



# REPORT

## Coordination Committee Meeting

**Tuesday 27 March 2018**

commencing at 10.33am

Strathpine Chambers  
220 Gympie Road, Strathpine

**ENDORSED GM20180327**

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### **CHAIRPERSON'S REPORT**

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

COUNCILLOR ALLAN SUTHERLAND (MAYOR)  
CHAIRPERSON  
COORDINATION COMMITTEE

***Adoption Extract from General Meeting – 27 March 2018 (Page 18/643)***

**12.1 Coordination Committee Meeting - 27 March 2018  
(18/645 to 18/691)**

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**RESOLUTION**

**Moved by Cr Adam Hain**

**Seconded by Cr Adrian Raedel**

**CARRIED 12/0**

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

LIST OF ITEMS

**1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)**

- ITEM 1.1** 646  
ADOPTION OF MORETON BAY REGIONAL COUNCIL INTERIM LOCAL LAW NO. 2  
(ADVERTISING DEVICES) 2018 - REGIONAL  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

**2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)**

**3 CORPORATE SERVICES SESSION (Cr M Constance)**

**4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)**

- ITEM 4.1** 650  
LAWNTON - TODDS ROAD - ROAD REHABILITATION - DIVISION 8  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

- ITEM 4.2** 654  
NARANGBA - NEW SETTLEMENT ROAD - ROUNDABOUT UPGRADE - DIVISION 11  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

- ITEM 4.3** 658  
WOODFORD COMMUNITY FACILITIES MASTER PLAN - DIVISION 12  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

- ITEM 4.4** 662  
MORAYFIELD - MORAYFIELD SPORTS AND EVENT CENTRE - CENTRE EXPANSION -  
DIVISION 12  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

- ITEM 4.5** 668  
BURPENGARY - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE (CRALC) -  
BUILDING RENEWAL AND MAINTENANCE WORKS - DIVISION 2  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

- ITEM 4.6** 673  
MAKING OF MORETON BAY REGIONAL COUNCIL LOCAL LAW NO. 7 (WASTE  
MANAGEMENT) 2018 AND MORETON BAY REGIONAL COUNCIL COMMUNITY AND  
ENVIRONMENTAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1)  
2018 - REGIONAL  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

# Moreton Bay Regional Council

<b>ITEM 4.7</b>	<b>678</b>
DEED OF VARIATION TO RIVERBANK INFRASTRUCTURE AGREEMENT - DIVISION 3	
<b>COMMITTEE RECOMMENDATION</b>	
REPORT DETAIL	

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

<b>ITEM 5.1</b>	<b>681</b>
SERVICING OF WASTE WATER SEPARATION SYSTEMS (MBRC006222) - REGIONAL	
<b>COMMITTEE RECOMMENDATION</b>	
REPORT DETAIL	

## 6 LIFESTYLE & AMENITY SESSION (Cr D Sims)

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

## 8 REGIONAL INNOVATION (Cr D Grimwade)

## 9 GENERAL BUSINESS

<b>ITEM 9.1</b>	<b>685</b>
HARMONY DAY 2018 - REGIONAL	

<b>ITEM 9.2</b>	<b>685</b>
MORETON BAY WEST CORRIDOR TRAFFIC STUDY - REGIONAL	
<b>COMMITTEE RECOMMENDATION</b>	

<b>ITEM 9.3</b>	<b>685</b>
2018 RUGBY LEAGUE COMMONWEALTH CHAMPIONSHIPS - REGIONAL	
<b>COMMITTEE RECOMMENDATION</b>	

<b>ITEM 9.4</b>	<b>686</b>
SOUTH QUEENSLAND INTERNATIONAL ONE METRE CHAMPIONSHIPS - DIVISION 5	

## CLOSED SESSION (Confidential items)

<b>ITEM C.1 – CONFIDENTIAL</b>	<b>688</b>
ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION – NORFOLK LAKES PARK, NARANGBA - DIVISION 11	
<b>COMMITTEE RECOMMENDATION</b>	

<b>ITEM C.2 – CONFIDENTIAL</b>	<b>689</b>
PROPOSED LEASE AT 1A/199 GYMPIE RD, STRATHPINE - DIVISION 9	
<b>COMMITTEE RECOMMENDATION</b>	

<b>ITEM C.3 – CONFIDENTIAL</b>	<b>690</b>
PROPOSED LEASE AT 4/199 GYMPIE RD, STRATHPINE - DIVISION 9	
<b>COMMITTEE RECOMMENDATION</b>	

<b>ITEM C.4 – CONFIDENTIAL</b>	<b>691</b>
PROPOSED LEASE 6/199 GYMPIE RD, STRATHPINE - DIVISION 9	
<b>COMMITTEE RECOMMENDATION</b>	

## CLOSURE

## ATTENDANCE & APOLOGIES

### Attendance:

#### Committee Members:

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

### Apologies:

Cr Brooke Savige

#### Officers:

Chief Executive Officer (Mr Daryl Hitzman)  
Director Community & Environmental Services (Mr Bill Halpin)  
Director Engineering Construction & Maintenance (Mr Tony Martini)  
Director Executive & Property Services (Ms Anne Moffat)

Legal Officer (Mr Rhys Dennison)  
Senior Legal Officer (Mr Richard Duhig)  
Manager Waste Services (Ms Angelika Hesse)  
Legal Officer (Mr Angus Conaghan)  
Manager Property & Commercial Services (Mr Michael Hagan)  
Meeting Support Officer (Ms Heather Bailey)

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**The Mayor is the Chairperson of the Coordination Committee.**

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

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

### ATTENDANCE

Mr Rhys Dennison attended the meeting at 10.33am for discussion on Item 1.1.

**1 GOVERNANCE SESSION**

(Cr A Sutherland, Mayor)

**ITEM 1.1**

**ADOPTION OF MORETON BAY REGIONAL COUNCIL INTERIM LOCAL LAW NO. 2 (ADVERTISING DEVICES) 2018 - REGIONAL**

Meeting / Session: 1 GOVERNANCE

Reference: A16720929 : 21 March 2018 - Refer Supporting Information A16721010 & A16467477

Responsible Officer: RD, Legal Officer (Legal Services)

**Executive Summary**

This report recommends that Council makes *Moreton Bay Regional Council Interim Local Law No. 2 (Advertising Devices) 2018* in order to continue to simplify and address issues with Council's regulation of advertising devices under Schedule 9 of *MBRC Subordinate Local Law No. 1 (Administration) 2011* whilst Council undertakes a second round of public consultation regarding its proposed permanent changes to the subordinate local law.

**COMMITTEE RECOMMENDATION**

Moved by Cr Matt Constance

Seconded by Cr Mick Gillam

CARRIED 12/0

1. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Interim Local Law No. 2 (Advertising Devices) 2018*, marked "Appendix A" in the Supporting Information annexed to this report.
2. That the Chief Executive Officer be authorised to:
  - a) let the public know that the interim local law has been made by publishing a notice of making the interim local law in accordance with section 29B of the *Local Government Act 2009*; and
3.
  - a) do such other things as required under the *Local Government Act 2009* in respect of the interim local law, which includes giving the Minister a copy of the interim local law and making a copy of the interim local law available for inspection and purchase at the local government's public offices.
4. That it is noted *Moreton Bay Regional Council Interim Local Law No. 2 (Advertising Devices) 2018* expires on 26 September 2018.
5. That the Chief Executive Officer be authorised to undertake a second round of public consultation regarding the proposed *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Administration) 2018* as outlined in this report.
6. That the Chief Executive Officer be authorised to reply to those persons who have provided submissions in relation to the proposed permanent amendments to the subordinate local law to date as outlined in this report.

ITEM 1.1 ADOPTION OF MORETON BAY REGIONAL COUNCIL INTERIM LOCAL LAW NO. 2 (ADVERTISING DEVICES) 2018 - REGIONAL - A16720929 : (Cont.)

## OFFICER'S RECOMMENDATION

1. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make *Moreton Bay Regional Council Interim Local Law No. 2 (Advertising Devices) 2018*, marked "Appendix A" in the Supporting Information annexed to this report.
2. That the Chief Executive Officer be authorised to:
  - a) let the public know that the interim local law has been made by publishing a notice of making the interim local law in accordance with section 29B of the *Local Government Act 2009*; and
  - b) do such other things as required under the *Local Government Act 2009* in respect of the interim local law, which includes giving the Minister a copy of the interim local law and making a copy of the interim local law available for inspection and purchase at the local government's public offices.
3. That it is noted *Moreton Bay Regional Council Interim Local Law No. 2 (Advertising Devices) 2018* expires on 26 September 2018.
4. That the Chief Executive Officer be authorised to undertake a second round of public consultation regarding the proposed *Moreton Bay Regional Council Amendment Subordinate Local Law No. 1 (Administration) 2018* as outlined in this report.
5. That the Chief Executive Officer be authorised to reply to those persons who have provided submissions in relation to the proposed permanent amendments to the subordinate local law to date as outlined in this report.

## **REPORT DETAIL**

### **1. Background**

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

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

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

On 25 October 2017, Council resolved to make *Moreton Bay Regional Council Interim Local Law No. 1 (Advertising Devices) 2017 (First Interim Local Law)*.

The First Interim Local Law was enacted on a temporary basis to streamline the SLL and to ameliorate any potential impingement on the implied constitutional freedom whilst Council considered permanent amendments to the SLL. The First Interim Local Law will expire on 24 April 2018.

On 5 February 2018, Council instigated a public consultation process regarding proposed permanent amendments to the SLL (which ended on 28 February 2018).

*ITEM 1.1 ADOPTION OF MORETON BAY REGIONAL COUNCIL INTERIM LOCAL LAW NO. 2 (ADVERTISING DEVICES) 2018 - REGIONAL - A16720929 : (Cont.)*

Council has considered the feedback which it has received to date via the public consultation process. As part of the public consultation process, concerns were received by various submitters that:

- Council's initial public consultation process was too short and was not publicised well enough;
- they were unsure as to why Council was making permanent changes to the SLL.

## 2. Explanation of Item

Given the feedback which Council has received to date, it is recommended that Council give stakeholders in the Region further opportunity to comment on the proposed permanent changes to the SLL.

It is recommended that this occur by way of a second public consultation process which accords with Council's adopted local law making process marked "Appendix B" in the Supporting Information but which:

- takes place for at least 42 days;
- is advertised in at least three local newspapers circulating in the Region, via a press release, and via Council's social media platforms (in addition to those places specified in Council's local law making process).

It is also recommended that Council reply to those persons who have provided submissions in relation to the proposed permanent amendments to the subordinate local law to date to:

- update them as to how Council is progressing with the subordinate local law-making process (e.g. by offering persons a further and extended opportunity to provide comments); and
- inform them (generally) as to why Council is considering making permanent changes to the SLL.

To afford Council sufficient time to achieve the above, it is recommended that Council enact the interim local law marked "Appendix A" in the Supporting Information annexed to this report (**Second Interim Local Law**) which will streamline the SLL and ameliorate any potential impingement on the implied constitutional freedom on a temporary basis until 26 September 2018 whilst Council completes the process for permanently amending the SLL. Officers will report back to Council following the second public consultation process.

## 3. Strategic Implications

### 3.1 Legislative/Legal Implications

The implication of regulating election advertising is that Council's Local Laws, as they relate to election signage, may be held to unlawfully impinge on the implied freedom in the Constitution to communicate on political matters. This risk is likely to be minimised if the Second Interim Local Law is made.

### 3.2 Corporate Plan / Operational Plan

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

### 3.3 Policy Implications

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

### 3.4 Risk Management Implications

As per paragraph 3.1 (above).

### 3.5 Delegated Authority Implications

There are no delegated authority implications given that the Second Interim Local Law simply amends the SLL. Accordingly, current delegations under the SLL remain applicable.

### 3.6 Financial Implications

The second round of public consultation process proposed in this report will require advertising expenditure of approximately \$5,000.00.



ITEM 1.1 ADOPTION OF MORETON BAY REGIONAL COUNCIL INTERIM LOCAL LAW NO. 2 (ADVERTISING DEVICES) 2018 - REGIONAL - A16720929 : (Cont.)

3.7 Economic Benefit

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

3.8 Environmental Implications

Council officers will continue to monitor advertising devices in the Region for compliance with the relevant criteria under the Second Interim Local Law. These criteria seek to minimise any environmental nuisance or environmental harm caused by advertising devices.

3.9 Social Implications

Undertaking a second round of public consultation and providing an update to submitters is hoped to allay concerns received from members of the public as outlined in this report.

3.10 Consultation / Communication

Pursuant to section 29A of the *Local Government Act 2009*, Council has consulted with relevant government entities about the overall State interest in the proposed Second Interim Local Law.

**ATTENDANCE**

Mr Rhys Dennison left the meeting at meeting at 10.35am after consideration of Item 1.1.

**2 PLANNING & DEVELOPMENT SESSION**

**(Cr M Gillam)**

No items for consideration.

**3 CORPORATE SERVICES SESSION**

**(Cr M Constance)**

No items for consideration.

**4 ASSET CONSTRUCTION & MAINTENANCE SESSION**

**(Cr A Hain)**

**ITEM 4.1**

**LAWNTON - TODDS ROAD - ROAD REHABILITATION - DIVISION 8**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE

*Reference:* A16692483 : 13 March 2018 - Refer **Confidential** Supporting Information  
**A16671679**

*Responsible Officer:* SAM, Principal Engineer (ECM Project Management & Construction)

**Executive Summary**

Tenders were invited for the 'Lawnton - Todds Road - Road Rehabilitation (MBRC007225)' project. The tender closed on 7 March 2018 with a total of six conforming tenders and two non-conforming tenders received.

It is recommended that Council award the contract to Allroads Pty Ltd for the sum of \$734,045.79 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

**COMMITTEE RECOMMENDATION**

**Moved by Cr Mick Gillam**

**Seconded by Cr James Houghton**

**CARRIED 12/0**

**That the tender for the 'Lawnton - Todds Road - Road Rehabilitation (MBRC007225)' project be awarded to Allroads Pty Ltd for the sum of \$734,045.79 excluding GST.**

ITEM 4.1 LAWNTON - TODDS ROAD - ROAD REHABILITATION - DIVISION 8 - A16692483 (Cont.)

**OFFICER'S RECOMMENDATION**

That the tender for the 'Lawnton - Todds Road - Road Rehabilitation (MBRC007225)' project be awarded to Allroads Pty Ltd for the sum of \$734,045.79 excluding GST.

**REPORT DETAIL**

**1. Background**

The project is located at Todds Road Lawnton, just west of Isis Road; and continuing west for 540m. Visual inspection indicated that 610m of pavement rehabilitation was required, however, following on-site pavement testing, only 540m of pavement rehabilitation is now required. The project scope includes the pavement rehabilitation and resurfacing of the 540m section of road including stormwater renewal works.

The adjacent development undertook some carriageway widening and new kerb along this section of road as well as some localised resurfacing.

The objective of the project is to bring the road pavement to a desirable level of service as the existing road pavement has deteriorated below an acceptable level.

The works are expected to commence in late June 2018 and take nine weeks to complete, which includes an allowance for wet weather.



Figure 1: Location plan - Todds Road - road rehabilitation

**2. Explanation of Item**

Tenders for the 'Lawnton - Todds Road - Road Rehabilitation (MBRC007225)' project closed on 7 March 2018 with a total of six conforming tenders and two non-conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	Allroads Pty Ltd	100.00
2	Aramira Civil Engineering Pty Ltd	96.03

*ITEM 4.1 LAWNTON - TODDS ROAD - ROAD REHABILITATION - DIVISION 8 - A16692483 (Cont.)*

RANK	TENDERER	EVALUATION SCORE
3	Ryan Civil Engineering Pty Ltd	91.18
4	Aqua Project Solutions Pty Ltd	86.77
5	Naric Pty Ltd	84.00
6	AllenCon Pty Ltd	80.15
7	G&H Plant Hire Pty Ltd	Non-conforming
8	Wills Holding Trading as River City Trees	Non-conforming

**Allroads Pty Ltd** submitted a comprehensive tender and demonstrated their experience on projects of a similar scale and complexity. At a tender clarification meeting held on 19 March 2018, Allroads Pty Ltd provided detail of their construction methodology, confirmed an overall project duration of nine weeks (including an allowance of two weeks for wet weather) and demonstrated a strong understanding of all the project requirements.

**Aramira Civil Engineering Pty Ltd** submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction program of works was of 14 weeks' duration inclusive of rain days. There were no additional benefits for the higher price.

**Ryan Civil Engineering Pty Ltd** submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. There were no additional benefits for the higher price.

The non-conforming tenderers did not provide the mandatory tender documentation in their submissions.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

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

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

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

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

**3.4 Risk Management Implications**

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

*Financial Risks:*

- a. A third-party review of financial status has been undertaken and the recommended tenderer was rated '*strong*'.

ITEM 4.1 LAWNTON - TODDS ROAD - ROAD REHABILITATION - DIVISION 8 - A16692483 (Cont.)

*Construction Risks:*

- a. The contractor will provide a program of works, traffic management plan and safety plan and will be required to fence off the areas where construction is being undertaken to meet relevant workplace health and safety requirements as part of the contract.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works including the management of pedestrian and vehicular movements through the work site.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Council has allocated a total of \$1,000,000 (excluding GST) in the draft 2018/19 Capital projects program for this project, budget number 101195.

Tender price (construction)	\$ 734,045.79
Contingency (10%)	\$ 73,404.58
QLeave	\$ 3,500.00
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Total project cost	\$ 810,950.37
	=====

The budget amount for this project is sufficient.

3.7 Economic Benefit

The road upgrade and reconfiguration will improve road capacity to cater for current demands and accommodate expected traffic growth.

3.8 Environmental Implications

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

3.9 Social Implications

The road rehabilitation will improve the operation of traffic on Todds Road, Lawnton for all road users.

3.10 Consultation / Communication

Residents will be notified of the works and expected construction timeframe via a Project Notice and project signs prior to commencement of works. Variable Message Signs will be implemented to notify residents and motorists of the works and any expected changes to traffic conditions. Regular communication with residents will be undertaken by Council's project manager during the construction phase to inform on progress. The Divisional Councillor has been consulted and is supportive of the project and the consultation plan.

**ITEM 4.2**  
**NARANGBA - NEW SETTLEMENT ROAD - ROUNDABOUT UPGRADE - DIVISION 11**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A16712440 : 19 March 2018 - Refer **Confidential** Supporting Information  
**A16674966**  
*Responsible Officer:* HV, Senior Project Manager (ECM Project Management & Construction)

**Executive Summary**

Public tenders were invited for the 'Narangba - New Settlement Road - Roundabout Upgrade (MBRC007171)' project. The tender closed on 7 March 2018 with a total of four conforming tenders and four non-conforming tenders received.

It is recommended that Council award the contract to Allencon Pty Ltd for the sum of \$344,518.45 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Darren Grimwade  
Seconded by Cr Peter Flannery

**CARRIED 12/0**

That the tender for 'Narangba - New Settlement Road - Roundabout Upgrade (MBRC007171)' project be awarded to Allencon Pty Ltd for the sum of \$344,518.45 (excluding GST).



ITEM 4.2 NARANGBA - NEW SETTLEMENT ROAD - ROUNDABOUT UPGRADE - DIVISION 11 - A16712440  
(Cont.)

**OFFICER'S RECOMMENDATION**

That the tender for 'Narangba - New Settlement Road - Roundabout Upgrade (MBRC007171)' project be awarded to Allencon Pty Ltd for the sum of \$344,518.45 (excluding GST).

**REPORT DETAIL**

**1. Background**

The project is located at the intersection of New Settlement and Young Roads, Narangba. The project scope includes modifying the eastern approach through reverse curves, modifying the eastern and western exits through reduced lane width, reduction of the roundabout circulating road width, provision of cycle lanes, drainage improvements and additional landscaping.

The objective of the project is to provide a reduced speed environment both approaching and circulating the roundabout.

The works are expected to commence in late April 2018 and take seven weeks to complete, which includes an allowance for wet weather.



**Figure 1 - New Settlement Road Roundabout Upgrade**

**2. Explanation of Item**

Tenders for the 'Narangba - New Settlement Road - Roundabout Upgrade (MBRC007171)' project closed on 7 March 2018 with a total of four conforming tenders and four non-conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documents.

*ITEM 4.2 NARANGBA - NEW SETTLEMENT ROAD - ROUNDABOUT UPGRADE - DIVISION 11 - A16712440*  
(Cont.)

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

RANK	TENDERER	EVALUATION SCORE
1	Allencon Pty Ltd	99.07
2	Aramira Civil Engineering Pty Ltd	94.72
3	Universal Civil Contracting	93.42
4	Allroads Pty Ltd	84.72
5	Crompton Concepts	Non-conforming
6	Suncoast Asphalt Pty Ltd	Non-conforming
7	Sunshine Skips	Non-conforming
8	Wills Holdings (Qld) Pty Ltd T/A River City Trees	Non-conforming

**Allencon Pty Ltd** submitted a comprehensive tender and demonstrated their experience on projects of a similar scale and complexity. At a tender clarification meeting held on 16 March 2018, Allencon Pty Ltd provided detail of their construction methodology, confirmed an overall project duration of seven weeks (including an allowance of three weeks for wet weather) and demonstrated a sound understanding of all the project requirements.

**Aramira Civil Engineering Pty Ltd** submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction program of works was of 12 weeks' duration inclusive of rain days. There were no additional benefits for the higher price.

**Universal Civil Contracting** submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction program of works was of 11 weeks' duration inclusive of rain days. There were no additional benefits for the higher price.

The non-conforming tenderers did not provide the mandatory tender documentation in their submissions.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

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

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

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

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



*ITEM 4.2 NARANGBA - NEW SETTLEMENT ROAD - ROUNDABOUT UPGRADE - DIVISION 11 - A16712440*  
(Cont.)

**3.4 Risk Management Implications**

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

*Financial Risks:*

- a. A third-party review of financial status has been undertaken and the recommended tenderer was rated 'strong'.

*Construction Risks:*

- a. The contractor will provide a program of works, traffic management plan, and safety plan and will be required to fence off the areas where construction is being undertaken to meet relevant workplace health and safety requirements as part of the contract, including safe work method statements.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works and manage the pedestrian and vehicular movements through the work site.

**3.5 Delegated Authority Implications**

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

**3.6 Financial Implications**

Council has allocated a total of \$465,000 (excluding GST) in the 2017/18 Capital projects program for this project, budget number 101245.

Energex relocation	\$ 70,000.00
Tender Price (Construction)	\$ 344,518.45
Contingency 10%	\$ 34,451.85
QLeave	\$ 1,636.46
	-----
<b>Total Project Cost</b>	<b>\$ 450,606.76</b>
	=====

Estimated ongoing operational costs are \$1,850 per F/Y for maintenance of landscaping, roads, drains and traffic signals. The budget amount for this project is sufficient.

**3.7 Economic Benefit**

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

**3.8 Environmental Implications**

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

**3.9 Social Implications**

The road upgrade has been designed to improve the safety and operation of the roundabout/intersection for all road users.

**3.10 Consultation / Communication**

Residents will be notified of the works and expected construction timeframe via a Project Notice and project signs prior to commencement of works. Variable Message Signs will be implemented to notify residents and motorists of the works and any expected changes to traffic conditions. Regular communication with residents will be undertaken by Council's project manager during the construction phase to inform on progress. The Divisional Councillor has been consulted and is supportive of the project and the consultation plan.

**ITEM 4.3**  
**WOODFORD COMMUNITY FACILITIES MASTER PLAN - DIVISION 12**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A16146824 : 3 November 2017 - **Refer Supporting Information A16722322**  
*Responsible Officer:* JJ, Senior Parks and Open Space Planner (ECM Engineering)

**Executive Summary**

This report seeks Council endorsement of the Woodford Community Facilities Master Plan. The Master Plan has been prepared in accordance with the requirements of Council Policy 2150-088 *Preparation of Master Plans for Council-Controlled or Owned Sites*.

**COMMITTEE RECOMMENDATION**

**Moved by Cr Adrian Raedel**

**Seconded by Cr Julie Greer**

**CARRIED 12/0**

**That the Woodford Community Facilities Master Plan (September 2016) be adopted, incorporating the new access via Archer Street.**

ITEM 4.3 WOODFORD COMMUNITY FACILITIES MASTER PLAN - DIVISION 12 - A16146824 (Cont.)

OFFICER'S RECOMMENDATION

That the Woodford Community Facilities Master Plan (September 2016) be adopted, incorporating the new access via Archer Street.

**REPORT DETAIL**

**1. Background**

The Woodford Community Facilities site is accessed from Archer Street, Woodford and is generally located between Archer Street and Margaret Street - refer to Figure 1.

A draft master plan and accompanying technical report was presented to Council at a workshop on 1 July 2014. Council supported the intent of the proposed facility master plan, however, requested that relevant internal stakeholders review the plan to ensure it was appropriate for endorsement as an approved master plan consistent with Council policy. In addition, the draft master plan proposed access via the Australian Narrow Gauge Railways Museum Society (ANGRMS) site, which has now been superseded by access from Archer Street.

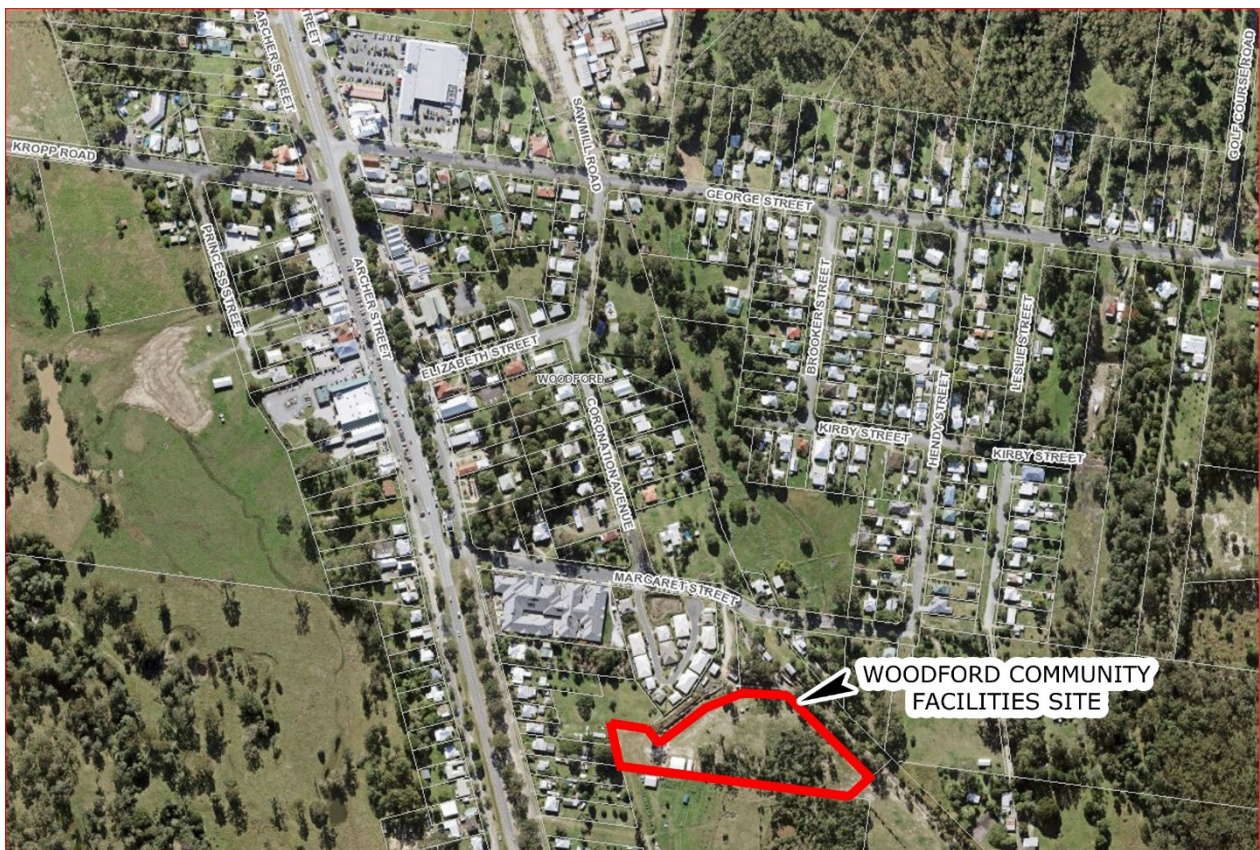


Figure 1 - Locality plan

Analysis of the constraints associated with gaining access from Margaret Street through the ANGRMS facility identified a need to secure an alternate means of entry. Property located at 145 Archer Street was subsequently acquired to secure an appropriate entry which has now been constructed. The master plan was revised accordingly, including removal of any requirement for works within the ANGRMS site.

*ITEM 4.3 WOODFORD COMMUNITY FACILITIES MASTER PLAN - DIVISION 12 - A16146824 (Cont.)*

The master plan has been subject to an internal review and has been finalised consistent with the requirements of Council Policy 2150-088 *Preparation of Master Plans for Council-Controlled or Owned Sites*. An outcome from seeking Council endorsement of the master plan is to put in place the necessary requirements to facilitate future development applications being processed as self-assessable development.

## **2. Explanation of Item**

The need for development of the Woodford Community Facilities site arose because existing community facilities within the Woodford township were considered unsuitable for a range of prospective user groups. The master plan (refer supporting information) for the site aims to maximise shared use of facilities such as parking, access roads, paths and amenities to reduce project costs and avoid duplication of infrastructure.

The master plan makes provision for a stormwater overland flow path and environmental corridor centrally located on the site and a lease provision in favour of the Australian Narrow Gauge Railway Museum Society. These two elements have meant that the primary location of the main community facilities area is concentrated on the western side of the site.

A constructed road access to the site, including engineering services, has been provided from Archer Street. Additional civil engineering works are required within the site to create the common areas, such as circulating roadway, carparking areas, stormwater drainage, etc. It is noted that community groups will be required to fully fund their own facility construction within the site.

## **3. Strategic Implications**

### **3.1 Legislative/Legal Implications**

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

### **3.2 Corporate Plan / Operational Plan**

Strengthening Communities: Healthy and supportive communities - a healthy and inclusive community.

### **3.3 Policy Implications**

The MBRC Planning Scheme is established to enable certain uses to be deemed self-assessable where the use is:

- i. located on Council owned or controlled land; and*
- ii. in accordance with a Council Master Plan approved under Council policy.*

By endorsing a master plan for the facility, Council can streamline the levels of assessment required for future planning approvals. To this end, a master plan report has been prepared. The purpose of the master plan report is to put in place the necessary requirements to facilitate future development applications being processed as self-assessable development. Relevant internal stakeholders have reviewed this report and feedback has been incorporated to ensure it is appropriate for endorsement as a Council Approved Master Plan consistent with Council Policy: 2150-088 *Preparation of Master Plans for Council-Controlled or Owned Sites*.

### **3.4 Risk Management Implications**

The development and endorsement of the master plan ensures the orderly and considered development of the site and benefits future development by user groups and their use of the site.

### **3.5 Delegated Authority Implications**

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

### **3.6 Financial Implications**

Excluding completed construction works, (access road and services), the estimated cost to complete civil works for the balance of the site is in the order of \$1.45 million, including 40% contingency. These works include earthworks and further provision of services plus completion of an internal access road and site landscaping.

*ITEM 4.3 WOODFORD COMMUNITY FACILITIES MASTER PLAN - DIVISION 12 - A16146824 (Cont.)*

It is envisaged that the balance of the civil work would be completed in two stages as follows:

Stage 1: Earthworks and services to balance of site, estimate \$650,000

Stage 2: Internal road and hard and soft landscape works, estimate \$800,000

The above works are proposed to be included for consideration within the future Forward Capital projects budgets.

It is noted that these costs do not include building construction costs, which will be the responsibility of the individual clubs/groups.

3.7 Economic Benefit

No specific economic benefit has been identified as a direct result of this project.

3.8 Environmental Implications

The master plan makes provision for a central stormwater overland flow path and associated environmental corridor within the site.

3.9 Social Implications

The provision of infrastructure to facilitate the creation of community meeting and activity space has a positive community health and wellbeing benefit.

3.10 Consultation / Communication

Internal and external stakeholders were consulted in the development of the master plan consistent with Council Policy: 2150-088 *Preparation of Master Plans for Council-Controlled or Owned Sites*. The Divisional Councillor has been consulted and is supportive of this master plan. The matter has also been the subject of previous Council workshops.

**ITEM 4.4  
MORAYFIELD - MORAYFIELD SPORTS AND EVENT CENTRE - CENTRE  
EXPANSION - DIVISION 12**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A16706375 : 15 March 2018 - Refer to **Confidential** Supporting Information  
**A16663844**  
*Responsible Officer:* AR, Senior Project Manager (ECM Project Management & Construction)

**Executive Summary**

Tenders were invited for the 'Morayfield - Morayfield Sports and Event Centre - Centre Expansion (MBRC006676)' project. The tender closed on 6 February 2018 with a total of six tenders received, five of which were conforming.

It is recommended that Council award the contract to Multi Span Australia Group Pty Ltd for the sum of \$7,825,713 (excl. GST) as this tender was evaluated as representing the best overall value to Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Adrian Raedel

Seconded by Cr Denise Sims

CARRIED 12/0

That the tender for *Morayfield - 'Morayfield Sports and Event Centre - Centre Expansion (MBRC006676)'* project be awarded to Multi Span Australia Group Pty Ltd for the sum of \$7,825,713 (excl. GST).



ITEM 4.4 MORAYFIELD - MORAYFIELD SPORTS AND EVENT CENTRE - CENTRE EXPANSION - DIVISION 12 - A16706375 (Cont.)

**OFFICER'S RECOMMENDATION**

That the tender for *Morayfield - 'Morayfield Sports and Event Centre - Centre Expansion (MBRC006676)'* project be awarded to Multi Span Australia Group Pty Ltd for the sum of \$7,825,713 (excl. GST).

**REPORT DETAIL**

**1. Background**

Council endorsed the Morayfield Sports and Event Centre expansion feasibility study and concept design on 24 September 2013 (MP 13/1778). Extensive discussions were held with the main user groups including Caboolture Basketball and Basketball Queensland.

The project is located at the Morayfield Sports and Event Centre, 298B Morayfield Road, Morayfield. The project scope of works includes construction of two multi-purpose courts and an events space, foyer, kitchen, servery, change rooms, amenities and administration areas, installation of air conditioning system, acoustic treatment, dividing curtain and retractable spectator seating. The civil works include connecting roads to the new building extension, pedestrian pathways, four bus bays, drainage works and landscaping.

The objective of the project is to accommodate the existing and future demands for a variety of sport and recreation user groups for the northern areas of the region and to provide the capacity for larger scale events.

The planning and detail design has been completed in February 2018 with construction to commence in April/May 2018 and estimated to take 40 weeks.

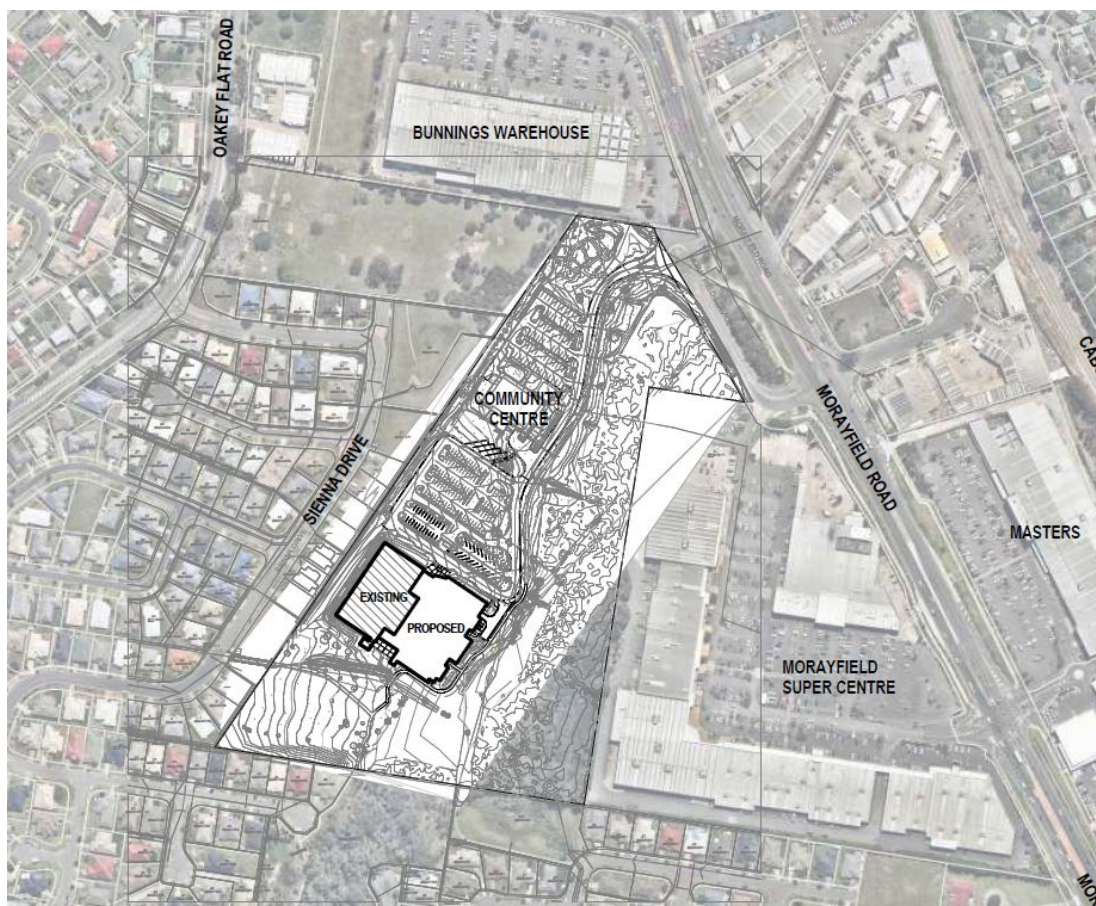


Figure 1 - Locality plan



ITEM 4.4 MORAYFIELD - MORAYFIELD SPORTS AND EVENT CENTRE - CENTRE EXPANSION - DIVISION 12 - A16706375 (Cont.)



Figure 2 - 3D rendition - proposed works

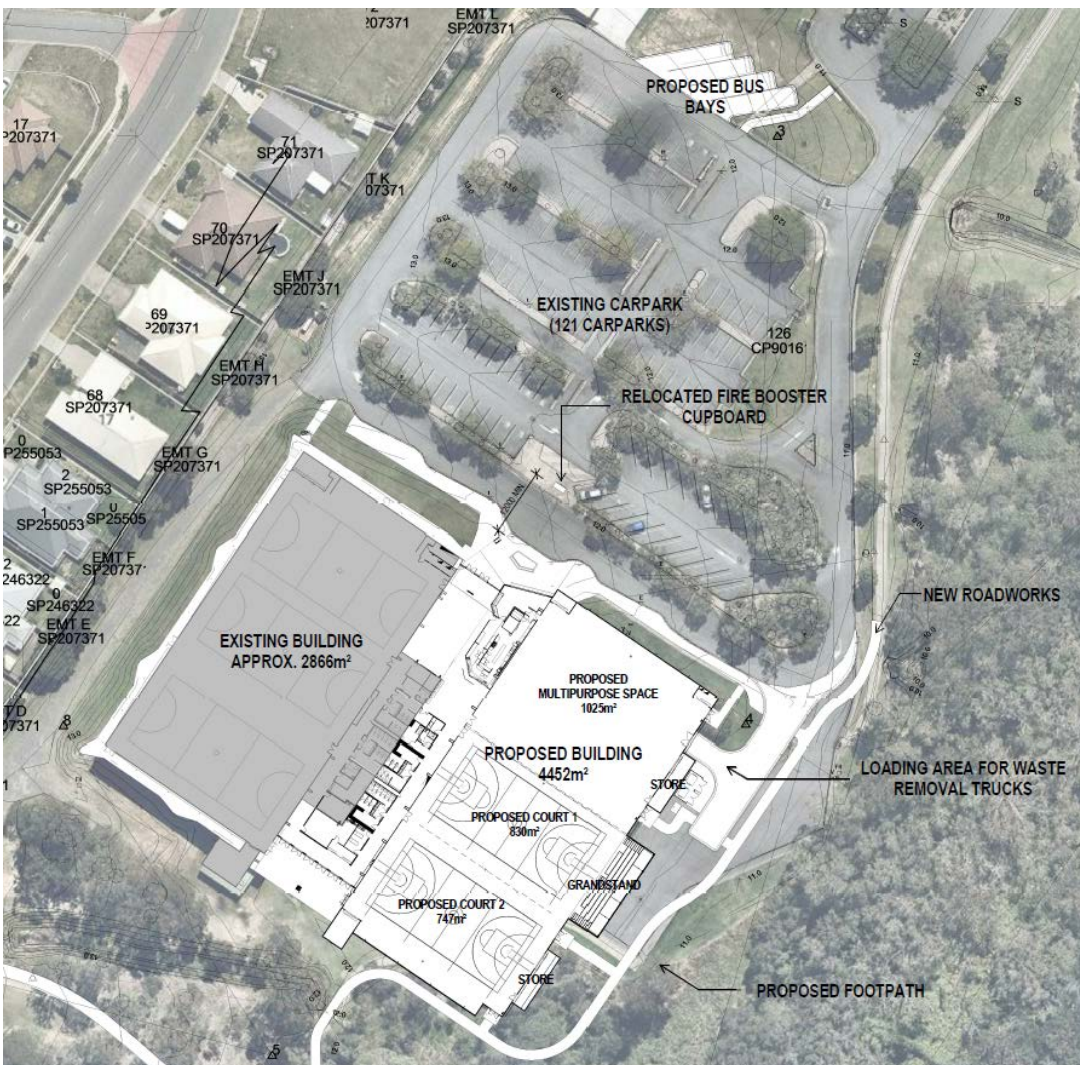


Figure 3 - Site plan - proposed works



*ITEM 4.4 MORAYFIELD - MORAYFIELD SPORTS AND EVENT CENTRE - CENTRE EXPANSION - DIVISION 12 - A16706375 (Cont.)*

**2. Explanation of Item**

Tenders for the construction of the 'Morayfield - Morayfield Sports and Event Centre - Centre Expansion (MBRC006676)' project closed on 6 February 2018 with five conforming and one non-conforming tenders received. The tenders were assessed by the tender assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documentation.

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

RANK	TENDERER	EVALUATION SCORE
1	Multi Span Australia Group Pty	98.94
2	ADCO Constructions Pty Ltd	97.08
3	MAW Group (Aust) Pty Ltd T/A Oasis Construction (Aust)	96.52
4	Astute Projects Pty Ltd	92.19
5	Leaf Building Group Pty Ltd	90.86
6	Wills Holdings Qld Pty Ltd	Non-conforming

**Multi Span Australia Group Pty Ltd** submitted a comprehensive and well-presented tender. A tender clarification meeting was held with Multi Span Australia on 22 February 2018, which reinforced their understanding of the project and relevant experience in similar public facility and recreation centre construction.

**ADCO Constructions Pty Ltd** submitted a comprehensive tender and demonstrated a clear understanding of the project requirements and capacity to complete the works. A tender clarification meeting was held with ADCO Constructions on 22 February 2018 which reinforced their understanding of the project and relevant experience in similar public facility and recreation centre construction; however there were no additional benefits for the higher price.

**MAW Group (Aust) Pty Ltd T/A Oasis Construction (Aust)** submitted a very comprehensive and well-presented tender. MAW Group demonstrated experience on construction projects; however there were no additional benefits for the higher price.

The non-conforming tenderer did not provide the mandatory tender schedule information.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

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

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

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

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

*ITEM 4.4 MORAYFIELD - MORAYFIELD SPORTS AND EVENT CENTRE - CENTRE EXPANSION - DIVISION 12 - A16706375 (Cont.)*

**3.4 Risk Management Implications**

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

*Financial Risks:*

A third party review of financial status has been carried out and the successful tenderer was rated "sound".

*Construction Risks:*

- a) The site is adjacent to the existing indoor centre and the contractor will be required to provide access into the existing indoor centre and provide safety fencing for the enclosed work site during the construction period. The contractor has confirmed an appropriate pedestrian management plan will be implemented around the site in line with the traffic management and safety plans, ensuring access and operation of the existing facility.

*Wet weather delays:*

- a) The tender document required all tenderers to include an allowance for inclement weather within their tendered construction time line. The allowance is based upon the Bureau of Meteorology Rainfall Graph for the Brisbane area. The contractor has provided an initial program of works with an inclusion of estimated wet weather days.

**3.5 Delegated Authority Implications**

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

**3.6 Financial Implications**

Council has allocated a total of \$3,630,000 in the 2017/18 Capital projects program and identified a further \$5,100,000 in the draft 2018/19 Capital projects program, totalling \$8,730,000 for the 'Morayfield - Morayfield Sports and Event Centre - Centre Expansion' project, budget number 101757.

Design costs (2017/18)	\$ 142,246
Tender price (building construction)	\$ 7,825,713
Contingency (7.5%)	\$ 586,929
QLeave	\$ 37,172
Consultants Site Involvement	\$ 65,000
	-----
Total Project Cost	\$ 8,657,060
	=====
 Estimated ongoing operational/maintenance costs	 \$250,000 per F/Y

The budget amount for this project is sufficient.

**3.7 Economic Benefit**

Council commissioned a feasibility study to establish the need for additional activity and ancillary spaces at Morayfield Sports and Event Centre which is the primary indoor sports centre for the northern area of Moreton Bay Region. The study pointed to a current and existing demand for expansion of the existing facilities. The study included the development of a detailed concept design incorporating existing and proposed new facilities. The additional activities and spaces will provide an opportunity to increase venue use for a broader market and generate additional revenue.

**3.8 Environmental Implications**

Environmental management has been included in the tender and the contractor will be required to manage sediment and erosion controls including flora and fauna during construction. These control measures will also be monitored by Council.

*ITEM 4.4 MORAYFIELD - MORAYFIELD SPORTS AND EVENT CENTRE - CENTRE EXPANSION - DIVISION 12 - A16706375 (Cont.)*

3.9 Social Implications

The provision of modern additional sports courts and an events space will have a positive social impact in the community. The new centre expansion will improve the existing facilities and create a venue where regional and state events can be held. Positive outcomes will be felt through social, health and economic benefits. The project will result in additional sports courts and an events space being available to accommodate the existing and future demands for a variety of sport, recreation and other user groups for the northern areas of Moreton Bay Region, which is expected to grow by more than 50% in the coming 20 years.

3.10 Consultation / Communication

Council endorsed the Morayfield Sports and Event Centre expansion feasibility study and concept design on 24 September 2013 (MP 13/1778). Extensive consultation has occurred with the main user groups of the facility including Caboolture Basketball and Basketball Queensland. Public communication about the Morayfield Sports and Event Centre will include utilising Council's project notice update newsletter and project signage which will be displayed prior to and throughout the works. Project Management and Construction will work with Strategy and Development and the Divisional Councillor as to further communication associated with this project in the lead up to and during the project construction phase.

Consultation has been undertaken by Property and Commercial Services to make patrons and facility users aware of the proposed works and what facilities will remain operational and what will be impacted by the works.

The Divisional Councillor has been consulted and is supportive of the project.

**ITEM 4.5**

**BURPENGARY - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE (CRALC)  
- BUILDING RENEWAL AND MAINTENANCE WORKS - DIVISION 2**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A16631148 : 7 March 2018 - Refer **Confidential** Supporting Information  
**A16562702**  
*Responsible Officer:* SC, Project Manager (ECM Project Management & Construction)

**Executive Summary**

Tenders were invited for works associated with the Caboolture Regional Aquatic Leisure Centre (CRALC). The tender was split into two portions, being (1) Capital and (2) Operational. Tenders closed on 6 March 2018, with two tenders received, both of which were conforming.

It is recommended that Council award the contract (both portions) to Leaf Building Group Pty Ltd for the sum of \$5,389,474.66 (excl. GST) as this tender was evaluated as representing the best overall value to Council.

The tendered construction program is 38 weeks from the date of possession of site.

**COMMITTEE RECOMMENDATION**

Moved by Cr Peter Flannery

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 12/0

1. That the tender for the '*Burpengary - CRALC - Indoor Aquatic Centre Renewal (Capital portion) (MBRC006935)*' project be awarded to Leaf Building Group Pty Ltd for the sum of \$4,638,960.11 (excl. GST).
2. That the tender for the '*Burpengary - CRALC - Building Maintenance Works (Operational portion) (MBRC006935)*' project be awarded to Leaf Building Group Pty Ltd for the sum of \$750,514.55 (excl. GST).

ITEM 4.5 BURPENGARY - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE (CRALC) - BUILDING RENEWAL AND MAINTENANCE WORKS - DIVISION 2 - A16631148 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That the tender for the 'Burpengary - CRALC - Indoor Aquatic Centre Renewal (Capital portion) (MBRC006935)' project be awarded to Leaf Building Group Pty Ltd for the sum of \$4,638,960.11 (excl. GST).
2. That the tender for the 'Burpengary - CRALC - Building Maintenance Works (Operational portion) (MBRC006935)' project be awarded to Leaf Building Group Pty Ltd for the sum of \$750,514.55 (excl. GST)

**REPORT DETAIL**

**1. Background**

The Caboolture Regional Aquatic and Leisure Centre (CRALC) facility is located at the northern end of Aquatic Centre Drive, Burpengary. The project involves two portions, a Capital and an Operational portion. The Capital portion involves the following broad scope of works: replacement ventilation system and associated ductwork, doors, roof/skylight sheet replacement, internal ceiling lining and light fittings replacement and re-instatement of auxiliary items, such as security systems, signage etc., pool deck concrete concourse repairs, 25m and 50m pool repairs, improving circulation flow rates through wet deck channel and balance tank treatment.

Due to the closure of the aquatic component of the facility, it provides an opportune time to undertake concurrent maintenance to the facility, that would not be readily achievable without the closure of the facility. Works to be undertaken as part of the Operational works portion include soffit truss end box outs and building gable sheet repairs, roof gutter/downpipe and stormwater repairs, installation of bird proofing, external and internal painting, minor building waterproof membrane repairs, spalling concrete repairs, painting to the grandstand and minor improvements to the external leisure pool.

The objective of the project is to remediate/renew critical areas of this part of the facility to ensure the long-term enjoyment of the facility by the community.

**Figure 1 - Location of works**



*ITEM 4.5 BURPENGARY - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE (CRALC) - BUILDING RENEWAL AND MAINTENANCE WORKS - DIVISION 2 - A16631148 (Cont.)*

**2. Explanation of Item**

Tenders for the Caboolture Regional Aquatic Leisure Centre (CRALC) works closed on 6 March 2018 with two conforming tenders received. The tenders were assessed by the evaluation panel in accordance with Council's Purchasing Policy and the selection criteria set out in the tender documentation.

All tenders with their evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Leaf Building Group Pty Ltd	99.88
2	MAW Group (Aust) Pty Ltd T/A Oasis Construction (Aust)	94.06

**Leaf Building Group Pty Ltd** submitted a comprehensive tender and at a tender clarification meeting held on 12 March 2018, demonstrated their relevant experience, methodology and understanding of the project and their capability in delivering the project.

**MAW Group (Aust) Pty Ltd T/A Oasis Construction (Aust)** submitted a comprehensive tender and at a tender clarification meeting held on 12 March 2018, demonstrated their relevant experience, methodology and understanding of the project and their capability in delivering the project; however, there were no additional benefits for the higher price.

**3. Strategic Implications**

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

*Financial Risks:*

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

The recommended contractor recently has successfully completed a building project at the Queensland State Equestrian Centre (warm up arena). In awarding this contract, Council sought additional security for this project. It is proposed that a similar process be adopted in respect of this contract, with additional security to be provided.

*ITEM 4.5 BURPENGARY - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE (CRALC) - BUILDING RENEWAL AND MAINTENANCE WORKS - DIVISION 2 - A16631148 (Cont.)*

*Construction Risks:*

- a. The contractor has demonstrated their understanding of the project and the need to manage the impact of the works on the activities that will remain functional during the works, in accordance with the tender conditions.*
- b. The contractor will provide a program of works, traffic management plan and safety plan and will be required to fence off areas where construction is being undertaken as part of the contract.*
- c. An extensive pre-tender investigation was undertaken; however latent conditions may be identified when the structure is deconstructed and the pool is emptied. Subsequently, the contingency for this component of the capital works has been set at 15%.*

**3.5 Delegated Authority Implications**

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

**3.6 Financial Implications**

Council has allocated a total of \$500,000 (excl. GST) in the 2017/18 Capital projects program for detail design and identified a further \$5,250,000 (excl. GST) in the draft 2018/19 Capital projects program for construction, budget 105313 *Burpengary - CRALC - Indoor Aquatic Centre Renewal*.

In addition, a further \$730,000 is contained in the draft 2018/19 Operational projects program for the Operational portion (building maintenance) of the project (106481)

2017/18 Capital project budget allocation	\$ 500,000
Less project design costs	\$ 230,000
	-----
2017/18 Capital project funds remaining	\$ 270,000
2018/19 Draft Capital project allocation (105313)	\$ 5,250,000
2018/19 Operational budget allocation (106481)	\$ 730,000
	-----
Total 2018/19 funds for project (Capital and Operational)	\$ 6,250,000
	=====
Tender Price (Capital portion)	\$ 4,638,960.11
Contingency 15% (Capital portion)	\$ 700,000
Tender Price (Operational portion)	\$ 750,514.55
Contingency 10% (Operational portion)	\$ 75,000
External Consultant Site Involvement	\$ 25,000
Q Leave	\$ 26,000
	-----
Total Project Cost	\$ 6,215,474.66
	=====
Estimated ongoing maintenance costs	\$340,000 per F/Y.

The total budget (Capital plus Operational) amount for this project is sufficient.

**3.7 Economic Benefit**

The completion of the project will prolong the life of the aquatic facilities/building and reduce the operational costs through improved ventilation and lighting systems. On-going maintenance costs will also be reduced.

**3.8 Environmental Implications**

There are minimal environmental implications posed by the works. The successful tenderer will be required to submit an environmental management plan for the works.

*ITEM 4.5 BURPENGARY - CABOOLTURE REGIONAL AQUATIC LEISURE CENTRE (CRALC) - BUILDING RENEWAL AND MAINTENANCE WORKS - DIVISION 2 - A16631148 (Cont.)*

3.9 Social Implications

The project will have positive recreational benefits to the community which include improving the air quality, reducing operational costs, enhancing and prolonging the life of the building and pool assets and reducing on-going maintenance costs.

3.10 Consultation / Communication

A communication plan, together with a pedestrian management plan will be implemented with the successful contractor prior to works commencing on site. This will include utilising Council's project signage which will be displayed prior and throughout the works. Local residents and businesses considered to be impacted by the works will receive project notices.

Project Management and Construction will work with Strategy and Development and the Divisional Councillor as to further communication associated with this project in the lead up to and during the building renewal and maintenance phases.

Consultation has been undertaken by Property and Commercial Services to make patrons aware of the proposed works and what facilities will remain operational and what will be impacted by the works. The Divisional Councillor has been consulted and is supportive of the project.

**ATTENDANCE**

Ms Angelika Hesse and Mr Angus Conaghan attended the meeting at 10.42am for discussion on Item 4.6.



**ITEM 4.6**

**MAKING OF MORETON BAY REGIONAL COUNCIL LOCAL LAW NO. 7 (WASTE MANAGEMENT) 2018 AND MORETON BAY REGIONAL COUNCIL COMMUNITY AND ENVIRONMENTAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2018 - REGIONAL**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE

Reference: A16703919: 13 March 2018 - **Refer Supporting Information A16703844, A16703847, A16703851, A16703853, A16703854, A16703857, A16703860 & A16723464**

Responsible Officer: AH, Manager Waste Services (ECM Waste Services)

**Executive Summary**

This report seeks Council's resolution to make *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2018* and *Moreton Bay Regional Council Community and Environmental Management (Amendment) Subordinate Local Law (No.1) 2018* as advertised. Resolutions are also required to adopt associated public interest test report recommendations and a consolidated version of a subordinate local law.

Council's consultation with the public about the proposed local law and subordinate local law, including possible anti-competitive provisions in the proposed local law, was completed on 20 February 2018. Council had also previously consulted with relevant government entities about the overall State interest in the proposed local law. No amendment of the proposed local law or the proposed subordinate local law is proposed as a direct consequence of consideration of the submissions received in response to the consultation.

The proposed local law is necessary to ensure that Council maintains its head of power for waste management in the region after the expiry of chapter 5A of the *Environmental Protection Regulation 2008* and section 7 of the *Waste Reduction and Recycling Regulation 2011* on 1 July 2018.

**COMMITTEE RECOMMENDATION**

Moved by Cr Koliانا Winchester

Seconded by Cr Darren Grimwade

CARRIED 12/0

That Council resolves to:

- a) note that Council has consulted with relevant government entities about the overall State interest in *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017*; and
- b) implement the recommendations of the Public Interest Test Report about *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017*; and
- c) make *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017* as advertised, but amended by the omission of each reference to '2017', and the insertion instead of a reference to '2018'; and
- d) make *Moreton Bay Regional Council Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017* as advertised, but amended by the omission of each reference to '2017', and the insertion instead of a reference to '2018'; and
- e) note that *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2018* contains anti-competitive provisions; and
- f) adopt the consolidated version of *Moreton Bay Regional Council Subordinate Local Law No. 3 (Community and Environmental Management) 2011* pursuant to the *Local Government Act 2009*, section 32, in the form attached to this report.

ITEM 4.6 MAKING OF MORETON BAY REGIONAL COUNCIL LOCAL LAW NO. 7 (WASTE MANAGEMENT) 2018 AND MORETON BAY REGIONAL COUNCIL COMMUNITY AND ENVIRONMENTAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2018 - REGIONAL - A16703919 (Cont.)

## OFFICER'S RECOMMENDATION

That Council resolves to:

- a) note that Council has consulted with relevant government entities about the overall State interest in *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017*; and
- b) implement the recommendations of the Public Interest Test Report about *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017*; and
- c) make *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017* as advertised, but amended by the omission of each reference to '2017', and the insertion instead of a reference to '2018'; and
- d) make *Moreton Bay Regional Council Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017* as advertised, but amended by the omission of each reference to '2017', and the insertion instead of a reference to '2018'; and
- e) note that *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2018* contains anti-competitive provisions; and
- f) adopt the consolidated version of *Moreton Bay Regional Council Subordinate Local Law No. 3 (Community and Environmental Management) 2011* pursuant to the *Local Government Act 2009*, section 32, in the form attached to this report.

## **REPORT DETAIL**

### **1. Background**

Council resolved to propose to make *Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017* and *Moreton Bay Regional Council Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017* at its meeting of 8 November 2017. The proposal was in response to the expiry of the waste management provisions contained within chapter 5A of the *Environmental Protection Regulation 2008 (EPR)* and section 7 of the *Waste Reduction and Recycling Regulation 2011 (WRRR)* on 1 July 2018. The new local law replicates the provisions of the expiring state laws and ensures that Council can continue to adequately manage risks associated with the supply, storage, removal and treatment of waste in its local government area. It also allows Council to continue to have designated areas for general waste collection within its local government area.

The making of the local law and amendment of the subordinate local law was progressed in accordance with Council's adopted local law making process. Key steps completed to date include consultation with State government agencies, the community and industry stakeholders and undertaking public interest testing (PIT) of the proposed local law and any possible anti-competitive provisions contained therein.

### **State Interest consultation**

The proposed local law has been provided to all relevant State government entities for review to satisfy the State-interest check process required under the *Local Government Act 2009*.

The State interest consultation for the proposed local law commenced on the 20 November 2017 and concluded on 21 December 2017.

The Council consulted with the following 18 relevant State government entities about the overall State interest in the proposed local law:

- Department of Environment and Heritage Protection
- Department of Health
- Department of Infrastructure, Local Government and Planning

*ITEM 4.6 MAKING OF MORETON BAY REGIONAL COUNCIL LOCAL LAW NO. 7 (WASTE MANAGEMENT) 2018 AND MORETON BAY REGIONAL COUNCIL COMMUNITY AND ENVIRONMENTAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2018 - REGIONAL - A16703919 (Cont.)*

- Department of National Parks, Sport and Racing
- Department of Natural Resources and Mines
- Department of Aboriginal and Torres Strait Islander Partnerships
- Department of Agriculture and Fisheries
- Department of Communities, Child Safety and Disability Services
- Department of Education and Training
- Department of Energy and Water Supply
- Department of Housing and Public Works
- Department of Justice and Attorney-General
- Department of Science, Information Technology and Innovation
- Department of State Development
- Department of Transport and Main Roads
- Department of the Premier and Cabinet
- Department of Tourism, Major Events, Small Business and the Commonwealth
- Queensland Treasury

Of the relevant government entities consulted:

- one (1) - the Department of Environment and Heritage Protection (now the Department of Environment and Sciences (DES)) provided comments on various provisions of Council's proposed new local law;
- one (1) - the Metro North Hospital and Health Service (MNHHS) on behalf of the Department of Health strongly supported Council's proposed local law stating that the agency's "*Public health activities include partnering with local governments to influence the determinants of health. The proposed law supports these partnerships and the provisions of the Public Health Act 2005 in preventing the public health risk from waste*" in its response;
- five (5) – confirmed in writing that no conflict with state laws administered by them exists (DLGIP, DNRM, DAF, DNPSR, DTMR); and
- eleven (11) – no response provided

Copies of the responses received are provided in **APPENDIX 4** and a detailed response to each of the matters raised by the Department of Environment and Heritage Protection is provided in **APPENDIX 5**.

## **Public consultation**

Public consultation was undertaken from 29 January 2018 to 20 February 2018 in accordance with the requirements of the Local Government Act 2009 and Council's adopted local law making process.

Public consultation included personal invitation letters to fourteen (14) waste industry organisations and associations, advertisement of the public notice for the local law consultation in the Courier Mail newspaper, and Council's website with access to all relevant documentation such as the Public Interest Test Plan, the proposed Moreton Bay Regional Council Local Law No. 7 (Waste Management) 2017 and the proposed amended Moreton Bay Regional Council Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017.

The requisite public notice was displayed throughout the consultation period on Council's website and Customer Service Centre notice boards at Strathpine, Redcliffe and Caboolture.

As part of the local law making process, Council must accept and consider every properly made submission. Council received four (4) submissions of which one (1) was from a local resident and three (3) were from waste industry stakeholders, being Cleanaway, the Waste Recycling Industry Association (Qld) and the Waste Management Association Australia (WMAA). All submissions are provided in **APPENDIX 1**.

The local resident's submission opposed "*making the cost of wheelie bins the responsibility of the owner*" which is not proposed by the local law for residents receiving Council's waste service.

*ITEM 4.6 MAKING OF MORETON BAY REGIONAL COUNCIL LOCAL LAW NO. 7 (WASTE MANAGEMENT) 2018 AND MORETON BAY REGIONAL COUNCIL COMMUNITY AND ENVIRONMENTAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2018 - REGIONAL - A16703919 (Cont.)*

A variety of issues were raised in the three submissions from the waste industry stakeholders, generally relating to perceived anti-competitive provisions and Council's waste management powers contained in the proposed local law.

Full details of all matters raised in the public submissions received and appropriate responses to each are provided in **APPENDIX 2** for Council's review and consideration. A Public Interest Test (PIT) Report discussing submission issues is provided in **APPENDIX 3** to this report.

## 2. Explanation of Item

The making of this local law is being undertaken in compliance with the statutory requirements of the *Local Government Act 2009* and has involved state interest checks, public consultation and public interest testing of anti-competitive provisions. Council has complied with its local law making process and all statutory requirements for the proposed local law to be made.

Following public consultation, the PIT Report **APPENDIX 3** was prepared for the Public Interest Test Plan. The PIT Report recommends that each of the anti-competitive provisions identified in the Public Interest Test Plan be retained in the proposed local law in the public interest, for the following reasons:

- a. The benefit of any anti-competitive provisions to the community outweighs the cost; and  
The most appropriate way of achieving the objectives of the proposed local law is by restricting competition in the way provided in the anti-competitive provisions.

*Moreton Bay Regional Council Local Law No.7 (Waste Management) 2018* is to be certified by the Chief Executive Officer after Council adoption and is provided in **APPENDIX 6**. *Moreton Bay Regional Council Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2018* is also provided in **APPENDIX 7**.

## Further process steps

If Council now resolves to make the proposed local law without amendments as recommended, the following local law making process steps must be completed to meet statutory requirements and Council's adopted local law making process:

- Within one (1) month of the date of the resolution, let the public know that the proposed local law has been made by publishing a notice in the gazette and on Council's website (notice to comply with the requirements of section 29A of the *Local Government Act 2009*); and
- As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's public offices; and
- Within 14 days after the notice is published in the gazette, give the minister a copy of the gazette notice and a copy of the local law in electronic form; and
- Update Council's local laws register.

## 3. Strategic Implications

### 3.1 Legislative/Legal Implications

The *Local Government Act 2009* and chapter 5A of the *Environmental Protection Regulation 2008* allow Council to make a local law about waste management for its local government area. The Council can do so by following statutory requirements and its existing local law making process.

### 3.2 Corporate Plan / Operational Plan

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

*ITEM 4.6 MAKING OF MORETON BAY REGIONAL COUNCIL LOCAL LAW NO. 7 (WASTE MANAGEMENT) 2018 AND MORETON BAY REGIONAL COUNCIL COMMUNITY AND ENVIRONMENTAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2018 - REGIONAL - A16703919 (Cont.)*

3.3 Policy Implications

The proposed local law for waste management will require the development of new policies and/or directives relating to the specific nature of waste and recycling collection containers to be provided and explicit definitions for what constitutes recyclable materials (waste) in the region.

Also, Council must, by resolution, pursuant to section 5 of the proposed local law, designate areas within Council's local government area in which Council may conduct general waste or green waste collection.

3.4 Risk Management Implications

State agency interest checks and community and waste industry consultation on the new local law will seek to mitigate consultation risks.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The local law is needed to maintain the ability to provide cost effective waste management services for the community in the region and waste management facilities for residents and businesses.

3.7 Economic Benefit

The local law ensures Council's ability to provide the most cost effective waste regulation and waste and recycling management services to residents into the future.

3.8 Environmental Implications

Effective waste management services are essential for the protection of the environment. The local law ensures Council's ability to provide this environmental protection through appropriate waste regulation.

3.9 Social Implications

Council has a social obligation to ensure a safe and healthy community. Maintaining the ability to manage and regulate waste management in the region through the proposed local law will ensure that the amenity of public places is retained.

3.10 Consultation / Communication

- Legal Services
- Council Workshops on 12 September and 10 October 2017
- State Interest consultation completed commencing 20 November 2017 for four (4) calendar weeks.
- Public consultation completed for 21 days to close of business on 20 February 2018

## ATTENDANCE

Ms Angelika Hesse and Mr Angus Conaghan left the meeting at 10.43am after consideration of Item 4.6.

Mr Richard Duhig attended the meeting at 10.43am for discussion on Item 4.7.

**ITEM 4.7  
DEED OF VARIATION TO RIVERBANK INFRASTRUCTURE AGREEMENT -  
DIVISION 3**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A16727334: 20 March 2018 - **Refer Supporting Information A16726487**  
*Responsible Officer:* RD, Senior Legal Officer (CEO Legal)

**Executive Summary**

This report recommends Council resolve to amend the Riverbank Infrastructure Agreement 2012 by a deed of variation to provide for payments during construction of a bridge over Cundoot Creek, Caboolture South and for completion of the bridge before plan approval or use of the 600<sup>th</sup> lot of the Riverbank Estate residential development located at Visentin Road and Market Drive, Caboolture South.

**COMMITTEE RECOMMENDATION**

Moved by Cr Mick Gillam

Seconded by Cr Adrian Raedel

CARRIED 12/0

That pursuant to sections 9 and 257 of the *Local Government Act* Qld 2009:

- a) Council resolve to enter the Deed of Variation and Consolidation of the Riverbank Infrastructure Agreement 2012 marked "Appendix A"; and
- b) the Chief Executive Officer be authorised to execute the Deed of Variation and Consolidation on behalf of Council.

ITEM 4.7 DEED OF VARIATION TO RIVERBANK INFRASTRUCTURE AGREEMENT - DIVISION 3 - A16727334  
(Cont.)

### OFFICER'S RECOMMENDATION

That pursuant to sections 9 and 257 of the *Local Government Act* Qld 2009:

- a) Council resolve to enter the Deed of Variation and Consolidation of the Riverbank Infrastructure Agreement 2012 marked "Appendix A"; and
- b) the Chief Executive Officer be authorised to execute the Deed of Variation and Consolidation on behalf of Council.

### **REPORT DETAIL**

#### **1. Background**

On 18 July 2006 the Caboolture Shire Council resolved to approve Riverbank Estate residential development with conditions. That resolution required construction of a connection to Weier Road which entails crossing Cundoot Creek and acknowledged Council would reimburse the developer 91.4% of the cost of the bridge.

The developer filed a conditions appeal.

On 14 November 2007 the Planning and Environment Court issued a preliminary approval to the developer for a material change of use for residential and commercial uses at Visentin Road and Market Drive, Caboolture South.

The approval included a condition that a connection to Weier Road, (which entails crossing Cundoot Creek) be completed by development of the 440<sup>th</sup> lot. The condition also required that the developer would receive a 91.4% offset of the construction costs of the bridge component only.

To effect that condition Council and the developer entered an infrastructure agreement in 2012.

\$6,000,000 was included in the 2017/18 budget for the bridge. A further \$3,000,000 (previously estimated to be \$6,000,000) is proposed to be included in the 2018/19 budget.

ECM approached the developer in 2017 seeking to pay the 91.4% contribution on a progressive basis during construction to ensure Council maintained control over the build quality and could continuously inspect construction of the bridge.

The developer agreed with the proposal and a Deed of Variation to the Infrastructure Agreement and a Consolidated Infrastructure Agreement ('amended IA') with the appropriate amendments was prepared.

Under the amended IA Council pays a maximum of \$8,939,132.79 which represents 91.4% of the total bridge costs. See the second last page of the amended IA for a breakdown of the costs - the third column from the right is total costs, the last column is the 91.4% portion.

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

To ensure quality and compliance with Council's engineering standards, ECM proposed paying Council's 91.4% contribution monthly during the bridge construction.

The infrastructure agreement that had been in place was amended to allow for payment on a progressive basis up to a maximum of \$8,939,132.79 which represents 91.4% of the total cost of construction of the bridge. See the definition in the amended IA of 'Maximum Bridge Component Amount'.

Special Condition 2 of Schedule 3 sets out how those progressive payments are to be made. In short, the developer is responsible for invoices rendered by a work contractor. The developer is required to provide Council with the invoice, proof of payment, a request for payment and a tally of all payments previously made by Council. Once satisfied Council makes the payment.

*ITEM 4.7 DEED OF VARIATION TO RIVERBANK INFRASTRUCTURE AGREEMENT - DIVISION 3 - A16727334  
(Cont.)*

The amended IA provides for Council to inspect construction of the bridge and places a contractual obligation on the developer to ensure construction occurs in accordance with the agreed plans. Failure to do so would be a breach of the contract. The amended IA also empowers Council to direct a variation of the bridge construction contract.

The amended IA gives Council rights in the event of insolvency of the builder or the developer. This is necessary to ensure progressive payments made by Council are protected in that event. For instance, Council can sue the builder in the name of the developer or step into the work contract in the name of the developer.

### **3. Strategic Implications**

#### **3.1 Legislative/Legal Implications**

The amended IA allows Council and the developer to comply with the development approval issued by the Court in a manner which satisfies Council's quality and design standards.

#### **3.2 Corporate Plan / Operational Plan**

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

#### **3.3 Policy Implications**

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

#### **3.4 Risk Management Implications**

Paying construction invoices progressively invokes risk in the event of insolvency of the builder or the developer. The amended IA seeks to deal with those risks. The amended IA gives Council control over the standard and quality of construction and minimises the risk Council will be dedicated a substandard bridge.

#### **3.5 Delegated Authority Implications**

A resolution in accordance with this report deals with any delegation issues.

#### **3.6 Financial Implications**

Council's maximum liability under the amended IA is \$8,939,132.63 unless Council directs a variation. \$6,000,000 has been budgeted this financial year and a further \$3,000,000 (previously \$6,000,000) is proposed to be budgeted in the 2018/19 financial year.

#### **3.7 Economic Benefit**

This is a job creating project for the duration of the construction.

#### **3.8 Environmental Implications**

There are no environmental implications.

#### **3.9 Social Implications**

The bridge provides a further and more direct connection to the M1 for residents of Caboolture South and alleviates traffic through Caboolture.

#### **3.10 Consultation / Communication**

Consultation was not necessary for preparation of the amended IA.

## **ATTENDANCE**

Mr Richard Duhig left the meeting at 10.45am after consideration of Item 4.7.



**5 PARKS, RECREATION & SPORT SESSION**

(Cr K Winchester)

**ITEM 5.1  
SERVICING OF WASTE WATER SEPARATION SYSTEMS (MBRC006222) -  
REGIONAL**

*Meeting / Session:* 5 PARKS, RECREATION & SPORT  
*Reference:* A16685574 : 19 March 2018 - Refer **Confidential** Supporting Information  
**A16521437**  
*Responsible Officer:* DS, University Student, ECM Buildings & Facilities

**Executive Summary**

This report seeks Council approval to establish a preventative maintenance contract for Council owned and operated Waste Water Separation Systems (WWSS) across the region.

Tenders were called for the 'Servicing of Waste Water Separation Systems' (MBRC006222). The tender closed on 30 January 2018. Four tender submissions were received, one of which later withdrew their submission, leaving two conforming and one non-conforming tender submissions remaining.

The initial contract period will commence 16 April 2018 and expire 30 June 2019, with two x one-year options to extend the contract period, subject to satisfactory performance as determined by Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Matt Constance

Seconded by Cr Peter Flannery

**CARRIED 12/0**

That the tender for 'Servicing of Waste Water Separation Systems' (MBRC006222) be awarded to Everything Water Australia PTY LTD for an initial period of 15 months (16 April 2018 to 30 June 2019), for an estimated sum of \$350,506.39 (excl. GST); with the option of two x one-year contract extensions subject to satisfactory performance, as determined by Council.

ITEM 5.1 SERVICING OF WASTE WATER SEPARATION SYSTEMS (MBRC006222) - REGIONAL - A16685574  
(Cont.)

## OFFICER'S RECOMMENDATION

That the tender for 'Servicing of Waste Water Separation Systems' (MBRC006222) be awarded to Everything Water Australia PTY LTD for an initial period of 15 months (16 April 2018 to 30 June 2019), for an estimated sum of \$350,506.39 (excl. GST); with the option of two x one-year contract extensions subject to satisfactory performance, as determined by Council.

## **REPORT DETAIL**

### **1. Background**

Council operates WWSS's at Arana Hills Depot, Caboolture Depot, Dakabin Pound, Dayboro Depot, Margate Depot and Petrie Depot and includes all oil separators, gross pollutant traps and triple interceptors located at these sites. It is the objective of this contract to effectively manage the system's lifecycles allowing for continued operation with minimal down time. The servicing of the WWSS will be undertaken on a quarterly basis.

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

Tenders for the 'Servicing of Waste Water Separation Systems' (MBRC006222) closed on 30 January 2018. Four tenders were received, one of which later withdrew their submission, leaving two conforming and one non-conforming tender submissions remaining. These tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

The four tenders with their final weightings are tabled below (ranked from highest to lowest).

RANK	TENDERER	EVALUATION SCORE
1	Everything Water Australia PTY LTD (EWA)	100.00
2	Aquatec Maxcon PTY LTD	84.11
3	Environmental Waste Water Solutions	Withdrew
4	Cleanaway Industrial Solutions PTY LTD	Non-conforming

**Everything Water Australia PTY LTD's** (EWA) tender submission received the highest overall score, based on the selection criteria. EWA received the highest technical rating and were ranked first in price. EWA are a specialised waste water company dealing with manufacturing and servicing of waste water separation systems. EWA is currently servicing Brisbane City Council, Origin Energy and several other large commercial businesses.

**Aquatec Maxcon PTY LTD's** tender submission received the second highest final score based on the selection criteria. Aquatec were ranked second in technical rating and second in price. Aquatec is a provider of water and wastewater technology and equipment, based in Ipswich.

**Environmental Waste Water Solutions** withdrew their tender submission after a clarification meeting, stating they would not be able to obtain the licensing to undertake this contract.

**Cleanaway Industrial Solutions PTY LTD** failed to provide a conforming quotation due to not attending the mandatory tender briefing held on 17 January 2018.

### **3. Strategic Implications**

#### **3.1 Legislative/Legal Implications**

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

*ITEM 5.1 SERVICING OF WASTE WATER SEPARATION SYSTEMS (MBRC006222) - REGIONAL - A16685574 (Cont.)*

3.2 Corporate Plan / Operational Plan

Enabling Services: Building and facilities – maintenance services for council buildings and facilities.

3.3 Policy Implications

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

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

3.4 Risk Management Implications

The project risk has been assessed and the following issues identified. The risk mitigation is detailed below:

RISK	MITIGATION
There are many systems, which are spread over the region. These systems have specific timing requirements for maintenance.	EWA confirmed they can service all the systems to the required standard and have enough technicians and plant resources to fulfil the requirements of the tender.
No council attendance during maintenance to validate service completed.	EWA will submit photographic service reports recording the works completed.
Efficient and effective response time in attending to emergency issues.	EWA have confirmed that they can be contacted in emergency situations and attend site.
Long spare part lead times in emergency replacement situations.	EWA have confirmed that they have a local workshop which has the required spare parts stored.
Not all sites have adequate power and water resources to complete the servicing.	EWA have confirmed they will provide their own water and power where required, providing no risk to Council.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The term of the contract is for 15 months commencing 16 April 2018 and expiring on 30 June 2019, with the option for two extension periods, each one year in length, based on satisfactory performance. The estimated annual costs (as per recommendation) are within the annual budget allocation.

3.7 Economic Benefit

Plant and equipment efficiencies and operational processes will be investigated as part of this contract to identify economic opportunities.

3.8 Environmental Implications

Preventative maintenance of the Waste Water Separation Systems ensures that Council's environmental obligations are met.

3.9 Social Implications

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

3.10 Consultation / Communication

Council engaged an engineering firm, GHD, to provide a maintenance scope of works for servicing the Waste Water Separation Systems. Staff from the Procurement team were involved during the evaluation of tenders.

**6 LIFESTYLE & AMENITY SESSION**

**(Cr D Sims)**

No items for consideration.

**7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION**

**(Cr P Flannery)**

No items for consideration.

**8 REGIONAL INNOVATION**

**(Cr D Grimwade)**

No items for consideration.

## 9 GENERAL BUSINESS

### ITEM 9.1 HARMONY DAY 2018 - REGIONAL (AH)

Cr Adam Hain acknowledged and conveyed his congratulations to Council staff for their contributions towards the success of Harmony Day held over the preceding weekend, a day that aims to recognise and celebrate Australia's cultural diversity and promote the key message that 'everyone belongs'.

Cr Hain advised that the event held in Division 3 was well-received by the community, and also presented an opportunity for the local Neighbourhood Watch to promote their cause.

### ITEM 9.2 MORETON BAY WEST CORRIDOR TRAFFIC STUDY - REGIONAL (PF)

#### COMMITTEE RECOMMENDATION

Moved by Cr Peter Flannery  
Seconded by Cr Adrian Raedel

CARRIED 12/0

**That the Mayor write to the Minister for Transport and Main Roads requesting a meeting on the Moreton Bay West Corridor Traffic Study.**

### ITEM 9.3 2018 RUGBY LEAGUE COMMONWEALTH CHAMPIONSHIPS - REGIONAL (AS)

Cr Allan Sutherland (Mayor) presented a jersey received from the Rugby League International Federation, to be placed on Council's Wall of Honour in recognition of staging the 2018 Rugby League Commonwealth Championships at Dolphin Stadium, Redcliffe.

The Mayor said that despite the rain, the event was hugely successful, featuring 17 teams from across 10 different Commonwealth nations with over 2,000 people in attendance for the Friday event, and over 4,000 on Saturday. The Mayor advised that there were several high-ranking officials from the National Rugby League present during the events who gave their praise on the success of the championships.

Funds from ticket sales and donations received during the championships went towards assisting Fiji and Tonga after a recent cyclone devastated their communities.

Cr James Houghton also spoke in relation to the championships, noting that many players had donated their football boots to indigenous and disadvantaged communities.

#### COMMITTEE RECOMMENDATION

Moved by Cr Allan Sutherland (Mayor)  
Seconded by Cr Koliana Winchester

CARRIED 12/0

**That a Mayoral letter of congratulation be sent to Moreton Bay Region Industry and Tourism and the Redcliffe Dolphins Rugby League Club on staging the outstanding 2018 Rugby League Commonwealth Championships.**

*9. General Business Cont'd*

**ITEM 9.4**

**SOUTH QUEENSLAND INTERNATIONAL ONE METRE CHAMPIONSHIPS - DIVISION  
5**

**(JH)**

Cr James Houghton reported on the South Queensland International One Metre Radio Controlled Yacht Championships held 24-25 March 2018 at Jabiru Canal, Newport. Cr Houghton said that there was great interest in the event, with many attendees travelling from interstate. Cr Houghton had the pleasure of presenting trophies to the winners and was grateful for Council's support of the event.

**CLOSED SESSION (Confidential items)**

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

**CLOSED SESSION**

**COMMITTEE RECOMMENDATION**

Moved by Cr Adrian Raedel  
Seconded by Cr Adam Hain

**CARRIED 12/0**

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

Members of the press and public gallery left the Chambers.  
The closed session commenced at 10.56am.

**ATTENDANCE**

Mr Michael Hagan attended the meeting at 10.59am for discussion on Item's C.2, C.3 and C.4 and left the meeting at 11.00am.

Mr Daryl Hitzman attended the meeting at 11.01am.

**OPEN SESSION**

**COMMITTEE RECOMMENDATION**

Moved by Cr Koliana Winchester  
Seconded by Cr Mick Gillam

**CARRIED 12/0**

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

The open session resumed at 11.01am.



**ITEM C.1 – CONFIDENTIAL**

**ANIMAL ATTACK - COMMENCEMENT OF PROSECUTION – NORFOLK LAKES PARK, NARANGBA - DIVISION 11**

**Meeting / Session:** 1 GOVERNANCE

**Reference:** A16640655 : 28 February 2018

**Responsible Officer:** DM, Regulatory Services Compliance Coordinator (CES Regulatory Services)

**Basis of Confidentiality**

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

**Executive Summary**

Council's approval is sought for the commencement of appropriate court action against the responsible person for a dog involved in a dog attack which occurred on 9 February 2018 at Norfolk Lakes Park, Macdonald Drive, Narangba.

**COMMITTEE RECOMMENDATION**

Moved by Cr Matt Constance

Seconded by Cr Darren Grimwade

CARRIED 12/0

1. That the Chief Executive Officer be authorised to commence appropriate prosecution proceedings against the responsible person of the offending dog as described in this confidential report, in relation to various alleged offences under the *Animal Management (Cats and Dogs) Act 2008* and/or *Moreton Bay Regional Council Local Law No. 2 (Animal Management) 2011*; and
2. That the prosecution proceedings described in recommendation 1 be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

**ITEM C.2 – CONFIDENTIAL**

**PROPOSED LEASE AT 1A/199 GYMPIE RD, STRATHPINE - DIVISION 9**

**Meeting / Session:** 8 REGIONAL INNOVATION

**Reference:** A16705486 : 15 March 2018 - Refer **Confidential** Supporting Information  
A16705510

**Responsible Officer:** AS, Enterprise and Investments Officer (EPS Property & Commercial Services)

**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 grant a lease, on the terms outlined in this report, for Unit 1a/199 Gympie Road, Strathpine.

**COMMITTEE RECOMMENDATION**

Moved by Cr James Houghton

Seconded by Cr Adam Hain

CARRIED 12/0

1. That the grant of a lease for Unit 1a, 199 Gympie Road, Strathpine be approved on the terms outlined in this report.
2. That the exception contained in the Local Government Regulation 2012, s236(1)(b)(ii) apply to the Council on the disposal of the property referred to in recommendation 1.
3. That the Chief Executive Officer be authorised to do all things necessary to give effect to recommendation 1.

**ITEM C.3 – CONFIDENTIAL**

**PROPOSED LEASE AT 4/199 GYMPIE RD, STRATHPINE - DIVISION 9**

**Meeting / Session:** 8 REGIONAL INNOVATION

**Reference:** A16704080 : 15 March 2018 - Refer **Confidential** Supporting Information  
**A16704986**

**Responsible Officer:** AS, Enterprise and Investments Officer (EPS Property & Commercial Services)

**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 grant a lease, on the terms outlined in this report, for Unit 4/199 Gympie Road, Strathpine.

**COMMITTEE RECOMMENDATION**

Moved by Cr Koliانا Winchester

Seconded by Cr Adam Hain

**CARRIED 12/0**

1. That the grant of a lease for Unit 4, 199 Gympie Road, Strathpine be approved on the terms outlined in this report.
2. That the exception contained in the Local Government Regulation 2012, s236(1)(c)(iii) apply to the Council on the disposal of the property referred to in recommendation 1.
3. That the Chief Executive Officer be authorised to do all things necessary to give effect to recommendation 1.

**ITEM C.4 – CONFIDENTIAL**

**PROPOSED LEASE 6/199 GYMPIE RD, STRATHPINE - DIVISION 9**

**Meeting / Session:** 8 REGIONAL INNOVATION

**Reference:** A16708006 : 16 March 2018 - Refer **Confidential** Supporting Information  
**A16708157**

**Responsible Officer:** AS, Enterprise and Investments Officer (EPS Property & Commercial Services)

**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 grant a lease, on the terms outlined in this report, for Unit 6/199 Gympie Road, Strathpine.

**COMMITTEE RECOMMENDATION**

Moved by Cr Adrian Raedel

Seconded by Cr Peter Flannery

CARRIED 12/0

1. That the grant of a lease for Unit 6, 199 Gympie Road, Strathpine be approved on the terms outlined in this report.
2. That the exception contained in the Local Government Regulation 2012, s236(1)(b)(ii) apply to the Council on the disposal of the property referred to in recommendation 1.
3. That the Chief Executive Officer be authorised to do all things necessary to give effect to recommendation 1.

**CLOSURE**

There being no further business the Chairperson closed the meeting at 11.04am.