



REPORT

Coordination Committee Meeting

Tuesday 5 March 2019
commencing at 10.35am

Caboolture Chambers
2 Hasking Street, Caboolture

ENDORSED GM20190305

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Coordination Committee meeting held 5 March 2019 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)
CHAIRPERSON
COORDINATION COMMITTEE

Membership = 13
Mayor and all Councillors

Quorum = 7

**12.1 Coordination Committee Meeting - 5 March 2019
(Pages 19/228 - 19/250)**

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Koliانا Winchester

CARRIED 11/0

That the report and recommendations of the Coordination Committee meeting held 5 March 2019 be adopted.

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3 CORPORATE SERVICES SESSION (Cr M Constance)

4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

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

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6 LIFESTYLE & AMENITY SESSION (Cr D Sims)

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

8 REGIONAL INNOVATION (Cr D Grimwade)

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CLOSURE

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

Cr Allan Sutherland (Mayor) (Chairperson)
Cr Brooke Savige
Cr Adam Hain
Cr Julie Greer
Cr James Houghton
Cr Koliانا Winchester
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 Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Infrastructure	(Mr Andrew Ryan)

Meeting Support	(Kim Reid)
Team Leader Meeting Support	(Kathrine Crocker)

Apologies:

Cr Peter Flannery who is representing Council at the Australian Coastal Councils Conference.
Cr Denise Sims

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)

ATTENDANCE

Mr John Hall, Mr Rhys Dennison and Mr Adam Davey attended the meeting at 10.36am for discussion on Item 1.1.

1 GOVERNANCE SESSION

(Cr A Sutherland, Mayor)

ITEM 1.1

ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL

Meeting / Session: 1 GOVERNANCE

Reference: A17556876 : 26 February 2019 - Refer Supporting Information A18188932, A18191916, A18167080, A18167083, A18173241, A18220878, A18129459, A16533799, A18224209, A16467477, A18223591

Responsible Officer: RD, Legal Officer (Legal Services)

Executive Summary

This report recommends that Council makes:

- *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019;*
- *Moreton Bay Regional Council Subordinate Local Law No. 8 (Election Signs) 2019;*
- *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2019; and*
- *A consolidated version of Moreton Bay Regional Council Subordinate Local Law No. 1 (Administration) 2011.*

The purpose and general effect of these local laws is to:

- remove the regulation of election signs from Council's general advertising devices local law; and
- create a standalone local law which regulates the display of election signs across the Region.

This report also recommends that Council make various resolutions to give effect to the new election signs local law (e.g. to authorise the publication of prescribed application forms, to delegate relevant powers to the Chief Executive Officer and to adopt relevant fees and charges).

RECOMMENDATION for the purpose of debate

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Matt Constance

1. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2019*, marked "Appendix A" in the Supporting Information annexed to this report.
2. That pursuant to section 32(1) of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of *Moreton Bay Regional Council Subordinate Local Law No. 1 (Administration) 2011*, marked "Appendix B" in the Supporting Information annexed to this report.
3. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019*, marked "Appendix C" in the Supporting Information annexed to this report.
4. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Subordinate Local Law No. 8 (Election Signs) 2019*, marked "Appendix D" in the Supporting Information annexed to this report.
5. That pursuant to section 53(1) of *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019*, Council resolves to make the explanatory note, marked "Appendix E" in the Supporting Information annexed to this report.

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

6. That the Chief Executive Officer be authorised to:
- a) let the public know that the local laws referred to at paragraphs 1 to 4 have been made by publishing a notice of making each local law in accordance with section 29B of the *Local Government Act 2009*; and
 - b) do such other things as required under the *Local Government Act 2009* in respect of the local laws referred to at paragraphs 1 to 4, which includes giving the Minister a copy of the local laws and making a copy of the local laws available for inspection and purchase at Council's public offices.
7. That pursuant to section 97(1) of the *Local Government Act 2009*, Council resolves to fix a cost-recovery fee for section 51(3)(b) of *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019*, being a fee for seizing property (a "non-conforming election sign") which is payable by the person applying for the release of the non-conforming election sign and which must be paid prior to the release of the non-conforming election sign and which is in the amount of:
- a) \$224.00 per non-conforming election sign which is seized and impounded; or
 - b) the actual cost incurred by Council for undertaking the administration and transport costs to impound the non-conforming election sign, to store and administer the release of the non-conforming election sign if this is less than the amount specified in paragraph 7(a) above.
8. That pursuant to section 257 of the *Local Government Act 2009*, Council resolves to delegate to the Chief Executive Officer its powers under *Moreton Bay Regional Council Local Law No. 1 (Administration) 2011* which are set out in the table marked "Appendix F" in the Supporting Information annexed to this report.
9. That Council notes the anti-competitive provision reviews undertaken by its delegate, the Chief Executive Officer, for the purposes of satisfying section 38(1) of the *Local Government Act 2009*, marked "Appendix G" in the Supporting Information annexed to this report.
10. That the Chief Executive Officer be authorised to make available on the local government's website, and at its administration centres, the fact sheet marked "Appendix H" in the Supporting Information annexed to this report.
11. That the Chief Executive Officer be authorised to make available on the local government's website, and at its administration centres, prescribed forms under *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019* for:
- a) making an exceptional circumstances application; and
 - b) making an application to reclaim an impounded non-conforming election sign.

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel
Seconded by Cr Mick Gillam

CARRIED 11/0

That this matter be referred to a workshop later today.

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

OFFICER'S RECOMMENDATION

1. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Advertising Devices) 2019*, marked "Appendix A" in the Supporting Information annexed to this report.
2. That pursuant to section 32(1) of the *Local Government Act 2009*, Council resolves to adopt the consolidated version of *Moreton Bay Regional Council Subordinate Local Law No. 1 (Administration) 2011*, marked "Appendix B" in the Supporting Information annexed to this report.
3. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019*, marked "Appendix C" in the Supporting Information annexed to this report.
4. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Subordinate Local Law No. 8 (Election Signs) 2019*, marked "Appendix D" in the Supporting Information annexed to this report.
5. That pursuant to section 53(1) of *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019*, Council resolves to make the explanatory note, marked "Appendix E" in the Supporting Information annexed to this report.
6. That the Chief Executive Officer be authorised to:
 - a) let the public know that the local laws referred to at paragraphs 1 to 4 have been made by publishing a notice of making each local law in accordance with section 29B of the *Local Government Act 2009*; and
 - b) do such other things as required under the *Local Government Act 2009* in respect of the local laws referred to at paragraphs 1 to 4, which includes giving the Minister a copy of the local laws and making a copy of the local laws available for inspection and purchase at Council's public offices.
7. That pursuant to section 97(1) of the *Local Government Act 2009*, Council resolves to fix a cost-recovery fee for section 51(3)(b) of *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019*, being a fee for seizing property (a "non-conforming election sign") which is payable by the person applying for the release of the non-conforming election sign and which must be paid prior to the release of the non-conforming election sign and which is in the amount of:
 - a) \$224.00 per non-conforming election sign which is seized and impounded; or
 - b) the actual cost incurred by Council for undertaking the administration and transport costs to impound the non-conforming election sign, to store and administer the release of the non-conforming election sign if this is less than the amount specified in paragraph 7(a) above.
8. That pursuant to section 257 of the *Local Government Act 2009*, Council resolves to delegate to the Chief Executive Officer its powers under *Moreton Bay Regional Council Local Law No. 1 (Administration) 2011* which are set out in the table marked "Appendix F" in the Supporting Information annexed to this report.
9. That Council notes the anti-competitive provision reviews undertaken by its delegate, the Chief Executive Officer, for the purposes of satisfying section 38(1) of the *Local Government Act 2009*, marked "Appendix G" in the Supporting Information annexed to this report.

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

10. That the Chief Executive Officer be authorised to make available on the local government's website, and at its administration centres, the fact sheet marked "Appendix H" in the Supporting Information annexed to this report.
11. That the Chief Executive Officer be authorised to make available on the local government's website, and at its administration centres, prescribed forms under *Moreton Bay Regional Council Local Law No. 8 (Election Signs) 2019* for:
 - a) making an exceptional circumstances application; and
 - b) making an application to reclaim an impounded non-conforming election sign.

REPORT DETAIL

1. Background

Since 2011, Council has regulated the display of advertising devices (including election signs) which are visible from public places under Schedule 9 of *MBRC Subordinate Local Law No. 1 (Administration) 2011 (SLL)*.

On 15 August 2017, the Liberal National Party (**LNP**) instigated Supreme Court Proceedings against Council seeking:

- a declaration that the SLL as it relates to election signs is invalid (broadly on the basis that the SLL impinges on the LNP's implied constitutional freedom to communicate on political matters); and
- an injunction preventing Council from acting on the SLL until the application for a declaration is decided.

On 25 October 2017, Council resolved to make *Moreton Bay Regional Council Interim Local Law No. 1 (Advertising Devices) 2017 (First Interim Local Law)* on a temporary (6-month) basis to mollify the LNP whilst Council reviewed the SLL.

On 23 January 2018, Council resolved to propose to make *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Administration) 2018 (Amending Local Law)*. The Amending Local Law contemplated permanent amendments to the SLL which largely reflected the provisions in the First Interim Local Law.

On 5 February 2018, Council instigated a public consultation process regarding the Amending Local Law which ended on 28 February 2018. Council received feedback that the public consultation process was too short and was not publicised well enough.

On 13 March 2018, Council directed officers to arrange a second public consultation process which was both longer and more widely advertised than the first.

On 27 March 2018, Council resolved to make *Moreton Bay Regional Council Interim Local Law No. 2 (Advertising Devices) 2018* on a temporary (6-month) basis to mollify the LNP whilst Council undertook a second public consultation process regarding the Amending Local Law.

On 29 June 2018, Council instigated the second consultation process which ended on 5 September 2018. This consultation process was more widely advertised than the first consultation process.

On 11 September 2018, Council considered feedback from the second public consultation process, as well as the first public consultation process, and opinions from subject matter experts engaged by Council (concerning some of the issues that had been raised by submitters).

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

Council received 300+ submissions which were almost entirely critical of the Amending Local Law and the subject matter experts made numerous recommendations in respect of it. Accordingly, Council directed officers to modify the Amending Local Law to deal with some common issues raised by the submitters and experts.

On 18 September 2019, Council resolved to make *Moreton Bay Regional Council Interim Local Law No. 3 (Advertising Devices) 2018* on a temporary (6-month) basis to mollify the LNP whilst officers prepared modifications to the Amending Local Law to deal with some common issues raised by the submitters and experts.

On 4 December 2018, officers presented a standalone local law and subordinate local law to Council which dealt with the regulation of election signs (and which sought to deal with some common issues raised by the submitters and experts).

On 13 December 2018, Council resolved to propose to make the standalone local laws, being *MBRC Local Law No. 8 (Election Signs) 2019* and *MBRC Subordinate Local Law No. 8 (Election Signs) 2019 (2019 Election Signs Local Law)*.

Between 7 January 2019 and 4 February 2019, officers carried out a public consultation and State interest-check process regarding the 2019 Election Signs Local Law.

On 14 February 2019, Council considered the public consultation feedback and State interest check feedback received regarding the 2019 Election Signs Local Law. The feedback was largely positive.

2. Explanation of Item

Recommendation to make the 2019 Election Signs Local Law (with amendments)

Council has already complied with steps 1-5 of its local law-making process marked "Appendix I" in the Supporting Information annexed to this report in relation to the 2019 Election Signs Local Law, by:

- resolving to propose to make the 2019 Election Signs Local Law (step 1);
- consulting with relevant government entities about the overall State interest in the 2019 Election Signs Local Law (step 2);
- consulting with the public about the 2019 Election Signs Local Law (step 3);
- complying with the procedures prescribed under the *Local Government Regulation 2012* regarding anti-competitive provisions (step 4); and
- considering every submission properly made to Council in respect of the 2019 Election Signs Local Law (step 5).

According to its local law-making process, Council may now, by resolution, decide to:

- a) make the 2019 Election Signs Local Law as advertised;
- b) make the 2019 Election Signs Local Law with amendments; or
- c) not proceed with the making of the 2019 Election Signs Local Law.

In response to the comments which Council received from the Department of Local Government, Racing and Multicultural Affairs as part of the State-Interest Check process, some amendments are proposed to that version of the 2019 Election Signs Local Law which was advertised.

For Council's reference, these amendments are included in a marked-up version of the local law which is marked "Appendix J" in the Supporting Information annexed to this report.

Officers do not consider that these amendments are so substantial that they require a further public consultation process (given that public feedback to date has not focussed on those matters which are the subject of the minor amendments).

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

Accordingly, Council officers now consider it is open to Council to resolve to make the 2019 Election Signs Local Law with amendments (at Appendix C - D of the Supporting Information).

It is recommended that Council proceed to make these local laws in accordance with its local law-making process.

Recommendation to make the Amending Local Law and Consolidated Local Law

If Council makes the 2019 Election Signs Local Law, then it will be important to remove any regulation of election signs from Council's SLL (and the interim local law) to avoid creating any inconsistencies.

To achieve this, officers recommend that Council make the Amending Local Law (at Appendix A of the Supporting Information) and the consolidated version of *Moreton Bay Regional Council Subordinate Local Law No. 1 (Administration) 2011 (Consolidated Local Law)* (at Appendix B of the Supporting Information).

The effect of the Amending Local Law and Consolidated Local Law will be to amend the SLL to remove any mention of election signs, and, to repeal the current interim local law.

Council has already followed steps 1-5 of its local law process in respect of the Amending Local Law (and this process does not need to be followed to make a Consolidated Local Law).

Accordingly, it's now open to Council to, by resolution, decide to:

- a) make the Amending Local Law as advertised;
- b) make the Amending Local Law with amendments; or
- c) not proceed with the making of the Amending Local Law.

Minor amendments have been made to the Amending Local Law which was advertised for public feedback. These amendments simply remove any regulation of election signs (because this has effectively been moved into the 2019 Election Signs Local Law).

Officers do not consider that these amendments are so substantial that they require a further public consultation process (given that the public has been given an opportunity to comment on the regulation of election signs in the proposed 2019 Election Signs Local Law).

Accordingly, officers recommend that Council proceed to make the Amending Local Law (at Appendix A of the Supporting Information) and the Consolidated Local Law (at Appendix B of the Supporting Information).

Recommendation to make the Explanatory Note

Under the 2019 Election Signs Local Law, Council may make an "explanatory note" to assist in the interpretation of that local law.

Officers consider that there are various concepts which are best explained in an explanatory note (e.g. how a 20-metre driver decision area is to be properly calculated.).

Officers consider that the explanatory note will assist persons wishing to display election signs, as well as Council officers tasked with enforcing the 2019 Election Signs Local Law, to understand these key concepts.

Accordingly, officers recommend that Council resolve to make the explanatory note at Appendix E of the Supporting Information.

Recommendation to fix a cost-recovery fee for seizing and impounding non-conforming election signs

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

Under *Moreton Bay Regional Council Local Law No. 1 (Administration) 2011 (LL No.1)*, Council has fixed the prescribed fee for the seizing and impounding of signs at \$224.00.

Because the 2019 Election Signs Local Law will be a “standalone” local law (which LL No. 1 does not apply to) it is necessary for Council to fix a separate prescribed fee if it wishes to recover its costs for seizing and impounding signs under the 2019 Election Signs Local Law.

Council will note that this fee is a “cost-recovery” fee. Accordingly, officers recommend that Council fix this fee at \$224.00 or a lesser amount, if the actual cost incurred by Council for undertaking the administration and transport costs to impound the sign, to store and administer the release of the impounded sign if this is less than \$224.00.

In other words, officers recommend that the fee to recover a seized and impounded should be *up to a maximum of \$224.00*.

At this stage, officers do not recommend imposing a prescribed fee for the making of an exceptional circumstances application. This is because it’s difficult to estimate the nature and extent of applications that Council is likely to receive.

Recommendation to delegate application and approval powers to the Chief Executive Officer

If Council resolves to pass the local laws referred to above, applications and approvals for “licensable signs” (e.g. construction site fence signs, inflatable signs, boundary fence signs etc.) will still be handled under LL No. 1.

Council may handle the application and approval process for these signs itself. However, officers consider that it would be more practical and efficient for these matters to be handled at officer level.

To enable this to occur, Council is required to delegate its relevant powers to the Chief Executive Officer who in turn, may sub-delegate those powers to appropriately qualified officers.

Accordingly, officers recommend that Council delegate its powers under LL No. 1 (set out in Appendix F) to the Chief Executive Officer.

Recommendation to note the anti-competitive provision review

Council must not make a local law that contains an anti-competitive provision unless the prescribed procedure is followed.

On 13 December 2018, Council delegated its power to review any potential anti-competitive provisions in the 2019 Election Signs Local Law to the Chief Executive Officer.

The Chief Executive Officer followed the prescribed procedure and did not identify any anti-competitive provisions in the 2019 Election Signs Local Law which required review (see Appendix G in the Supporting Information).

On 23 January 2018, Council delegated its power to review any potential anti-competitive provisions in the Amending Local Law to the Chief Executive Officer.

The Chief Executive Officer followed the prescribed procedure and identified some potential anti-competitive provisions in the Amending Local Law (see Appendix G in the Supporting Information). These provisions are not new to Council’s Local Laws - they have been present in the SLL since 2011.

These provisions relate to things unrelated to election signs, and include, for example:

- provisions requiring businesses to obtain an approval before displaying a “licensable sign”;
- provisions prohibiting certain signs from being displayed in residential environments; and

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

- provisions allowing a maximum of 3 real estate signs to be displayed per premises.

In accordance with the Chief Executive Officer's review plan, officers have undertaken a review report and recommend that Council proceed to make the Amending Local Law with these provisions being retained.

It is noted that the Amending Local Law contains anti-competitive provisions. Accordingly, officers will ensure that the appropriate notification on Council's website is published.

Given that the prescribed procedures have been followed in respect of anti-competitive provisions, officers recommend that Council note the Chief Executive Officer's reports regarding anti-competitive provisions.

Recommendation to note the fact sheets and prescribed forms

To assist the public in understanding the 2019 Election Signs Local Law, and to assist Council officers in administering the 2019 Election Signs Local Law, a fact sheet has been prepared (see Appendix H in the Supporting Information).

If Council is satisfied with this fact sheet, officers recommend that Council authorise the Chief Executive Officer to make the document publicly available.

Officers also recommend that Council authorise the Chief Executive Officer to prepare and publish prescribed forms for the 2019 Election Signs Local Law, which includes prescribed forms for:

- a) making an exceptional circumstances application; and
- b) making an application to reclaim an impounded non-conforming election sign.

3. Strategic Implications

3.1 Legislative/Legal Implications

The implication of regulating election advertising in a local law is that it may be subject to legal challenge on the basis that it unlawfully impinges on the implied freedom in the Constitution to communicate on political matters.

However, if the local law achieves an adequate balance (between the importance of its purpose and the restriction on the implied freedom) then the risk of any such legal challenge being successful is minimised. Ultimately, whether an adequate balance has been achieved will require a value judgement to be made.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

As per paragraph 3.1 (above).

3.5 Delegated Authority Implications

A delegation to the Chief Executive Officer will be required to enable him to exercise or sub-delegate specified powers under *Moreton Bay Regional Council Local Law No. 1 (Administration) 2011*.

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.

ITEM 1.1 ADOPTION OF MBRC LOCAL LAW NO. 8 (ELECTIONS SIGNS) 2019 AND RELATED LOCAL LAWS - REGIONAL - : (Cont.)

3.8 Environmental Implications

The passing of the 2019 Election Signs Local Law will mean that all election signs displayed in the Region must be made of corrugated plastic which is a recyclable material that can be recycled locally.

3.9 Social Implications

The passing of the 2019 Election Signs Local Law will give effect to the majority of public submissions which have been made to date regarding election signs.

3.10 Consultation / Communication

Pursuant to section 29A of the *Local Government Act 2009*, Council has consulted with relevant government entities about the overall State interest in the 2019 Election Sigs Local Law. In accordance with its local law-making process, Council has also consulted with the community regarding proposed changes to its regulation of election signs.

ATTENDANCE

Mr John Hall, Mr Rhys Dennison and Mr Adam Davey left the meeting at 10.43am after discussion on Item 1.1.

ITEM 1.2
AMENDMENT – 2019 MEETING SCHEDULE - REGIONAL

Meeting / Session: 1 GOVERNANCE
Reference: A18255767 : 27 February 2019
Responsible Officer: KC, Team Leader Meeting Support (CEOs Office)

Executive Summary

The purpose of this report is to recommend an amendment to the adopted 2019 Meeting Schedule due to a visit to the region by the Governor of Queensland, His Excellency the Honourable Paul de Jersey AC.

The amendment required is a change to the commencement time of Council's General Meeting on Tuesday 19 March 2019 from 10.30am to 11.30am to accommodate the Governor's itinerary.

COMMITTEE RECOMMENDATION

Moved by Cr Koliانا Winchester

Seconded by Cr Mick Gillam

CARRIED 11/0

1. That the 2019 Meeting Schedule be amended by changing the commencement time of Council's General Meeting on Tuesday 19 March 2019 from 10.30am to 11.30am.
2. That the amendment to the meeting schedule be advertised in accordance with s277 of the Local Government Regulation 2012.

ITEM 1.2 AMENDMENT – 2019 MEETING SCHEDULE - REGIONAL - A18255767 (Cont.)

OFFICER'S RECOMMENDATION

1. That the 2019 Meeting Schedule be amended by changing the commencement time of Council's General Meeting on Tuesday 19 March 2019 from 10.30am to 11.30am.
2. That the amendment to the meeting schedule be advertised in accordance with s277 of the Local Government Regulation 2012.

REPORT DETAIL

1. Background

Council is required under s277 of the Local Government Regulation to adopt, publish and display a list of Council general and standing committee meetings each year. The 2019 Meeting Schedule was adopted on Page 18/2223 of the General Meeting held on 7 November 2018 and was subsequently advertised in the Courier Mail on 16 November 2018.

Ex. Coordination Committee - 7 November 2018 (Page 18/2226)

COMMITTEE RECOMMENDATION:

1. **That the Meeting Schedule for the period January to December 2019, be adopted, as outlined in supporting information #1.**
2. **That the Meeting Schedule for the period January to December 2019 be advertised in accordance with s277 of the Local Government Regulation 2012.**

2. Explanation of Item

To accommodate the itinerary of a visit to the region by the Governor of Queensland, His Excellency the Honourable Paul de Jersey AC, an amendment is required to the adopted 2019 Meeting Schedule. The amendment required is a change to the commencement time of Council's General Meeting on Tuesday 19 March 2019 from 10.30am to 11.30am.

Pursuant to s277 (4) of the Local Government Regulation 2012, Council must publicly notify any change to the days and times in a newspaper circulating generally in its area.

3. Strategic Implications

3.1 Legislative/Legal Implications

Council meetings are conducted in accordance with the Local Government Regulation 2012.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

There are no policy implications in relation to this matter.

3.4 Risk Management Implications

There are no identifiable risks arising as a direct result of this report.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Advertising costs have been included in the 2018/19 budget.

ITEM 1.2 AMENDMENT – 2019 MEETING SCHEDULE - REGIONAL - A18255767 (Cont.)

3.7 Economic Benefit

There are no economic benefits as a direct result of this report.

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

The amended Meeting Schedule has been prepared in consultation with the Acting Chief Executive Officer.

ITEM 1.3
ADOPTION OF COUNCIL POLICIES - REGIONAL

Meeting / Session: 1 GOVERNANCE
Reference: A18252788 : 26 February 2019 - **Refer Supporting Information A16609320 & A17832695**
Responsible Officer: DD, Acting Manager Executive Services (CEO Executive Services)

Executive Summary

Council regularly reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

The purpose of this report is to seek Council's consideration of the following policies, as appearing in the supporting information to this report:

- Policy 2150-103 - Divisional Newsletters
- Policy 2150-091 - Unauthorised Recording

COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Mick Gillam

CARRIED 10/1

Cr Adrian Raedel voted against Committee's Recommendation

That the following policy be adopted, as appearing in the supporting information to this report:

- Policy 2150-103 - Divisional Newsletters

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Adam Hain

CARRIED 11/0

That the following policy be adopted, as appearing in the supporting information to this report:

- Policy 2150-091 - Unauthorised Recording

ITEM 1.3 ADOPTION OF COUNCIL POLICIES - REGIONAL - A18252788 (Cont.)

OFFICER'S RECOMMENDATION

That the following policies be adopted, as appearing in the supporting information to this report:

- Policy 2150-103 - Divisional Newsletters
- Policy 2150-091 - Unauthorised Recording

REPORT DETAIL

1. Background

In accordance with the review triggers, Council reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

2. Explanation of Item

An explanation of the objective, policy summary, and any amendments made to the identified policies is outlined below:

Policy 2150-103 - Divisional Newsletters (new policy)

Objective: The objective of this policy is to establish parameters for the publication of divisional newsletters.

Policy Summary: Council is committed to informing the community in an accurate and timely manner about its services, facilities, events and projects through the publication of divisional newsletters.

Policy 2150-091 - Unauthorised Recording

Objective: To protect employees from unauthorised recordings and to promote honest and ethical standards of behaviour in the workplace.

Policy Summary: Council is committed to ensuring that the conduct of all employees is beyond reproach and seeks to minimise behaviour in the workplace that is inconsistent with ethical and local government legislative principles as outlined in Council's Employee Code of Conduct.

Council recognises that unauthorised recording in the workplace does not promote honest and ethical standards of behaviour. Council prohibits the unauthorised recording of employees, regardless of the circumstances. Unauthorised recording in the workplace is considered workplace harassment and is in breach of Council's Employee Code of Conduct.

Summary of amendments: Minor amendments have been made to update references to legislation and definitions, and to provide clearer guidelines.

3. Strategic Implications

3.1 Legislative/Legal Implications

These policies have been developed in accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Council regularly reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

ITEM 1.3 ADOPTION OF COUNCIL POLICIES - REGIONAL - A18252788 (Cont.)

3.6 Financial Implications

There are no financial benefit 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

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

3.10 Consultation / Communication

The following officers were consulted in the preparation of this report:

- Acting Chief Executive Officer;
- Manager Legal Services; and
- Corporate Communications Manager.

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

No items for consideration.

3 CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

No items for consideration.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

NEW LEASE - BRIBIE ISLAND AND DISTRICTS JUNIOR RUGBY LEAGUE INCORPORATED - DIVISION 1

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A17903753 : 29 November 2018 - **Refer Supporting Information A17904937**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a trustee lease (lease) to Bribie Island and Districts Junior Rugby League Incorporated at the Bribie Island Sports Complex, 156 First Avenue, Bongaree (refer Supporting Information #1). The proposed lease would take effect immediately.

COMMITTEE RECOMMENDATION

Moved by Cr Brooke Savige

Seconded by Cr Adam Hain

CARRIED 11/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Bribie Island and Districts Junior Rugby League Incorporated be granted a lease over an area at Bribie Island Sports Complex, Bongaree (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 5.1 NEW LEASE - BRIBIE ISLAND AND DISTRICTS JUNIOR RUGBY LEAGUE INCORPORATED - DIVISION 1 - A17903753 (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, Bribie Island and Districts Junior Rugby League Incorporated be granted a lease over an area at Bribie Island Sports Complex, Bongaree (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

Bribie Island and Districts Junior Rugby League Incorporated (the organisation) was founded in 1982 and currently occupies a clubhouse, amenities building, storage and canteen facilities at Bribie Island Sports Complex (refer Supporting Information #1).

Since the adoption and implementation of Council's consolidated Community Leasing Policy (2150-079) in 2014, the organisation has operated without formal tenure arrangements being in place. The inability to formalise tenure has been the result of ongoing lease negotiations, including shared occupancy arrangements with Bribie Island Rugby League Football Club Inc. and Bribie Island Touch Football Association Incorporated.

Bribie Island and Districts Junior Rugby League Incorporated has now confirmed that it is able to proceed with a lease over its designated area. The agreed tenure model at this location would see:

- a lease provided to Bribie Island and Districts Junior Rugby League Incorporated over the clubhouse, amenities building, storage and canteen facilities.
- an agreement established between the Bribie Island and Districts Junior Rugby League Incorporated and the Bribie Island Rugby League Football Club Inc. providing shared use of the facilities; and
- an agreement established between the Bribie Island and Districts Junior Rugby League Incorporated and the Bribie Island Touch Football Association Incorporated providing shared use of the facilities.

2. Explanation of Item

To implement the agreed tenure arrangements at this location, Council would need to provide the Bribie Island and Districts Junior Rugby League Incorporated, with a lease over clubhouse, amenities building, storage and canteen facilities (Supporting Information #1). This lease would be subject to its establishment of shared use agreements with the Bribie Island Rugby League Football Club Inc. and Bribie Island Touch Football Association Incorporated, respectively.

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

3. Strategic Implications

3.1 Legislative/Legal Implications

The proposed lease will be registered with the Department of Natural Resources, Mines and Energy in accordance with the *Land Act 1994*.

ITEM 5.1 NEW LEASE - BRIBIE ISLAND AND DISTRICTS JUNIOR RUGBY LEAGUE INCORPORATED - DIVISION 1 - A17903753 (Cont.)

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 (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 Bribie Island and Districts Junior Rugby League Incorporated will provide the club with facilities to support its operations.

3.10 Consultation / Communication

Divisional Councillor
Bribie Island and Districts Junior Rugby League Incorporated
Bribie Island Touch Football Association Incorporated
Bribie Island Rugby League Football Club Inc

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

No items for consideration.

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 LIVESTREAMING - COUNCIL MEETINGS - REGIONAL

COMMITTEE RECOMMENDATION

Moved by Cr James Houghton
Seconded by Cr Brooke Savige

CARRIED 11/0

That Council investigate the livestreaming of Council Meetings.

ITEM 9.2 CLEAN UP AUSTRALIA DAY - REGIONAL

Cr Brooke Savige made mention of Clean Up Australia Day which was held on Sunday 3 March 2019. She expressed her thanks to the many residents across the region for participating in the event noting that the rubbish collected this year was half that of last year.

Cr Mick Gillam also attended collection sites around his division and attested to the fact that the significant reduction in the quantity of rubbish collected this year was possibly due to the fact of the recently introduced 10 cents bounty that public can now receive on recyclable bottles and cans.

Cr Adam Hain also made mention that this was a great day and was very well organised.

ITEM 9.3 JTL SERIES AFL - BRISBANE LIONS AND HAWTHORNE

On the weekend, Cr Koliانا Winchester together with Cr Adam Hain attended the 2019 JTL Series AFL game between Brisbane Lions and Hawthorne held at the Moreton Bay Central Sports Complex. Cr Hain mentioned that this was a televised event, well organised and very successful. Cr Winchester was pleased to officiate the coin toss for the game.

COMMITTEE RECOMMENDATION

Moved by Cr Koliانا Winchester
Seconded by Cr Adam Hain

CARRIED 11/0

That a Mayoral letter of congratulation be sent to AFL Queensland for the very successful Brisbane Lions and Hawthorne match held at the Moreton Bay Central Sports Complex on Sunday, 3 March.

ITEM 9.4
DIVISIONAL COUNCILLOR NEWSLETTERS - REGIONAL

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Brooke Savige

CARRIED 11/0

That a workshop be held in relation to a trial in the 2019/2020 financial year of an opt-in electronic and hard copy version of the divisional councillor newsletter.

CLOSURE

There being no further business the Chairperson closed the meeting at 11.05am.