



REPORT

Coordination Committee Meeting

Tuesday 27 November 2018

commencing at 10.43am

Strathpine Chambers
220 Gympie Road, Strathpine

ENDORSED GM20181127

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Coordination Committee meeting held 27 November 2018 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)
CHAIRPERSON
COORDINATION COMMITTEE

Membership = 13
Mayor and all Councillors

Quorum = 7

Adoption Extract from General Meeting – 27 November 2018 (Page 18/2323)

**12.1 Coordination Committee Meeting - 27 November 2018
(Pages 18/2325 - 18/2406)**

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Matt Constance

CARRIED 13/0

That the report and recommendations of the Coordination Committee meeting held 27 November 2018 be adopted.

LIST OF ITEMS

1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)

- ITEM 1.1** **2326**
NEW COUNCILLOR COMPLAINTS SYSTEM - CODE OF CONDUCT FOR COUNCILLORS
IN QUEENSLAND, MEETING PROCEDURES AND INVESTIGATION POLICY - REGIONAL
COMMITTEE RECOMMENDATION
REPORT DETAIL

2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)

- ITEM 2.1** **2329**
DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR
MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK -
DIVISION 9
COMMITTEE RECOMMENDATION
REPORT DETAIL

3 CORPORATE SERVICES SESSION (Cr M Constance)

4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

- ITEM 4.1** **2363**
MBRC - BUS STOP - DDA COMPLIANCE IMPROVEMENTS PROGRAM - DIVISION 1
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.2** **2368**
BRENDALE - SOUTH PINE SPORTING COMPLEX - CRICKET OVAL RENEWAL AND
EXTENSION- DIVISION 9
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.3** **2372**
MORAYFIELD - OAKY FLAT ROAD - ROAD AND INTERSECTION UPGRADE 1 -
DIVISIONS 3 AND 12
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.4** **2377**
EVERTON HILLS - SOUTH PINE ROAD/CAMELIA AVENUE/PIMELEA STREET - ROAD
REHABILITATION AND TRAFFIC SIGNAL UPGRADE - DIVISION 10
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.5** **2381**
STRATHPINE - PINE RIVERS PARK - RIVERBANK STABILISATION - DIVISION 9
COMMITTEE RECOMMENDATION
REPORT DETAIL

5 PARKS, RECREATION & SPORT SESSION (Cr K Winchester)

ITEM 5.1 2385

WARNER - PENDICUP PLACE - PLAYGROUND NAMING - DIVISION 8

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 5.2 2389

NEW LEASE - CABOOLTURE BOXING CLUB INC - DIVISION 3

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 5.3 2392

NEW LEASE - CABOOLTURE JUNIOR RUGBY LEAGUE INCORPORATED - DIVISION 3

COMMITTEE RECOMMENDATION

REPORT DETAIL

6 LIFESTYLE & AMENITY SESSION (Cr D Sims)

ITEM 6.1 2395

TENDER - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE MANAGEMENT -
DIVISION 6

RECOMMENDATION

COMMITTEE RECOMMENDATION

REPORT DETAIL

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)

8 REGIONAL INNOVATION (Cr D Grimwade)

9 GENERAL BUSINESS

ITEM 9.1 2400

REGIONAL EVENTS

COMMITTEE RECOMMENDATION

ITEM 9.2 2400

GRIFFIN CHRISTMAS CARNIVAL - DIVISION 4

COMMITTEE RECOMMENDATION

ITEM 9.3 2401

BRIBIE LIONS CAMP QUALITY - DIVISION 1

COMMITTEE RECOMMENDATION

CLOSED SESSION (Confidential items)

OPEN SESSION

ITEM C.1 – CONFIDENTIAL 2403

ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - KALLANGUR - DIVISION 4

COMMITTEE RECOMMENDATION

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
27 November 2018

PAGE c
Report

ITEM C.2 – CONFIDENTIAL **2404**
ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - ALBANY CREEK - DIVISION
9

COMMITTEE RECOMMENDATION

ITEM C.3 – CONFIDENTIAL **2405**
ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - HIGHVALE - DIVISION 11

COMMITTEE RECOMMENDATION

ITEM C.4 – CONFIDENTIAL **2406**
ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - MOORINA - DIVISION 12

COMMITTEE RECOMMENDATION

CLOSURE

ATTENDANCE & APOLOGIES

Committee Members:

Cr Allan Sutherland (Mayor) (Chairperson)
Cr Brooke Savige
Cr Peter Flannery
Cr Adam Hain
Cr Julie Greer
Cr James Houghton
Cr Koliانا Winchester
Cr Denise Sims
Cr Mick Gillam
Cr Mike Charlton (Deputy Mayor)
Cr Matthew Constance
Cr Darren Grimwade
Cr Adrian Raedel

Officers:

Chief Executive Officer	(Mr Daryl Hitzman)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Planning & Economic Development	(Mr Stewart Pentland)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Manager Development Services	(Ms Kate Isles)
Team Leader Planning	(Mr Marco Alberti)
Manager Legal Services	(Mr John Hall)
Meeting Support	(Larissa Kerrisk)

Apologies:

Nil

The Mayor is the Chairperson of the Coordination Committee.

Coordination Committee meetings comprise of Sessions chaired by Council's nominated Spokesperson for that portfolio, as follows:

Session	Spokesperson
1 Governance	Cr Allan Sutherland (Mayor)
2 Planning & Development	Cr Mick Gillam
3 Corporate Services	Cr Matt Constance
4 Asset Construction & Maintenance	Cr Adam Hain
5 Parks, Recreation & Sport	Cr Koliانا Winchester
6 Lifestyle & Amenity	Cr Denise Sims
7 Economic Development, Events & Tourism	Cr Peter Flannery
8 Regional Innovation	Cr Darren Grimwade
9 General Business	Cr Allan Sutherland (Mayor)

1 GOVERNANCE SESSION

(Cr A Sutherland, Mayor)

ITEM 1.1

NEW COUNCILLOR COMPLAINTS SYSTEM - CODE OF CONDUCT FOR COUNCILLORS IN QUEENSLAND, MEETING PROCEDURES AND INVESTIGATION POLICY - REGIONAL

Meeting / Session: 1 GOVERNANCE

Reference: A17866809 : 21 November 2018 - Refer Supporting Information A17844706, A17867626, A17865051

Responsible Officer: DD, Acting Manager Executive Services (CEO Executive Services)

Executive Summary

The new Councillor complaints system introduced in the *Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018* will come into force on 3 December 2018.

The new legislation incorporates a Code of Conduct for Councillors in Queensland (the Code) which sets out the principles and standards of behaviour expected of Councillors and Mayors when carrying out their roles, responsibilities and obligations as elected representatives for their communities (refer supporting information #1).

Furthermore, the new legislation requires Council to adopt Meeting Procedures as well as an Investigation Policy to support the Code.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Mick Gillam

CARRIED 13/0

1. That Meeting Procedures be adopted, as contained in supporting information #2.
2. That the Investigation Policy be adopted, as contained in supporting information #3.

ITEM 1.1 NEW COUNCILLOR COMPLAINTS SYSTEM - CODE OF CONDUCT FOR COUNCILLORS IN QUEENSLAND, MEETING PROCEDURES AND INVESTIGATION POLICY - REGIONAL - A17866809 (Cont.)

OFFICER'S RECOMMENDATION

1. That Meeting Procedures be adopted, as contained in supporting information #2.
2. That the Investigation Policy be adopted, as contained in supporting information #3.

REPORT DETAIL

1. Background

On 17 May 2018, the Legislative Assembly passed the *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018* and the *Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018*.

The *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018* commenced upon assent (21 May 2018). The new Councillor complaints system introduced in the *Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018* will come into force on 3 December 2018.

Under section 150D of the Act, the Minister for Local Government must make a Code of Conduct stating the standards of behaviour for Councillors in the performance of their responsibilities as Councillors. In addition to this, the Code of Conduct may contain anything the Minister considers necessary for, or incidental to, the standards of behaviour.

The Department of Local Government, Racing and Multicultural Affairs (the Department), conducted a one-day training session with Council on 18 October 2018 as part of a State-wide training program to ensure that all Councillors and relevant Council officers understood the new Councillor complaints process prior to its commencement on 3 December 2018.

2. Explanation of Item

After seeking feedback from all local governments, the Department produced a suite of model documents for adoption by Council, or for use by Council to prepare and adopt other documents that are consistent with the model documents.

The Department also provided a copy of the proclaimed/gazetted Code of Conduct for Councillors in Queensland, as required under section 150D of the Act (refer supporting information #1).

The commencement of the *Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018* on 3 December 2018 requires the adoption of Meeting Procedures and an Investigation Policy.

3. Strategic Implications

3.1 Legislative/Legal Implications

The *Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018* will come into force on 3 December 2018. It is imperative that Council have adopted the relevant documents to ensure compliance with the new legislation.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Council must adopt an Investigation Policy which details how complaints about the inappropriate conduct of Councillors will be dealt with as required by the section 150AE of the *Local Government Act 2009*.

3.4 Risk Management Implications

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

ITEM 1.1 NEW COUNCILLOR COMPLAINTS SYSTEM - CODE OF CONDUCT FOR COUNCILLORS IN QUEENSLAND, MEETING PROCEDURES AND INVESTIGATION POLICY - REGIONAL - A17866809 (Cont.)

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

There are no financial implications arising as a direct result of this report.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

The intent of the proclaimed/gazetted Code of Conduct for Councillors in Queensland is to ensure that by adhering to the behaviours set out in the Code, Councillors will increase public confidence in Local Government and Council decisions.

The adoption and implementation of Meeting Procedures will ensure the Local Government principles are reflected in the conduct of Council's General and Committee meetings.

3.10 Consultation / Communication

The Mayor, Councillors, Chief Executive Officer and Manager Legal Services have been consulted in relation to this matter.

ATTENDANCE

Ms Kate Isles and Mr Marco Alberti attended the meeting at 10.45am for discussion on Item 2.1.

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

ITEM 2.1

DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9

APPLICANT: Michael Sorensen c/- Planning Insights Pty Ltd
OWNER: Xiuying Zhao; Zsolt K Kiss and Jasmine E Kiss

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A17669817: – Refer Supporting Information: A17658549, A17658735, A17660927, A17660997, A17637904; A17672226
Responsible Officer: NT, Planner (PED Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	Michael Sorensen c/- Planning Insights Pty Ltd
Lodgement Date:	19 June 2017
Properly Made Date:	27 June 2017
Acknowledgement Notice Date:	30 June 2017
Information Request Date:	13 July 2017
Info Response Received Date:	13 April 2018
Public Notification Dates:	2 May 2018 to 25 May 2018
No. of Submissions:	Properly Made: Eighty Eight (88) Not Properly Made: Ten (10)
Decision Due Date:	30 November 2018
Prelodgement Meeting Held:	Yes (PRE/3215)

PROPERTY DETAILS	
Division:	Division 9
Property Address:	25 & 27 Bowen Avenue, Albany Creek
RP Description	Lot 56 RP93874 and Lot 57 SP155119
Land Area:	Total area: 2,981m ²
Property Owner	Xiuying Zhao; Zsolt K Kiss and Jasmine E Kiss

STATUTORY DETAILS	
Planning Legislation:	<i>Sustainable Planning Act 2009</i>
Planning Scheme:	MBRC Planning Scheme - Version 2
Planning Locality / Zone	General Residential Zone - Next Generation Neighbourhood Precinct
Level of Assessment:	Impact Assessable

This application seeks a Material Change of Use - Development Permit for Multiple Dwellings (21 Dwellings) at 25 & 27 Bowen Avenue, Albany Creek on land described as Lot 56 RP93874 and Lot 57 SP155119. It is proposed to develop the site for 21 Multiple dwellings within a 4 storey unit development having a building height of 12 metres. The site is located within the General residential zone - Next generation neighbourhood precinct and has a combined site area of 2,981m².

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

The application was originally lodged seeking 24 units however the proposal had a number of issues being over height, over density, over site cover, extended into the medium flood risk hazard and the like. These issues were raised in an information request however the applicant did not make the requested changes and proceed to publicly notified the proposal. The application was advertised with eighty-eight (88) properly made submissions and ten (10) not properly made submissions received.

After the public notification period and the submissions received, the applicant was advised the proposal needed to be amended to have any prospect of Council officer support. The applicant responded by reducing the height, density, site cover, building footprint and the like to address the non-compliances with the planning scheme with a focus by the applicant on complying with the Acceptable Outcomes in the planning scheme codes. The Revised Concept as presented in October 2018 was deemed to be compliant with the planning scheme.

Based on continued community concern and given the context of the site's location, in November 2018 Council Officers sought to have the proposal further amended. In doing so, the applicant was advised that even the revised concept still raised significant community concern with the proposal with key matters being traffic, car parking and building height. To enable these further negotiations to occur the applicant was advised that section 1.7.4 of the Planning Scheme stated;

1.7.4 Acceptable outcomes not the only outcomes

- The acceptable outcomes included in a code are not necessarily the exhaustive means of meeting the corresponding performance outcome or purpose of the code in full. An acceptable outcome may be only part of a way to meet the performance outcome. An acceptable outcome is also only one suggested way of meeting the performance criteria. The specific circumstances and characteristics of a development may require a different outcome to the acceptable outcome included in the code in order to meet the performance outcome.*

In ongoing discussions with the applicant, Council officers have proposed, through conditions, that a further reduced yield from 21 units to 18 units and a reduction in building height from 12.0 metres to 10.5 metres would better demonstrate compliance with the majority of the Performance Outcomes in the Moreton Bay Regional Council (MBRC) Planning Scheme. The applicant has indicated that it is not likely to object to that outcome if imposed by the Council. In summary the following table demonstrates the changes made throughout the application process:

Matter	As originally lodged	Revised Concept	Proposed for Council consideration
	June 2017	August 2018	November 2018
No of Units	24 units	21 units	18 units
Overall Height	12.6m	12m	10.5m
Carparks	32 car spaces	30 car spaces	30 car spaces
Setbacks	Frontage 3m; south east 1.5m; north west 2m; rear boundary minimum approx. 8m	Frontage 3m; south east 1.5m; north west 3m; rear boundary minimum approx.. 12m	Frontage 3m; south east 1.5m; north west 3m; rear boundary minimum approx.. 12m

It is on that basis, Council officers can recommend the proposal for approval subject to conditions as being in compliance with the Performance Outcomes of the MBRC Planning Scheme.

The proposal was lodged with Council and deemed to be "Properly Made" on 27 June 2017. Accordingly, this application has been assessed in accordance with the *Sustainable Planning Act 2009* and version 2 of the MBRC Planning Scheme, being the (now superseded) version in effect on the day the application was 'properly made'.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Cr Julie Greer

CARRIED 13/0

That the Officer's Recommendation be adopted as detailed in the report.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Sustainable Planning Act 2009*, approves the development application for a Material Change of Use - Development Permit for Multiple Dwellings (18 Dwellings) at 25 and 27 Bowen Avenue, Albany Creek, on land described as Lot 56 RP93874 and Lot 57 SP155119, subject to the following plans/documents and conditions:

Plans and Documents to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Site / Context Plan	DA - 01/C	Lavbl design	February 2017
Plan - Basement / Ground Level	DA - 02/C	Lavbl design	February 2017
Plan - Level 1	DA - 03/B	Lavbl design	February 2017
Plan - Level 2	DA - 04/B	Lavbl design	February 2017
Plan - Level 3/ Roof Plan	DA - 05/B	Lavbl design	February 2017
Plan - Roof Plan	DA - 06/B	Lavbl design	February 2017
Floor Plan - Level 1	DA - 08/B	Lavbl design	February 2017
Floor Plan - Level 1	DA - 09/B	Lavbl design	February 2017
Floor Plan - Level 2	DA - 10/B	Lavbl design	February 2017
Floor Plan - Level 2	DA - 11/B	Lavbl design	February 2017
Floor Plan - Level 3	DA - 12/B	Lavbl design	February 2017
South West Elevation (streetscape)	DA - 13/A	Lavbl design	February 2017
West Elevation	DA - 14/A	Lavbl design	February 2017
North East Elevation	DA - 15/A	Lavbl design	February 2017
South East Elevation	DA - 16/A	Lavbl design	February 2017
3D Renders page 1	-	-	Provided to Council 27/08/2018
3D Renders page 2	-	-	Provided to Council 27/08/2018
3D Renders page 3	-	-	Provided to Council 27/08/2018
3D Renders page 4	-	-	Provided to Council 27/08/2018
3D Renders page 5	-	-	Provided to Council 27/08/2018
3D Renders page 6	-	-	Provided to Council 27/08/2018
Stormwater Quality Management Report	Ref No. 3709 Rev D	Hendriks/House(Caboolture) Pty Ltd	Aug 2018
Stormwater Quantity Management Report	Ref No. 3709 Rev D	Hendriks/House(Caboolture) Pty Ltd	Aug 2018

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

Conditions

CONDITION	TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT	
1. Approved Plans and/or Documents	
Undertake development generally in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
2. Amended Plans Required	
A Submit an amended set of plans demonstrating the following: (a) The number of Multiple dwellings reduced to a maximum of 18 dwellings; (b) A maximum building height of 10.5 metres (this may require the garage level to be lowered into the site).	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
B Obtain approval from Council for the amended plans in accordance with (A) above.	
C Implement the requirements and recommendations of the approved plans. The approved amended plans will form part of the approval.	
3. 3D Model	
Submit to the Council for its records a 3D digital copy of the final development approval plans in a .SKP or .DAE file format. Note: Refer here for more information - https://www.moretonbay.qld.gov.au/town-planning/3d-model-submission/	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
4. Community Management Statement	
Ensure that any Community Management Statement for the development reflects the following: (a) Car parking provisions; (b) Landscaping requirements; (c) Bin storage requirements and collection locations; (d) Stormwater Management requirements; (e) Bicycle parking requirements; and (f) Storage locker requirements	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
5. Extent of Dwellings	
Develop the Dwellings on the site as follows: (a) Four (4) with each containing two (2) bedrooms or less; and (b) Fourteen (14) with each containing three (3) bedrooms or more.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

6.	On-Site Car Spaces	
A	Provide at least 30 vehicle spaces on site.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
B	Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plan. Car spaces, access lanes and driveways shown on the approved plan must not be used for any other purpose.	
7.	Building Height	
	Provide certification from a suitably qualified person such as a registered surveyor verifying the building height does not exceed 10.5 metres as per the administrative definition of 'building height' as contained within the Moreton Bay Regional Council Planning Scheme Version 2 in effect between 19 June 2016 and 3 July 2017 that this development application has been assessed against.	Within 14 business days of the all roof sheeting / tiling being installed on the upper most storey or prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
8.	Bicycle Parking Facilities	
	Install secure bicycle parking facilities for a minimum of 18 bicycles. Bicycle parking is to be provided in accordance with Austroads (2008), Guide to Traffic management - Part 11: Parking.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
9.	Electrical Transformer	
	Ensure that where electrical transformers are located in the front setback (only where an internal road is not proposed) it is screened so that the transformer is not visible from any road frontage and achieves the following: (a) A combination of screening device and landscaping; (b) The screening device is constructed of durable, weather resistant materials; and (c) Is integrated with the design of the development and positively contributes to the streetscape. Note: The use of barbed wire or metal prongs is not permitted	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
10.	Clothes Drying Facilities	
	Provide external clothes drying facilities that are screened from adjoining properties and the street, or provide an electric clothes dryer within each dwelling.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
11.	Storage Facilities	
	Provide a storage area of 8m ³ per dwelling. Each storage area must be clearly allocated to individual units.	Prior to commencement of use or Council

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

	Note- Storage areas can be co-located in garaged, allocated car parking areas in basements; or incorporated into building design. This storage areas is not located within the dwelling other than under stairs or as nominated on the approved plans and is not to conflict with the space allocated for a vehicle or bicycle parking space.	endorsement of any Community Management Plan, whichever occurs first and to be maintained.
12.	Privacy Screening	
A	Provide privacy screening or alternate treatments where: (a) Habitable room windows or balconies of above ground floor dwellings directly face another habitable room or balconies on the same site or an adjoining site that are within 9m; and/or (b) Habitable room windows or balconies that overlook private recreation areas of other dwellings on the same site or an adjoining site.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
B	Treatments may consist of one or more of the following: (a) Sill heights at a minimum of 1.5 metres above floor level; or (b) Fixed, tinted or opaque glazing in at least any part of the fixed window or balcony balustrading between the floor level of the dwelling or balcony and 1.5m for windows and 1.2m for balconies; or (c) Sliding external screens (e.g. louvered panels), of durable weather resistant materials and with a maximum of 50% transparency.	
13.	Materials and Finishes to Driveway and External Car Parking Spaces	
	Construct the driveway and visitor parking spaces of materials and finishes to soften the visual impact of these areas. In order to achieve the above, one or a combination of the following is to be used: (a) coloured aggregate; (b) coloured asphalt; (c) brick pavers; (d) approved porous surfacing; and/or (e) banding patterns in the surface design. Notes: 1. Council may approve other materials and finishes that are compatible with the objectives of this requirement. 2. Driveways and parking areas must not be surfaced with the same material, unless different colours, textures or borders are used to differentiate between them. 3. The use of a plain concrete finish for the driveways and parking areas is not acceptable.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
14.	Street Numbering and Building Names	
	Install dwelling and street numbering and lockable mail boxes conveniently located at the road frontage of the site. Ensure street numbers and any building names are prominently displayed at the road frontage of the site, to enable identification by emergency services.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

15.	Front Fencing	
	Ensure that any front fencing is constructed to no less than 50% transparency spread evenly across its total surface area and with a maximum height of 1.5 metres, unless approved otherwise by the Council in writing.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
16.	Fencing	
A	Construct a screen fence along common boundaries of the site with Lot 58 RP93874 (23 Bowen Avenue) and Lot 55 RP93874 (29 Bowen Avenue) where none already exists, except along the parts of the boundary located within the Medium or High Risk area on the Council's Flood Hazard Overlay. Unless an alternative design is agreed to with the owner of the adjoining land, the screen fence is to be 1.8 metres in height and constructed of treated timber. Fencing that extends forward of the main building line is to taper down to a height of 1.2 metres.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
B	Ensure that no fencing is constructed along the eastern boundary of the site adjacent to Sandy Creek or within the part of the site identified as an Environmental Area on the Environmental Areas Overlay.	
17.	Landscaping	
A	Provide landscaping on site generally in accordance with Planning Scheme Policy - Integrated Design Appendix D - Landscaping: The landscaping must also include the following as a minimum: (a) A landscape screen to the western and southern boundary of the site with species having a minimum mature height of no less than 1.5 metres; and (b) Retaining the existing vegetation located along the eastern boundary of the site (adjacent to Sandy Creek) where located with the Environmental Area on the Environmental Area Overlay, with the exception of any weeds.	Prior to commencement of use or Council endorsement of any community management statement, whichever occurs first.
B	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	
C	Maintain the landscaping.	At all times
18.	Street Trees	
	Provide street trees along the frontage of the development in accordance with Planning scheme policy - Integrated design Appendix D - Landscaping. Specifically, the; (a) species choices are set out in section 1.2.2; (b) pot size is set out in section 1.2.3; and (c) number to be provided is set out in section 1.2.4.	Prior to commencement of use or Council endorsement of any community management statement, whichever occurs first.
19.	Vehicle Encroachment	
	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops, kerbing or similar barrier approved by the Council.	Prior to the commencement of use or Council endorsement of any

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

		Community Management Statement, whichever occurs first and to be maintained at all times.
20.	On Site Services	
	<p>Ensure garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners are:</p> <ul style="list-style-type: none"> (a) located in the rear setback; or (b) located in the side setbacks and include screening (e.g. fencing or landscaping) from view of any road frontage; or (c) entirely underground where located in the front setback. <p>Note: Rainwater tanks are not permitted within easements.</p>	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
21.	Water and/or Sewerage	
	<p>Submit to Council a Certificate of Completion or Provisional Certificate of Completion for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming:</p> <ul style="list-style-type: none"> (a) a reticulated water supply network connection is available to the land; and (b) a sewerage network connection is available to the land; and (c) all the requirements of Unitywater have been satisfied. 	Prior to commencement of use or endorsement of any Community Management Statement whichever occurs first.
22.	Fibre Ready Telecommunications – Multi	
A	<p>Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline MDU Building Design Guide as amended, that:</p> <ul style="list-style-type: none"> (a) Includes a suitable building entrance facility (lead-in) from the property boundary to the building entrance; and (b) Has suitable space and access for the installation, maintenance and repair of all elements up to and including the Network Termination Device (NTD) and Power Supply Unit (PSU) or the likely location of a NTD and PSU for each dwelling unit; and (c) A conduit with draw string, from either the telecommunication room or riser/closet location to each NTD or the likely location of each NTD. 	Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.
B	<p>Provide certification to Council from the Installer or an RPEQ engineer (electrical engineer) that the works and infrastructure required in (A) above has been done.</p> <p>Note: The location or the likely location of the NTD is determined by the owner in consultation with the electrician/electrical engineer. NBN Co have guidelines available to help determine the best location. A template for certification is available from Council for the purpose of this condition.</p>	
23.	Telecommunications Internal Wiring	
A	<p>Install internal wiring (Category 6 or better) within each dwelling from the expected location of any future Network Termination Device (NTD) for High Speed Broadband (based on the recommended locational criteria in the NBN Co Guideline (MDU Building Design Guide for New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs) to the same connection</p>	Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
27 November 2018

PAGE 18/2338
Report

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

	points in the dwelling that would have been or have been installed for telephone and television connections; including but not limited to bedrooms, family/living rooms, and study/office.	
B	Provide certification from the installer or an RPEQ engineer (electrical engineering) that the wiring required in (A) above has been done. Note: A template for certification is available from Council for the purpose of this condition. Installers are recommended to be a registered cabler.	
24.	Electricity	
A	Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an electricity supply network is available to the development.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	Provide an underground electricity supply connection to the development as follows: (a) where the electricity network at the road frontage is underground, the connection for the lot is to be underground; or (b) where the electricity network at the road frontage is above ground, the connection for the land is to be underground from an electricity supply network pole with any crossing of an existing road carriageway to be constructed using thrust boring. Note: Private property poles are not permitted.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
25.	Acoustic Attenuation Barrier	
A	Construct an acoustic barrier that: (a) is located along the entire length of the car park on the common boundary of the site with Lot 58 RP93874; and (b) is at least 1.8 metres (but no higher than 2.0 metres) in height above the finished level of the car park; and (c) achieves a surface area density of not less than 10kg/m ² ; and (d) has no air gaps (including at the base and between panels); and (e) is constructed in accordance with Council Standard Drawing SF-1520 or SF-1521.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
B	Provide certification from a suitably qualified acoustic consultant that the barrier has been constructed in accordance with the specifications of (A) above.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
26.	Waste Management Plan	
A	Implement the approved waste management arrangements identified on the approved plan. Note: This development will use 4 x 1.1 m ³ bins serviced at the kerbside of Bowen Avenue unless advised otherwise by the Council in writing.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.

Moreton Bay Regional Council

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

B	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
C	Provide a bin wash down facility connected to sewer as per SC 6.20 Planning Scheme Policy - Waste.	
27.	External Lighting	
A	Install external lighting in accordance with AS4282-1997 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
B	Provide certification from a suitably qualified person that external lighting has been installed in accordance with AS4282-1997 - (Control of the Obtrusive Effects of Outdoor Lighting).	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
28.	Pedestrian Lighting	
A	Install lighting in any pedestrian areas that require illumination in accordance with AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
B	Provide certification from a suitably qualified person that lighting for pedestrian areas satisfies the intent of AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
29.	Fauna Management Plan	
A	Submit a Fauna Management Plan to reduce potential impacts on native fauna during site works. The plan must be prepared by a suitably qualified person and in accordance with Planning scheme policy - Environmental areas and corridors.	Prior to any works commencing on site.
B	Obtain approval from Council for the Fauna Management Plan in accordance with (A) above.	
C	Carry out works in accordance with the approved Fauna Management Plan.	Prior to and during site works.
30.	No Net Loss of Fauna Habitat	
	Where the development will result in the loss of a Habitat Tree (greater than 80cm in trunk diameter measured at 1.3m height), development must provide replacement fauna nesting boxes at the following rate: (a) One (1) nest box for every hollow removed; or	Prior to the commencement of use or Council endorsement of any Community Management

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

	(b) Where hollows have not yet formed in trees, three (3) nest boxes for every habitat tree removed.	Statement, whichever occurs first.
31.	Management of Wildlife	
A	Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency.	Prior to and during site works.
B	Provide an activity report, to be completed by the supervising Fauna Spotter Catcher, including: (a) The number and species of any animals observed during clearing; (b) The actions taken to deal with observed animals; (c) The number of any animals that were required to be relocated; (d) The release site for any relocated animals; (e) The number (if any) of animals injured during clearing; (f) The treatment provided; (g) The outcome of any treatment; and (h) The location of the treatment.	Within fourteen (14) days of completion of clearing.
32.	Vegetation Management Plan	
A	Submit a Vegetation Management Plan detailing the vegetation to be removed, retained and procedures proposed during site works. The plan must be prepared by a suitably qualified person and in accordance with Planning scheme policy - Environmental areas and corridors.	Prior to works commencing on site.
B	Obtain approval from Council for the Vegetation Management Plan in accordance with (A) above.	
C	Ensure works are carried out only in accordance with the approved Vegetation Management Plan.	At all times.
33.	Extent of Vegetation Clearing	
A	Limit the clearing of native vegetation to that necessary for the establishment of the approved development and shown in the approved Vegetation Management Plan; and	Prior to and during site works and to be maintained.
B	Do not clear native vegetation outside of the development footprint (in particular those areas identified as an Environmental Area on the Council's Environmental Areas overlay) including for associated infrastructure (such as drainage) or earthworks, unless otherwise approved by the Council in writing.	
34.	Disposal of Cleared Vegetation	
	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.	At all times.
35.	Stockpiles of Construction and Landscaping Materials	
	Locate any stockpiles of construction and landscaping materials and other site debris, clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain, wetland or watercourse.	During site works.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

36.	Temporary Exclusion Fencing	
	Delineate areas where vegetation is proposed to be retained with exclusion fencing to prevent accidental felling. Clearing is to be undertaken in accordance with AS 4970-2009 Protection of Trees on Development Sites.	During site works.
37.	Ecological Restoration Plan Required	
A	Submit to Council for approval an Ecological Restoration Plan. The plan must be prepared by a suitably qualified person and in accordance with Planning Scheme Policy - Environmental Areas and Corridors.	Prior to site works commencing.
B	Implement the requirements of the approved plan.	During site works and to be maintained.
38.	Environmental Offset	
A	Ensure any clearing of native vegetation from within the Environmental areas overlay MLES waterway buffer is offset as required by Planning scheme policy - Environmental areas and corridors. Submit a notice of election for the proposed offset as required by Section 18 of the <i>Environmental Offsets Act 2014</i> .	Prior to commencement of any site works.
B	For land based offsets, submit for approval an Offset Delivery Plan in accordance with section 2.3.1.3 of the Queensland Environmental Offsets Policy.	
	(i) Undertake clearing and offset delivery in accordance with any approved Offset Delivery Plan; and	
	(ii) Provide certification of the completion of the offset and a copy of the covenant agreement or other protection measure to Council once established.	Upon completion of the offset works.
C	For financial offset, submit a calculation of the financial offset obligation in accordance with the Financial Settlement Offset Calculation Methodology contained in the Queensland Environmental Offsets Policy or Council's Planning Scheme Policy - Environmental areas and corridors; and	Prior to commencement of site works.
	(i) Submit to Council payment of a Financial Settlement Offset in accordance with section 2.3.2 of the Queensland Environmental Offsets Policy.	Prior to commencement of vegetation clearing site works.
39.	Replace Existing Council Infrastructure	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	Prior to commencement of use or endorsement of any community management statement, whichever occurs first.
40.	Alterations and Relocation of Existing Services	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	Prior to commencement of use or endorsement of any community management statement, whichever occurs first.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

41.	Stormwater	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times.
42.	Stormwater Management	
A	The approved Stormwater Management Plans are accepted as demonstrating that stormwater from the proposed development can be managed in accordance with Council's Planning Scheme requirement, design standards and other relevant legislative requirement.	Note only.
B	Implement and maintain the works identified in the approved Stormwater Management Plans.	Prior to commencement of use or endorsement of any community management statement, whichever occurs first and then to be maintained at all times.
C	Construct stormwater infrastructure to service the development at no cost to Council and in accordance with the approved plans and documents of development. This condition has been imposed under section 145 of the <i>Planning Act 2016</i> .	Prior to commencement of use or endorsement of any community management statement, whichever occurs first
D	Submit certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the works have been built in accordance with the approved Stormwater Management Plan.	
43.	Construction Management Plan	
A	Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following: (a) Material delivery and storage locations (b) Waste locations and collection details (c) Construction office accommodation (d) Contractor / tradesman vehicle parking arrangements (e) Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday. The CMP may include a site layout drawing identifying these areas. The CMP needs to reflect any staging requirements. Notes: 1. Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs) 2. Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable 3. Materials unloading and loading must occur on-site unless prior written approval is given by Council.	Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

	4. All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.	
B	Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during construction.	At all times during construction of the development.
44.	Erosion and Sediment Control	
	Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.	Prior to commencement of works and to be maintained current at all times during construction.
45.	Driveway Crossover	
A	Construct a driveway crossover to the proposed development in accordance with the approved plans and documents of development and IPWEA Standard Drawing RS-051.	Prior to commencement of use or endorsement of any community management statement, whichever occurs first.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	
46.	Existing Driveway Crossover	
	Remove completely all redundant driveway crossovers fronting the development site on Bowen Avenue. Reinstate all disturbed areas (including kerb and channel) to Council's standards current at the time of development.	Prior to commencement of use or endorsement of any community management statement, whichever occurs first.
47.	Access, Internal Roadways, Parking and Servicing Areas	
A	Design and construct sealed (concrete or bitumen) accesses, internal roadways, parking and servicing areas (and associated works), in accordance with the approved plans and documents of development, the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD), Australian Standards and the MBRC Planning Scheme current at the time of the building works application.	Prior to commencement of use or endorsement of any community management statement, whichever occurs first and to be maintained at all times.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use or endorsement of any community management statement, whichever occurs first.

ADVICES

1.	Aboriginal Cultural Heritage Act 2003
	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage</p>

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

ADVICES	
	<p>Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p> <p>Council strongly advises that before undertaking the land use activity, you refer to the cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government) for further information regarding the responsibilities of the developer.</p>
2.	Adopted Charges
	<p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p>

B. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	Material Change of Use - Development Permit for Multiple Dwellings (18 Dwellings)
Relevant Period of Approval	Material Change of Use – 4 years
Other Necessary Permits	Building Works
Referral Agencies	There are no Referral Agencies
Submissions	There were 88 properly made submissions about this application.

REPORT DETAIL

1. Background

DA/3570/2003/DA/7

On 16 December 2003, a Proposed Pensioner Accommodation on the subject site was refused by Council.

DA/20252/2008/DA

On 22 December 2008, a Development Permit for a Material Change of Use - Multiple Dwelling Units (5 Dwelling Units) was approved by Council. This approval was never acted upon and therefore lapsed on 22 December 2012.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

DA/29188/2014/V2M

On 8 October 2014, a development application for a Material Change of Use - Development Permit for Low Density Multiple Dwelling Units (8 Dwelling Units) was lodged with the Council however lapsed as it was not Properly Made.

PRE/3215

On 5 February 2016, a pre-lodgement meeting was held with Moreton Bay Regional Council to discuss a Material Change of Use - Development Permit for Multiple Dwellings (22 Units) under the MBRC Planning Scheme. This pre-lodgement occurred prior to the lodgement of the current application (originally seeking 24 dwelling units), with the applicant not taking in to consideration the advice on density provided.

DA/34294/2017/V2M

On 12 June 2017, a development application seeking a Material Change of Use - Development Permit for Multiple Dwellings (24 Dwellings) lapsed as it was not Properly Made. The proposal was relodged with Council as the current application (DA/34470/2017/V2M).

2. Explanation of Item

2.1 Description of the Site and Surrounds

Directions	Planning Scheme Zone	Current Land Use
North	General Residential Zone - Next Generation Neighbourhood; Recreation and Open Space Zone; Limited Development Zone	Dwelling houses with associated outbuildings, Leitch Park
South	General Residential Zone - Next Generation Neighbourhood; Centre Zone - District Centre	Dwelling houses with associated outbuildings; Commercial businesses including Orthodontist, and Beaurepaires; Albany Creek State School.
East	General Residential Zone - Next Generation Neighbourhood	Dwelling houses with associated outbuildings, Leitch Park
West	General Residential Zone - Next Generation Neighbourhood	Dwelling houses with associated outbuildings.

2.2 State Planning Instrument Assessment

2.2.1 State Planning Regulatory Provisions (SPRPs)

An assessment against each of the State Planning Regulatory Provision is set out as follows:

Name	Designation	Applicable Requirements
State Planning Regulatory Provision (Adopted Charges)	None	Not Applicable to Development Assessment however the SPRP has informed the Council's Infrastructure Charges Resolution that is discussed in section 2.4 of this report.
State Planning Regulatory Provisions (Adult Stores)	None	The development proposal is not for an Adult Store and therefore the State Planning Regulatory Provisions do not apply.
South East Queensland Koala Conservation State Planning Regulatory Provisions	None	The site is located in a Priority Koala Assessable Development Area. An assessment as to how the development satisfies the provisions in the State Planning

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

Name	Designation	Applicable Requirements
		Regulatory Provisions has been undertaken, and the proposal is consistent.
Southeast Queensland Regional Plan 2009-2031 (SEQRP) State Planning Regulatory Provisions	Urban Footprint	The development proposal is for an urban activity in the urban footprint and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

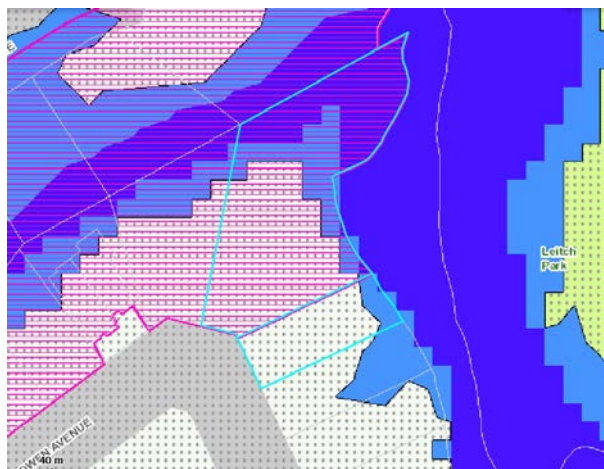
2.2.2 State Planning Policy

On 16 November 2015, notification was given to Council that all State Interests had been integrated into the Moreton Bay Regional Council Planning Scheme with the exception of the State Interest - natural hazards, risk and resilience (coastal hazards - erosion prone areas). Accordingly, the interim development assessment requirements set out within the State Planning Policy (SPP) for coastal hazards - erosion prone areas is to be applied by Council in the assessment of development applications until this State Interest has been appropriately integrated into Council's planning scheme. Assessment against the SPP for this one State Interest is as follows;

State interest - Natural Hazards		
Applicable to Development	SPP Requirement	Comment
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	None	Not applicable

2.3 Assessment Against Local Categorising Instrument - Moreton Bay Regional Council Planning Scheme

An assessment against the relevant parts of the planning scheme is set out below. Relevantly, the development application as originally submitted was Impact Assessable development as the proposal exceeded the maximum building height nominated on the Council's Building Height Overlay Map as well as having part of the site located in the Council's Drainage Investigation Area (pink hatching).



As mentioned below in section 2.3.2 of this report, the revised development proposal complies with the Building Height Overlay Map and therefore it is only because part of the site is located in the

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

Drainage Investigation Area that the proposal remains as Impact Assessable development and otherwise would have been Code Assessable development.

2.3.1 Strategic Framework

In accordance with section 1.7.2 of the planning scheme, the development proposal requires no further assessment against the Strategic Outcomes within the Strategic Framework.

2.3.2 Assessment of Applicable Codes

Code Compliance Summary

The assessment below identifies how the development proposal complies (subject to the application of any recommended conditions of approval) with the applicable codes and where the development proposal;

- (a) proposes an alternative outcome to an Acceptable Outcome, satisfying or not satisfying the corresponding Performance Outcome; and
- (b) proposes an outcome where no Acceptable Outcome is stated in the code and the proposed Outcome does not satisfy the corresponding Performance Outcome.

Applicable Codes	Compliance with Overall Outcomes	Performance Outcomes assessment is required against
Zone/ Local Plan Code		
General Residential Zone Code - Next generation neighbourhood precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO79, PO87, PO115
Overlay Codes		
Flood Hazard Overlay	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO27
Development Codes		
Residential Uses Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nil.

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 2.3.3.

Application Background

Prior to discussion on the development proposal it is important to highlight the changes made to the development proposal in response to the Council’s information request and the concerns raised in submissions made to the Council.

The applicant originally responded to the Council’s Information Request on 13 April 2018 and while providing some additional information requested (such as stormwater details) on the issues of density, building height and site cover for example, the applicant’s responses were;

“The density of the proposed development at 80.5 dwellings per hectare has been maintained and it is requested that Council consider a performance outcome”

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

“The applicant has made the decision to maintain the building height, slightly above 12m and the application will undergo public notification in accordance with the requirements for an impact assessable development application”

“The proposed site cover is 41.9% which is only marginally above the acceptable outcome of 40.0%. The Site Context Plan - DA-01-M indicates the difference between the proposed site cover and 40.0% site cover. As this plan shows there is negligible difference and a performance outcome is sought on the basis of the following”

Council officers advised the applicant in a meeting on 31 May 2018 that the proposal as submitted in response to the original information request and publicly notified would not be supported by Council officers as it had not demonstrated compliance with the Performance Outcomes in the MBRC Planning Scheme. In response, the applicant sought the opportunity to provide additional information to the Council to demonstrate compliance.

On 27 August 2018, the applicant re-addressed its response to the Council’s Information Request and provided a re-designed development proposal for the Council’s consideration. The revised development proposal reduced the density of the development to 21 dwelling units, reduced the height to comply with the 12 metre maximum building height, reduced the site cover to less than 40%, pulled the development footprint outside of the medium risk flood hazard area and made other design changes. As a result, the revised development proposal generally adopted the nominated Acceptable Outcomes stated in the planning scheme codes.

Subsequent to this, Council officers gave further consideration to the traffic issues, submissions received and the existing landscape the proposal is located within and advised the applicant that simple compliance with the Acceptable Outcomes did not to guarantee compliance with a Performance Outcome. Section 1.7.4 of the Council’s Planning Scheme states;

1.7.4 Acceptable outcomes not the only outcomes

- The acceptable outcomes included in a code are not necessarily the exhaustive means of meeting the corresponding performance outcome or purpose of the code in full. An acceptable outcome may be only part of a way to meet the performance outcome. An acceptable outcome is also only one suggested way of meeting the performance criteria. The specific circumstances and characteristics of a development may require a different outcome to the acceptable outcome included in the code in order to meet the performance outcome.*

The applicant was advised that to have the best prospect of support and to better demonstrate compliance with the Performance Outcomes of the planning scheme that the applicant should give consideration to further reducing the number of dwelling units from 21 down to 18 (reducing the number of 2 bedroom units and increasing the number of 3 bedroom units) and reducing the building height to 10.5 metres. The applicant has indicated that it would not likely be opposed to such an outcome if applied as a condition of approval.

The assessment below is based on the applicant’s revised development proposal of 21 dwelling units having regard to the prospect of recommending approval of 18 dwelling units in a 10.5 metre high building.

2.3.3 Performance Outcome Assessment

Performance Outcome	Acceptable Outcome
General Residential Zone Code - Next generation neighbourhood precinct	
PO79 Development does not result in the net loss or degradation of habitat value in a	No acceptable outcome provided.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

Performance Outcome	Acceptable Outcome
<p>High Value Area or a Value Offset Area. Where development does result in the loss or degradation of habitat value, development will:</p> <ul style="list-style-type: none"> a. rehabilitate, revegetate, restore and enhance an area to ensure it continues to function as a viable and healthy habitat area; b. provide replacement fauna nesting boxes in the event of habitat tree loss in accordance with Planning scheme policy - Environmental areas; c. undertake rehabilitation, revegetation and restoration in accordance with the South East Queensland Ecological Restoration Framework. 	
<p><i>Performance Outcome Assessment</i></p>	
<p>The Performance Outcome seeks to ensure there is no <u>net</u> loss or degradation of habitat value. This Performance Outcome does not preclude the loss or degradation of some habitat value as it provides for the outcomes to be achieved when it does occur as articulated in clauses (a), (b) and (c) of the Performance Outcome.</p> <p>To ensure there is no <u>net</u> loss or degradation of habitat value, it will be necessary that any development approval include a condition requiring the approval by the Council of a Vegetation Management Plan, Fauna Management Plan and Rehabilitation Plan to be implemented by the development.</p> <p>These plans will be required to</p> <ul style="list-style-type: none"> a. rehabilitate, revegetate, restore and enhance an area to ensure it continues to function as a viable and healthy habitat area; b. provide replacement fauna nesting boxes in the event of habitat tree loss in accordance with Planning scheme policy - Environmental areas; c. undertake rehabilitation, revegetation and restoration in accordance with the South East Queensland Ecological Restoration Framework <p>The proposed development does not require further assessment against the Overall Outcomes.</p>	
<p>PO87 Where development results in the unavoidable loss of native vegetation within a Value Offset Area MLES waterway buffer or a Value Offset Area MLES wetland buffer, an environmental offset is required in accordance with the environmental offset requirements identified in Planning scheme policy - Environmental areas.</p> <p>Editor's note - For MSES Koala Offsets, the environmental offset provisions in schedule 11 of the Regulation, in combination with the requirements of the Environmental Offset Act 2014, apply.</p>	<p>No solution provided.</p>

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

Performance Outcome	Acceptable Outcome
<i>Performance Outcome Assessment</i>	
<p>Insufficient detail has been provided by the applicant to determine the extent of vegetation clearing required within the MLES overlay however Council officers have determined that some native vegetation clearing is likely to be required as a result of the development. As an offset is stated in the Performance Outcome as a nominated mechanism to achieve compliance, if the development is approved, it is a recommended condition of approval that a condition be imposed requiring an environmental offset for clearing within the MLES waterway buffer.</p>	
<p>No further assessment is required against the Overall Outcomes of the Code.</p>	
<p>PO115 Development provides and maintains a suitable setback from waterways and wetlands that protects natural and environmental values. This is achieved by recognising and responding to the following matters:</p> <ul style="list-style-type: none"> a. impact on fauna habitats; b. impact on wildlife corridors and connectivity; c. impact on stream integrity; d. impact of opportunities for revegetation and rehabilitation planting; e. edge effects. 	<p>AO115 Development does not occur within:</p> <ul style="list-style-type: none"> a. 50m from top of bank for W1 waterway and drainage line b. 30m from top of bank for W2 waterway and drainage line c. 20m from top of bank for W3 waterway and drainage line d. 100m from the edge of a Ramsar wetland, 50m from all other wetlands. <p>Note - W1, W2 and W3 waterway and drainage lines, and wetlands are mapped on Schedule 2, Section 2.5 Overlay Maps – Riparian and wetland setbacks.</p>
<i>Performance Outcome Assessment</i>	
<p>The proposed development is located outside of the Riparian overlay area, however the development could create potential edge effects within the mapped area. To address this issue, if the development is approved, it is a recommended condition of approval that rehabilitation occurs in accordance with an approved Rehabilitation plan. Therefore, no further assessment against the Overall Outcomes is required.</p>	
Flood Hazard Overlay Code	
<p>PO27 Development of premises included in the General residential zone – Next generation neighbourhood precinct or General residential zone – Urban neighbourhood precinct located in a Drainage investigation area identified on Figures 8.2.2.1 to 8.2.2.10 is supported by drainage works and specific building design responses to mitigate the risk posed by the flood hazard.</p> <p>Note - Planning scheme policy - Flood hazard, Coastal hazard and Overland flow provides direction on the preparation of a drainage master plan, or similar, for the Drainage Investigation Area.</p>	<p>AO27.1 <i>Not applicable as it applies when there is an adopted drainage master plan.</i></p> <p>AO27.2 Development:</p> <ul style="list-style-type: none"> a. occurs in accordance with a drainage master plan prepared by an applicant and approved by the Council; b. undertakes identified works, internal and external, or transfers land as required to mitigate the impact of the flood hazard and any coastal hazard; c. is designed to mitigate the impact of the flood hazard and any coastal hazard in accordance with the design standards identified in the approved drainage master plan.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

Performance Outcome	Acceptable Outcome
	Note - Planning scheme policy - Flood hazard, Coastal hazard and Overland flow provides direction on the preparation of a drainage master plan.
<i>Performance Outcome Assessment</i>	
<p>Part of the subject site (25 Bowen Avenue only) is located within the Drainage Investigation Area (DIA) identified in Figure 8.2.2.1 - Albany Creek. Council has not yet prepared and approved a Drainage Master Plan for the identified area and therefore an assessment is required against the Performance Outcome.</p> <p>While a Drainage Master Plan has not yet been prepared, Council officers have carried out substantial preliminary investigations of the DIA to inform that master planning. As a part of that process it has been confirmed that the subject site will have no hydraulic contribution to the delivery of the Drainage Master Plan solution and will not be affected by the outcomes of the Drainage Master Plan solution, particularly if it complies with the existing flood planning levels and is located outside of the Medium flood hazard area.</p> <p>Therefore, the proposed solution for the Albany Creek Drainage Master Plan will not include, or affect, 25 Bowen Avenue, hence the proposed Material Change of Use for Multiple Dwelling will not impact the surrounding area. It has been identified that;</p> <ul style="list-style-type: none"> (i) no land transfer, dedication or works is required from the subject site for future drainage solutions; and (ii) the proposed development is located wholly within the Balance Flood Planning Area. <p>In specific reference therefore to the assessment against the Performance Outcome, the outcome sought is that <i>“Developmentis supported by drainage works and specific building design responses to mitigate the risk posed by the flood hazard”</i>.</p> <p>As investigations carried out by the Council to date has confirmed that;</p> <ul style="list-style-type: none"> (a) the site will not be required to provide drainage works as a part of the solution for the DIA, and (b) the solution will not exacerbate or extend the existing flood risk hazard across the site, and <p>the proposed building is located in the balance flood hazard area and will be built in accordance with the requirements of the Council’s Flood Hazard Overlay Code in respect to floor levels, etc, the proposal is able to comply with the Performance Outcome.</p> <p>Therefore, the proposal does not require further assessment against the Overall Outcomes of the Flood Hazard Overlay Code.</p>	

2.4 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is located within the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council’s Charges Resolution No. 8 commencing on 14 August 2018 (CR).

2.4.1 *Levied Charge*

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal and has been calculated as shown in the Infrastructure Charges Notice attached to this report taking into consideration any applicable credits or offsets.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

2.4.2 Levied Charge Credit

In accordance with section 14 of the CR, a credit exists for the development based on the credit being the greater of the following amounts:

(a) Payment of previous charges or contributions

There is no record of a previous charge or contribution having been made in relation to the land in accordance with section 14 of the CR. Accordingly, the credit available under this option is \$0.00

(b) Lawful use of land

An assessment of existing and previous lawful uses of the land has determined that a credit amount of \$34,430.70 exists and has been calculated based on two dwellings existing (one on each individual parcel). A single dwelling or residential lot has a value of \$17,215.35 after a proportional split with Unitywater, therefore the two parcels have an equal value.

(c) Other development able to occur without a development permit

There is no other development able to be lawfully carried out without a development permit (including a development permit for Building Works). Accordingly, the credit available under this option is \$0.00.

(d) The adopted charge for a residential lot (applied equally to non-residential development)

The credit available under this option is \$34,430.70 based on the proportional split stated in Table 3 of the CR.

2.4.3 Levied Charge Offset or Refund

The site is not affected by a Trunk Infrastructure requirement and therefore there is no offset or refund applicable to the development proposal.

2.4.4 Additional Trunk Infrastructure Costs

In accordance with section 130 of the *Planning Act 2016*, an additional payment condition may be imposed if the proposed development;

- (a) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (b) requires new trunk infrastructure earlier than when identified in the LGIP; or
- (c) is for premises located completely or partly outside the Priority Infrastructure Area; and the development will impose additional trunk infrastructure costs on Council after taking into account the levied charge and any trunk infrastructure provided, or to be provided by the development.

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition.

2.5 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

2.6 Referrals

2.6.1 Council Referrals

2.6.1.1 Development Engineering

Traffic, Access & Parking

There is no adverse impact on traffic and intersections caused by the proposed development as demonstrated in the traffic impact assessment report submitted to the Council by the applicant in support of the development application, with deficiencies in the external road network already existing.

The applicant's traffic assessment has been reviewed by the Department of Transport and Main Roads (refer to section 2.6.2.3 below about the Bowen Avenue and Albany Creek Road intersection). The traffic assessment was also peer reviewed by an external traffic engineer who raised no concerns about car parking however also identified deficiencies in the Bowen Avenue and Albany Creek Road intersection being a State controlled intersection and not within the Council's legal jurisdiction to regulate. All reviews identified that no upgrades to Council roads or intersections were needed.

Access to site will be from Bowen Avenue via a 7 metre wide driveway crossover. As a consequence, the recommendations of this report include conditions for driveway construction.

The proposed on site car parking arrangements for the development are acceptable and comply with the Planning Scheme requirements. Any prospect of reducing the number of dwelling units will also increase the number of available car parking spaces for each dwelling unit. As a consequence, the recommendations of this report includes a condition for carparking and line marking.

Stormwater

The applicant has submitted stormwater quantity and quality reports that have been accepted as demonstrating compliance with Council requirements. As a consequence, the recommendations of this report include conditions for the implementation and construction of stormwater infrastructure.

2.6.1.2 Environmental Health

Lighting

It is recommended that conditions are included to ensure suitable lighting is installed.

Waste Management

The submitted plan details waste management arrangements where 4 x 1.1m³ bulk bins (2 x 1.1m³ general waste bins serviced twice weekly and 2 x 1.1m³ recyclable waste bins serviced weekly) will be stored in an enclosure and serviced at the street kerbside by a 12.5m long Heavy Rigid Vehicle (HRV). As a consequence, the recommendations of this report include a condition that the development be undertaken in accordance with the plan.

Noise

Noise from the car parking for the unit development has the potential to impact on the amenity of the neighbouring residential properties. In lieu of an acoustic report it is appropriate that measures to control the impacts are implemented to provide certainty that there will not be any impact. As a consequence, the recommendations of this report include a condition that the construction of an acoustic barrier with a specified height, density and location is constructed.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

2.6.1.3 Environmental Planning

Environmental areas overlay

The northern and eastern portions of the site are located within the Environmental areas overlay as Matters of Local Environmental Significance (MLES) waterway buffer - Value Offset Area. Only the far northeast corner of the site is mapped under the MSES High Value Area. PO79 of the General residential zone code - Next generation precinct requires that development does not result in the net loss or degradation of habitat value in a High Value Area or a Value Offset Area. Where development does result in the loss or degradation of habitat value, development will:

- a. rehabilitate, revegetate, restore and enhance an area to ensure it continues to function as a viable and healthy habitat area;
- b. provide replacement fauna nesting boxes in the event of habitat tree loss in accordance with Planning scheme policy - Environmental areas;
- c. undertake rehabilitation, revegetation and restoration in accordance with the South East Queensland Ecological Restoration Framework.

PO87 of the code requires where development results in the unavoidable loss of native vegetation within a Value Offset Area MLES waterway buffer, an environmental offset is required in accordance with the environmental offset requirements identified in Planning scheme policy - Environmental areas.

Insufficient detail has been provided to determine the extent of vegetation clearing required within the MLES overlay. On the evidence available, it appears native vegetation clearing will be required as a result of the development. A condition of approval is recommended to ensure the development complies with PO87 by providing an environmental offset for clearing within the MLES waterway buffer.

Riparian and wetland setbacks overlay

The site is bounded to the east by the Sandy Creek corridor. Sandy Creek and its tributary to the north are located within the Riparian and wetland setbacks overlay that encompasses part of the site. Although the proposed units will be located outside the overlay area, the development will potentially create additional edge effects within the mapped area. PO115 of the code requires development to provide and maintain a suitable setback from waterways and wetlands that protects natural and environmental values. A condition of approval is recommended to ensure rehabilitation occurs in accordance with the requirements of PO115.

Areas outside the Environmental areas overlay

The western portion of the site is located outside the Environmental areas overlay. PO14 of the code requires that the development does not result in the net loss of fauna habitat. Where development does result in the loss of a habitat tree, development must provide replacement fauna nesting boxes. The applicant has not provided a detailed tree survey of the site. In the instance that a habitat tree is to be removed to facilitate the development, a condition of approval is recommended to ensure replacement fauna nesting boxes are provided to ensure compliance with PO14 and the Planning scheme policy - Environmental areas and corridors.

2.6.2 Referral Agencies

2.6.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning

There were no Concurrence Agencies involved in assessing this development application.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

2.6.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.6.2.3 Third Party Agencies

Department of Transport and Main Roads (DTMR)

The proposed development and the traffic impact assessment provided by the applicant were referred to DTMR for advice on 12 September 2018, in order to receive further advice on the State Controlled Intersections from Bowen Avenue onto Albany Creek Road. The response provided is as follows:

- *The submitted Traffic Impact Assessment, includes only the AM peak in their distribution diagrams and critical movement assessment, when the largest volume turning right from the state-controlled Road: South Pine Rd (Albany Creek Rd), would be the PM peak. This aside, the local road (Bowen Ave) has two connections to the state-controlled Road. The one to the east is left in/left out only, with the one to the west being all movements' priority control.*
- *The all movement intersection to the west forms a four-way with a shopping centre. They have provided no analysis of the performance of this intersection, which TMR expects is quite busy. Sight distance appears to be sufficient at this location. The next step for this four-way intersection would probably be signalisation. However, given the nature of the development, TMR would consider it unreasonable to impose an upgrade of the existing supermarket intersection to a signalised intersection, on the proposed development.*
- *Although TMR considers that the report supplied does not include a detailed enough analysis, it is considered that requiring a new report to be submitted would be unnecessary as there are no upgrades at this location that TMR would impose on the development given the nature of the development and its scale.*

Council officers acknowledge the advice provided by the Department of Transport and Main Roads that no upgrades to the Bowen Avenue / Albany Creek Road intersections could be reasonably imposed on the development. More relevantly for the Council however is that the intersection is not within the Council's jurisdiction that prevents the Council from requiring upgrades to it.

2.7 Public Consultation

2.7.1 Public Notification Requirements under the Development Assessment Rules

- (a) Public Notification was served on all adjoining landowners on 2 May 2018 and 3 May 2018.
- (b) The development application was advertised in the North West News on 2 May 2018.
- (c) A notice in the prescribed form was posted on the relevant land on 2 May 2018 and maintained for a period of 15 business days until 24 May 2018.

2.7.2 Submissions Received

Council received the following types of submissions in respect to this development application.

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		88
	Petition		Nil.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

Type		Number of Signatures	Number of Submissions
Not Properly Made	Letter, Email, Fax		10
	Petition		Nil.
Total			98

The matters raised within the submission(s) are outlined below:

Assessment of Submissions
<p>Issue - Overdevelopment</p> <ul style="list-style-type: none"> • Density exceeding 75 dwellings per hectare; • Site cover exceeding 40% of the site
<p>Discussion</p> <p>As discussed in section 2.3.2 of this report, at the time of public notification, the proposed development was for 24 Multiple Dwellings having a net residential density of 81 dwellings per hectare. That density was inconsistent with Performance Outcome PO1 of the General Residential Zone Code - Next Generation Neighbourhood Precinct that specifies a maximum of 75 dwellings per hectare. Furthermore, at the time, the proposal was exceeding the 40% site cover nominated in Acceptable Outcome AO7 of the Code and did not comply with Performance Outcome PO7 of the Code as the neighbourhood character did not support a significant site cover.</p> <p>In response to the concerns raised by Council officers and submissions received, the scale of the development was reduced by the applicant to 21 dwellings and therefore complies with the maximum site density (having a density of 70.4 dwellings per hectare) while also having a site cover of 37.5%.</p> <p>However, ongoing representations by residents of Bowen Avenue has occurred since these changes were proposed. As a result of further representations by Council officers discussing the concerns (therefore seeking a further reduction in the number of units and building height) the applicant has indicated it would not oppose a requirement to reduce the number of dwelling units from 21 to 18. This change would therefore alter the proportion of bedrooms within the development by increasing the number of 3 bedroom or more dwellings to fourteen (14) and reducing the number of 2 bedroom or less dwellings to four (4).</p> <p>This further change proposed as a condition of approval ensures compliance with the Performance Outcomes of the General Residential Zone Code - Next Generation Neighbourhood Precinct and further addresses concerns raised by residents.</p>
<p>Issue - Character</p> <ul style="list-style-type: none"> • Existing character does not support the size of the development
<p>Discussion</p> <p>The proposed development of 21 dwellings would be the highest density proposal within Bowen Avenue as the existing building stock in the street consists of single and double storey detached dwellings. Therefore, submissions have been received that state the development is inconsistent with the existing character of the area.</p> <p>However, the area is located in the General Residential Zone - Next generation neighbourhood precinct, being a zone that supports a mix of dwellings where low to medium density uses are contemplated and nominated in the overall outcomes and purpose of the zone code for the precinct. The zone code does not have a focus on the existing character of the area, rather instead requires development to “be of a scale and density consistent with the low to medium density residential character intended for the area”. While the</p>

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

proposal is complying with the density, height, site cover and setbacks nominated in the planning scheme codes, the “character intended” varies across “the area” with a scale of “low to medium density”. As stated in section 1.7.4 of the planning scheme, compliance with an Acceptable Outcome does not guarantee compliance with a Performance Outcome.

In responding to representations by Council officers that a further reduction in scale was warranted to demonstrate clear compliance with the Performance Outcomes, the applicant has agreed in principle to further reduce the number of dwellings from 21 to 18 and reduce the building height from 12.0 metres to 10.5 metres. The proposed dwellings will also change the number of bedroom units proposed on site. Amended plans to demonstrate these changes are a recommended condition of any approval to ensure compliance with the Performance Outcome.

Issue - Height

- **Exceeding maximum height of 12 metres;**
- **Against the existing character of the street, impact on privacy of adjoining dwellings**

Discussion

As discussed in section 2.3.2 of this report, at the time of public notification, the proposed development had a building height of 12.6 metres. That height was inconsistent with the nominated Acceptable Outcome AO2 of the General Residential Zone Code - Next Generation Neighbourhood Precinct of 12.0 metres (via the Building Height Overlay Map).

In response to concerns raised by Council officers and submissions received, the height of the development was reduced by the applicant to 12.0 metres. However, as stated in section 1.7.4 of the planning scheme, compliance with an Acceptable Outcome does not guarantee compliance with a Performance Outcome.

In responding to representations by Council officers that a further reduction in scale was warranted to demonstrate clear compliance with the Performance Outcomes, the applicant has agreed in principle to further reduce the building height from 12.0 metres to 10.5 metres. This height reduction is expected to occur through changes to the roof pitch and form and the lowering of the ground level car park. Any approval will include a condition for amended plans to demonstrate this height change. These amended plans will comply with the Performance Outcome of the General Residential Zone Code - Next Generation Neighbourhood Precinct.

Further, concerns were raised regarding the height having a significant impact on the privacy of adjoining dwellings and residents. However, the proposed development meets the setback requirements nominated in the planning scheme code for ensuring privacy of existing and proposed dwellings. In addition, if the development were approved by the Council, it is a recommended condition of approval that privacy screening be applied to all windows and balconies to prevent the risk of overlooking and loss of privacy.

Issue - Environmental impacts

- **Endangered platypus sightings;**
- **Koala sightings;**
- **Vegetation removal**

Discussion

As discussed in section 2.3.2 of this report, at the time of public notification, the proposed development extended into the parts of the site identified as a wetland buffer.

In response to concerns raised by Council officers and submissions received, the development footprint has been reduced and retreated from the part of the site located in

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

the wetland buffer and is no longer proposing vegetation removal within the Environmental Areas Overlay.

Council officers are satisfied that the proposal does, or can be conditioned to, comply with the requirements of the planning scheme for the parts of the site that will be disturbed by development. Therefore, it is recommended that if the development application were approved, that conditions be applied to the development approval requiring the submission and approval by the Council of a Fauna Management Plan, Vegetation Management Plan and appropriate Environmental Offsets.

This is not sufficient grounds for refusal of the application.

Issue - Traffic Impacts

- **Lack of car spaces for residents;**
- **Lack of car spaces for visitors;**
- **Existing school traffic;**
- **Impacts on Bowen Ave-Albany Creek Rd intersection;**
- **Safety;**
- **Better Public Transport.**

Discussion

The proposal includes a basement car park to cater for the required minimum number of car spaces nominated as an Acceptable Outcome in the MBRC Planning Scheme. Therefore, the proposed provision of 30 car spaces exceeds this minimum requirement (1 per dwelling unit) and provides for visitor car spaces in addition to the residents (noting that the design includes 5 small car spaces, thereby restricting the use of these spaces). Under the MBRC Planning Scheme, no visitor car spaces are required to be provided on site and therefore the design exceeds the planning scheme's expectations for the provision of car spaces.

Concerns were raised about traffic in the area, in particular school traffic, safety generally and the Albany Creek Road / Bowen Avenue intersection. In response to the concerns of submitters and Council officers, the applicant submitted a Traffic Impact Assessment (TIA) after the public notification period had ended. The report concludes that the proposed development would have a minimal increase to traffic and is unlikely to create a significant operational or safety issue for the road network. Council officers reviewed the report and had some questions about the adequacy of the report regarding the intersection of Bowen Avenue with Albany Creek Road being a state controlled intersection. Accordingly, the application and TIA were referred to the Department of Transport and Main Roads (DTMR) for comment specifically in reference to concerns about the Albany Creek Road / Bowen Avenue intersection. As mentioned in more detail in section 2.6.2.3 of this report, DTMR identified that there were deficiencies in the TIA however expressed a view that any upgrades to the intersection to signalisation would not be reasonable and relevant impositions on the development.

Subsequent to the referral to DTMR, the TIA was sent by Council to an external consultant to carry out an external peer review. The external consultant who carried out the peer review identified the same deficiencies as Council officers and DTMR and suggested some possible changes to the intersection to try and improve its operation, however, any changes to the intersection are beyond the Council's jurisdiction to apply. Accordingly, changes / upgrades to the intersection would need to be managed external to the development assessment process.

In addition to submissions received, subsequent meetings with, and representations made by the submitters to the Council raised ongoing concerns regarding the development. The

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

concerns raised included that despite compliance with the requirements of the planning scheme, there was a view that insufficient car parking was being provided that will result in on-street car parking issues, where existing on-street parking already results in impaired vision around existing corners with difficulty manoeuvring along Bowen Avenue and into existing driveways. Safety concerns for school children (from a nearby school) and residents was raised due to the increase in traffic volume on Bowen Avenue. These concerns have been taken into consideration throughout the development process, however the development has complied with Acceptable Outcomes AO23.1 - AO23.4 and AO24.1 - AO24.4 of the Next generation neighbourhood precinct Code that state one way for the applicant to comply with the corresponding Performance Outcomes.

In addition to the above, further discussions between Council Officers and the applicant has occurred to reduce dwelling numbers on site and the applicant was receptive to a reduction of dwellings to 18 on site. As a result a dwelling reduction, the number of car spaces required is reduced to 18 car spaces, however the basement will maintain 30 spaces, leaving 12 spaces for visitor parking. This reduction in units will reduce potential on street carparking, and the safety concerns raised by submitters.

Submitters also raised concern about access to public transport that while it is available to the area is believed by submitters to be of low quality. While the quality of public transport is not a matter dealt with under the Moreton Bay Regional Council Planning Scheme and is a state government consideration it is an accepted position that having a higher density of residential development along public transport routes is needed to have a high quality and efficient public transport system. The MBRC Planning Scheme promotes the location of higher density developments such as the proposal in relation to public transport, thereby making Bowen Avenue an ideal location for further development to strengthen public transport opportunities.

This is not sufficient grounds for refusal of the application.

Issue - Flooding

- Flood impacts - upstream properties
- Hydraulics and velocity of water flow
- Drainage Investigation Area

Discussion

As discussed in section 2.3.2 of this report, at the time of public notification, the proposed development extended into the parts of the site identified as a Medium Risk Flood Hazard.

In response to concerns raised by Council officers and submissions received, the development footprint has been reduced and retreated from the part of the site located in the Medium Risk Flood Hazard.

In addition, it is agreed that part of the site (specifically 25 Bowen Avenue) is located within the Drainage Investigation Area (DIA) for Albany Creek and it is acknowledged that the applicant did not provide a Drainage Master Plan (DMP) for the DIA.

As discussed in section 2.3.3 of this report and specifically the assessment against Performance Outcome PO27 of the Flood Hazard Overlay Code, preliminary investigations by Council officers have confirmed that 25 Bowen Avenue will not contribute to the solution of the drainage issues in the area, will not be adversely affected by any solution in the future and would not worsen the drainage conditions in the area. Therefore, the development proposal is consistent with the Performance Outcome in the planning scheme dealing with the DIA.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

<p>The hydraulics and velocity of the water flow on site and impacts to surrounding areas have been taken into consideration in the assessment of the proposal by Council Officers and are satisfied there will be no impacts should the development application be approved, subject to the imposition of the recommended conditions.</p> <p>As the proposal is compliant with the flood hazard overlay code, this is not sufficient grounds for refusal of the application.</p>
<p>Issue - Sewerage</p>
<p>Discussion</p> <p>Concerns were raised in submissions regarding the sewerage pumping station being within proximity to the development however it is only the rear of the site, where no buildings or structures are proposed that is within the pumping station buffer identified on the MBRC Planning Scheme Overlay Maps. There are no significant concerns regarding this facility.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Valuation of Surrounding Properties</p>
<p>Discussion</p> <p>Property values are not a matter dealt within under the Moreton Bay Regional Council Planning Scheme and are not a relevant planning consideration.</p> <p>This is not sufficient grounds for refusal of the application.</p>

2.7.3 Notice of Compliance

The Notice of Compliance was received by Council on 29 May 2018. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of the *Sustainable Planning Act 2009*.

2.8 Other Matters

None identified.

3. **Strategic Implications**

3.1 Legislative/Legal Implications

The applicant and submitters have appeal rights in accordance with the *Sustainable Planning Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

There are no policy implications arising as a direct result of this report.

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces any potential risk implication to Council and/or the community.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

ITEM 2.1 DA/34470/2017/V2M: MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLINGS (21 DWELLINGS), 25-27 BOWEN AVENUE, ALBANY CREEK - DIVISION 9 - A17669817 (Cont.)

3.6 Financial Implications

In the event that an appeal is made to the Planning & Environment court against Council's decision, the Council will incur additional costs in defending its position.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

The subject site is affected by the Environmental Areas Overlay, in particular the Waterway setback from Sandy Creek. The proposed development does not propose works within the waterway setback. The proposal will be conditioned in accordance with the Overlay requirements.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Refer to clauses 2.6 and 2.7.

ATTENDANCE

Ms Kate Isles and Mr Marco Alberti left the meeting at 11.09am after consideration of Item 2.1

3 CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

ITEM 4.1

MBRC - BUS STOP - DDA COMPLIANCE IMPROVEMENTS PROGRAM - DIVISION 1

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE

Reference: A17730539 : 8 November 2018 - Refer **Confidential** Supporting Information
A17757278

Responsible Officer: DM, Senior Project Manager (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'MBRC - Bus Stop - DDA Compliance Improvements Program (MBRC005990)' project. The tender closed on 25 October 2018 with a total of four conforming tenders received.

It is recommended that Council award the contract to Auzcon Pty Ltd for the sum of \$386,796.22 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Darren Grimwade

CARRIED 13/0

That the tender for the construction of the 'MBRC - 18/19 - Bus Stop - DDA Compliance Improvements Program (MBC005990)' project be awarded to Auzcon Pty Ltd for the amount of \$386,796.22 (excluding GST).

*ITEM 4.1 MBRC - BUS STOP - DDA COMPLIANCE IMPROVEMENTS PROGRAM - DIVISION 1 - A17730539
(Cont.)*

OFFICER'S RECOMMENDATION

That the tender for the construction of the 'MBRC - 18/19 - Bus Stop - DDA Compliance Improvements Program (MBC005990)' project be awarded to Auzcon Pty Ltd for the amount of \$386,796.22 (excluding GST).

REPORT DETAIL

1. Background

The program for the 2018-19 financial year will involve bus stop facilities throughout Division 1. The project scope includes the design and construction of bus stop upgrades in accordance with the Disability Discrimination Act Compliance Program. External revenue from Translink is committed for this project.

The program for 2018-19 will involve the following sites in Division 1:

Suburb	MBRC Plan Reference	Hastus Number	Translink Number	Name
Ningi	17-589	310788	600027	Bribie Island Road - HAS310788 - Opposite FS Bestmann Road
Ningi	17-592	310793	600092	Bribie Island Road - HAS310793 - Opposite Pinelands Way
Ningi	17-596	312756	600028	Bribie Island Road - HAS312756 - Opposite Regina Avenue
Ningi	17-598	312758	600030	Bribie Island Road - HAS312758 - Approximately Rowan Lane
Ningi	17-600	312760	600033	Bribie Island Road - HAS312760 - Approximately Donald Street
Ningi	17-601	312761	600085	Bribie Island Road - HAS 312761 - Opposite FS Donald Street
Ningi	17-602	312762	600087	Bribie Island Road - HAS 312762 - Opposite Rex Lane
Ningi	17-605	312765	600090	Bribie Island Road - HAS312765 - FS Regina Avenue
Sandstone Point	17-606	313185	600034	Bribie Island Road - HAS313185 - Approximately Kalmakuta Drive
Sandstone Point	17-611	313187	600084	Bribie Island Road - HAS313187 - Opposite FS Kalmakuta Drive
Bongaree	18-151	310212	600062	Goodwin Drive - HAS310212 - Approximately Coolgarra Avenue

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
27 November 2018

PAGE 18/2365
Report

ITEM 4.1 MBRC - BUS STOP - DDA COMPLIANCE IMPROVEMENTS PROGRAM - DIVISION 1 - A17730539
(Cont.)

Bongaree	18-152	310210	600064	Goodwin Drive - HAS310210 - FS Cotterill Avenue
Bongaree	18-275	311544	600027	Welsby Parade - HAS311544 - Opposite FS Kangaroo Avenue

Works are expected to commence in January 2019 and take approximately four months to complete, weather permitting.

2. Explanation of Item

Tenders were invited for the construction of the 'MBRC - Bus Stop - DDA Compliance Improvements Program (MBRC005990)' project. The tender closed on 25 October 2018 with a total of four conforming tenders received.

The tenders were assessed by the tender assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documents.

RANK	TENDERER	EVALUATION SCORE
1	Auzcon Pty Ltd	98.50
2	Conbro Pty Ltd	97.74
3	THD Civil Pty Ltd	94.54
4	Allencon Pty Ltd	84.24

Auzcon Pty Ltd submitted a comprehensive tender detailing their previous experience. At a tender clarification meeting held on 5 November 2018, Auzcon Pty Ltd confirmed their relevant experience, methodology, understanding of the project and capability in delivering the project. Auzcon Pty Ltd referenced previous projects such as the MBRC - Bus Stop - DDA Compliance Improvements Program (2017-18), Oxley Avenue/Frank Street drainage improvements in Scarborough and pedestrian crossing works in Woorim.

Conbro Pty Ltd submitted a comprehensive tender, demonstrating relevant similar project experience; however, there were no additional benefits for the higher price.

THD Civil Pty Ltd submitted a comprehensive tender; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Council called a select tender for the work through Council's Prequalified Civil Construction Panel (MBRC005990), in accordance with the *Local Government Act 2009*.

There is a federal legislative requirement for local governments to bring current bus stops up to the required Disability Discrimination Act requirement which is the basis for this ongoing project.

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.

ITEM 4.1 MBRC - BUS STOP - DDA COMPLIANCE IMPROVEMENTS PROGRAM - DIVISION 1 - A17730539
(Cont.)

3.3 Policy Implications

This project 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

A detailed risk management plan has been prepared and the project risks have been assessed. The way in which the potential impact of these risks is minimised is detailed below.

Financial Risks:

The tenderers were sourced from the MBRC Prequalified Civil Construction Panel (MBRC005990).

Construction Risks:

- a. The recommended contractor will provide a program of works, traffic management plan, and safety plan and will be required to make safe the areas where construction is being undertaken to meet relevant workplace health and safety requirements as part of the contract.

- b. The recommended contractor has demonstrated their understanding of the project and the need to manage the impact of the works on pedestrians and vehicles in accordance with the tender conditions. In addition, temporary bus stops will be placed adjacent to the work site in accordance with Translink's requirements. The contractor will be required to provide a minimum 21 days' notice regarding each site to Translink via their online portal.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$560,000 (excluding GST) in the 2018-19 Capital Projects Program for this project, budget number 101850. External revenue of \$280,000 from Translink is committed to this project.

Design costs 2018-19	\$ 11,256.00
Tender price (construction)	\$ 386,796.22
Contingency (10%)	\$ 38,700.00
Q Leave (0.475%)	\$ 1,838.00

Total Project Cost	\$ 438,590.22
	=====
 Estimated ongoing operational/maintenance costs	 \$ 6,000 per F/Y

The budget amount for this project is sufficient. Should there be funds remaining, additional projects will be brought forward from the 2019-20 program.

3.7 Economic Benefit

The disabled access improvements will address current bus stop access deficiencies and encourage greater public transport use through the provision of additional DDA compliant bus stops.

3.8 Environmental Implications

The tender assessment included a review of the preferred contractor's environmental policy and procedures concerning environmental protection. The contractor has appropriate environmental policies and procedures in place to undertake the works and demonstrated knowledge in managing the approved environmental conditions during the construction period.

ITEM 4.1 MBRC - BUS STOP - DDA COMPLIANCE IMPROVEMENTS PROGRAM - DIVISION 1 - A17730539
(Cont.)

3.9 Social Implications

The upgrade of the bus stops will improve disabled access to public transport.

3.10 Consultation / Communication

A detailed communications plan has been prepared. Project notices will be distributed two weeks prior and project signs will be placed four weeks prior to construction works occurring at each site. The Councillor will be updated via email notifications at the start and end of each project. The Councillor is supportive of the works and project.

**ITEM 4.2
BRENDALE - SOUTH PINE SPORTING COMPLEX - CRICKET OVAL RENEWAL
AND EXTENSION- DIVISION 9**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17852717 : 19 November 2018 - Refer **Confidential Supporting
Information A17796380**
Responsible Officer: SL, Project Engineer (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'Brendale - South Pine Sporting Complex - Cricket Oval Renewal and Extension (MBRC005998) project through a Vendor Panel Arrangement, MBRC005998 - Sports Field Maintenance Services - Category 2 Sports Field Turf Repairs and Renovation. The tender closed on 2 November 2018 with a total of three conforming tenders received.

It is recommended that Council award the contract to Twin View Turf Pty Ltd for the sum of \$235,200.44 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr James Houghton

CARRIED 13/0

1. That the tender for 'Brendale - South Pine Sporting Complex - Cricket Oval Renewal and Extension (MBRC005998)' be awarded to Twin View Turf Pty Ltd for the amount of \$235,200.44 (excluding GST).
2. That to allow the project to continue, the 2019/20 Brendale - South Pine Sporting Complex - Cricket Oval Renewal and Extension allocation will need to be increased from \$100,000 to \$195,000.

*ITEM 4.2 BRENDALE - SOUTH PINE SPORTING COMPLEX - CRICKET OVAL RENEWAL AND EXTENSION-
DIVISION 9 - A17852717 (Cont.)*

OFFICER'S RECOMMENDATION

1. That the tender for 'Brendale - South Pine Sporting Complex - Cricket Oval Renewal and Extension (MBRC005998)' be awarded to Twin View Turf Pty Ltd for the amount of \$235,200.44 (excluding GST).
2. That to allow the project to continue, the 2019/20 Brendale - South Pine Sporting Complex - Cricket Oval Renewal and Extension allocation will need to be increased from \$100,000 to \$195,000.

REPORT DETAIL

1. Background

The project is located at the South Pine Sports Complex, South Pine Road, Brendale. The project scope includes the renewal of the turf and substrate of the senior cricket oval, as well as extending the oval to the east. Works will also include improvements to irrigation including extension of the irrigation to the east and repositioning the central cricket block up to 6m toward the eastern boundary, providing the required 70m surveyed boundary for the oval. The objective of the project is to renew the asset to an acceptable condition and reduce maintenance.

Construction will commence in March 2019 with a construction/growing establishment period of approximately 24 weeks, with an allowance for wet weather.



Figure 1: Locality plan - cricket oval - South Pine Sporting Complex, Brendale

2. Explanation of Item

Tenders were invited for the 'Brendale - South Pine Sporting Complex - Cricket Oval Renewal and Extension (MBRC005998)' project. The tender closed on 2 November 2018, with a total of three conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents. All tenderers and their evaluation scores are tabled below (ranked from highest to lowest):

ITEM 4.2 BRENDALE - SOUTH PINE SPORTING COMPLEX - CRICKET OVAL RENEWAL AND EXTENSION- DIVISION 9 - A17852717 (Cont.)

RANK	TENDERER	EVALUATION SCORE
1	Twin View Turf Pty Ltd	99.05
2	Hart Valley Investments Pty Ltd T/A Hanceys Turf	93.99
3	The Boikams Discretionary Trust T/A Supagreen Lawn Programmes Pty Ltd	90.20

Twin View Turf Pty Ltd submitted a comprehensive tender which detailed their capability and methodology to complete the project. Twin View Turf Pty Ltd have recently completed similar scale projects including the Redcliffe Dolphins Stadium Field Upgrade, Brisbane City Council Sports Fields Rehabilitation at Place Park Taigum and Tones Road, Mt Gravatt.

Hart Valley Investments Pty Ltd T/A Hanceys Turf submitted a comprehensive tender. Hancey's Turf's submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

Supagreen Lawn Programmes Pty Ltd submitted a comprehensive tender which confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of the work being greater than \$200,000, a competitive tender process was undertaken through a Vendor Panel Arrangement, MBRC005998 - Sports Field Maintenance Services - Category 2 Sports Field Turf Repairs and Renovation, in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

This project has been procured 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. The manner in which the possible impact of these risks is minimised is detailed below.

Financial Risks:

The project has been procured via the Council's Prequalified Sports Field Maintenance Services (MBRC005998).

Construction Risks:

- a. The recommended contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works to a high quality.
- b. The recommended contractor will provide a detailed program of works, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements.

ITEM 4.2 BRENDALE - SOUTH PINE SPORTING COMPLEX - CRICKET OVAL RENEWAL AND EXTENSION-
DIVISION 9 - A17852717 (Cont.)

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$180,000, with \$10,000 for design in the 2017-18 Capital Projects Program, \$70,000 in 2018-19 Capital Projects Program and identified a further \$100,000 in draft 2019-20 Capital Projects Program, project number 101921. All financials below are excluding GST.

Design (17-18)	\$ 9,990.00
Tender Price (Construction)	\$ 235,200.44
Contingency (10%)	\$ 23,520.04
QLeave (0.475%)	\$ 1,119.00
Consultant Construction Support	\$ 3,000.00

Total Project Cost	\$ 272,829.48
	=====

Estimated ongoing operational/maintenance costs \$45,000 per F/Y

The budget amount for this project is insufficient. For Council to enter into a contract for this project, Council must either determine to provide additional funding for the project in the 2019-20 Capital Projects Program, or alternatively defer the project.

3.7 Economic Benefit

The increased size of the cricket field will allow the club to play more fixtures and senior games. Resurfacing the fields and creating a homogeneous turf profile will reduce recurrent maintenance costs.

3.8 Environmental Implications

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

3.9 Social Implications

The increased playing surface will increase season fixtures, potentially increasing club membership.

3.10 Consultation / Communication

A detailed communication plan has been prepared and involves project signage. Signage (corflute) will be placed on site (four weeks) prior to the works. The Divisional Councillor has been consulted and is supportive of the project and will be provided with monthly updates.

The Sport and Recreation department have undertaken stakeholder consultation with the cricket club during the planning and design phase and will communicate with sport users on construction dates.

ITEM 4.3

MORAYFIELD - Oakey Flat Road - Road and Intersection Upgrade 1 - Divisions 3 and 12

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17833083 : 7 November 2018 - Refer **Confidential** Supporting Information **A17518462**
Responsible Officer: RS, Senior Project Manager (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'Morayfield - Oakey Flat Road - Road and Intersection Upgrade 1 (MBRC007964)' project. The tender closed on 30 October 2018, with a total of eight conforming tenders received.

It is recommended that Council award the contract to HEH Civil Pty Ltd for the sum of \$4,593,000.20 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel
Seconded by Cr Mick Gillam

CARRIED 13/0

That the tender for 'Morayfield - Oakey Flat Road - Road and Intersection Upgrade 1 (MBRC007964)' project be awarded to HEH Civil Pty Ltd for the sum of \$4,593,000.20 (excluding GST).

ITEM 4.3 MORAYFIELD - OAKLEY FLAT ROAD - ROAD AND INTERSECTION UPGRADE 1 - DIVISIONS 3 AND 12 - A17833083 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for 'Morayfield - Oakley Flat Road - Road and Intersection Upgrade 1 (MBRC007964)' project be awarded to HEH Civil Pty Ltd for the sum of \$4,593,000.20 (excluding GST).

REPORT DETAIL

1. Background

The project is located at the intersection of Oakley Flat Road and Walkers Road, Morayfield. The project scope includes road widening and duplication of Oakley Flat Road; raised and landscaped median on each intersection approach, and improvements including traffic signals at intersections with Morayfield Road and Walkers Road. The project will also include drainage improvements to Oakley Flat Road, 2.5m wide concrete pathways on both sides, 1.5-2.0m cycle lanes on both sides of Oakley Flat Road and all approaches to Walkers Road.

Service relocations and land acquisition have been completed. The road construction works are expected to commence early February 2019 and take 28 weeks to complete, which includes an allowance for wet weather.



Figure 1: Locality Plan - Oakley Flat Road/Walkers Road intersection

2. Explanation of Item

Tenders for the 'Morayfield - Oakley Flat Road - Road and Intersection Upgrade 1 (MBRC007964)' project closed on 30 October 2018 with a total of eight conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

ITEM 4.3 MORAYFIELD - OAKLEY FLAT ROAD - ROAD AND INTERSECTION UPGRADE 1 - DIVISIONS 3 AND 12 - A17833083 (Cont.)

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

RANK	TENDERER	EVALUATION SCORE
1	HEH Civil Pty Ltd	100.00
2	Hazell Bros (Qld) Pty Ltd	96.94
3	Alder Constructions Pty Ltd	91.95
4	Mcllwain Civil Engineering Pty Ltd	87.99
5	Doval Constructions Pty Ltd	87.69
6	Epoca Constructions Pty Ltd - Alternate	86.16
7	Epoca Constructions Pty Ltd	85.95
8	Allroads Pty Ltd	81.30

HEH Civil Pty Ltd submitted a comprehensive tender and demonstrated their experience on projects of a similar scale and complexity. HEH Civil Pty Ltd has undertaken works for North Queensland Councils and the Department of Transport and Main Roads, e.g. Kippen Drive intersection upgrade (Mount Emerald Windfarm Access Road), project value \$1.1M; Davidson Street, Port Douglas road rehabilitation, project value \$1.8M; and Bruce Highway widening and upgrade, project value \$3.7M. At a tender clarification meeting on 9 November 2018, HEH Civil Pty Ltd demonstrated their understanding and methodology to complete this project, including staging plans and traffic management of the site. The construction duration is 28 weeks which includes site mobilisation and allowance for wet weather. Reference checking has been undertaken with positive responses.

Hazell Bros (Qld) Pty Ltd submitted a comprehensive tender and demonstrated their methodology and experience on projects of a similar scale and complexity. Their tendered construction program was 26 weeks duration plus wet weather allowance; however, there were no additional benefits for the higher price.

Alder Constructions Pty Ltd submitted a comprehensive tender and demonstrated their methodology and experience on projects of a similar scale and complexity. Their tendered construction program was 27 weeks duration with an allowance for wet weather; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to 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.

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 10-2150-006
- *Local Government Act 2009*

ITEM 4.3 MORAYFIELD - OAKLEY FLAT ROAD - ROAD AND INTERSECTION UPGRADE 1 - DIVISIONS 3 AND 12 - A17833083 (Cont.)

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

Construction Risks:

- a. The recommended contractor will provide a detailed program of works, a staging plan, site specific traffic management, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$7,000,000 for this project: with \$1,000,000 (2017-18 Capital Projects Program) for service relocations, \$3,000,000 in the 2018-19 Capital Projects Program and an additional \$3,000,000 has been identified in the draft 2019-20 Capital Project Program, budget 101777. All financial information below is excluding GST.

Service relocation (2017-18) Telstra/Unitywater	\$ 645,562.00
Service relocation (2018-19) Energex	\$ 155,000.00
Tender Price	\$ 4,593,000.20
Contingency (10%)	\$ 459,300.02
QLeave (0.475%)	\$ 21,816.75

Total Project Cost	\$ 5,874,678.97
	=====
Estimated ongoing operational/maintenance costs	\$ 14,500.00 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit

The road and intersection upgrade project will reduce traffic congestion by providing additional capacity now and into the future. The project will extend the life of the road pavement and reduce recurrent maintenance costs.

3.8 Environmental Implications

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

Council has already completed offset tree planting in the adjacent Koala Drive Park.

3.9 Social Implications

To minimise impacts on the local community and local businesses, night works will be undertaken at key hold points during the project.

ITEM 4.3 MORAYFIELD - OAKEY FLAT ROAD - ROAD AND INTERSECTION UPGRADE 1 - DIVISIONS 3 AND 12 - A17833083 (Cont.)

3.10 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices, project signs, online updates, VMS boards, Weekly Updates to the Councillors and direct communication (email and door knocking) with the adjacent residents and business owners by the project manager once the tender is awarded. The Divisional Councillors have been consulted and are supportive of the project.

ITEM 4.4

EVERTON HILLS - SOUTH PINE ROAD/CAMELIA AVENUE/PIMELEA STREET - ROAD REHABILITATION AND TRAFFIC SIGNAL UPGRADE - DIVISION 10

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17846109 : 15 November 2018 - Refer **Confidential Supporting Information A17789131**
Responsible Officer: DM, Senior Project Manager (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'Everton Hills - South Pine Road/Camelia Avenue/Pimelea Street - Road Rehabilitation and Traffic Signal Upgrade (MBRC007999)' project. The tender closed on 1 November 2018 with four conforming tenders received.

It is recommended that Council award the contract to Aramira Civil Engineering Pty Ltd for the sum of \$826,671.11 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Cr Koliana Winchester

CARRIED 13/0

That the tender for 'Everton Hills - South Pine Road/Camelia Avenue/Pimelea Street - Road Rehabilitation and Traffic Signal Upgrade (MBRC007999)' project be awarded to Aramira Civil Engineering Pty Ltd for the sum of \$826,671.11 (excluding GST).

ITEM 4.4 EVERTON HILLS - SOUTH PINE ROAD/CAMELIA AVENUE/PIMELEA STREET - ROAD REHABILITATION AND TRAFFIC SIGNAL UPGRADE - DIVISION 10 - A17846109 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for 'Everton Hills - South Pine Road/Camelia Avenue/Pimelea Street - Road Rehabilitation and Traffic Signal Upgrade (MBRC007999)' project be awarded to Aramira Civil Engineering Pty Ltd for the sum of \$826,671.11 (excluding GST).

REPORT DETAIL

1. Background

The project is located at the intersection of South Pine Road, Camelia Avenue and Pimelea Street, Everton Hills. The project scope includes pavement rehabilitation, stormwater drainage, and the replacement of two existing signal controllers with an advanced single controller, signal phasing changes and upgraded LED lanterns. The objective of this project is to increase and improve the operational efficiency, reduce delays and congestion at this intersection and rehabilitate the road pavement. This intervention will extend the capacity of the intersection and delay the need for a substantial intersection upgrade.

The work will be undertaken as night works due to large traffic volumes during the day. Works on site are scheduled to commence in late March 2019 and take 12 weeks to complete.

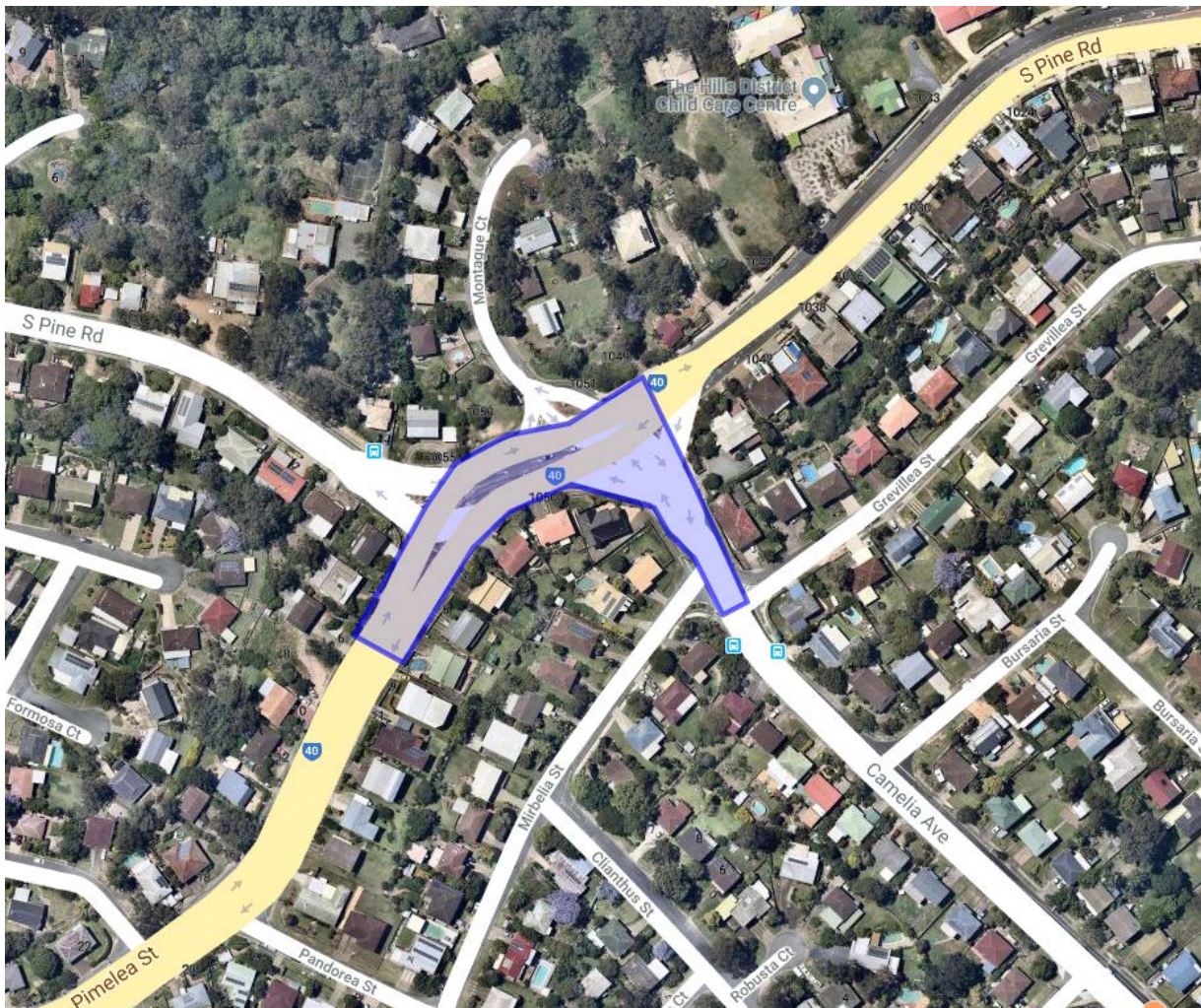


Figure 1: Locality plan - work site

ITEM 4.4 EVERTON HILLS - SOUTH PINE ROAD/CAMELIA AVENUE/PIMELEA STREET - ROAD REHABILITATION AND TRAFFIC SIGNAL UPGRADE - DIVISION 10 - A17846109 (Cont.)

2. Explanation of Item

Tenders for the “Everton Hills - South Pine Road/Camelia Avenue/Pimelea Street - Road Rehabilitation and Traffic Signal Upgrade (MBRC007999)” project closed on 1 November 2018 with four conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council’s Purchasing Policy and the selection criteria as set out in the tender documents. All tenderers and their evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Aramira Civil Engineering Pty Ltd	96.28
2	Stanley Macadam Pty Ltd T/A Stanley Road Construction	93.75
3	Faherty Civil Contractors Pty Ltd	92.76
4	Civlec Pty Ltd T/A GRC Civil	74.48

Aramira Civil Engineering Pty Ltd submitted a comprehensive and well-presented tender. At a tender clarification meeting held on 9 November 2018, Aramira demonstrated their relevant experience, methodology, understanding of the project and capability in delivering the project. Aramira were able to demonstrate previous project experience, having recently undertaken North Lakes Drive Rehabilitation, Moggill Road Shoulder Widening \$2.8M, Guardrail and Cycleway works Pinjarra Hills which involved the widening of a section of Moggill Road, and \$1.4M Little Weir Culvert Replacement on the Carnarvon Highway near Mungindi in Southern Queensland. Referees provided positive responses with regard to works completed by contractor on MBRC and TMR projects.

Stanley Macadam Pty Ltd T/A Stanley Road Construction submitted a comprehensive and well-presented tender, demonstrating relevant similar project experience; however, there were no additional benefits for the higher price.

Faherty Civil Contractors Pty Ltd submitted a comprehensive and well-presented tender, demonstrating relevant similar project experience; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to 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

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 10-2150-006
- *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 has been assessed and the following issues identified. The way in which the potential impact of these risks is minimised is detailed below.

Financial Risks:

- a. A third-party review of financial status has been carried out and the successful tenderer was rated ‘satisfactory’.

ITEM 4.4 EVERTON HILLS - SOUTH PINE ROAD/CAMELIA AVENUE/PIMELEA STREET - ROAD REHABILITATION AND TRAFFIC SIGNAL UPGRADE - DIVISION 10 - A17846109 (Cont.)

Construction Risks:

- a. The contractor will provide a program of works, traffic management plan, safety management plan and environmental management plan as part of the contract to identify and detail how they will manage and mitigate project construction risks.
- b. The contractor has demonstrated their understanding of the project site and the need to manage the impact of the works and safety for pedestrians and vehicles, including programmed night works.
- c. The contractor has programmed the works and allowed for appropriate resources to be able to complete the project works efficiently.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$800,000, with \$170,000 for design in the 2017-18 Capital Projects Program, \$630,000 in the 2018-19 Capital Projects Program for this project, budget number 102252. All financials below are excluding GST.

Design (2017/18)	\$ 125,518.00
Tender price (construction)	\$ 826,671.11
Contingency (10%)	\$ 82,667.11
Q Leave (0.475%)	\$ 3,927.00

Total Project Cost	\$ 1,038,783.22
	=====
 Estimated ongoing operational/maintenance costs	 \$8,250 per F/Y

Additional funds will need to be sourced from a future quarterly budget review.

3.7 Economic Benefit

This intervention will extend the capacity of the intersection and delay the need for a substantial intersection upgrade.

3.8 Environmental Implications

The contractor is required to submit an Environmental Management Plan and comply with relevant State Government Environmental Policies. The contractor will be required to manage sediment and erosion controls during construction and these measures will be audited and monitored by Council.

3.9 Social Implications

To minimise impacts on the local and travelling community, the project will largely be undertaken as night works.

3.10 Consultation / Communication

A detailed communications plan has been prepared which has taken into consideration night works. Pre-project notices will be issued 6 weeks prior to the commencement of works to provide advanced notice of the night works. Variable Message Boards, project notices and project signs will be distributed 2 weeks prior to commencement. Residents directly affected by the staged works will be provided additional details with 2 days' notice of works commencing. Weekly updates will be provided to affected residents by Council's project manager to inform on progress - via door knocking and notices left in mailboxes. Weekly project updates via email will be provided to the Divisional Councillor who has been consulted and is supportive of the project.

ITEM 4.5

STRATHPINE - PINE RIVERS PARK - RIVERBANK STABILISATION - DIVISION 9

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17813134 : 8 November 2018 - Refer **Confidential** Supporting Information
A17792833
Responsible Officer: CB, Project Engineer (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'Strathpine - Pine Rivers Park - Riverbank Stabilisation (MBRC008050)' project. The tender closed on 2 November 2018, with a total of eight conforming tenders received.

It is recommended that Council award the contract to Allencon Pty Ltd for the sum of \$959,963.05 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Denise Sims

CARRIED 13/0

That the tender for the 'Strathpine - Pine Rivers Park - Riverbank Stabilisation (MBRC008050)' project be awarded to Allencon Pty Ltd for the sum of \$959,963.05 (excluding GST).

ITEM 4.5 STRATHPINE - PINE RIVERS PARK - RIVERBANK STABILISATION - DIVISION 9 - A17813134 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for the 'Strathpine - Pine Rivers Park - Riverbank Stabilisation (MBRC008050)' project be awarded to Allencon Pty Ltd for the sum of \$959,963.05 (excluding GST).

REPORT DETAIL

1. Background

The project is located at Pine Rivers Park, Gympie Road, Strathpine. The scope of works involves earthworks to re-profile the river bank, coir log protection and major revegetation. The objective of this project is to address erosion that has occurred as the erosion is extending into the park area and destroying existing infrastructure as it progresses.

In detail, these works involve battering of the slope to a gentler gradient, installation of hardwood pile fields and revegetation of the new embankment to mitigate the existing bank erosion and slow down the riverbank creep into Pine Rivers Park.

From recent survey, 350m of embankment along South Pine River in Pine Rivers Park, Strathpine will be stabilised through a combination of earthworks, geotextiles, gravel, rock, revegetation and piling.

The original tender required all the material to be stockpiled and remain on-site within the Pine Rivers Park, adjacent to the excavation site. Council officers were aware that there was a requirement to fill an area within the Pine Rivers Park, but the information was not available at the tender stage. During the tender evaluation phase, tenderers were requested to provide construction rates for these additional works. The additional works have been included in this tender.

The construction works are proposed to commence in April 2019 and take 25 weeks to complete, weather permitting. There is a requirement to obtain mangrove seedpods and propagate for the vegetation works. As this activity can take 6 months to achieve the required plant size, the mangroves will be planted towards the end of the project.



Figure 1: Locality Plan - Pine Rivers Park riverbank, Strathpine

ITEM 4.5 STRATHPINE - PINE RIVERS PARK - RIVERBANK STABILISATION - DIVISION 9 - A17813134 (Cont.)

2. Explanation of Item

Tenders for the 'Strathpine - Pine Rivers Park - Riverbank Stabilisation (MBRC008050)' closed on 2 November 2018, with a total of eight conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents. All tenderers and their evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Allencon Pty Ltd	98.10
2	Zurvas Earthmoving Pty Ltd	97.29
3	Rimlex Pty Ltd	93.34
4	Auzcon Pty Ltd	92.26
5	Sunshine Coast Consulting Pty Ltd	90.50
6	CES Civil NQ Pty Ltd	84.06
7	Australian Marine & Civil Pty Ltd	73.53
8	Black Cat Civil Pty Ltd	65.66

Allencon Pty Ltd submitted a comprehensive tender and accompanying documentation. A tender clarification meeting was held on 15 November 2018 at which Allencon Pty Ltd detailed their experience on stabilisation and revegetation projects of a similar scale, type and complexity: Dale Street Flood Levee Burpengary, Beachmere Lake Retaining Wall, and Griffith Road Retaining Wall Newport. Allencon Pty Ltd confirmed their capability and methodology to complete the project.

Zurvas Earthmoving Pty Ltd submitted a comprehensive tender. Their submission confirmed their capability to complete the project; however, their offer did not provide any additional benefits for the higher price.

Rimlex Pty Ltd submitted a comprehensive tender. Their submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to 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

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications

This project 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.

ITEM 4.5 STRATHPINE - PINE RIVERS PARK - RIVERBANK STABILISATION - DIVISION 9 - A17813134 (Cont.)

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 and the successful tenderer was rated 'sound'.

Construction Risks:

- b. The recommended contractor will provide a detailed program of works, a staging plan, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements.
- c. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$1,520,000 for this project, with \$20,000 for design in the 2017-18 Operational Projects Program, \$750,000 in the 2018-19 Operational Projects Program and identified a further \$750,000 in the draft 2019-20 Operational Projects Program. All financials below are excluding GST.

Design (2017-18)	\$ 19,843.00
Tender price (construction)	\$ 959,963.05
Contingency (10%)	\$ 96,500.00
QLeave (0.475%)	\$ 3,794.60

Total Project Cost	\$1,080,100.65
	=====
 Estimated ongoing operational costs	 \$8000 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit

Erosion of Pine Rivers Park has been identified as a concern to both the Council and the community. The economic benefits of undertaking the works is the protection of a sealed access road and protection of the open space between the amphitheatre and the South Pine River.

3.8 Environmental Implications

The works will provide a more natural form of bank stability and erosion protection by using a combination of both soft and hard engineering solutions to limit the lateral migration of the river, which has resulted in a loss of land and increased sediment runoff through the natural meandering process of the South Pine River.

3.9 Social Implications

Council has an obligation to protect its assets and popular open space areas. This project will prevent the loss of the sealed access road and a further reduction in the open space area of the parkland that is currently available between the South Pine River and the amphitheatre.

3.10 Consultation / Communication

A detailed communication plan has been prepared and involves project notices, project signage and online updates. Signage will be placed to advise park users of the works. Weekly project updates will be provided via email to the Divisional Councillor who has been consulted and is supportive of the project.

ATTENDANCE

Cr Allan Sutherland (Mayor) retired from the meeting at 11.27am and Cr Mike Charlton (Deputy Mayor) assumed the Chair.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

WARNER - PENDICUP PLACE - PLAYGROUND NAMING - DIVISION 8

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A17748077: 24 October 2018
Responsible Officer: BS, Technical Officer (ECM Infrastructure Planning)

Executive Summary

An application has been received requesting that the new playground in Pendicup Place, Warner, be named in recognition of the late Keith Madden. The request was to name the playground, 'Keith Madden Playground'. In recognition of the contributions made by Keith's wife, Fay Madden, it is proposed that the naming be amended to acknowledge the joint familial contribution and call the playground 'Madden Playground'.

This report provides Council with background information relevant to the application and recommends that an area of parkland be named "Madden Playground".

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 12/0

Cr Allan Sutherland (Mayor) had briefly retired from the meeting and was not present when the vote was taken.

1. **That having regard to the information provided within this report and subject to the outcome of public advertising, an area of parkland containing the playground and identified (Figure 1 in the report), be named "Madden Playground".**
2. **That the proposal to name an area of parkland in recognition of the Mr Keith and Mrs Fay Madden be advertised in local newspapers with public submissions open for a period of 28 days.**
3. **That should adverse submissions be received as a result of public advertising, the matter be referred back to Council in a subsequent report.**

ITEM 5.1 WARNER - PENDICUP PLACE - PLAYGROUND NAMING - DIVISION 8 - A17748077 (Cont.)

OFFICER'S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, an area of parkland containing the playground and identified (Figure 1 in the report), be named "Madden Playground".
2. That the proposal to name an area of parkland in recognition of the Mr Keith and Mrs Fay Madden be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising, the matter be referred back to Council in a subsequent report.

REPORT DETAIL

1. Background

An application has been received by Council requesting that a playground in Pendicup Place, Warner (refer Figure 1), be named in recognition of the late Keith Madden.



Figure 1 - area of playground proposed to be named Madden Playground

The playground is located adjacent to the Pendicup Community Centre and covers 2 lots - Lot 997 and Lot 999 on RP890560. It is proposed to name this playground "Madden Playground" in recognition of the volunteer work undertaken by Mr Keith Madden and Mrs Fay Madden.

2. Explanation of Item

The application to name a place within a park or recreation reserve under Council control was lodged by the Pendicup Management Committee and supported by Mrs Fay Madden. The applicant has requested naming the playground within the park adjacent to the Pendicup Community Centre. Information received notes that Mr Madden was a community minded individual who also volunteered his time to many local

ITEM 5.1 WARNER - PENDICUP PLACE - PLAYGROUND NAMING - DIVISION 8 - A17748077 (Cont.)

community initiatives, most notably 18 years of service on the Pendicup Management Committee. Mrs Madden served alongside her husband in much of his volunteer work.

Under Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads), applicants are required to provide documentation to substantiate the good character of the person or persons being acknowledged. In this instance, two letters of support have been provided, both from residents who knew the Maddens for many years and worked with them as volunteers. Council's local libraries historian has also provided information which illustrates a high level of community involvement by Mr Madden. Additionally, the Division 8 Councillor has noted the significant contribution provided by Mrs Fay Madden to the Pendicup Community Centre. This advice from the Division 8 Councillor has prompted the change in direction from 'Keith Madden Playground' to 'Madden Playground', as this doesn't diminish the contributions made by Keith but also acknowledges the involvement of his wife Mrs Fay Madden.

The recommendation to name the area after Mr and Mrs Madden complies with the policy's guideline as outlined below:

- Names of respected community members of considerable service who are, or were, residents or working within the region.

Council policy requires that any proposal to name a park, reserve or place be advertised in local newspapers for a period of 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming.

A history board is proposed to be installed in conjunction with the park signage to explain the connection that Mr and Mrs Madden had with the area. The proposed wording has been approved by the applicant and reads as follows:

"Keith and Fay Madden were active volunteers within the Warner community and volunteered many years of service to the Pendicup Community Centre."

3. Strategic Implications

3.1 Legislative/Legal Implications

No legislative/legal implications arising as a direct result of this report.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads).

3.4 Risk Management Implications

No risk management implications arising as a direct result of this report.

3.5 Delegated Authority Implications

Subject to no adverse submissions being received, the matter should be referred to the Director Engineering Construction and Maintenance for implementation.

3.6 Financial Implications

The estimated cost of fabricating and installing a new sign in accordance with the draft Park and Open Space Signage Guidelines is approximately \$2,000.

3.7 Economic Benefit

No economic benefit implications arising as a direct result of this report.

ITEM 5.1 WARNER - PENDICUP PLACE - PLAYGROUND NAMING - DIVISION 8 - A17748077 (Cont.)

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

3.9 Social Implications

Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.

3.10 Consultation / Communication

The proposed naming is supported by the Division 8 Councillor. The proposed naming will be advertised in local newspapers for a period of 28 days during which time public submissions can be received. If adverse comments are received, then the matter will be reported back to Council for final consideration and direction. Where no adverse comments are received, the matter will be delegated to the Director Engineering Construction and Maintenance for implementation.

ITEM 5.2
NEW LEASE - CABOOLTURE BOXING CLUB INC - DIVISION 3

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A17834524 : 14 November 2018 - **Refer Supporting Information A17859569**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a lease to Caboolture Boxing Club Inc. at Caboolture Sports Complex, Riverview Street, Caboolture (refer supporting information #1). This lease will commence following the completion of works associated with the construction of a new purpose-built facility.

COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Mick Gillam

CARRIED 12/0

Cr Allan Sutherland (Mayor) had briefly retired from the meeting and was not present when the vote was taken.

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

ITEM 5.2 NEW LEASE - CABOOLTURE BOXING CLUB INC - DIVISION 3 - A17834524 (Cont.)

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

The Caboolture Boxing Club Inc. has operated from the Caboolture Rugby League Clubhouse at Caboolture Sports Complex (refer Supporting Information #1) for over 15 years without formal tenure. However, with membership of the two resident rugby league clubs (Caboolture Junior Rugby League Club Inc. and Caboolture Snakes Rugby League Club Inc.) having grown to a combined 780 members, the clubs have identified a need for additional space to support their activities.

The Caboolture Boxing Club Inc. currently has over 100 members and has identified the need for a purpose-built facility to support its growing membership and programs.

To meet the facility needs of both the resident rugby league clubs and the Caboolture Boxing Club Inc., a new boxing facility is being constructed which will enable the boxing club to vacate its current tenancy within the Rugby League Clubhouse.

2. Explanation of Item

Council is currently undertaking the construction of the new purpose-built facility for the Caboolture Boxing Club Inc. as part of its 2018/2019 budget, with works scheduled for completion in December 2018. To enable Caboolture Boxing Club Inc. to occupy this new facility, Council will need to provide the group with a lease over the area where the facility is being constructed (refer Supporting Information #1).

This report recommends that Council approve the provision of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1. Further, it is recommended that the term of this lease be for a period of five (5) years.

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The terms and conditions of the proposed lease agreement will be in accordance with Council's Community Leasing Policy (14-2150-079).

ITEM 5.2 NEW LEASE - CABOOLTURE BOXING CLUB INC - DIVISION 3 - A17834524 (Cont.)

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

There are no financial implications arising as a direct result of this report.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

The issuing of a lease to Caboolture Boxing Club Inc. will provide the club with use of a purpose-built facility to support its operations.

3.10 Consultation / Communication

Councillor Hain (Division 3)
Caboolture Boxing Club Inc.

**ITEM 5.3
NEW LEASE - CABOOLTURE JUNIOR RUGBY LEAGUE INCORPORATED -
DIVISION 3**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A17834525 : 14 November 2018 - **Refer Supporting Information A17862923**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a lease to Caboolture Junior Rugby League Incorporated at Caboolture Sports Complex, Riverview Street, Caboolture (refer Supporting Information #1). The proposed lease would take effect following the relocation of the Caboolture Boxing Club Inc., anticipated for December 2018.

COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Mick Gillam

CARRIED 12/0

Cr Allan Sutherland (Mayor) had briefly retired from the meeting and was not present when the vote was taken.

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

ITEM 5.3 NEW LEASE - CABOOLTURE JUNIOR RUGBY LEAGUE INCORPORATED - DIVISION 3 - A17834525
(Cont.)

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

For over 20 years, the Caboolture Junior Rugby League Incorporated has occupied the Rugby League Clubhouse and amenities building at the Caboolture Sports Complex (refer Supporting Information #1) without formal tenure. The inability to formalise tenure at this location has been a result of the shared occupancy arrangements with Caboolture Boxing Club Inc. and Caboolture Snakes Rugby League Club Inc.

In December 2018, the Caboolture Boxing Club Inc. will relocate to a new purpose-built facility; therefore enabling Council to progress formalised tenure with the two rugby league clubs. The agreed tenure model at this location would see:

- a lease provided to Caboolture Junior Rugby League Inc. over the Caboolture Rugby League Clubhouse and amenities buildings (refer Supporting Information #1);
- an agreement established between the Caboolture Junior Rugby League Inc. and the Caboolture Snakes Rugby League Club Inc. providing shared use of the facilities; and
- an agreement established between the Caboolture Junior Rugby League Inc. and the Caboolture Boxing Club Inc. providing shared use of the amenities building.

2. Explanation of Item

To implement the agreed tenure arrangements at this location, Council would need to provide the Caboolture Junior Rugby League Incorporated, with a lease over the Rugby League Clubhouse and amenities buildings (refer Supporting Information #1). This lease would be subject to its establishment of shared use agreements with the Caboolture Snakes Rugby League Club Inc. and the Caboolture Boxing Club Inc, respectively.

Accordingly, this report recommends that Council approve the provision of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1 for a period of five (5) years.

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

ITEM 5.3 NEW LEASE - CABOOLTURE JUNIOR RUGBY LEAGUE INCORPORATED - DIVISION 3 - A17834525
(Cont.)

3.3 Policy Implications

The terms and conditions of the proposed lease agreement will be in accordance with Council's Community Leasing Policy (14-2150-079).

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

There are no financial implications arising as a direct result of this report.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

The issuing of a lease to Caboolture Junior Rugby League Incorporated will provide the club with facilities to support its operations.

3.10 Consultation / Communication

Councillor Hain (Division 3)
Caboolture Junior Rugby League Incorporated

ATTENDANCE

Cr Allan Sutherland (Mayor) returned to the meeting at 11.37am and resumed the Chair.

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

ITEM 6.1

**TENDER - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE MANAGEMENT
- DIVISION 2**

Meeting / Session: 6 LIFESTYLE & AMENITY
Reference: A17852025 : 19 November 2018 - Refer **Confidential Supporting Information A17849934**
Responsible Officer: BP, Coordinator Regional Leisure Venues (CES Property & Commercial Services)

Executive Summary

Council invited public tenders for the 'Management and Operation of Caboolture Regional Aquatic Leisure Centre (MBRC007869)' which closed on 29 October 2018. Submissions were received from two respondents.

It is recommended that Council award the tender to Belgravia Leisure Pty Ltd for the period commencing 14 December 2018 and concluding 30 June 2027 with one (1) five-year option at Council's discretion.

RECOMMENDATION

Moved by Cr Koliانا Winchester

Seconded by Cr Mick Gillam

1. That the tender for the 'Management and Operation of Caboolture Regional Aquatic Leisure Centre (MBRC007869)' be awarded to Belgravia Leisure Pty Ltd for the period commencing 14 December 2018 and concluding on 30 June 2027 for an amount of \$488,304.75 (inclusive of GST) revenue to Council with one (1) five-year option at Council's discretion.
2. That the Council enters into an agreement with Belgravia Leisure 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 Belgravia Leisure Pty Ltd and any required variations of the agreement on the Council's behalf.

AMENDMENT MOVED

Cr Peter Flannery moved the following amendment:

4. That the tender for the 'Management and Operation of Caboolture Regional Aquatic Leisure Centre (MBRC007869)' be awarded to Belgravia Leisure Pty Ltd for the period commencing 14 December 2018 and concluding on 30 June 2022 for a net cost to Council of \$335,971.90 (inclusive of GST) with one (1) five-year option at Council's discretion.
5. That the Council enters into an agreement with Belgravia Leisure Pty Ltd as described in this report.
6. 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 Belgravia Leisure Pty Ltd and any required variations of the agreement on the Council's behalf.

Seconded by Cr Adrian Raedel

ITEM 6.1 TENDER - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE MANAGEMENT - DIVISION 2 - A17852025 (Cont.)

The amendment was put to the vote and declared **CARRIED 11/2**
Crs Mike Charlton (Deputy Mayor) and Matt Constance voted against the amendment.

THE AMENDMENT BECOMES THE RECOMMENDATION

COMMITTEE RECOMMENDATION

Moved by Cr Peter Flannery

Seconded by Cr Adrian Raedel

CARRIED 13/0

1. That the tender for the 'Management and Operation of Caboolture Regional Aquatic Leisure Centre (MBRC007869)' be awarded to Belgravia Leisure Pty Ltd for the period commencing 14 December 2018 and concluding on 30 June 2022 for a nett cost to Council of \$335,971.90 (inclusive of GST) with one (1) five-year option at Council's discretion.
2. That the Council enters into an agreement with Belgravia Leisure 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 Belgravia Leisure Pty Ltd and any required variations of the agreement on the Council's behalf.

ITEM 6.1 TENDER - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE MANAGEMENT - DIVISION 2 - A17852025 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the '*Management and Operation of Caboolture Regional Aquatic Leisure Centre (MBRC007869)*' be awarded to Belgravia Leisure Pty Ltd for the period commencing 14 December 2018 and concluding on 30 June 2027 for an amount of \$488,304.75 (inclusive of GST) revenue to Council with one (1) five-year option at Council's discretion.
2. That the Council enters into an agreement with Belgravia Leisure 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 Belgravia Leisure Pty Ltd and any required variations of the agreement on the Council's behalf.

REPORT DETAIL

1. Background

The Caboolture Regional Aquatic Leisure Centre located at 1 Aquatic Drive Burpengary, 4505 was previously managed under a lease until its expiry on 30 April 2018.

The centre forms part of the Moreton Bay Central Sports Complex and comprises indoor 50-meter and 25-meter pools, outdoor leisure pool and BBQ's, adjunct childcare, tennis and fitness facilities. The centre is currently undergoing major repair and maintenance works with an expected re-opening in late January 2019.

2. Explanation of Item

Public tenders were invited for the '*Management and Operation of Caboolture Regional Aquatic Leisure Centre (MBRC007869)*' for the period 14 December 2018 until 30 June 2022 with two (2) five-year extension options available at Council's discretion.

Site inspections were held for prospective tenderers on 5 and 10 October 2018, with four parties in attendance, including major aquatic facility management companies providing similar services to other Queensland and New South Wales Councils.

The tender closed on 29 October 2018 with Council receiving submissions from two respondents being Australian Crawl Pty Ltd and Belgravia Leisure Pty Ltd.

Tender clarification meetings were held with both parties on 7 November 2018. Following the clarification meetings, both Australian Crawl Pty Ltd and Belgravia Leisure Pty Ltd provided alternate offers. Both Australian Crawl Pty Ltd and Belgravia Leisure Pty Ltd provided offers for an extended term.

The alternate offer provided by Belgravia Leisure Pty Ltd was for the period commencing 14 December 2018 and concluding on 30 June 2027 for an amount of \$488,304.75 (inclusive of GST) revenue to Council with one (1) five-year option at Council's discretion.

The tender submissions were assessed by the tender assessment panel in accordance with Council's procurement policy and the evaluation criteria (refer confidential supporting information).

The following observations of the Belgravia Leisure Pty Ltd submissions were made by the assessment team:

- Belgravia Leisure Pty Ltd provided a professional and comprehensive conforming tender submission;
- Belgravia Leisure Pty Ltd has extensive experience operating aquatic and leisure facilities for more than 50 Local Governments across Australia and New Zealand and is a current provider to Moreton Bay Regional Council.

ITEM 6.1 TENDER - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE MANAGEMENT - DIVISION 2 - A17852025 (Cont.)

It is recommended that Council enter into an agreement with the Belgravia Leisure Pty Ltd for the management and operation of the Caboolture Regional Aquatic Leisure Centre.

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

This tender process has been undertaken in accordance with the provisions of Council's Procurement Policy 2150-006.

3.4 Risk Management Implications

The successful tenderer is required to comply with all workplace health and safety requirements associated with the management and operation of public aquatic facilities, including compliance with industry minimum standards for staffing. The operator is also required to hold and maintain all relevant insurances for the duration of the contract.

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

The agreement returns to Council a minimum guaranteed rental, net of initial operational costs, of \$488,304.75 (incl. GST) over the term of the lease, together with the opportunity for profit share. Cash flows are in accordance with the supporting information.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

The provision of sporting and leisure facilities encourages participation in healthy living activities, supports a greater quality of life for residents and creates closer social communities.

3.10 Consultation / Communication

Finance Department (Procurement)
Director Community and Environmental Services
Legal Services Department

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)

No items for consideration.

8 REGIONAL INNOVATION (Cr D Grimwade)

No items for consideration.

9 GENERAL BUSINESS

ITEM 9.1 REGIONAL EVENTS

Cr Koliana Winchester reported that she had represented Cr Allan Sutherland (Mayor) at the **Redcliffe City Mixed Probus 20th birthday and book launch** event held on Saturday 24 November 2018. Cr Winchester said that the event was a great night and was supported by Council's Community Support Fund. Cr Winchester was presented with a copy of the Redcliffe City Mixed Probus 20th birthday book.

Cr Matt Constance made mention of the **Brisbane Bandits and Osaka Gas baseball game** to be held tonight, 27 November 2018 at the James Drysdale Reserve at the Pine Hills Baseball Club. Cr Constance said that an exhibition game will be played tonight and potentially another the following night, and that it is a free event with bar and canteen facilities available.

Cr Matt Constance also mentioned the inaugural **Chillin' in the Hills Twilight Market** to be held this Friday night, 30 November 2018 at James Drysdale Reserve.

Cr Matt Constance reported on the **2018 Hills Community Carols** to be held in George Wilmore Park this Saturday, 1 December 2018.

Cr Adam Hain reported on his attendance at the **Caboolture Christmas Carols** at Centenary Lakes Park on Sunday 25 November 2018 which was also attended by Cr Mike Charlton (Deputy Mayor) and Cr Adrian Raedel. Cr Hain said that the event was a 'raging success' with a massive crowd in attendance, being three to four times that of previous years. Cr Hain extended his congratulations to Moreton Bay Regional Industry & Tourism for the great set-up and well received event.

COMMITTEE RECOMMENDATION

Moved by Cr Brooke Savige
Seconded by Cr Adam Hain

CARRIED 13/0

That a Certificate of Appreciation be provided to Sandstone Point Lions Club for their help with parking at the Caboolture Christmas Carols event.

ITEM 9.2 GRIFFIN CHRISTMAS CARNIVAL - DIVISION 4 (JG)

Cr Julie Greer reported on her attendance at the Griffin Christmas Carnival held at Griffin State School on Saturday afternoon, 24 November 2018. Cr Greer said that she officiated the opening of the event, and that it was a great day with approximately 5000 people in attendance.

COMMITTEE RECOMMENDATION

Moved by Cr Julie Greer
Seconded by Cr Koliana Winchester

CARRIED 13/0

That a Mayoral letter of congratulation be provided to the Griffin State School P&C Committee for the successful running of the Griffin Christmas Carnival event.

ITEM 9.3
BRIBIE LIONS CAMP QUALITY - DIVISION 1
(BS)

Cr Brooke Savige reported on her attendance, together with Cr Allan Sutherland (Mayor), at the annual Camp Quality event held at Brennan Park on Sunday 25 November 2018. Cr Savige said that event was run in conjunction with six other Lions Clubs and that it was a fantastic day, open to all the community members supporting those going through tough times.

Cr Savige tabled a Certificate of Thanks received from Camp Quality to Moreton Bay Regional Council.

COMMITTEE RECOMMENDATION

Moved by Cr Brooke Savige

Seconded by Cr Matt Constance

CARRIED 13/0

That a Mayoral letter of congratulation be provided to the Bribie Lions Club for the wonderful work they do with Camp Quality.

CLOSED SESSION (Confidential items)

(Resolution the meeting be closed under s275 of the Local Government Regulation 2012)

CLOSED SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr James Houghton

CARRIED 13/0

That Committee move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Items C.1 to C.4.

Members of the press and public gallery left the Chambers.
The closed session commenced at 12.11pm.

ATTENDANCE

Mr John Hall attended the meeting at 12.11pm for discussion on Items C.1 to C.4.

OPEN SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Julie Greer

Seconded by Cr Brooke Savige

CARRIED 13/0

That Committee resume in open session and that the following recommendations be made.

The open session resumed at 12.25pm.

ITEM C.1 – CONFIDENTIAL

**ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - KALLANGUR -
DIVISION 4**

Meeting / Session: 1 Governance (Cr A Sutherland, Mayor)

Reference: A17631351 : 24 October 2018

Responsible Officer: DM, Case Management & Compliance Coordinator (CES Regulatory Services)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (f), as the matter involves starting or defending legal proceedings involving the Council.

Executive Summary

Council's approval is sought for the commencement of court action against the responsible person for a dog, involved in a serious dog attack which occurred on 7 June 2018 in Kallangur.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Julie Greer

CARRIED 13/0

1. That Council authorise the Chief Executive Officer to commence appropriate prosecution proceedings against the responsible person for the offending dog as described in this confidential report, in relation to alleged offences under the *Animal Management (Cats and Dogs) Act 2008*.
2. That the prosecution proceedings described in recommendation 1 be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM C.2 – CONFIDENTIAL

ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - ALBANY CREEK - DIVISION 9

Meeting / Session: 1 Governance (Cr A Sutherland, Mayor)

Reference: A17736041 : 24 October 2018

Responsible Officer: DM, Case Management & Compliance Coordinator (CES Regulatory Services)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (f), as the matter involves starting or defending legal proceedings involving the Council.

Executive Summary

Council's approval is sought for the commencement of appropriate court action against the responsible person for a dog, involved in a serious dog attack which occurred on 7 August 2018 in Albany Creek.

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Darren Grimwade

CARRIED 13/0

1. That Council authorise the Chief Executive Officer to commence appropriate prosecution proceedings against the responsible person for the offending dog as described in this confidential report, in relation to alleged offences under the *Animal Management (Cats and Dogs) Act 2008*.
2. That the prosecution proceedings described in recommendation 1 be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM C.3 – CONFIDENTIAL

**ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - HIGHVALE - DIVISION
11**

Meeting / Session: 1 Governance (Cr A Sutherland, Mayor)

Reference: A17751470 : 24 October 2018

Responsible Officer: DM, Case Management & Compliance Coordinator (CES Regulatory Services)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (f), as the matter involves starting or defending legal proceedings involving the Council.

Executive Summary

Council's approval is sought for the commencement of court action against the responsible person for a dog, involved in a serious dog attack which occurred on 20 October 2018 in Highvale.

COMMITTEE RECOMMENDATION

Moved by Cr Darren Grimwade

Seconded by Cr James Houghton

CARRIED 13/0

1. That Council authorise the Chief Executive Officer to commence appropriate prosecution proceedings against the responsible person for the offending dog as described in this confidential report, in relation to alleged offences under the *Animal Management (Cats and Dogs) Act 2008*.
2. That the prosecution proceedings described in recommendation 1 be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM C.4 – CONFIDENTIAL

**ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION - MOORINA - DIVISION
12**

Meeting / Session: 1 GOVERNANCE

Reference: A17158524 : 24 October 2018

Responsible Officer: MW, Manager Regulatory Services (CES Regulatory Services)

Basis of Confidentiality

Pursuant to s275 (1) (f) of the *Local Government Regulation 2012*, as the matter involves starting or defending legal proceedings involving the Council.

Executive Summary

The Council's approval is sought for the commencement of court action against the responsible person for a dog involved in a dog attack which occurred on 19 March 2018 in Moorina.

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Mick Gillam

CARRIED 13/0

1. That Council authorise the Chief Executive Officer to commence appropriate prosecution proceedings against the responsible person for the offending dog as described in this confidential report, in relation to various alleged offences under the *Animal Management (Cats and Dogs) Act 2008*.
2. That the prosecution proceedings described in recommendation 1 be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

CLOSURE

There being no further business the Chairperson closed the meeting at 12.27pm.