



MINUTES

GENERAL MEETING

Tuesday 4 February 2020

commencing at 10.33am

Strathpine Chambers
220 Gympie Road, Strathpine

ENDORSED GM20200211

4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 4 February 2020 (Pages 20/153 - 20/180)

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Koliana Winchester

CARRIED 11/0

That the minutes of the General Meeting held 4 February 2020, be confirmed.

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1. OPENING PRAYER

The Mayor recited the Opening Prayer and invited Councillors to join him in the recitation of the Lord's Prayer.

2. ATTENDANCE & APOLOGIES

Attendance:

Cr Mike Charlton (Acting Mayor) (Chairperson)
Cr Brooke Savige
Cr Peter Flannery
Cr Adam Hain
Cr James Houghton
Cr Kolianna Winchester
Cr Denise Sims
Cr Mick Gillam
Cr Matthew Constance
Cr Darren Grimwade

Officers:

Chief Executive Officer	(Mr Greg Chemello)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Planning	(Mr David Corkill)
Deputy CEO / Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Infrastructure Planning	(Mr Andrew Ryan)
Director Finance & Corporate Services	(Ms Donna Gregory)
Meeting Support	(Kim Reid)

Suspended:

Under section 175K (previously section 182A) of the *Local Government Act 2009* Cr Allan Sutherland (Mayor) and Cr Adrian Raedel are currently suspended from office

Apologies:

Cr Julie Greer

3. MEMORIALS OR CONDOLENCES

Cr James Houghton expressed his sympathy to the family of the late **Mr John Thomas Davies** who passed away recently at the age of 73.

Born 28 September 1947, Mr Davies was noted as being an active member of the community, involved in a variety of organisations such the local PCYC, Rotary Club and the Men's Shed. Cr Houghton described Mr Davies as a lovely man who will be sadly missed.

Cr Mike Charlton (Deputy Mayor) attended the celebration of life of his close friend **Mr Brian John Sadler** known as 'Sads' or 'BJ' who recently passed away at the age of 80. Cr Charlton (Deputy Mayor) noted that Brian's smile was his trademark and he was known for his zest for life, never one to sit idle for too long. Cr Charlton (Deputy Mayor) expressed his condolences to Brian's remaining family members.

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

4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 28 January 2020 (Pages 20/62 - 20/100)

RESOLUTION

Moved by Cr Koliانا Winchester
Seconded by Cr Peter Flannery

CARRIED 10/0

That the minutes of the General Meeting held 28 January 2020, be confirmed.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

There were no petitions tabled.

6. CORRESPONDENCE

There was no correspondence tabled.

7. COMMUNITY COMMENT

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

8. NOTIFIED MOTIONS

There were no notified motions.

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

(s262 of the Local Government Regulation 2012)

There were no notices of motion.

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

(as referred by the Chief Executive Officer)

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

The Session Chairperson and designated Spokesperson for the respective portfolio, is as follows:

Session	Spokesperson
1 Governance	Cr Mike Charlton (Acting 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 Koliana Winchester
6 Lifestyle & Amenity	Cr Denise Sims
7 Economic Development, Events & Tourism	Cr Peter Flannery
8 Regional Innovation	Cr Darren Grimwade

1 GOVERNANCE SESSION

(Cr M Charlton, Acting Mayor)

No items for consideration.

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

**ITEM 2.1
TEMPORARY DELEGATION OF AUTHORITY - REGIONAL**

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A19435598 : 24 January 2020
Responsible Officer: SH, Divisional Project Coordinator (PL Directorate)

Executive Summary

The purpose of this report is to advise Council on the applications dealt with by the Chief Executive Officer under temporary delegation during the period 13 December 2019 and 20 January 2020 (inclusive).

Pursuant to the provisions of section 257 of the *Local Government Act 2009*, Council delegated to the Chief Executive Officer in consultation with the Divisional Councillor and the Spokesperson for Planning and Development, the power to decide those development applications not previously delegated to the Chief Executive Officer for the period 13 December 2019 and 20 January 2020 (inclusive) (Council-025, Council-105 and Council-107).

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Matt Constance

CARRIED 10/0

That Council note that the temporary delegation provided by Council to the Chief Executive Officer in consultation with the Divisional Councillor and the Spokesperson for Planning and Development was not exercised during the specified period 13 December 2019 and 20 January 2020 (inclusive).

ITEM 2.1 TEMPORARY DELEGATION OF AUTHORITY - REGIONAL - A19435598 (Cont.)

OFFICER'S RECOMMENDATION

That Council note that the temporary delegation provided by Council to the Chief Executive Officer in consultation with the Divisional Councillor and the Spokesperson for Planning and Development was **not** exercised during the specified period 13 December 2019 and 20 January 2020 (inclusive).

REPORT DETAIL

1. Background

In order to comply with the timeframes specified in the *Integrated Planning Act 1997*, the *Sustainable Planning Act 2009*, the *Planning Act 2016* and the *Economic Development Act 2012*, the following recommendation appears on minute page 19/2556 of the General Meeting held 3 December 2019.

RESOLUTION	
Moved by Cr James Houghton Seconded by Cr Julie Greer	CARRIED 12/0
1. That subject to recommendation 2, pursuant to section 257 of the <i>Local Government Act 2009</i> , Council delegate its powers under the <i>Integrated Planning Act 1997</i> , the <i>Sustainable Planning Act 2009</i> , the <i>Planning Act 2016</i> and <i>Economic Development Act 2012</i> to the Chief Executive Officer to decide:	
a) impact assessable development applications under the Moreton Bay Regional Council Planning Scheme for which submissions have been received;	
b) impact assessable development applications and/or Plan of Developments under The Mill at Moreton Bay Priority Development Area Development Scheme for which submissions have been received;	
c) development applications for preliminary approval;	
d) development applications for preliminary approval that include a variation approval; and	
e) precinct and Sector Plans for North Lakes.	
2. That the delegation of powers made under recommendation 1 operate between 13 December 2019 up to and including 20 January 2020.	
3. That the Divisional Councillor and the Spokesperson for Planning and Development be advised prior to the Chief Executive Officer exercising his delegated authority.	
4. That a report be presented to Council outlining any delegations exercised under this temporary delegation once the delegation ceases.	

2. Explanation of Item

The Chief Executive Officer was not required to exercise this delegation during the period 13 December 2019 and 20 January 2020 (inclusive).

This report satisfies the requirements of Recommendation 4 above.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

3.3 Policy Implications Nil identified

3.4 Risk Management Implications Nil identified

ITEM 2.1 TEMPORARY DELEGATION OF AUTHORITY - REGIONAL - A19435598 (Cont.)

3.5 Delegated Authority Implications

The temporary delegations given to the Chief Executive Officer by Council ceased 20 January 2020.

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Consultation / Communication

There was no consultation required to be associated with this report.

3 CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

No items for consideration.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

NEW LEASE - DAYBORO ARTWORKS ASSOCIATION INC - DIVISION 11

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19527428: 3 January 2020 - **Refer Supporting Information A19527427**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the granting of a lease to Dayboro Artworks Association Inc at 37 Williams Street, Dayboro (refer Supporting Information #1).

RESOLUTION

Moved by Cr Darren Grimwade

Seconded by Cr Matt Constance

CARRIED 10/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Dayboro Artworks Association Inc be granted a lease over an area at 37 Williams Street, Dayboro (refer Supporting Information #1) for a period aligning with the expiry of its existing lease at this location (6 July 2022).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.1 NEW LEASE - DAYBORO ARTWORKS ASSOCIATION INC - DIVISION 11 - A19527428 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Dayboro Artworks Association Inc be granted a lease over an area at 37 Williams Street, Dayboro (refer Supporting Information #1) for a period aligning with the expiry of its existing lease at this location (6 July 2022).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

The Dayboro Art Gallery was established in 1994 in a circa 1950's plumber's shop located at 37 Williams Street, Dayboro. The group managing the facility became incorporated as Dayboro Artworks Association Inc (Dayboro Artworks) in 1999 and have continued to run the facility since.

As a result of structural deficiencies identified in 2015, operational restrictions were implemented to manage safe public access to the building. Subsequent to these restrictions being imposed, the structure was later demolished and a new gallery building constructed by Council at the same location in 2017.

As the group have progressed, they have identified a need to construct a building extension to house an electric kiln which would be utilised as part of their various community activities and programs.

Community group tenants of Council facilities must submit an Improvement Works Application (IWA) to obtain Council approval for any improvements to the facility or site where they hold a lease, licence or permit. Council may approve, approve with conditions or refuse application at its sole discretion.

2. Explanation of Item

Dayboro Artworks has lodged an IWA to Council for the construction of a building extension, which is proposed to be located outside of its existing lease area (refer Supporting Information #1). This application has been assessed by Council's key stakeholder departments, with no objections received.

To enable Dayboro Artworks to proceed with its proposed extension, Council would need to provide the group with an additional lease over the area where the extension is to be constructed (refer Supporting Information #1). Accordingly, this report recommends that Council approve the granting of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1.

Further, it is recommended that the term of this lease be aligned with the term of the group's existing lease at this location (6 July 2022).

3. Strategic Implications

3.1 Legislative/Legal Implications

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

The Council must comply with the *Local Government Act 2009* and Local Government Regulation 2012 when it disposes of valuable non-current assets. Resolving to rely on the exception provided

ITEM 5.1 NEW LEASE - DAYBORO ARTWORKS ASSOCIATION INC - DIVISION 11 - A19527428 (Cont.)

under section 236(1)(b)(ii) of the Regulation will allow the Council to complete the disposal to a community organisation by means other than tender or auction.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Nil identified

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Nil identified

3.7 Economic Benefit Implications

Nil identified

3.8 Environmental Implications

Nil identified

3.9 Social Implications

The issuing of a lease to Dayboro Artworks Association Inc will provide the club with additional facilities to support its operations.

3.10 Consultation / Communication

Councillor Grimwade (Division 11)
Relevant Council departments
Dayboro Artworks Association Inc

ITEM 5.2 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Mick Gillam

Pursuant to s175E of the *Local Government Act 2009*, Cr Mick Gillam declared a perceived conflict of interest in Item 5.2 as he is an Advisory Committee member of Pine Rivers PCYC and a Life Member of PCYC Queensland.

However, Cr Mick Gillam has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

Conflict of Interest - Declaration - Cr Koliana Winchester

Pursuant to s175E of the *Local Government Act 2009*, Cr Koliana Winchester declared a perceived conflict of interest in Item 5.2 as she was a former Committee member of Redcliffe PCYC.

However, Cr Koliana Winchester has considered her position and is firmly of the opinion that she could participate in the debate and resolution on the matter in the public interest.

Councillors not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Denise Sims

Seconded by Cr Brooke Savage

CARRIED 8/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Koliana Winchester has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Koliana Winchester remained in the meeting.

Moved by Cr Peter Flannery

Seconded by Cr Matt Constance

CARRIED 8/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Mick Gillam has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Mick Gillam remained in the meeting.

**ITEM 5.2
NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION
- TALOBILLA PARK - DIVISION 5**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18752988 : 27 June 2019 - **Refer Supporting Information A18752990**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a trustee lease (lease) to Queensland Police-Citizens Youth Welfare Association (QPCYC) at Talobilla Park, 186 Klingner Road, Kippa-Ring (refer Supporting Information #1).

RESOLUTION

Moved by Cr James Houghton

Seconded by Cr Peter Flannery

CARRIED 10/0

1. That the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Queensland Police-Citizens Youth Welfare Association be granted a lease over an area at 186 Klingner Road, Kippa-Ring (refer Supporting Information #1) for a period of five years, commencing at the expiry of their existing lease at this location.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.2 NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - TALOBILLA PARK - DIVISION 5 - A18752988 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Queensland Police-Citizens Youth Welfare Association be granted a lease over an area at 186 Klingner Road, Kippa-Ring (refer Supporting Information #1) for a period of five years, commencing at the expiry of their existing lease at this location.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

QPCYC has historically held a lease with Council over an area, inclusive of a clubhouse building, at 186 Klingner Road, Kippa-Ring (refer Supporting Information #1) for the purpose of operating the Redcliffe PCYC Dolphins Soccer Club.

The current lease to QPCYC at this location will expire on 30 April 2020 and is due for renewal consideration by Council. In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), as the proposed new lease area exceeds the current lease area, consideration by Council at a General Meeting is required.

2. Explanation of Item

The QPCYC has made application to Council seeking renewal of its lease at Talobilla Park, 186 Klingner Road, Kippa-Ring (refer Supporting Information #1) under Council's Community Leasing Policy. In accordance with the provision of Council's Community Lease Renewals Policy Directive (No. 2160-024), officers have assessed this application and have no objections to the requested renewal. However, officers have identified an opportunity for QPCYC to also be granted a lease over an untenured amenities building located on the western side of the playing fields (refer Supporting Information #1).

Following discussions with QPCYC regarding their requested lease renewal, QPCYC have confirmed their desire to be granted a lease over a revised area inclusive of both the clubhouse building and the western amenities building. Accordingly, this report recommends that Council approve the granting of a new lease to QPCYC over the areas identified in Supporting Information #1 under the terms and conditions of Council's Community Leasing Policy (No. 14-2150-079). Further, it is recommended that this lease be for a period of five years, commencing at the expiry of the organisation's existing lease at this location.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

*ITEM 5.2 NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - TALOBILLA PARK
- DIVISION 5 - A18752988 (Cont.)*

3.3 Policy Implications

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

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

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

The issuing of a lease to Queensland Police-Citizens Youth Welfare Association will provide the club with facilities to support its operations.

3.10 Consultation / Communication

Cr Houghton - Division 5
Relevant Council departments
Queensland Police-Citizens Youth Welfare Association

ITEM 5.3 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Mick Gillam

Cr Mick Gillam advised the meeting that he was a member of the Pine Rivers PCYC Advisory Committee, which was a non-decision making Committee, and sought the Chief Executive Officer's advice regarding the type of conflict - whether it should be a 'real' or a 'perceived' conflict of interest.

On the information provided by Cr Gillam, the Chief Executive Officer considered that as the Advisory Committee was a non-decision making Committee, it was suggested that the Councillors' conflict would be a "perceived" conflict.

Pursuant to s175E of the *Local Government Act 2009*, Cr Mick Gillam declared a perceived conflict of interest in Item 5.3 as he is an Advisory Committee member of Pine Rivers PCYC and a Life Member of PCYC Queensland.

However, Cr Mick Gillam has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr James Houghton

Seconded by Cr Peter Flannery

CARRIED 9/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Mg has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Mick Gillam remained in the meeting.

ITEM 5.3

**QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - LES
HUGHES SPORTING COMPLEX - DIVISION 8**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19308066: 6 November 2019 - **Refer Supporting Information A19308068**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a lease to Queensland Police-Citizens Youth Welfare Association at Les Hughes Sporting Complex, 119 Francis Road, Bray Park (refer Supporting Information #1).

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Denise Sims

CARRIED 10/0

1. That the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Queensland Police-Citizens Youth Welfare Association be granted a lease over an area at 119 Francis Road, Bray Park (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.3 QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - LES HUGHES SPORTING COMPLEX - DIVISION 8 - A19308066 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Queensland Police-Citizens Youth Welfare Association be granted a lease over an area at 119 Francis Road, Bray Park (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

Since 1 July 1989, Queensland Police-Citizens Youth Welfare Association (QPCYC) has held tenure with Council over an area at 119 Francis Road, Bray Park (refer Supporting Information #1) for the purpose of operating a Police Citizens Youth Club.

In mid-2019, QPCYC were successful in receiving State Government funding towards the construction of a new shed to supplement their existing activity spaces. Though consultation with Council officers, it has been determined that the new shed should be constructed towards the south-west corner of the PCYC facility, in an area that partly extends beyond their existing lease area.

The current lease to QPCYC at this location will expire on 30 April 2020 and is due for renewal consideration by Council. In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), as the proposed new lease area will include both the current lease area and an additional area for the new shed, consideration by Council at a General Meeting is required.

2. Explanation of Item

Queensland Police-Citizens Youth Welfare Association has made application to Council seeking renewal of its lease at Les Hughes Sporting Complex, 119 Francis Road, Bray Park under Council's Community Leasing Policy. In accordance with the provision of Council's Community Lease Renewals Policy Directive (No. 2160-024), officers have assessed this application and have no objections to the requested renewal.

Accordingly, this report recommends that Council approve the granting of a new lease to QPCYC over an extended area, inclusive of the current lease area and an additional area for the construction of the proposed new shed (refer Supporting Information #1). Further, it is recommended that this lease be provided in accordance with the terms and conditions of Council's Community Leasing Policy (No. 14-2150-079) and for a period of five (5) years.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

ITEM 5.3 QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - LES HUGHES SPORTING COMPLEX - DIVISION 8 - A19308066 (Cont.)

3.3 Policy Implications

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

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

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

The issuing of a lease to Queensland Police-Citizens Youth Welfare Association will provide the club with additional facilities to support its operations.

3.10 Consultation / Communication

Cr Gillam - Division 8
Relevant Council Departments
Queensland Police-Citizens Youth Welfare Association

ITEM 5.4

NEW LEASE - THE SPECTRUM ORGANIZATION ASSOCIATION INC - DIVISION 7

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19492631: 31 October 2019 - **Refer Supporting Information A19492630**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the granting of a lease to The Spectrum Organization Association Inc at 3 Mundin Street, Petrie (refer Supporting Information #1).

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Mick Gillam

CARRIED 10/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, The Spectrum Organization Association Inc be granted a lease over an area at 3 Mundin Street, Petrie (refer Supporting Information #1) for a period aligning with the expiry of their existing lease at this location (31 August 2024).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.4 NEW LEASE - THE SPECTRUM ORGANIZATION ASSOCIATION INC - DIVISION 7 - A19492631 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, The Spectrum Organization Association Inc be granted a lease over an area at 3 Mundin Street, Petrie (refer Supporting Information #1) for a period aligning with the expiry of their existing lease at this location (31 August 2024).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

The Spectrum Organization Association Inc (Spectrum) were granted a lease over a building at 3 Mundin Street, Petrie commencing 1 September 2019 (refer Supporting Information #1) for the purpose of operating a respite facility for people with physical and mental disabilities. The existing leased building opens out to a fully fenced yard (with external access gate) to the South, however no tenure arrangements are currently in place over this area.

While the respite facility was vacant during early-mid 2019, Meals on Wheels - Pine Rivers & District Inc (adjacent lessee) accessed the enclosed yard area for the purpose of utilising the clothesline. Since the commencement of Spectrum's tenancy in September 2019, the organisation has expressed safety concerns regarding their clients accessing this area without formal tenure arrangements being in place, as well as the dual access arrangements with Meals on Wheels.

2. Explanation of Item

Following recent discussions with Council officers, Spectrum has requested the formalisation of tenure arrangements over the yard area. Both Meals on Wheels - Pine Rivers & District Inc and Spectrum representatives have been consulted regarding the tenure arrangements to be implement, and both have agreed that provision of a lease to Spectrum would resolve the current concerns regarding client safety, whilst not impacting the operations of Meals on Wheels - Pine Rivers & District Inc.

Accordingly, this report recommends that Council approves the granting of a lease to Spectrum, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1. Further, it is recommended that the term of this lease be aligned with the group's existing lease at this location (31 August 2024).

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

ITEM 5.4 NEW LEASE - THE SPECTRUM ORGANIZATION ASSOCIATION INC - DIVISION 7 - A19492631 (Cont.)

3.4 Risk Management Implications Nil identified

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

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications
The issuing of a lease to The Spectrum Organization Association Inc will provide the organisation with additional facilities to support its operations.

3.10 Consultation / Communication
Councillor Sims (Division 7)
The Spectrum Organization Association Inc.
Meals on Wheels Pine Rivers Inc.

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

No items for consideration.

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION

(Cr P Flannery)

No items for consideration.

8 REGIONAL INNOVATION SESSION

(Cr D Grimwade)

No items for consideration.

11. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

**ITEM 11.1
REGIONAL EVENTS**

Cr Peter Flannery mentioned his attendance at the **Waitangi Day** on Saturday, 1st February 2020 held at the Hercules Road State School noting this was a change of venue from previous years. Although attendance numbers were slightly down, Cr Flannery noted that it was still great to see the community coming together and experiencing this wonderful cultural event.

Cr Brooke Savige reported on her attendance at the **Abbey Medieval Festival Launch 2020** which she attended with Cr Mike Charlton (Deputy Mayor) on Friday evening, 31st January 2020.

Cr Savige noted this launch was a great insight as to what one could expect to see at the festival later this year and noted it was a pleasure to be able to attend this event.

**ITEM 11.2
MORETON BAY REGION LUNAR NEW YEAR**

Cr Adam Hain noted his attendance at the **Moreton Bay Region Lunar New Year** event held at the Caboolture Town Square on Saturday night, 1 February 2020 which he attended with Cr Peter Flannery. Cr Hain noted this event has been running for 6-years, with record crowds attending the event this year.

Cr Hain commented it was great to see the local community experiencing the sights, sounds and tastes of Asia with a variety of stall holders, entertainers and food trucks in attendance.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Brooke Savige

CARRIED 10/0

That a Certificate of Appreciation be sent to Mr Bruce Hung (Director General of Taipei Economic and Cultural Office) and the World Arts & Multi-Culture Inc for their support of the 2020 Moreton Bay Region Lunar New Year event.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

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

CLOSED SESSION

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 10/0

That Council move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Items C.1 to C.3.

Members of the press and public gallery left the Chambers.
The closed session commenced at 11.02am.

OPEN SESSION

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Peter Flannery

CARRIED 10/0

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

The open session resumed at 11.20am.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

PROPERTY ACQUISITION - CABOOLTURE - DIVISION 3

Meeting / Session: 4 Asset Construction & Maintenance (Cr A Hain)

Reference: A19381832 : 22 November 2019 - Refer **Confidential Supporting Information A19381844**

Responsible Officer: SJ, Manager Integrated Transport Planning (ECM Integrated Transport Planning & Design)

Basis of Confidentiality

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

Executive Summary

This report seeks Council's approval to proceed to acquire land for active transport and open space purposes to facilitate the provision of a future pedestrian and cycling connection and civic district park.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 10/0

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

ITEM C.2 – CONFIDENTIAL

PROPERTY ACQUISITIONS - DAYBORO - DIVISION 11

Meeting / Session: *5 Parks, Recreation & Sport (Cr K Winchester)*

Reference: *A19381612 : 22 January 2020 - Refer Confidential Supporting Information
A19381616, A19536395 & A19556240*

Responsible Officer: *WM, Parks & Recreation Planning Manager (ECM-IP Infrastructure Planning)*

Basis of Confidentiality

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

Executive Summary

This report seeks Council's approval to proceed to acquire land to facilitate the provision of future trunk park and associated recreation facilities.

RESOLUTION

Moved by Cr Darren Grimwade

Seconded by Cr Denise Sims

CARRIED 10/0

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

ITEM C.3 – CONFIDENTIAL

COUNCIL FUNDING CONTRIBUTION - MATHIESON PARK CHANGEROOMS - DIVISION 7

Meeting / Session: *5 Parks, Recreation & Sport (Cr K Winchester)*

Reference: *A19618442 : 29 January 2020 - Refer Supporting Information A19621905*

Responsible Officer: *BA, Team Leader Sport and Recreation Services (CES Community Services, Sport & Recreation)*

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

The State Government's funding commitment to the Pine Rivers Junior League Club Inc for the delivery of new changerooms has provided an opportunity for Council to partner with the parties to secure a superior outcome for the club. Four universal, purpose built changerooms would replace the existing highly deteriorated two changerooms.

Confirmation of Council's contribution of up to a \$350,000 in the 2019/20 budget is required by the Department of Housing and Public Works who are delivering the project.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Mick Gillam

CARRIED 10/0

1. That Council provide up to a \$350,000 contribution from the 2019/20 budget to the Queensland Government Department of Housing and Public Works towards the construction of four changerooms at Mathieson Park, Petrie.
2. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the funding agreement and any required variations of the funding agreement on the Council's behalf, as described in this report.

12b. CONFIDENTIAL GENERAL BUSINESS

13. CLOSURE

There being no further business the meeting closed at 11.23am.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/153 to 20/180 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held Tuesday, 4 February 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday, 11 February 2020.

Greg Chemello
Chief Executive Officer

Councillor Mike Charlton
Acting Mayor