|---------------|
| QLeave | \$ 3,824.39 |
| | ----- |
| Total Project Cost | \$ 929,471.21 |
| | ===== |

3.7 Economic Benefit Implications

These works as part of the Stage 1 development has significant regional economic benefits and is a catalyst for overall outcomes for the site as part of the broader 'The Mill at Moreton Bay' PDA

3.8 Environmental Implications

The Operational Works submission includes management plans for heritage, fauna, vegetation and acid sulphate soils. The recommended contractor will be required to implement a Construction Management plan incorporating relevant provisions of these plans.

3.9 Social Implications

The overall Petrie Mill redevelopment project will provide significant positive social benefit with the rejuvenation of Wyllie Park.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

The works will be managed by Council's Major Projects team in line with communication policies and protocols.

ITEM 3.4

BURPENGARY EAST - OLD BAY ROAD - CULVERT UPGRADE 1

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A19987590 : 22 April 2020 - Refer **Confidential Supporting Information: A19880891; A17206995**
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited for the 'Burpengary East - Old Bay Road - Culvert Upgrade 1 (MBRC009425)' project. The tender closed on 17 March 2020 with a total of 18 tenders received, of which 16 were conforming.

It is recommended that Council award the contract to BMD Urban Pty Ltd for the sum of \$1,482,066.63 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Sandra Ruck

CARRIED 13/0

1. That the tender for the 'Burpengary East - Old Bay Road - Culvert Upgrade 1 (MBRC009425)' be awarded to BMD Urban Pty Ltd for the amount of \$1,482,066.63 (excluding GST).
2. That the Council enters into an agreement with BMD Urban 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 BMD Urban Pty Ltd for 'Burpengary East - Old Bay Road - Culvert Upgrade 1 (MBRC009425)' and any required variations of the agreement on Council's behalf.
4. That to allow the project to continue, Council commits to providing a total of \$1,075,000 in the draft 2020-21 FY Capital Projects Program.

ITEM 3.4 BURPENGARY EAST - OLD BAY ROAD - CULVERT UPGRADE 1 - A19987590 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the 'Burpengary East - Old Bay Road - Culvert Upgrade 1 (MBRC009425)' be awarded to BMD Urban Pty Ltd for the amount of \$1,482,066.63 (excluding GST).
2. That the Council enters into an agreement with BMD Urban 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 BMD Urban Pty Ltd for 'Burpengary East - Old Bay Road - Culvert Upgrade 1 (MBRC009425)' and any required variations of the agreement on Council's behalf.
4. That to allow the project to continue, Council commits to providing a total of \$1,075,000 in the draft 2020-21 FY Capital Projects Program.

REPORT DETAIL

1. Background

The project is located adjacent to 486 and 499 Old Bay Road, Burpengary East (Division 2). The project scope includes replacing 14x 600mm diameter pipes with 10 x 3000mm x1200mm box culverts with headwalls and raising approximately 140m of road. The project will also provide pedestrian connectivity across the culvert, will include the installation of fauna crossing infrastructure, line marked wild- life threshold treatments, offset tree planting in Muriel Court Park, as well as, service relocations required to accommodate these works and approximately 25 metres of channel reshaping and landscaping downstream of the culverts.

The objective of the project is to raise a section of Old Bay Road and to increase the capacity of the stormwater network from less than 1 year flood immunity to a 10 year flood immunity.

It proposed that works will commence in June 2020 and take 19 weeks including an allowance for wet weather.



Locality Plan - works site

ITEM 3.4 BURPENGARY EAST - OLD BAY ROAD - CULVERT UPGRADE 1 - A19987590 (Cont.)

2. Explanation of Item

Tenders for the *'Burpengary East - Old Bay Road - Culvert Upgrade 1 (MBRC009425)'* project closed on 17 March 2020 with a total of 18 tenders received, of which 16 were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

| RANK | TENDERER | EVALUATION SCORE |
|------|---|------------------|
| 1 | BMD Urban Pty Ltd | 89.49 |
| 2 | CES CIVIL SEQ Pty Ltd | 89.23 |
| 3 | Ryan Civil Contracting Pty Ltd | 88.06 |
| 4 | Shadforth's Civil Pty Ltd (trading as Shadforth) | 88.00 |
| 5 | PENTACON PTY LTD | 87.43 |
| 6 | Epoca Constructions Pty Ltd | 87.13 |
| 7 | Disc Landscapes and Construction | 86.36 |
| 8 | CRAGCORP PTY LTD (trading as QUEENSLAND BRIDGE & CIVIL) | 84.56 |
| 9 | Aramira Civil Engineering Pty Ltd | 82.86 |
| 10 | NARIC PTY LTD | 82.16 |
| 11 | Hazell Bros (QLD) Pty Ltd | 81.45 |
| 12 | Aqua Project Solutions Pty Ltd | 77.95 |
| 13 | Privium Civil | 77.94 |
| 14 | AllenCon Pty Ltd | 68.97 |
| 15 | BK Civil Group | 68.92 |
| 16 | Koppens Developments Pty Ltd | 66.74 |
| 17 | SUPERIOR KERB & CONCRETING PTY LTD | Non-conforming |
| 18 | CRAGCORP PTY LTD (trading as QUEENSLAND BRIDGE & CIVIL) - Alternative 1 | Non-conforming |

BMD Urban Pty Ltd ('BMD') - submitted a comprehensive tender and demonstrated their methodology and experience on projects of a similar scale and complexity. BMD has undertaken the construction of a project for MBRC at Benabrow Avenue, Bongaree which included stormwater, kerb and channel, road resurfacing and working with utility service providers valued at \$2.4 million. A road upgrade (1km) at Queen Street, Marburg for Ipswich City Council, including installation of large and small culvert systems and service relocations valued at \$2.1 million. A road upgrade at Chambers Flat Road, Loganlea for Logan City Council, including earthworks, pavement construction, asphalt, service relocations, major culvert and drainage works. A shared pathway valued at \$16.1 million and a road upgrade of 1km of Jones Road in Bellbird Park-Ipswich, including service relocation, two new collector roads and stormwater reticulation valued at \$6 million for AVID Property Group. At a tender clarification meeting held on 14 April 2020, BMD demonstrated their understanding and methodology to complete this project, including their understanding of the required traffic management and construction works. The panel recommends that the tender submission from BMD represents the best overall value offer to Council.

ITEM 3.4 BURPENGARY EAST - OLD BAY ROAD - CULVERT UPGRADE 1 - A19987590 (Cont.)

CES CIVIL SEQ Pty Ltd ('CES') - submitted a comprehensive tender and demonstrated their methodology and experience on projects of a similar scale and complexity; however, there were no additional benefits for the higher price.

Ryan Civil Contracting Pty Ltd ('Ryan') - submitted a comprehensive tender and demonstrated their methodology and experience on projects of a similar scale and complexity; however, there were no additional benefits for the higher price.

Disc Landscapes and Construction ('DISC') - submitted a tender that covered the elements of the project and were the lowest price. DISC provided examples of their experience on past projects and nominated subcontractors, however the evaluation panel considered the documentation provided, including the project examples did not demonstrate the required level of experience and knowledge on projects of a similar scale and complexity to complete these works.

The non-conforming tenders did not provide the mandatory tender documentation.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

Financial Risks:

A third-party review of financial status has been carried out on BMD Urban Pty Ltd and the successful tenderer was rated '*sound*'.

Construction Risks:

- a. The recommended tenderer will provide a program of works, 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 demonstrated their understanding of the project site and the need to manage the impact on road users and property access requirements.
- 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 efficiently.
- d. An allowance for wet weather (20 days) is included in the recommended tenderer's construction program.

ITEM 3.4 BURPENGARY EAST - OLD BAY ROAD - CULVERT UPGRADE 1 - A19987590 (Cont.)

- e. There are no development applications or approvals relating to this contract.
- f. The procurement risks relating to this project are low given that there is sufficient lead time for the recommended tenderer to procure the relevant construction materials as to not delay the project.
- g. In the tender clarification meeting COVID-19 was acknowledged but there were no impacts identified at this time.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated a total of \$2,017,000 for this project, with \$67,000 in the 2018-19 FY for design, \$875,000 (quarter adjustment) for construction in the 2019- 20 FY and a further \$1,075,000 allocation in the draft 2020-21 FY Capital Projects Program. All financial information below is excluding GST.

| | |
|-----------------------------------|----------------|
| Design 18-19 FY | \$ 78,175.15 |
| Design 19-20 FY | \$ 24,958.77 |
| Tender Price (Construction) | \$1,482,066.63 |
| Contingency (15%) | \$ 222,309.99 |
| Service Relocations Telstra/NBN | \$ 119,170.46 |
| Unitywater Permit and Connections | \$ 42,462.00 |
| QLeave (0.475%) | \$ 7,039.82 |
| | ----- |
| Total Project Cost | \$1,976,182.82 |
| | ===== |

Estimated ongoing operational/maintenance costs \$ 16,000 per F/Y.

The budget amount for this Project is sufficient.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications

This culvert upgrade has been designed in accordance with the Queensland Department of Agriculture and Fisheries (DAF) "Accepted development requirements for operational work that is constructing or repairing waterway barrier works" and includes fish passage infrastructure. The works also include fauna crossing infrastructure and offset tree planting in Muriel Court Park for loss of trees in accordance with Councils Policies.

3.9 Social Implications

The social benefits of this project include improved access for emergency vehicles and reduced isolation due to road closure during flood events. The project will also provide increased safety for motorists and provision for pedestrian connectivity across the culvert.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

A detailed communication management plan has been prepared for this project. Communication strategies include project notices issued two weeks prior to the commencement of works, variable message boards (VMS Boards) placed on site during construction and 2 weeks pre and post construction, project signs placed at either end of the work site and weekly updates to the Divisional Councillor. The project will be progressively updated weekly on the council website. The Divisional Councillor has been consulted and is supportive of the project.

4 PLANNING SESSION

(Cr D Grimwade)

Declarations of interest statement

There are no personal interests for items in this session.

ITEM 4.1

REMISSION REQUESTS FOR CABOOLTURE SPORTS CLUB

Meeting / Session: 4 PLANNING
Reference: A19979589: 29 April 2020
Responsible Officer: KW, Senior Development Planner (PL Development Services)

Executive Summary

The purpose of this report is to seek Council's decision regarding the remission of \$49,098.17 for infrastructure charges for the recently approved indoor cricket facility for Caboolture Sports Cricket Club, and a decision regarding the remission of \$18,615.93 for development application fees and infrastructure charges for the recently approved clubhouse redevelopment for Caboolture Rugby Union Club, in accordance with Council's Remission Policy 2150-015: *Development Fees and Infrastructure Charges for Community Organisations and Charitable Groups*.

The Caboolture Sports Cricket Club and the Caboolture Rugby Union Club are part of the over-arching Caboolture Sports Club Limited. The sports clubs have not been able to provide the required documentation to support their remission requests, as outlined in Council's Remission Policy 2150-015. The applicant has however supplied documentation to demonstrate the club's not-for-profit status, meeting the "intent" of the Policy. It is therefore recommended that the remission requests for the Caboolture Sports Club be approved.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Adam Hain

CARRIED 13/0

1. That a remission for the Caboolture Sports Cricket Club of \$49,098.17 for infrastructure charges for the approved Material Change of Use Development Permit for an indoor cricket facility at the Grant Road Sports & Community Complex, Morayfield (Reference: DA/36980/2018/V2Q), be approved.
2. That a remission for the Caboolture Rugby Union Club of \$18,615.93 for development application fees and infrastructure charges applicable to the approved Material Change of Use Development Permit for Outdoor Sport & Recreation (new clubhouse) at the Petersen Road Sports Ground, Morayfield (Reference: DA/39719/2019/V2Q), be approved.

ITEM 4.1 REMISSION REQUESTS FOR CABOOLTURE SPORTS CLUB - A19979589 (Cont.)

OFFICER'S RECOMMENDATION

1. That a remission for the Caboolture Sports Cricket Club of \$49,098.17 for infrastructure charges for the approved Material Change of Use Development Permit for an indoor cricket facility at the Grant Road Sports & Community Complex, Morayfield (Reference: DA/36980/2018/V2Q), be approved.
2. That a remission for the Caboolture Rugby Union Club of \$18,615.93 for development application fees and infrastructure charges applicable to the approved Material Change of Use Development Permit for Outdoor Sport & Recreation (new clubhouse) at the Petersen Road Sports Ground, Morayfield (Reference: DA/39719/2019/V2Q), be approved.

REPORT DETAIL

1. Background

1.1 Outcomes from Council Briefing Session

The remission requests for Caboolture Sports Club (CSC) were previously discussed by Council at a Briefing Session held 25 February 2020. The outcomes listed below have been actioned accordingly however a decision regarding the CSC remission requests remains outstanding.

OUTCOME:

- *The Director Planning to advise the applicant that the matter is in progress.*
- *The Remission: Development Fees and Infrastructure Charges Policy 2150-015 is to be updated in relation to gaming and liquor licencing.*
- *Upon adoption of the new policy, a review is to be undertaken of the smaller clubs that had previously been declined.*
- *Cr Brooke Savige to discuss with Director Planning the matter of the Bowls Club which had been previously declined.*

1.2 Previously approved remission requests for CSC

To date, the following remissions have been approved by Council officers for the CSC;

- (a) Caboolture Sports Cricket Club - On 2nd April 2019, a remission of \$8,323.00 was approved by Council's Director of Planning & Economic Development for the applicable development application fees for a Material Change of Use Development Permit for an indoor cricket facility at the Grant Road Sports & Community Complex, Morayfield (Reference: DA/36980/2018/V2Q);
- (b) Caboolture Sports Dog Obedience Club - On 2nd April 2019, a remission of \$1,061.00 was approved by Council's Director of Planning & Economic Development for the applicable development application fees for a Building Works Development Permit for a storage shed at the Devine Court Sports Complex, Morayfield (Reference: DA/36837/2018/V6); and
- (c) Caboolture Sports Dog Obedience Club - On 4 September 2018, a remission of \$113.00 was approved by Council's Director of Community & Environmental Services for the applicable building lodgement fee for a proposed storage shed at the Devine Court Sports Complex, Morayfield.

2. Explanation of Item

2.1 Current remission requests for CSC

CSC have made two further requests for consideration under Council's Remission Policy 2150-015. These requests are as follows;

ITEM 4.1 REMISSION REQUESTS FOR CABOOLTURE SPORTS CLUB - A19979589 (Cont.)

(a) Remission Request 1 - Caboolture Sports Cricket Club

On 17 October 2019, Caboolture Sports Club Limited (Caboolture Sports Cricket Club) applied for a remission of infrastructure charges (\$49,098.17) for a Material Change of Use Development Permit for an indoor cricket facility at the Grant Road Sports & Community Complex, Morayfield (Reference: DA/36980/2018/V2Q).

(b) Remission Request 2 - Caboolture Rugby Union Club

On 1 November 2019, Caboolture Rugby Union Club applied for a remission of development application fees (\$14,325.00) for a Material Change of Use Development Permit for Outdoor Sport & Recreation (new clubhouse) at the Petersen Road Sports Ground, Morayfield (Reference: DA/39719/2019/V2Q). A further request was received on 3rd January 2020 to provide a remission of the required infrastructure charges (\$4,290.93) associated with the Rugby clubhouse re-development.

In addition to the above, a Council Community Facilities Grant of \$15,000.00 was approved in 2018 for the Caboolture Sports Club (Rugby Union Club & Touch Football Association) for the Clubhouse redevelopment design and approval at Petersen Road Sports Ground, Morayfield.

2.2 Assessment

Council's *Remission Policy 2150-015: Development Fees and Infrastructure Charges for Community Organisations and Charitable Groups* considers the organisation seeking the remission of fees will be either -

- o an association registered under the *Associations Incorporation Act*, or
- o registered under the *Collections Act*, or
- o registered with the ATO as a non-profit or charity.

The CSC, or the subsidiary clubs,

- o are not registered under the *Associations Incorporations Act 1981 (QLD)* or registered under the *Collections Act*, and
- o have not provided evidence stating that the Clubs are registered as non-profit or a charitable organisation by the Australian Taxation Office (ATO).

Given the above, the CSC does not meet the Policy's stated eligibility criteria noted above. However, the CSC is incorporated under the *Corporations Act* (which under advice from the Manager of Legal Services is not uncommon for a not for profit organisation as opposed to registration under the *Associations Incorporation Act*). Further, the Manager Legal Services advises that the CSC would fall within the ATO's interpretation of a not-for-profit organisation.

The CSC have provided an ASIC company extract which identifies their organisation in the subclass of "Unlisted Public Company, Non-profit Company". In addition to this, the CSC Company Constitution clearly identifies the club to be not-for-profit, specifically, clauses 3.4 'Income & Property', 20.1 'Distribution of Profits' and 21.1 'No distribution of Surplus'. These clauses and the club's objectives limit expenditure of income solely to its objects and prohibit distribution of proceeds to members.

The above evidence provided by the CSC, although not able to meet the stated criteria of Council's Policy can, based on advice from the Manager Legal Services, adequately demonstrate the not-for-profit status of the organisation, and therefore aligns with the 'spirit' or objectives of Council's Remissions Policy.

Further, Council's Remission Policy Directive 2160-013 states that where a remission application "does not clearly fit the criteria (eg. a non-profit sports club that sits under the umbrella of a large sports club with gaming machines/liquor licence) but it is considered that Council should consider the application and make a final decision, the application will be referred to Council for consideration."

ITEM 4.1 REMISSION REQUESTS FOR CABOOLTURE SPORTS CLUB - A19979589 (Cont.)

3. Strategic Implications

- 3.1 Legislative / Legal Implications Nil identified
- 3.2 Corporate Plan / Operational Plan
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.
- 3.3 Policy Implications
The remission requests have been sought under Council's Remission Policy 2150-015
- 3.4 Risk Management Implications
The decision regarding these Remission Requests may have implications for future remission requests from Caboolture Sports Club, and other sports clubs in the region.
- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
Remissions are factored into 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 Nil identified
- 3.11 Consultation / Communication
Manager Legal Services was consulted regarding the not-for-profit evidence provided by CSC.

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

No items for consideration.

ATTENDANCE

Mr Denis Crowe attended the meeting at 10:15 AM for discussion on Items 6.1 and 6.2.

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

Declarations of interest statement

The Mayor (Cr Peter Flannery) advised he would declare a perceived conflict of interest for Item 6.3.

ITEM 6.1

QUARTER 3 OPERATIONAL PLAN REVIEW 2019/20

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A19995421 : 5 May 2020 - **Refer Supporting Information A19994948**
Responsible Officer: DC, Accounting Services Manager (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Quarter 3 Operational Plan Review for 2019/20.

RESOLUTION

Moved by Cr Jodie Shipway
Seconded by Cr Cath Tonks

CARRIED 13/0

That the Quarter 3 Operational Plan for 2019/20 be received.

ITEM 6.1 QUARTER 3 OPERATIONAL PLAN REVIEW 2019/20 - A19995421 (Cont.)

OFFICER'S RECOMMENDATION

That the Quarter 3 Operational Plan for 2019/20 be received.

REPORT DETAIL

1. Background

Council adopts its budget annually along with its Operational Plan. In accordance with the *Local Government Regulation 2012* the Operational Plan must be reported on every quarter.

2. Explanation of Item

Council's Operational Plan is segregated into Departments, each having their own Key Performance Indicators (KPI's).

This is the third quarter progress report on how the Departments are performing against their KPI's. A commentary provided by the Departments accompanies the KPI's to add the necessary context.

3. Strategic Implications

3.1 Legislative / Legal Implications

In accordance with section 174 of the *Local Government Regulation 2012* the Council is required to prepare and report on a quarterly basis the progress towards implementing the annual Operational Plan.

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

Operationally there are a wide number of risks that can impact on the delivery of the Operational Plan. These risks are recorded in the Council's Enterprise Risk Management Register and managed accordingly by each Department.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

Nil identified

3.7 Economic Benefit Implications

The Operational Plan contributes to the Corporate Plan in achieving three key themes. Economic benefit implications relate to the theme of Creating Opportunities

Delivered through two key strategies:

- Develop a sustainable, innovative and thriving economy that creates valuable employment for residents, protects the region's high quality of life and provides a prosperous future for residents.
- Develop projects which deliver strategic opportunities for the Moreton Bay Region.

3.8 Environmental Implications

The Operational Plan contributes to the Corporate Plan in achieving three key themes. Environmental implications relate to the theme of Valuing Lifestyle

Delivered through three key strategies:

- Maintain sustainable waste management for the Moreton Bay Region.
- Maintain and enhance the health of the natural environment.

ITEM 6.1 QUARTER 3 OPERATIONAL PLAN REVIEW 2019/20 - A19995421 (Cont.)

- Protect public assets and maintain environmental standards through management of the stormwater network, coastal areas and waterways.

3.9 Social Implications

The Operational Plan contributes to the Corporate Plan in achieving three key themes. Social implications relate to the theme of Strengthening Communities

Delivered through three key strategies:

- Develop a strong and inclusive community.
- Provide residents opportunity to participate and engage with their community.
- Maintain a lifestyle enhanced and protected by local law.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication
Director Finance and Corporate Services

ITEM 6.2
MONTHLY REPORTING PACKAGE - MARCH 2020

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A19947412 : 27 April 2020 - **Refer Supporting Information A19947407**
Responsible Officer: CP, Accountant (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 31 March 2020.

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Mick Gillam

CARRIED 13/0

That the Financial Reporting Package for the year to date period ending 31 March 2020 be received.

ITEM 6.2 MONTHLY REPORTING PACKAGE - MARCH 2020 - A19947412 (Cont.)

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 31 March 2020 be received.

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 31 March 2020 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes:

- ✓ Financial Statements
 - Statement of Comprehensive Income shows all income and expenditure as at the end of the March period.
 - The Statement of Financial Position highlights Council's position at the end of March and itemises assets, liabilities and community equity.
 - Statement of Cash Flows which represents the cash inflows and outflows during the month.
 - Statement of sources and applications of capital funding.
- ✓ Treasury Report
 - The Treasury Report highlights key areas of performance relating to Council's investments and borrowings.

2. Explanation of Item

The financial results for the month of March are complete. A commentary is provided on significant matters that occurred during the month.

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 for the month of March.

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. Risks are documented and evaluated as part of the operational plan preparation in conjunction with the annual budget cycle and are monitored throughout the year.

ITEM 6.2 MONTHLY REPORTING PACKAGE - MARCH 2020 - A19947412 (Cont.)

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
As at the end of March 2020, Council's operating result is \$86.11 million and the capital expenditure incurred amounted to \$138.4 million.
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Director Finance and Corporate Services and Accounting Services Manager.

ATTENDANCE

Mr Denis Crowe left the meeting at 10:18 AM after Item 6.2

ITEM 6.3 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Peter Flannery (Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Peter Flannery (Mayor) declared a perceived conflict of interest in Item 6.3 as one of the recommended tenderers under recommendation 13 MBRC009529 - Preferred Supplier Arrangement - Premix Concrete Services, Pacific Silica Pty Ltd, made a donation to the Mayor's 2020 election campaign, totalling \$2500 on 16 March 2020.

Cr Peter Flannery (Mayor) retired from the meeting at 10:21 AM taking no part in the debate or resolution regarding same.

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20018355 : 27 May 2020 - Refer **Confidential** Supporting Information
A20018354
Responsible Officer: JL, Financial Operations Manager (CEO Financial & Project Services)

Executive Summary

15 Preferred Supplier Arrangements (Purchasing Arrangements) have been prepared to facilitate the supply of 20 categories of materials and services used across Council.

The arrangements will be awarded for the period commencing 1 July 2020 concluding on 30 June 2022 with an option to extend for a further two (2) 12-month periods if it is decided to be beneficial to Council.

In preparing these arrangements, Council sought tenders from the market in a process which commenced in January 2020. Tenders were open for a minimum of 21 days after date of advertisement to meet advertising requirements under the *Local Government Regulation 2012*. A total of 311 submissions were received across the 15 Purchasing Arrangements.

Following assessment, it is recommended that a total of 129 suppliers be appointed to the categories as listed.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Cath Tonks

CARRIED 12/0

Cr Peter Flannery (Mayor) had declared a conflict of interest and had left the meeting

1. That the following contractors be appointed onto MBRC009519 - Preferred Supplier Arrangement - Arboriculture Services - Category 1 - Tree Maintenance Services:
 - a) ETS Vegetation Management
 - b) Independent Tree Services Pty Ltd
 - c) Lumberjack (QLD) Pty Ltd
 - d) National Vegetation Maintenance Pty Ltd
 - e) River City Garden & Lawn Pty Ltd T/A Rivercity Environmental
 - f) River City Trees Pty Ltd
 - g) Swann Family Discretionary Trust T/A Swann's Arboricultural Services
 - h) The Tree Doctor (QLD) Pty Ltd
 - i) Tree Acq Pty Ltd T/A MPDT
 - j) Tree Maintenance and Removal

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

2. That the following contractors be appointed onto MBRC009519 - Preferred Supplier Arrangement - Arboriculture Services - Category 2 - Arboriculture Assessment and Reporting Services:
 - a) Arbor Operations QLD Pty Ltd
 - b) Aussie Tree Solutions
 - c) Bush and Beach Tree Services Pty Ltd ATF Maher Trust
 - d) ETS Vegetation Management
 - e) Frenkenscapes Pty Ltd
 - f) Independent Tree Services Pty Ltd
 - g) Southern Cross Facilities Services Pty Ltd
 - h) Swann Family Discretionary Trust T/A Swann's Arboricultural Services
 - i) The Tree Doctor (QLD) Pty Ltd
 - j) Tree Acq Pty Ltd T/A MPDT
 - k) Trees are Cool
 - l) Treescience Pty Ltd ATF The TreeScience Trust

3. That the following contractors be appointed onto MBRC009520 - Preferred Supplier Arrangement - Commercial Building Services:
 - a) Alpha Building and Renovation
 - b) Anchor Building Services (QLD) Pty Ltd
 - c) Daydream Building Innovations Pty Ltd
 - d) Kimini Constructions Pty Ltd
 - e) Sensus Building Group Pty Ltd

4. That the following contractors be appointed onto MBRC009521 - Preferred Supplier Arrangement - Electrical Services including Data Cabling:
 - a) Bribie Island Electrical Services
 - b) Electrical Services Queensland
 - c) Erinbowl Pty Ltd T/A Base Electrical
 - d) GAR Electrical Pty Ltd
 - e) J&D Contracting
 - f) JJN Electrical & Air Conditioning Pty Ltd
 - g) MDL Electrical Contracting Pty Ltd
 - h) SJD Electrical Pty Ltd

5. That the following contractors be appointed onto MBRC009522 - Preferred Supplier Arrangement - Fabrication and Welding Services:
 - a) Allspec Industrial Pty Ltd
 - b) Metro Steel Pty Ltd
 - c) Quoter Pty Ltd T/A HSF Aust
 - d) Sensus Building Group Pty Ltd
 - e) Xtract Engineering and Fabrication Pty Ltd

6. That the following contractors be appointed onto MBRC009523 - Preferred Supplier Arrangement - Handyman Services:
 - a) Bigjaxx Investments Pty Ltd T/A Brisbane Carpentry
 - b) GAR Electrical Pty Ltd
 - c) Jungle Busters
 - d) Kimini Constructions Pty Ltd
 - e) Sensus Building Group Pty Ltd
 - f) Superfit Shopfitting Pty Ltd
 - g) Tuff Yards Pty Ltd

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

7. That the following contractors be appointed onto MBRC009524 - Preferred Supplier Arrangement - Landscaping and Herbicide Spraying Services - Category 1 - Ground Maintenance and Landscaping Services:
 - a) Brett's Slashing Pty Ltd
 - b) Elite Horticultural Pty Ltd
 - c) Frenkscapes Pty Ltd
 - d) GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust
 - e) Jungle Busters
 - f) MMS Group Pty Ltd
 - g) National Vegetation Maintenance
 - h) River City Garden & Lawn Pty Ltd T/A Rivercity Environmental
 - i) River City Trees Pty Ltd
 - j) Skyline Landscape Services (QLD) Pty Ltd
 - k) Technigro Pty Ltd

8. That the following contractors be appointed onto MBRC009524 - Preferred Supplier Arrangement - Landscaping and Herbicide Spraying Services - Category 2 - Tree Planting Services:
 - a) Direct Landscape Services
 - b) Elite Horticultural Pty Ltd
 - c) Frenkscapes Pty Ltd
 - d) GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust
 - e) HL Landscapes Pty Ltd
 - f) Jungle Busters
 - g) National Vegetation Maintenance
 - h) River City Garden & Lawn Pty Ltd T/A Rivercity Environmental
 - i) River City Trees Pty Ltd
 - j) Skyline Landscape Services (QLD) Pty Ltd

9. That the following contractors be appointed onto MBRC009524 - Preferred Supplier Arrangement - Landscaping and Herbicide Spraying Services - Category 3 - Herbicide and Roadside Spraying Services:
 - a) Elite Horticultural Pty Ltd
 - b) GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust
 - c) Jungle Busters
 - d) MMS Group Pty Ltd
 - e) National Vegetation Maintenance
 - f) Robert McCoy
 - g) Skyline Landscape Services (QLD) Pty Ltd
 - h) Technigro Pty Ltd

10. That the following contractors be appointed onto MBRC009525 - Preferred Supplier Arrangement - Open Space Signage Services:
 - a) Albert Smith Signs Pty Ltd
 - b) Atomic Signs Pty Ltd
 - c) HELT Pty Ltd ATF The Holzberger Family Trust T/A Harlequin Signs
 - d) Sign Blast Pty Ltd
 - e) Signart QLD Pty Ltd

11. That the following contractors be appointed onto MBRC009526 - Preferred Supplier Arrangement - Painting Services:
 - a) Bakers & Co Painting and Decorating
 - b) Custom Painting QLD Pty Ltd
 - c) Dean Cameron Painters Pty Ltd
 - d) MMS Group Pty Ltd
 - e) Paintsox Pty Ltd

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

12. That the following contractors be appointed onto MBRC009528 - Preferred Supplier Arrangement - Plumbing Services:
 - a) Award Plumbing & Drainage
 - b) Blue Sky Plumbing / Drainage and Gas Fitting Pty Ltd
 - c) First Call Plumbing Service
 - d) J&D Contracting
 - e) North Lakes Plumbing Pty Ltd
 - f) Plumbers We Are Pty Ltd
 - g) Wust Plumbing Pty Ltd

13. That the following contractors be appointed onto MBRC009529 - Preferred Supplier Arrangement - Premix Concrete Services:
 - a) Boral Resources (QLD) Pty Ltd
 - b) Hy-Tec Industries (Queensland) Pty Ltd
 - c) Neilsens Concrete Pty Ltd
 - d) Northside Mini Mix Pty Ltd
 - e) Pacific Silica Pty Ltd T/A Southern Pacific Sands
 - f) Q-Crete Premix

14. That the following contractors be appointed onto MBRC009531 - Preferred Supplier Arrangement - Road Pavement Failure Services:
 - a) Austek Asphalt Services Pty Ltd
 - b) Suncoast Asphalt Pty Ltd

15. That the following contractors be appointed onto MBRC009532 - Preferred Supplier Arrangement - Road Surfacing Services:
 - a) Allens Asphalt Pty Ltd
 - b) Austek Asphalt Services Pty Ltd
 - c) Faherty Civil Contractors Pty Ltd
 - d) Quality Civil Construction
 - e) Stanley Macadam Pty Ltd T/A Stanley Road Construction
 - f) Suncoast Asphalt Pty Ltd

16. That the following contractors be appointed onto MBRC009533 - Preferred Supplier Arrangement - Roofing and Guttering Services:
 - a) Blue Sky Plumbing / Drainage and Gas Fitting Pty Ltd
 - b) First Call Plumbing Service
 - c) Sensus Building Group Pty Ltd
 - d) Wust Plumbing Pty Ltd

17. That the following contractors be appointed onto MBRC009534 - Preferred Supplier Arrangement - Sports Field Maintenance Services - Category 1 - Application of Sports Field Fertiliser, Amendments, Herbicide, Insecticides, Fungicides and Plant Growth Regulator Products:
 - a) Austspray Environmental Pty Ltd
 - b) Green Options
 - c) Jomupa Pty Ltd ATF Allofus Family Trust T/A Complete Turf Management
 - d) Supagreen Lawn Programmes Pty Ltd
 - e) Technigro Pty Ltd

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

18. That the following contractors be appointed onto MBRC009534 - Preferred Supplier Arrangement - Sports Field Maintenance Services - Category 2 - Sports Field Turf Renovation Services:
 - a) Green Options
 - b) Hart Valley Investments Pty Ltd T/A Hancey's Turf Supplies
 - c) Jomupa Pty Ltd ATF Allofus Family Trust T/A Complete Turf Management
 - d) Supagreen Lawn Programmes Pty Ltd
 - e) Technigro Pty Ltd
 - f) Twin View Turf Pty Ltd

19. That the following contractors be appointed onto MBRC009535 - Preferred Supplier Arrangement - Supply and Installation of Playground Undersurfacing - Category 1 - Supply and Installation of Certified Organic Softfall:
 - a) Jack & Jed Pty Ltd T/A N&M Smith Earthmoving
 - b) Play Force Pty Ltd
 - c) Tuff Yards Pty Ltd

20. That the following contractors be appointed onto MBRC009535 - Preferred Supplier Arrangement - Supply and Installation of Playground Undersurfacing - Category 2 - Supply and Installation of Rubber CSBR:
 - a) Direct Landscape Services
 - b) Play Force Pty Ltd
 - c) Pro One Pty Ltd
 - d) SCA (QLD) Pty Ltd

21. That the Council enters into an agreement with each of the above contractors as described in this report.

22. 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 each of the above contractors in respect of each preferred supplier arrangement and any required variations of these agreements on Council's behalf.

23. The Chief Executive Officer be authorised to determine under each preferred supplier arrangement whether to exercise the option to extend the contract by the two (2) 12-month extension periods or to review the composition of the preferred supplier list and consider whether it is necessary to re-tender the entirety of the preferred supplier arrangement.

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

OFFICER'S RECOMMENDATION

1. That the following contractors be appointed onto MBRC009519 - Preferred Supplier Arrangement - Arboriculture Services - Category 1 - Tree Maintenance Services:
 - a. ETS Vegetation Management
 - b. Independent Tree Services Pty Ltd
 - c. Lumberjack (QLD) Pty Ltd
 - d. National Vegetation Maintenance Pty Ltd
 - e. River City Garden & Lawn Pty Ltd T/A Rivercity Environmental
 - f. River City Trees Pty Ltd
 - g. Swann Family Discretionary Trust T/A Swann's Arboricultural Services
 - h. The Tree Doctor (QLD) Pty Ltd
 - i. Tree Acq Pty Ltd T/A MPDT
 - j. Tree Maintenance and Removal

2. That the following contractors be appointed onto MBRC009519 - Preferred Supplier Arrangement - Arboriculture Services - Category 2 - Arboriculture Assessment and Reporting Services:
 - a. Arbor Operations QLD Pty Ltd
 - b. Aussie Tree Solutions
 - c. Bush and Beach Tree Services Pty Ltd ATF Maher Trust
 - d. ETS Vegetation Management
 - e. Frenkscapes Pty Ltd
 - f. Independent Tree Services Pty Ltd
 - g. Southern Cross Facilities Services Pty Ltd
 - h. Swann Family Discretionary Trust T/A Swann's Arboricultural Services
 - i. The Tree Doctor (QLD) Pty Ltd
 - j. Tree Acq Pty Ltd T/A MPDT
 - k. Trees are Cool
 - l. Treescience Pty Ltd ATF The TreeScience Trust

3. That the following contractors be appointed onto MBRC009520 - Preferred Supplier Arrangement - Commercial Building Services:
 - a. Alpha Building and Renovation
 - b. Anchor Building Services (QLD) Pty Ltd
 - c. Daydream Building Innovations Pty Ltd
 - d. Kimini Constructions Pty Ltd
 - e. Sensus Building Group Pty Ltd

4. That the following contractors be appointed onto MBRC009521 - Preferred Supplier Arrangement - Electrical Services including Data Cabling:
 - a. Bribie Island Electrical Services
 - b. Electrical Services Queensland
 - c. Erinowl Pty Ltd T/A Base Electrical
 - d. GAR Electrical Pty Ltd
 - e. J&D Contracting
 - f. JJN Electrical & Air Conditioning Pty Ltd
 - g. MDL Electrical Contracting Pty Ltd
 - h. SJD Electrical Pty Ltd

5. That the following contractors be appointed onto MBRC009522 - Preferred Supplier Arrangement - Fabrication and Welding Services:
 - a. Allspec Industrial Pty Ltd
 - b. Metro Steel Pty Ltd
 - c. Quoter Pty Ltd T/A HSF Aust
 - d. Sensus Building Group Pty Ltd
 - e. Xtract Engineering and Fabrication Pty Ltd

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

6. That the following contractors be appointed onto MBRC009523 - Preferred Supplier Arrangement - Handyman Services:
 - a. Bigjazz Investments Pty Ltd T/A Brisbane Carpentry
 - b. GAR Electrical Pty Ltd
 - c. Jungle Busters
 - d. Kimini Constructions Pty Ltd
 - e. Sensus Building Group Pty Ltd
 - f. Superfit Shopfitting Pty Ltd
 - g. Tuff Yards Pty Ltd

7. That the following contractors be appointed onto MBRC009524 - Preferred Supplier Arrangement - Landscaping and Herbicide Spraying Services - Category 1 - Ground Maintenance and Landscaping Services:
 - a. Brett's Slashing Pty Ltd
 - b. Elite Horticultural Pty Ltd
 - c. Frenkescapes Pty Ltd
 - d. GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust
 - e. Jungle Busters
 - f. MMS Group Pty Ltd
 - g. National Vegetation Maintenance
 - h. River City Garden & Lawn Pty Ltd T/A Rivercity Environmental
 - i. River City Trees Pty Ltd
 - j. Skyline Landscape Services (QLD) Pty Ltd
 - k. Technigro Pty Ltd

8. That the following contractors be appointed onto MBRC009524 - Preferred Supplier Arrangement - Landscaping and Herbicide Spraying Services - Category 2 - Tree Planting Services:
 - a. Direct Landscape Services
 - b. Elite Horticultural Pty Ltd
 - c. Frenkescapes Pty Ltd
 - d. GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust
 - e. HL Landscapes Pty Ltd
 - f. Jungle Busters
 - g. National Vegetation Maintenance
 - h. River City Garden & Lawn Pty Ltd T/A Rivercity Environmental
 - i. River City Trees Pty Ltd
 - j. Skyline Landscape Services (QLD) Pty Ltd

9. That the following contractors be appointed onto MBRC009524 - Preferred Supplier Arrangement - Landscaping and Herbicide Spraying Services - Category 3 - Herbicide and Roadside Spraying Services:
 - a. Elite Horticultural Pty Ltd
 - b. GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust
 - c. Jungle Busters
 - d. MMS Group Pty Ltd
 - e. National Vegetation Maintenance
 - f. Robert McCoy
 - g. Skyline Landscape Services (QLD) Pty Ltd
 - h. Technigro Pty Ltd

10. That the following contractors be appointed onto MBRC009525 - Preferred Supplier Arrangement - Open Space Signage Services:
 - a. Albert Smith Signs Pty Ltd
 - b. Atomic Signs Pty Ltd
 - c. HELT Pty Ltd ATF The Holzberger Family Trust T/A Harlequin Signs
 - d. Sign Blast Pty Ltd
 - e. Signart QLD Pty Ltd

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

11. That the following contractors be appointed onto MBRC009526 - Preferred Supplier Arrangement - Painting Services:
 - a. Bakers & Co Painting and Decorating
 - b. Custom Painting QLD Pty Ltd
 - c. Dean Cameron Painters Pty Ltd
 - d. MMS Group Pty Ltd
 - e. Paintsox Pty Ltd

12. That the following contractors be appointed onto MBRC009528 - Preferred Supplier Arrangement - Plumbing Services:
 - a. Award Plumbing & Drainage
 - b. Blue Sky Plumbing / Drainage and Gas Fitting Pty Ltd
 - c. First Call Plumbing Service
 - d. J&D Contracting
 - e. North Lakes Plumbing Pty Ltd
 - f. Plumbers We Are Pty Ltd
 - g. Wust Plumbing Pty Ltd

13. That the following contractors be appointed onto MBRC009529 - Preferred Supplier Arrangement - Premix Concrete Services:
 - a. Boral Resources (QLD) Pty Ltd
 - b. Hy-Tec Industries (Queensland) Pty Ltd
 - c. Neilsens Concrete Pty Ltd
 - d. Northside Mini Mix Pty Ltd
 - e. Pacific Silica Pty Ltd T/A Southern Pacific Sands
 - f. Q-Crete Premix

14. That the following contractors be appointed onto MBRC009531 - Preferred Supplier Arrangement - Road Pavement Failure Services:
 - a. Austek Asphalt Services Pty Ltd
 - b. Suncoast Asphalt Pty Ltd

15. That the following contractors be appointed onto MBRC009532 - Preferred Supplier Arrangement - Road Surfacing Services:
 - a. Allens Asphalt Pty Ltd
 - b. Austek Asphalt Services Pty Ltd
 - c. Faherty Civil Contractors Pty Ltd
 - d. Quality Civil Construction
 - e. Stanley Macadam Pty Ltd T/A Stanley Road Construction
 - f. Suncoast Asphalt Pty Ltd

16. That the following contractors be appointed onto MBRC009533 - Preferred Supplier Arrangement - Roofing and Guttering Services:
 - a. Blue Sky Plumbing / Drainage and Gas Fitting Pty Ltd
 - b. First Call Plumbing Service
 - c. Sensus Building Group Pty Ltd
 - d. Wust Plumbing Pty Ltd

17. That the following contractors be appointed onto MBRC009534 - Preferred Supplier Arrangement - Sports Field Maintenance Services - Category 1 - Application of Sports Field Fertiliser, Amendments, Herbicide, Insecticides, Fungicides and Plant Growth Regulator Products:
 - a. Austspray Environmental Pty Ltd
 - b. Green Options
 - c. Jomupa Pty Ltd ATF Allofus Family Trust T/A Complete Turf Management
 - d. Supagreen Lawn Programmes Pty Ltd
 - e. Technigro Pty Ltd

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

18. That the following contractors be appointed onto MBRC009534 - Preferred Supplier Arrangement - Sports Field Maintenance Services - Category 2 - Sports Field Turf Renovation Services:
 - a. Green Options
 - b. Hart Valley Investments Pty Ltd T/A Hancey's Turf Supplies
 - c. Jomupa Pty Ltd ATF Allofus Family Trust T/A Complete Turf Management
 - d. Supagreen Lawn Programmes Pty Ltd
 - e. Technigro Pty Ltd
 - f. Twin View Turf Pty Ltd

19. That the following contractors be appointed onto MBRC009535 - Preferred Supplier Arrangement - Supply and Installation of Playground Undersurfacing - Category 1 - Supply and Installation of Certified Organic Softfall:
 - a. Jack & Jed Pty Ltd T/A N&M Smith Earthmoving
 - b. Play Force Pty Ltd
 - c. Tuff Yards Pty Ltd

20. That the following contractors be appointed onto MBRC009535 - Preferred Supplier Arrangement - Supply and Installation of Playground Undersurfacing - Category 2 - Supply and Installation of Rubber CSBR:
 - a. Direct Landscape Services
 - b. Play Force Pty Ltd
 - c. Pro One Pty Ltd
 - d. SCA (QLD) Pty Ltd

21. That the Council enters into an agreement with each of the above contractors as described in this report.

22. 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 each of the above contractors in respect of each preferred supplier arrangement and any required variations of these agreements on Council's behalf.

23. The Chief Executive Officer be authorised to determine under each preferred supplier arrangement whether to exercise the option to extend the contract by the two (2) 12-month extension periods or to review the composition of the preferred supplier list and consider whether it is necessary to re-tender the entirety of the preferred supplier arrangement.

REPORT DETAIL

1. Background

Pursuant to section 233 of the Local Government Regulation 2012, Council is able to enter into a medium-sized or large-sized contractual arrangement for goods and services, without first inviting written quotes or tenders, if the contract is entered into with a supplier under a preferred supplier arrangement or register of prequalified suppliers. The competitive rates from preferred suppliers approved through the tender process, are available to all staff to access should they require the services the preferred suppliers offer.

Tenders were advertised during the periods listed below:

| Panel | Date Advertised | Date Closed |
|--|------------------------|--------------------|
| MBRC009519 - Arboriculture Services | 18/01/20 | 18/02/20 |
| MBRC009520 - Commercial Building Services | 18/01/20 | 18/02/20 |
| MBRC009521 - Electrical Services including Data Cabling | 18/01/20 | 18/02/20 |
| MBRC009522 - Fabrication and Welding Services | 18/01/20 | 18/02/20 |
| MBRC009523 - Handyman Services | 18/01/20 | 18/02/20 |
| MBRC009524 - Landscaping and Herbicide Spraying Services | 18/01/20 | 18/02/20 |

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

| Panel | Date Advertised | Date Closed |
|---|-----------------|-------------|
| MBRC009525 - Open Space Signage Services | 18/01/20 | 18/02/20 |
| MBRC009526 - Painting Services | 18/01/20 | 18/02/20 |
| MBRC009528 - Plumbing Services | 18/01/20 | 18/02/20 |
| MBRC009529 - Premix Concrete Services | 18/01/20 | 18/02/20 |
| MBRC009531 - Road Pavement Failure Services | 18/01/20 | 18/02/20 |
| MBRC009532 - Road Surfacing Services | 18/01/20 | 18/02/20 |
| MBRC009533 - Roofing and Guttering Services | 18/01/20 | 18/02/20 |
| MBRC009534 - Sports Field Maintenance Services | 18/01/20 | 18/02/20 |
| MBRC009535 - Supply and Installation of Playground Undersurfacing | 18/01/20 | 18/02/20 |

The purchasing arrangements will be awarded for the period commencing 1 July 2020 concluding on 30 June 2022 with an option to extend for a further two 12-month periods if it is decided to be beneficial to Council.

Council requires the above goods and services in large volumes and frequently. Better value for money is able to be achieved by accumulating the demand for the goods and services, and the nature of the goods and services is well understood in the respective industries.

2. Explanation of Item

Once the submissions were opened, they were assessed by the respective tender assessment teams in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documents.

Submissions that did not address mandatory assessment criteria were assessed as "Non-Conforming" and did not progress in the evaluation process. The submissions were then assessed on qualitative criteria that included Relevant Company Experience, Key Personnel Skills and Experience, Tenderer's Resources, Workplace Health and Safety systems and processes and whether the company was a Local Business and/or Industry. Pricing of Schedule of Rates was also considered.

The evaluation criteria for these preferred supplier arrangements all included a local supplier weighting. Out of the 129 suppliers being recommended for appointment across the 20 categories, 82 (63.6%) are head-quartered in MBRC and a further 32 (24.8%) have an office within MBRC.

| Supplier Arrangement | Total Appointed to Panel | Head Office Within MBRC Area | Branch Office in MBRC Region | No Presence in MBRC Region |
|---|--------------------------|------------------------------|------------------------------|----------------------------|
| MBRC009519 - Arboriculture Services - Category 1 - Tree Maintenance Services | 10 | 6 | 4 | 0 |
| MBRC009519 - Arboriculture Services - Category 2 - Arboriculture Assessment and Reporting Services | 12 | 5 | 5 | 2 |
| MBRC009520 - Commercial Building Services | 5 | 5 | 0 | 0 |
| MBRC009521 - Electrical Services including Data Cabling | 8 | 8 | 0 | 0 |
| MBRC009522 - Fabrication and Welding Services | 5 | 5 | 0 | 0 |
| MBRC009523 - Handyman Services | 7 | 7 | 0 | 0 |
| MBRC009524 - Landscaping and Herbicide Spraying Services - Category 1 - Ground Maintenance and Landscaping Services | 11 | 5 | 5 | 1 |

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

| Supplier Arrangement | Total Appointed to Panel | Head Office Within MBRC Area | Branch Office in MBRC Region | No Presence in MBRC Region |
|---|--------------------------|------------------------------|------------------------------|----------------------------|
| MBRC009524 - Landscaping and Herbicide Spraying Services - Category 2 - Tree Planting Services | 10 | 5 | 3 | 2 |
| MBRC009524 - Landscaping and Herbicide Spraying Services - Category 3 - Herbicide and Roadside Spraying Services | 8 | 4 | 3 | 1 |
| MBRC009525 - Open Space Signage Services | 5 | 2 | 1 | 2 |
| MBRC009526 - Painting Services | 5 | 2 | 2 | 1 |
| MBRC009528 - Plumbing Services | 7 | 7 | 0 | 0 |
| MBRC009529 - Premix Concrete Services | 6 | 3 | 3 | 0 |
| MBRC009531 - Road Pavement Failure Services | 2 | 2 | 0 | 0 |
| MBRC009532 - Road Surfacing Services | 6 | 6 | 0 | 0 |
| MBRC009533 - Roofing and Guttering Services | 4 | 4 | 0 | 0 |
| MBRC009534 - Sports Field Maintenance Services - Category 1 - Application of Sports Field Fertiliser, Amendments, Herbicide, Insecticides, Fungicides and Plant Growth Regulator Products | 5 | 0 | 3 | 2 |
| MBRC009534 - Sports Field Maintenance Services - Category 2 - Sports Field Turf Renovation Services | 6 | 2 | 3 | 1 |
| MBRC009535 - Supply and Installation of Playground Undersurfacing - Category 1 - Supply and Installation of Certified Organic Softfall | 3 | 2 | 0 | 1 |
| MBRC009535 - Supply and Installation of Playground Undersurfacing - Category 2 - Supply and Installation of Rubber CSBR | 4 | 0 | 0 | 4 |
| | 129 | 80 | 32 | 17 |

The following tables list the recommended companies for each arrangement category after the evaluation process was completed. A complete list of tenderers and their rankings, including unsuccessful tenderers, is provided in Confidential Supporting Information #1.

MBRC009519 - Arboriculture Services - Category 1 - Tree Maintenance Services

Category 1 comprises tree maintenance services including tree pruning, tree removal, stump grinding, root barrier installations and weather-related emergency works.

A total of 20 submissions were received, with 10 companies recommended for appointment to the panel.

| Tenderer |
|--|
| ETS Vegetation Management |
| Independent Tree Services Pty Ltd |
| Lumberjack (QLD) Pty Ltd |
| National Vegetation Maintenance Pty Ltd |
| River City Garden & Lawn Pty Ltd T/A Rivercity Environmental |
| River City Trees Pty Ltd |

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

| Tenderer |
|--|
| Swann Family Discretionary Trust T/A Swann's Arboricultural Services |
| The Tree Doctor (QLD) Pty Ltd |
| Tree Acq Pty Ltd T/A MPDT |
| Tree Maintenance and Removal |

MBRC009519 - Arboriculture Services - Category 2 - Arboriculture Assessment and Reporting Services

Category 2 comprises the provision of professional arborist reports and recommendations for tree related issues including tree structural defects, tree health and vitality and risk of incident.

A total of 21 submissions were received, with 12 companies recommended for appointment to the panel.

| Tenderer |
|--|
| Arbor Operations QLD Pty Ltd |
| Aussie Tree Solutions |
| Bush and Beach Tree Services Pty Ltd ATF Maher Trust |
| ETS Vegetation Management |
| Frenkenscapes Pty Ltd |
| Independent Tree Services Pty Ltd |
| Southern Cross Facilities Services Pty Ltd |
| Swann Family Discretionary Trust T/A Swann's Arboricultural Services |
| The Tree Doctor (QLD) Pty Ltd |
| Tree Acq Pty Ltd T/A MPDT |
| Trees are Cool |
| Treescience Pty Ltd ATF The TreeScience Trust |

MBRC009520 - Commercial Building Services

Comprises building and rectification works of Council owned buildings and facilities including asbestos repairs, engineered repairs, stair and ramp repairs and structural work.

A total of 24 submissions were received, with five companies recommended for appointment to the panel.

| Tenderer |
|--|
| Alpha Building and Renovation |
| Anchor Building Services (QLD) Pty Ltd |
| Daydream Building Innovations Pty Ltd |
| Kimini Constructions Pty Ltd |
| Sensus Building Group Pty Ltd |

MBRC009521 - Electrical Services including Data Cabling

Comprises electrical installation and rectification works at Council owned buildings and facilities, including but not limited to works with ceiling fans, circuit protection, lighting, switchboard modifications and upgrades, power switches and BBQs.

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

A total of 31 submissions were received, with eight companies recommended for appointment to the panel.

| Tenderer |
|---|
| Bribie Island Electrical Services |
| Electrical Services Queensland |
| Erinbowl Pty Ltd T/A Base Electrical |
| GAR Electrical Pty Ltd |
| J&D Contracting |
| JJN Electrical & Air Conditioning Pty Ltd |
| MDL Electrical Contracting Pty Ltd |
| SJD Electrical Pty Ltd |

MBRC009522 - Fabrication and Welding Services

Comprises fabrication and welding works including design and fabrication of brackets, manufacturing of products to supplied drawings and repairs to existing facilities.

A total of 17 submissions were received, with five companies recommended for appointment to the panel.

| Tenderer |
|--|
| Allspec Industrial Pty Ltd |
| Metro Steel Pty Ltd |
| Quoter Pty Ltd T/A HSF Aust |
| Sensus Building Group Pty Ltd |
| Xtract Engineering and Fabrication Pty Ltd |

MBRC009523 - Handyman Services

Comprises minor rectification works of Council owned buildings and facilities including plastering, furniture removal and repair, timber stair and deck repair, installation of fixings and padlock replacement.

A total of 24 submissions were received, with seven (7) companies recommended for appointment to the panel.

| Tenderer |
|--|
| Bigjaxx Investments Pty Ltd T/A Brisbane Carpentry |
| GAR Electrical Pty Ltd |
| Jungle Busters |
| Kimini Constructions Pty Ltd |
| Sensus Building Group Pty Ltd |
| Superfit Shopfitting Pty Ltd |
| Tuff Yards Pty Ltd |

MBRC009524 - Landscaping and Herbicide Spraying Services - Category 1 - Ground Maintenance and Landscaping Services

Category 1 comprises ground maintenance and landscaping services including mowing and maintenance of parks, reserves, streetscapes and walkways, and urban and rural mowing operations.

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

A total of 22 submissions were received, with 11 companies recommended for appointment to the panel.

| Tenderer |
|--|
| Brett's Slashing Pty Ltd |
| Elite Horticultural Pty Ltd |
| Frenkenscapes Pty Ltd |
| GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust |
| Jungle Busters |
| MMS Group Pty Ltd |
| National Vegetation Maintenance |
| River City Garden & Lawn Pty Ltd T/A Rivercity Environmental |
| River City Trees Pty Ltd |
| Skyline Landscape Services (QLD) Pty Ltd |
| Technigro Pty Ltd |

MBRC009524 - Landscaping and Herbicide Spraying Services - Category 2 - Tree Planting Services

Category 2 comprises planting and watering of trees.

A total of 18 submissions were received, with 10 companies recommended for appointment to the panel.

| Tenderer |
|--|
| Direct Landscape Services |
| Elite Horticultural Pty Ltd |
| Frenkenscapes Pty Ltd |
| GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust |
| HL Landscapes Pty Ltd |
| Jungle Busters |
| National Vegetation Maintenance |
| River City Garden & Lawn Pty Ltd T/A Rivercity Environmental |
| River City Trees Pty Ltd |
| Skyline Landscape Services (QLD) Pty Ltd |

MBRC009524 - Landscaping and Herbicide Spraying Services - Category 3 - Herbicide and Roadside Spraying Services

Category 3 comprises herbicide vegetation control and spraying works.

A total of 21 submissions were received, with eight companies recommended for appointment to the panel.

| Tenderer |
|--|
| Elite Horticultural Pty Ltd |
| GLG GreenLife Group Pty Ltd ATF GLG GreenLife Group Unit Trust |
| Jungle Busters |
| MMS Group Pty Ltd |
| National Vegetation Maintenance |
| Robert McCoy |

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

| Tenderer |
|--|
| Skyline Landscape Services (QLD) Pty Ltd |
| Technigro Pty Ltd |

MBRC009525 - Open Space Signage Services

Comprises the manufacturing and installation of various signs for open space areas such as park name signs, sports field signs and leased community building signs.

A total of nine submissions were received, with five companies recommended for appointment to the panel.

| Tenderer |
|--|
| Albert Smith Signs Pty Ltd |
| Atomic Signs Pty Ltd |
| HELT Pty Ltd ATF The Holzberger Family Trust T/A Harlequin Signs |
| Sign Blast Pty Ltd |
| Signart QLD Pty Ltd |

MBRC009526 - Painting Services

Comprises painting works including graffiti correction, internal and external painting of amenities and touch up painting works following completion of repairs.

A total of 16 submissions were received, with five companies recommended for appointment to the panel.

| Tenderer |
|-------------------------------------|
| Bakers & Co Painting and Decorating |
| Custom Painting QLD Pty Ltd |
| Dean Cameron Painters Pty Ltd |
| MMS Group Pty Ltd |
| Paintsox Pty Ltd |

MBRC009528 - Plumbing Services

Comprises plumbing installation and rectification works at Council owned buildings and facilities including beach showers and bubblers, sewer and stormwater blockages, taps and washers, and toilet and cistern works.

A total of 17 submissions were received, with seven companies recommended for appointment to the panel.

| Tenderer |
|--|
| Award Plumbing & Drainage |
| Blue Sky Plumbing / Drainage and Gas Fitting Pty Ltd |
| First Call Plumbing Service |
| J&D Contracting |
| North Lakes Plumbing Pty Ltd |
| Plumbers We Are Pty Ltd |
| Wust Plumbing Pty Ltd |

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

MBRC009529 - Premix Concrete Services

Comprises the supply and delivery of various types of premix concrete to job sites within the region.

A total of six submissions were received, with six companies recommended for appointment to the panel.

| Tenderer |
|---|
| Boral Resources (QLD) Pty Ltd |
| Hy-Tec Industries (Queensland) Pty Ltd |
| Neilsens Concrete Pty Ltd |
| Northside Mini Mix Pty Ltd |
| Pacific Silica Pty Ltd T/A Southern Pacific Sands |
| Q-Crete Premix |

MBRC009531 - Road Pavement Failure Services

Comprises the maintenance and rectification work of Council road assets in line with the Department of Transport and Main Roads construction standards.

A total of 11 submissions were received, with two companies recommended for appointment to the panel.

| Tenderer |
|---------------------------------|
| Austek Asphalt Services Pty Ltd |
| Suncoast Asphalt Pty Ltd |

MBRC009532 - Road Surfacing Services

Comprises road resurfacing and new surfacing works for streets, roads, parking areas and sporting courts.

A total of 13 submissions were received, with six companies recommended for appointment to the panel.

| Tenderer |
|---|
| Allens Asphalt Pty Ltd |
| Austek Asphalt Services Pty Ltd |
| Faherty Civil Contractors Pty Ltd |
| Quality Civil Construction |
| Stanley Macadam Pty Ltd T/A Stanley Road Construction |
| Suncoast Asphalt Pty Ltd |

MBRC009533 - Roofing and Guttering Services

Comprises roofing and guttering cleaning, investigation and rectification works of Council owned buildings and facilities.

A total of eight submissions were received, with four companies recommended for appointment to the panel.

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

| Tenderer |
|--|
| Blue Sky Plumbing / Drainage and Gas Fitting Pty Ltd |
| First Call Plumbing Service |
| Sensus Building Group Pty Ltd |
| Wust Plumbing Pty Ltd |

MBRC009534 - Sports Field Maintenance Services - Category 1 - Application of Sports Field Fertiliser, Amendments, Herbicide, Insecticides, Fungicides and Plant Growth Regulator Products

Category 1 comprises the application of products to sports fields either by calibrated machinery or shrouded spray boom, spot spraying and hand weed wiping works.

A total of 11 submissions were received, with five companies recommended for appointment to the panel.

| Tenderer |
|--|
| Austspray Environmental Pty Ltd |
| Green Options |
| Jomupa Pty Ltd ATF Allofus Family Trust T/A Complete Turf Management |
| Supagreen Lawn Programmes Pty Ltd |
| Technigro Pty Ltd |

MBRC009534 - Sports Field Maintenance Services - Category 2 - Sports Field Turf Renovation Services

Category 2 comprises turf renovation services including aeration, agrivation, rotary hoeing, top dressing and turf repairs.

A total of 11 submissions were received, with six companies recommended for appointment to the panel.

| Tenderer |
|--|
| Green Options |
| Hart Valley Investments Pty Ltd T/A Hancey's Turf Supplies |
| Jomupa Pty Ltd ATF Allofus Family Trust T/A Complete Turf Management |
| Supagreen Lawn Programmes Pty Ltd |
| Technigro Pty Ltd |
| Twin View Turf Pty Ltd |

MBRC009535 - Supply and Installation of Playground Undersurfacing - Category 1 - Supply and Installation of Certified Organic Softfall

Category 1 comprises the supply and installation of certified organic softfall to playgrounds to comply with the relevant Australian standards.

A total of six submissions were received, with three companies recommended for appointment to the panel.

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

| Tenderer |
|--|
| Jack & Jed Pty Ltd T/A N&M Smith Earthmoving |
| Play Force Pty Ltd |
| Tuff Yards Pty Ltd |

MBRC009535 - Supply and Installation of Playground Undersurfacing - Category 2 - Supply and Installation of Rubber CSBR

Category 2 comprises the supply and installation of Rubber CSBR to playgrounds to comply with the relevant Australian standards.

A total of five submissions were received, with four companies recommended for appointment to the panel.

| Tenderer |
|---------------------------|
| Direct Landscape Services |
| Play Force Pty Ltd |
| Pro One Pty Ltd |
| SCA (QLD) Pty Ltd |

3. Strategic Implications

3.1 Legislative/Legal Implications

The calling of public tenders and establishment of preferred supplier arrangements 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: Strong local governance - strong leadership and governance.

3.3 Policy Implications

These arrangements have been established in accordance with the provisions of Council's Procurement Policy 10-2150-006.

3.4 Risk Management Implications

The appointment of the suppliers will ensure the timely delivery of these programs whilst complying with Council's Procurement Policy. A risk assessment of the goods and services to be supplied under each purchasing arrangements 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

Adoption of the suppliers by Council and approval of subsequent purchase orders within delegated financial authority limits will satisfy these requirements.

3.6 Financial Implications

Funding for works engaged under these preferred supplier arrangements are included in the Capital (including Minor Works) and Operations' works programs.

3.7 Economic Benefit

The appointment of preferred supplier arrangements will enable Council to deliver its programs in a timely and cost-effective manner.

ITEM 6.3 PURCHASING ARRANGEMENTS - VARIOUS - A20018355 (Cont.)

112 of the 129 recommended appointments have a presence within the MBRC area, noting that these numbers are based on submissions, not individual suppliers (some suppliers are on multiple arrangements).

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Representatives from Council's Engineering Construction and Maintenance Division sat on the evaluation panels for their respective purchasing arrangements.

External financial assessments have been sought where necessary.

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

ATTENDANCE

The Mayor returned to the meeting at 10:25 AM after consideration of Item 6.3.

**ITEM 6.4
PROCUREMENT POLICY - LOCAL PREFERENCE**

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A19996231 : 20 May 2020 - **Refer Supporting Information A19609448**
Responsible Officer: DG, Director Finance and Corporate Services (FCS Financial Operations)

Executive Summary

The purpose of this report is to seek Council resolution on a 'Local Preference' position in relation to Council's procurement activities.

The development of this position is in response to the following recommendation which appears on minute page 19/1656 of the General Meeting held 6 August 2019.

Ex. General Meeting held 6 August 2019 (Page 19/1656)

RESOLUTION

That Moreton Bay Regional Council, in keeping with the principles of the MBRC Corporate Plan 2017-2020 - Local Jobs for Residents and Achieving a Thriving Economy establish a Buy Local procurement policy to support local jobs, innovation and local business growth.

Council's desire for a 'Local Preference' position was further reinforced as part of stimulus measures related to the current economic impacts of COVID-19.

The proposed position has been achieved through minor changes to Council's Procurement Policy (2150-006) and the creation of a Local Preference Directive to guide Council officers in the application of the position for future procurements.

RESOLUTION

Moved by Cr Peter Flannery (Mayor)

Seconded by Cr Matt Constance

CARRIED 13/0

That the amended Procurement Policy (2150-006) incorporating changes required for the application of a Local Preference for future Council Procurements be adopted, as appearing in supporting information #1.

ITEM 6.4 PROCUREMENT POLICY - LOCAL PREFERENCE - A19996231 (Cont.)

OFFICER'S RECOMMENDATION

That the amended Procurement Policy (2150-006) incorporating changes required for the application of a Local Preference for future Council Procurements be adopted, as appearing in supporting information #1

REPORT DETAIL

1. Background

Moreton Bay Regional Council is committed to supporting local businesses. The 'Local Preference' objective is to proactively support local business and industry to create jobs in the Moreton Bay region. This objective is consistent with the sound contracting principle encouraging the development of competitive local business and industry contained in section 104 of the *Local Government Act 2009* and is also consistent with the Council's Corporate Plan objective - Local Jobs for Residents and Achieving a Thriving Economy.

A Council briefing was conducted on 20 May 2020 to enable further explanation/clarification to be provided to the Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below.

20 May 2020 Briefing discussion consisted of:

A proposal to put in place a two-staged evaluation approach for all quotes or tenders greater than \$50,000 (ex GST).

It is proposed that this methodology will ensure support for local businesses in the Moreton Bay region.

Due the economic impacts of COVID-19; the briefing officers suggested that Council should establish threshold price premiums now and then review in approx. six months-time (December 2020).

The key issues raised by councillors included:

- The possibility of establishing both an ultimate price premium threshold for local suppliers now in addition to the higher short term COVID-19 related thresholds;*
- The need to ensure that ratepayers' money is appropriately managed;*
- The requirement to balance that obligation with council's intent to support local business as articulated in the Corporate Plan and Community Plan;*
- Optional ways that the local procurement methodology could be established and presented;*
- Comparative policies of other SEQ councils; and*
- Potential implications for pricing behaviour of local suppliers and whether a local preference policy would drive adverse behaviours or restrict competition.*

Officers will prepare some examples of 'real life' tenders and distribute to Councillors so they can see how the proposed two staged evaluation approach would work.

The CEO advised that the amended Procurement Policy (2150 -006) which incorporates changes required for the application of a Local Preference for future Council Procurements, will be brought to Council next week for consideration to adopt.

2. Explanation of Item

The implementation of a Local Preference required a minor change to the Procurement Policy (2150-006) and is underpinned by a Local Preference Directive (the directive) that guides Council officers in the application of a local preference to future procurement activities.

Changes to the Procurement Policy

Policy Statement (3) of the Procurement Policy (2150-006) has been amended to ensure Local Preference is considered in all future procurement activities by the inclusion of the following:

ITEM 6.4 PROCUREMENT POLICY - LOCAL PREFERENCE - A19996231 (Cont.)

Quotes or tenders less than \$50,000 (ex GST)

Council will seek quotes and tenders from local businesses only in the first instance. Only if local businesses cannot supply, do not have the capability, or do not provide value for money will a non-local business will be invited to quote or tender and the Council officer responsible for procuring must justify their decision not to go local.

Quotes or tenders greater than \$50,000 (ex GST)

For all quotes or tenders greater than \$50,000 (ex GST) a Local Preference Framework has been introduced which consists of a 'Two-Staged' approach that applies a Local Preference weighting to support local business, provided their quotes or tenders are within an acceptable price threshold.

It is acknowledged that due to the complexity and risk of some procurements, it may not be appropriate to apply a Local Preference when determining the successful tender. Where a Local Preference is not applied, this decision is required to be documented in the Probity Plan and have the endorsement a Council officer holding an appropriate delegation.

Local Preference Directive

A Local Preference Directive (2180-054) has been developed which outlines the approach to be taken to determine the appropriateness of, and the subsequent application of, a local preference for all purchases.

This Directive applies to all officers involved in procuring goods, services and/or works and will ensure consistency in the application of Local Preference across Council.

3. Strategic Implications

3.1 Legislative / Legal Implications

The establishment of Local Preference is in accordance with section 104 of the Local Government Act 2009.

3.2 Corporate Plan / Operational Plan

This Local Preference initiative is consistent with the Council's Corporate Plan objective - Local Jobs for Residents and Achieving a Thriving Economy

3.3 Policy Implications

Procurement Policy 2150-006

3.4 Risk Management Implications

The key strategic risk to Council is that the local employment/economic benefits of local preference are outweighed by additional procurement costs. This risk is inherent in any such local preference arrangement by a local government. Whilst the policy has been created with this in mind, including putting in place a "cap" to any local price premium, the impact can really only be assessed after the policy has been in place for some time and a number of procurement decisions made. To that end, it is intended to review the effect of the policy in about 6 months' time.

The appointment of a local suppliers will ensure the promotion of local jobs and a thriving community whilst complying with Council's Procurement Policy. A risk assessment of the goods, services and/or works to be supplied will be undertaken as part of the tendering process. Where appropriate, specific requirements in relation to risk management and insurance coverage will be included in the tender requirements and assessed as part of the overall evaluation process.

3.5 Delegated Authority Implications

Adoption of the suppliers by Council and approval of subsequent purchase orders within delegated financial authority limits will satisfy these requirements.

ITEM 6.4 PROCUREMENT POLICY - LOCAL PREFERENCE - A19996231 (Cont.)

3.6 Financial Implications

Funding for goods, services and/or works will be included in appropriate budgets (including Capital, Minor Works and Operational) programs.

3.7 Economic Benefit Implications

Undertaking Local Preference will grow jobs, support and develop local industry and grow the local economy.

3.8 Environmental Implications

Nil identified

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Supplier Feedback Sessions

Representatives from the Project Management and Construction, Operations, and Community Services and Corporate Services departments.

Queensland Councils Procurement

Internal and external communications are planned

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

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

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

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

CLOSED SESSION

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Denise Sims (Deputy Mayor)

CARRIED 13/0

That Council move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Items C.1 to C.2.

There were no members of the press and/or public gallery in the Chambers.
The closed session commenced at 10.35 AM.

OPEN SESSION

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Brooke Savige

CARRIED 13/0

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

The open session resumed at 10:41 AM.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL (NOW DEEMED NON-CONFIDENTIAL)
TOTAL WATER CYCLE MANAGEMENT PLAN REVIEW AND UPDATE - REGIONAL

Meeting / Session: 2 INFRASTRUCTURE & PLANNING (Cr A Hain)

Reference: A19745070 : 7 May 2020

Responsible Officer: SP, Manager Strategic Infrastructure Planning (IP Strategic Infrastructure Planning)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (e), as the matter involves contracts proposed to be made by the Council.

Executive Summary

In February 2017 Council engaged WBM BMT Pty Ltd (now trading as BMT Commercial Australia Pty Ltd) under Local Buy Contract 225-1211 Environmental Services, to undertake the review and update of the Moreton Bay Regional Council Total Water Cycle Management Plan.

The contract was for 24 months with the option for a 12-month extension. The contract has now expired, however, due to delays in the project, the work described in the contract is not complete.

This report recommends that Council enters into a new contractual arrangement with BMT Commercial Australia Pty Ltd (BMT) for the completion of the *Review and Update of the Moreton Bay Regional Council Total Water Cycle Management Plan*.

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Tony Latter

CARRIED 13/0

1. That in accordance with *section 234 of the Local Government Regulation 2012*, Council is satisfied that an agreement with BMT Commercial Australia Pty Ltd as the Consultant for the *Moreton Bay Regional Council Total Water Cycle Management Plan* project is entered into under an LGA Arrangement (Local Buy).
2. That Council enters into an agreement with BMT Commercial Australia 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 BMT Commercial Australia Pty Ltd as the Consultant for the *Moreton Bay Regional Council Total Water Cycle Management Plan* project and any required variations of the agreement on Council's behalf.
4. That the report be now deemed non-confidential.

ITEM C.1 – CONFIDENTIAL (NOW DEEMED NON-CONFIDENTIAL) TOTAL WATER CYCLE MANAGEMENT PLAN REVIEW AND UPDATE - REGIONAL - A19745070 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with *section 234 of the Local Government Regulation 2012*, Council is satisfied that an agreement with BMT Commercial Australia Pty Ltd as the Consultant for the *Moreton Bay Regional Council Total Water Cycle Management Plan* project is entered into under an LGA Arrangement (Local Buy).
2. That Council enters into an agreement with BMT Commercial Australia 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 BMT Commercial Australia Pty Ltd as the Consultant for the *Moreton Bay Regional Council Total Water Cycle Management Plan* project and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

In 2010, Moreton Bay Regional Council commenced the preparation of a Total Water Cycle Management Plan (TWCMP) under the requirements of the State *Environmental Protection (Water) Policy 2009*. The TWCMP consisted of three phases:

1. Strategy - adopted December 2010;
2. Detailed Plan - adopted October 2012;
3. Implementation Plan - adopted September 2013.

The TWCMP identified cost effective management solutions to halt the decline in the health of its catchments and strive towards meeting the water quality objectives for each of the applicable catchments as outlined in the *Environmental Protection (Water) Policy 2009* (EPP (Water)). Solutions adopted included:

- Increased education and enforcement for erosion and sediment control
- Rural best management practices
- Improved management of on-site sewerage facilities
- Recycled water use
- Sewerage and water treatment infrastructure upgrades
- Water-Sensitive Urban Design (WSUD) device retrofits in existing urban areas
- Regional constructed wetland/bioretention systems
- Application of State Planning Policy (SPP 4/10 Healthy Waters was in effect at the time of preparation)
- Waterway revegetation / rehabilitation.

The required actions and allocation of responsibilities to deliver on the adopted solutions are included in the *Implementation Plan*. Infrastructure items identified in the *Implementation Plan* have now been included in Council's Local Government Infrastructure Plan and incorporated into Council's forward capital works schedule.

In late 2015, Council endorsed a new planning scheme for the Region which came into effect on 1 February 2016. The new planning scheme zones and provisions differ greatly to what was assumed for future development in the preparation of the TWCMP. There are also significant areas of existing rural and rural residential land that have been identified as suitable for conversion into more urban uses. These land uses are anticipated to place an increased pressure on the health and resilience of the Region's catchments and receiving waters.

ITEM C.1 – CONFIDENTIAL (NOW DEEMED NON-CONFIDENTIAL) TOTAL WATER CYCLE MANAGEMENT PLAN REVIEW AND UPDATE - REGIONAL - A19745070 (Cont.)

In February 2017, Council engaged WBM BMT Pty Ltd (now trading as BMT Commercial Australia Pty Ltd) under Local Buy Contract 225-1211 Environmental Services (MP 17/124) to undertake the review and update of the Moreton Bay Regional Council Total Water Cycle Management Plan. The scope of this project also included the development of the required inputs into the Local Government Infrastructure Plan amendment 1 (LGIP2).

The review and update of the MBRC TWCMP was divided into five phases of work:

- Phase 1 - Existing base case
- Phase 2 - Future Development Scenarios
- Phase 3 - TWCMP Review and Evaluation
- Phase 4 - Priority infrastructure area scenarios
- Phase 5 - Revised Total Water Cycle Management Plan / Preferred Priority Infrastructure Area.

Phase 1 and 2 were completed in September 2017. Work on Phase 3 had also commenced, however the consultants were awaiting receipt of planning assumptions data to finalise the water balance models required for this Phase. Work has also commenced on Phase 5.

In February 2018, the Director of Planning and Economic Development entered into a variation of contract (Variation #1) with BMT Commercial Australia Pty Ltd to remove the scope of work associated with Phase 4 and include an additional scope of work (referred to as Phase 5A) to undertake a more detailed assessment of site suitability for regional and retrofit stormwater quality infrastructure.

A comprehensive review of the planning assumptions for future growth was undertaken by Strategic Planning and Place Making and was completed in October 2019. With this work completed, the review and update of the TWCMP has since recommenced.

2. Explanation of Item

BMT Commercial Australia Pty Ltd has work underway to complete its obligations under the current contract.

During the contract, Council officers have requested that BMT Commercial Australia Pty Ltd provide a proposal for improved modelling through Phases 3, 5 and 5A. Additionally, due to delays in the project, Council officers have invited BMT Commercial Australia Pty Ltd to provide updated rates and project management costs to complete the project.

Council officers have also requested BMT Commercial Australia Pty Ltd to provide a proposal, as optional inclusions, for additional modelling as new Phases 6 and 7.

- Phase 6 - Investigation areas modelling - will model the impacts of developing several investigation areas (e.g. Pine Valley, Elimbah, North Harbour) and
- Phase 7 - RGMS modelling - will provide additional modelling to support the Regional Growth Management Strategy 2041 project.

Council officers have also identified an opportunity for improved consultation with Unitywater and the Cooperative Research Centre for Water Sensitive Cities (CRCWSC) to better inform the project.

The scope of the engagement is consistent with the current panel arrangement and BMT Commercial Australia Pty Ltd has substantial knowledge of the project process, progress and completed work to date. Officers have also assessed the prices received for the requested variations and believe they represent good value for money. Further, the ongoing engagement of BMT Commercial Australia Pty Ltd supports the principle of “value for money” for Council and will leverage the project knowledge BMT Commercial Australia Pty Ltd has established from work completed to date, as well as drawing from its experience obtained from similar roles with MBRC and other local governments.

ITEM C.1 – CONFIDENTIAL (NOW DEEMED NON-CONFIDENTIAL) TOTAL WATER CYCLE MANAGEMENT PLAN REVIEW AND UPDATE - REGIONAL - A19745070 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

As the previous agreement with BMT Commercial Australia has expired and to manage potential legal risk and implications, the agreement with BMT Commercial Australia Pty Ltd will be a new contract for consultancy services using a Local Buy Panel supplier thus ensuring Council's contractual risk is adequately managed.

Under section 234 of the Local Government Regulation 2012, a local government may enter into a contract for goods and services without first inviting written quotes or tenders if the contract is entered under a Local Buy (LGA) arrangement. BMT Commercial Australia Pty Ltd is a preferred supplier under Local Buy Contract BUS262 for Engineering and Environmental Services (an LGA arrangement).

Under the *Planning Act 2016*, a Local Government Infrastructure Plan must be reviewed within five years of commencement. The current LGIP commenced on 3 July 2017. With the State Interest and Public Notification process anticipated to take eighteen (18) months, the Local Government Infrastructure Plan amendment must be drafted by the end of 2020.

3.2 Corporate Plan / Operational Plan

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

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.

Procurement Policy 2150-006 notes that open tenders are required for purchases over \$200,000, unless an exception is made in accordance with the Local Government Regulation 2012.

As mentioned above, under section 234 of the Local Government Regulation 2012, a local government may enter into a contract for goods and services without first inviting written quotes or tenders if the contract is entered under an LGA arrangement. Local Buy Contract BUS 262-0317 - Engineering and Environmental is an LGA arrangement.

3.4 Risk Management Implications

BMT Commercial Australia Pty Ltd has been working with Council and key stakeholders on the review and update of the MBRC TWCMP since 2017. Despite the ambitious program set for the project, Council has not been able to provide the required inputs into the project. Due to the strategic nature of the project, work completed to date, and the impending statutory timeframes for completion of the Local Government Infrastructure Plan amendment 1 (LGIP2), it is considered important to continue the engagement of BMT Commercial Australia Pty Ltd until completion of the review and update of the MBRC TWCMP project. Engaging an alternative consultant at this stage would introduce delays to the project and could introduce reputation and cost risk to the project.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The original TWCMP review and update project budget, in February 2017, was \$389,400 (excluding GST).

A revision to the contract scope was approved in February 2018, as **Variation #1**, which resulted in an increase in the contract value of \$52,050 (excluding GST) and a revised total contract value of \$441,450 (excluding GST).

Further revisions to the contract scope were requested in November 2019, as **Variation #2**.

ITEM C.1 – CONFIDENTIAL (NOW DEEMED NON-CONFIDENTIAL) TOTAL WATER CYCLE MANAGEMENT PLAN REVIEW AND UPDATE - REGIONAL - A19745070 (Cont.)

- Revisions to Phase 3, 5 and 5A (updated rates and additional modelling);
- New (optional) Phases 6 and 7 (Strategic scenario testing and 2041 scenario testing); and
- New (optional) consultation with Unitywater and CRCWSC;

Variation #2 -

| | | |
|-----------------------------------|---|---------------------------|
| (Part A) Revised Phases 3, 5 & 5A | - | \$60,650 (excluding GST) |
| (Part B) RGMS & Scenarios | | |
| Phase 6 - Investigation Areas | - | \$69,700 (excluding GST) |
| Phase 7 - RGMS | - | \$45,000 (excluding GST) |
| Additional consultation | - | \$20,000 (excluding GST) |
| Total Variation #2 | - | \$195,350 (excluding GST) |

Variation #2 will result in a further increase in the contract value of \$195,350 (excluding GST) resulting in a total contract value of \$636,800 (excluding GST):

The total contract spend to-date is \$296,892 (excluding GST) with a remaining contract spend, to deliver Variation #2, of \$339,908 (excluding GST). The spend per financial year is estimated below:

- 2019/20 - \$55,000 (excluding GST);
- 2020/21 - \$284,908 (excluding GST);

There is a project budget of \$300,000 (excluding GST) available over these two financial years.

An additional budget of \$39,908 (excluding GST) is required to complete the contract and will be sourced from savings within the program.

The BMT Commercial Australia Ptd Ltd contract will continue to be debited to job/project number 108145. The existing purchase order, with currently \$159,014 remaining, will be cancelled and a new purchase order created.

- | | | |
|------|--------------------------------------|--|
| 3.7 | <u>Economic Benefit Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.8 | <u>Environmental Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.9 | <u>Social Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.10 | <u>Human Rights Implications</u> | <input checked="" type="checkbox"/> Nil identified |

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. There are no human rights relevant to Council's decision and Council's decision is compatible with human rights.

- 3.11 Consultation / Communication
Legal Services has been consulted in the preparation of this report.

ITEM C.2 – CONFIDENTIAL

PROPERTY ACQUISITION - BRAYS ROAD, MURRUMBA DOWNS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE (Cr B Savige)

Reference: A19949772 : 5 May 2020 - Refer **Confidential Supporting Information A19559963; A19624235**

Responsible Officer: SB, Coordinator Integrated Transport Planning (IP Integrated Transport Planning)

Basis of Confidentiality

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

Executive Summary

This report seeks Council's approval to proceed to acquire land to facilitate the provision of a road and intersection upgrade due for construction during 2020.

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That Council delegates to the Chief Executive Officer the power to negotiate and finalise the purchase of the properties described in this confidential report (Land).
2. That failing a negotiated purchase of the Land on terms satisfactory to the Chief Executive Officer, delegates the power to the Chief Executive Officer to take the Land for road purposes by way of compulsory acquisition in accordance with the requirements of the *Acquisition of Land Act 1967 (Act)* which includes, without limitation, the power to prepare, serve and amend a notice of intention to resume.
3. That if no objections are received, delegates the power to the Chief Executive Officer to make an application to the Minister for Natural Resources, Mines and Energy to take the Land under section 9 of the Act.
4. That Council delegates authority to the Chief Executive Officer to settle the claims for compensation if the Land is compulsorily acquired.
5. That Council authorises the Chief Executive Officer to do all other things that are necessary to give effect to the taking of the Land.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

13. CLOSURE

There being no further business the meeting closed at 10:44 AM.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/795 to 20/866 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 27 May 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 10 June 2020.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor