



MINUTES

GENERAL MEETING

Tuesday 21 January 2020
commencing at 10.32am

Strathpine Chambers
220 Gympie Road, Strathpine

ENDORSED GM20200128

4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 21 January 2020 (Pages 20/1 - 20/61)

RESOLUTION

Moved by Cr Koliانا Winchester

Seconded by Cr James Houghton

CARRIED 10/0

That the minutes of the General Meeting held 21 January 2020, be confirmed.

LIST OF ITEMS

1. OPENING PRAYER	1
1.1. Welcome to Chief Executive Officer, Greg Chemello	
1.2. Statement by the Acting Mayor - Summer Fire Disaster	
2. ATTENDANCE & APOLOGIES	2
3. MEMORIALS OR CONDOLENCES	2
4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING	3
General Meeting - 12 December 2019 (Pages 19/2627 - 19/2721)	3
<i>RESOLUTION</i>	
5. PRESENTATION OF PETITIONS	3
<i>(Addressed to the Council and tabled by Councillors)</i>	
6. CORRESPONDENCE	3
7. COMMUNITY COMMENT	4
8. NOTIFIED MOTIONS	4
9. NOTICES OF MOTION (Repeal or amendment of resolutions)	4
<i>(s262 of the Local Government Regulation 2012)</i>	
10. OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)	4
<i>(as referred by the Chief Executive Officer)</i>	
ITEM 1.1 - STATEMENT OF LEGAL POSITION	5
1 GOVERNANCE SESSION (Cr M Charlton, Acting Mayor)	5
ITEM 1.1	5
DELEGATION - ECONOMIC DEVELOPMENT ACT 2012 - THE MILL AT MORETON BAY	
PDA - REGIONAL	
<i>RESOLUTION</i>	
REPORT DETAIL	
ITEM 2.1 - DECLARATION OF INTEREST	8
<i>Conflict of Interest - Declaration - Cr Mike Charlton (Acting Mayor)</i>	8
<i>Conflict of Interest - Declaration - Cr Peter Flannery</i>	8
<i>Conflict of Interest - Declaration - Cr Adam Hain</i>	8
<i>Conflict of Interest - Declaration - Cr James Houghton</i>	8
<i>Conflict of Interest - Declaration - Cr Koliانا Winchester</i>	8
<i>Conflict of Interest - Declaration - Cr Mick Gillam</i>	9
<i>Majority present having declared - vote permitted for purpose of delegating deciding the matter</i>	9

Moreton Bay Regional Council

GENERAL MEETING - 499
21 January 2020

PAGE b
Minutes

2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)	10
ITEM 2.1	10
DA/37893/2017/V2M - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (12 UNITS) 233 WELSBY PARADE BONGAREE - DIVISION 1	
RESOLUTION	
3 CORPORATE SERVICES SESSION (Cr M Constance)	13
ITEM 3.1	13
MONTHLY REPORTING PACKAGE - NOVEMBER 2019 - REGIONAL	
RESOLUTION	
REPORT DETAIL	
ITEM 3.2	16
MONTHLY REPORTING PACKAGE - DECEMBER 2019 - REGIONAL	
RESOLUTION	
REPORT DETAIL	
4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)	19
ITEM 4.1	19
MBRC - BUS STOP DISABILITY DISCRIMINATION ACT (DDA) COMPLIANCE PROGRAM - REGIONAL	
RESOLUTION	
REPORT DETAIL	
ITEM 4.2	23
REDCLIFFE - REDCLIFFE JETTY - FINGER AND PONTOON ACCESS IMPROVEMENTS - DIVISION 6	
RESOLUTION	
REPORT DETAIL	
5 PARKS, RECREATION & SPORT SESSION (Cr K Winchester)	28
ITEM 5.1	28
NEWPORT PARK PROPOSED DOG OFF-LEASH AREA - DIVISION 5	
RESOLUTION	
REPORT DETAIL	
ITEM 5.2 - DECLARATION OF INTEREST	32
<i>Conflict of Interest - Declaration - Cr Mick Gillam</i>	32
<i>Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide</i>	32
ITEM 5.2	33
NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - DIVISION 5	
RESOLUTION	
REPORT DETAIL	

Moreton Bay Regional Council

GENERAL MEETING - 499
21 January 2020

PAGE c
Minutes

ITEM 5.3	36
NEW LEASE - SAMFORD & DISTRICTS RUGBY LEAGUE FOOTBALL CLUB INC - DIVISION 11	
RESOLUTION	
REPORT DETAIL	
ITEM 5.4	39
NEW LEASE - THE SCOUT ASSOCIATION OF AUSTRALIA QUEENSLAND BRANCH INC - DIVISION 11	
RESOLUTION	
REPORT DETAIL	
ITEM 5.5 - DECLARATION OF INTEREST	42
<i>Conflict of Interest - Declaration - Cr Mike Charlton</i>	42
<i>Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide</i>	42
ITEM 5.5	43
NEW LEASE - BUNYA COMMUNITY ENVIRONMENTAL ASSOCIATION INC - DIVISION 9	
RESOLUTION	
REPORT DETAIL	
ITEM 5.6 - DECLARATION OF INTEREST	46
<i>Conflict of Interest - Declaration - Cr Koliانا Winchester</i>	46
<i>Conflict of Interest - Declaration - Cr Mick Gillam</i>	46
<i>Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide</i>	46
ITEM 5.6	47
NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - DIVISION 5	
RESOLUTION	
REPORT DETAIL	
ITEM 5.7	50
NEW LEASE - ALBANY CREEK KINDERGARTEN ASSOCIATION INC - DIVISION 9	
RESOLUTION	
REPORT DETAIL	
ITEM 5.8 - DECLARATION OF INTEREST	53
<i>Conflict of Interest - Declaration - Cr Koliانا Winchester</i>	53
<i>Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide</i>	53
ITEM 5.8	54
OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - BELLEVUE PARK REDCLIFFE - DIVISION 5	
RESOLUTION	
REPORT DETAIL	

Moreton Bay Regional Council

GENERAL MEETING - 499
21 January 2020

PAGE d
Minutes

6	LIFESTYLE & AMENITY SESSION (Cr D Sims)	58
7	ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)	58
8	REGIONAL INNOVATION SESSION (Cr D Grimwade)	58
11.	GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE	59
	ITEM 11.1	59
	AUSTRALIA DAY AWARDS - MORETON BAY REGION	
	RESOLUTION	
	ITEM 11.2	59
	REGIONAL EVENTS	
	ITEM 11.3	60
	WOODFORD FOLK FESTIVAL - 2019/2020	
	RESOLUTION	
	ITEM 11.4	60
	DELEGATED DECISIONS COMMITTEE - FIXING MEETING DATE, TIME AND LOCATION	
	RESOLUTION	
12.	CLOSED SESSION	61
	<i>(s275 of the Local Government Regulation 2012)</i>	
	12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL	61
	12b. CONFIDENTIAL GENERAL BUSINESS	61
13.	CLOSURE	61

1. OPENING PRAYER

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

1.1. Welcome to Chief Executive Officer, Greg Chemello

Cr Mike Charlton (Acting Mayor) welcomed Chief Executive Officer, Greg Chemello and thanked him for taking on the role.

1.2. Statement by the Acting Mayor - Summer Fire Disaster

Cr Mike Charlton (Acting Mayor) provided the following statement:

'I struggle to find the words to describe the horrors that we've seen this summer. The fires ravaging our nation are like nothing I've ever seen in my life. As of last week, an estimated 17 million hectares of our country had been razed - that's nearly the same size as France. 6,000 buildings have been destroyed, including approximately 2,700 homes. Twenty-nine people are now confirmed dead and an estimated one billion animals have been killed.

Watching the nightly news has almost become unbearable and I don't think there's anyone in this room who would have been able to tune in over Christmas without a tear in their eye. Watching helplessly from our living rooms as our nation has burned, as families have fled their homes and dived into the ocean just to escape the flames.

Incredibly, the Moreton Bay Region has been left almost entirely unscathed. But that doesn't mean we haven't been part of the fight. 75 brave men and women of our local Rural Fire Service (RFS) from brigades in our region have been deployed to fight an enemy that cannot be reasoned with. These volunteers, fighting an impossible war to keep us all safe, are truly modern day heroes. And they're the most humble of heroes: plumbers, accountants, teachers, cleaners, your neighbours. They're every day Aussies who've picked up their uniform and walked into battle. For us.

We owe the men and women of the RFS an immeasurable gratitude, the likes of which there are no words for. Just when it seemed all hope was lost and hell had descended upon us - in walked our fireys to do battle with flames 20 metres high and kilometres wide. They are all that's saved us from obliteration. And as we look at entering into a recovery phase in the months and years ahead, I think we can all reflect on their bravery as a beacon of hope that things will get better again.

Because when Aussies are in trouble, Aussies will always answer the call to help.'

2. ATTENDANCE & APOLOGIES

Attendance:

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

Officers:

Chief Executive Officer	(Mr Greg Chemello)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Finance & Corporate Services	(Ms Donna Gregory)
Director Planning	(Mr David Corkhill)
Director Infrastructure Planning	(Mr Andrew Ryan)
Manager Legal Services	(Mr John Hall)
Manager Development Services	(Mr Dan Staley)
Meeting Support	(Hayley Kenzler)

Apologies:

Cr Julie Greer

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.

3. MEMORIALS OR CONDOLENCES

Cr Denise Sims made special mention of the late **Mr Robin Charters**, who passed away on 7 January 2020 at the age of 79. Mr Charters was a resident of Petrie since 1982, was involved in Petrie Scout Group and served as Volunteer Director of the Pine Rivers Memorial Bowls Club for 14 years; the longest directorship in the club's 70-year history.

Cr Sims offered her sincere condolences to Robin's wife Jean, sons' Andrew, Gregory and Douglas and their extended families.

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

4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 12 December 2019 (Pages 19/2627 - 19/2721)

RESOLUTION

Moved by Cr Koliانا Winchester

Seconded by Cr Denise Sims

CARRIED 10/0

That the minutes of the General Meeting held 12 December 2019, be confirmed.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

Cr Denise Sims tabled an e-petition containing 1452 signatures as at today's date, received from Valerie Hamilton on behalf of 'The Community of Petrie and beyond', reading as follows:

"Please help us save the few koalas left in Petrie.

Currently there is an "unofficial" dog offleash area within Sweeney Reserve at Petrie. It is not on Moreton Bay Council's website as a dog offleash site but they turn a blind eye to it and have said they regard it as "unofficial" as it has been this way for 20yrs.

Please note this is a specified koala corridor and has been for... well... how long have koalas been around? There is no fencing around this space and koalas, wallabies, echidnas and much more wildlife roam into this space. Both koalas and wallabies have been attacked and killed by dogs yearly.

Due to it not having a fence, dogs regularly run out of the space and run at people walking the track and there has been numerous dog attacks due to this.

Council has said they will move the space to somewhere else as there is an extremely massive unused area just a hop, leap and jump away which they can fence off properly and dogs have access to the river etc as well. They have also said they will plant this current space up as a wildlife corridor and even have a map showing this onsite. It is one of the VERY FEW spaces to see koalas in Petrie anymore after the development of the university. This is the preferred option but it is not happening!

Council has instead just installed a dog water fountain in the space, removed one of the signs talking about protection of the koalas and implemented dog poo bags but they have also planted another 2000 plants to attract more wildlife into the space... to be attacked by dogs??

Please sign this petition to tell Council you want to see this dog space moved to another more preferable location and much sooner than [sic] later. That you also want to see this area planted as a wildlife corridor to look after our wildlife, especially our koalas after the recent devastation of the fires. Let's protect what we have left!"

Council received the petition, referring it to the Director Infrastructure Planning for investigation and report to Council, if required.

6. CORRESPONDENCE

There was no correspondence tabled.

7. COMMUNITY COMMENT

In accordance with Council's Policy 2150-062, the Community Comment session was not conducted as this is the first General Meeting of Council for the calendar year.

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

ATTENDANCE

Mr John Hall attended the meeting at 10.42am for discussion on Item 1.1.

Mr Dan Staley attended at 10.44am during Item 1.1.

ITEM 1.1 - STATEMENT OF LEGAL POSITION

Following the receipt of legal advice that as agenda Item 1.1 is administrative in nature and could not be perceived as having any substantive impact on any donor to the Moreton Futures Trust, no personal interests need be declared by any Councillor in relation to this item.

1 GOVERNANCE SESSION

(Cr M Charlton, Acting Mayor)

ITEM 1.1

DELEGATION - ECONOMIC DEVELOPMENT ACT 2012 - THE MILL AT MORETON BAY PDA - REGIONAL

Meeting / Session: 1 GOVERNANCE

Reference: A19536390 : 7 January 2020 - Refer Supporting Information A19536404, A19536414 & A19565060

Responsible Officer: MQA, Team Leader Planning (PL Development Services)

Executive Summary

In 2016, the Minister for Economic Development Queensland delegated certain functions and powers in regard to planning and development assessment within The Mill at Moreton Bay Priority Development Area to the Council under the *Economic Development Act 2012* (the ED Act), subject to certain directions.

As a result of amendments to the ED Act that took effect on 9 December 2019, the Minister for Economic Development Queensland has signed a new instrument of delegation and direction (IoDD) in favour of the Council that came into effect when the amendments to the ED Act took effect on 9 December 2019 (refer to supporting information #1). A new IoDD was necessary to reflect the amendments to the ED Act and to ensure current delegations remain in effect. As a result of the new IoDD coming into effect, the previous instrument of delegation to the Council was rescinded, including as a consequence the Council's previous sub-delegation of the powers to Council officers.

Section 169(3) of the ED Act provides that the powers and functions delegated to the Council may be sub-delegated to an appropriately qualified employee of the Council.

This report recommends the functions and powers delegated to the Council in the new IoDD be sub-delegated to the Chief Executive Officer (CEO) and other appropriately qualified employees of the Council.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 10/0

1. That pursuant to section 169(3) of the *Economic Development Act 2012*, the Council delegates its functions and powers delegated to it by the Minister for Economic Development Queensland pursuant to the instrument of delegation and direction dated 17 October 2019, contained in supporting information #2 to this report, to appropriately qualified employees of the Council in accordance with supporting information #3 attached to this report.
2. That the delegation of functions and powers to appropriately qualified employees of the Council under recommendation 1 be subject to the employees of the Council exercising those functions and powers in accordance with the directions specified in the instrument of delegation and direction dated 17 October 2019.

ITEM 1.1 DELEGATION - ECONOMIC DEVELOPMENT ACT 2012 - THE MILL AT MORETON BAY PDA - REGIONAL - A19536390 (Cont.)

OFFICER'S RECOMMENDATION

1. That pursuant to section 169(3) of the *Economic Development Act 2012*, the Council delegates its functions and powers delegated to it by the Minister for Economic Development Queensland pursuant to the instrument of delegation and direction dated 17 October 2019, contained in supporting information #2 to this report, to appropriately qualified employees of the Council in accordance with supporting information #3 attached to this report.
2. That the delegation of functions and powers to appropriately qualified employees of the Council under recommendation 1 be subject to the employees of the Council exercising those functions and powers in accordance with the directions specified in the instrument of delegation and direction dated 17 October 2019.

REPORT DETAIL

1. Background

On 2 September 2016, the Minister for Economic Development Queensland (the MEDQ) declared The Mill at Moreton Bay a Priority Development Area (PDA). All development and planning activities within the declared PDA boundary have since then been subject to assessment under the *Economic Development Act 2012* (the ED Act) and not under the *Planning Act 2016*.

In making the declaration, the MEDQ had also originally exercised its powers in delegating functions or powers under section 169(1) of the ED Act to the Moreton Bay Regional Council.

On 25 October 2016, the Council then delegated all of its functions and powers to Council officers.

On 9 December 2019, amendments to the ED Act came into effect and required a new instrument of delegation and direction (IoDD) to be given by the MEDQ to the Moreton Bay Regional Council. That new IoDD was made on 17 October 2019 taking effect on and from 9 December 2019 with the effect of rescinding and replacing the previous delegations given. As a consequence, the Council's previous delegation to Council officers made on 25 October 2016 was no longer in effect from 9 December 2019.

At present and since 9 December 2019, all functions under the IoDD would be subject to approval by the full Council. Therefore, like the previous delegations given on 25 October 2016, new delegations are proposed for Council officers to perform the relevant planning and development assessment functions.

Relevantly, there has been some changes to the delegations given to Moreton Bay Regional Council by the MEDQ. Some of the changes reflect the changes made to the ED Act while others reflect the passage of time and are no longer required. The powers include, for example, the power to:

- (a) Negotiate and enter into infrastructure agreements (similar to previous);
- (b) Amend a Development Scheme (was previously the power to prepare a Development Scheme however as one is now in effect and operation, that power is no longer delegated to Council);
- (c) Give exemption certificates (this is a new power);
- (d) Carry out the assessment of an application made to the Council including the issuance of information requests and the like (similar to previous however with some additional directions to the Council on how to exercise the delegation);
- (e) Determine an application (similar to previous);
- (f) Enforce compliance with the Development Scheme and development approvals (this is a new power); and
- (g) Close local controlled roads (similar to previous power).

ITEM 1.1 DELEGATION - ECONOMIC DEVELOPMENT ACT 2012 - THE MILL AT MORETON BAY PDA - REGIONAL - A19536390 (Cont.)

2. Explanation of Item

It is recommended that the powers under the *Economic Development Act 2012* listed in supporting information #2, delegated to the Moreton Bay Regional Council on 17 October 2019 by the MEDQ, be delegated to appropriately qualified employees of the Council, subject to the accompanying directions.

It is relevant to note that in accordance with the IoDD issued by the MEDQ, Council must provide a written report to the MEDQ every 6 months regarding the exercise of, and compliance with, the delegated functions. Under the previous delegations to the Council, this was required to be done, and was done, every 3 months.

3. Strategic Implications

3.1 Legislative / Legal Implications

The Minister for Economic Development Queensland has delegated certain functions and powers under the *Economic Development Act 2012* to the Council. The recommendation detailed in this report will allow those functions and powers to be sub-delegated to appropriately qualified employees of the Council pursuant to section 169(3) of the *Economic Development Act 2012*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

Nil identified

3.5 Delegated Authority Implications

Appropriately qualified employees of the Council are listed in supporting information #3 and will have the powers and functions given to the Council by the MEDQ as described in supporting information #3 in accordance with the directions from the MEDQ in in supporting information #2.

These delegations are necessary to allow the efficient and necessary implementation of the statutory obligations of the Council under the ED Act, that includes the day to day management and assessment of development applications in the Mill PDA.

3.6 Financial Implications

Nil identified

3.7 Economic Benefit Implications

Efficiencies in dealing with the obligations placed on Council to assess any development applications lodged with it to realise the vision for the PDA as articulated in the Development Scheme.

3.8 Environmental Implications

Nil identified

3.9 Social Implications

Nil identified

3.10 Consultation / Communication

Consultation has been carried out with relevant Council officers including Legal Services.

ITEM 2.1 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Mike Charlton (Acting Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Mike Charlton (Acting Mayor) declared a perceived conflict of interest in Item 2.1 as two of the submitters (Greg and Leigh Chippendale) are known by Cr Charlton. Greg Chippendale was a former Councillor/Deputy Mayor of Moreton Bay Regional Council and was therefore a peer of Cr Charlton. Cr Charlton has attended the home of Greg and Leigh Chippendale and has been provided hospitality.

However, Cr Mike Charlton (Acting Mayor) 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 Peter Flannery

Pursuant to s175E of the *Local Government Act 2009*, Cr Peter Flannery declared a perceived conflict of interest in Item 2.1 as two of the submitters (Greg and Leigh Chippendale) are known by Cr Flannery. Greg Chippendale was a Councillor/Deputy Mayor of the former Caboolture Shire Council, and former Councillor/Deputy Mayor of Moreton Bay Regional Council and was therefore a peer of Cr Flannery. Cr Flannery has attended the home of Greg and Leigh Chippendale and has been provided hospitality.

However, Cr Peter Flannery 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 Adam Hain

Pursuant to s175E of the *Local Government Act 2009*, Cr Adam Hain declared a real conflict of interest in Item 2.1 as a submitter, Greg Chippendale is a friend of Cr Hain, and provided in-kind support during Cr Hain's 2016 electoral campaign.

Cr Adam Hain retired from the meeting at 10.47am.

Conflict of Interest - Declaration - Cr James Houghton

Pursuant to s175E of the *Local Government Act 2009*, Cr James Houghton declared a perceived conflict of interest in Item 2.1 as a submitter, Greg Chippendale was a former Councillor/Deputy Mayor of Moreton Bay Regional Council and was therefore a peer of Cr Houghton. Cr Houghton has attended the home of Greg and Leigh Chippendale and has been provided hospitality.

However, Cr James Houghton 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 2.1 as a submitter, Greg Chippendale was a former Councillor/Deputy Mayor of Moreton Bay Regional Council and was therefore a peer of Cr Winchester.

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.

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 2.1 as two of the submitters (Greg and Leigh Chippendale) are known by Cr Gillam. Greg Chippendale was a former Councillor/Deputy Mayor of Moreton Bay Regional Council and was therefore a peer of Cr Gillam. Cr Gillam has attended the home of Greg and Leigh Chippendale and has been provided hospitality.

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.

Majority present having declared - vote permitted for purpose of delegating deciding the matter

As a majority of the councillors at the meeting of Council have informed the meeting about personal interests in Item 2.1 under section 175E(2) of the Act, section 175E(7)(a) of the Act is enlivened permitting all Councillors (including those declaring a conflict of interest) to vote for the purpose of delegating deciding the matter.

Cr Adam Hain having declared an interest in the matter and retired from the meeting, returned to the meeting at 10.54am.

All Councillors remained in the meeting as permitted under section 175E(7)(a) of the Act to delegate the following matter.

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

ITEM 2.1

DA/37893/2017/V2M - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (12 UNITS) 233 WELSBY PARADE BONGAREE - DIVISION 1

APPLICANT: Djakala Investments Pty Ltd C/-DTS Group QLD Pty Ltd

OWNER: Djakala Investments Pty Ltd

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A18538028 : 10 May 2019 – Refer Supporting Information A19533633, A19421930 & A19537058
Responsible Officer: RC, Principal Planner (Development Services)

Executive Summary

This report has been provided to Council as the matter is inconsistent with the Instrument of Delegation under the *Local Government Act 2012* and therefore Council is the authorised entity to decide the development application.

APPLICATION DETAILS	
Applicant:	Djakala Investments Pty Ltd C/-DTS Group QLD Pty Ltd
Lodgement Date:	8 February 2019
Properly Made Date:	12 February 2019
Confirmation Notice Date:	21 February 2019
Information Request Date:	Not applicable
Info Response Received Date:	Not applicable
Public Notification Dates:	Started: 14 March 2019 Finished: 13 May 2019
No. of Submissions:	Properly Made: Thirty-Three (33) Petition: Twelve (12) Not Properly Made: Two (2)
Decision Due Date:	22 January 2020
Prelodgement Meeting Held:	Yes: PRE/4478

PROPERTY DETAILS	
Division:	Division 1
Property Address:	233 Welsby Parade Bongaree
RP Description	Lot 25 and Lot 26 RP62926
Land Area:	Total: 1,204m ² Lot 25 RP62929: 607.00m ² Lot 26 RP62929: 597.00m ²
Property Owner	Djakala Investments Pty Ltd

STATUTORY DETAILS	
Planning Legislation:	<i>Planning Act 2016</i>
Planning Scheme:	MBRC Planning Scheme
Planning Locality / Zone	General residential - Next generation neighbourhood precinct - Suburban neighbourhood Place type
Level of Assessment:	Impact Consistent

ITEM 2.1 DA/37893/2017/V2M - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (12 UNITS) 233 WELSBY PARADE BONGAREE - DIVISION 1 - A18538028 (Cont.)

This application seeks a Material Change of Use - Development Permit for a Multiple Dwelling (12 Units) at 233 Welsby Parade, Bongaree, on land described as Lot 25 and Lot 26 RP62929. It is proposed to construct a residential building over four (4) storeys, with carparking for 24 vehicle spaces provided under the building at ground level. The proposal includes eight (8) two-bedroom units and four (4) three-bedroom units having a maximum building height of 15.757 metres and a site density of 99.67 Dwellings per hectare.

The site is included within the General Residential zone - Next Generation Neighbourhood Precinct and within the Suburban Neighbourhood Place type under the Strategic Framework of the Moreton Bay Regional Council Planning Scheme (MBRC Planning Scheme). Further the site is mapped as being located within the Medium risk flood hazard area and Medium risk storm tide inundation and Balance coastal planning area.

The design of the proposed building is elevated to allow for the habitable rooms of the proposed building to meet the defined planning flood level. While most of the building complies with the maximum height limit of 15 metres, a small portion of the roof structure and the lift over run area exceed the maximum height provision. Under the maximum height definition of the MBRC Planning Scheme the lift over run area (which includes service plant and equipment required to run the building) is excluded however the 0.757 roof encroachment is included and results in the building being over height by 0.757m.



The 0.757 roof encroachment is resultant from the addition of a slight pitch to the roof form in the centre of the building which assists to add a defined top to the building. The additional height when viewed externally to the site is negligible and will not result in amenity impacts (i.e. scale, bulk and overshadowing) to adjoining properties. Having regard to the broader locality/wider context, the slight increase in height will not interrupt significant view corridors given it relates to a small part of the roof.

The proposed development also exceeds the site density provisions for the General Residential zone - Next Generation Neighbourhood Precinct providing a site density of 99.67 Dwellings per hectare instead of Site density of 15 - 75 Dwelling per hectare. This is due in part to the small size of the lot being 1,204m² and represents and the difference of approximately three (3) additional units (9 unit development verses 12 units) without effecting the built form.

The application was publicly advertised with thirty-three (33) properly made submissions, twelve (12) properly made petitions and two (2) not properly made submissions received. The proposed development does not comply with provisions of the MBRC Planning Scheme specifically relating to relating to Building height and Site density. An assessment against the provisions of the MBRC Planning Scheme has been completed in detail and as a result the areas of non-compliance are not sufficient to warrant refusal of the application. In addition, there are other relevant matters identified to warrant support of the proposal. Accordingly, the application is recommended to be approved, subject to conditions.

ITEM 2.1 DA/37893/2017/V2M - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (12 UNITS) 233 WELSBY PARADE BONGAREE - DIVISION 1 - A18538028 (Cont.)

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Peter Flannery

CARRIED 10/0

That in accordance with section 175E(6) of the *Local Government Act 2009* (the Act), as a majority of the councillors at the meeting of Council have informed the meeting about personal interests in Item 2.1 under section 175E(2) of the Act, Council delegates its powers under section 257 of the Act to the Delegated Decisions Committee to decide the matter.

ATTENDANCE

Mr John Hall and Mr Dan Staley left the meeting at 10.55am after Item 2.1.

Mr Denis Crowe attended the meeting at 10.55am for discussion on Item's 3.1 and 3.2.

3 CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 3.1

MONTHLY REPORTING PACKAGE - NOVEMBER 2019 - REGIONAL

Meeting / Session: 3 CORPORATE SERVICES
Reference: A19459371 : 11 December 2019 - **Refer Supporting Information A19459335**
Responsible Officer: AD, Management Accountant (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 30 November 2019.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Brooke Savage

CARRIED 10/0

That the Financial Reporting Package for the year to date period ending 30 November 2019 be received.

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2019 - REGIONAL - A19459371 (Cont.)

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 30 November 2019 be received.

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 30 November 2019 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes:

- ✓ Financial Statements
 - Statement of Comprehensive Income shows all income and expenditure as at the end of the November period.
 - The Statement of Financial Position highlights Council's position at the end of November and itemises assets, liabilities and community equity.
 - Statement of Cash Flows which represents the cash inflows and outflows during the month.
 - Statement of sources and applications of capital funding.
- ✓ Treasury Report
 - The Treasury Report highlights key areas of performance relating to Council's investments and borrowings.

2. Explanation of Item

The financial results for the month of November are complete. A commentary is provided on significant matters that occurred during the month.

3. Strategic Implications

3.1 Legislative / Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
 - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
 - (b) otherwise—at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed for the month of November.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. Risks are documented and evaluated as part of the operational plan preparation in conjunction with the annual budget cycle and are monitored throughout the year.

ITEM 3.1 MONTHLY REPORTING PACKAGE - NOVEMBER 2019 - REGIONAL - A19459371 (Cont.)

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
As at the end of November 2019, Council's operating result is \$72.78 million and the capital expenditure incurred amounted to \$62.84 million (excluding the University Project).
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Consultation / Communication
Director Finance and Corporate Services and Acting Accounting Services Manager

ITEM 3.2
MONTHLY REPORTING PACKAGE - DECEMBER 2019 - REGIONAL

Meeting / Session: 3 CORPORATE SERVICES
Reference: A19559834 : 14 January 2020 - **Refer Supporting Information A19559857**
Responsible Officer: AD, Management Accountant (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 31 December 2019.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Koliana Winchester

CARRIED 10/0

That the Financial Reporting Package for the year to date period ending 31 December 2019 be received.

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2019 - REGIONAL - A19559834 (Cont.)

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 31 December 2019 be received.

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 31 December 2019 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes:

- ✓ Financial Statements
 - Statement of Comprehensive Income shows all income and expenditure as at the end of the December period.
 - The Statement of Financial Position highlights Council's position at the end of December and itemises assets, liabilities and community equity.
 - Statement of Cash Flows which represents the cash inflows and outflows during the month.
 - Statement of sources and applications of capital funding.
- ✓ Treasury Report
 - The Treasury Report highlights key areas of performance relating to Council's investments and borrowings.

2. Explanation of Item

The financial results for the month of December are complete. A commentary is provided on significant matters that occurred during the month.

3. Strategic Implications

3.1 Legislative / Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
 - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
 - (b) otherwise—at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed for the month of December.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. Risks are documented and evaluated as part of the operational plan preparation in conjunction with the annual budget cycle and are monitored throughout the year.

Moreton Bay Regional Council

ITEM 3.2 MONTHLY REPORTING PACKAGE - DECEMBER 2019 - REGIONAL - A19559834 (Cont.)

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
As at the end of December 2019, Council's operating result is \$56.95 million and the capital expenditure incurred amounted to \$78.25 million (excluding the University Project).
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Consultation / Communication
Director Finance and Corporate Services and Accounting Services Manager

ATTENDANCE

Mr Denis Crowe left the meeting at 10.58am after Item 3.2.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

ITEM 4.1

MBRC - BUS STOP DISABILITY DISCRIMINATION ACT (DDA) COMPLIANCE PROGRAM - REGIONAL

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19466856 : 20 December 2019 - **Refer Supporting Information A19510415 and Confidential Supporting Information A19307928**
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited for the 'MBRC - Bus Stop DDA Compliance Program (MBRC008453/VP159980)' project. The tender closed on 22 November 2019, with a total of six tenders received, all of which were conforming.

It is recommended that the tender for the 'MBRC - Bus Stop DDA Compliance Program (MBRC008453/VP159980)' project be awarded to Conbro Pty Ltd T/A Moreton Bay Civil Contractors for the total sum of \$279,062.50 (excl. GST), as this offer represents the best overall value to Council.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Peter Flannery

CARRIED 10/0

1. That the tender for 'MBRC - Bus Stop DDA Compliance Program (MBRC008453/VP159980)' project be awarded to Conbro Pty Ltd T/A Moreton Bay Civil Contractors for the total sum of \$279,062.50 (excluding GST).
2. That the Council enters into an agreement with Conbro Pty Ltd T/A Moreton Bay Civil Contractors as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Conbro Pty Ltd T/A Moreton Bay Civil Contractors for 'MBRC - Bus Stop DDA Compliance Program (MBRC008453/VP159980)' project and any required variations of the agreement on Council's behalf.

ITEM 4.1 MBRC - BUS STOP DISABILITY DISCRIMINATION ACT (DDA) COMPLIANCE PROGRAM - REGIONAL - (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'MBRC - Bus Stop DDA Compliance Program (MBRC008453/VP159980)' project be awarded to Conbro Pty Ltd T/A Moreton Bay Civil Contractors for the total sum of \$279,062.50 (excluding GST).
2. That the Council enters into an agreement with Conbro Pty Ltd T/A Moreton Bay Civil Contractors as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Conbro Pty Ltd T/A Moreton Bay Civil Contractors for 'MBRC - Bus Stop DDA Compliance Program (MBRC008453/VP159980)' project and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The project is located regionally across the Moreton Bay Regional Council's existing bus stop facilities. The scope of works includes the upgrade of 14 bus stops that will meet compliance with the Disability Discrimination Act (DDA). Refer supporting information #1 for the location of each bus stop, by division.

Works will commence in February 2020 and take 14 weeks to complete, weather permitting.

2. Explanation of Item

Tenders for the 'MBRC - Bus Stop DDA Compliance Program (MBRC008453/VP159980)' project closed on 22 November 2019 with a total of six tenders received, all of which were conforming. 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	Conbro Pty Ltd T/A Moreton Bay Civil Contractors	98.60
2	THD Civil Pty Ltd	98.15
3	AllenCon Pty Ltd	91.65
4	Queensland Civil Group Pty Ltd	85.91
5	Auzcon Pty Ltd	83.93
6	Ryan Civil Contracting Pty Ltd	45.37

Conbro Pty Ltd T/A Moreton Bay Civil Contractors (Conbro) submitted a comprehensive and well-presented tender. A tender clarification meeting was held on 10 December 2019 at which Conbro demonstrated their relevant experience, construction methodology, environmental considerations, safety track record and subcontractors. Conbro have previously completed similar projects including the 17/18 - MBRC - Bus Shelter New Infrastructure Program (\$211,061.40), 16/17 MBRC - Public Transport Bus Shelter Installations (\$191,000) and previously the 17/18 MBRC - Truck Turnarounds - Local Access Improvements (\$150,000).

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

ITEM 4.1 MBRC - BUS STOP DISABILITY DISCRIMINATION ACT (DDA) COMPLIANCE PROGRAM - REGIONAL - (Cont.)

AllenCon Pty Ltd submitted a comprehensive and well-presented tender; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative / Legal Implications

Council called a select tender for the work through Council's Prequalified Civil Construction Panel (MBRC008453), in accordance with the *Local Government Act 2009*.

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

Financial Risks:

The tenderers were sourced from Council's Prequalified Civil Construction Panel (MBRC008453).

Construction Risks:

- a. The recommended tenderer will provide a detailed program of works, site specific traffic management plan, Translink and DTMR approvals and notifications, site specific environmental management plan, tree management and protection plans and safety plans including work method statements for the project management team to consider and audit.
- b. The recommended tenderer has demonstrated their understanding of the project and the need to manage the impact of the works on pedestrians and vehicles in accordance with the tender conditions. In addition, temporary bus stops will be placed adjacent to the work site in accordance with Translink's requirements. The contractor will be required to provide a minimum 21 days' notice regarding each site to Translink via their online portal. Residents/businesses who will be directly affected by the works will be advised two weeks prior to works commencing, utilising Council's project notice and project signage.
- c. There are no Development Approvals related to this project.
- d. There are no procurement risks associated with this project. Sufficient lead time has been allowed with regard to items and materials.

3.5 Delegated Authority Implications Nil identified

ITEM 4.1 MBRC - BUS STOP DISABILITY DISCRIMINATION ACT (DDA) COMPLIANCE PROGRAM - REGIONAL - (Cont.)

3.6 Financial Implications

Council has allocated a total of \$390,000 (excl. GST) in the 2019/20 FY Capital Projects Program for the design and construction activities for this project. External revenue of \$195,000 from Translink has also been provided to this project. All financial information below is excluding GST.

Tender Price (Construction)	\$ 279,062.50
Contingency (10%)	\$ 27,906.25
QLeave (0.475%)	\$ 1,326.00

Total Project Cost	\$ 308,294.75
	=====
Estimated ongoing operational/maintenance costs	\$12,000 per F/Y.

The budget amount for this project is sufficient.

3.7 Economic Benefit Implications

The expected outcome is to increase DDA compliant bus stops across the Moreton Bay Region.

3.8 Environmental Implications

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

3.9 Social Implications

The project is to improve access for all bus users at the nominated bus stops.

3.10 Consultation / Communication

A detailed communications plan has been prepared. Project stakeholders and residents who will be directly affected by the works will be advised two weeks prior to works commencing, utilising Council's project notice and project signage. Consultation has been undertaken by Integrated Transport Planning and Design (ITPD) with residents/businesses affected including Translink and the Department of Transport and Main Roads. The Divisional Councillors have been consulted and are supportive of this project.

ITEM 4.2

REDCLIFFE - REDCLIFFE JETTY - FINGER AND PONTOON ACCESS IMPROVEMENTS - DIVISION 6

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19508404 : 13 January 2019 - Refer **Confidential** Supporting Information A19336750
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were called for the 'Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148)' project. The tender closed on 5 November 2019, with a total of five conforming tenders received.

It is recommended that the tender for the 'Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148)' project be awarded to SMC Marine Pty Ltd for the total sum of \$234,000 (excl. GST) as this offer represents the best overall value to Council.

RESOLUTION

Moved by Cr Koliana Winchester

Seconded by Cr James Houghton

CARRIED 10/0

1. That the tender for 'Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148)' be awarded to SMC Marine Pty Ltd for the amount of \$234,000 (excluding GST).
2. That the Council enters into an agreement with SMC Marine Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with SMC Marine Pty Ltd for 'Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148)' and any required variations of the agreement on Council's behalf.
4. That to allow the project to continue, Council commits an additional \$150,000 in funding in the Quarter Two 2019/20 FY Capital Projects Program budget review towards the Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148) project.

ITEM 4.2 REDCLIFFE - REDCLIFFE JETTY - FINGER AND PONTOON ACCESS IMPROVEMENTS - DIVISION 6 - A19508404 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148)' be awarded to SMC Marine Pty Ltd for the amount of \$234,000 (excluding GST).
2. That the Council enters into an agreement with SMC Marine Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with SMC Marine Pty Ltd for 'Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148)' and any required variations of the agreement on Council's behalf.
4. That to allow the project to continue, Council commits an additional \$150,000 in funding in the Quarter Two 2019/20 FY Capital Projects Program budget review towards the Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148) project.

REPORT DETAIL

1. Background

The Redcliffe Jetty Finger and Pontoon Access improvements are required to the two existing inner public pontoons to allow vessels of different sizes and freeboards to berth at these pontoons.

The pontoon on the southern finger (northern side) and the pontoon on the northern finger (southern side) are to both have two additional berthing piles installed, with the northern finger's existing platform raised to increase the berthing height of the pontoon.

This contract was originally awarded to another contractor who was unable to complete the works within the given timeframes and the contract was subsequently cancelled by Council.

The recommended tenderer has provided a construction duration of eight weeks including wet weather. Off-site (pontoon) manufacturing works will commence upon contract award and are expected to take six weeks. On-site works are expected to commence after Easter (mid-late April 2020) following the pontoon manufacturing and be completed within two weeks, weather permitting.

These works will not affect any jetty activity during the whale watching season, which commences in June 2020. The jetty itself will remain open during the on-site works. To complete the works, there will be a partial closure of the fingers and pontoon whilst the on-site installation of the additional fender piles/pontoon are constructed.



Figure 1: Redcliffe Jetty Finger and Pontoon works location

ITEM 4.2 REDCLIFFE - REDCLIFFE JETTY - FINGER AND PONTOON ACCESS IMPROVEMENTS - DIVISION 6 - A19508404 (Cont.)

2. Explanation of Item

Tenders for the 'Redcliffe - Redcliffe Jetty - Finger and Pontoon Access Improvements (MBRC009148)' project closed on 5 November 2019 with a total of five 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	SMC Marine Pty Ltd	100.00
2	Marine Civil Contractors Pty Ltd	97.96
3	Atoll Logistics Pty Ltd	85.43
4	CES Civil SEQ Pty Ltd	78.03
5	The Marina Specialist (trading as The Jetty Specialist)	77.11

SMC Marine Pty Ltd (SMC) submitted a comprehensive and well-presented tender. A tender clarification meeting was held on 13 January 2020, at which SMC demonstrated their relevant experience, construction methodology, understanding of the project and capability to deliver this project. SMC have previously completed similar projects including Grasstree Beach Boat Ramp Upgrade (\$830K) and River Heads Boat Ramp Upgrade (\$2M) for the Department of Transport and Main Roads and the Urangan Harbour Boat Ramp Works (\$590K) for North Queensland Bulk Ports. The evaluation panel considered this submission to be the best value for money for Council.

Marine Civil Contractors Pty Ltd submitted a comprehensive and well-presented tender; however, there were no additional benefits for the higher price.

Atoll Logistics Pty Ltd submitted a comprehensive and well-presented tender; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative / Legal Implications

Due to value of work being greater than \$200,000, Council called a public tender for the work through the LG Tender system in accordance with the *Local Government Act 2009*. The contract for additional works to the pontoons and piles, which was awarded in January 2019, was cancelled following legal advice and the issuing of two show cause notices, when the contractor was unable to comply with the delivery of the works as specified in the contract.

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 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

ITEM 4.2 REDCLIFFE - REDCLIFFE JETTY - FINGER AND PONTOON ACCESS IMPROVEMENTS - DIVISION 6 - A19508404 (Cont.)

3.4 Risk Management Implications

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

Financial Risks:

A third-party review of financial status has been undertaken on the recommended tenderer and the company has received a rating of 'very strong'.

Construction Risks:

- a. The recommended contractor will provide a detailed program of works, site specific Traffic Management Plan including Maritime Safety Queensland approvals and notifications, site specific Environmental Management Plan and safety plans including Work Method Statements, all of which will be reviewed and audited by the Project Management team.
- b. The proposed works will be undertaken in accordance with the current Marine Parks Permit to ensure compliance with the approval conditions.
- c. The contractor will provide a Construction Plan and associated program of works that will ensure all works will be conducted in an appropriate manner and adhere to requirements of works within a marine park environment. Works will be coordinated prior to the whale watching season with alternative berthing arrangements to be implemented when necessary.
- d. A site-specific Environmental Management Plan will be developed and submitted as a requirement of the Marine Parks Permit, for approval prior to commencing work on site. This plan will be monitored throughout the construction phase to ensure compliance with permit requirements.
- e. There are no development approvals applicable to this project.
- f. There are no procurement risks associated with this project. Sufficient lead time has been allowed with regard to items and materials.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Reprovided capital funds of \$116,637.00 have been set aside for this project. All financials are excluding GST.

Funds reprovisioned into 19-20	\$116,637.00
Internal charges 19-20	\$ 6,247.00
Total 19-20 FY funds available	\$110,390.00
Tender Price (Construction)	\$234,000.00
Contingency (10%)	\$ 23,400.00
QLeave (0.475%)	\$ 1,111.50

Total Project Cost	\$258,511.50
	=====

Estimated ongoing operational/maintenance costs (including inspections) are \$2,500 per F/Y.

The budget amount for this project is insufficient. Additional funds will be required from the 2019-2020 FY Capital Projects Program of \$150,000.

ITEM 4.2 REDCLIFFE - REDCLIFFE JETTY - FINGER AND PONTOON ACCESS IMPROVEMENTS - DIVISION 6 - A19508404 (Cont.)

3.7 Economic Benefit Implications

The project once completed will provide for a greater range of boats to use the facility and potentially develop new boating based commercial opportunities for the local economy.

3.8 Environmental Implications

The project is located within the Moreton Bay Marine Park. A site-specific Environmental Management Plan will be required to be submitted to Council and the Department of National Parks Recreation, Sport and Racing (Marine Parks Permit) for approval prior to works commencing on site. This plan will be monitored throughout the construction phase to ensure compliance.

3.9 Social Implications

The project once completed will provide accessibility for a range of boats to use the Redcliffe Jetty.

3.10 Consultation / Communication

Consultation has been undertaken with Brisbane Whale Watching regarding the timing of the works. In addition, notification will be provided to marine vessel operators who have mooring permits at the Redcliffe Jetty. Project Notices and signage will also be issued well in advance, to advise the general public of the partial closure of the jetty fingers/pontoons. The jetty to the half-way house will remain open during construction. The Divisional Councillor has been consulted regarding this project and is supportive of the project and its outcomes.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

NEWPORT PARK PROPOSED DOG OFF-LEASH AREA - DIVISION 5

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19442616 : 6 December 2019
Responsible Officer: BS, Technical Officer (IP Parks & Recreation Planning)

Executive Summary

The purpose of this report is to seek Council support for the installation of a fenced dog off-leash area (DOLA) in Newport Park, Scarborough.

The developer of the Isles of Newport development, Stockland, has prepared designs and offered to construct the facility at no cost to the community. Council sought feedback from residents living near Newport Park, with a petition and several objections being received.

This matter was discussed at a workshop held on 3 December 2019 where Council provided feedback regarding the installation.

RESOLUTION

Moved by Cr James Houghton

Seconded by Cr Matt Constance

CARRIED 10/0

That a fenced dog off-leash area within Newport Park, to be installed and funded by Stockland, be approved as shown in Figure 2 of this report.

ITEM 5.1 NEWPORT PARK PROPOSED DOG OFF-LEASH AREA - DIVISION 5 - A19442616 (Cont.)

OFFICER'S RECOMMENDATION

That a fenced dog off-leash area within Newport Park, to be installed and funded by Stockland, be approved as shown in Figure 2 of this report.

REPORT DETAIL

1. Background

Council has received an offer from the Isles of Newport developer, Stockland, via the Division 5 Councillor to install a fenced DOLA within Newport Park at no cost to Council. Council officers investigated the proposal finding it to be an acceptable outcome when assessed against Council's Desired Standards of Service for this park type and location.

The matter was discussed at a Council workshop on 3 December 2019 where Council provided feedback regarding the installation of a fenced DOLA and dog agility equipment within Newport Park, noting it would be fully funded by the developer.

2. Explanation of Item

Newport Park is an established District Park, located between the established Newport community and the emerging Isles of Newport development at Scarborough (refer Figure 1).



Figure 1 Locality Plan

The park contains a range of recreation infrastructure and the inclusion of a DOLA is consistent with Council's Desired Standards of Service for a District Park. There is strong demand on the Redcliffe Peninsula for additional DOLA's and Council officers have had difficulty finding suitable locations for such infrastructure due primarily to the small size of suggested parks.

Newport Park is approximately 4.3Ha in area and the proposed site for the DOLA enables appropriate separation from other park uses as well as adjacent residences. There are no parks large enough to support such a facility within the Isles of Newport development or the wider Scarborough area. The proposal enables improved utilisation of an underdeveloped existing District level facility and on this basis, it is supported by Council officers.

ITEM 5.1 NEWPORT PARK PROPOSED DOG OFF-LEASH AREA - DIVISION 5 - A19442616 (Cont.)

Section 10(1) of MBRC Local Law No. 2 (Animal Management) 2011 contains the following requirement.

- 10 Dog off-leash areas**
- (1) The local government may, by resolution, designate an area within a public place as an area where a dog is not required to be on a leash (a **dog off-leash area**).
 - (2) The local government must take reasonable steps to provide notice to members of the public regarding the designation of an area as a dog off-leash area.
 - (3) In this section— **reasonable steps** include, as a minimum, the display of a notice at a prominent place within the dog off-leash area indicating the extent of the area.
 - (4) The local government must keep a record available for public inspection identifying areas that are designated dog off-leash areas.

MBRC has the right to designate an area within a public place as an area where dogs are not required to be on a leash. This makes dog off-leash area's a legitimate use on public lands.

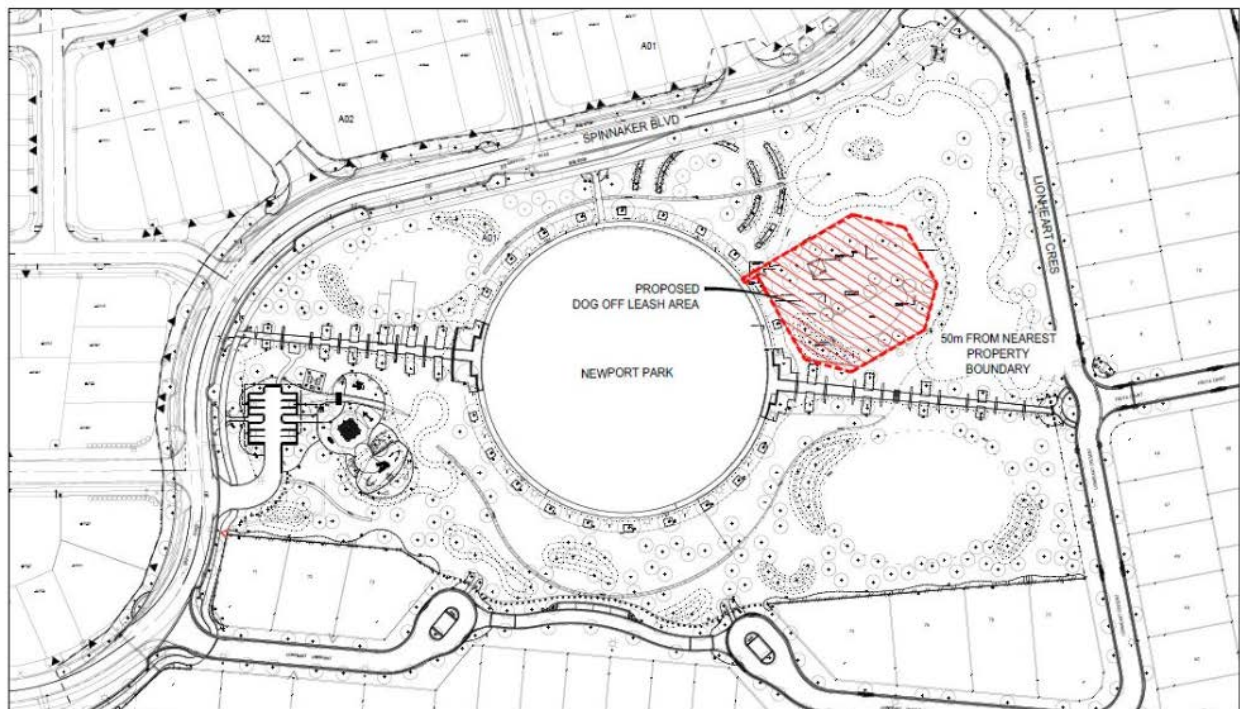


Figure 2 Proposed dog off-leash area within Newport Park, Newport

It is noted that some resident concerns were raised regarding the proposed facility including:

- Proximity to nearby homes
- Noise (barking dogs)
- Perceived increased traffic and parking of vehicles leading to inconvenience to residents
- Lack of consultation with residents
- 37 signatures from objectors were received from approximately 30 households

Council officers have considered the potential impacts raised by nearby residents and are satisfied that the facility is appropriately located for the following reasons:

- The proposed facility is approximately 2500sqm in area (roughly 50 x 50m) which compares favourably with Councils preferred facility size for this park type. It will occupy an under-utilised area within the park.

ITEM 5.1 NEWPORT PARK PROPOSED DOG OFF-LEASH AREA - DIVISION 5 - A19442616 (Cont.)

- The facility is to be located more than the minimum 40 metre offset requirement from the closest adjacent residences as outlined in Councils draft DOLA guidelines.
- Facility users are anticipated to primarily be local residents who are likely to walk to the facility rather than drive. There is also formal parking within the park should patrons choose to drive.
- Adjacent streets can support on street parking noting that it is a low speed design environment and that residents and their visitors may also choose to park on street from time to time.
- The Division 5 Councillor advised residents in the local area of the proposal in his regular newsletter and 2 further letters were distributed to the immediate surrounds of the park initially advising residents of the proposal and subsequently seeking their comments.
- There are approximately 70 residences with frontage to the park however the service catchment for the facility of 1.5km meets the needs of many hundreds of properties. For a district level park facilities Council officers have observed over time that not all adjacent residents will be in favour of all park facilities. However due to the large service catchment, the level of objection is not considered enough to prevent the proposed installation. The initiative is supported by the Division 5 Councillor due to persistent demand for such a facility by the wider community within this catchment.

3. Strategic Implications

3.1 Legislative / Legal Implications

This proposal is in accordance with Moreton Bay Regional Council – Local Law No. 2 (Animal Management) 2011.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications Nil identified

3.4 Risk Management Implications

By gaining formal Council approval for the selected site, it will ensure that Council can effectively manage dog behaviour in accordance with Council's Local Law No 2.

3.5 Delegated Authority Implications

That the Director ECM is authorised to liaise with the developer of the Isles of Newport development, Stockland, to permit the installation of a fenced DOLA within Newport Park, Newport.

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications

There is significant benefit to the community as the developer Stockland has agreed to fully fund the installation.

3.8 Environmental Implications Nil identified

3.9 Social Implications

Dog off-leash areas provide excellent gathering places where residents can meet while exercising and socialising their dogs.

3.10 Consultation / Communication

This matter was workshopped with Council on 3 December 2019.

The Division 5 Councillor provided newsletter advice and 2 mail outs were also undertaken for residents living in the general area where the proposed details of the dog off-leash area were provided. While a number of objections were received, the park is of an appropriate scale to accommodate the installation noting the Division 5 Councillor has received numerous requests for such a facility in the Scarborough area.

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.

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 Peter Flannery

Seconded by Cr Matt Constance

CARRIED 9/0

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
- DIVISION 5**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19308062 : 6 November 2019 - **Refer Supporting Information A19308064**
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 100 - 166B Maine Terrace, Deception Bay (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 100 - 166B Maine Terrace, Deception Bay (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 - DIVISION 5 - A19308062 (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 100 - 166B Maine Terrace, Deception Bay (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 at 100 - 166B Maine Terrace, Deception Bay (refer Supporting Information #1) for the purpose of operating a Police Citizens Youth Club.

In March 2015, the organisation constructed a building extension to the east of the main PCYC facility for a gymnasium, however this area of occupation was never formalised under a lease agreement.

The current lease to QPCYC at this location will expire on 31 March 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 the additional area of occupation (gymnasium), 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 100 - 166B Maine Terrace, Deception Bay 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 provision of a new lease to QPCYC over all areas of their occupation at the site, inclusive of the current lease area and the gymnasium area to the east (refer 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 their 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.

ITEM 5.2 NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - DIVISION 5 - A19308062 (Cont.)

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Nil identified

3.5 Delegated Authority Implications

As per 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 organisation with facilities to support its continued operations at this site.

3.10 Consultation / Communication

Councillor Houghton (Division 5)
Relevant Council Departments
Queensland Police-Citizens Youth Welfare Association

**ITEM 5.3
NEW LEASE - SAMFORD & DISTRICTS RUGBY LEAGUE FOOTBALL CLUB INC -
DIVISION 11**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19283417: 31 October 2019 - Refer Supporting Information A19283426
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 Samford & Districts Rugby League Football Club Inc located at Lot 5 Main Street, Samford Village (refer Supporting Information #1). The proposed lease would take effect following the organisation's surrender of its existing lease at this location.

RESOLUTION

Moved by Cr Darren Grimwade

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 recommendations 3 and 4, Samford & Districts Rugby League Football Club Inc be granted a lease over an area at Lot 5 Main Street, Samford Village (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 grant of this lease be subject to Samford & Districts Rugby League Football Club Inc surrendering its existing lease at this location.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.3 NEW LEASE - SAMFORD & DISTRICTS RUGBY LEAGUE FOOTBALL CLUB INC - DIVISION 11 - A19283417 (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 recommendations 3 and 4, Samford & Districts Rugby League Football Club Inc be granted a lease over an area at Lot 5 Main Street, Samford Village (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 grant of this lease be subject to Samford & Districts Rugby League Football Club Inc surrendering its existing lease at this location.
5. 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 15 February 2003, Samford & Districts Rugby League Football Club Inc has held a current lease with Council over an area, including a clubhouse, bar/canteen, storage shed and car park at Lot 5 Main Street, Samford Village (refer Supporting Information #1) for the purpose of operating a rugby league club. This lease is due to expire on 14 February 2028.

Following the adoption of Council's consolidated Community Leasing Policy (No. 14-2150-079) on 1 April 2014, existing lessees were provided the opportunity to transition to a lease under Council's new policy provisions.

2. Explanation of Item

Samford & Districts Rugby League Football Club Inc has recently advised Council of their desire to transition to a new lease under the provision of Council's Community Leasing Policy (No. 14-2150-079). To enable this transition, Samford & Districts Rugby League Football Club Inc will be required to surrender its existing lease at this location and enter into a new lease with Council.

Under Council's Community Leasing policy, leases are generally provided over areas of exclusive occupation, and do not include areas of non-exclusive use such as sports fields, car parks and general open spaces. Following consultation with Samford & Districts Rugby League Football Club Inc it was agreed that their new lease area be reduced to include only the clubhouse, bar/canteen and storage shed areas, with a separate sports field permit to be issued for use of the sports field. Council approval is not required for the issuing of sports field permits.

Accordingly, this report recommends that Council approves the granting of a new five-year lease, under the terms and conditions of Council's Community Leasing Policy (2150-079), over the area identified in Supporting Information #1. Further, it is recommended that this lease be subject to the organisation surrendering its existing lease at this location.

ITEM 5.3 NEW LEASE - SAMFORD & DISTRICTS RUGBY LEAGUE FOOTBALL CLUB INC - DIVISION 11 - A19283417 (Cont.)

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

As per recommendation 5 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 Nil identified

3.8 Environmental Implication Nil identified

3.9 Social Implications Nil identified

The issuing of a lease to Samford & Districts Rugby League Football Club Inc will provide the organisation with facilities to support its continued operations.

3.10 Consultation / Communication

Councillor Grimwade (Division 11)
Samford & Districts Rugby League Football Club Inc

**ITEM 5.4
NEW LEASE - THE SCOUT ASSOCIATION OF AUSTRALIA QUEENSLAND BRANCH
INC - DIVISION 11**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19308076: 6 November 2019 - **Refer Supporting Information A19308078**
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 The Scout Association of Australia Queensland Branch Inc. at Dayboro Showgrounds, 3512 Mt Mee Road, Dayboro (refer Supporting Information #1).

RESOLUTION

Moved by Cr Darren Grimwade

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, The Scout Association of Australia Queensland Branch Inc be granted a lease over an area at 3512 Mt Mee Road, Dayboro (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 5.4 NEW LEASE - THE SCOUT ASSOCIATION OF AUSTRALIA QUEENSLAND BRANCH INC - DIVISION 11
- A19308076: (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 Scout Association of Australia Queensland Branch Inc be granted a lease over an area at 3512 Mt Mee Road, Dayboro (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

Since 1 July 1984, The Scout Association of Australia Queensland Branch Inc (Scouts Queensland) has held a lease with Council over an area at Dayboro Showgrounds, 3512 Mt Mee Road, Dayboro with frontage to Don Kerr Memorial Drive (refer Supporting Information #1) for the purpose of operating a scout group. The most recent lease to the organisation at this location expired on 3 September 2019, with the organisation continuing to occupy the site on holding over terms.

In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), Council is required to consider lease renewal requests at a General Meeting in all instances where a lease boundary change is proposed.

2. Explanation of Item

Scouts Queensland has made application to Council seeking renewal of its lease at 3512 Mt Mee Road, Dayboro 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.

Under Council's Community Leasing policy, leases are generally provided over areas of exclusive occupation (such as building footprints), and do not include open space areas. As such, Scouts Queensland have agreed to reduce their lease area to that of the building footprint only (refer Supporting Information #1), bringing this lease into line with all other Scouts Queensland leases within the Moreton Bay Region.

Accordingly, this report recommends that Council approve the provision of a new lease, under the terms and conditions of Council's Community Leasing Policy (No. 14-2150-079), over the area identified in Supporting Information #1. Further, it is recommended that the term of this lease be for a period of five years, commencing at the expiry of their existing lease at this location.

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.

ITEM 5.4 NEW LEASE - THE SCOUT ASSOCIATION OF AUSTRALIA QUEENSLAND BRANCH INC - DIVISION 11
- A19308076: (Cont.)

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 The Scout Association of Australia Queensland Branch Inc will provide the club with additional facilities to support its operations.

3.10 Consultation / Communication

Cr Grimwade - Division 11

Relevant Council departments

The Scout Association of Australia Queensland Branch Inc

ITEM 5.5 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Mike Charlton

Pursuant to s175E of the *Local Government Act 2009*, Cr Mike Charlton (Acting Mayor) declared a perceived conflict of interest in Item 5.5 as Mr Gary Lancaster, Bunya Community Environmental Association Committee Member is both a personal friend and was President of the Geebung Zillmere Bald Hills Aspley RSL Club Sub Branch when Cr Charlton was a team member doing the WW1 Challenge Treks.

However, Cr Mike Charlton 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 Mick Gillam

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 Mike Charlton (Acting Mayor) 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 Mike Charlton (Acting Mayor) remained in the meeting.

**ITEM 5.5
NEW LEASE - BUNYA COMMUNITY ENVIRONMENTAL ASSOCIATION INC -
DIVISION 9**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19308059 : 6 November 2019 - Refer Supporting Information A19308061
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 Bunya Community Environmental Association Inc. at Yuraba Community Centre, 240 Church Road, Eatons Hill (refer Supporting Information #1).

RESOLUTION

Moved by Cr Mike Charlton (Acting Mayor)

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, Bunya Community Environment Association Inc. be granted a lease over an area at 240 Church Road, Eatons Hill (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 5.5 NEW LEASE - BUNYA COMMUNITY ENVIRONMENTAL ASSOCIATION INC - DIVISION 9 - A19308059
(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, Bunya Community Environment Association Inc. be granted a lease over an area at 240 Church Road, Eatons Hill (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 February 2009, Bunya Community Environmental Association Inc has held a lease with Council over a large area inclusive of a community centre, amenities building and vegetated open space at 240 Church Road, Eatons Hill (refer Supporting Information #1) for the purpose of conducting environmental programs. The most recent lease to the organisation at this location expired on 31 January 2018, with the group continuing to occupy the site on holding over terms.

In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), Council is required to consider lease renewal requests at a General Meeting in all instances where a lease boundary change is proposed.

2. Explanation of Item

Bunya Community Environmental Association Inc has made application to Council seeking renewal of its lease at 240 Church Road, Eatons Hill 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.

Under Council's Community Leasing policy, leases are generally provided over areas of exclusive occupation (such as building footprints), and do not include open space areas. As such, Bunya Community Environmental Association Inc have agreed to reduce their lease area to that of the community centre and amenities building footprints only (refer Supporting Information #1).

Accordingly, this report recommends that Council approve the provision of a new lease, under the terms and conditions of Council's Community Leasing Policy (No. 14-2150-079), over the areas identified in Supporting Information #1. Further, it is recommended that the term of this lease be for a period of five 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.

*ITEM 5.5 NEW LEASE - BUNYA COMMUNITY ENVIRONMENTAL ASSOCIATION INC - DIVISION 9 - A19308059
(Cont.)*

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Nil identified

3.5 Delegated Authority Implications

As per 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 Bunya Community Environmental Association Inc. will provide the organisation with facilities to support its continued operations.

3.10 Consultation / Communication

Councillor Charlton (Acting Mayor and Division 9)
Relevant Council Departments
Bunya Community Environmental Association Inc.

ITEM 5.6 - DECLARATION OF 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 5.6 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.

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 5.6 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 Adam Hain

Seconded by Cr James Houghton

CARRIED 8/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Koliana Winchester and Cr Mick Gillam have 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 and Cr Mick Gillam remained in the meeting.

**ITEM 5.6
NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION
- DIVISION 5**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19308070 : 6 November 2019 - Refer **Supporting Information A19308071**
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 to Queensland Police-Citizens Youth Welfare Association at Talobilla Park, 170 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 170 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 5.6 NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - DIVISION 5 - A19308070 (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 170 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

Since 1 July 1998, Queensland Police-Citizens Youth Welfare Association has held formal tenure with Council over an area at 170 Klingner Road, Kippa-Ring (refer Supporting Information #1) for the purpose of operating a Police Citizens Youth Club. This lease is due to expire on 30 April 2020.

The lease provides the Queensland Police-Citizens Youth Welfare Association the facilities to support the delivery of its various community services.

2. Explanation of Item

The Queensland Police-Citizens Youth Welfare Association has confirmed its desire to renew its lease under Council's Community Leasing Policy. A qualitative assessment of the renewal application has been undertaken, with no objections received.

Council's PCYC Network Facility Development Plan identifies that there is an opportunity to expand the building footprint at the front to construct a new covered outdoor fitness area. This proposed covered outdoor fitness area is outside the current lease area.

Accordingly, this report recommends that Council approve the provision of a new lease, under the terms and conditions of Council's Community Leasing Policy (No. 14-2150-079), over the areas identified in Supporting Information #1. Further, it is recommended that the term of this lease be for a period of five years, commencing at the expiry of their 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 5.6 NEW LEASE - QUEENSLAND POLICE-CITIZENS YOUTH WELFARE ASSOCIATION - DIVISION 5 - A19308070 (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 Houghton - Division 5
Relevant Council departments
Queensland Police-Citizens Youth Welfare Association

ITEM 5.7

NEW LEASE - ALBANY CREEK KINDERGARTEN ASSOCIATION INC - DIVISION 9

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19308060 : 6 November 2019 - **Refer Supporting Information A19308057**
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 Albany Creek Kindergarten Association Inc at Wolter Park, 16 Ernie Street, Albany Creek (refer Supporting Information #1).

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Mike Charlton (Acting Mayor)

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, Albany Creek Kindergarten Association Inc be granted a lease over an area at 16 Ernie Street, Albany Creek (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 5.7 NEW LEASE - ALBANY CREEK KINDERGARTEN ASSOCIATION INC - DIVISION 9 - A19308060 (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, Albany Creek Kindergarten Association Inc be granted a lease over an area at 16 Ernie Street, Albany Creek (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

The Albany Creek Kindergarten Association Inc has historically held a lease with Council over an area at 16 Ernie Street, Albany Creek (refer Supporting Information #1) for the purposes of operating a kindergarten.

In January of 2017, the organisation undertook an extension to their veranda on the north-east side of the main building, however this area of occupation was never formalised under a lease agreement.

The current lease to Albany Creek Kindergarten Association Inc at this location will expire on 31 March 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 the additional veranda area, consideration by Council at a General Meeting is required.

2. Explanation of Item

The Albany Creek Kindergarten Association Inc has made application to Council seeking renewal of its lease at Wolter Park, 16 Ernie Street, Albany Creek 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 Albany Creek Kindergarten Association Inc over all areas of occupation at the site (inclusive of the current lease area and the extended veranda area), 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 their existing lease at this location.

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 - places to discover, learn, play and imagine

ITEM 5.7 NEW LEASE - ALBANY CREEK KINDERGARTEN ASSOCIATION INC - DIVISION 9 - A19308060 (Cont.)

3.3 Policy Implications

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

As per 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 Albany Creek Kindergarten Association Inc will provide the organisation with facilities to support its continued operations.

3.10 Consultation / Communication

Councillor Charlton (Division 9)
Relevant Council departments
Albany Creek Kindergarten Association Inc.

ITEM 5.8 - DECLARATION OF 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 5.8 as she was a former Board Member and member of the Kippa-Ring Lions Club.

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.

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 Mick Gillam

Seconded by Cr Denise Sims

CARRIED 9/0

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.

**ITEM 5.8
OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - BELLEVUE
PARK REDCLIFFE - DIVISION 5**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19530193 : 6 November 2019 - **Refer Supporting Information A19530192**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

Council called for expressions of interest (EOI) from not-for-profit community organisations to lease the hall and shed located at Bellevue Park, 51 Sportsground Street, Redcliffe (refer Supporting Information #1) under the provision of Council's Community Leasing Policy (No. 2150-079). Five applications were received and assessed through this process.

This report seeks Council's approval to grant a lease to the recommended applicant, being the Lions Club of Redcliffe Kippa-Ring Inc.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

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 Lions Club of Redcliffe Kippa-Ring Inc be granted a lease over an area at 51 Sportsground Street, Redcliffe (refer Supporting Information #1) for a period of five years, following the relocation of the S Triple C Redcliffe Inc.
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 5.8 OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - BELLEVUE PARK REDCLIFFE - DIVISION 5 - A19530193 (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 Lions Club of Redcliffe Kippa-Ring Inc be granted a lease over an area at 51 Sportsground Street, Redcliffe (refer Supporting Information #1) for a period of five years, following the relocation of the S Triple C Redcliffe Inc.
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

In 2019, Council commenced a redevelopment of the Redcliffe Council Administration Centre building located at 1 Irene Street, Redcliffe. Once complete, the redeveloped facility will accommodate the Redcliffe Art Gallery (tenancy 1), University of the Third Age Redcliffe (tenancy 2) and the S Triple C Redcliffe Inc (Redcliffe Seniors Computer Club) (tenancy 3).

The Redcliffe Seniors Computer Club have historically occupied the hall at Bellevue Park, Redcliffe for the conduct of their community activities. Following completion of the Redcliffe Council Administration Centre redevelopment (estimated April 2020), the group will relocate to their new tenancy area, vacating their tenancy at Bellevue Park.

On 27 September 2019, Council called for Expressions of Interest (EOI) from not-for-profit community organisations to lease the Bellevue Park hall along with an adjacent shed currently being utilised by the Lions Club of Redcliffe Kippa-Ring Inc, under short term tenancy arrangements, for their Recycle for Sight program (refer Supporting Information #1). The new lessee would commence occupation of the facilities following the relocation of the Redcliffe Seniors Computer Club (expected April 2020).

2. Explanation of Item

Applications under the EOI process were received from the following community organisations:

- Lions Club of Redcliffe Kippa-Ring Inc.;
- The Breakfast Club Redcliffe Inc;
- Chameleon Regional Community Housing Accommodation & Welfare Association Inc;
- Redcliffe Musical Theatre Inc; and
- SPADEwerx Community Theatre.

All applications were reviewed against the following criteria by a panel consisting of senior Council officers:

- facility usage and community benefit;
- facility maintenance development capacity;
- facility management experience; and
- financial capacity.

As an outcome of this assessment process, it is recommended that a lease be offered to the Lions Club of Redcliffe Kippa-Ring Inc in accordance with the terms and conditions of Council's Community Leasing Policy, for a period of five (5) years.

ITEM 5.8 OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - BELLEVUE PARK REDCLIFFE - DIVISION 5 - A19530193 (Cont.)

Lions Club of Redcliffe Kippa-Ring Inc.

Established in 1990, the Lions Club of Redcliffe Kippa-Ring Inc is a local community organisation providing a variety of community services within the Moreton Bay Region. One such area of service is the Lions Recycle for Sight Australia program which provides recycled spectacles to people in need throughout the world.

Since 2000, the Lions Club of Redcliffe Kippa-Ring Inc have held tenure with Council over an area at Lamington Drive, Redcliffe (refer Supporting Information #2) for the purpose of storing club equipment, running weekly community markets and housing the Recycle for Sight operations. At this site the club occupy:

- A main building to store incoming spectacles, refurbish spectacles and to store spectacles ready for export;
- A single garage to store spectacles ready for export;
- A double garage to store market furniture and equipment, and incoming spectacles ready for washing and grading; and
- External storage space.

Since April 2019, the Lions Club of Redcliffe Kippa-Ring Inc have also occupied the shed at Bellevue Park (refer Supporting Information #1) for the purposes of storing incoming spectacles to reduce overcrowding at the Lamington Drive site.

The club have identified a need for additional space to further expand the Recycle for Sight program. Specifically, the club proposes to utilise the Bellevue Park hall to receive, grade, wash and box spectacles for export. The Club have identified that the additional facilities will enable an increase in spectacle turnover from 400,000 to 700,000 per year and support increased participation in their Work for the Dole programs.

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

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

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

ITEM 5.8 OUTCOME OF COMMUNITY LEASING EXPRESSION OF INTEREST - BELLEVUE PARK REDCLIFFE - DIVISION 5 - A19530193 (Cont.)

3.9 Social Implications

The issuing of a lease to the Lions Club of Redcliffe Kippa-Ring Inc will provide the organisation with additional facilities to support its Recycle for Sight operations.

3.10 Consultation / Communication

Councillor Houghton (Division 5)
Councillor Winchester (Division 6)

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
AUSTRALIA DAY AWARDS - MORETON BAY REGION**

Cr Denise Sims, Cr Mike Charlton (Acting Mayor), Cr Darren Grimwade and Cr Mick Gillam spoke in relation to the **2020 Australia Day Awards**, offering their congratulations to the recipients within the Moreton Bay Region and noting that they were all very worthy and their contribution to the community invaluable.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Koliana Winchester

CARRIED 10/0

That a Mayoral letter of congratulation be sent to the Moreton Bay Region 2020 Australia Day Awards recipients.

**ITEM 11.2
REGIONAL EVENTS**

Cr Mick Gillam offered his congratulations to Moreton Bay Region Industry & Tourism (MBRIT) for the successful **Pine Rivers Park Christmas Carols** held Saturday 15 December 2019. Cr Gillam said that the event provided good entertainment, the traffic was well-managed, and attendees conveyed they were very happy and in particular, made special mention of the positive response received regarding Council's fireworks ban for Council-run Christmas and New Year events in the Moreton Bay Region.

Cr Adam Hain attended a holiday activity - Freestyle BMX & Scooter Clinics at Morayfield Skate Park as part of Council's **Healthy & Active Moreton Program**. Cr Mick Gillam said the program had been operating since 1996.

Cr Hain requested that a Mayoral letter of congratulation be sent to the Council staff involved in the success of Council's Healthy & Active Moreton Program.

Cr Hain provided his thanks to Council staff for their efforts in organising the **Caboolture Splash n Movie Division 3** event, however due to the rain advised that unfortunately it had to be cancelled.

Cr Hain encouraged Councillors to attend the upcoming **Lunar New Year** event to be held in Caboolture Town Square on 1 February 2020.

**ITEM 11.3
WOODFORD FOLK FESTIVAL - 2019/2020**

Cr Mike Charlton (Acting Mayor) reported that he had attended the **2019/2020 Woodford Folk Festival**, making special mention of the closing ceremony in the Amphitheatre which he described as incredible, in particular dedication to the Volunteer Fire Fighters received a standing ovation. Cr Charlton noted the importance of the event to the region, saying the economic benefit to Moreton Bay was in excess of \$20M.

RESOLUTION

Moved by Cr Mike Charlton (Acting Mayor)

Seconded by Cr Peter Flannery

CARRIED 10/0

That a Mayoral letter of congratulation be sent to the Director of Queensland Folk Federation on the success of the 2019/2020 Woodford Folk Festival.

**ITEM 11.4
DELEGATED DECISIONS COMMITTEE - FIXING MEETING DATE, TIME AND LOCATION**

RESOLUTION

Moved by Cr Mike Charlton (Acting Mayor)

Seconded by Cr Peter Flannery

CARRIED 10/0

1. That the Delegated Decisions Committee be scheduled to meet on:
 - a) Tuesday 28 January 2020 at Caboolture, commencing at the conclusion of the General Meeting on that day, to decide the matter delegated to it at the General Meeting of today's date, being Officers' Report Item 2.1; and
 - b) Tuesday 4 February 2020 at Strathpine commencing at the conclusion of the General Meeting on that day, to confirm the minutes of the Delegated Decisions Committee meeting held 28 January 2020.
2. That the meeting days/times be advertised in accordance with s277(1)(b) of the Local Government Regulation 2012.
3. That the composition of the Delegated Decisions Committee be amended to:
 - a) Cr Mike Charlton (Acting Mayor)
 - b) Cr Brooke Savige
 - c) Cr Denise Sims
 - d) Cr Matt Constance
 - e) Cr Darren Grimwade

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

No items for consideration.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

No items for consideration.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

13. CLOSURE

There being no further business the meeting closed at 11.49am.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/1 to 20/61 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 21 January 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 28 January 2020.

Greg Chemello
Chief Executive Officer

Councillor Mike Charlton
Acting Mayor