



AGENDA

GENERAL MEETING

Wednesday 5 August 2020

commencing at 9.30am

Strathpine Chambers
220 Gympie Road, Strathpine

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

Accordingly, this meeting is physically closed to the public.

However, will be live-streamed via a link on Council's website

(access to the link will be available immediately prior to the meeting)

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Wednesday 5 August 2020 commencing at 9.30am in Strathpine Chambers, 220 Gympie Road, Strathpine to give consideration to the matters listed on this agenda.

Greg Chemello
Chief Executive Officer

30 July 2020

Membership = 13
Mayor and all Councillors

Quorum = 7

Agenda for public distribution

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1. ACKNOWLEDGEMENT OF COUNTRY

Mayor to provide the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Mayor to provide the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

Cr Peter Flannery (Mayor) (Chairperson)

Apologies:

4. MEMORIALS OR CONDOLENCES

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

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 22 July 2020 (Pages 20/1320 to 20/1440)

RESOLUTION that the minutes of the General Meeting held 22 July 2020, be confirmed.

Attachment #1 Unconfirmed Minutes - General Meeting 22 July 2020

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

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

7. CORRESPONDENCE

Receipt of correspondence addressed to the Council and tabled by the Chief Executive Officer

8. DEPUTATIONS / COMMUNITY COMMENT

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

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

(s262 of the Local Government Regulation 2012)

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

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

Declarations of interest statement

The Mayor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 1.1

DRAFT REGIONAL ECONOMIC DEVELOPMENT STRATEGY (FOR PUBLIC CONSULTATION)

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT

Reference: A20324392 : 27 July 2020 - Refer Supporting Information to be provided separate to the agenda

Responsible Officer: Andrew Lintern, Team Leader Economic Development & Innovation (CEO Economic Development)

Executive Summary

In May 2020, Council embarked on a project to deliver a new Regional Economic Development Strategy (REDS) for the Moreton Bay Region, providing short to medium term and longer-term directions to foster economic development in the region.

This strategy outlines the vision for our regional economy including goals and objectives, provide a structured process for the implementation of policies and initiatives which will drive economic development and growth in the region and enable progress to be easily assessed against measurable deliverables and take into consideration initial actions to assist the region recover from the Covid19 pandemic.

The purpose of this report is to seek Council's adoption of the Draft Regional Economic Development Strategy for Public Consultation.

OFFICER'S RECOMMENDATION

That the Draft Regional Economic Development Strategy be adopted for public consultation, as appearing in supporting information #1.

ITEM 1.1 DRAFT REGIONAL ECONOMIC DEVELOPMENT STRATEGY (FOR PUBLIC CONSULTATION) - A20324392 (Cont.)

REPORT DETAIL

1. Background

The previous MBRC Economic Development Strategy (EDS) was prepared in 2010 and contains a wealth of baseline information that is relevant for consideration. The existing strategy was a flexible document with a primary goal of achieving 70% employment self-containment rate (SCR) by 2031.

The previous EDS had a strong focus on traditional industries and provided a robust platform after council amalgamations in 2008 to support this traditional economic base. However, the new Moreton Bay Region, as Australia's third largest Local Government by population, has experienced significant region shaping changes including infrastructure projects like the Redcliffe Peninsula rail line (2016) and The Mill at Moreton Bay University Precinct (2020). In addition, global technologies have advanced, regional and global economic foundations and outlook have shifted dramatically since the initial 2010 EDS was formulated. The Moreton Bay Region has also added 80,000 residents since the release of the EDS and is expected to add another 240,000 residents by 2041 - to a total resident population of approximately 690,000. By 2031 Moreton Bay Region will have exceeded the population size of the State of Tasmania, as indicated by respective State government population projections

A new strategy is required which recognises, leverages and capitalises on the opportunities associated with these changes whilst also acknowledging the region's traditional industries and growth sectors.

The REDS will complement the new Regional Growth Management Strategy (RGMS) which is being initiated to plan for urban expansion areas. The REDS will also provide the opportunity to shape a resilient and sustainable regional economy to help realise our vision of the region's future.

Four Council briefings were conducted on 20 May, 3 June, 17 June and 1 July 2020 to enable further advice and reviews to be provided to the Council on the matter.

2. Explanation of Item

The vision, attitudes and aspirations of our community leaders in the public and private sectors have been captured to capitalise on new and exciting opportunities for the Region. This requires a concerted effort by government, industry and business to create a more prosperous community.

This new direction for the Moreton Bay Region will drive a **bigger** region, a **bolder** identity and a **brighter** future for the local residents over the next twenty years.

The strategy has **four pillars** and a range of key initiatives under each pillar that will guide the future economic development efforts of the region:

The strategy focuses on **key industries and sectors** that are high value adding, export focused and will provide the transition of the local economy.

Collaboration is also central to this strategy. There are a large number of important stakeholders that combined can deliver the bigger, bolder and brighter future. A new delivery framework has been designed to harness the collective strength of key economic development stakeholders and provide a platform for a unified and collaborative approach to economic development.

A detailed implementation plan will be developed to carry out the Moreton Bay Regional Economic Development Strategy on an annual basis. The plan will align to the structure of this strategy and its key initiatives and provide measurable actions that can deliver the brighter and bolder future envisioned in this strategy.

An annual economic scorecard will be developed to not only track progress towards the identified goals. This economic scorecard will also capture a variety of annual changes and other trends across the region and across the economy.

ITEM 1.1 DRAFT REGIONAL ECONOMIC DEVELOPMENT STRATEGY (FOR PUBLIC CONSULTATION) -
A20324392 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

Local Government Act 2009
Planning Act 2016
Planning Regulation 2017
Economic Development Act 2012
Economic Development Regulation 2013

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Local jobs for residents - an innovative and thriving economy.
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

3.3 Policy Implications

Community Plan 2011-2021
Corporate Plan 2017-2022

3.4 Risk Management Implications

The draft REDS will be managed to minimise operational and implementation risks, and any issues identified will be managed in a transparent manner. A yearly review of the Strategy is proposed through the implementation plan and development of an economic scorecard, to ensure targets outlined in the Strategy are measured and achievable.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Future consideration to Council budgets through the implementation of this strategy includes budget and funding to carry out associated implementation and action planning of specific projects and activities.

3.7 Economic Benefit Implications

Without a vibrant and growing economy, there would be a lack of jobs, income and wealth, which in turn would cause a number of far reaching social and community issues. This strategy provides a framework of actions to ensure a strong and vibrant local economy including the creation of jobs which will lead economic and community benefits for the region.

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

ITEM 1.1 DRAFT REGIONAL ECONOMIC DEVELOPMENT STRATEGY (FOR PUBLIC CONSULTATION) - A20324392 (Cont.)

3.11 Consultation / Communication

Mayor and Councillors

MBRC Chief Executive Officer

MBRC Executive Management Team

MBRC Economic Development Team

Queensland Department of State Development, Tourism and Innovation (formerly DSDMIP)

Moreton Bay Region Industry & Tourism (MBRIT)

Regional Development Australia - Moreton Bay

University of the Sunshine Coast (USC)

Chambers of Commerce in the Moreton Bay Region

Industry Sector Discussion Panels, and

Economic Recovery Roadmap Survey

SUPPORTING INFORMATION

Ref: A20304125

The following list of supporting information is provided for:

ITEM 1.1

DRAFT REGIONAL ECONOMIC DEVELOPMENT STRATEGY (FOR PUBLIC CONSULTATION)

#1 Draft Regional Economic Development Strategy - *to be provided separate to agenda*

ITEM 1.2
INVESTMENT ATTRACTION POLICY

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20312865 : 23 July 2020 - **Refer Supporting Information A20229703**
Responsible Officer: AL, Team Leader Economic Development & Innovation (CEO Economic Development)

Executive Summary

As part of Council's ongoing commitment to facilitate economic development within our region and to assist in the economic recovery to the COVID-19 pandemic, there is a need to stimulate this economic growth through investment attraction, particularly to targeted businesses and sectors to relocate or establish new operations within the Moreton Bay Region.

To facilitate such opportunities, an Investment Attraction Policy has been drafted to assist Council in evaluating the economic benefits of proposals which will create jobs and expand the regional economy. This proposed policy will apply to prospective businesses which express interest in relocating or establishing operations or expanding their current operations within the Moreton Bay region which results in job creation and expanding the regional economy.

The purpose of this report is to seek Council's adoption of the Investment Attraction Policy (Policy 2150-117).

OFFICER'S RECOMMENDATION

That the Investment Attraction Policy be adopted, as appearing in supporting information #1.

ITEM 1.2 INVESTMENT ATTRACTION POLICY - A20312865 (Cont.)

REPORT DETAIL

1. Background

Council supports strong sustainable economic growth within the Moreton Bay local government area.

Investment attraction is a key target area of council's Economic Development Action Plan 2017-2022, with a focus on facilitating investment opportunities. The new Regional Economic Development Strategy currently being prepared will identify key target industry sectors to develop including advanced manufacturing, agri-business and others.

The COVID-19 pandemic has created serious and significant impacts on local businesses within the Moreton Bay region. Based on the latest information available from the Commonwealth Government, job losses due to the COVID-19 pandemic are estimated at 12,400 (based on data from April 2020). These job losses have adversely impacted many families across our region and immediate action from Council is required to support our community in general (and these affected families indirectly).

Council is committed to supporting new investment and development opportunities in the Moreton Bay region through a variety of incentives, which create jobs and diversify the industry composition of the regional economy.

A Council briefing was conducted on 22 July 2020 for the purpose of sharing information and providing advice/views to the Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

<i>BRIEFING 3 INVESTMENT ATTRACTION POLICY (22 July 2020)</i>
The CEO noted the way forward: The Investment Attraction Policy be brought to the next General Meeting for consideration to adopt.

2. Explanation of Item

The objective of Investment Attraction Policy is to attract investment and developments that will stimulate and diversify the economy of the Moreton Bay region, act as a mechanism to support economic growth, and encourage existing businesses to expand the regional economy through the creation of new jobs and investment.

It establishes:

- (1) the types of investment attraction incentives that are available;
- (2) eligibility criteria for accessing investment attraction incentives; and
- (3) a framework for Council to evaluate incentives to ensure they provide the maximum benefit to the region.

The Policy applies to any existing business, or yet to be established business, or agents thereof, that have informed Council in writing of their intention to locate or, relocate and/or expand their current operations into Council's local government area.

This policy does not apply where a business is threatened by closure or downsizing due to market factors or other reasons. Furthermore, it does not apply to marginal and/or speculative development, or new or expanding businesses that are servicing population growth in a local area. Investment attraction incentives will not be provided retrospectively.

This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents as part of the COVID-19 recovery process. A review of this policy will occur within 12 months of adoption.

The impact of this policy will be measured by the overall number of successful applications for investment attraction incentives, and an increase in jobs over time.

ITEM 1.2 INVESTMENT ATTRACTION POLICY - A20312865 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications

Local Government Act 2009
Planning Act 2016
Planning Regulation 2017
Economic Development Act 2012
Economic Development Regulation 2013

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Local jobs for residents - an innovative and thriving economy.

3.3 Policy Implications

Community Plan 2011-2021
Corporate Plan 2017-2022
Economic Development Action Plan 2017-2022
Procurement Policy 2150-006 (27 May 2020)
Council Rates and Charges - Financial Hardship Policy 2150-113 (25 March 2020)

3.4 Risk Management Implications

Application and evaluation process are outlined in the policy, with risk management to be undertaken through the eligibility requirements and application process. This is to ensure appropriate risks are managed and any incentives are provided in a transparent manner. A review of this policy will occur within 12 months of adoption.

3.5 Delegated Authority Implications

Applications will be assessed by Council officers and be presented to a Council Meeting for final acceptance.

3.6 Financial Implications

Future consideration to Council budgets through the implementation of this policy includes waiving of Council related application fees and charges, along with any deferred and/or discounted payment of infrastructure charges.

3.7 Economic Benefit Implications

Attracting investment and developments will stimulate and diversify the economy of the Moreton Bay region. Encouraging new businesses to relocate or set up their operations in the region and existing businesses to expand, will benefit the regional economy through the creation of new jobs and investment.

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Chief Executive Officer
Director Planning
Manager Developmental Services

SUPPORTING INFORMATION

Ref: [A20229703](#)

The following list of supporting information is provided for:

**ITEM 1.2
INVESTMENT ATTRACTION POLICY**

#1 Investment Attraction Policy

ITEM 1.3

DRAFT POLICY - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20312699 : 27 July 2020 - **Refer Supporting Information A20304125**
Responsible Officer: NT Senior Environment Officer (PL Directorate)

Executive Summary

The proposal for the introduction on a Land Buyback for Environmental Purposes program was initiated in the Mayor's commencement speech on 29 April 2020.

Council's 2020-21 budget statement includes the Regional Infrastructure and Environment charge, which will provide revenue for application under the Policy - Land Buyback Program for Environmental Purposes.

The Planning Division have led the preparation of a draft Policy for a Land Buyback Program for Environmental Purposes, as contained in supporting information #1 to this report for consideration.

A Council briefing was conducted on 29 July 2020 for the purpose of sharing information and providing advice/views to the Council on the matter. Noting that a report and the policy will be submitted to the General Meeting for consideration to adopt.

The purpose of this report is to seek Council's adoption of the draft Policy for a Land Buyback Program for Environmental Purposes.

OFFICER'S RECOMMENDATION

That the Policy for the Land Buyback Program for Environmental Purposes be adopted, as provided in supporting information #1 to this report.

*ITEM 1.3 DRAFT POLICY - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - A20312699 :
(Cont.)*

REPORT DETAIL

1. Background

Local government environmental land acquisition programs have been in place in South East Queensland (SEQ) since the early 1990's. Common to these programs is the raising of funds through a separate charge or levy on rateable properties for the acquisition of land for environmental and conservation purposes.

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

2. Explanation of Item

A well-planned land acquisition program can:

- Consolidate or connect natural areas and corridors.
- Protect the region's biodiversity, ecosystems and natural process.
- Help Council deliver on strategic commitments regarding nature conservation, biodiversity protection and healthy ecosystems.
- Compliment the open space and green infrastructure network.
- Provide recreational, health and lifestyle benefits to the community.

The main components of the draft Policy for the Land Buyback Program for Environmental Purposes are:

Strategic Focus

Acquisition is proposed to be prioritised according to an explicit set of principles and criteria involving a strategic evaluation of land across the Moreton Bay Region. Land will be acquired based on its contribution to the region's conservation network. Where necessary lands acquired will be restored or rehabilitated to enhance environmental values.

Value for money

Land that can be secured for conservation by other means will not be acquired through the land acquisition program, except in extenuating circumstances. Prioritisation of sites will initially be based on consideration of environmental values and threat. More detailed assessment of individual properties will take into account more detailed evaluation of environmental factors, benefit to the community through acquisition, and the cost to purchase, maintain and manage land relative to expected conservation outcomes. Acquisitions will progress on the basis of fair market value.

Method of acquisition

A confidential list of potential acquisitions will be developed based on defined prioritisation criteria. The list will guide a proactive approach to voluntary acquisition (the preferred method of buyback). Council will formally consider and decide potential acquisitions and specific property acquisitions supported by information provided by staff responsible for the administration of the Program.

Planning

Prior to acquisition of individual properties, detailed consideration will be given to the nature and extent of rehabilitation works required for the potential site, whether it could support recreational use, and whether any part of the site could be disposed of at a later date (with or without zone changes, covenant or other protective mechanism).

3. Strategic Implications

3.1 Legislative / Legal Implications

The Draft Policy - Land Buyback Program for Environmental Purposes has been drafted by Legal Services with instruction by Environmental Planning and Policy.

3.2 Corporate Plan / Operational Plan

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

ITEM 1.3 DRAFT POLICY - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - A20312699 :
(Cont.)

3.3 Policy Implications

The Policy will guide the expenditure of revenues gathered under the Regional Infrastructure and Environment Charge part (b) to acquire, restore and rehabilitate environmentally significant land to conserve the region's ecological communities and environmental values for the benefit of the community in the present and future.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

Acquisition of properties will require delegation of authority to the CEO or the Manager, Property Services to enter into contracts for land acquisition on Council's behalf.

3.6 Financial Implications

Implementation of the Policy and associated Program will require a funding mechanism. Council's 2020/21 revenue statement includes a Regional Infrastructure and Environment Charge to provide the primary funding mechanism for implementation of the Policy and associated Program.

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

The Policy and associated Program will help conserve the Region's ecological communities and environmental values.

3.9 Social Implications

The Policy and associated Program will help expand and enrich the Region's conservation network for the benefit of the community in the present and in future.

3.10 Human Rights Implications

Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Council's decision in this circumstance may affect a person's property rights, including a person's right to not be arbitrarily deprived of their property. Officers consider that Council's decision in this circumstance (if it reflects the officer's recommendation) is compatible with (and does not limit) a person's property rights because there are sound and lawful reasons for the acquisition as set out in this report.

3.11 Consultation / Communication

The draft policy has been developed in consultation with Executive Services, Finance and Corporate Services, and the Office of the Chief Executive Officer.

SUPPORTING INFORMATION

Ref: [A20304125](#)

The following list of supporting information is provided for:

ITEM 1.3

DRAFT POLICY - LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES

#1 Land Buyback Program for Environmental Purposes

ITEM 1.4
COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER - FINANCIAL AND CONTRACTUAL

Meeting / Session: 1 GOVERNANCE
Reference: A20303316 : 16 July 2020
Responsible Officer: KCF, Senior Legal Officer (CEO Legal Services)

Executive Summary

The *Local Government Act 2009* (the Act) requires the Chief Executive Officer (CEO) to establish a Register of Delegations which must record all delegations by the Council, Mayor or the CEO.

Section 257(5) of the Act requires delegations from the Council to the CEO to be reviewed annually by the local government.

The CEO has existing separate delegations from Council to:

- (1) authorise the expenditure of money (financial delegation); and
- (2) enter into contracts (contractual delegation).

Council has historically delegated to the CEO authority to approve expenditure without financial limit for any matter within a previously-approved annual budget. The genesis of this delegation can be traced back to the Transition Action Plan (TAP) adopted at the time of amalgamation of the three former Councils (Redcliffe City Council, Pine Rivers Shire Council and Caboolture Shire Council).

A Council briefing was conducted on 29 July 2020 for the purpose of sharing information and providing advice/views to the Council on the matter. Noting that a report will be submitted to the General Meeting for consideration to adopt.

This report recommends a revision of both the CEO's financial and contractual delegations to better reflect operational needs while enabling efficient and effective operational decisions to be made. Pursuant to the Act, the CEO may on-delegate such functions and powers to suitably qualified officers, if and where appropriate.

OFFICER'S RECOMMENDATION

1. That pursuant to section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer its power to authorise expenditure of money up to and including the amount of \$25,000,000 subject to the following criteria:
 - (a) the expenditure is in accordance with the *Local Government Act 2009*;
 - (b) the expenditure has been provided for in Council's annual budget, except in the case of genuine emergency or hardship where the budget does not make provision; and
 - (c) the expenditure is not materially greater than the budget allocation.
2. That pursuant to section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer its power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report, subject to the following criteria:
 - (a) the contract has been formed in accordance with the *Local Government Act 2009* and Council's Procurement Policy;

ITEM 1.4 COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER - FINANCIAL AND CONTRACTUAL - A20303316 (Cont.)

- (b) the expenditure under the contract has been provided for in Council's annual budget, except in the case of genuine emergency or hardship where the budget does not make provision;
 - (c) any contract greater than the budget allocation is to be reported to Council; and
 - (d) details of contracts in excess of \$500,000 to be reported to Council on a quarterly basis.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging any of the above contracts and any required variations of the contracts on Council's behalf.

ITEM 1.4 COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER - FINANCIAL AND CONTRACTUAL - A20303316 (Cont.)

REPORT DETAIL

1. Background

The Act requires the CEO to establish a Register of Delegations which must record all delegations by the Council, Mayor or the CEO.

Section 257(5) of the Act requires delegations from the Council to the CEO to be reviewed annually by the local government.

2. Explanation of Item

The CEO currently has a largely unfettered delegation to authorise expenditure of money for the day-to-day expenses of Council. In respect to awarding and signing contracts, the current delegated authority enables the CEO to accept and sign contracts to a value of \$1.5M.

In order to better reflect the organisation's operational needs and efficiency of service, it is proposed the delegations to the CEO for both financial expenditure and contracting be updated.

CONTRACT DELEGATION

The current delegated authority of \$1.5M in respect of contract formation is at times not conducive to the most efficient management of projects and formation of contracts. In particular, the obligation to quickly deal with and finalise contracts under the COVID-19 Federal and State Government programs will be imperative. To better avoid the consequence of delay for these and other projects, it is proposed the CEO delegation be increased to an amount equivalent to the sum permitted under the Act during electoral caretaker periods. That benchmark is considered appropriate to apply as in essence it reflects the state's view (through the Local Government Act) of an appropriate level of risk to be applied to financial decisions under certain circumstances. By way of example, in the latest March 2020 caretaker period, this was approximately \$3.1M. To be more precise, the amount is defined by the Act as being "1% of Council's net rate and utility charges".

EXPENDITURE DELEGATION

In respect to the delegation to the CEO for expenditure of funds, it is proposed to more clearly limit the existing somewhat unfettered delegation. It is proposed that the delegation be now reduced and set at an amount up to, and including, \$25M. Such a delegation would enable the CEO to continue to make most required expenditure (example Fire levy payments, payroll, insurance, electricity and other routine expenditure of Council). Any expenditure above \$25M will therefore require a formal Council resolution.

All delegations are subject to any limitations of the Local Government Act and Regulation, Council's budget, and the Procurement Policy (where applicable).

Subject to Council delegating its powers to the CEO as contained in this report, the *Local Government Act 2009* enables the CEO to on-delegate such functions and powers to suitably qualified officers, if and where appropriate.

3. Strategic Implications

3.1 Legislative/Legal Implications

To be in accordance with the provisions of the Act as outlined in the report.

3.2 Corporate Plan / Operational Plan

Governance & Leadership: Efficient and effective management of Council's operations.

3.3 Policy Implications

To be in accordance with Council's Procurement Policy.

3.4 Risk Management Implications

The regular review of delegations to the CEO will ensure that Council's delegations are up-to-date and accord with legislation.

ITEM 1.4 COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER - FINANCIAL AND CONTRACTUAL - A20303316 (Cont.)

3.5 Delegated Authority Implications

The adoption and use of the recommended delegations will provide assurance that all Council delegations are current and operationally appropriate. The proposed financial expenditure delegation will result in a reduction in value of the current delegation to the CEO. The proposed contract delegation will be increased and will enable a greater number of tenders to be awarded and contracts entered into without those contracts needing a Council resolution.

3.6 Financial Implications

As provided for in the adopted Budget.

3.7 Economic Benefit Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Consultation has been undertaken with the Council as part of a workshop on ###, the Governance Project Team, Legal Services and the Chief Executive Officer.

ITEM 1.5

APPOINTMENT BOARD OF DIRECTORS - MILLOVATE PTY LTD

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20318807 : 29 July 2020 - Refer **Confidential Supporting Information**
Responsible Officer: GC, Chief Executive Officer (CEOs Office)

Executive Summary

On 26 November 2019, Council resolved to establish a beneficial enterprise under the *Local Government Act 2009* to Council to ensure the optimal development of the Council-owned lots within the Priority Development Area (PDA) at The Mill at Moreton Bay.

The registered name of the established company is Millovate Pty Ltd (Millovate).

Council's Chief Executive Officer was authorised to finalise the drafting of and enter into the Governance Documents and to do all things necessary to give effect to Council's resolution on minute page 19/2045-2046 including to form establish and set up the initial operation of the corporation.

This report explains the process undertaken to recruit and appoint the Millovate Board of Directors, for Council's information.

OFFICER'S RECOMMENDATION

That the Chief Executive Officer's report be received noting the following offer of appointments to the Millovate Pty Ltd Board of Directors:

- a) Mr Nigel Chaimer - Chair
- b) John Aitken - Director
- c) Sarah Zeljko - Director
- d) Toni Thornton - Director
- e) Patrice Sherrie - Director
- f) James (Jim Walker) - Director

ITEM 1.5 APPOINTMENT BOARD OF DIRECTORS - MILLOVATE PTY LTD - A20318807 (Cont.)

REPORT DETAIL

1. Background

A Council briefing was conducted on 20 May 2020, to provide the new term of Council with background of the matter, which outlined the following:

1. On 8 October 2019, officers briefed Council on various legal mechanisms which could be used to better secure Council's vision for Council-owned lots within the Mill at Moreton Bay
2. These mechanisms included establishing a "Beneficial Enterprise" – being a company with an independent board to control the development of the Council Land.
3. In the interest of ensuring that the land is properly "activated" and optimally developed Council passed Resolutions to proceed and establish a beneficial enterprise to manage the redevelopment through a Development Oversight Agreement and an associated Development Lease over the developable areas.
4. A recruitment process had commenced to establish the independent board.
5. In early 2020 the CEO conducted a competition within Council to "name" the new company and Millovate Pty Ltd was selected and has now been registered.
6. Ongoing tasks include the preparation of governance documentation and finalising the board members.

In respect of 6 above, a recruitment process to appoint the Chair and Directors of the Milllovate Board has been undertaken and finalised.

2. Explanation of Item

At its General Meeting of 26 November 2019 (Page 19/2046), Council passed a number of resolutions including:

- | |
|--|
| <ol style="list-style-type: none">2. That Council authorises the appointment of Council's Chief Executive Officer as the initial director of the beneficial enterprise and for them to undertake all relevant and incidental actions arising and powers pursuant to that appointment.3. That Council resolves to provide the financial support necessary to the corporation for it to engage:<ol style="list-style-type: none">a. an independent recruiter to source the balance of the first full board of directors of the beneficial enterprise in accordance with the Governance Documents; andb. an independent professional services firm in consultation with QTC to ensure that an appropriate governance and risk management framework is put in place in respect of the beneficial enterprise at a suitable time; and<p>otherwise carry out the activities provided in each resolution herein.</p>4. That Council authorises the Chief Executive Officer to do all other things necessary to give effect to these recommendations, including to form establish and set up the initial operation of the corporation. |
|--|

Pursuant to Resolution 4, the Chief Executive Officer engaged OnTalent to assist with the recruitment and appointment of the Chair and Directors for the Millovate Board (Resolution 3a).

ITEM 1.5 APPOINTMENT BOARD OF DIRECTORS - MILLOVATE PTY LTD - A20318807 (Cont.)

Following an extensive briefing with the Millovate project team and Council's Chief Executive Officer, OnTalent went to market with a campaign to attract both Chair and Director candidates. This campaign was complimented by executive search and networking activities to invite candidates into the process.

The roles attracted 187 candidates (including 22 candidates for the Chair position). Four candidates for Chair were interviewed by OnTalent before attending panel interviews on 7 July 2020. Seventeen candidates for Directors were interviewed by OnTalent before attending panel interviews on 24 July 2020.

Each candidate was interviewed for both Chair and Director roles.

The Panel consisted of:

Doug McTaggart (Chair)
Greg Chemello – Chief Executive Officer, Moreton Bay Regional Council
Dr Sarah Pearson (DDG, Innovation – Department of State Development, Tourism and Innovation
Professor Brett Heyward – QUT Business School
Natasha Olsson-Seeto – Chief Executive – OnTalent

Once selected, the preferred candidate for Chair of Millovate was added as a member of the above panel interviewing the remaining Director positions.

The panel applied a comprehensive skills matrix along with a series of structured questions which included asking for each candidates' vision for Millovate.

A key factor in determining the mix of directors was to ensure that all fields of the core skills and expertise needed to ensure successful delivery of the precinct were included on the Board. The attached summary skills matrix (confidential supporting information #2) demonstrates how the intended board appointments will meet this requirement. The board will possess a diversity of people and expertise, with all core fields covered.

Chair - Nigel Chamier

The Panel determined that Nigel Chamier was an exemplary candidate based on his extensive demonstrated experience as a Chair of relevant entities, his executive experience in the property sector but also his deep connection to the region with a number of his family living in the region and his own family growing up and attending school in the region. Mr Chamier presented a well-rounded, inspiring, intelligent and engaging case for his candidature. His extensive relevant networks, respected reputation and personal "brand" was deemed of great benefit.

The panel determined that the following applicants be appointed as Directors:

John Aitken

John Aitken ran the Brisbane Economic Development Board for 10 years and as CEO of Brisbane Marketing has extensive city-building, investment/opportunity attraction and economic development/social impact experience. He has strong skills in innovation having created The Capital and Co-establishment of the QUT Centre for the Digital Economy. He has extensive relevant relationships and stakeholder engagement expertise. He has developed precincts and has extensive marketing expertise not seen in other candidates. He has, as a recent CEO, strong financial, governance, risk, people and commercial leadership skills in a local government setting.

Sarah Zeljko

Sarah had a significant executive career as legal counsel and commercial advisor on significant infrastructure and property transactions for G8 Childcare, WICET and is currently a Non-Executive Director of Powerlink (also People and Culture Committee Chair) and Energy Super (also Investment Committee Chair). She is an Advisory Board Member for the Clean Energy Partnerships Fund and an Expert Member of the Ministerial Advisory Council for Flood Mitigation (Department of Natural Resources and Mines). She

ITEM 1.5 APPOINTMENT BOARD OF DIRECTORS - MILLOVATE PTY LTD - A20318807 (Cont.)

brings a combination of legal, governance, commercial deal making, stakeholder management and human resources expertise as well as an engaging, growth mindset.

Toni Thornton

Before embarking on her Board career Toni had a successful career as an investment banker with JB Were and Goldman Sachs. She is currently serving on the CS Energy Board and Chairs their Audit and Risk Committee, and is a Director of Devcorp and Habitat (property development and child care). She has previously served on the Board of Southbank Corporation. She brings significant financial, governance and property development experience.

Patrice Sherrie

Patrice is a Chartered Accountant with extensive relevant Board experience including SunWater, City of Brisbane Investment Corporation, Premise and Oxley Creek Transformation. She brings a deep consideration of the community impact of a precinct such as Millovate strong state and local government company exposure and experience. She understands the workings of commercial transactions and the analytics and financials behind a strong business case. She grew up on the northside of Brisbane and understands how generationally important this development is.

James (Jim Walker)

Jim has extensive global leadership experience in STEM sectors including with Rockwell Collins and as one of the early leaders of Boeing as they moved into Queensland. He was CEO of QMI and has led the development of innovation precincts. He also brings experience leading in education as Chair of Aviation Australia and in Medical Research as the Chair of Mater Medical Research Institute. An experienced Board member he brings a vast array of relevant skills including government stakeholder relations, innovation precinct attraction and development, commercial and financial skills, risk and governance.

It was determined that the combined skills of these Directors with the Chair meet the requirements of the skills matrix and ensure that the Board has the requisite knowledge, skills, time availability and commitment to establish and then lead the strategic development and execution of Millovate for Moreton Bay Regional Council.

A summary pertaining to each preferred candidate is contained in confidential supporting information #1.

3. Strategic Implications

3.1 Legislative / Legal Implications

Under section 40 of the *Local Government Act 2009* (LGA) Council may conduct a beneficial enterprise (which includes forming a corporation limited by shares) for the benefit of the whole, or part of its local government area.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Local jobs for residents - an innovative and thriving economy. It is estimated in the PDA document that the Mill at Moreton Bay will deliver 6,000 future local jobs.

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

There is a risk that the enterprise will fail to achieve optimal development of the Council-owned land. However, that risk would still exist even if the enterprise was not established. The imposition of obligations on the enterprise (as set out in the statement of corporate intent) will serve to reduce the risk of the enterprise failing to achieve its aims and objectives.

The risk of the Board embarking in a different direction to Council is mitigated by Council's Chief Executive Officer being a Board member.

ITEM 1.5 APPOINTMENT BOARD OF DIRECTORS - MILLOVATE PTY LTD - A20318807 (Cont.)

- 3.5 Delegated Authority Implications
Council's Chief Executive Officer is authorised to finalise the drafting of and enter into the Governance Documents and to do all things necessary to give effect to Council's resolution on minute page 19/2045-2046 including to form establish and set up the initial operation of the corporation.
- 3.6 Financial Implications
Funding arrangements relevant to the enterprise will be the subject of a further report to Council.
- 3.7 Economic Benefit Implications
The optimal development of the Council-owned land is expected to generate almost \$1 billion in economic benefit to the Region. Specific economic benefits are outlined in further detail in the PDA Development Scheme.
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Establishment of a beneficial enterprise was discussed at Council Briefings (8 October 2019, 14 November 2019 and 20 May 2020) and considered at Council Meeting of 26 November 2019

SUPPORTING INFORMATION

Ref: [A20304125](#)

The following list of supporting information is provided for:

ITEM 1.5

APPOINTMENT BOARD OF DIRECTORS - MILLOVATE PTY LTD

Confidential #1 - Summary of Preferred Candidates

Confidential #2 - Summary of Skills Matrix

ITEM 1.6
124TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ)
CONFERENCE - ATTENDANCE AND DELEGATES

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20310299 : 22 July 2020
Responsible Officer: LK, Executive Support Officer (FCS Executive Services)

Executive Summary

The purpose of this report is to seek Council direction in relation to Councillor attendance and Delegates at the 2020 Local Government Association of Queensland (LGAQ) 124th Annual Conference to be held at the Gold Coast Convention and Exhibition Centre from 19 - 21 October 2020.

OFFICER'S RECOMMENDATION

1. That Councillors Peter Flannery (Mayor), Denise Sims (Deputy Mayor), Mark Booth, Adam Hain, Jodie Shipway, Sandra Ruck, Karl Winchester, Mick Gillam, Cath Tonks, Matt Constance, Darren Grimwade and Tony Latter be authorised to attend the 124th Annual Local Government Association of Queensland (LGAQ) Conference.
2. That it be noted Councillors Peter Flannery (Mayor) and Denise Sims (Deputy Mayor) are Council's Delegates to the 124th Annual Local Government Association of Queensland (LGAQ) Conference, and that other Councillor attendees will attend as observers.
3. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

ITEM 1.6 124TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) CONFERENCE - ATTENDANCE AND DELEGATES - A20310299 (Cont.)

REPORT DETAIL

1. Background

Advice has been received that the 124th Annual LGAQ Conference will be held at the Gold Coast Convention and Exhibition Centre from 19 - 21 October 2020.

2. Explanation of Item

The LGAQ Conference provides an important opportunity for Councillor to network, debate and vote on new policy. The annual conference consists of three days of full plenary, split plenary and workshop sessions where participants address the challenges facing local government and their communities. The event also serves as the Association's Annual General Meeting. As part of Council's attendance to the annual LGAQ Conference, Council is entitled to be represented by two Delegates who formally represent Council at the Annual General Meeting.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications
Arrangements will be made in accordance with Council's Professional Development Policy 2150-089.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
Funds for attendance to the conference have been provided in the 2020-21 budget.

3.7 Economic Benefit Implications
Topics and motions associated with the conference will address a range of economic factors in local government.

3.8 Environmental Implications
Topics and motions associated with the conference will address a range of environmental challenges facing local government,

3.9 Social Implications
Topics and motions associated with the conference will address a range of social challenges facing local government.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication
Consultation has been undertaken with all Councillors, the Chief Executive Officer and Directors.

ITEM 1.7

**124TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND
CONFERENCE - MORETON BAY REGIONAL COUNCIL MOTION**

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20326434: 28 July 2020 - **Refer Supporting Information**
Responsible Officer: KR, Executive Support Officer (Executive Services)

Executive Summary

The 124th annual Local Government Association of Queensland (LGAQ) conference will be held in the Gold Coast 19-21 October 2020.

The purpose of this report is to seek Council approval to submit the following motion as appearing in the supporting information to this report, for inclusion in the 2020 LGAQ Conference agenda.

- Funding – Works for Queensland Funding Eligibility

OFFICER'S RECOMMENDATION

That the Chief Executive Officer be authorised to submit Moreton Bay Regional Council's motion, Funding – Works for Queensland Funding Eligibility as contained in supporting information #1 to this report, for inclusion in the 2020 Local Government Association of Queensland (LGAQ) conference agenda.

ITEM 1.7 124TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND CONFERENCE - MORETON BAY REGIONAL COUNCIL MOTION - A20326434 (Cont.)

REPORT DETAIL

1. Background

The LGAQ has asked Councils to submit motions for inclusion in the 2020 conference agenda.

2. Explanation of Item

It is recommended that Council approve the submission of the motion titled "Funding – Works for Queensland Funding Eligibility" for inclusion in the 2020 LGAQ conference agenda.

3. Strategic Implications

3.1 Legislative/Legal Implications

There are no legislation/legal implications directly arising from this report.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

There are no policy implications directly arising from this report.

3.4 Risk Management Implications

There are no direct risk management implications arising from this report.

3.5 Delegated Authority Implications

There are no delegated authority implications arising from this report.

3.6 Financial Implications

There are no financial implications arising from this report.

3.7 Economic Benefit

Topics and motions associated with the conference will address a range of economic factors in local government.

3.8 Environmental Implications

Topics and motions associated with the conference will address a range of environmental challenges facing local government.

3.9 Social Implications

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

3.10 Human Rights Implications

There are no Human Rights implications arising from this report.

3.11 Consultation / Communication

Consultation has been undertaken with all Councillors, the Chief Executive Officer and Directors.

SUPPORTING INFORMATION

Ref: [A20304125](#)

The following list of supporting information is provided for:

ITEM 1.6

**124TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND CONFERENCE -
MORETON BAY REGIONAL COUNCIL MOTION**

#1 Proposed Motion: Funding - Works for Queensland Funding Eligibility

ITEM 1.8

ADOPTION OF RNA SHOW HOLIDAY 2021 - MORETON BAY REGION

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20254700 : 8 July 2020
Responsible Officer: LK, Executive Support Officer (FCS Executive Services)

Executive Summary

The Office of Industrial Relations has sought Moreton Bay Regional Council's request for the 2021 Royal National Show Holiday.

This report recommends that the second Monday in August 2021 be nominated as the show holiday in the Moreton Bay Regional Council area.

OFFICER'S RECOMMENDATION

That Monday 9 August 2021 be nominated as the 2021 Royal National Show Holiday in the Moreton Bay Regional Council area.

ITEM 1.8 ADOPTION OF RNA SHOW HOLIDAY 2021 - MORETON BAY REGION - A20254700 (Cont.)

REPORT DETAIL

1. Background

By correspondence dated 6 July 2020 (A20241930), the Executive Director, Office of Industrial Relations has sought Moreton Bay Regional Council's request for special and show holidays for 2021.

Under Section 4 of the *Holidays Act 1983* (the Act), a holiday shall not be appointed in respect of a district unless the Minister has received by a specified date, a Notice signed by the Chief Executive Officer of the local government for the area in which the district is situated, requesting that the holiday be appointed.

2. Explanation of Item

Under the Act, a public holiday can be granted in respect of an annual agricultural, horticultural or industrial show (show holiday).

In correspondence from the Office of Industrial Relations, Moreton Bay Regional Council has been asked to nominate the preferred appointment of the Region's special and show holidays for 2021 no later than Friday 21 August 2020.

Traditionally, the Moreton Bay Region's one show holiday is held on the Monday immediately prior to the "Ekka People's Day". In 2021, the "Ekka People's Day" will be on Wednesday 11 August 2021.

Accordingly, this report recommends the second Monday in August 2021 for the Royal National Show Holiday for Moreton Bay Regional Council area for 2021.

3. Strategic Implications

3.1 Legislative / Legal Implications

In accordance with Section 4 of the *Holidays Act 1983*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications Nil identified

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Upon gazettal of the 2021 Show Holiday, appropriate advertising will be undertaken.

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

No items for consideration.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

No items for consideration.

4 PLANNING SESSION

(Cr D Grimwade)

ITEM 4.1

**LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - DRAFT
PRIORITY ACQUISITION LIST**

Meeting / Session: 4 PLANNING
Reference: A20312700: 23 July 2020 - Refer **Confidential Supporting Information**
A20320761
Responsible Officer: BM, Coordinator Environmental Planning and Policy or KS, Senior Environmental Officer (PL Directorate)

Executive Summary

The proposal for the introduction of a Land Buyback for Environmental Purposes program was initiated in the Mayor's commencement speech on 29 April 2020.

The Planning Division have led the preparation of a proposed Policy for a Land Buyback Program for Environmental Purposes. This proposed policy is presented to Council for consideration as a separate agenda item within this General Meeting agenda.

Council's 2020-21 budget statement includes the Regional Infrastructure and Environment charge, which will provide revenue to fund acquisitions under the Policy - Land Buyback Program for Environmental Purposes.

A Council briefing was conducted on 29 July 2020 for the purpose of sharing information and providing advice/views to the Council on the matter. Noting that a report and the draft list will be submitted to the General Meeting for consideration to adopt.

This report proposes (subject to the Land Buyback Program for Environmental Purposes policy being adopted) that a number of potential land acquisitions which accord with the selection criteria under the Policy, be advanced on a voluntary basis.

OFFICER'S RECOMMENDATION

That the Land Buyback Program for Environmental Purposes - draft Priority Acquisition List (contained in confidential supporting information #1) be endorsed for action by Property Services.

ITEM 4.1 LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - DRAFT PRIORITY ACQUISITION LIST - A20312700 (Cont.)

REPORT DETAIL

1. Background

Following the Mayor's commencement speech on 29 April 2020, Council discussed the concept of a Land Buyback Program for Environmental Purposes, on 18 May 2020. Council received a presentation on the matter at a briefing on 1 June 2020. At that briefing Council expressed support for the approach presented and the concept of developing a broader wholistic environment and sustainability strategy that would guide this program and other matters. Council also agreed that an interim list of potential acquisition sites be developed to guide priorities in the first year of the program with input from Councillors and staff. An evaluation of properties across the region would guide acquisition priorities in future years.

The Planning Division have prepared a Draft Priority Acquisition List for Council's consideration. See confidential supporting information #1 (including land owner information).

The list is intended to guide acquisition priorities in the first stage of the Program. Following adoption by Council, Property Services will commence investigation of the potential for acquisition of the properties listed to be undertaken on a voluntary basis. Subject to those investigations, in the event of an agreement to proceed to purchase, staff will report to Council on the potential acquisition of individual properties. Individual property acquisition reports will also include additional information about environmental values, community benefit and management considerations for each property.

Should no willing sellers be identified within those included on the Priority Acquisition List, a further report will be presented to Council for consideration.

A comprehensive evaluation of properties across the local government area will be undertaken by staff in 2020-21 and a report on long term priorities for the program presented to Council following the completion of that process.

2. Explanation of Item

Following the Council meeting on 1 June 2020 on the Land Buy Back Program, Councillors and staff were invited to nominate potential sites for acquisitions as part of the first-year rollout of the Program. Ninety-eight (98) sites were nominated by Councillors and staff for assessment. Each of the nominated sites were assessed against environmental value criteria and threat.

3. Strategic Implications

3.1 Legislative / Legal Implications

The Draft Policy - Land Buyback Program for Environmental Purposes has been drafted by Legal Services with instruction by Environmental Planning and Policy. The Priority Acquisition List has been compiled in accordance with the Draft Policy - Land Buyback Program for Environmental Purposes.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Acquisition of properties will be undertaken in accordance with the Policy - Land Buyback Program for Environmental Purposes.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

Acquisition of properties from the Priority Acquisition List requires delegation of authority to the CEO or the Manager, Property Services to enter into contracts for land acquisition on Council's behalf.

ITEM 4.1 LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - DRAFT PRIORITY ACQUISITION LIST - A20312700 (Cont.)

3.6 Financial Implications

Implementation of the Program will require a funding mechanism. Council's 2020/21 revenue statement includes a Regional Infrastructure and Environment Charge to provide the primary funding mechanism for implementation of the program.

3.7 Economic Benefit Implications

Expansion and enrichment of the Region's conservation network has the potential to increase local tourism for outdoor recreation.

3.8 Environmental Implications

The acquisition of properties will help conserve the Region's ecological communities and environmental values.

3.9 Social Implications

The acquisitions of properties supports conservation and enrichment of the Region's conservation network for the benefit of the community in the present and in the future.

3.10 Human Rights Implications

Under the Human Rights Act 2019 (Qld), Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Council's decision in this circumstance may affect a person's property rights, including a person's right to not be arbitrarily deprived of their property. Officers consider that Council's decision in this circumstance (if it reflects the officer's recommendation) is compatible with (and does not limit) a person's property rights because there are sound and lawful reasons for the acquisition as set out in this report.

3.11 Consultation / Communication

The evaluation of properties nominated by Councillors and staff has been undertaken by Environmental Planning and Policy in consultation with Strategic Planning and Place Making, and utilising input from Councillors.

SUPPORTING INFORMATION

Ref: [A20320761](#)

The following list of supporting information is provided for:

ITEM 4.1

LAND BUYBACK PROGRAM FOR ENVIRONMENTAL PURPOSES - DRAFT PRIORITY ACQUISITION LIST

Confidential #1 Draft Priority Acquisition List - Land Buyback Program for Environmental Purposes (23 July 2020)

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

**ITEM 5.1
COUNCIL OPERATIONAL ARRANGEMENTS - CHRISTMAS NEW YEAR PERIOD
2020 - REPORT**

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20309029 : 9 July 2020
Responsible Officer: SG, Team Support Officer (CES Directorate)

Executive Summary

The purpose of this report is to seek approval for Council's operational arrangements over the 2020 Christmas/New Year period to occur from midday on Thursday, 24 December 2020 to 8.30am on Monday, 4 January 2021.

OFFICER'S RECOMMENDATION

1. That reduced operations during the 2020 Christmas/New Year period be approved from midday on Thursday, 24 December 2020 until 8.30am on Monday, 4 January 2021, with continued operations during this period in areas as determined by the Chief Executive Officer in consultation with the respective Director.
2. That the Chief Executive Officer arrange for details of the reduced operations to be appropriately advertised.

ITEM 5.1 COUNCIL OPERATIONAL ARRANGEMENTS - CHRISTMAS NEW YEAR PERIOD 2020 - REPORT - A20309029 (Cont.)

REPORT DETAIL

1. Background

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

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

2. Explanation of Item

For the 2020 Christmas/New Year period it is recommended that Council:

- reduce its operations from midday on Thursday, 24 December 2020 until Monday, 4 January 2021; however,
- continue to operate the after-hours service, emergency crews and key service teams as determined by the Chief Executive Officer in consultation with the respective Directors.

Details of Council's 2020 Christmas/New Year arrangements will be made available in Council facilities, on Council's website, and be advertised in local newspapers at the appropriate time prior to Christmas.

In line with normal practice, those officers not required to work over the Christmas/New Year period will need to submit three days of leave or utilise banked RDOs to offset the days taken during the period (29, 30 and 31 December). Of note, in 2020, Monday, 28 December is the gazetted public holiday for Boxing Day which falls on a Saturday.

A Council briefing was conducted on 22 July 2020 to enable further explanation to be provided to the Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing is provided below:

22 July 2020 - **The CEO noted the way forward:** A report to be provided to the next General Meeting for adoption.

3. Strategic Implications

- | | | |
|-----|--|--|
| 3.1 | <u>Legislative / Legal Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.2 | <u>Corporate Plan / Operational Plan</u>
Strengthening Communities: Strong local governance - strong leadership and governance. | |
| 3.3 | <u>Policy Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.4 | <u>Risk Management Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.5 | <u>Delegated Authority Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.6 | <u>Financial Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.7 | <u>Economic Benefit Implications</u> | <input checked="" type="checkbox"/> Nil identified |
| 3.8 | <u>Environmental Implications</u> | <input checked="" type="checkbox"/> Nil identified |

Moreton Bay Regional Council

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5 August 2020

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ITEM 5.1 COUNCIL OPERATIONAL ARRANGEMENTS - CHRISTMAS NEW YEAR PERIOD 2020 - REPORT - A20309029 (Cont.)

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication
Council and Executive Management Team
Cultural Services
Customer Response
Waste Services
After-hours Service Providers

ITEM 5.2
SWEENEY RESERVE DOG OFF-LEASH FACILITY RELOCATION

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20326278 : 28 July 2020
Responsible Officer: WM, Parks and Recreation Planning Manager (IP Parks & Recreation Planning)

Executive Summary

On Monday 20 July 2020, a local wildlife carer group notified Council of an alleged attack by a dog on a koala and its joey, adjacent to the dog off-leash area at Sweeney Reserve, Old Dayboro Road, Petrie. The koala was found by wildlife carers and transported to veterinary care for treatment. Unfortunately, the joey was deceased when discovered.

The Mayor and Division 8 Councillor subsequently inspected Sweeney Reserve and the dog off-leash areas. At Council's General Meeting, held 22 July 2020, a motion was endorsed requesting officers investigate the current location of the dog off-leash area at Sweeney Reserve, with a view to relocating the area to a site with appropriate fencing.

Officers have identified an alternate site for a large fenced dog off-leash area within Sweeney Reserve for Council's consideration.

OFFICER'S RECOMMENDATION

1. That Council endorse the proposed alternate Dog Off-Leash Area location within Sweeney Reserve as identified in Figure 3.
2. That the Chief Executive Officer be authorised to relocate dog off-leash area within Sweeney Reserve to the location identified in recommendation 1, with the following support actions:
 - a) Utilise the existing partial fencing and associated infrastructure to create the new fenced dog off-leash area, supplemented with new materials, if required; and
 - b) Install new regulatory and advisory signage at the entry points to Sweeney Reserve and at the relocated dog off-leash area, to facilitate enforcement.

ITEM 5.2 SWEENEY RESERVE DOG OFF-LEASH FACILITY RELOCATION - A20326278 (Cont.)

REPORT DETAIL

1. Background

A dog off-leash area (DOLA) at Sweeney Reserve has been in place for approximately 25 years and utilised by dog owners from across the region, as it affords an opportunity for recreation in a large grassed area, with access to the North Pine River (refer Figure 1).

The Sweeney Reserve DOLA has been repeatedly impacted by flood events and wholly or partially replaced on several occasions including the 2011 & 2015 events. Due to the high probability of additional infrastructure damage associated with future flood inundation events, the DOLA fencing was replaced with a lesser standard of fencing than required by Council's DOLA guidelines and continued to be only partially fenced. In addition, a small DOLA was installed approximately 5 years ago, adjacent to the main entry of the Reserve, providing residents with a DOLA recreation facility in a flood free zone (above Q100).

Since 2011, the North Pine River riparian zone has continued to regenerate from the flood events, with weed management being provided by Council's Natural Areas team and Council's bushcare program. The North Pine River riparian zone functions as a key east-west movement corridor for a number of native species, including koalas and wallabies.



Figure 1 - Current extents of existing DOLA

On Monday 20 July 2020, the Division 8 Councillor and Council officers were notified of an alleged dog attack on a koala and its joey. The koala was subsequently found by wildlife carers and transported to veterinary care for treatment. Unfortunately, the joey was deceased when discovered. The Mayor and Division 8 Councillor subsequently inspected Sweeney Reserve, the dog off-leash areas and incident site.

ITEM 5.2 SWEENEY RESERVE DOG OFF-LEASH FACILITY RELOCATION - A20326278 (Cont.)

During Council's General Meeting on 22 July 2020, the Mayor tabled information on the incident and the inspection of Sweeney Reserve. Following discussion, the following resolution was carried (P.20/1437):

That in response to the recent Koala attack at Sweeney's Reserve, Petrie, Council investigate the current location of the dog off-leash area at Sweeney's Reserve with a view to relocating the area to a site with appropriate fencing, and that Cr Mick Gillam proceed with community information in this regard.

2. Explanation of Item

The Sweeney Reserve DOLA is not fully fenced as it is impractical to do so along this section of river frontage due to the topography, existing vegetation and the high probability of damage associated with future flood inundation events.

The native vegetation that has established in the area also provides habitat for wildlife and has been favoured by koalas and other wildlife, with reported incidents between dogs and native animals.

Due to recurring flood inundation at Sweeney Reserve, a smaller DOLA has been established in a flood free area (refer Figure 2), which is a securely fenced enclosure consistent with Council's draft DOLA guidelines. However, the large DOLA at Sweeney Reserve remains a preferred facility for many visitors, due to its unique attributes.

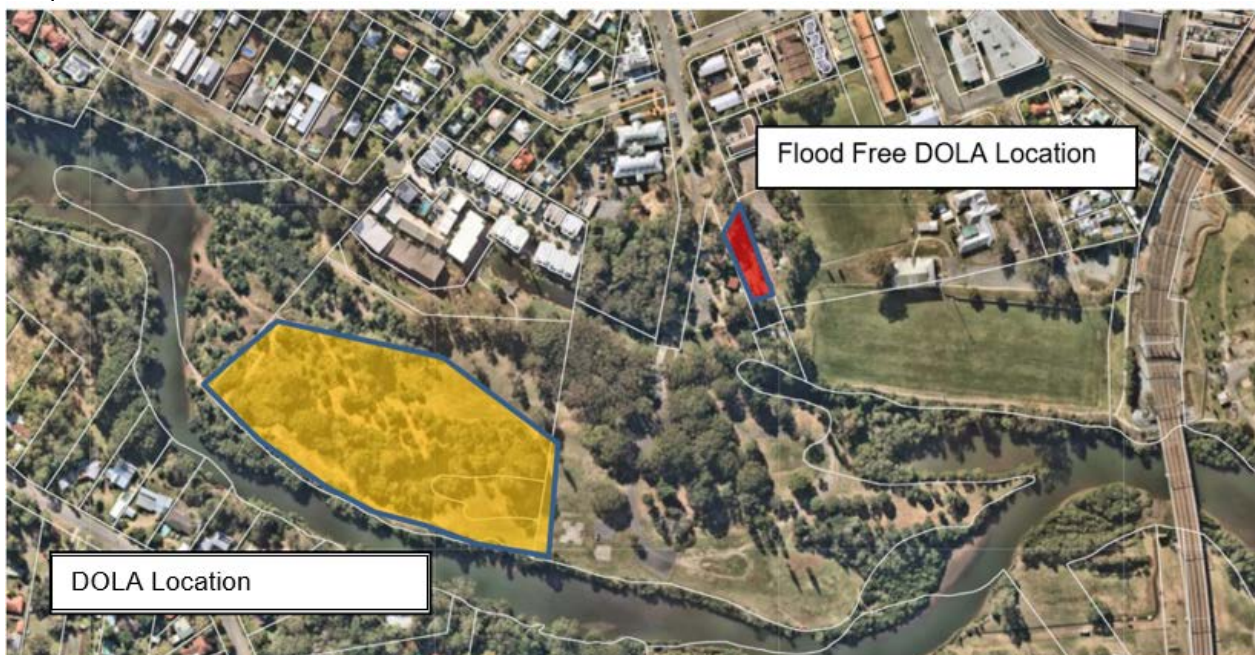


Figure 2 - Alternate Flood Free DOLA at entry to Reserve

Residents also have the opportunity to utilise other DOLA's at:

- Mungarra Reserve, Petrie (west of Sweeney Reserve)
- Leis Park, Lawnton (immediately opposite Sweeney Reserve on the southern side of the North Pine River) and
- Rob Akers Reserve, Bells Pocket Road, Strathpine (east of Sweeney Reserve)

In response to Council's request, an alternate DOLA location is proposed for Sweeney Reserve to replace the area. The proposed new DOLA is a large grassed area in the south east corner of Sweeney Reserve (refer Figure 3).

The proposed facility can be installed in a manner that avoids any potential conflict with areas of Sweeney Reserve that are mapped or known to have potential for cultural heritage significance.

ITEM 5.2 SWEENEY RESERVE DOG OFF-LEASH FACILITY RELOCATION - A20326278 (Cont.)

In addition, there are 2 trees (Norfolk Pines) located within the proposed DOLA and while these are not favoured by koalas, they will afford some shade for visitors and their dogs. Officers have also determined that fencing in this area will be maximised to its fullest extent possible to reduce the potential incidence of conflict between wildlife and off-leash dogs using the facility. However, it should be noted that in some areas (e.g. directly adjacent to mangroves) full fencing may not be possible.

The facility is intended to be made operational as a matter of priority to avoid further potential conflict with wildlife. Accordingly, a water service/drinking fountain may not be available immediately, due to the requirement to seek advice from the State Government regarding a Heritage Exemption Certificate.

Officers have also confirmed that the fencing from the DOLA can be repurposed for the new proposed DOLA. Some supplementary new materials will be required and funded from asset Maintenance Operations.

Regulatory Services officers will also undertake increased patrols to enforce behaviour, consistent with the provisions of Local Laws 2 (Animal Management) 2011, including the issue of fines for any observed breaches.



Figure 3 - Proposed new fence location for Off-Leash Area

3. Strategic Implications

3.1 Legislative / Legal Implications

A Heritage Exemption Certificate may be required to enable a future water service to be provided to the facility. Officers will investigate this matter once the facility is made operational.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Council's Koala Conservation policy articulates that Council will manage the impact of its projects on the koala population, in accordance with its legislative and regulatory obligations and responsibilities.

3.4 Risk Management Implications

Protection of wildlife from conflict with unrestrained dogs has been considered in the design and siting of the new facility.

ITEM 5.2 SWEENEY RESERVE DOG OFF-LEASH FACILITY RELOCATION - A20326278 (Cont.)

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The fencing from the current facility is to be reused and supplemented, as required, for the new location. Any costs associated with the relocation will be funded as part of asset maintenance operations, and is expected to cost less than \$10,000.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications

The establishment of alternate facility within Sweeney Reserve is intended to reduce risks to wildlife known to frequent the riparian zone of the North Pine River.

3.9 Social Implications

Retention of a large off leash facility in the reserve is intended to meet the existing community demand for such an activity.

3.10 Human Rights Implications

Under the Human Rights Act 2019 (Qld), Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that Council's decision in this circumstance reserves the ability for persons to continue to exercise dogs off-leash in a large, open, grassed areas outlined in this report.

3.11 Consultation / Communication

Conclusion has been undertaken with Environmental Services and the Division 8 Councillor who is supportive of the proposal.

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 6.1

WRITE-OFF SUNDRY DEBTS AND INTEREST - Q4 2019/2020

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20229183 : 2 July 2020 - Refer **Confidential Supporting Information**
A2022954
Responsible Officer: JL, Financial Operations Manager (FCS Financial Operations)

Executive Summary

The Chief Executive Officer has been delegated the authority to write-off bad sundry debts (Council-038) and interest accrued on overdue rates (Council-039). In line with the delegations, Council is to be advised at the end of each quarter of any bad sundry debts greater than \$2,000 written-off, and the total rates interest written off during the period.

The sundry debts and rates interest as detailed in this report were written-off in the period 1 April 2020 to 30 June 2020.

OFFICER'S RECOMMENDATION

That the sundry debts written-off during the period 1 April 2020 to 30 June 2020, be noted as detailed in this report.

ITEM 6.1 WRITE-OFF SUNDRY DEBTS AND INTEREST - Q4 2019/2020 - A20229183 (Cont.)

REPORT DETAIL

1. Background

The following resolution appears on Minute Page 10/2507 of the General Meeting of Council held 19 October 2010:

Ex Coordination Committee meeting held 19 October 2010 (MP.10/2520):

RECOMMENDATION

1. That under section 257 of the *Local Government Act 2009*, Council delegates the power to write-off bad sundry debts to the Chief Executive Officer.
2. That under section 257 of the *Local Government Act 2009*, Council delegates the power to write-off interest accrued on overdue rates to the Chief Executive Officer.

COMMITTEE RECOMMENDATION

That the officer's recommendations be adopted.

In line with these delegations, Council is to be advised of any bad sundry debts greater than \$2,000 written-off for the period as well as the total rates interest written-off for the period.

2. Explanation of Item

During the period of 1 April 2020 to 30 June 2020 five sundry debts totalling \$26,119.82 (excluding GST) as detailed in confidential supporting information #1 were written off.

No interest on overdue rates was written off during this period.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications Nil identified

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications
The bad debts and rates interest were written off in accordance with the delegation provided under section 257 of the *Local Government Act 2009*.

3.6 Financial Implications
The sundry debts written off represent lost revenue/recovery of costs to Council.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

Moreton Bay Regional Council

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5 August 2020

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ITEM 6.1 WRITE-OFF SUNDRY DEBTS AND INTEREST - Q4 2019/2020 - A20229183 (Cont.)

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication
Community Services, Sport and Recreation Department

SUPPORTING INFORMATION

Ref: A2022954

The following list of supporting information is provided for:

ITEM 6.1

WRITE-OFF SUNDRY DEBTS AND INTEREST - Q4 2019/2020

Confidential #1 Sundry debts written off (1 April 2020 to 30 June 2020)

ITEM 6.2
ANNUAL VALUATION FOR RATING PURPOSES

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20312316 : 27 July 2020
Responsible Officer: JL, Financial Operations Manager (FCS Financial Operations)

Executive Summary

In accordance with the *Land Valuation Act 2010*, the Valuer-General has written to Council seeking opinion as to whether a valuation of the Moreton Bay local government area should be undertaken, to be effective on 30 June 2021. A response is required by 21 August 2020.

OFFICER'S RECOMMENDATION

That the Chief Executive Officer be authorised to write to the Valuer-General to request that a valuation of the Moreton Bay Regional Council local government area be undertaken effective 30 June 2021, noting that the annual fee of approximately \$1.3 million for the provision of valuation services by the Departmental of Natural Resources, Mines and Energy will be charged to Council regardless of whether a new revaluation is undertaken or not.

ITEM 6.2 ANNUAL VALUATION FOR RATING PURPOSES - A20312316 (Cont.)

REPORT DETAIL

1. Background

The *Land Valuation Act 2010* requires the Valuer-General to undertake an annual statutory valuation of all rateable land in Queensland except in unusual circumstances or after consideration of:

- a market survey report for the local government area which reviews sales of land and the probable impact of the sales on the value of land since the last annual valuation, and
- the results of consultation with the local government for the area and appropriate local and industry groups.

The last annual valuation of the Moreton Bay Regional Council local government area was effective from 30 June 2019.

2. Explanation of Item

In accordance with the *Land Valuation Act 2010*, the Valuer-General has written to Council seeking an opinion on whether a valuation of its local government region should be undertaken to be effective on 30 June 2021. A response is required by Friday 21 August 2020.

Council's opinion, together with those of other appropriate industry groups, and the relevant market survey report, will be considered by the Valuer-General when deciding if a valuation will be undertaken.

In response to similar correspondence last year, Council requested that a valuation of the region occur effective 30 June 2020. However, the Valuer-General determined that a valuation would not be undertaken.

The Department of Natural Resources, Mines and Energy will charge Council an annual valuation roll maintenance fee for the Moreton Bay Regional Council area, regardless of whether or not a revaluation is undertaken. The invoice for 2020/21 will not be received until July 2021 but is expected to be approximately \$1.3 million.

As the last annual revaluation undertaken was effective from 30 June 2019, a new valuation effective from 30 June 2021 should be requested to ensure the valuations used for rating purposes remain up to date and minimise the risk of substantial increases in valuations occurring in one period.

3. Strategic Implications

3.1 Legislative / Legal Implications

Property valuations are issued in accordance with the *Land Valuation Act 2010*.

Property valuations are used for rating purposes in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Rates are levied in accordance with Council's Revenue Policy 2150-082.

3.4 Risk Management Implications

Council levies rates based on the land valuations determined by Queensland Department of Natural Resources, Mines and Energy (DNRME). If there are significant movements in land valuations, there will be significant movements in Council rates. This can cause reputational risks for Council to manage.

Moreton Bay Regional Council

ITEM 6.2 ANNUAL VALUATION FOR RATING PURPOSES - A20312316 (Cont.)

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
The annual valuation fee of approximately \$1.3 million is included in the 2020/21 budget and will be payable by Council regardless of whether or not an annual valuation is undertaken.
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Director Finance and Corporate Services was consulted during the preparation of this report.

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

Consideration of notified general business items or responses to questions taken on notice.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

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

RESOLUTION to move into closed session to discuss confidential matters.

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

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

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

PREFERRED SUPPLIER - CDM SMITH AUSTRALIA PTY LTD

Meeting / Session: 4 PLANNING (Cr D Grimwade)

Reference: A20310189 : 22 July 2020

Responsible Officer: LF, Coordinator Neighbourhood and Precinct Planning (PL Strategic Planning & Place Making)

Basis of Confidentiality

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

Executive Summary

Council engaged CDM Smith Australia Pty Ltd via Local Buy (BUS265 Planning, Surveying, Design & Architecture) to undertake a Peer Review of Current Studies and Background Work for the North Harbour (Marina and Canal) development proposal. Since this time CDM Smith Australia Pty Ltd and sub-consultants for this project have acquired extensive experience and knowledge about the site, including any outstanding issues or incomplete/ inadequate content when assessed against the SEQ Regional Plan, State Planning Policy 2017 and policy alignment with the MBRC Planning Scheme.

This specialised experience and knowledge cannot be easily and practically duplicated by other consultancies within the timeframes required to suit the project schedule.

It is recommended that CDM Smith Australia Pty Ltd be engaged to provide ongoing support to Council in resolution of any identified outstanding issues or incomplete/ inadequate content and preparation of any potential planning instrument(s) for Council consideration.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.



MINUTES

GENERAL MEETING

Wednesday 22 July 2020
commencing at 9.40am

Caboolture Chambers
2 Hasking Street, Caboolture

Pursuant to section 277E of the Local Government Regulation 2012 it is not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19. **Accordingly, this meeting was physically closed to the public.** However, the meeting was live-streamed via a link on Council's website.

UNCONFIRMED

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6.2.	Petition - Richard Hart: Intersection Upgrade - Boardman and Klingner Roads, Kippa-Ring (A20308616)	
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UNCONFIRMED

1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

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

3. ATTENDANCE & APOLOGIES

Attendance:

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

Officers

Chief Executive Officer	(Mr Greg Chemello)
Deputy CEO/Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Finance & Corporate Services	(Ms Donna Gregory)
Director Infrastructure Planning	(Mr Andrew Ryan)
Director Planning	(Mr David Corkill)
Coordinator (Planning Assessment - South)	(Mr Marco Alberti)
Meeting Support	(Hayley Kenzler)

Apologies:

Nil.

4. MEMORIALS OR CONDOLENCES

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

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 24 June 2020 (Pages 20/1144 - 20/1288)

RESOLUTION

Moved by Cr Denise Sims
Seconded by Cr Cath Tonks

CARRIED 13/0

That the minutes of the General Meeting held 24 June 2020, be confirmed.

B) CONFIRMATION OF MINUTES FROM PREVIOUS SPECIAL MEETING

Special General Meeting - 26 June 2020 (Budget Adoption) (Pages 20/1289 - 20/1319)

RESOLUTION

Moved by Cr Mick Gillam
Seconded by Cr Tony Latter

CARRIED 13/0

That the minutes of the Special General Meeting held 26 June 2020, be confirmed.

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

6.1. Petition - Lisa Richards: Against Children's Playground in Seabreeze Circuit, Deception Bay (A20245409)

Cr Sandra Ruck tabled a petition containing 20 signatures, received from Lisa Richards on behalf of signatories who:

"DO NOT want a childrens [sic] playground in Seabreeze Circuit Deception Bay QLD 4508"

Council received the petition, referring it to the Director Engineering, Construction & Maintenance for review and advice to Council and the Chief Petitioner of any action taken in relation to the petition.

6.2. Petition - Richard Hart: Intersection Upgrade - Boardman and Klingner Roads, Kippa-Ring (A20308616)

Cr Sandra Ruck tabled a petition containing 10 signatures, received from Richard Hart, reading as follows:

"Regarding to [sic] the "preliminary engineering design for the future (2022) upgrade of the intersection of Boardman Road and Klingner Road, Kippa-Ring" we suggest a roundabout design. An intersection with traffic lights will only increase traffic noise because of stopping and starting cars and that for 24/7. Additional is the maintenance cheaper and will save public money.

We request:

- * Instead of the intersection design a larger roundabout design*
- * Acquire two private owned blocks - 50 BoardmanRd. [sic] and 30 McGregor St. - for the larger roundabout design*
- * Use the roundabout island and the area around for more trees, more bushes, more greenery*
- * separate bypass lanes for turn left*
- * Crosswalks for pedestrians and bikes*
- * forward the traffic and noise data the preliminary engineering design for the intersection is based on and the expected traffic and noise increase for the next decade (Transport Noise Management Code of Practice)"*

Council received the petition, referring it to the Director Infrastructure Planning for review and advice to Council and the Chief Petitioner of any action taken in relation to the petition.

7. CORRESPONDENCE

There was no correspondence for tabling.

8. DEPUTATIONS / COMMUNITY COMMENT

There were no participants in the Deputations / Community Comment session for this meeting.

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

(s262 of the Local Government Regulation 2012)

There were no Notices of Motion.

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

(as referred by the Chief Executive Officer)

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

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

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

UNCONFIRMED

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

ITEM 1.1

UNITYWATER - EXTENSION OF OFFICE OF BOARD MEMBER

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20268156 : 12 July 2020
Responsible Officer: GC, Chief Executive Officer (CEOs Office)

Executive Summary

Under the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Act)*, and the associated *Participation Agreement* between Unitywater and participating councils, all board members (including the Chairman) for Unitywater must be appointed by the "Special Majority of the Participants" - being the Moreton Bay Regional Council (Council), the Sunshine Coast Regional Council and the Noosa Shire Council. The *Participation Agreement* further provides that an appointment is made by that same Special Majority signing a document approving the appointment/s.

By correspondence dated 3 July 2020, the Unitywater Board Director seeks Council's approval to extend the term of Board Member Michael Williamson from 1 September 2020 to August 2021.

The mechanism to affect this appointment is a special majority of the Participants signing a resolution stating that they are in favour of the appointment (clause 7.2 of the Participation Agreement).

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Matt Constance

CARRIED 13/0

- 1. That Council agrees to the extension of office for Unitywater Board Member, Mr Michael Williamson to the Unitywater Board from 1 September 2020 to 31 August 2021.**
- 2. That the Chief Executive Officer be authorised to execute the Resolution of Participants on behalf of Council to give effect to Recommendation 1.**

ITEM 1.1 UNITYWATER - EXTENSION OF OFFICE OF BOARD MEMBER - A20268156 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council agrees to the extension of office for Unitywater Board Member, Mr Michael Williamson to the Unitywater Board from 1 September 2020 to 31 August 2021.
2. That the Chief Executive Officer be authorised to execute the Resolution of Participants on behalf of Council to give effect to Recommendation 1.

REPORT DETAIL

1. Background

Under the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009*, the participating councils must appoint members to the board of Unitywater.

Under section 7.2 of the participation agreement between the Council, Sunshine Coast Regional Council and Noosa Shire Council and Unitywater, the appointment of board members is effected by the "Special Majority of the Participants" signing a document approving the appointment.

The Special Majority of the Participants are the Moreton Bay Regional Council, Sunshine Coast Regional Council and Noosa Shire Council acting jointly in their capacity as Participants.

2. Explanation of Item

The term of office for Unitywater Board member Mr Michael Williamson, is due to expire on 31 August 2020.

With the upcoming appointment of two new Board Members to Unitywater and the status of 3 important Capital Works Projects which are currently being finalised or at a stage where approvals are required in the short term, it is recommended that Mr Michael Williamson (current Chair of the Unitywater Capital Works Committee) has his term of appointment extended from 1 September 2020 to 31 August 2021 to facilitate the continuity of the Board and in particular the continuity of the Capital Works Program.

The mechanism to affect this appointment is a "special majority" of the Participants signing a resolution stating that they are in favour of the appointment pursuant to clause 7.2 of the Participation Agreement.

Similarly, the Chief Executive Officer (under delegation during the 2020 Caretaker Period) agreed to the extension of office for Jim Soorley as Director and Chairman and for Sharon Doyle as Director of Unitywater, until 30 September 2020.

3. Strategic Implications

3.1 Legislative / Legal Implications

Appointments of board members, including the Chairman must be made in accordance with the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009* and the Participation Agreement.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

The continuity of the Capital Works Program will be assisted by continuity in Board membership.

ITEM 1.1 UNITYWATER - EXTENSION OF OFFICE OF BOARD MEMBER - A20268156 (Cont.)

3.5 Delegated Authority Implications

The Mayor has been delegated the power to appoint members to the Board of Unitywater and to appoint the Chairman of the Board (including participation in any selection process for board members and the chairman and to do all things necessary to effect appointments (Council-79).

However the scope of the existing delegation does not include the extension of tenure of a Board Member.

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

The Mayor and Legal Services were consulted in the preparation of this report.

UNCONFIRMED

ITEM 1.2
WASTE STRATEGY VIRTUAL SUMMIT 2020

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20252080 : 7 July 2020
Responsible Officer: LK, Executive Support Officer (FCS Executive Services)

Executive Summary

The purpose of this report is to seek Council direction in relation to Councillor attendance at the Waste Strategy Virtual Summit 2020 from 21 to 22 July 2020. This year the conference will be an online event due to the COVID-19 pandemic.

RESOLUTION

Moved by Cr Jodie Shipway
Seconded by Cr Adam Hain

CARRIED 13/0

That Cr Brooke Savige to be authorised to attend the Waste Strategy Virtual Summit 2020.

ITEM 1.2 WASTE STRATEGY VIRTUAL SUMMIT 2020 - A20252080 (Cont.)

OFFICER'S RECOMMENDATION

That Cr Brooke Savige to be authorised to attend the Waste Strategy Virtual Summit 2020.

REPORT DETAIL

1. Background

Council has been advised that the Waste Strategy Virtual Summit 2020 would be held as an online event from 21 to 22 July 2020. Cr Brooke Savige expressed an interest in attending this conference.

Cr Brooke Savige was recently nominated as the Portfolio Councillor for Engineering, Construction and Maintenance which includes waste management.

2. Explanation of Item

The Waste Strategy Summit is held annually and has a focus on various topics relating to the future of waste management in both the public and private sectors.

Due to the COVID-19 pandemic the summit will be run as a virtual event over two half-days on Tuesday 21 July and Wednesday 22 July.

The topics for the annual summit include:

- Creating a sustainable circular economy for environmental, social and economic outcomes for all stakeholders;
- Improving regional waste and resource recovery;
- The circular economy in the real world and the impact on waste reduction and recycling;
- Understanding the benefits of investing in new technologies and processes;
- Collaborating between stakeholders to deliver a first-class local waste management system;
- Delivering actionable strategies to increase Corporate Social Responsibility rating and profit;
- How collaboration and digital innovation come together to reduce waste in the food industry;
- Embedding corporate responsibility into organisational culture to respond to consumer expectations;
- Delivering sustainable long-term growth while leaving a positive imprint on society; and
- Product stewardship review to reduce environmental impact and ensure compliance.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications
Arrangements will be made in accordance with Council's Professional Development Policy 2150-089.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
Appropriate funds have been provided in the 2020/21 budget.

3.7 Economic Benefit Implications
Topics associated with the conference will address a range of economic issues relevant to waste management strategies within a local government context.

ITEM 1.2 WASTE STRATEGY VIRTUAL SUMMIT 2020 - A20252080 (Cont.)

3.8 Environmental Implications

Topics associated with the conference will address a range of environmental issues relevant to waste management strategies within a local government context.

3.9 Social Implications

Topics associated with the conference will address a range of social issues relevant to waste management strategies within a local government context.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Communication has been undertaken with Councillors, Chief Executive Officer and Directors.

UNCONFIRMED

ITEM 1.3 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Matt Constance

Pursuant to s175E of the *Local Government Act 2009*, Cr Matt Constance declared a perceived conflict of interest in Item 1.3 as he is a member of the Golden Valley Keperra Lions Club Inc (the applicant) and is a volunteer member of The Hills Community Carols Committee.

Cr Matt Constance retired from the meeting at 9.48am taking no part in the debate or recommendation regarding same.

ITEM 1.3 DISCRETIONARY FUNDS - GOLDEN VALLEY KEPERRA CLUB INC

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20274498 : 14 July 2020
Responsible Officer: LK, Executive Support Officer (FCS Executive Services)

Executive Summary

The Council makes discretionary funds available each financial year to community organisations for community purposes in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

An eligible application for discretionary funds has been received as follows:

- Golden Valley Keperra Lions Club Inc in the amount of \$3,000 for the annual 'The Hills Community Carols' event.

A perceived conflict of interest has been declared by Cr Matt Constance in relation to this application.

This report seeks Council's direction in accordance with Council's adopted procedure. Where a Councillor has a real or perceived conflict of interest in a discretionary funds application, the conflicted Councillor may decide to not deal with the application, and the application is to be considered at Council's General Meeting.

The Discretionary Funds Guidelines 2020/21 states that unless approved by Council, each financial year community organisations are eligible to apply for a maximum of \$5,000 and \$2,000 in discretionary funds to the Mayor and Councillors respectively.

Community organisations may apply for up to a total of \$7,000 in discretionary funds each financial year.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Mick Gillam

CARRIED 12/0

Cr Matt Constance had declared a Conflict of Interest and had left the meeting

That the application by Golden Valley Keperra Lions Club Inc under Council's Discretionary Funds Policy, for the 'The Hills Community Carols', be approved in the amount of \$3000 from the Division 10 allocation.

ITEM 1.3 DISCRETIONARY FUNDS - GOLDEN VALLEY KEPERRA CLUB INC - A20252080 (Cont.)

OFFICER'S RECOMMENDATION

Council direction is sought in relation to the eligible application by Golden Valley Keperra Lions Club Inc under Council's Discretionary Funds Policy, for 'The Hills Community Carols', for the amount of \$3,000.

REPORT DETAIL

1. Background

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Unless otherwise approved by Council, each financial year community organisations are eligible to apply for a maximum of \$5,000 and \$2,000 in discretionary funds to the Mayor and Councillors respectively. Community organisations may apply for discretionary funds to both the Mayor and Councillors up to a maximum of \$7,000 in total each financial year.

2. Explanation of Item

A perceived conflict of interest has been declared by Cr Matt Constance in relation to this application. As mentioned above, in accordance with Council's adopted procedure, where a Councillor has a real or perceived conflict of interest in a discretionary funds application, the conflicted Councillor may decide to not deal with the application, and the application is to be considered at Council's General Meeting. Therefore, Council direction is sought in relation to support of the Golden Valley Keperra Lions Club Inc 'The Hills Community Carols' event.

Golden Valley Keperra Lions Club Inc

Golden Valley Keperra Lions Club Inc applied on 30 June 2020 for \$3,000 under the discretionary funds policy in support of the event. This application is for 'The Hills Community Carols' which is a well-known annual free event held for the community in the Hills District and surrounds. The event includes amusement rides, food vendors and stage performances. The event is run by volunteers from the Hills District PCYC, Ferny Districts Amateur Fishing Club Inc, Arana Hills Church of Christ and Golden Valley Keperra Lions Club Inc.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications
Arrangements will be made in accordance with Council's Discretionary Funds Policy 2150-101.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
Appropriate funds have been provided in the 2020/21 budget and the application for funding is eligible under the 2020/21 Discretionary Funds guidelines.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

ITEM 1.3 DISCRETIONARY FUNDS - GOLDEN VALLEY KEPERRA CLUB INC - A20252080 (Cont.)

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

The Manager Executive Services has been consulted in relation to the preparation of this report.

ATTENDANCE

Cr Matt Constance returned to the meeting at 9.51am following consideration of Item 1.3.

UNCONFIRMED

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

ITEM 2.1

CABOOLTURE - SPRING LANE - PROPOSED NAMING OF WILLIAM WOOLLEY RESERVE

Meeting / Session: 2 INFRASTRUCTURE & PLANNING
Reference: A20143470 : 11 June 2020
Responsible Officer: BS, Technical Officer (IP Parks & Recreation Planning)

Executive Summary

An application has been received requesting that parkland, located at 84 Spring Lane, Caboolture (Division 3) be named after William Woolley.

This report provides Council with background information relevant to the application and recommends that Lot 500, SP316746 be named "William Woolley Reserve".

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Sandra Ruck

CARRIED 13/0

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 500, SP316746 as "William Woolley Reserve", be approved.
2. That the proposal to name the reserve be notified in local newspapers and on Council's website with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public notification; the matter be referred to Council in a subsequent report.

ITEM 2.1 CABOOLTURE - SPRING LANE - PROPOSED NAMING OF WILLIAM WOOLLEY RESERVE - A20143470
(Cont.)

OFFICER'S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 500, SP316746 as "William Woolley Reserve", be approved.
2. That the proposal to name the reserve be notified in local newspapers and on Council's website with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public notification; the matter be referred to Council in a subsequent report.

REPORT DETAIL

1. Background

An application has been received by Council requesting that Lot 500, SP316746 (refer Figure 1), located at 84 Spring Lane, Caboolture, be named in recognition of William Woolley.



Figure 1: Lot 500, SP316746 - Parkland to be named

2. Explanation of Item

The application to name a park or recreation reserve under Council control was lodged by the developer of the land "Australian Residential Land C/- ARC Surveys", in recognition of the association Mr Woolley had with the land. Information received from the applicant notes the following in respect of Mr Woolley:

ITEM 2.1 CABOOLTURE - SPRING LANE - PROPOSED NAMING OF WILLIAM WOOLLEY RESERVE - A20143470
(Cont.)

Bill Woolley was born in 1928 in Warwick. He was the son of farmers and was raised on the Darling Downs. As a young man, he moved to the Caboolture district when he and his wife purchased "Broadacres", a 69 acre farm which extended to the south and north of Lagoon Creek. Here they farmed the land and raised their 8 children. Bill passed away on 12th July 2015 after a long battle with vascular dementia.

During the last ten years of his life, Bill was not as active in his local community due to his illness. However, Bill was always conscious of those in our community who do it tough, and during his earlier years, served as a member of St. Vincent de Paul for a number of years. When his children were at school, he was actively involved in the school's P & C, contributing not only by attending meetings, but also by actively being part of working bees. He was well-known throughout Caboolture and always had time for others. Trips into town usually took longer than expected because he was frequently recognised, and he would take the time to stop and chat.

Bill Woolley and his wife purchased "Broadacres" on 1st August 1956. Whilst he grew small crops and raised cattle and pigs on the section of cleared land north of Lagoon Creek, he refused to clear the southern end of the farm, which consisted of a sizeable swamp of tee-trees and higher land of native grasses, shrubs and trees. He actively encouraged native plant growth on this section of land, including the banks of Lagoon Creek in order to ensure their stability. Bill found this particular part of his farm very peaceful and enjoyed relaxing there and enjoying its quiet and solitude. As a farmer, Bill had a close association with the land, strongly believing that it needed to be cared for otherwise future generations would not have the same opportunities to enjoy and appreciate the land as he did.

He practised sustainable and responsible land management long before it became fashionable to do so, which is evident in the parcel of land relative to this naming application. Many of the trees there today were planted by him and this tract of land exists very much in the same environmental condition as when he took ownership of it.

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. This application has been supported by a letter of recommendation from Steve Evans who was a friend for 40 years and ex-division 3 Councillor, Greg Chippendale. The proposal was also referred to Council's local historian, who has verified the statements made by the applicant.

The recommendation to name the land after Mr Woolley complies with the Council's policy guideline as outlined below:

- Persons with a historical connection to the land or area;
- Names of pioneering families and long-term residents;
- Names of respected community members of considerable service who are, or were resident or working within the region;

Council internal policy requires that any proposal to name a park be advertised in local newspapers for a period of up to 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 new park name sign to explain the connection Mr Woolley had with the land. The proposed wording is as follows:

"This land was owned by Mr Woolley for over 60 years, his aim was to preserve and enhance its native vegetation and the viability of Lagoon Creek."

ITEM 2.1 CABOOLTURE - SPRING LANE - PROPOSED NAMING OF WILLIAM WOOLLEY RESERVE - A20143470
(Cont.)

3. Strategic Implications

- 3.1 Legislative / Legal Implications Nil identified
- 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 Nil identified
- 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 Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications
Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
The proposed naming is supported by the Division 3 Councillor.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

ITEM 3.1

MORETON BAY LOCAL DISASTER MANAGEMENT GROUP AND MORETON DISTRICT DISASTER MANAGEMENT GROUP - MEETING MINUTES 19 FEBRUARY 2020

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20222051 : 30 June 2020 - **Refer Supporting Information A19693378**
Responsible Officer: CP, Coordinator Disaster Management (ECM Directorate)

Executive Summary

The Moreton Bay Local Disaster Management Group (LDMG) and Moreton District Disaster Management Group (DDMG) held its regular Ordinary meeting on 19 February 2020.

The minutes of this meeting are provided for reference.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Peter Flannery (Mayor)

CARRIED 13/0

That the minutes of the combined Moreton Bay Local Disaster Management Group and the Moreton District Disaster Management Group meeting held 19 February 2020, be adopted as contained in the supporting information.

ITEM 3.1 MORETON BAY LOCAL DISASTER MANAGEMENT GROUP AND MORETON DISTRICT DISASTER MANAGEMENT GROUP - MEETING MINUTES 19 FEBRUARY 2020 - A20222051 (Cont.)

OFFICER'S RECOMMENDATION

That the minutes of the combined Moreton Bay Local Disaster Management Group and the Moreton District Disaster Management Group meeting held 19 February 2020, be adopted as contained in the supporting information.

REPORT DETAIL

1. Background

In accordance with section 29 of the *Disaster Management Act 2003*, a local government is required to establish a Local Disaster Management Group for its local government area. Section 12 of the Disaster Management Regulation 2014 states that 'disaster management group meetings must be held at least once in every six months at the times and places decided by the chairperson of the group'.

To meet these minimum requirements, the Moreton Bay LDMG and Moreton DDMG conducts Ordinary meetings every four months, generally during the months of February, July and November. Extraordinary meetings of the LDMG/DDMG are also held as required before, during or after disaster events.

The combined LDMG/DDMG held its regular Ordinary meeting on 19 February 2020, the minutes of which are provided in the supporting information to this report.

2. Explanation of Item

This report is provided for advising Council as to the issues discussed and any meeting outcomes/action items.

Combined meetings are chaired on a rotational basis. Since Council chaired the last meeting held in November 2019, the February 2020 meeting was chaired by Queensland Police Service (QPS). The next meeting scheduled for 23 July 2020 will be chaired by Council.

3. Strategic Implications

3.1 Legislative / Legal Implications

It is a requirement under section 18 of the *Disaster Management Regulation 2014* that a disaster management group must keep minutes of its meetings.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Safe neighbourhoods - a safe and resilient community.

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

Recent changes made by Seqwater to the North Pine Dam Full Supply Level has been implemented to reduce the risk of dam failure. While the probability of dam failure was extremely low at 1 in a 20,000 annual chance, the changes to the FSL has further reduced the risk to a 1 in 80,000 annual chance. To provide a longer term solution, Seqwater is bringing forward its dam upgrade program for North Pine Dam and this work should occur within the next five years.

Queensland Fire and Emergency Services chairs the Brisbane North Area Fire Management Group (that covers MBRC). A Bushfire Risk Mitigation Plan has been developed for the 2020 burn season and this will be presented to the LDMG/DDMG at its next meeting (July 2020). This plan is used to identify higher-risk hotspots and priority locations for risk mitigation activities. Any planned burns unable to be completed in one year are a residual risk and they are prioritised as part of any future burn programs.

ITEM 3.1 MORETON BAY LOCAL DISASTER MANAGEMENT GROUP AND MORETON DISTRICT DISASTER MANAGEMENT GROUP - MEETING MINUTES 19 FEBRUARY 2020 - A20222051 (Cont.)

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications Nil identified
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Regular ongoing consultation/communication takes place between all members and advisors of the Moreton Bay LDMG, Moreton DDMG and various state government entities such as the Queensland Police Service, Queensland Fire and Emergency Services, the Office of the Inspector-General Emergency Management and the Queensland Reconstruction Authority.

UNCONFIRMED

ITEM 3.2

TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20109902 : 3 June 2020 - Refer Supporting Information A20143657 and **Confidential Supporting Information A20107058, A20108446, A20108424, A20107110, A20108408, A20108963 & A20108910**
Responsible Officer: BH, Technical Officer - Projects (ECM Asset Maintenance)

Executive Summary

Tenders were invited for the '2020/2021 Playground and Fitness Renewal Package 1 (VP185632)'. The tender comprised of seven (7) separable portions based on type and location of the infrastructure programmed for renewal. Tenders closed on 4 June 2020, with tender submissions received from seven companies for one or more of the separable portions.

It is recommended that the tender for '2020/2021 Playground and Fitness Renewal Package 1' be awarded as follows, as these offers represent the best overall value to Council:

Separable Portion 1 - Briston Avenue Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 1 - Briston Avenue Park' - be awarded to Austek Construction Pty Ltd for the total sum of \$113,999.94 (excluding GST).

Separable Portion 2 - Felicity Court Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 2 - Felicity Court Park' - be awarded to Forpark Australia for the total sum of \$99,640.00 (excluding GST).

Separable Portion 3 - Deception Bay Scenic Reserve - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 3 - Deception Bay Scenic Reserve' - be awarded to A_Space Australia for the total sum of \$103,500.00 (excluding GST).

Separable Portion 4 - Skye Blue Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 4 - Skye Blue Park' - be awarded to Urban Play (Option 2) for the total sum of \$189,996.50 (excluding GST).

Separable Portion 5 - Tysoe Street Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 5 - Tysoe Street Park' - be awarded to Urban Play (Option 2) for the total sum of \$104,133.00 (excluding GST).

Separable Portion 6 - Yarrabee Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 6 - Yarrabee Park' - be awarded to Urban Play (Option 2) for the total sum of \$100,348.50 (excluding GST).

Separable Portion 7 - Youth Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 7 - Youth Park' - be awarded to Willplay for the total sum of \$229,887.40 (excluding GST).

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 1 - Briston Avenue Park'* - be awarded to Austek Construction Pty Ltd for the total sum of \$113,999.94 (excluding GST).
 - a) That the Council enters into an agreement with Austek Construction Pty Ltd as described in this report.
 - b) 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 Austek Construction Pty Ltd for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 1 - Briston Avenue Park'* and any required variations of the agreement on Council's behalf.
2. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 2 - Felicity Court Park'* - be awarded to Forpark Australia for the total sum of \$99,640.00 (excluding GST).
 - a) That the Council enters into an agreement with Forpark Australia as described in this report.
 - b) 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 Forpark Australia for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 2 - Felicity Court Park'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 3 - Deception Bay Scenic Reserve'* - be awarded to A_Space Australia for the total sum of \$103,500.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) 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 A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 3 - Deception Bay Scenic Reserve'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 4 - Skye Blue Park'* - be awarded to Urban Play (Option 2) for the total sum of \$189,996.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 4 - Skye Blue Park'* and any required variations of the agreement on Council's behalf.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

5. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 5 - Tysoe Street Park'* - be awarded to Urban Play (Option 2) for the total sum of \$104,133.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 5 - Tysoe Street Park'* and any required variations of the agreement on Council's behalf.
6. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 6 - Yarrabee Park'* - be awarded to Urban Play (Option 2) for the total sum of \$100,348.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 6 - Yarrabee Park'* and any required variations of the agreement on Council's behalf.
7. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 7 - Youth Park'* - be awarded to Willplay for the total sum of \$229,887.40 (excluding GST).
 - a) That the Council enters into an agreement with Willplay as described in this report.
 - b) 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 Willplay for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 7 - Youth Park'* and any required variations of the agreement on Council's behalf.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 1 - Briston Avenue Park' - be awarded to Austek Construction Pty Ltd for the total sum of \$113,999.94 (excluding GST).
 - a) That the Council enters into an agreement with Austek Construction Pty Ltd as described in this report.
 - b) 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 Austek Construction Pty Ltd for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 1 - Briston Avenue Park' and any required variations of the agreement on Council's behalf.
2. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 2 - Felicity Court Park' - be awarded to Forpark Australia for the total sum of \$99,640.00 (excluding GST).
 - a) That the Council enters into an agreement with Forpark Australia as described in this report.
 - b) 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 Forpark Australia for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 2 - Felicity Court Park' and any required variations of the agreement on Council's behalf.
3. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 3 - Deception Bay Scenic Reserve' - be awarded to A_Space Australia for the total sum of \$103,500.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) 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 A_Space Australia for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 3 - Deception Bay Scenic Reserve' and any required variations of the agreement on Council's behalf.
4. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 4 - Skye Blue Park' - be awarded to Urban Play (Option 2) for the total sum of \$189,996.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 4 - Skye Blue Park' and any required variations of the agreement on Council's behalf.
5. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 5 - Tysoe Street Park' - be awarded to Urban Play (Option 2) for the total sum of \$104,133.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

- b) 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 Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 5 - Tysoe Street Park' and any required variations of the agreement on Council's behalf.
6. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 6 - Yarrabee Park' - be awarded to Urban Play (Option 2) for the total sum of \$100,348.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 6 - Yarrabee Park' and any required variations of the agreement on Council's behalf.
 7. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 7 - Youth Park' - be awarded to Willplay for the total sum of \$229,887.40 (excluding GST).
 - a) That the Council enters into an agreement with Willplay as described in this report.
 - b) 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 Willplay for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 7 - Youth Park' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Moreton Bay Regional Council (MBRC) currently have 711 playground and fitness sites regionally. These sites are subject to annual safety audits and require ongoing routine maintenance, monitoring and emergency repairs to ensure the equipment remains in an operational and compliant condition for park users.

MBRC recently commissioned 'CCEP Consulting Coordination Australia Pty Ltd' to conduct a comprehensive audit of the 711 playground and fitness sites. The audit identified deficiencies within the playground and fitness sites, for both the physical condition of each element, compared to the current Australian Standards.

Where playground and fitness sites have become financially unsustainable to maintain; or are of an age that parts can no longer be sourced; or significant investment is required to address one or multiple non-compliance issues, the most cost-effective method to address these issues is for the asset to be replaced. This is undertaken through the annual 'Playground and Fitness Renewal Program'. The program is developed based on the recent condition rating and compliance relating to Australian Standards for playground and fitness equipment and under surfacing.

2. Explanation of Item

Tenders were invited for the '2020/2021 Playground and Fitness Renewal Program (VP185632)' through vendor panel using the Local Buy arrangement 'BUS267 - Open Spaces, Parks, Play, Sport and Recreation'. The tender comprised seven separable portions based on their condition rating of the infrastructure programmed for renewal. Tenders closed on 4 June 2020, with tender submissions received from seven companies for one or more of the separable portions.

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

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

The tenderers and the final weighting scores for each site are tabled below (ranked from highest to lowest):

Separable Portion 1 - Playground and Fitness Renewal Package 1 - Briston Avenue Park, Burpengary East (Div 2)

RANK	TENDERER	EVALUATION SCORE
1	Austek Construction Pty Ltd	94.50
2	Urban Play - <i>Playground Layout Option 1</i>	94.32
3	Forpark Australia	92.81
4	Urban Play - <i>Playground Layout Option 2</i>	92.18
5	A_Space Australia	91.58
6	Willplay - <i>Playground Layout Option 2</i>	90.60
7	Willplay - <i>Playground Layout Option 1</i>	88.84
8	Proludic	85.60
9	Playscape Creations	Non-Conforming

Austek Construction Pty Ltd (AC) submitted a comprehensive tender submission that met all the criteria outlined in the tender specification. The submission from AC clearly demonstrated their ability to deliver the playground renewal project for Briston Avenue Park to a high-quality standard, with high play value and functionality for the site. The submission from AC was the second highest priced offer; however, did receive the highest evaluation score due to the design layout and equipment contained within the playground.

AC have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout from AC is deemed best value to Council and is recommended for portion 1 of this tender.

Urban Play (UP) submitted a comprehensive offer that met all the criteria outlined in the tender specifications and contained two playground layout options for consideration. The submission from UP for 'Option 1' was the second lowest priced offer and received the second highest evaluation score. 'Option 2' offered by UP was the third lowest priced offer and received the fourth highest evaluation score. The playground options offered from UP for Briston Avenue Park were deemed to have slightly lower play value and functionality for the park than that offered by Austek Construction Pty Ltd and were therefore not deemed best value to Council.

Forpark Australia (FA) submitted a comprehensive offer for the playground at Briston Avenue Park. FA clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation. The offer from FA was the lowest priced and received the third highest evaluation score, the layout offered by FA did not provide the same high play value and functionality as the design offered from Austek Construction Pty Ltd. This offer was not deemed best value for Council.

The submission from **Playscape Creations** did not contain supporting information as requested in the tender specification, this offer was deemed non-conforming and not considered.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

Separable Portion 2 - Playground and Fitness Renewal Package 1 - Felicity Court Park, Deception Bay (Div 5)

RANK	TENDERER	EVALUATION SCORE
1	Forpark Australia	95.55
2	A_Space Australia	94.07
3	Willplay - <i>Playground Layout Option 2</i>	92.81
4	Urban Play - <i>Playground Layout Option 1</i>	90.31
5	Austek Play	88.60
6	Willplay - <i>Playground Layout Option 1</i>	88.11
7	Urban Play - <i>Playground Layout Option 2</i>	87.16
8	Playscape Creations	Non-Conforming

Forpark Australia (FA) submitted a comprehensive tender submission that met all the criteria outlined in the tender specification. The submission from FA clearly demonstrated their ability to deliver the playground renewal project for Felicity Court Park to a high-quality standard, with high play value and functionality for the site. The submission from FA was the third lowest priced offer and received the highest evaluation score due to the design layout and equipment contained within the playground.

FA have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout from FA is deemed best value to Council and is recommended for portion 2 of this tender.

A Space Australia (AA) submitted a comprehensive offer that met all the criteria outlined in the tender specifications. The submission from AA was the lowest priced offer and received the second highest evaluation score. The playground options offered from AA for Felicity Court Park were deemed to have slightly lower play value and functionality for the park than that offered by Forpark Australia and were therefore not deemed best value to Council.

Willplay (WP) submitted a comprehensive offer for the playground at Felicity Court Park. WP offered two playground layout options for consideration. The submission from WP for 'Option 1' was the fourth lowest priced offered and received the second lowest evaluation score. 'Option 2' offered by WP was the second lowest priced offer and received the third highest evaluation score and clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation, however the play value was deemed not as high as the design offered from Forpark Australia. This offer was not deemed best value for Council.

Separable Portion 3 - Playground and Fitness Renewal Package 1 - Deception Bay Scenic Reserve, Deception Bay (Div 5)

RANK	TENDERER	EVALUATION SCORE
1	A_Space Australia	94.87
2	Forpark Australia	93.48
3	Urban Play - <i>Playground Layout Option 1</i>	91.97
4	Urban Play - <i>Playground Layout Option 2</i>	90.04

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

RANK	TENDERER	EVALUATION SCORE
5	Willplay	89.82
6	Austek Play	89.22
7	Playscape Creations	Non-Conforming

A Space Australia (AA) submitted a comprehensive tender submission that met all the criteria outlined in the tender specification. The submission from AA clearly demonstrated their ability to deliver the playground renewal project for Deception Bay Scenic Reserve to a high-quality standard, with high play value and functionality for the site. The submission from AA was the second lowest priced offered and received the highest evaluation score due to the design layout and equipment contained within the playground.

AA have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout from AA is deemed best value to Council and is recommended for portion 3 of this tender

Forpark Australia (FA) submitted a comprehensive tender submission that met all the criteria outlined in the tender specification. The submission from FA was the lowest priced offered and received the second highest evaluation score. The playground options offered from FA for Deception Bay Scenic Reserve were deemed to have slightly lower play value and functionality for the park than that offered by A Space Australia and were therefore not deemed best value to Council.

Urban Play (UP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications and contained two playground layout options for consideration. The submission from UP for 'Option 1' was the second highest priced offer and received the third highest evaluation score. 'Option 2' offered by UP was the third lowest priced offer and received the fourth highest evaluation score. The playground options offered from UP for Deception Bay Scenic Reserve were deemed to have slightly lower play value and functionality. This offer was not deemed best value for Council.

The submission from **Playscape Creations** did not contain supporting information as requested in the tender specification, this offer was deemed non-conforming and not considered.

Separable Portion 4 - Playground and Fitness Renewal Package 1 - Skye Blue Park, Deception Bay (Div 5)

RANK	TENDERER	EVALUATION SCORE
1	Urban Play - <i>Playground Layout Option 2</i>	99.98
2	Urban Play - <i>Playground Layout Option 1</i>	98.66
3	Austek Play	97.36
4	A_Space Australia	96.70
5	Willplay	96.70

Urban Play (UP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications and contained two playground layout options for consideration. The submission from Urban Play for Playground Layout - Option 2 clearly demonstrated their ability to deliver the playground renewal project for Skye Blue Park, with high play value and functionality for the site. This offer from UP was the highest priced by a very small margin, received the highest evaluation score due to the design layout and equipment contained within the playground. This offer was deemed to be best value to Council.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

The submission from UP for 'Playground Layout - Option 1' was the second highest priced offer and received the second highest evaluation score. This offer provided high play value and good functionality however, Option 2 was deemed better value for Council and is recommended for portion 4 of this tender.

Austek Play (AP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications. The submission from AP was the lowest priced offered and received the third highest evaluation score. The playground options offered from AP for Skye Blue Park were deemed to have slightly lower play value and functionality for the park than that offered by 'Urban Play - Option 2' and were therefore not deemed best value to Council.

The offers from **Forpark Australia** and **Willplay (Option 2)** exceeded the budget allowance outlined in the tender specification for this park and were deemed non-conforming. The submission from **Playscape Creations** did not contain supporting information as requested in the tender specification, this offer was deemed non-conforming and not considered.

Separable Portion 5 - Playground and Fitness Renewal Package 1 - Tysoe Street Park, Deception Bay (Div 5)

RANK	TENDERER	EVALUATION SCORE
1	Urban Play - <i>Playground Layout Option 2</i>	97.40
2	Willplay	97.26
3	A_Space Australia	97.19
4	Urban Play - <i>Playground Layout Option 1</i>	96.28
5	Forpark Australia	94.76
6	Austek Play	94.76
7	Proludic	94.38

Urban Play (UP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications and contained two playground layout options for consideration. The submission from UP - Playground Layout - Option 2 clearly demonstrated their ability to deliver the playground renewal project for Tysoe Street Park, with high play value and functionality for the site. This offer was the highest priced and received the highest evaluation score due to the design layout and equipment contained within the playground.

The submission from UP for 'Playground Layout - Option 1' was the third highest priced offer and received the fourth highest evaluation score, this offer provided high play value and good functionality however, Option 2 was deemed better value for Council and is recommended for portion 5 of this tender.

Willplay (WP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications. The submission from WP was the lowest priced offered and received the second highest evaluation score. The playground options offered from WP for Tysoe Street Park were deemed to have slightly lower play value and functionality for the park than that offered by Urban Play Option 2 and were therefore not deemed best value to Council.

A Space Australia (AA) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications. The submission from AA was the second highest priced offered and received the third highest evaluation score. The playground options offered from AA for Tysoe Street Park were deemed to have slightly lower play value and functionality for the park than that offered by Urban Play Option 2 and were therefore not deemed best value to Council.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

The submission from **Playscape Creations** did not contain supporting information as requested in the tender specification, this offer was deemed non-conforming and not considered.

Separable Portion 6 - Playground and Fitness Renewal Package 1 - Yarrabee Park, Kallangur (Div 7)

RANK	TENDERER	EVALUATION SCORE
1	Urban Play - <i>Playground Layout Option 2</i>	99.86
2	A_Space Australia - <i>Playground Layout Option 1</i>	96.77
3	Forpark Australia	96.05
4	Urban Play - <i>Playground Layout Option 1</i>	95.94
5	Austek Play	94.44
6	Willplay - <i>Playground Layout Option 1</i>	92.46
7	A_Space Australia - <i>Playground Layout Option 2</i>	86.87

Urban Play (UP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications and contained two playground layout options for consideration. The submission from UP - Playground Layout - Option 2 clearly demonstrated their ability to deliver the playground renewal project for Yarrabee Park with high play value and functionality for the site. Option 2 was the second lowest priced offer and received the highest evaluation score.

The submission from UP for 'Playground Layout - Option 1' was the third highest priced offer and received the fourth highest evaluation score, this offer provided high play value and good functionality however, Option 2 was deemed better value for Council and is recommended for portion 6 of this tender.

UP have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard.

A_Space Australia (AA) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications and contained two playground layout options for consideration. The submission from AA for 'Option 1' was the second highest priced offer and received the second highest evaluation score. 'Option 2' offered by AA was the highest priced offer and received the lowest evaluation score. The playground options offered from AA for Yarrabee Park were deemed to have slightly lower play value and functionality for the park than that offered by Urban Play Option 2 and were therefore not deemed best value to Council.

Forpark Australia (FA) submitted a comprehensive tender submission that met all the criteria outlined in the tender specification. The submission from FA was the third lowest priced offered and received the third highest evaluation score. The playground options offered from FA for Yarrabee Park were deemed to have slightly lower play value and functionality for the park than that offered by Urban Park Option 2 and were therefore not deemed best value to Council.

The offer from **Willplay (Option 2)** exceeded the budget allowance outlined in the tender specification for this park and was deemed non-conforming. The submission from **Playscape Creations** did not contain supporting information as requested in the tender specification, this offer was deemed non-conforming and not considered.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

Separable Portion 7 - Playground and Fitness Renewal Package 1 - Youth Park, Redcliffe (Div 6)

RANK	TENDERER	EVALUATION SCORE
1	Willplay - <i>Playground Layout Option 1</i>	97.55
2	A_Space Australia	97.32
3	Urban Play	95.08
4	Forpark Australia	93.99
5	Austek Play	93.08
6	Playscape Creations	Non-Conforming
7	Willplay - <i>Playground Layout Option 2</i>	Non-Conforming

Willplay (WP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specification and contained two layout options for consideration. The submission from WP clearly demonstrated their ability to deliver the playground renewal project for Youth Park to a high-quality standard, with high play value and functionality for the site. The submission from WP 'Playground layout Option 1' was the third lowest priced offered and received the highest evaluation score due to the design layout and equipment contained within the playground.

The offer from **Willplay (Option 2)** exceeded the budget allowance outlined in the tender specification for this park and was deemed non-conforming and not considered.

WP have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout from WP 'Playground layout Option 1' was the third lowest priced offer and received the highest evaluation score *and* is deemed best value to Council and is recommended for portion 7 of this tender.

A_Space Australia (AA) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications. The submission from AA was the lowest priced offered and received the second highest evaluation score. The playground options offered from AA for Youth Park were deemed to have slightly lower play value and functionality for the park than that offered by Willplay (Option 1) and was therefore not deemed best value to Council.

Urban Play (UP) submitted a comprehensive tender submission that met all the criteria outlined in the tender specifications. The submission from UP was the highest priced offered and received the third highest evaluation score. The playground options offered from UP for Youth Park were deemed to have slightly lower play value and functionality for the park than that offered by Willplay (Option 1) and was therefore not deemed best value to Council.

The submission from **Playscape Creations** did not contain supporting information as requested in the tender specification, this offer was deemed non-conforming and not considered.

3. Strategic Implications

3.1 Legislative/Legal Implications

Council requested quotations from suitably qualified suppliers selected from the prequalified Local Buy Supplier Panel BUS267 Open Spaces, Parks, Play, Sport & Recreation in accordance with the *Local Government Act 2009*.

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

This contract will ensure Council receives compliant, innovative playgrounds to meet the demands of park users and will be installed by suitably qualified and experienced contractors.

A third-party review of financial status has been undertaken on the recommended tenderers. The outcome of these reviews is listed below.

- **Separable Portion 1** - Austek Construction Pty Ltd received a rating of 'Sound' which has confirmed they have the capability and financial capacity to carry out the works in separable portion 1.
- **Separable Portion 2** - Forpark Australia received a rating of 'Satisfactory' which has confirmed they have the capability and financial capacity to carry out the works in separable portion 2.
- **Separable Portion 3** - A_Space Australia received a rating of 'Sound' which has confirmed they have the capability and financial capacity to carry out the works in separable portion 3.
- **Separable Portions 4, 5 and 6** - Urban Play received a rating of 'Satisfactory' which has confirmed they have the capability and financial capacity to carry out the works in separable portions 4, 5 and 6.
- **Separable Portion 7** - Willplay received a rating of 'Strong' which has confirmed they have the capability and financial capacity to carry out the works in separable portion 7.

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated a total of \$1.79M in the 20-21 Capital Projects Budget for the seven renewal/upgrade projects listed in this report. All financials below are excluding GST.

Separable Portion 1 - Tender Price	\$ 113,999.94
Separable Portion 2 - Tender Price	\$ 99,640.00
Separable Portion 3 - Tender Price	\$ 103,500.00
Separable Portion 4 - Tender Price	\$ 189,996.50
Separable Portion 5 - Tender Price	\$ 104,133.00
Separable Portion 6 - Tender Price	\$ 100,348.50
Separable Portion 7 - Tender Price	\$ 229,887.40
Sub Total	\$ 941,505.34

ITEM 3.2 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 1 - A20109902 (Cont.)

Contingency - 10%	\$ 94,150.53
Qleave	\$ 4,472.15

Total Project Cost	\$1,040,128.02
	=====

The budget allocation for the project is finely balanced. Should the contingency allocation nominated above not be fully spent there will no need for additional funds via a quarterly review.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

MBRC playgrounds and fitness nodes provide dedicated locations for community interaction for children and parents that allow the community to play/ exercise in a safe environment while developing and enhancing fitness, sensory motor, play and social interaction skills using the equipment provided.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

**ITEM 3.3
TENDER - 2020-2021 REGIONAL BIORETENTION RESTORATION AND
MAINTENANCE PROGRAM**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A19961720 : 2 July 2020 - Refer Supporting Information A19997849 and
Confidential Supporting Information A19846451
Responsible Officer: MM, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

Tenders were called for the '2020/2021 Regional Bioretention Restoration and Maintenance Program (VP177479)'. Tenders closed on 24 March 2020 with six conforming submissions received.

It is recommended that the tender for the '2020/2021 Regional Bioretention Restoration and Maintenance Program (VP177479)' be awarded to Evolve Environmental Pty Ltd for the sum of \$329,454.72 (excluding GST), as this offer represents best overall value to Council. This contract is for 12 months commencing July 2020.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Karl Winchester

CARRIED 13/0

1. That the tender for the Bioretention Restoration and Maintenance Program be awarded to Evolve Environmental Pty Ltd for the sum of \$329,454.72 (excluding GST).
2. That the Council enters into an agreement with Evolve Environmental 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 Evolve Environmental Pty Ltd for the '2020/2021 Regional Bioretention Restoration and Maintenance Program (VP177479)' and any required variations of the agreement on Council's behalf.

ITEM 3.3 TENDER - 2020-2021 REGIONAL BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - A19961720 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for the Bioretention Restoration and Maintenance Program be awarded to Evolve Environmental Pty Ltd for the sum of \$329,454.72 (excluding GST),
2. That the Council enters into an agreement with Evolve Environmental 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 Evolve Environmental Pty Ltd for the '2020/2021 Regional Bioretention Restoration and Maintenance Program (VP177479)' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Tenders were called for the '2020/2021 Regional Bioretention Restoration and Maintenance Program' through Vendor Panel (VP177479), using supplier arrangement MBRC008470. The tender comprises of 230 priority bioretention storm water assets, totalling approximately 18 ha located across the Moreton Bay Region. The contract scope of works includes; weed management, revegetation, litter control and monthly inspections and additional reporting on stormwater quality improvement devices, maintenance devices, vegetation cover, erosion and sedimentation.

2. Explanation of Item

The '2020/2021 Regional Bioretention Restoration and Maintenance Program' was procured through Vendor Panel (VP177479), using supplier arrangement MBRC008470 - Natural Area Weed Control and Revegetation Services.

Council received six conforming submissions. The responses were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

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

RANK	TENDERER	EVALUATION SCORE
1	Activeco Pty Ltd	97.79
2	Evolve Environmental Pty Ltd	94.69
3	Toolijooa Environmental Pty Ltd	93.66
4	Aust Care Environmental Pty Ltd	91.32
5	Barung Landcare Association	72.29
6	Australian Wetlands Pty Ltd	52.27

Evolve Environmental Pty Ltd ('EE') - submitted a sound tender submission outlining their ability to deliver the programmed works. The offer from EE demonstrated a sound level of understanding of the works required relating to the management of bioretention systems within the contract. EE has sufficient qualified and experienced resources associated with maintaining vegetation and civil maintenance functionality of bioretention systems. The offer from EE was the lowest priced offer, received the second highest evaluation score and was deemed best value offer to Council by the evaluation panel and is the recommendation of this report.

ITEM 3.3 TENDER - 2020-2021 REGIONAL BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - A19961720 (Cont.)

Activeco Pty Ltd ('Activeco') - provided a quality tender submission demonstrating long term experience in the management of bioretention systems, related water sensitive urban design (WSUD) assets and storm water quality improvement devices (SQID) incorporating both the biological and civil maintenance services as complementary functions to enhance asset life. The offer from Activeco was the third lowest priced offer and received the highest evaluation score due to the quality of the tender submission, however, the benefits of Activeco's offer did not outweigh the additional cost, as a result, the evaluation panel did not deem this offer best value to Council.

Toolijooa Environmental Pty Ltd ('TE') - submitted a satisfactory tender submission outlining their ability to deliver the programmed works. The offer from TE demonstrated a sound level of understanding of the works required relating to the management of bioretention systems within the contract. The offer from TE was the second lowest priced offer, received the third highest evaluation score and was not deemed best value to Council.

3. Strategic Implications

3.1 Legislative / Legal Implications

The legislative responsibilities of the Bioretention Restoration and Maintenance Program are:

- *Environmental Protection Act 1994* and Environmental Protection (Water) Policy 2009- management of pollutants and water quality against acceptable water quality parameters.
- *Biosecurity Act 1994* - to administer Council's 'General Biosecurity Obligation' and management of declared restricted matter.
- *Agricultural Chemicals Distribution Control Act 1996* - to manage the use and record of herbicide application on Council controlled land.

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

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

The program will be operationally administered in accordance with:

- Policy No: 12-2150-044 Sustainability
- Policy No: 13-2150-059 Pesticide Use - Regional

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

There are low risk management implications for social, environmental, operational and financial impacts. Risk mitigation actions include:

- The operational program has been developed in accordance with the Stormwater Quality Portfolio Asset Management Plan for regional strategic asset management with key performance indicators and quantifiable outcomes.
- Tenderers' qualifications, experience and personnel have been assessed to standards relating to the management of natural assets due to vegetation, water quality function and proximity to riparian zones and wetlands:

ITEM 3.3 TENDER - 2020-2021 REGIONAL BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - A19961720 (Cont.)

- o Bioretention Technical Design Guidelines.
- o South East Queensland Ecological Restoration Framework.
- o National standards for the practice of ecological restoration in Australia.

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

A third-party review of financial status has been undertaken on the recommended tenderer and the company has received a rating of 'satisfactory' which has confirmed they have the capability and financial capacity to deliver this contract.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The recommended tender sum for the 2020/2021 Bioretention Restoration and Maintenance Program is within the annual budget allocation of \$1.2m for Bio Retention Basin Maintenance. The program will commence July 2020 and extend to June 2021.

Tender Price	\$ 329,454.72
Contingency - 5%	\$ 16,472.74

Total Project Cost	\$ 345,927.46
	=====

3.7 Economic Benefit Implications

The economic benefit of the implementation of the program is improved asset life reducing asset deterioration and renewal costs. With monthly weed maintenance intervention there is greater capacity to manage native vegetation and biofiltration function and capacity to minimise higher revegetation associated costs. The maintenance intervention of minor civil defects helps mitigate risk of escalation of civil defects to a capital renewal project.

3.8 Environmental Implications

The program aims to achieve targets of storm water management and associated asset protection by:

- Proactive and strategic management of increasing impacts on water quality under pressure from urban growth, altered hydrology and further acquisition of storm water assets.
- Management of pollutants conducive with sustainable sediment load targets and the capacity of receiving waters.
- Management of biofiltration function through management of native vegetation cover and encouragement of natural regeneration.
- Catchment management of outflows into river systems culminating in the Ramsar listed Moreton Bay Marine Park.
- Provision of wildlife habitat.
- Protection of aquatic biodiversity.

Actions and delivery of the program are undertaken in accordance with:

- Moreton Bay Regional Council Water Strategy 2012-2031.
- Moreton Bay Regional Council Total Water Cycle Management Plan.
- Stormwater Quality Portfolio Asset Management Plan.
- Australian and New Zealand guidelines for fresh and marine water quality.
- Bioretention Technical Design Guidelines.
- South East Queensland Ecological Restoration Framework.
- National standards for the practice of ecological restoration in Australia.
- Managing priority species listed in Council's Priority Species of the Moreton Bay Region.

ITEM 3.3 TENDER - 2020-2021 REGIONAL BIORETENTION RESTORATION AND MAINTENANCE PROGRAM - A19961720 (Cont.)

The program contributes to the following regional planning directives:

- Shaping SEQ- South East Queensland Regional Plan 2017; Goal 4: Sustain, Element 5: Water sensitive communities.
 - Protect and sustainably manage the region's catchments to ensure the quality and quantity of water in our waterways, aquifers, wetlands, estuaries, Moreton Bay and oceans meets the needs of the environment, industry and community.
 - Plan for a water sensitive region by supporting innovation in water cycle management that increases the efficient use of water, security of supply, addresses climate change and manages impacts on waterways and Moreton Bay.
- Managing Natural Assets for a Prosperous South East Queensland 2014-2031 as related to water treatment, management of waterways, wetlands, greenspace, sea grasses, pest and weed management.

3.9 Social Implications

The program is beneficial by maintaining and enhancing social values inclusive of:

- Maintaining and improving scenic amenity.
- Improved stormwater quality and associated impacts on recreational use of waterways and park complexes.
- Improved resource efficiency.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Consultation for the delivery of this program has been undertaken with relevant Council officers within Drainage Waterways and Coastal Planning, Asset Maintenance and Council's procurement section.

ITEM 3.4
TENDER - SUPPLY AND SERVICING OF SANITARY HYGIENE

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20151783 : 10 July 2020 - Refer **Confidential Supporting Information**
A20019317
Responsible Officer: CB, Senior Technical Officer (ECM Asset Maintenance)

Executive Summary

The maintenance of Council's hygiene services is undertaken through a contract arrangement. Tenders were called for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' through open tender using LG Tender Box. Tenders closed on 6 May 2020, with six conforming submissions received, one of which was later withdrawn.

It is recommended that the tender for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' be awarded to Alsco Pty Ltd, trading as Fresh and Clean for the amount of \$157,658.10 (excl. GST) for an initial period of 23 months (from August 2020 to June 2022), with an option to extend by a further three x one-year periods, subject satisfactory performance, as this represents best overall value to Council.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Cath Tonks

CARRIED 13/0

1. That the tender for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' be awarded to Alsco Pty Ltd, trading as Fresh and Clean for the amount of \$157,658.10 (excl. GST) for the initial period of 23 months (from August 2020 to June 2022), with an option to extend by a further three x one-year periods, subject satisfactory performance.
2. That the Council enters into an agreement with Alsco Pty Ltd, trading as Fresh and Clean 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 Alsco Pty Ltd, trading as Fresh and Clean for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' and any required variations of the agreement on Council's behalf.

ITEM 3.4 TENDER - SUPPLY AND SERVICING OF SANITARY HYGIENE - A20151783 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' be awarded to AlSCO Pty Ltd, trading as Fresh and Clean for the amount of \$157,658.10 (excl. GST) for the initial period of 23 months (from August 2020 to June 2022), with an option to extend by a further three x one-year periods, subject satisfactory performance.
2. That the Council enters into an agreement with AlSCO Pty Ltd, trading as Fresh and Clean 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 AlSCO Pty Ltd, trading as Fresh and Clean for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Council currently undertakes the supply and servicing of sanitary hygiene through a contract arrangement. The current contract for these services expires on 31 July 2020.

The contract allows for the following works to be undertaken at selected council facilities regionally:

- Supply of sanitary bins with monthly servicing
- Servicing only of sharp bins every two months
- Supply of nappy bins with weekly servicing
- Supply of air freshener units with monthly servicing
- Supply of hand sanitiser dispensers with monthly servicing

2. Explanation of Item

Tenders were called for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' through open tender using LG Tender Box. Tenders closed on 6 May 2020, with six conforming submissions received, one of which was later withdrawn.

Tenders were assessed by a selection panel in accordance with Council's Procurement Policy and the mandatory selection criteria set out in the tender documentation.

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

Rank	Tenderer	Evaluation Score
1	AlSCO Pty Ltd, trading as Fresh and Clean	99.03
2	J J Richards & Sons Pty Ltd, trading as JJ's Health & Hygiene	95.41
3	Rentokiil Initial Pty Ltd	92.06
4	Flick - Anticimex Pty Ltd	87.65
5	Storm International Pty Ltd	49.59
6	Med-X Pty Ltd	Withdrew

ITEM 3.4 TENDER - SUPPLY AND SERVICING OF SANITARY HYGIENE - A20151783 (Cont.)

AlSCO Pty Ltd, trading as Fresh and Clean ('AlSCO') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required. At the post tender clarification meeting, AlSCO provided the evaluation team with confidence in their ability to deliver the services required whilst confirming they had no departures from any clauses within the contract. AlSCO are the incumbent Contractor for these services. AlSCO was the lowest priced offer and received the highest evaluation score. This offer was deemed best value to Council and is the recommendation of this report.

J J Richards & Sons Pty Ltd, trading as JJ's Heath & Hygiene ('JJRS') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required; however, there were no additional benefits for the higher price. The offer from JJRS was the second lowest priced submission and received the second highest evaluation score. This offer was not deemed best value to Council.

Rentokill Initial Pty Ltd ('Initial') - submitted a comprehensive tender submission. Their submission demonstrated the required level of skill, knowledge, experience and demonstrated their capacity to undertake the works required; however, there were no additional benefits for the higher price. The offer from Initial was the third lowest priced submission and received the third highest evaluation score. This offer was not deemed best value to Council.

Med-X Pty Ltd ('MXS') - were not willing to accept Council's 'Conditions of Contract' in full in particular Clause 23 Contractor's liability and subsequently withdrew their tender submission.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

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

Risk	Mitigation
Attend all Council buildings within the scheduled timeframes considering the large geographical spread and number of Council buildings.	AlSCO Pty Ltd, trading as Fresh and Clean confirmed their company can complete all services on time with the resources available. AlSCO Pty Ltd, trading as Fresh and Clean currently undertake these services for Council and perform to a satisfactory standard meeting all attendance requirements.

ITEM 3.4 TENDER - SUPPLY AND SERVICING OF SANITARY HYGIENE - A20151783 (Cont.)

Lack of supply and services during transition period from previous contract.	Alsco Pty Ltd, trading as Fresh and Clean are the current contractor and so no transition risks would apply.
Efficient and effective response time in attending emergencies.	Alsco Pty Ltd, trading as Fresh and Clean confirmed they will arrive on site and commence work within the required tendered timeframe. Alsco currently undertake these services for Council and perform to a satisfactory standard meeting all required response times for attending emergencies.

A third-party review of financial status has been carried out on the successful tenderer Alsco Pty Ltd trading as Fresh and Clean, with a rating of 'strong' being achieved which has confirmed that they have the financial capacity to carry out the required works.

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

The estimated costs as tendered by Alsco Pty Ltd, trading as Fresh and Clean are within budget allocation. Sanitary Services has an annual budget allocation of \$70,160; the additional funds required for the 20/21 contract will be sourced from the COVID 19 budget, due to increased units and monthly servicing across Council's sites. All financials shown below are excluding GST.

Tendered price - Year 1 (11 months)	\$ 75,401.70
Tendered Price - Year 2 (12 months)	\$ 82,256.40
Contingency - 5%	\$ 7,882.90

Total Contract - 23 Month Term (August 2020 - June 2022)	\$ 165,541.00
	=====

3.7 Economic Benefit Implications

A regular periodical sanitary service to Council's facilities will boost appearance and wellbeing and assist in meeting user's and hirer's expectations, thus increasing overall patronage and promote further hirer's bookings.

3.8 Environmental Implications

Implementing Council's hygiene services will ensure facilities with these disposal containers are appropriately managed, eliminating potential unsanitary and environmental impacts.

3.9 Social Implications

Implementing Council's hygiene services continues to demonstrate Council's commitment to its obligation as an actively responsible member of the local community.

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Consultation for the disposal of this contract has been undertaken with relevant stakeholders and officers of the Procurement section of Council.

**ITEM 3.5
EXPRESSION OF INTEREST - THE PETRIE MILL REDEVELOPMENT - DISTRICT
ENERGY AND TECHNOLOGIES**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20162086 : 13 July 2020
Responsible Officer: PC, Project Director - The Mill (ECM Major Projects)

Executive Summary

This report seeks Council approval to undertake an Expressions of Interest (EOI) process to establish the market interest and viability of potential district energy solutions and other aligned technologies within the Council-owned land at the Petrie Mill Redevelopment Site, prior to inviting written tenders.

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

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 13/0

1. That Council decides it is in the public interest to invite expressions of interest (EOIs) before inviting written tenders for establishing district energy solutions and other aligned technologies within the Council-owned land at the Petrie Mill Redevelopment Site. This will enable Council to consider proposals that may be submitted under an EOI process before progressing to a tender phase from a shortlist of EOI respondents.
2. That Council invites Expressions of Interest for establishing district energy and other aligned technologies within the Council-owned land at the Petrie Mill Redevelopment Site and then potentially invites tenders from an appropriate shortlist of respondents.
3. That the Chief Executive Officer be authorised to do all things necessary to complete the EOI and tender process for district energy solutions and other aligned technologies within the Council-owned land at the Petrie Mill Redevelopment Site, including, but not limited to, acting in accordance with sections 228(5) and (6) of the Local Government Regulation 2012 and inviting tenders from an appropriate shortlist of respondents.
4. That the Chief Executive Officer reports to the Council about the tender process and recommends a preferred tenderer for Council's approval.

ITEM 3.5 EXPRESSION OF INTEREST - THE PETRIE MILL REDEVELOPMENT - DISTRICT ENERGY AND TECHNOLOGIES - A20162086 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council decides it is in the public interest to invite expressions of interest (EOIs) before inviting written tenders for establishing district energy solutions and other aligned technologies within the Council-owned land at the Petrie Mill Redevelopment Site. This will enable Council to consider proposals that may be submitted under an EOI process before progressing to a tender phase from a shortlist of EOI respondents.
2. That Council invites Expressions of Interest for establishing district energy and other aligned technologies within the Council-owned land at the Petrie Mill Redevelopment Site and then potentially invites tenders from an appropriate shortlist of respondents.
3. That the Chief Executive Officer be authorised to do all things necessary to complete the EOI and tender process for district energy solutions and other aligned technologies within the Council-owned land at the Petrie Mill Redevelopment Site, including, but not limited to, acting in accordance with sections 228(5) and (6) of the Local Government Regulation 2012 and inviting tenders from an appropriate shortlist of respondents.
4. That the Chief Executive Officer reports to the Council about the tender process and recommends a preferred tenderer for Council's approval.

REPORT DETAIL

1. Background

The Mill at Moreton Bay is designated as a Priority Development Area (PDA) and is approximately 460 hectares and located within the suburbs of Petrie, Kallangur and Lawnton. Council is the land owner of circa 200 hectares of which approximately 65 hectares which are developable. This developable area is the subject of this EOI and comprises of Mill Central (to the east of Petrie Station) and Mill Innovation precincts.

A focus for the development of these precincts is to facilitate opportunities within the Knowledge and Innovation sectors. Initiatives that are currently being implemented on site include

- A new greenfield university campus being delivered by USC which opened in February 2020;
- An open pit and pipe telecommunications network for telecommunications which will be operated and managed by Council; and
- Smart lighting services providing WIFI access, CCTV monitoring, centralised control and electronic car charging points.

In addition, the development team would like to test the energy market to identify sustainable and commercially viable energy production and distribution opportunities that could be implemented to offer improved sustainability outcomes for future tenants (such as reduced carbon footprints) and provide the development with a potential point of difference to other sites on the market. As the key Anchor Education Partner of the site, USC have also been engaging with the market with regards to their masterplan energy options. This EOI and tender process will also enable Council to evaluate any potential feasibility associated with collaborating on any joint outcomes with USC.

ITEM 3.5 EXPRESSION OF INTEREST - THE PETRIE MILL REDEVELOPMENT - DISTRICT ENERGY AND TECHNOLOGIES - A20162086 (Cont.)

2. Explanation of Item

Council is seeking precinct utility solutions that establishes the Petrie Mill Redevelopment site as a desirable investment destination with potentially non 'business as usual' energy options. The utility proposals should demonstrate value across the development eco-system:

- Value to land-owners;
- Value to developers;
- Value to residents and tenants; and
- Value to the utility provider.

The EOI is targeted towards potential proponents with the capability to deliver one or more of the following utility systems:

- A district energy proposal (could include embedded network +HV infrastructure + smart grid controls)
- A solar farm with battery proposal
- A district thermal system proposal
- A water treatment and re-use proposal.

Given the momentum at which the energy sector continues to evolve, an EOI is the preferred first step in a procurement process to ensure Council receives clarity about the range of energy options in the market along with also providing any capital implications (compared to business as usual), ongoing costs, terms sheets etc. to ensure all respondent options can be evaluated prior to progressing to a shortlist of candidates to tender components that are considered feasible. Council have retained the services of a specialist sustainability consultant to assist in the EOI process.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

The primary risk is probity. The Mill Project Director and MBRC Chief Digital Officer will assist with the EOI process which will be conducted in accordance with the relevant legislation and policies.

3.5 Delegated Authority Implications

As noted in the recommendation.

3.6 Financial Implications

Appropriate financial considerations will be applied, and formal arrangements will be entered into with any successful tenderer, however, the primary purpose of the EOI is to develop a shortlist for a subsequent tender therefore no immediate financial implications are identified at this time.

3.7 Economic Benefit Implications

There is no economic benefit arising as a direct result of this report. The EOI process may lead to a tender phase and subsequent energy outcomes that may benefit the Council-owned land at the Petrie Mill Redevelopment site.

ITEM 3.5 EXPRESSION OF INTEREST - THE PETRIE MILL REDEVELOPMENT - DISTRICT ENERGY AND TECHNOLOGIES - A20162086 (Cont.)

3.8 Environmental Implications

There are no environmental implications arising from this report, however, the subsequent tender process could help to introduce technologies to reduce the carbon footprint of the development.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Major Projects
Chief Executive Officer
Deputy Chief Executive Officer
Councillor for Division 8
Legal Services

UNCONFIRMED

**ITEM 3.6
TENDER - REGIONAL FOOTPATH RENEWAL PROGRAM**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A1563149 : 9 July 2020 - Refer **Confidential Supporting Information**
A20115664, A20115665 & A20272648
Responsible Officer: AC, Supervisor Projects (ECM Asset Maintenance)

Executive Summary

Tenders were invited for the *Regional Footpath Renewal Program (MBRC009806)*, comprising of two separable portions. Tenders closed on 3 June 2020, with conforming submissions received from 22 companies for each separable portion.

It is recommended that the tender for the *Regional Footpath Renewal Program* be awarded as follows, as these offers represent the best overall value to Council.

Separable Portion 1 - That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* be awarded to Queensland Civil Group Pty Ltd for the sum of \$571,297.50 (excluding GST)

Separable Portion 2 - That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* be awarded to All-Con Constructions Pty Ltd for the sum of \$411,113.00 (excluding GST)

RESOLUTION

Moved by Cr Jodie Shipway
Seconded by Cr Tony Latter

CARRIED 13/0

1. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* be awarded to Queensland Civil Group Pty Ltd for the sum of \$571,297.50 (excluding GST)
 - a) That the Council enters into an agreement with Queensland Civil Group Pty Ltd as described in this report
 - b) 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 Queensland Civil Group Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* and any required variations of the agreement on Council's behalf.
2. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* be awarded to All-Con Constructions Pty Ltd for the sum of \$411,113.00 (excluding GST)
 - a) That the Council enters into an agreement with All-Con Constructions Pty Ltd as described in this report
 - b) 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 All-Con Constructions Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* and any required variations of the agreement on Council's behalf

ITEM 3.6 TENDER - REGIONAL FOOTPATH RENEWAL PROGRAM - A1563149 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* be awarded to Queensland Civil Group Pty Ltd for the sum of \$571,297.50 (excluding GST)
 - a) That the Council enters into an agreement with Queensland Civil Group Pty Ltd as described in this report
 - b) 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 Queensland Civil Group Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* and any required variations of the agreement on Council's behalf.
2. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* be awarded to All-Con Constructions Pty Ltd for the sum of \$411,113.00 (excluding GST)
 - a) That the Council enters into an agreement with All-Con Constructions Pty Ltd as described in this report
 - b) 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 All-Con Constructions Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* and any required variations of the agreement on Council's behalf

REPORT DETAIL

1. Background

Moreton Bay Regional Council (MBRC) has an extensive network of footpaths throughout the region. These footpaths are subject to safety audits and require ongoing routine maintenance, monitoring and emergency repairs to ensure that the footpath network remains in an operational and compliant condition for general users.

When footpath assets become financially unsustainable to maintain, or significant investment is required to address one or multiple non-compliance issues, the most cost-effective method to address these issues is for the asset to be replaced. The regional footpath renewal program is developed based on an asset's operational condition and compliance relating to Australian Standards for footpath compliance.

2. Explanation of Item

Tenders were invited for the *Regional Footpath Renewal Program (MBRC009806)*, comprising of two separable portions. Tenders closed on 3 June 2020, with conforming submissions received from 22 companies for each separable portion

Separable Portion 1 - Footpath Renewals includes the following locations.

- Division 3 - William Berry Drive, Morayfield
- Division 4 - North Lakes Environmental Reserve, Deception Bay
- Division 8 - John Bray Park, Bray Park
- Division 8 - Beeville Road, Petrie
- Division 8 - Samsonvale Road, Strathpine
- Division 9 - Wendy Allison Park, Strathpine
- Division 10 - Cowrie Parade Park, Albany Creek

ITEM 3.6 TENDER - REGIONAL FOOTPATH RENEWAL PROGRAM - A1563149 (Cont.)

Separable Portion 2 - Footpath Renewals includes the following locations.

- Division 1 - Goodwin Drive, Bongaree
- Division 5 - Talobilla Park, Kippa Ring
- Division 6 - Ernest Street, Margate
- Division 7 - Sylvester Drive, Kallangur
- Division 11 - Rokeby Street Park, Narangba
- Division 12 - Campbells Pocket Road, Wamuran

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

The tenderers and the final weighting scores are tabled below (ranked from highest to lowest):

Separable Portion 1 - Divisions 3,4,8,9 and 10

RANK	TENDERER	EVALUATION SCORE
1	Queensland Civil Group Pty Ltd	95.03
2	Shadforth's Civil Pty Ltd t/a Shadforth	92.47
3	Main Constructions Pty Ltd	92.18
4	Mastac Pty Ltd t/a Shannon's Concreting and Earthmoving Services	88.21
5	All-Con Constructions Pty Ltd	88.19
6	Novar Group Pty Ltd	87.10
7	Global Turf Projects Pty Ltd	85.61
8	Exceed Concrete Constructions	84.30
9	Creggs Asphalt Pty Ltd	82.50
10	A & A Stimmler	81.88
11	Ryan Civil Contracting Pty Ltd	80.30
12	SCL Services t/a Disc Landscapes and Construction	79.44
13	CES Civil SEQ Pty Ltd	77.91
14	Terazzo Concrete Constructions Pty Ltd	75.41
15	Naric Civil	72.56
16	Conspec Group Pty Ltd	71.72
17	Bull Pty Ltd	69.85
18	Vikcon Constructions Services Pty Ltd	62.65
19	MMT Contracting Pty Ltd	62.15
20	Manly Concrete Pty Ltd	60.18
21	Jolex Group t/as Jolex Building and Civil	55.27
22	Corearth Constructions Pty Ltd	27.11

ITEM 3.6 TENDER - REGIONAL FOOTPATH RENEWAL PROGRAM - A1563149 (Cont.)

Queensland Civil Group Pty Ltd (QCG) - provided a quality submission, have extensive knowledge and experience and met all the criteria outlined in the tender specification. QCG's submission clearly demonstrated their ability to deliver the footpath renewal project separable portion 1 to a high-quality standard. The offer submitted from QCG was the fourth lowest priced and received the highest evaluation score. QCG have delivered similar projects for Council in the past to a high standard The offer from QCG was considered the best value for Council and is the recommendation for separable portion 1 of this report.

Shadforth's Civil Pty Ltd (Shadforth) - addressed all aspects of the criteria outlined in the tender specification, demonstrated a clear understanding of the scope of works and have the resource capacity required to undertake the works. The offer from Shadforth was the eleventh lowest priced and received the second highest evaluation score however the extra cost was not considered best value for Council.

Main Constructions Pty Ltd (Main) - addressed all aspects of the criteria outlined in the tender specification, demonstrated a clear understanding of the scope of works and have the resource capacity required to undertake the works. The offer from Main was the twelfth lowest priced and received the third highest evaluation score however the extra cost was not considered best value for Council.

The offer from **Novar Group Pty Ltd (NG)** - was the lowest priced offer and received the sixth highest evaluation score, however, NG were not able to submit the required information to enable a third-party financial risk assessment to be undertaken to ascertain their financial capacity to undertake the contract; this offer was therefore not deemed best value to Council.

All-Con Construction Pty Ltd (AC) - offered the second lowest price and received the fifth highest evaluation score. AC have previously undertaken this type of work for Council to a satisfactory standard and are the recommended tender for portion 2 of this contract. A tender clarification meeting was held with AC to determine their capability of undertaking both portions of this Contract if awarded. The Assessment Panel were not confident in AC's ability to undertake both portions of this Contract due to currently only having one concrete gang within their operations. AC advised that they did not have the capacity to undertake both separable portions concurrently, as a result, the panel considered the offer from AC was not deemed best value to Council.

The offer from **Cregg's Asphalt Pty Ltd (CA)** - was the third lowest priced offer and was ranked ninth overall. The evaluation panel was not confident in CA's ability to deliver the concrete footpath renewal projects to a high standard as their expertise is more related to asphalt works; this offer was not deemed best value to Council.

Separable Portion 2 - Divisions 1,5,6,7,11 and 12

RANK	TENDERER	EVALUATION SCORE
1	Queensland Civil Group Pty Ltd	94.65
2	Shadforth's Civil Pty Ltd t/a Shadforth	93.53
3	Main Constructions Pty Ltd	90.65
4	All-Con Constructions Pty Ltd	88.27
5	Mastac Pty Ltd t/a Shannon's Concreting and Earthmoving Services	87.87
6	Global Turf Projects Pty Ltd	85.93
7	Novar Group Pty Ltd	86.89
8	Exceed Concrete Constructions	83.84
9	A & A Stimmler	82.85
10	SCL Services t/a Disc Landscapes and Construction	81.10

ITEM 3.6 TENDER - REGIONAL FOOTPATH RENEWAL PROGRAM - A1563149 (Cont.)

RANK	TENDERER	EVALUATION SCORE
11	Ryan Civil Contracting Pty Ltd	80.34
12	Creggs Asphalt Pty Ltd	80.21
13	CES Civil SEQ Pty Ltd	76.01
14	Terazzo Concrete Constructions Pty Ltd	74.84
15	Conspec Group Pty Ltd	71.50
16	Bull Pty Ltd	69.75
17	Naric Civil	68.66
18	Vikcon Constructions Services Pty Ltd	63.41
19	MMT Contracting Pty Ltd	60.67
20	Jolex Group t/as Jolex Building and Civil	57.77
21	Manly Concrete Pty Ltd	56.78
22	Corearth Constructions Pty Ltd	34.13

All-Con Constructions Pty Ltd (All-Con) - provided a quality submission, have extensive knowledge and experience and met all the criteria outlined in the tender specification. All-Con's submission clearly demonstrated their ability to deliver the footpath renewal project separable portion 2 to a high-quality standard. The offer submitted from All-Con was the lowest priced and received the fourth highest evaluation score. All-Con have performed similar works for Council in the past to a satisfactory standard and therefore their offer was considered best value for Council and is the recommendation for separable portion 2 of this report.

Queensland Civil Group Pty Ltd (QCG) - addressed all aspects of the criteria outlined in the tender specification, demonstrated a clear understanding of the scope of works and have the resource capacity required to undertake the works. The offer from QCG was the fourth lowest priced and received the highest evaluation score however the extra cost was not considered best value for Council.

Shadforth's Civil Pty Ltd (Shadforths) - addressed all aspects of the criteria outlined in the tender specification, demonstrated a clear understanding of the scope of works and that they have the resource capacity required to undertake the works. The offer from Shadforth's was the eighth lowest priced and received the second highest evaluation score however the extra cost was not considered to provide best value for Council.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of the work being greater than \$200,000, a competitive open tender process was undertaken. The tender was called in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

ITEM 3.6 TENDER - REGIONAL FOOTPATH RENEWAL PROGRAM - A1563149 (Cont.)

The tendering and evaluation process for this contract was undertaken prior to the recent Council endorsement of the Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation at the time of release.

3.4 Risk Management Implications

A third-party review of financial status has been undertaken on the two recommended tenderers.

Queensland Civil Group Pty Ltd receiving a rating of 'sound' confirming that Queensland Civil Group Pty Ltd have the capability and financial capacity to carry out these tendered works for separable portion 1 of this tender.

All-Con Constructions Pty Ltd received a rating of 'sound' confirming that All-Con Constructions Pty Ltd have the capability and financial capacity to carry out these tendered works for separable portion 2 of this tender.

Impact on local pedestrian traffic – The contractors will develop and present approved site-specific pedestrian traffic management plans for each of the locations to be completed under the contract. Alternate pedestrian routes will be placed to ensure safe passage for footpath users and construction activities.

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated \$1.4M in the 20-21 Capital Projects Budget to the Regional Footpath Renewal Program. This project will be debited to project number 105030. All financials below are exclusive of GST.

Tender Price - Separable Portion 1	\$ 571,297.50
Tender Price - Separable Portion 2	\$ 411,113.00
Contingency - 10%	\$ 98,241.05

Total Project Cost	\$ 1,080,651.55
	=====

3.7 Economic Benefit Implications

Both recommended tenderers are local to the region utilising local employees and local material suppliers for these works. The appointment of two contractors will enable Council to deliver its programs in a timely and cost-effective manner.

3.8 Environmental Implications

The tender assessment included a review of the recommended tenderer's environmental policies and procedures regarding environmental protection. Both of the recommended tenderers have the appropriate environmental policies and procedures in place to undertake the works.

3.9 Social Implications

The works will improve safety, structural integrity and trafficability for pedestrians of the footpaths being renewed.

3.10 Consultation / Communication

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

ITEM 3.7**TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20218259: 13 July 2020 - Refer Supporting Information A20218497 and **Confidential Supporting Information A20237921, A20237176, A20239401, A20241108 & A20242364**
Responsible Officer: BH, Technical Officer - Projects (ECM Asset Maintenance)

Executive Summary

Tenders were invited for the '2020/2021 Playground and Fitness Renewal Package 2 (VP189810)'. The tender comprised of five (5) separable portions based on type and location of the infrastructure programmed for renewal. Tenders closed on 2 July 2020, with tender submissions received from seven companies for one or more of the separable portions.

It is recommended that the tender for '2020/2021 Playground and Fitness Renewal Package 2' be awarded as follows, as these offers represent the best overall value to Council:

Separable Portion 1 - Collins Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park' - be awarded to A_Space Australia for the total sum of \$105,910.00 (excluding GST).

Separable Portion 2 - Doman Court Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park' - be awarded to Urban Play (Option 1) for the total sum of \$75,664.00 (excluding GST).

Separable Portion 3 - Wallace Street Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park' - be awarded to A_Space Australia for the total sum of \$109,750.00 (excluding GST).

Separable Portion 4 - Westminster Road Park - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park' - be awarded to Urban Play (Option 2) for the total sum of \$109,834.00 (excluding GST).

Separable Portion 5 - Zammitt Street Sportsground - that the tender for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground' - be awarded to Urban Play (Option 2) for the total sum of \$124,674.00 (excluding GST).

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park' - be awarded to A_Space Australia for the total sum of \$105,910.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) 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 A_Space Australia for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park' and any required variations of the agreement on Council's behalf.

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

2. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* - be awarded to Urban Play (Option 1) for the total sum of \$75,664.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* - be awarded to A_Space Australia for the total sum of \$109,750.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) 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 A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* - be awarded to Urban Play (Option 2) for the total sum of \$109,834.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* and any required variations of the agreement on Council's behalf.
5. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground'* - be awarded to Urban Play (Option 2) for the total sum of \$124,674.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground'* and any required variations of the agreement on Council's behalf.

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park'* - be awarded to A_Space Australia for the total sum of \$105,910.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) 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 A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park'* and any required variations of the agreement on Council's behalf.
2. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* - be awarded to Urban Play (Option 1) for the total sum of \$75,664.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* - be awarded to A_Space Australia for the total sum of \$109,750.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) 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 A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* - be awarded to Urban Play (Option 2) for the total sum of \$109,834.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) 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 Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* and any required variations of the agreement on Council's behalf.
5. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground'* - be awarded to Urban Play (Option 2) for the total sum of \$124,674.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

- b) 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 Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Moreton Bay Regional Council (MBRC) currently have 711 playground and fitness sites regionally. These sites are subject to annual safety audits and require ongoing routine maintenance, monitoring and emergency repairs to ensure the equipment remains in an operational and compliant condition for park users.

MBRC recently commissioned 'CCEP Consulting Coordination Australia Pty Ltd' to conduct a comprehensive audit of the 711 playground and fitness sites. The audit identified deficiencies within the playground and fitness sites, for both the physical condition of each element and compared to the current Australian Standards.

Where playground and fitness sites have become financially unsustainable to maintain; or are of an age that parts can no longer be sourced; or significant investment is required to address one or multiple non-compliance issues, the most cost-effective method to address these issues is for the asset to be replaced. This is undertaken through the annual 'Playground and Fitness Renewal Program'. The program is developed based on the recent condition rating and compliance relating to Australian Standards for playground and fitness equipment and under surfacing.

2. Explanation of Item

Tenders were invited for the '2020/2021 Playground and Fitness Renewal Program Package 2 (VP189810)' through Vendor Panel using the Local Buy arrangement 'BUS267 - Open Spaces, Parks, Play, Sport and Recreation'. The tender comprised of five separable portions based on their condition rating of the infrastructure programmed for renewal. Tenders closed on 2 July 2020, with tender submissions received from seven companies for one or more of the separable portions.

The tenders were assessed by the assessment panel in accordance with Council's Procurement Policy and including the selection criteria and the local preference weighting as set out in the tender documentation.

The tenderers and the final weighting scores for each site are tabled below (ranked from highest to lowest):

Separable Portion 1 - Playground and Fitness Renewal Package 2 - Collins Park, Caboolture (Div 3)

RANK	TENDERER	EVALUATION SCORE
1	A_Space Australia	101.92
2	Urban Play - <i>Playground Layout Option 1</i>	101.27
3	Urban Play - <i>Playground Layout Option 2</i>	99.05
4	Willplay	97.33
5	Forpark Australia	96.53
6	Playscape Creations	92.91
7	Austek Play	92.77

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

RANK	TENDERER	EVALUATION SCORE
8	Proludic	91.44

A_Space Australia (AA) - submitted a comprehensive tender submission that met all the criteria outlined in the tender specification. The submission from AA clearly demonstrated their ability to deliver the playground renewal project for Collins Park to a high-quality standard, with high play value and functionality for the site. The submission from AA was the fourth lowest priced offer; however, did receive the highest evaluation score due to the design layout and equipment contained within the playground.

AA have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout from AA is deemed best value to Council and is recommended for portion 1 of this tender.

Urban Play (UP) - submitted two comprehensive offers that met all the criteria outlined in the tender specifications and contained two playground layout options for consideration. The submission from UP for 'Option 1' was the third lowest priced offer and received the second highest evaluation score. 'Option 2' offered by UP was the third highest priced offer and received the third highest evaluation score. The playground options offered from UP for Collins Park were deemed to have slightly lower play value and functionality for the park than that offered by A_Space Australia and were therefore not deemed best value to Council.

Willplay (WP) - submitted a comprehensive offer for the playground at Collins Park. WP clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation. The offer from WP was the second lowest priced and received the fourth highest evaluation score, the layout offered by WP did not provide the same high play value and functionality as the design offered from A_Space Australia. This offer was not deemed best value for Council.

The offer received from **Forpark** was the lowest priced offer received, however, the playground design did not provide the same level of play value as the other designs submitted and was ranked fifth in the evaluation scores, this offer was not deemed best value to Council.

Separable Portion 2 - Playground and Fitness Renewal Package 2 - Doman Court Park, Deception Bay (Div 5)

RANK	TENDERER	EVALUATION SCORE
1	Urban Play - <i>Playground Layout Option 1</i>	106.78
2	Urban Play - <i>Playground Layout Option 2</i>	103.24
3	A_Space Australia - <i>Playground Layout Option 2</i>	102.82
4	A_Space Australia - <i>Playground Layout Option 1</i>	101.31
5	Willplay	101.18
6	Forpark Australia	97.95
7	Proludic	96.95
8	Austek Play	91.44

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

Urban Play (UP) - submitted two comprehensive tender submissions that met all the criteria outlined in the tender specification. The submission from UP for 'Option 1' was the second lowest priced offer and received the highest evaluation score due to the design layout and high play value. 'Option 2' offered by UP was the fourth lowest priced offer and received the second highest evaluation score. The playground option 2 offered from UP for Doman Court Park was deemed to have slightly lower play value and functionality for the park than UP option 1 and therefore Urban Play option 2 was not deemed best value to Council.

UP have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout, including high play value, from UP option 1 is deemed best value to Council and is recommended for portion 2 of this tender.

A_Space Australia (AA) - submitted two comprehensive offers for the playground at Doman Court Park. The submission from AA 'option 2' was the third highest priced offer and received the third highest evaluation score. 'Option 1' offered by AA was the highest priced offer and received the fourth highest evaluation score. The playground options 1 and 2 offered from AA for Doman Court Park were deemed to have slightly lower play value and functionality for the park than UP option 1 and therefore A_Space Australia options 1 and 2 were not deemed best value to Council.

Willplay (WP) - clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation. The offer from WP was the third lowest priced and received the fifth highest evaluation score, the layout offered by WP did not provide the same high play value and functionality as the design offered from Urban Play option 1. This offer was not deemed best value for Council.

The offer received from **Forpark** was the lowest priced offer received, however, the playground design did not provide the same level of play value as the other designs submitted and was ranked sixth in the evaluation scores, this offer was not deemed best value to Council.

Separable Portion 3 - Playground and Fitness Renewal Package 2 - Wallace Street Park, Caboolture (Div 3)

RANK	TENDERER	EVALUATION SCORE
1	A_Space Australia	99.89
2	Urban Play - <i>Fitness Layout Option 1</i>	99.50
3	Forpark Australia	98.96
4	Willplay - <i>Fitness Layout Option 1</i>	97.54
5	Urban Play - <i>Fitness Layout Option 2</i>	97.00
6	Willplay - <i>Fitness Layout Option 2</i>	94.62
7	Austek Play	91.27
8	Playscape Creations	89.96

A_Space Australia (AA) - submitted a comprehensive tender submission that met all the criteria outlined in the tender specification. The submission from AA clearly demonstrated their ability to deliver the fitness renewal project for Wallace Street Park to a high-quality standard, with high exercise equipment value and functionality for the site. The submission from AA was the fourth lowest priced offer; however, did receive the highest evaluation score due to the design layout and equipment contained within the fitness station.

AA have previously undertaken fitness renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The fitness layout from AA is deemed best value to Council and is recommended for portion 3 of this tender.

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

Urban Play (UP) - submitted two comprehensive offers that met all the criteria outlined in the tender specifications and contained two fitness station layout options for consideration. The submission from UP for 'Option 1' was the third lowest priced offer and received the second highest evaluation score. 'Option 2' offered by UP was the second highest priced offer and received the fifth highest evaluation score. The fitness equipment options offered from UP for Wallace Street Park were deemed to have slightly lower fitness equipment value and functionality for the park than that offered by A Space Australia and were therefore not deemed best value to Council.

Forpark Australia (FA) - submitted a comprehensive offer for the fitness station at Wallace Street Park. FA clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation. The offer from FA was the lowest priced and received the third highest evaluation score, the layout offered by FA did not provide the same high fitness equipment value and functionality as the design offered from A_Space Australia. This offer was not deemed best value for Council.

Separable Portion 4 - Playground and Fitness Renewal Package 2 - Westminster Road Park, Bellmere (Div 3)

RANK	TENDERER	EVALUATION SCORE
1	Urban Play - <i>Playground Layout Option 2</i>	82.13
2	Proludic	81.77
3	A_Space Australia	81.17
4	Urban Play - <i>Playground Layout Option 1</i>	81.05
5	Willplay	76.89
6	Forpark Australia	75.67
7	Playscape Creations - <i>Playground Layout Option 1</i>	74.83
8	Austek Play	73.04
9	Playscape Creations - <i>Playground Layout Option 2</i>	Non-conforming

Urban Play (UP) - submitted two comprehensive tender submissions that met all the criteria outlined in the tender specification. The submission from UP for 'Option 2' was the second highest priced offer and received the highest evaluation score due to its design layout and high play value. 'Option 1' offered by UP was the fourth lowest priced offer and received the fourth highest evaluation score. The playground option 1 offered from UP for Westminster Road Park was deemed to have slightly lower play value and functionality for the park than UP option 2 and therefore Urban Play option 1 was not deemed best value to Council.

UP have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout, including high play value, from UP option 2 is deemed best value to Council and is recommended for portion 4 of this tender.

Proludic (PL) - clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation. The offer from PL was the second lowest priced and received the second highest evaluation score, the layout offered by PL did not provide the same high play value and functionality as the design offered from Urban Play option 2. This offer was not deemed best value for Council.

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

A_Space Australia (AA) - clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation. The offer from AA was the fifth lowest priced and received the third highest evaluation score, the layout offered by AA did not provide the same high play value and functionality as the design offered from Urban Play option 2. This offer was not deemed best value for Council.

The offer from **Playscape Creations 'option 2'** exceeded the budget allowance outlined in the tender specification for this park and were deemed non-conforming and not considered.

Separable Portion 5 - Playground and Fitness Renewal Package 2 - Zammitt Road Sportsground (Div 2)

RANK	TENDERER	EVALUATION SCORE
1	Urban Play - <i>Playground Layout Option 2</i>	106.17
2	A_Space Australia	104.38
3	Urban Play - <i>Playground Layout Option 1</i>	103.40
4	Willplay	102.73
5	Forpark Australia	96.04
6	Austek Play	95.90

Urban Play (UP) - submitted two comprehensive tender submissions that met all the criteria outlined in the tender specification. The submission from UP for 'Option 2' was the third highest priced offer and received the highest evaluation score due its design layout and high play value. 'Option 1' offered by UP was the third lowest priced offer and received the third highest evaluation score. The playground option 1 offered from UP for Zammitt Street Sportsground was deemed to have slightly lower play value and functionality for the park than UP option 2 and therefore Urban Play option 1 was not deemed best value to Council.

UP have previously undertaken playground renewal projects for Council. These projects have been delivered on time and to a satisfactory standard. The playground layout, including high play value, from UP option 2 is deemed best value to Council and is recommended for portion 5 of this tender.

A_Space Australia (AA) - clearly demonstrated their ability to deliver the project and met all tender specifications outlined in the tender documentation. The offer from AA was the lowest priced and received the second highest evaluation score, however, the layout offered by AA did not provide the same high play value and functionality as the design offered from Urban Play option 2. This offer was not deemed best value for Council.

3. Strategic Implications

3.1 Legislative / Legal Implications

Council requested quotations from suitably qualified suppliers selected from the prequalified Local Buy Supplier Panel BUS267 Open Spaces, Parks, Play, Sport & Recreation in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

3.3 Policy Implications

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

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

The tendering and evaluation process for this contract is undertaken within Councils' endorsed Procurement Policy (including Local Preference). All tenders were assessed in line with the selection criteria and weightings outlined in the tender documentation.

3.4 Risk Management Implications

This contract will ensure Council receives compliant, innovative playgrounds and fitness nodes to meet the demands of park users and will be installed by suitably qualified and experienced contractors.

A third-party review of financial status has been undertaken on the recommended tenderers. The outcome of these reviews is listed below.

- **Separable Portion 1 and 3** - A_Space Australia received a rating of 'sound' which has confirmed they have the capability and financial capacity to carry out the works in separable portions 1 and 3.
- **Separable Portions 2, 4 and 5** - Urban Play received a rating of 'satisfactory' which has confirmed they have the capability and financial capacity to carry out the works in separable portions 2, 4 and 5.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated a total of \$1.79M in its 20-21 Capital Projects Budget towards the renewal of playground and fitness infrastructure. The work has been broken down into 2 packages, with package one worth an estimated \$1,040,128.02 (earlier report in today's business paper) and package 2 worth an estimated \$581,439.20. All financials below are excluding GST.

Playground and Fitness Infrastructure - Package 1	\$ 1,040,128.02
Playground and Fitness Infrastructure - Package 2:	
Separable Portion 1 - Tender Price	\$ 105,910.00
Separable Portion 2 - Tender Price	\$ 75,664.00
Separable Portion 3 - Tender Price	\$ 109,750.00
Separable Portion 4 - Tender Price	\$ 109,834.00
Separable Portion 5 - Tender Price	\$ 124,674.00
Package 2 Sub Total	\$ 525,832.00
Contingency - 10%	\$ 52,583.20
Qleave	\$ 3,024.00

Total Package 2 Cost	\$ 581,439.20
	=====
Total Package 1 + 2 Cost	\$1,621,567.22
Remaining Funds	\$ 168,432.78

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

MBRC playgrounds and fitness nodes provide dedicated locations for community interaction for children and parents that allow the community to play/ exercise in a safe environment while developing and enhancing fitness, sensory motor, play and social interaction skills using the equipment provided.

ITEM 3.7 TENDER - 2020/2021 PLAYGROUND AND FITNESS RENEWAL - PACKAGE 2 - A1563149 (Cont.)

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

UNCONFIRMED

4 PLANNING SESSION

(Cr D Grimwade)

ITEM 4.1

**REMISSION REQUEST FOR DEVELOPMENT APPLICATION FEES FOR
SOLANDER LAKE BOWLS CLUB**

Meeting / Session: 4 PLANNING
Reference: A20048842 : 7 July 2020
Responsible Officer: CQ, Coordinator Specialist Assessment (PL Development Services)

Executive Summary

The purpose of this report is to seek Council's decision regarding the remission of \$811.00 for development application fees for a minor change to a condition of the approved Material Change of Use Development Permit for Entertainment and Recreation (Outdoors) at the Solander Lake Bowls Club, Banksia Beach (Cosmos Park Sports Complex).

The Solander Lake Bowls Club holds both a gaming licence and a Community Club liquor licence, and therefore does not meet the criteria of *Council's Remission Policy 2150-015: Development Fees and Infrastructure Charges for Community Organisations and Charitable Groups*.

It is considered however, that the not-for-profit Club provides a valuable service to its members and the wider Bribie Island community, and therefore meets the "intent" of the Policy. It is therefore recommended that the remission request for the Solander Lake Bowls Club be approved.

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Adam Hain

CARRIED 13/0

That a remission for the Solander Lake Bowls Club of \$811.00 for development application fees for a minor change to the approved Material Change of Use Development Permit for Entertainment and Recreation (Outdoors) at the Cosmos Park Sports Complex, 70 Sunderland Drive, Banksia Beach (Reference: DA/27470/2013/VCHG/2), be approved.

ITEM 4.1 REMISSION REQUEST FOR DEVELOPMENT APPLICATION FEES FOR SOLANDER LAKE BOWLS CLUB - A20048842 (Cont.)

OFFICER'S RECOMMENDATION

That a remission for the Solander Lake Bowls Club of \$811.00 for development application fees for a minor change to the approved Material Change of Use Development Permit for Entertainment and Recreation (Outdoors) at the Cosmos Park Sports Complex, 70 Sunderland Drive, Banksia Beach (Reference: DA/27470/2013/VCHG/2), be approved.

REPORT DETAIL

1. Background

On 18 March 2020, Council's Manager Development Services approved a reduction of \$969.00 to the Solander Lake Bowls Club for the fees associated with the application for a minor change to a condition of the approved Material Change of Use Development Permit for Entertainment and Recreation (Outdoors) at 70 Sunderland Drive, Banksia Beach.

This fee reduction (from \$1,780.00 to \$811.00) was considered to be reflective of the amount of work required to process an amendment to a single condition of a current Development Permit and is in keeping with fee reductions approved in similar circumstances, i.e. minor change to one condition.

2. Explanation of Item

2.1 Proposal

The applicant, Solander Lake Bowls Club Inc is seeking a minor change to their approval, being a change to a single condition. The condition relates to the use of lights and the ability to introduce an additional night per week.

The Club has requested a full waiver of the application fee, due to the minor nature of the change, stating that the Club is not-for-profit, and that the change to allow the lights on Mitchell Green to be utilised for one additional night per week is not for financial gain. The applicant further advises that the average age of members of the Club is over 70 years and allowing an additional evening each week to play will be of assistance during the warmer months.

Solander Lake Bowls Club is part of the Cosmos Park Sports Complex, which is owned by MBRC. A community lease is held by the Club, and Council's Sport and Recreation department have provided their support for the proposed change to the lighting on the green.

2.2 Remission Policy

The remission request for the \$811.00 application fee has been considered under *Council's Remission Policy 2150-015: Development Fees and Infrastructure Charges for Community Organisations and Charitable Groups*. The Policy outlines criteria to be met regarding not-for-profit status, evidence demonstrating no financial gain, and the provision of services that make a vital contribution to the Moreton Bay region. The Club meets all Policy criteria however it holds both a gaming licence and a Community Club liquor licence.

It is considered that the Club provides a valuable service to its members and the wider Bribie Island community, and therefore meets the "intent" of the Policy. Furthermore, the Remission Policy states that "*Council may consider, by exception, an application for remission, where there is a primary wide community benefit and where a strict application of the scheduled development application fees and charges could cause hardship and reduce valuable services to the community*". It is therefore recommended that the remission request of \$811.00 be approved for the Solander Lake Bowls Club.

ITEM 4.1 REMISSION REQUEST FOR DEVELOPMENT APPLICATION FEES FOR SOLANDER LAKE BOWLS CLUB - A20048842 (Cont.)

3. Strategic Implications

- 3.1 Legislative / Legal Implications Nil identified
- 3.2 Corporate Plan / Operational Plan
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.
- 3.3 Policy Implications
The remission request has been sought under Council's Remission Policy 2150-015
- 3.4 Risk Management Implications
The decision regarding this remission request may have implications for future remission requests from other Clubs in the region who have a gaming and liquor licence.
- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
Remissions are factored into Council's budget.
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Division 1 Councillor has been consulted.

ATTENDANCE

Mr Marco Alberti attended the meeting at 10.13am for discussion on Item 4.2.

ITEM 4.2

DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY

APPLICANT: DL AND ASSOCIATES PTY LTD C/- DTS GROUP QLD PTY LTD
OWNER: AUGUSTA ELC PTY LTD AS TRUSTEE

Meeting / Session: 4 PLANNING
Reference: A20061117 : 21 May 2020 – Refer Supporting Information A20061124, A20224749 & A20224772
Responsible Officer: CA, Senior Planner (PL Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	DL and Associates Pty Ltd C/- DTS Group QLD Pty Ltd
Lodgement Date:	20 February 2020
Properly Made Date:	27 February 2020
Confirmation Notice Date:	4 March 2020
Information Request Date:	18 March 2020
Info Response Received Date:	2 April 2020
Public Notification Dates:	Commenced: 14 April 2020 Finished: 12 May 2020
No. of Submissions:	Properly Made: 2 Not Properly Made: 0
Decision Due Date:	22 July 2020
Prelodgement Meeting Held:	Yes (PRE/5356)

PROPERTY DETAILS	
Division:	Division 5
Property Address:	54-66 Old Bay Road, Deception Bay
RP Description	Lot 32 SP152335
Land Area:	16,380m ²
Property Owner	Augusta Elc Pty Ltd as Trustee

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	MBRC Planning Scheme
Planning Locality / Zone	General Residential Zone - Suburban Neighbourhood Precinct
Level of Assessment:	Impact and Policy Neutral

This application seeks a Material Change of Use - Development Permit for Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation at 54-66 Old Bay Road, Deception Bay, described as Lot 32 SP152335.

The application was publicly advertised with two (2) properly made submissions received. The proposed development is consistent with the intent of the MBRC Planning Scheme, and is recommended to be approved, subject to conditions.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

This report is being presented to the Council for decision as the proposal received submissions, with the development application to be determined by the Council instead of under Council officer delegation. Therefore, Council is now the authorised entity to decide the development application.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Sandra Ruck

CARRIED 13/0

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

UNCONFIRMED

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation at 54-66 Old Bay Road, Deception Bay, described as Lot 32 SP152335, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan Proposed	A-102 (B.)	Christian Zambelli Architect	30/03/2020
Site Plan Proposed	A-103 (B.)	Christian Zambelli Architect	30/03/2020
Ground and Roof Plan Proposed - Building 1	A-201 (B.)	Christian Zambelli Architect	30/03/2020
Ground and Roof Plan Proposed - Building 2	A-202 (B.)	Christian Zambelli Architect	30/03/2020
Ground, Level 1 and Roof Plan Proposed - Building 3	A-203 (B.)	Christian Zambelli Architect	30/03/2020
Ground and Roof Plan Proposed - Building 4	A-204 (B.)	Christian Zambelli Architect	30/03/2020
Street View Elevations Proposed	A-300 (B.)	Christian Zambelli Architect	30/03/2020
SW, NW, NE & SE Elevations Proposed - Building 1	A-301 (B.)	Christian Zambelli Architect	30/03/2020
SW, NW, NE & SE Elevations Proposed - Building 2	A-302 (B.)	Christian Zambelli Architect	30/03/2020
SW, NW, NE & SE Elevations Proposed - Building 3	A-303 (B.)	Christian Zambelli Architect	30/03/2020
SW, NW, NE & SE Elevations Proposed - Building 4	A-304 (B.)	Christian Zambelli Architect	30/03/2020
Perspectives	A-305 (B.)	Christian Zambelli Architect	30/03/2020
A, B, C & D Sections Proposed - Building 1 & 2	A-401 (B.)	Christian Zambelli Architect	30/03/2020
E, F, G & H Sections Proposed - Building 3 & 4	A-402 (B.)	Christian Zambelli Architect	30/03/2020
Landscape Plan	2002 Sht-1 Rev. B	Mark Baldock Landscape Architect	17/02/2020
Site Based Stormwater Management Plan	6010-3.1	STORM water consulting	31/03/2020
Traffic Impact Assessment	CIV2313-TRAF01	Contour	12/02/2020
Waste Management Plan	CIV02313 Rev B	Contour	14/02/2020

Conditions

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
1	Approved Plans and/or Documents	

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
A	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 commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
B	Submit to the Council for its records a 3D digital copy of the final development approval plans in .SKP or .DAE file format. Note: Refer to https://www.moretonbay.qld.gov.au/Services/Building-Development/DA-Lodgement/3D-Model-Submission for more details.	
2	Building Design	
A	Extend the awnings for Buildings 2 and 3 along the Old Bay Road frontage of the site to the front property boundary or an alternative alignment agreed to by Council in writing that improves sun and rain protection to the uses and members of the public. If required, the awnings are to be cantilevered and not supported by posts.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
B	Extend the pavement area in front of Buildings 2 and 3 along the Old Bay Road frontage to the alignment of the awning above it as the presence of an awning above makes the area below unsuited to landscaping.	
C	Ensure all glazing along the Old Bay Road frontage remains uncovered and free of signage, stickers, frosting, curtains, blinds and the like, unless otherwise approved by Council in writing, to ensure that there are views into the tenancies from the road and vice versa and the creation of an Active Frontage as defined in the Planning Scheme.	
3	On-Site Car Spaces	
A	Provide car spaces on-site generally in accordance with the approved plans.	Prior to 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.	
4	Bicycle Parking Facilities	
	Install secure bicycle parking facilities for a minimum of ten (10) bicycles. Bicycle parking is to be provided in accordance with Austroads (2008), Guide to Traffic management - Part 11: Parking.	Prior to commencement of use or Council endorsement of any Community Management

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING										
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT												
DEVELOPMENT PLANNING												
		Statement, whichever occurs first and to be maintained at all times.										
5	Use and Survey											
A	Ensure the Caretakers Residence is; (i) not separately titled (for example under a Building Format Plan) from the other tenancies in the development; or (ii) included as part of the common property in any Community Title Scheme. to ensure the use operates as a Caretakers Residence and not as a Dwelling House.	To be maintained at all times.										
B	Ensure the approved uses are limited to the maximum Gross Floor Areas as nominated below:											
	<table border="1"> <thead> <tr> <th>Possible Land Use Activity</th> <th>Gross Floor Area</th> </tr> </thead> <tbody> <tr> <td>Health Care Services</td> <td>1,395m²</td> </tr> <tr> <td>Shop</td> <td>540m²</td> </tr> <tr> <td>Food & Drink Outlet</td> <td>80m²</td> </tr> <tr> <td>Indoor Recreation & Sport</td> <td>350m²</td> </tr> </tbody> </table>	Possible Land Use Activity	Gross Floor Area	Health Care Services	1,395m ²	Shop	540m ²	Food & Drink Outlet	80m ²	Indoor Recreation & Sport	350m ²	
Possible Land Use Activity	Gross Floor Area											
Health Care Services	1,395m ²											
Shop	540m ²											
Food & Drink Outlet	80m ²											
Indoor Recreation & Sport	350m ²											
6	Electrical Transformer											
	Ensure that there is no electrical transformers located in the front setback of the development.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.										
7	Premises Hours of Operation and Servicing											
	Limit the hours of operation and servicing for all tenancies to between 6am to 9pm Monday to Sunday unless agreed to otherwise by the Council in writing.	At all times.										
8	Street Numbering and Building Names											
	Install street numbering 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 commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.										

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
9	Fencing	
	Ensure that any fencing constructed between this development and the approved Child Care Centre on the same site; (i) is no less than 50% transparent spread evenly across its total surface area and a maximum height of 1.2 metres; and (ii) maintains an opening / gate between the uses that is not secured or locked while the use is operating.	At all times.
10	External Lighting	
A	Install external lighting in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to commencement of use or Council
B	Provide certification from a suitably qualified person that external lighting has been installed in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting).	endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
11	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 commencement of use and for (A) 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.	
12	Waste Management Program	
A	Implement the approved waste management program. Note: This development will use 1.1 m ³ bins serviced onsite.	Prior to commencement of use and for (B) and (C) to be maintained at all times.
B	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	
C	Provide a bin wash down facility connected to sewer as per SC 6.20 Planning Scheme Policy - Waste.	
13	Landscaping	
A	Provide landscaping generally in accordance with the approved Landscape Plan and Planning Scheme Policy - Integrated Design Appendix D - Landscaping. The landscaping must also include the planting of street trees along both the Old Bay Road and Thompson street frontages at a rate of 1 per 25 metres.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
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.
14	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 commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
15	Screening of Loading Facilities / Plant Areas	
	Screen Loading/Unloading Facilities, Plant Areas, Refuse Storage And Other Outdoor Storage Facilities on the site from direct view from any adjoining road or public space.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
16	Water and/or Sewerage	
	Submit to Council a Certificate of Completion or Provisional Certificate of Completion (for each stage where there are stages) for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: (i) a reticulated water supply network connection is available to the land; and (ii) a sewerage network connection is available to the land; and (iii) all the requirements of Unitywater have been satisfied.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
17	Fibre Ready Telecommunications – Single	
A	Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs as amended, that: (i) Extends the service drop conduit from the property boundary to the external Premises Connection Device (PCD) or the likely location of the PCD; and (ii) Extends a communications conduit with drawstring from the external PCD or the likely location of the PCD to the	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	internal Fibre Wall Outlet (FWO) or the likely location of the FWO.	
B	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. Note: A template for certification is available from council for the purpose of this condition.	
18	Telecommunications Internal Wiring	
A	Install internal wiring (Category 6 or better) within each tenancy 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 points in the tenancy that would have been or have been installed for telephone and television connections; including but not limited to offices, staff rooms, bedrooms, family/living rooms, study/office and the like.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
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.	
19	Electricity	
A	Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an underground electricity supply network has been or will be constructed to the site.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
B	(i) Underground the existing overhead electricity supply powerlines (low voltage and 11Kv) along the Old Bay Road frontage of the site between poles P483791 and X21519-B; and (ii) Remove power pole SP12649-B and its pole mounted transformer that if still required is to become a Pad mounted transformer and not transferred to another pole; and (iii) Remove power pole P292585 (noted as being likely in conflict with the entrance into the development); and (iv) where necessary to comply with Council standards, install new street lighting posts with lamps as needed along the Old Bay Road Frontage.	

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	To remove any doubt, power poles P483791 and X21519-B may remain.	
20	Extent of Vegetation Clearing	
A	Clearing of native vegetation is limited to the habitat tree located along the Old Bay Road frontage.	Prior to and during site works and to be maintained.
B	Provide replacement fauna nesting boxes on-site at the following rate: (i) One (1) nest box for every hollow removed; or (ii) Where hollows have not yet formed in trees greater than 80cm in diameter at 1.3m height, three (3) nest boxes are required for every habitat tree removed.	Prior to the commencement of use.
C	Maintain the existing vegetation along the eastern portion of the site.	Prior to and during site works and to be maintained.
21	Temporary Exclusion Fencing	
	Delineate areas where vegetation is to be maintained with exclusion fencing to prevent accidental felling.	During site works.
22	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.
DEVELOPMENT ENGINEERING		
23	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 Council endorsement of any Community Management Statement, whichever occurs first.
24	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 Council endorsement of any Community Management Statement, whichever occurs first.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
25	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.
26	Stormwater and Flood Management	
A	Implement and maintain the works identified in the approved Stormwater Management Plan. <i>Note approved SMP includes 5 SPEL Stormsacks (1 per inlet) and 18 SPEL filter cartridges (EMC 45L)</i>	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
B	Provide flood warning and flood depth signage for the access off Thompson street and for the flooded car park area, in the locations identified on the approved Site Plan.	
C	Submit certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the works, including the signage, have been built in accordance with the approved Stormwater Management Plan.	
D	Provide a registered easement for drainage purposes in favour of Council over the area shown on the approved Site Plan in red hatch under its standard terms and requirements as registered with the Titles office.	
27	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: (i) All construction access to be from Thompson Street (ii) Material delivery and storage locations (iii) Waste locations and collection details (iv) Construction office accommodation (v) Contractor / tradesman vehicle parking arrangements (vi) 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:	Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	<p>Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs).</p> <p>Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable.</p> <p>Traffic control measures may need to be put in place for the duration of the construction works to control contractor / tradesman vehicle parking arrangements, this should be documented within the CMP.</p> <p>Materials unloading and loading must occur on-site unless prior written approval is given by Council.</p> <p>All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.</p>	
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.
28	Erosion and Sediment Control	
A	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.
29	Driveway Crossover, Access, Internal Roadways, Parking and Servicing Areas	
A	<p>Design and construct sealed (concrete or bitumen) driveway crossovers, 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.</p> <p><i>Note driveway crossing levels to Thompson St to match ultimate kerb and channel with the future continuation of the existing eastern profile opposite Rainbow St</i></p>	Prior to commencement of use or Council 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.	
30	Minimum Flood Planning Level	

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CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
A	Design and construct the floor levels of each building to at least the Council adopted Flood Planning Level (FPL). The FPL for this site at the time of approval is 4.4m m AHD.	Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
B	Submit to Council As-Constructed survey prepared by a Registered Surveyor, certifying that the development has been constructed in accordance this condition.	

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 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>
3	Food Premises - Food Business Licence Advice

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ADVICES	
	<p>In accordance with the Food Act 2006, the following must be submitted to Council prior to the commencement of construction or fit out of any licensable food business:</p> <ol style="list-style-type: none"> 1. An application for food business licence. 2. Plans and elevations (refer to note below). 3. Supporting documentation. 4. Relevant fee. <p>Note: The application is assessed against the provisions of the <i>Food Act 2006, Australia and New Zealand Food Standards Code and AS 4674 – Design, construction and fit-out of food premises (or equivalent)</i>.</p>
4	Signage
	<p>Ensure all signage on the site is established on the site either:</p> <ol style="list-style-type: none"> 1. In accordance with the Requirements for Accepted Development of the Advertising Devices Code; OR 2. In accordance with any Operational Works - Development Permit for an Advertising Device.

- B. That the Council report for this application be published to the website as Council's statement of reasons in accordance with Section 63 (5) of the *Planning Act 2016*.
- C. 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 Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation
Relevant Period of Approval	Material Change of Use – 6 years
Section 64(5) Deemed Approval	Not applicable
Superseded Planning Scheme	Not applicable
Variation approval affecting the Planning Scheme	Not applicable
Other Necessary Permits	<ul style="list-style-type: none"> • Operational Works – Development Permit • Building Works – Development Permit
Codes for Accepted Development	Not applicable
Referral Agencies	There are no Referral Agencies
Submissions	There were two (2) properly made submissions received about this application.

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REPORT DETAIL

1. Background

On 9 April 2019, Council approved a Material Change of Use - Development Permit for Child Care Centre over the southern portion of the site (DA/37063/2018/V2C). This current development application seeks to develop the remaining site area.

On 25 November 2019, a Prelodgement Meeting was held in relation to the uses proposed as part of this development application (PRE/5356) and this development application is consistent with what was discussed at that meeting.

2. Explanation of Item

2.1 Proposal

This application seeks a Material Change of Use - Development Permit for Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation.

The applicant has described the proposal as the development of a health care hub consisting of various health care services, ancillary shops, café, indoor swim school and a caretaker's residence. The site also contains an existing approval for a Child Care Centre (DA/37063/2018/V2C) over the southern portion of the site.

A summary of the development components proposed is provided below:

Tenancy	Gross Floor Area	Possible Land Use Activity
1	250m ²	Health Care Services (e.g. Medical Centre)
2	400m ²	Health Care Services / Shop (e.g., Medical and/or Chemist)
3	80m ²	Health Care Services / Food & Drink Outlet (e.g. Medical and/or Café and/or convenience store)
4	100m ²	Health Care Services
5	135m ²	Health Care Services
6	140m ²	Health Care Services / Shop (e.g., Medical and/or Chemist)
7	130m ²	Health Care Services
8	160m ²	Health Care Services
9	350m ²	Indoor Recreation & Sport (Indoor Swim School)
-	245m ²	Caretakers Accommodation (Caretakers residence)

The development has been designed to create an active frontage along Old Bay Road through the provision of awnings, windows and architectural features. The majority of the Thompson Street frontage is mapped as being within a Medium Risk Flood Hazard Area. As such, the built form itself does not encroach into this mapped area. Car parking spaces are proposed to be constructed along the Thompson Street frontage, however a wider landscape buffer is proposed to soften the hardstand of the car park area. The western portion of the site contains established vegetation that is to be maintained.

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Access to the development is provided via both Old Bay Road and Thompson Street. The Thompson Street access point is located within the Medium Risk Flood Hazard Area and floods in a 1% Annual Exceedance Probability (AEP) with a depth of approximately 300mm. Due to the limited flood depth and the availability of an alternate flood free access via Old Bay Road, the Thompson Street access point is satisfactory with the provision of appropriate signage outlining the hazard.

A total of eighty-three (83) car parking spaces are proposed to service the development. The northern car parking area is prone to flooding in a 1% AEP event to an approximate depth of 300mm for seven (7) car parking spaces. Due to the limited flood depth (and based on the Queensland Urban Drainage Manual) the location of these spaces is satisfactory with the provision of appropriate signage outlining the hazard.

2.2 Description of the Site and Surrounds

The site is located on the corner of Old Bay Road and Thompson Street, Deception Bay and is within the General Residential Zone - Suburban Neighbourhood Precinct.

As the development site is adjacent to Progress Park Sports Fields that then connects onto Council owned land and the Christ the King Catholic Primary School, in close proximity to Deception Bay North State School and has an existing approval for a Child Care Centre on the southern portion of the site, the development proposal represents the expansion of an existing Neighbourhood Hub.

The site is relatively clear of vegetation due to previous clearing that has lawfully occurred, with the exception of a vegetated area along the eastern portion of the site and a single tree along the Old Bay Road frontage. This development application proposes to retain the existing vegetation along the eastern boundary, however the tree along the Old Bay Road frontage is proposed to be removed to make way for vehicle access to the site.

A portion of the site is mapped within the Balance and Medium Risk Area of the Flood Hazard Overlay.

An overview of the surrounding area, including zones and land uses, is outlined in the below table:

Directions	Planning Scheme Zone	Current Land Use
North	Rural Zone	Rural properties on the opposite side of Thompson Street
South	Recreation and Open Space Zone	Progress Park Sports Fields
East	Recreation and Open Space Zone	Stormwater drainage directly adjacent to the site and Dwelling Houses beyond
West	General Residential Zone - Suburban Neighbourhood Precinct	Dwelling Houses

2.3 Assessment Benchmarks related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out against, which are additional or alternative to the Assessment Benchmarks contained in Council's Planning Scheme.

These Assessment Benchmarks are prescribed as being contained in:

- the South East Queensland Regional Plan and Part E of the State Planning Policy; and
- Schedule 10 of the Regulation.

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Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> South East Queensland Regional Plan
SEQ Regional Plan Designation:	<ul style="list-style-type: none"> Urban Footprint
Koala Habitat Designation:	Nil

2.3.1 State Planning Policy

A new State Planning Policy came into effect on 3 July 2017 and is not currently integrated into the MBRC Planning Scheme. The following assessment benchmarks are to be applied to the assessment of development applications until the State interests have been appropriately integrated into Council's planning scheme. Assessment against the SPP assessment benchmarks is as follows:

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - water quality		
Applicable to Development	SPP requirement	Comment
Yes	(1) Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from <ul style="list-style-type: none"> (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilization of nutrients and sediments. (2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2) (3) Development in a water supply buffer area avoids adverse impacts on	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.

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	drinking water supply environmental values.	
Assessment benchmarks - natural hazards, risk and resilience		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Erosion prone areas within a coastal management district:</p> <p>(1) Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere as is:</p> <p>(a) coastal dependent development; or</p> <p>(b) temporary, readily relocatable or able to be abandoned development; or</p> <p>(c) essential community infrastructure; or</p> <p>(d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.</p> <p>(2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(3) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>All natural hazard areas:</p> <p>(4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(5) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.</p> <p>(6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a</p>	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.

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	<p>result of a natural hazard are avoided.</p> <p>(7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.</p>	
Assessment benchmarks - strategic airports and aviation facilities		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

2.3.2 South East Queensland Regional Plan

The site is located in the Urban Footprint designation. 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.

2.3.3 Schedule 10 of the Regulation – Koala Habitat (not applicable)

The site is not located in a Koala Priority Area or Koala Habitat Area and therefore the assessment benchmarks within the Regulation are not applicable. To remove any doubt, there were also no koala habitat regulatory controls applying to the site prior to 7 February 2020 when the state regulations dealing with koala habitat were amended. This is for information purposes only due to a submission raising concerns relating to koalas within the area.

2.4 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.

2.4.1 Strategic Framework

The proposal is generally consistent with the Strategic Framework. Given the proposal, on balance, achieves the Overall Outcomes of the relevant codes, an assessment against the Strategic Framework is not required by the development proposal.

2.4.2 Assessment of Applicable Codes

Code Compliance Summary

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal;

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

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Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Zone/ Local Plan Code		
General Residential Zone Code - Suburban Neighbourhood Precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO5, PO16, PO26, PO68, PO69, PO73, PO76
Overlay Codes		
Flood Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The assessment of the development proposal against the Performance Outcomes of the applicable codes is discussed below in section 2.4.3.

2.4.3 Performance Outcome Assessment

Performance Outcome	Example
General Residential Zone Code - Suburban Neighbourhood Precinct	
PO5 Front setbacks ensure non-residential buildings address and actively interface with streets and public spaces.	E5.1 For the primary street frontage buildings are constructed: <ol style="list-style-type: none"> a. to the property boundary; or b. setback a maximum of 3m from the property boundary, where for the purpose of outdoor dining. AND E5.2 For the secondary street frontage, setbacks are consistent with adjoining buildings.
<i>Performance Outcome Assessment</i>	
The built form of the development provides setbacks ranging from 1.5m to 2.9m along the Old Bay Road frontage and between 1.5m and 4.9m along the Thompson Street frontage.	
The increased setbacks along the Old Bay Road frontage have been provided to allow additional pavement along the frontage where the verge narrows. Although setback from the primary street frontage, the built form addresses the street and provides an active interface through the provision of awnings, windows and architectural features.	
The built form along Thompson Street, being the secondary street frontage, contains setbacks that ensure the built form does not encroach within the mapped Medium Risk Flood Hazard Area. Example E5.2 suggests setbacks for the secondary street frontage are consistent with adjoining buildings. Although there are no buildings adjoining this site, the Dwelling Houses to the east are setback approximately 4.5m. An increased setback along this frontage is therefore more in line with the residential development to the east and also consistent with setbacks sought for residential development within the Suburban Neighbourhood Precinct. Windows are provided within the built	

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Performance Outcome	Example				
<p>form in order to provide casual surveillance of the public space. A landscape buffer is also proposed to be provided along this frontage.</p> <p>Overall, it is recommended that the performance solution be accepted in this instance.</p>					
<p>PO16</p> <ul style="list-style-type: none"> a. Development ensures that the biodiversity quality and integrity of habitats is not adversely impacted upon but maintained and protected. b. Development does not result in the net loss of fauna habitat. Where development does result in the loss of a habitat tree, development will provide replacement fauna nesting boxes at the following rate of 1 nest box for every hollow removed. Where hollows have not yet formed in trees > 80cm in diameter at 1.3m height, 3 nest boxes are required for every habitat tree removed. c. Development does not result in soil erosion or land degradation or leave land exposed for an unreasonable period of time but is rehabilitated in a timely manner <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> <p>Note: Further guidance on habitat trees is provided in Planning scheme policy - Environmental areas</p> </div>	<p>No example provided.</p>				
<p><i>Performance Outcome Assessment</i></p>					
<p>The site is relatively clear of vegetation due to previous clearing that has lawfully occurred, with the exception of a vegetated area along the eastern portion of the site and a single habitat tree along the Old Bay Road frontage. This development application proposes to retain the existing vegetation along the eastern boundary, however the tree along the Old Bay Road frontage is proposed to be removed to allow vehicle access to the site.</p> <p>In order to achieve compliance with Performance Outcome PO16, if the development application were approved, it is recommended to be subject to a condition requiring nest boxes to be provided on site.</p> <p>Therefore, with a recommended condition requiring the placement of nest boxes, the proposal achieves the Performance Outcome.</p>					
<p>PO26</p> <p>All Council controlled frontage roads adjoining the development are designed and constructed in accordance with Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures. All new works are</p>	<p>E26</p> <p>Design and construct all Council controlled frontage roads in accordance with Planning scheme policy - Integrated design, Planning scheme policy - Operational works inspection, maintenance and bonding procedures and the following:</p> <table border="1" data-bbox="874 1982 1489 2042"> <thead> <tr> <th data-bbox="874 1982 1177 2042">Situation</th> <th data-bbox="1177 1982 1489 2042">Minimum construction</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Situation	Minimum construction		
Situation	Minimum construction				

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Performance Outcome	Example	
<p>extended to join any existing works within 20m.</p> <p>Note - Frontage roads include streets where no direct lot access is provided. Note - The road network is mapped on Overlay map - Road hierarchy Note - The Primary and Secondary active transport network is mapped on Overlay map - Active transport.</p> <p>Note - Roads are considered to be constructed in accordance with Council's standards when there is sufficient pavement width, geometry and depth to comply with the requirements of Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures.</p>	<p>Frontage road unconstructed or gravel road only; OR Frontage road sealed but not constructed* to Planning scheme policy - Integrated design standard; OR Frontage road partially constructed* to Planning scheme policy - Integrated design standard.</p>	<p>Construct the verge adjoining the development and the carriageway (including development side kerb and channel) to a minimum sealed width containing near side parking lane (if required), cycle lane (if required), 2 travel lanes plus 1.5m wide (full depth pavement) gravel shoulder and table drainage to the opposite side. The minimum total travel lane width is:</p> <ul style="list-style-type: none"> • 6m for minor roads; • 7m for major roads.
<p>Note - Major roads are sub-arterial roads and arterial roads. Minor roads are roads that are not major roads. Note - Construction includes all associated works (services, street lighting and linemarking).</p> <p>Note - Alignment within road reserves is to be agreed with Council.</p> <p>Note - *Roads are considered to be constructed in accordance with Council standards when there is sufficient pavement width, geometry and depth to comply with the requirements of Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures. Testing of the existing pavement may be required to confirm whether the existing works meet the standards in Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures.</p>		
<p><i>Performance Outcome Assessment</i></p>		
<p>Thompson Street is a Council district collector with a 20m road reserve width and 6m seal. There is currently no kerb and channel constructed along both sides of the street for a length of approximately 250m, extending from Old Bay Road. Given that Thompson Street is mapped as a trunk road, no frontage works have been conditioned as it is recognised that upgrades will be required in the future that will be better managed as a coordinated process and not a piecemeal upgrade.</p> <p>Further, while a district collector typology would require a 26.8m reserve width, such a typology provides an on street car parking lane (2.6m wide) on each side. However given the design of the development along Thompson Street and the flood constrained nature of land opposite, it is very unlikely on street parking lanes along this section of Thompson Street would ever be necessary (in contrast to the existing fully developed section to the east). The remaining components of the</p>		

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Performance Outcome	Example																																	
<p>typology can be accommodated in the existing road reserve width. Therefore, it is not necessary to require any widening of the existing 20.0m wide trunk road reserve.</p> <p>Therefore, the proposal achieves the Performance Outcome.</p>																																		
<p>PO68 Retail and commercial uses within a neighbourhood hub are of a scale that provide for the convenience needs or localised services of the immediate neighbourhood and do not constitute the scale or function of a Local centre.</p> <p>Note - For the function and scale of a Local centre refer to Table 6.2.1.1 Moreton Bay centres network.</p>	<p>E68 Retail and commercial uses within a neighbourhood hub consist of no more than:</p> <ol style="list-style-type: none"> 1 small format supermarket with a maximum GFA of 1200m²; 10 small format retail or commercial tenancies with a maximum GFA of 100m² each. 																																	
<p><i>Performance Outcome Assessment</i></p> <p>This application seeks to expand an existing neighbourhood hub to provide nine (9) retail/commercial tenancies, creating a Healthcare Centre, ranging in size as outlined below:</p> <table border="1"> <thead> <tr> <th>Tenancy</th> <th>Gross Floor Area</th> <th>Possible Land Use Activity</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>250m²</td> <td>Health Care Services (e.g. Medical Centre)</td> </tr> <tr> <td>2</td> <td>400m²</td> <td>Health Care Services / Shop (e.g., Medical and/or Chemist)</td> </tr> <tr> <td>3</td> <td>80m²</td> <td>Health Care Services / Food & Drink Outlet (e.g. Medical and/or Café and/or convenience store)</td> </tr> <tr> <td>4</td> <td>100m²</td> <td>Health Care Services</td> </tr> <tr> <td>5</td> <td>135m²</td> <td>Health Care Services</td> </tr> <tr> <td>6</td> <td>140m²</td> <td>Health Care Services / Shop (e.g., Medical and/or Chemist)</td> </tr> <tr> <td>7</td> <td>130m²</td> <td>Health Care Services</td> </tr> <tr> <td>8</td> <td>160m²</td> <td>Health Care Services</td> </tr> <tr> <td>9</td> <td>350m²</td> <td>Indoor Recreation & Sport (Indoor Swim School)</td> </tr> <tr> <td>-</td> <td>245m²</td> <td>Caretakers Accommodation (Caretakers residence)</td> </tr> </tbody> </table> <p>Total Gross Floor Area (GFA) = 1,745m² (does not include Caretakers Accommodation as this is a residential use)</p> <p>The Performance Outcome requires retail and commercial uses within a neighbourhood hub to be of a scale that provides for the convenience needs or localised services of the immediate neighbourhood and not be of a scale or function of a Local centre.</p> <p>Table 6.2.1.1 Moreton Bay Centres Network within the Planning Scheme identifies the scale of retail and commercial activities that would determine a Local centre. Of note, to be considered a Local centre Table 6.2.1.1 identifies the scale of retail activities as ranging between 5000m² - 7000m² GFA and commercial activities ranging between 2000m² - 5000m² GFA. As demonstrated above, the total GFA is less than what would constitute a Local centre. Further, Table 6.2.1.1 includes a full-line supermarket and local professional offices as being provided within a Local centre that are not proposed in this application. In this instance, the uses proposed as part of this application are small scale that are typically health related and overall, are of a scale that will provide for the immediate neighbourhood and therefore achieves the Performance Outcome.</p>		Tenancy	Gross Floor Area	Possible Land Use Activity	1	250m ²	Health Care Services (e.g. Medical Centre)	2	400m ²	Health Care Services / Shop (e.g., Medical and/or Chemist)	3	80m ²	Health Care Services / Food & Drink Outlet (e.g. Medical and/or Café and/or convenience store)	4	100m ²	Health Care Services	5	135m ²	Health Care Services	6	140m ²	Health Care Services / Shop (e.g., Medical and/or Chemist)	7	130m ²	Health Care Services	8	160m ²	Health Care Services	9	350m ²	Indoor Recreation & Sport (Indoor Swim School)	-	245m ²	Caretakers Accommodation (Caretakers residence)
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Performance Outcome	Example								
<p>PO69 The expansion (into adjoining lots) of existing neighbourhood hubs or the establishment of a new neighbourhood hub must:</p> <ul style="list-style-type: none"> a. adjoin or address a park, public open space or include privately owned civic or forecourt space having a minimum area of 400m²; b. be located on the corner of a sub-arterial or collector road; c. form a 'Main street' having a maximum length of 200m; d. be centrally located within an 800m radial catchment; e. be separated from other neighbourhood hubs and centres by 1600m, measured from the centre of each neighbourhood hub or centre. 	<p>No example provided.</p>								
<p><i>Performance Outcome Assessment</i></p>									
<p>This development represents the expansion of an existing Neighbourhood Hub.</p> <p>Part e. of Performance Outcome PO69 requires neighbourhood hubs to be separated from other neighbourhood hubs and centres by 1600m, measured from the centre of each neighbourhood hub or centre. The proposal is unable to comply with part e. of the Performance Outcome as it is located closer than 1600m to the Deception Bay Centre and the following Neighbourhood Hubs:</p> <table border="1" data-bbox="497 1267 1300 1397"> <tbody> <tr> <td>Deception Bay District Centre</td> <td>Approx. 1,350m</td> </tr> <tr> <td>Alleena Avenue Neighbourhood Hub</td> <td>Approx. 1,200m</td> </tr> <tr> <td>Zammit Street Neighbourhood Hub</td> <td>Approx. 1,200m</td> </tr> <tr> <td>Wallin Avenue Neighbourhood Hub</td> <td>Approx. 1,400m</td> </tr> </tbody> </table> <p>As the proposal is unable to comply with the Performance Outcome, assessment against the Overall Outcome is required and discussed in section 2.4.4 below.</p>		Deception Bay District Centre	Approx. 1,350m	Alleena Avenue Neighbourhood Hub	Approx. 1,200m	Zammit Street Neighbourhood Hub	Approx. 1,200m	Wallin Avenue Neighbourhood Hub	Approx. 1,400m
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<p>PO73 All buildings exhibit a high standard of design and construction, which:</p> <ul style="list-style-type: none"> a. add visual interest to the streetscape (e.g. variation in materials, patterns, textures and colours, cantilevered awning); b. enable differentiation between buildings; c. contribute to a safe environment; d. incorporate architectural features within the building facade at the street level to create human scale (e.g. cantilevered awning); e. include building entrances that are readily identifiable from the road frontage; 	<p>No example provided.</p>								

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Performance Outcome	Example
<ul style="list-style-type: none"> f. locate and orientate to favour active and public transport usage by connecting to pedestrian footpaths on the street frontage and adjoining sites; g. incorporate appropriate acoustic treatments, having regard to any adjoining residential uses; h. facilitate casual surveillance of all public spaces. 	
<i>Performance Outcome Assessment</i>	
<p>The proposed built form has been architecturally designed and provides an active frontage through glazing, awnings and architectural features. The development provides pedestrian access points from the Old Bay Road frontage that lead into the site where delineated lobby areas identify the access point for each tenancy.</p> <p>However, the development is unable to comply with part e. of the Performance Outcome as individual building entrances are not identifiable from the road frontage and are instead accessible from within the car parking area.</p> <p>As the proposal is unable to comply with the Performance Outcome, assessment against the Overall Outcome is required and discussed in section 2.4.4 below.</p>	
<p>PO76 The number of car parking spaces is managed to:</p> <ul style="list-style-type: none"> a. avoid significant impacts on the safety and efficiency of the road network; b. avoid an oversupply of car parking spaces; c. avoid the visual impact of large areas of open car parking from road frontages and public areas; d. promote active and public transport options; e. promote innovative solutions, including on-street parking and shared parking areas. <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note - Refer to Planning scheme policy - Integrated transport assessment for guidance on how to achieve compliance with this outcome.</p> </div>	<p>E76.1 Car parking is provided in accordance with Schedule 7 - Car parking.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note - The above rates exclude car parking spaces for people with a disability required by Disability Discrimination Act 1992 or the relevant disability discrimination legislation and standards.</p> </div>
<i>Performance Outcome Assessment</i>	
<p>The development provides a total of eighty-three (83) car parking spaces. The Applicant has submitted a Traffic Impact Assessment to support the number of car parking spaces provided. It is noted that all proposed uses are able to achieve the suggested car parking rates outlined within Schedule 7 of the Planning Scheme, with the exception of the Indoor Sport and Recreation use (Swim School). Schedule 7 suggests a total of thirty-five (35) spaces be provided for the Swim School, with the development proposing instead a total of fifteen (15) spaces.</p>	

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Performance Outcome	Example
<p>In this instance an alternate parking rate is proposed by the Applicant, and supported by the Traffic Impact Assessment, due to the following reasons:</p> <ul style="list-style-type: none"> The pool itself is relatively small covering an area of 120m². The areas surrounding the pool are ancillary to the pool, being the change rooms and office. The ancillary areas will not generate additional patronage to the swim school. Due to the size of the pool, there will be a limit on the number of children participating in swim classes at any one time. The swim school forms part of a larger development where cross utilisation will occur between the different land uses within the site. In particular, cross utilisation is expected to occur across the healthcare, shop and café uses, where patrons may visit multiple uses in a single trip. This is expected to reduce the overall parking demand for the development. The development is surrounded by established residential areas, in proximity to Deception Bay North State School and is accessible by public transport, as well as pedestrian and cyclist facilities. Therefore, a portion of patrons will access the site by public transport, walking, cycling, mobility scooter etc. <p>Car parking areas are primarily internal to the site and surrounded by built form. The exception to this is the northern car parking area along the Thompson Street frontage where the hardstand of the car parking area is instead softened by vegetation. This outcome is due to this portion of the site being mapped within the Medium Risk Flood Hazard Area and therefore does not contain any built form. Although the northern car parking area is within a flood hazard area, the flood depth has only an approximate depth of 300mm for seven (7) car parking spaces. Due to the limited flood depth the location of these spaces is satisfactory with the provision of appropriate signage outlining the hazard. A recommendation of this approval requires signage to be provided identifying the hazard.</p> <p>Overall, car parking is provided on-site in a way that avoids the visual impact of large open car parking from road frontages and public areas. The oversupply of car parking has been avoided with the opportunity for the development to be accessed by public transport and active transport options. The development also provides end of trip facilities such as bicycle parking spaces, a shower and lockers.</p> <p>Therefore, in this instance, the proposal achieves the Performance Outcome.</p>	

2.4.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcomes PO69 and PO73 of the General Residential Zone Code (Suburban Neighbourhood Precinct). Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
a. The suburban neighbourhood precinct consists of a primarily residential urban fabric providing predominantly low density, low rise, detached housing on a variety of lot sizes with a maximum site density of 15 dwellings per hectare or a maximum site density of 75 dwellings	Yes	The site is located within a well-established residential area that primarily consists of a low density, low rise, detached housing. The proposed development will not compromise this outcome. Therefore, the overall outcome is achieved.

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
per hectare if complying with b. v. below.		
<p>b. Residential activities consist of:</p> <ul style="list-style-type: none"> i. Detached dwelling houses, predominantly on traditional lots; ii. Detached dwelling houses on narrow lots and Dual Occupancies where they are dispersed within the streetscape or are located within easy walking distance to services (centre, public transport node, community facilities) or park; iii. Domestic outbuildings are subordinate in appearance and function to the dwelling; iv. Retirement facilities, Residential care facilities and Relocatable home parks are located within easy walking distance of a centre; v. Multiple dwellings, Rooming accommodation, short-term accommodation and tourist park only establish where they will support a higher order or district centre or a train station by being adjacent (within 400m walking distance) to that higher order or district centre or train station. vi. The built form of concentrated residential uses and managed communities (e.g. multiple dwellings, retirements facilities, residential care facilities, relocatable home parks are designed to integrate with the surrounding neighbourhood. 	No	<p>A Caretaker's Accommodation use is proposed as part of this application.</p> <p>Although not listed as a specific use within the Overall Outcome, a Caretaker's accommodation is defined as:</p> <p><i>"the use of premises for a dwelling for a caretaker of a non-residential use on the same premises"</i></p> <p>It is clear and obvious that a Caretakers accommodation as a land use for a residential purpose is consistent with many of the other residential uses listed in the overall outcome with no justifiable reason for its omission.</p> <p>As a dwelling house and other residential land uses containing a 'dwelling' are listed uses, while there may be a technical non-compliance with the overall outcome a pragmatic approach is that the Caretakers accommodation is consistent with the intent of the overall outcome.</p>
<p>c. The design, siting and construction of residential uses are to:</p> <ul style="list-style-type: none"> i. contribute to an attractive streetscape with priority given to pedestrians; ii. encourage passive surveillance of public spaces; iii. result in privacy and residential amenity consistent with the low 	Yes	<p>The Caretaker's Accommodation, being a residential use as discussed above, is located above Tenancies 6-8 and has been designed to:</p> <ul style="list-style-type: none"> • contribute to an attractive streetscape

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
density residential character of the area; iv. provide a diverse and attractive built form; v. provide a low rise built form compatible with its surrounds; vi. incorporate sub-tropical urban design principles that respond to local climatic conditions; vii. incorporate sustainable practices including maximising energy efficiency and water conservation; viii. incorporate natural features and respond to site topography; ix. cater for appropriate car parking and manoeuvring areas on site; x. be of a scale and density consistent with the low density residential character of the area; xi. provide urban services such as reticulated water, sewerage, sealed road, parks and other identified infrastructure.		<ul style="list-style-type: none"> • encourage passive surveillance of public spaces, including internal to the site • provides privacy and residential amenity for the caretaker • has been architecturally designed to provide a diverse and attractive built form • is located within the low-rise two storey built form • will be connected to urban services. Therefore, the overall outcome is achieved.
d. Home based business can...	N/A	The development does not include a Home based business.
e. Non-residential uses in the suburban neighbourhood precinct take the form of community activities, corner stores, neighbourhood hubs or local centres.	Yes	The proposal seeks to extend an existing neighbourhood hub as defined by the Planning Scheme. It is further noted that Health Care Services is listed as a community activity. Therefore, the overall outcome is achieved.
f. Community activities: i. Establish in a location that may be serviced by public transport; ii. Do not negatively impact adjoining residents or the streetscape; iii. Do not undermine the viability of existing or future centres	Yes	A Health Care Services use is a Community activity as defined by the Planning Scheme. The site is serviced by public transport along Old Bay Road, with a bus stop located approximately 120m from the development. The site does not directly adjoin dwellings and therefore will not impact on adjoining residents. The site has been architecturally designed to not negatively impact on the streetscape. As previously demonstrated within this

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
		<p>report, this development is of a small size and scale and therefore will not undermine the viability of existing or future centres.</p> <p>Therefore, the overall outcome is achieved.</p>
g. Corner store may establish as standalone uses.	N/A	The proposal does not seek approval for a standalone corner store.
<p>h. Retail and commercial activities (excluding Service stations:</p> <ul style="list-style-type: none"> i. Cluster with other non-residential uses (excluding corner stores) forming a neighbourhood hub; ii. Are centred around a 'Main Street' central core fostering opportunities for social and economic exchange; iii. Are of a small scale, appropriate of a neighbourhood hub; iv. Do not negatively impact adjoining residents or the streetscape; v. Are subordinate in function and scale to all centres within the region. 	Yes	<p>The application represents the expansion of a neighbourhood hub and is clustered with other non-residential uses, assisting in the creation of a 'main street' along Old Bay Road around Progress Park. The proposal is small scale and will not impact on the amenity of the area or compete with the function of centres within the region.</p> <p>Therefore, the overall outcome is achieved.</p>
i. Service stations...	N/A	The proposal does not include a Service station.
<p>j. The design, siting and construction of non-residential uses:</p> <ul style="list-style-type: none"> i. Maintains a human scale, through appropriate building heights and form; ii. Provides attractive, active frontages that maximise pedestrian activity along road frontages, movement corridors and public spaces (excluding Services stations); iii. Provides for active and passive surveillance of road frontages, movement corridors and public spaces; iv. Promotes active transport options and ensures an oversupply of car parking is not provided; 	Yes	<p>The proposed building design seeks to maintain a human scale through the provision of a low scale built form. The development provides an active street frontage through the provision of awnings and windows that also allows for the surveillance of public areas. Clear pedestrian access points are provided along the Old Bay Road frontage.</p> <p>The site promotes active transport options and will provide bicycle parking spaces and end of trip facilities. Car parking is provided internal to the site and is screened by built form along the Old Bay Road frontage and by landscaping along the Thompson Street frontage.</p>

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
<p>v. Locates car parking so as not to dominate the street;</p> <p>vi. Does not result in large internalized shopping centres (e.g. large blank external walls with tenancies only accessible from within the building) surrounded by expansive areas of surface car parking.</p>		<p>Overall, the development achieves the Overall Outcome.</p>
<p>k. Neighbourhood hub expansion (into adjoining lots) or the establishment of a new neighbourhood hub only occurs where:</p> <p>i. It is of a scale that remains subordinate to all centres within the region;</p> <p>ii. The expansion (into adjoining lots) will strengthen the existing neighbourhood hub as an important neighbourhood activity node;</p> <p>iii. Clear separation from existing neighbourhood hubs are to service a currently unserved catchment. The centre of a neighbourhood hub should not be located within 1600m of another neighbourhood hub or centre measured from the centre of each hub or centre;</p> <p>iv. For a new neighbourhood hub, it is located on a sub-arterial or collector road;</p> <p>v. They are appropriately designed and located to include active frontages around a 'main street' core and are staged where relevant to retain key (highly accessible) sites for long term development.</p>	<p>Yes</p>	<p>The proposal seeks to expand an existing Neighbourhood Hub.</p> <p>An assessment against each part of this Overall Outcome is provided below:</p> <p>(i) the expansion is at a small scale;</p> <p>(ii) it will strengthen the existing neighbourhood hub around Progress Park and Deception Bay North State School and the Child Care Centre that has been approved on this site;</p> <p>(iii) the proposal is an expansion of an existing neighbourhood hub that is already not separated by 1600m to the Deception Bay Centre zone and other existing Neighbourhood Hubs, however the separation distance is stated as 'should' rather than must, acknowledging in some instances a closer separation distance is warranted, as in this instance;</p> <p>(iv) the proposal is not a new neighbourhood hub, however is on a sub arterial road;</p> <p>(v) is well designed and assisting in the creation of a 'main street' and does not compromise a key site.</p> <p>The Overall Outcome is complied with in this instance.</p>
<p>l. General works associated with the development achieves the following:</p> <p>i. New development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and</p>	<p>Yes</p>	<p>All general works including stormwater, traffic and earthworks achieves the requirements listed within the Overall Outcome.</p> <p>The Overall Outcome is achieved in this instance.</p>

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
<p>reticulated electricity (underground wherever possible), water and sewerage (where available);</p> <p>ii. The development manages stormwater to:</p> <p>A. Ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters;</p> <p>B. Prevent stormwater contamination and the release of pollutants;</p> <p>C. Maintain or improve the structure and condition of drainage lines and riparian areas;</p> <p>D. Avoid off-site adverse impacts from stormwater.</p> <p>iii. The development does not result in unacceptable impacts on the capacity and safety of the external road network;</p> <p>iv. The development ensures the safety, efficiency and useability of access ways and parking areas;</p> <p>v. Site works including earthworks are managed to be safe and have minimal impacts on adjoining or adjacent premises, the streetscape or the environment.</p>		
<p>m. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.</p>	Yes	<p>The proposal will not result in any detrimental offsite amenity impacts. However, it is recommended that conditions be applied requiring lighting to be installed in accordance with Australian Standard AS4282:2019 - (Control of the obtrusive Effects of Outdoor Lighting) and that the hours of operation for the site be limited to between 6am and 9pm.</p> <p>The Overall Outcome is achieved in this instance.</p>

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
n. Noise generating uses are designed, sited and constructed to minimize the transmission of noise to appropriate levels and do not cause environmental harm or nuisance.	Yes	The proposal will not result in the transmission of noise to inappropriate levels that will cause environmental harm or nuisance. The Overall Outcome is achieved in this instance.
o. Noise sensitive uses are...	N/A	The proposal does not include a noise sensitive use as defined by the Planning Scheme.
p. Development in a Water supply buffer...	N/A	The site is not mapped within a Water supply buffer.
q. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by: i. Adopting a 'least risk, least impact' approach when designing, siting and locating development in any area subject to a constraint, limitation or environmental value to minimize the potential risk to people, property and the environment; ii. Ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. When located within a Water buffer area, complying with the Water Quality Vision and Objectives contained in the Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012. iv. Maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planning and landscaping, and facilitating safe wildlife movement and connectivity through: A. The provision of replacement,	Yes	The site is mapped within a Medium Risk and Balance Flood Hazard Area. The development has been designed so that the built form does not encroach within the Medium Risk area. The built form is located within the Balance Area, however a recommended condition requires the development to be constructed to the required Flood Planning Level (FPL) to achieve flood immunity. It is noted that a small part of the northern car parking area as well as the entrance from Thompson Street is within the Medium Risk Flood Hazard Area. Although within a flood hazard area, the flood depth is minimal with an approximate depth of 300mm. Due to the limited flood depth, the location of these spaces and vehicle access is satisfactory with the provision of appropriate signage outlining the hazard. A recommendation of this approval requires signage to be provided identifying the hazard. The site also contains existing vegetation along the eastern side of the site, as well as a single tree along the Old Bay Road frontage. The vegetation along the eastern boundary is to be retained with a recommended condition requiring temporary exclusion fencing to be provided around the vegetation to be retained to ensure accidental felling does not occur. It is noted that the single tree along the Old Bay Road frontage is proposed to be removed to make way for vehicle access to the site. A

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
<p>restoration, rehabilitation planting and landscaping;</p> <p>B. The location, design and management of development to avoid or minimize adverse impacts on ecological systems and processes;</p> <p>C. The requiring of environmental offsets in accordance with the Environmental Offsets Act 2014.</p> <p>v. Protecting native species and protecting and enhancing species habitat;</p> <p>vi. Protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance;</p> <p>vii. Establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimize adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities;</p> <p>viii. Establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat;</p> <p>ix. Ensuring it promotes and does not undermine the ongoing viability, intergrity, operation, maintenance and safety of identified infrastructure;</p> <p>x. Ensuring effective and efficient disaster management response and recovery capabilities;</p> <p>xi. Where located in an overland flow path;</p> <p>A. Development siting, built form, layout and access response to the risk</p>		<p>recommended condition therefore requires that fauna nesting boxes be provided on site.</p> <p>The Overall Outcome, subject to the application of the recommended conditions, is therefore achieved in this instance.</p>

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
<p>presented by the overland flow and minuses risk to personal safety;</p> <p>B. Development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated with overland flow;</p> <p>C. Development does not impact on the conveyance of the overland flow for any event up to and including the 1% AEP for the fully developed upstream catchment;</p> <p>D. Development directly, indirectly and cumulatively avoid an increase in the severity of overland flow and potential for damage on the premises or other premises, public lands, watercourses, roads or infrastructure.</p>		
<p>r. Development in the Suburban neighbourhood precinct includes 1 or more of the following:</p> <ul style="list-style-type: none"> • Health Care Services • Where in a Neighbourhood hub: <ul style="list-style-type: none"> - Food and Drink Outlet - Shop 	Yes	The proposed development includes Health Care Services, Food and Drink Outlet and a Shop, being consistent uses within the Suburban neighbourhood precinct.
<p>s. Development in the Suburban neighbourhood precinct does not include any of the following:...</p>	Yes	<p>Indoor Sport and Recreation and Caretaker's Accommodation is not listed as an inconsistent use.</p> <p>The Overall Outcome is achieved in this instance.</p>
<p>t. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone.</p>	Yes	<p>The proposal includes Indoor Sport and Recreation (Swim School) and Caretaker's Accommodation, being policy neutral uses that are to be considered on their merits. It is noted that these uses are ancillary to the development's intent to create a health hub.</p>

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General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1		
Overall Outcomes	Complies Y/N	Comments
		As identified within this assessment of the Overall Outcomes for the Suburban Neighbourhood Precinct, the proposal does not conflict with the outcomes of the zone. Therefore, Indoor Sport and Recreation and Caretaker's Accommodation, when assessed on their merits and considering they are complimentary uses within a mixed use development, do not conflict with the outcomes of the zone.

Based on the assessment above, the proposal is consistent with all of the Overall Outcomes of the code, with the exception of Overall Outcome b. This is due to a Caretaker's Accommodation use technically not being listed as a residential activity. However, as mentioned above, the definition of Caretaker's Accommodation is "the use of premises for a dwelling for a caretaker of a non-residential use". Therefore, a Caretaker's Accommodation is for a residential purpose and is consistent with the intent of the Overall Outcome. Although unable to comply with one (1) of the Overall Outcomes, on balance the proposal is consistent with the purpose of the code.

2.5 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is located in 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. 6 commencing on 3 July 2017 (CR).

2.5.1 Levied Charge

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal.

2.5.2 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

There is no current existing lawful use of the land or record of a previous lawful use of the land that is no longer taking place. Accordingly, the credit available under this option is \$0.00.

(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

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(d) The adopted charge for a residential lot (applied equally to non-residential development)
The credit available under this option is \$17,603.73 based on the proportional split stated in Table 3 of the CR. It is noted that this credit has previously been applied to an existing development permit for a Child Care Centre (DA/37063/2018/V2C). Therefore, there is no credit available under this option.

Overall, based on the above, a credit is not available for this development.

2.5.3 Levied Charge Offset or Refund

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

2.5.4 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) (i) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (ii) requires new trunk infrastructure earlier than when identified in the LGIP; or
- (iii) is for premises located completely or partly outside the Priority Infrastructure Area

and

- (b) 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.

2.6 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

2.7 Referrals

2.7.1 Council Referrals

2.7.1.1 Development Engineering

The application was referred to Development Engineering for review. The following comments have been provided:

Traffic, Access & Parking

The applicant submitted a Traffic Impact Assessment by Contour dated Feb 2020 demonstrating that the proposal achieves the Planning Scheme requirements with suitable on-site servicing and manoeuvring and access arrangements that will operate satisfactorily.

Stormwater / Flooding

The applicant submitted a Site Based Stormwater Management Plan by STORM Water Consulting dated 31 March 2020 demonstrating compliance with the Planning Scheme (e.g. stormwater quality and quantity and no filling within Medium Flood Hazard Area).

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To ensure the area within the Medium Flood Hazard Area is maintained and continues to operate satisfactorily and not be compromised, a condition requiring a drainage easement is proposed in accordance with QUDM and the Planning Scheme Policy - Integrated Design, Appendix C Stormwater Management.

Earthworks

Limited earthworks proposed to occur, with no earthworks within the Medium Flood Hazard Area.

2.7.1.2 Environmental Health

The application was referred to Environmental Health for their review. The following comments have been provided:

Acoustic Amenity

If standard hours of operation as specified within the Planning Scheme are adhered to it is not anticipated acoustic amenity of surrounding sensitive uses will be impacted. It is noted the application material identifies that the uses will all operate between 6am and 9pm as specified within the applicable code. It is therefore appropriate that a condition reflecting these operating hours be applied.

Waste Management

A Waste Management Program has been submitted and is considered acceptable for the proposed development. This development will use 4 x 1.1m³ bins serviced within the site. The arrangements appear acceptable and as a consequence it is recommended that the development be undertaken in accordance with the submitted Waste Management Program.

2.7.2 Referral Agencies

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

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

2.7.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.7.2.3 Third Party Agencies

There were no Third Party Agencies involved in assessing this application.

2.8 Public Consultation

2.8.1 Public Notification Requirements under the Development Assessment Rules

- (a) Public Notification was served on all adjoining landowners on 8 April 2020.
- (b) The development application was advertised in the Redcliffe and Bayside Herald on 9 April 2020.
- (c) A notice in the prescribed form was posted on the relevant land on 9 April 2020 and maintained until 12 May 2020, exceeding the 15 business days required to be publicly notified in accordance with the *Planning Act 2016*.

Submissions Received

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

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Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		2
	Petition		0
Not Properly Made	Letter, Email, Fax		0
	Petition		0
Total			2

The matters raised within the submissions are outlined below:

Assessment of Submissions
<p>Issue - Need</p> <p>A submission received highlighted the following concerns:</p> <ul style="list-style-type: none"> • The suggested businesses are not needed in this area. There are shops and business premises empty around the corner at Deception Bay Market Square and Uhlmann Rd Shopping Precinct. Rothwell also. • The new development at Market Square only has a handful of businesses leasing premises. This was before the Covid 19 Pandemic. • There is a new gym which needs community support to stay open. • There is no need to build new premises without any need. • There are a number of health care services in proximity to the site. How does the developer going to fill these shops and with what services? • If unable to fill the tenancies, there will be the opportunity to put in retail, food/convenience stores open all hours that will impact the neighbourhood • How is the Council going to regulate what services end up in the this complex? • I don't want any services that have trading hours past 5pm or before 7am and especially not food outlets • The application states the swim school will benefit the approved child care centre and nearby schools. The swim school will be a privately owned and operated service. It is not a public pool so how will it benefit the surrounding schools. • The development states 'Indoor Sport and Recreation'. Will this become a 24hr gym?
<p>Discussion</p> <p>The above concerns are acknowledged, and it is recognised that there are existing commercial/retail areas within Deception Bay and Rothwell. However, there is no requirement within the MBRC Planning Scheme for an Applicant to demonstrate the economic need or viability of a development proposal as part of a development application when it is consistent with the Overall Outcomes. Should tenancies not be filled with the proposed uses and alternative uses be sought, a further application will need to be submitted to Council for assessment against the Planning Scheme.</p> <p>With regards to the developments' hours of operation, the Planning Scheme suggests operating hours between 6am and 9pm Monday to Sunday. A recommendation of this report is that a condition be imposed requiring the development, including all uses, to operate within these hours. Therefore, the Indoor Sport and Recreation use is unable to become a 24hr gym, without seeking further approval from Council.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Traffic, Access and Parking</p> <p>A submission received highlighted the following concerns:</p> <ul style="list-style-type: none"> • Safety and congestion issues with driveway location and proximity to the roundabout, Brentwood Court, school zebra crossing and approved Child Care Centre

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<p>Assessment of Submissions</p> <ul style="list-style-type: none"> Residents across from the development will be impacted coming and going from their properties due to extra traffic Safety concerns due to increased traffic and people walking and exercising in the area, as well as children riding/walking to school and attending soccer training Validity of using 2018 traffic volumes Noise pollution from cars breaking and accelerating Thompson street should be the sole entrance to the whole complex. This will redirect traffic intensity down Thompson Street and away from the main thoroughfare of Old Bay Road. Due to no houses near the Thompson Street entrance, car lights won't shine into households and the extra noise won't affect anyone. The road along Thompson street has plenty of width to allow for a turning lane to be established There does not seem to be enough parking within the complex for all the shops The Council needs to seriously think about where people are going to park their cars if they can't within the centre. We don't need anymore cars parking along Old Bay Road
<p>Discussion</p> <p>A Traffic Impact Assessment by Contour Consulting engineers was provided in support of the application.</p> <p>The report is based on estimated 2031 traffic using the observed 2018 traffic with a growth rate of 2% compounded annually to 2031, which is in accordance with the Planning Scheme requirements. The report demonstrates that the proposed accesses, with the estimated 2031 traffic and development traffic generation and distribution, will operate satisfactorily, and that they have safe sight lines in accordance with Australian Standard AS2890. The report also reviews car parking for the site and has determined that the total number of car parking spaces proposed is adequate for the development.</p> <p>With regards to Thompson Street being the sole entrance to the development, this is not recommended due this part of the site being mapped within a Medium Risk Flood Hazard Area. Having Thompson Street as the sole entrance has the potential to trap vehicles within the complex, with no way to exit during a major flood event.</p> <p>This is not sufficient grounds for the refusal of the application.</p>
<p>Issue - Flooding</p> <p>A submission raised the following concerns regarding flooding as the site is mapped within a Balance and Medium Risk Area on Overlay Map - Flood Hazard:</p> <ul style="list-style-type: none"> Why build more concrete so water doesn't drain and create more flooding elsewhere How are they going to prove that the area will not flood without proper rain? A little forethought is better than having to deal with the huge problem of flooding and lack of water drainage The flood hazard line is at the lobby entrance and covers all of the car park adjacent. How can anything be built here?
<p>Discussion</p> <p>A Site Based Stormwater Management Plan by STORM water consulting was provided in support of the application.</p> <p>The report outlines how stormwater will be managed for the development and has demonstrated that the proposal is not expected to cause a problem either upstream or downstream, particularly as filling is not occurring in the Medium Flood Hazard Area.</p>

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<p>Assessment of Submissions</p> <p>All proposed buildings are to be constructed above the flood level and therefore, although sited within the Balance Area of the Flood Hazard Overlay, flood immunity is achieved.</p> <p>A limited number of car parks will be susceptible to flooding in a major event however this is considered safe because of the minimal flooding depth and slow velocity, the commercial types of uses and expected relatively slow rising nature of the flooding.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Koala Zones</p> <p>A submission raised the following concerns due to clearing that has previously taken place on the development site:</p> <ul style="list-style-type: none"> • Council has erected 3 'Koala next 500m' yellow signs to caution motorists of the activity that is on the site • The 500m exactly corresponds with the area that was cleared last year • Why let a developer destroy habitat that the Council was completely aware of, so aware that they put up 3 signs • All of the trees were not meant to be cleared last year and they were. Something is wrong with development applications
<p>Discussion</p> <p>It is acknowledged that koala signs are located in proximity to the site and that the site has recently been cleared.</p> <p>The site contains an existing approval for a Child Care Centre (DA/37063/2018/V2C). The development permit issued for the Child Care Centre sought to retain vegetation, through conditions, that were not within the development footprint. Although the permit sought to retain vegetation, exempt vegetation clearing can occur when able to achieve the parameters set out in the Planning Scheme, specifically Table 1.7.7.1 Accepted development. Further, under the State mapping, the vegetation was mapped as Category X, meaning that it is not protected and can be cleared for any purpose. No further vegetation is proposed to be cleared as part of this application, except for a single tree along Old Bay Road.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Caretaker's Accommodation</p> <p>A submission raised the following concerns relating to the proposed Caretaker's Accommodation:</p> <ul style="list-style-type: none"> • Why does there need to be a Caretaker's residence • This sounds like a tax dodge • It's either residential or commercial, not both
<p>Discussion</p> <p>The Planning Scheme does not require a Caretaker's residence to be provided, however does not prevent this use being applied for. Further, the Planning Scheme does restrict mixed-use development.</p> <p>Tax requirements etc. are not a planning matter and are unable to be commented on.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Food and Drink Outlet</p> <p>A submission raised the following concerns relating to the proposed Food and Drink Outlet:</p> <ul style="list-style-type: none"> • There is no valid reason for a Food and Drink Outlet

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<p>Assessment of Submissions</p> <ul style="list-style-type: none"> • This is a residential area and it is relatively quiet of an evening • Having this outlet there will encourage evening noise pollution with cars and people congregating, as well as drug users and other undesirables • There are a number of Food and Drink Outlets in proximity to the site • The Deception Bay Shopping Centre is 1.98kms away and has five vacant food court shops that have not been close to being fully utilised • If the Council allows a Food and Drink Outlet at this development and the Developer has problems keeping tenants, this will then give them the opportunity to put a 24hr convenience store like a 7eleven in place. This will create light and noise pollution and will attract undesirables and potential for crime • Having a food outlet will only attract trouble and vandalism
<p>Discussion</p> <p>This application seeks approval for a Food and Drink Outlet, limited to Tenancy 3. The tenancy is relatively small having a Gross Floor Area of 80m² and is situated along Old Bay Road. The applicant has identified that the purpose of the Food and Drink Outlet is to provide a café or coffee shop that will allow users of the site to purchase food or refreshments whilst onsite.</p> <p>As previously noted, there is no requirement within the MBRC Planning Scheme for an Applicant to demonstrate the economic need or viability of a development proposal as part of a development application when it complies with the Overall Outcomes.</p> <p>With regards to allowing a 24hr convenience store, the Planning Scheme suggests operating hours between 6am and 9pm Monday to Sunday, with a recommendation of this report requiring a condition be imposed regulating these hours. Therefore, further approval would need to be sort for any change in hours of operation.</p> <p>With regards to comments relating to the congregation of undesirables, trouble and vandalism, this type of behaviour can occur at any location and is a matter for Police. Further, it is acknowledged that a caretaker is proposed to manage the site and can monitor undesirable behaviour.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Development Design</p> <ul style="list-style-type: none"> • This just looks like a glorified car park with a residence and a couple of token shopfronts • The design of the buildings along the old Bay Road side of the development are ugly • The style the architect has chosen is generic and cold • It is not consistent with the surrounding area's architecture and should be designed sympathetically to reflect the character of this residential neighbourhood • There needs to be a considerable amount of extra landscaping done to hide the poor architectural cement blot on the landscape. The restaurant area of North Lakes Shopping precinct is a good example of how to soften harsh architecture • All that white cement is going to reflect increased amount of heat during Summer
<p>Discussion</p> <p>The development has been designed to provide an active frontage along Old Bay Road where the building is brought forward, and awnings provided as required by the Planning Scheme. Car parking spaces are predominantly located behind the built form or screened by landscaping in order to soften the area of hardstand. Further, shade trees are provided throughout the car parking area to minimise heat island effects.</p>

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<p>Assessment of Submissions</p> <p>The architectural merit of the proposal is subjective and while the submitter is not supportive of the design, it has the elements required by the planning scheme and is consistent with many current and contemporary designs assessed by the Council.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Lighting</p> <p>A submission raised the following concerns:</p> <ul style="list-style-type: none"> • What type of lighting is going to be implemented through this complex? • A huge glowing structure outside our windows all night will impact our neighbourhood • I expect there won't be any lighting after normal business hours? If so, it will have to be subdued lighting within the complex, not bright lighting on the outside of the complex
<p>Discussion</p> <p>The application material submitted has not identified the type of lighting to be implemented throughout the site. However, a recommended condition of this approval is that any external lighting be provided on-site in accordance with Australian Standard AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting). This Standard sets out requirements for the control of outdoor lighting to limit the adverse effects of lighting on nearby residents. This includes higher restrictions on light levels during night time hours to prevent nuisance. Further, the applicant will be required to provide certification by a suitably qualified person that lighting has been installed and operates in accordance with the Australian Standard.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Complex Security</p> <p>A submission raised the following concerns:</p> <ul style="list-style-type: none"> • How is the complex going to be secured at night? • We have had problems in the past with drunken people partying under the Soccer Club and Gem Club car park. • This complex is going to be a magnet for any type of criminal activity after dark. • Is it going to be gated?
<p>Discussion</p> <p>The applicant has not identified how the development will be secured at night and it is not a requirement of the Planning Scheme for this information to be provided. However, the proposal includes a Caretaker's Accommodation and therefore provides an opportunity for on site management to ensure the activities that are raised do not occur.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Disruption During Construction</p> <p>A submission raised the following concerns:</p> <ul style="list-style-type: none"> • I cannot imagine the disruption, noise, trucks coming and going while this proposed development is underway • I will have to put up with months of construction that will start well before 6am because they will drive their noisy trucks onto site and unload them before starting time
<p>Discussion</p> <p>The above concerns are recognised and therefore a recommended condition of this report is that a Construction Management Plan be submitted and approved by Council.</p>

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<p>Assessment of Submissions</p> <p>The Construction Management Plan is required to include measures to ensure the development works (including all construction, demolition and excavation) do not adversely affect the health, safety, amenity, traffic or environment in the surrounding area.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Development Transparency</p> <ul style="list-style-type: none"> This proposal should be put to a more transparent process before it is considered.
<p>Discussion</p> <p>This application has been assessed in accordance with the relevant planning legislation, being the <i>Planning Act 2016</i>, with all application material available on Council's website through PD Online to view.</p> <p>As this application triggered Impact Assessment, the development was required to be publicly notified for at least 15 business days allowing submissions to be sent to Council for review. This application was publicly notified between 14 April 2020 to 12 May 2020, with two (2) submissions received. These submissions have been reviewed and addressed above.</p> <p>This is not sufficient grounds for refusal of the application.</p>

2.8.2 *Notice of Compliance*

The Notice of Compliance was received by Council on 13 May 2020. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

2.9 Other Matters
None identified.

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant and submitters have appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The proposal is consistent with the existing Moreton Bay Region planning provisions and relevant policies.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

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.
- Permit conditions require infrastructure contributions to Council.

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- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Refer to clause 2.8.

ATTENDANCE

Mr Marco Alberti left the meeting at 10.27am after Item 4.2.

UNCONFIRMED

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

ITEM 5.1

DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20018199 : 13 July 2020 - **Refer Supporting Information A20177284**
Responsible Officer: AS, Manager Property Services (CES Property & Commercial Services)

Executive Summary

The purpose of this report is to seek Council's approval to dispose of the property detailed in this report by undertaking a two-stage process being an Expressions of Interest, followed by a Select Tender campaign.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Mark Booth

CARRIED 13/0

1. That Council decides it is in the public interest to invite expressions of interest (EOI) for the disposal of the land described in this report (Land) prior to inviting written tenders.
2. That Council record its reason for resolving to invite EOIs for the disposal of the Land, which is to enable Council to consider tenders from a shortlist of EOI respondents who have submitted a clear plan and demonstrated an ability to achieve Council's desired outcomes for the Land.
3. That Council authorises the Chief Executive Officer to:
 - a) prepare a shortlist from the persons who respond to the invitation for expressions of interest and invite written tenders from those persons for the disposal of the Land;
 - b) invite all persons who submit a tender to change their tender to take account of a change in the tender specifications;
 - c) decide to accept a tender or not to accept any tenders it receives in respect of the disposal of the Land having regard to the sound contracting principles; and
 - d) do all things necessary to give effect to recommendation 1, including advertising the invitation for expressions of interest in accordance with the requirements of Local Government Regulation 2012.

ITEM 5.1 DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN - A20018199 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council decides it is in the public interest to invite expressions of interest (EOI) for the disposal of the land described in this report (Land) prior to inviting written tenders.
2. That Council record its reason for resolving to invite EOIs for the disposal of the Land, which is to enable Council to consider tenders from a shortlist of EOI respondents who have submitted a clear plan and demonstrated an ability to achieve Council's desired outcomes for the Land.
3. That Council authorises the Chief Executive Officer to:
 - a. prepare a shortlist from the persons who respond to the invitation for expressions of interest and invite written tenders from those persons for the disposal of the Land;
 - b. invite all persons who submit a tender to change their tender to take account of a change in the tender specifications;
 - c. decide to accept a tender or not to accept any tenders it receives in respect of the disposal of the Land having regard to the sound contracting principles; and
 - d. do all things necessary to give effect to recommendation 1, including advertising the invitation for expressions of interest in accordance with the requirements of Local Government Regulation 2012.

REPORT DETAIL

1. Background

This report relates to property known as Proposed Lot 110 on Drawing Number 20-344-900 (Land), (refer supporting information #1).

At Council Briefings on 20 and 27 May 2020, the Major Projects team provided a detailed overview of the Petrie Mill re-development. It was noted during the briefing that the Major Projects team have been approached by several data centre operators looking to locate on the Northern side of the greater Brisbane area.

The Land has been identified as a suitable location for a data centre in the Petrie Mill precinct.

2. Explanation of Item

This report seeks a resolution to offer the Land for sale or lease via a tender process, following an Expression of Interest (EOI) campaign.

This enables Council to consider tenders from a shortlist of EOI respondents who have submitted a clear plan and demonstrated an ability to achieve the specific outcomes for the site envisaged by Council.

Council will issue a development lease to the successful proponent in order to retain control over various aspects of the future development, particularly planning and ultimate development outcomes.

The site at Petrie is well located geographically for integration with surrounding fibre networks, noting there has been a recent shift in this sector seeking more diversity of data centre locations. In order to ensure such a facility would fit and add value to the knowledge and innovation vision for the precinct, and better understand the proposed built form, it is considered prudent to first seek Expressions of Interest before progressing to a formal tender. This allows industry experts to inform Council regarding best practice, in what is a niche industry.

ITEM 5.1 DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN - A20018199 (Cont.)

The below image indicates the proposed location of the ≈ 0.7ha data centre site, which is located adjacent to the proposed Energex sub-station (subject to ongoing discussions regarding the Heads of Agreement). This location provides good connectivity for data and power and is removed from the central activation areas within the broader precinct.

A proposal plan defining the Land is attached as Supporting Information #1.



3. Strategic Implications

3.1 Legislative / Legal Implications

Council must comply with the *Local Government Act 2009* (“the Act”) and the *Local Government Regulation 2012* (“the Regulation”) when it disposes of valuable non-current assets, including leases of land.

Section 228 of the Regulation allows Council to dispose of a valuable non-current asset via a tender process following an Expressions of Interest campaign.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Digital literacy and commerce - a digital region.

3.3 Policy Implications

There is no Council policy which specifically deals with the disposal of land; however, the provisions of the *Local Government Regulation 2012* apply.

3.4 Risk Management Implications

The primary risk is probity. The Manager Property Services will oversee the disposal process which will be conducted in accordance with the relevant legislation and policies.

3.5 Delegated Authority Implications

Council has already delegated power to the CEO to carry out recommendation 3 (under Delegation Council-150).

3.6 Financial Implications

A Valuation of the site will be undertaken prior to releasing the EOI to the market. Disposal of the property will be equal to or more than the market value of the land as per the *Local Government Regulation 2012*.

ITEM 5.1 DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN - A20018199 (Cont.)

3.7 Economic Benefit Implications

A data centre typically employs low numbers of staff, however the catalytic effects of a data centre can bring considerable employment and investment benefits. Such a facility would provide a point of difference and attraction measure to other industries who rely on high speed and secure data. Mill Central also has a private data pit and pipe network rolled out as a part of its smart initiatives that further enhances the offering.

3.8 Environmental Implications

Data centres provide attractive propositions to alternative/green energy providers due to their consistent base load requirements for power and cooling. Noting that the project is also running an EOI for district energy solutions, this facility could be a catalyst site for innovative sustainability outcomes.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

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

3.11 Consultation / Communication

Major Projects
Chief Executive Officer
Deputy Chief Executive Officer
Councillor for Division 8
Legal Services

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

**ITEM 6.1
SOLE SUPPLIER STATUS - LINKEDIN CORPORATION**

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20199278 : 24 June 2020
Responsible Officer: CC, People Experience Manager (FCS People, Culture & Safety)

Executive Summary

Under section 235(a) of Local Government Regulation 2012, Council may, by resolution, purchase goods and services from a single supplier without seeking competitive quotations. Such purchases may only be made where the local government is satisfied that there is only one supplier who is reasonably available.

As skills continue to shift in the market and with greater emphasis on delivering recruitment services inhouse, it is proposed that Council enter into an agreement with LinkedIn Corporation to broaden its capability to include executive search and sourcing, and improved people attraction strategies via social media; whilst promoting Moreton Bay Regional Council as an employer of choice.

LinkedIn Corporation is the only provider that offers the "LinkedIn Talent Solutions", which are software products that will allow the People, Culture and Safety Department to provide search capabilities via the LinkedIn platform to the same level as recruitment agencies.

This report seeks Council's approval to enter into an agreement with LinkedIn Corporation as described in this report as, in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that LinkedIn Corporation is the sole supplier who is reasonably available to provide the LinkedIn Talent Solutions.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Sandra Ruck

CARRIED 13/0

- 1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that LinkedIn Corporation is the only supplier that is reasonably available to supply the LinkedIn Talent Solutions described in this report.**
- 2. That the Council enters into an agreement with LinkedIn Corporation 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 LinkedIn Corporation for \$29,302.00 per annum (for a 12-month term) and any required variations of the agreement on Council's behalf.**

ITEM 6.1 SOLE SUPPLIER STATUS - LINKEDIN CORPORATION - A20199278 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that LinkedIn Corporation is the only supplier that is reasonably available to supply the LinkedIn Talent Solutions described in this report.
2. That the Council enters into an agreement with LinkedIn Corporation 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 LinkedIn Corporation for \$29,302.00 per annum (for a 12-month term) and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Historically, Council has undertaken recruitment through traditional channels such as advertising via its website, Seek.com and recruitment agencies.

In addition to these traditional channels, and to modernise Council's recruitment practices and build internal capability to recruit effectively, officers consider that Council should procure the "LinkedIn Talent Solutions" from LinkedIn Corporation (**LinkedIn**).

2. Explanation of Item

The LinkedIn Talent Solutions comprise a suite of software products, made available by LinkedIn, which can be used to engage in recruitment activities via the LinkedIn.com website.

For example, "LinkedIn Recruiter" is a LinkedIn Talent Solution. This software product is a platform for finding, connecting with, and managing potential candidates via the LinkedIn website. It identifies quality candidates and member signals, so that Council, as a recruiter, can prioritise candidates most open to hearing from Council.

"LinkedIn Jobs" is another LinkedIn Talent Solution. This product allows Council to automate Council's vacancies to the LinkedIn website and directly matches Council's vacancies to talented candidates with the skills that Council needs.

Together, the LinkedIn Talent Solutions will allow Council to attract passive candidates through LinkedIn's artificial intelligence mapping and job postings.

Whilst Council would continue to rely on its traditional recruitment channels such as Seek.com, LinkedIn is the only supplier that enables searching and passive reach through job postings and artificial intelligence for recruitment via the LinkedIn website by using the LinkedIn Talent Solutions.

Accordingly, it is recommended that LinkedIn be endorsed as a sole supplier of the LinkedIn Talent Solutions.

3. Strategic Implications

3.1 Legislative / Legal Implications

Section 235(a) of the Local Government Regulation 2012 states that a local government may enter into a medium-sized contractual arrangement without first inviting written quotes or tenders if the local government resolves it is satisfied that there is only one supplier which is reasonably available.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Local jobs for residents - an innovative and thriving economy.

ITEM 6.1 SOLE SUPPLIER STATUS - LINKEDIN CORPORATION - A20199278 (Cont.)

3.3 Policy Implications

The proposed arrangement is in accordance with Council's Procurement Policy 2150-006.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Costs associated with the procurement are budgeted within the People, Culture and Safety Department's operational budget and the value of the contract is within the financial delegation of the Director Finance and Corporate Services.

Officers currently plan to procure the "LinkedIn Recruiter" and "LinkedIn Jobs" talent solutions at a cost of approximately \$29,302.00 per annum (for a 12-month term) which would render the relevant contract with LinkedIn a "medium-sized contractual arrangement" under the Local Government Regulation 2012.

3.7 Economic Benefit Implications

Officers consider that the procurement of the LinkedIn Talent Solutions will reduce reliance on external recruitment agencies, resulting in cost-savings for the organisation.

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Corporate Procurement, Media and Communications Manager and Legal Services have been consulted in relation to the preparation of this Report.

ADJOURNMENT

The meeting adjourned at 10.38am for morning tea.

The meeting resumed at 11.10am.

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

ITEM 11.1

CHANGE OF SUBURB BOUNDARY

A20314504 : *Refer Supporting Information A20314464*

Cr Mick Gillam suggested that Council needs to consider the name for the suburb in which the MILLovate Project will sit and requested that the CEO prepare a report for Council on the possible boundary changes in the MILLovate site.

In 2011 the Moreton Bay Regional Council purchased land from Orora (Petrie Paper Mill site) for the intention of development for a University and similar associated uses.

The land parcel was split by Yebri Creek and therefore became part of two suburbs, Petrie and Kallangur.

Council's intention for the site would be better served by the areas shown in yellow (in the supporting information) all being part of one suburb, Petrie. This would avoid confusion in the future, as the site develops, when reference to the University is necessary as it wouldn't be spread over two suburbs. The two parcels in green are privately owned and the seven parcels in the orange area are privately owned as well. The section in blue is on the eastern side of Russell Street. They are all privately owned.

Queensland Place Names Authority deal with boundary changes in the following way:

Defining boundaries and extent

Locality boundaries

When a proposal to name a locality is being developed, the boundaries of the locality must be clearly defined and described on a plan. In general boundaries should:

- *align to property (cadastral) boundaries or easily distinguishable community or physical boundaries, such as breaks in residential development or zoning, open space areas, ridges, creeks, flood plains, major road centrelines, railways, canals or pipelines*
- *be positioned to include areas of similar character and similar functional relationships in the same locality wherever possible*
- *contain no gaps or overlaps*
- *not define a locality as an 'island' within another locality—all localities should share a boundary with at least 2 other localities or at least 1 other locality and a state or coastal boundary*
- *not extend beyond local government or state boundaries*
- *not segment land parcels or adjacent properties in common ownership*
- *not segment roads into different localities except where it is unavoidable for very long roads (this does not include dividing a road along the centreline where that road has been identified as a distinguishable barrier suitable for a boundary).*

Some exceptions to these principles may sometimes be necessary, for example in areas with complex local government boundaries or in large areas such as forests, lakes and national parks.

Dot Point 1. The changes would be to:

SP 309926 - Lots 1, 2, 3 and 5

SP 27046 - Lot 101

SP 204478 - Lot 2

SL 10426 - Lot 15

Dot Point 2. The areas will both serve a similar function in the future and it is better to rename it before there is any development.

ITEM 11.1 CHANGE OF SUBURB BOUNDARY - A20199278 (Cont.)

Dot Point 3. There are no gaps or overlaps.

Dot Point 4. An island will not be created and it will share a boundary with the suburb of Kallangur.

Dot Point 5. The location is all included in the Moreton Bay Regional Council LGA.

Dot Point 6. The proposal does not segment land parcels or adjacent properties in common ownership as all the parcels are owned by Moreton Bay Regional Council.

Dot Point 7. The proposal does not segment any existing roads.

The above proposal deals with all land owned by Moreton Bay Regional Council. It is suggested that private parcels in the green and orange areas be surveyed as to whether they would like to be included in the suburb of Petrie or stay in Kallangur. This would then make Russell Street, Dohles Rocks Road and the railway line the boundaries between Petrie and Kallangur.

This would encompass all the land owned by Moreton Bay Regional Council.

The two parcels in private ownership are:
SP 242303 - Lot 1 and SP 275545 - Lot 33.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

Cr Denise Sims voted against the motion

CARRIED 12/1

That the Chief Executive Officer prepare a report to Council on the possible boundary changes in the MILLovate site.

ITEM 11.2

KOALA ATTACK - SWEENEY'S RESERVE, PETRIE (DOG OFF-LEASH AREA)

Refer Supporting Information A20316243

Cr Peter Flannery (Mayor) reported on a recent koala attack at Sweeney's Reserve, Petrie where a baby koala had been killed and its mother sustained injuries, however was still alive.

The Mayor said that he was aware of a number of petitions in progress regarding this matter and advised that Council would be investigating the removal of the current dog off-leash area in this location.

Cr Denise Sims stated that since 2011, the vegetation in that area had significantly grown. Cr Sims and staff have had approximately five consultations onsite with users of the dog off-leash area and noted that there is conflict with the wildlife and Council needs to consider an alternative site.

Cr Matt Constance referred to Council having presence on the ground when dogs are off-leash and questioned the status of Council's resourcing when these incidents are occurring (noting it was an issue around the region). Cr Constance suggested Council needs to provide better education to the residents on the designated dog off-leash areas where it can.

RESOLUTION

Moved by Cr Peter Flannery (Mayor)

Seconded by Cr Matt Constance

CARRIED 13/0

That in response to the recent Koala attack at Sweeney's Reserve, Petrie, Council investigate the current location of the dog off-leash area at Sweeney's Reserve with a view to relocating the area to a site with appropriate fencing, and that Cr Mick Gillam proceed with community information in this regard.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

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

CLOSED SESSION

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Jodie Shipway

CARRIED 13/0

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

The closed session commenced at 11.54am.

OPEN SESSION

RESOLUTION

Moved by Cr Darren Grimwade

Seconded by Cr Jodie Shipway

CARRIED 13/0

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

The open session resumed at 11.59am.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

ACQUISITION OF LAND FOR INTERSECTION UPGRADE PURPOSES - DAKABIN / NARANGBA

Meeting / Session: 2 INFRASTRUCTURE PLANNING

Reference: A19411008 : 7 May 2020 - Refer **Confidential Supporting Information A19413158**

Responsible Officer: AT, Principal Integrated Transport Planner (IP Integrated Transport Planning)

Basis of Confidentiality

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

Executive Summary

This report seeks Council's approval to acquire land for road purposes to facilitate an intersection upgrade, which will improve the operation and safety of the intersection of Boundary Road and Old Gympie Road, Dakabin / Narangba.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Mark Booth

CARRIED 13/0

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

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

CLOSURE

There being no further business the Chairperson closed the meeting at 12.01pm.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/1320 to 20/1440 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 22 July 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 5 August 2020.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor