



MINUTES

GENERAL MEETING

Wednesday 22 July 2020
commencing at 9.40am

Caboolture Chambers
2 Hasking Street, Caboolture

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

Accordingly, this meeting was physically closed to the public.
However, was live-streamed via a link on Council's website

ENDORSED GM20200805

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

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

RESOLUTION

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Tony Latter

CARRIED 13/0

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

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1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

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

3. ATTENDANCE & APOLOGIES

Attendance:

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

Officers

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

Apologies:

Nil.

4. MEMORIALS OR CONDOLENCES

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

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

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

RESOLUTION

Moved by Cr Denise Sims
Seconded by Cr Cath Tonks

CARRIED 13/0

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

B) CONFIRMATION OF MINUTES FROM PREVIOUS SPECIAL MEETING

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

RESOLUTION

Moved by Cr Mick Gillam
Seconded by Cr Tony Latter

CARRIED 13/0

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

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

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

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

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

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

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

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

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

We request:

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

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

7. CORRESPONDENCE

There was no correspondence for tabling.

8. DEPUTATIONS / COMMUNITY COMMENT

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

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

(s262 of the Local Government Regulation 2012)

There were no Notices of Motion.

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

ITEM 1.1

UNITYWATER - EXTENSION OF OFFICE OF BOARD MEMBER

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

Executive Summary

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

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

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

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Matt Constance

CARRIED 13/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

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

2. Explanation of Item

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

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

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

3.5 Delegated Authority Implications

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

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

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

ITEM 1.2
WASTE STRATEGY VIRTUAL SUMMIT 2020

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

Executive Summary

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

RESOLUTION

Moved by Cr Jodie Shipway
Seconded by Cr Adam Hain

CARRIED 13/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

2. Explanation of Item

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

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

The topics for the annual summit include:

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

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

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

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

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

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

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

ITEM 1.3 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Matt Constance

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

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

**ITEM 1.3
DISCRETIONARY FUNDS - GOLDEN VALLEY KEPERRA CLUB INC**

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

Executive Summary

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

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

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

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

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

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

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

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Mick Gillam

CARRIED 12/0

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

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

2. Explanation of Item

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

Golden Valley Keperra Lions Club Inc

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

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

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

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

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

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

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

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

ATTENDANCE

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

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

ITEM 2.1

CABOOLTURE - SPRING LANE - PROPOSED NAMING OF WILLIAM WOOLLEY RESERVE

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

Executive Summary

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

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

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Sandra Ruck

CARRIED 13/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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



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

2. Explanation of Item

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

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

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

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

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

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

Under Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads), applicants are required to provide documentation to substantiate the good character of the person or persons being acknowledged. This application has been supported by a letter of recommendation from Steve Evans who was a friend for 40 years and ex-division 3 Councillor, Greg Chippendale. The proposal was also referred to Council's local historian, who has verified the statements made by the applicant.

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

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

Council internal policy requires that any proposal to name a park be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming.

A history board is proposed to be installed in conjunction with the new park name sign to explain the connection Mr Woolley had with the land. The proposed wording is as follows:

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

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

3. Strategic Implications

- 3.1 Legislative / Legal Implications Nil identified
- 3.2 Corporate Plan / Operational Plan
Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.
- 3.3 Policy Implications
The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads).
- 3.4 Risk Management Implications Nil identified
- 3.5 Delegated Authority Implications
Subject to no adverse submissions being received, the matter should be referred to the Director Engineering Construction and Maintenance for implementation.
- 3.6 Financial Implications
The estimated cost of fabricating and installing a new sign in accordance with the draft Park and Open Space Signage Guidelines is approximately \$2,000.
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications
Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
The proposed naming is supported by the Division 3 Councillor.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

ITEM 3.1

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

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

Executive Summary

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

The minutes of this meeting are provided for reference.

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Peter Flannery (Mayor)

CARRIED 13/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

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

2. Explanation of Item

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

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

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

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

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

3.11 Consultation / Communication

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

ITEM 3.2

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

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

Executive Summary

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

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

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

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

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

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

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

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

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

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

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 1 - Briston Avenue Park'* - be awarded to Austek Construction Pty Ltd for the total sum of \$113,999.94 (excluding GST).
 - a) That the Council enters into an agreement with Austek Construction Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Austek Construction Pty Ltd for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 1 - Briston Avenue Park'* and any required variations of the agreement on Council's behalf.
2. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 2 - Felicity Court Park'* - be awarded to Forpark Australia for the total sum of \$99,640.00 (excluding GST).
 - a) That the Council enters into an agreement with Forpark Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Forpark Australia for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 2 - Felicity Court Park'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 3 - Deception Bay Scenic Reserve'* - be awarded to A_Space Australia for the total sum of \$103,500.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 3 - Deception Bay Scenic Reserve'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 4 - Skye Blue Park'* - be awarded to Urban Play (Option 2) for the total sum of \$189,996.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 4 - Skye Blue Park'* and any required variations of the agreement on Council's behalf.

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

5. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 5 - Tysoe Street Park'* - be awarded to Urban Play (Option 2) for the total sum of \$104,133.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 5 - Tysoe Street Park'* and any required variations of the agreement on Council's behalf.

6. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 6 - Yarrabee Park'* - be awarded to Urban Play (Option 2) for the total sum of \$100,348.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 6 - Yarrabee Park'* and any required variations of the agreement on Council's behalf.

7. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 7 - Youth Park'* - be awarded to Willplay for the total sum of \$229,887.40 (excluding GST).
 - a) That the Council enters into an agreement with Willplay as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Willplay for *'2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 7 - Youth Park'* and any required variations of the agreement on Council's behalf.

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

OFFICER'S RECOMMENDATION

1. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 1 - Briston Avenue Park' - be awarded to Austek Construction Pty Ltd for the total sum of \$113,999.94 (excluding GST).
 - a) That the Council enters into an agreement with Austek Construction Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Austek Construction Pty Ltd for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 1 - Briston Avenue Park' and any required variations of the agreement on Council's behalf.
2. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 2 - Felicity Court Park' - be awarded to Forpark Australia for the total sum of \$99,640.00 (excluding GST).
 - a) That the Council enters into an agreement with Forpark Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Forpark Australia for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 2 - Felicity Court Park' and any required variations of the agreement on Council's behalf.
3. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 3 - Deception Bay Scenic Reserve' - be awarded to A_Space Australia for the total sum of \$103,500.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with A_Space Australia for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 3 - Deception Bay Scenic Reserve' and any required variations of the agreement on Council's behalf.
4. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 4 - Skye Blue Park' - be awarded to Urban Play (Option 2) for the total sum of \$189,996.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 4 - Skye Blue Park' and any required variations of the agreement on Council's behalf.
5. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 5 - Tysoe Street Park' - be awarded to Urban Play (Option 2) for the total sum of \$104,133.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.

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

- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 5 - Tysoe Street Park' and any required variations of the agreement on Council's behalf.
- 6. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 6 - Yarrabee Park' - be awarded to Urban Play (Option 2) for the total sum of \$100,348.50 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 6 - Yarrabee Park' and any required variations of the agreement on Council's behalf.
- 7. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP185632)- Separable Portion 7 - Youth Park' - be awarded to Willplay for the total sum of \$229,887.40 (excluding GST).
 - a) That the Council enters into an agreement with Willplay as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Willplay for '2020/2021 Playground and Fitness Renewal Program (VP185632) - Separable Portion 7 - Youth Park' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

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

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

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

2. Explanation of Item

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative/Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

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

3.4 Risk Management Implications

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

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

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

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

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

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

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

| | |
|--------------------|----------------|
| Contingency - 10% | \$ 94,150.53 |
| Qleave | \$ 4,472.15 |
| | ----- |
| Total Project Cost | \$1,040,128.02 |
| | ===== |

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

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

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

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

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

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

Executive Summary

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

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

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Karl Winchester

CARRIED 13/0

1. That the tender for the Bioretention Restoration and Maintenance Program be awarded to Evolve Environmental Pty Ltd for the sum of \$329,454.72 (excluding GST).
2. That the Council enters into an agreement with Evolve Environmental Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Evolve Environmental Pty Ltd for the '2020/2021 Regional Bioretention Restoration and Maintenance Program (VP177479)' and any required variations of the agreement on Council's behalf.

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

OFFICER'S RECOMMENDATION

1. That the tender for the Bioretention Restoration and Maintenance Program be awarded to Evolve Environmental Pty Ltd for the sum of \$329,454.72 (excluding GST),
2. That the Council enters into an agreement with Evolve Environmental Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Evolve Environmental Pty Ltd for the '2020/2021 Regional Bioretention Restoration and Maintenance Program (VP177479)' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

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

2. Explanation of Item

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

The program will be operationally administered in accordance with:

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

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

3.4 Risk Management Implications

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

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

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

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

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

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

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

| | |
|--------------------|---------------|
| Tender Price | \$ 329,454.72 |
| Contingency - 5% | \$ 16,472.74 |
| | ----- |
| Total Project Cost | \$ 345,927.46 |
| | ===== |

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

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

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

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

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

The program contributes to the following regional planning directives:

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

3.9 Social Implications

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

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

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

ITEM 3.4
TENDER - SUPPLY AND SERVICING OF SANITARY HYGIENE

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

Executive Summary

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

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

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Cath Tonks

CARRIED 13/0

1. That the tender for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' be awarded to Alsco Pty Ltd, trading as Fresh and Clean for the amount of \$157,658.10 (excl. GST) for the initial period of 23 months (from August 2020 to June 2022), with an option to extend by a further three x one-year periods, subject satisfactory performance.
2. That the Council enters into an agreement with Alsco Pty Ltd, trading as Fresh and Clean as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Alsco Pty Ltd, trading as Fresh and Clean for 'Supply and Servicing of Sanitary Hygiene (MBRC009749)' and any required variations of the agreement on Council's behalf.

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

OFFICER'S RECOMMENDATION

1. That the tender for '*Supply and Servicing of Sanitary Hygiene (MBRC009749)*' be awarded to AlSCO Pty Ltd, trading as Fresh and Clean for the amount of \$157,658.10 (excl. GST) for the initial period of 23 months (from August 2020 to June 2022), with an option to extend by a further three x one-year periods, subject satisfactory performance.
2. That the Council enters into an agreement with AlSCO Pty Ltd, trading as Fresh and Clean as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with AlSCO Pty Ltd, trading as Fresh and Clean for '*Supply and Servicing of Sanitary Hygiene (MBRC009749)*' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

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

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

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

2. Explanation of Item

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

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

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

3.4 Risk Management Implications

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

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

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

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

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

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

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

| | |
|--|---------------|
| Tendered price - Year 1 (11 months) | \$ 75,401.70 |
| Tendered Price - Year 2 (12 months) | \$ 82,256.40 |
| Contingency - 5% | \$ 7,882.90 |
| | ----- |
| Total Contract - 23 Month Term (August 2020 - June 2022) | \$ 165,541.00 |
| | ===== |

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

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

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

Executive Summary

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

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

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 13/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

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

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

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

2. Explanation of Item

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

As noted in the recommendation.

3.6 Financial Implications

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

3.7 Economic Benefit Implications

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

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

3.8 Environmental Implications

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

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

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

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

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

Executive Summary

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

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

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

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

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Tony Latter

CARRIED 13/0

1. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* be awarded to Queensland Civil Group Pty Ltd for the sum of \$571,297.50 (excluding GST)
 - a) That the Council enters into an agreement with Queensland Civil Group Pty Ltd as described in this report
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Queensland Civil Group Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* and any required variations of the agreement on Council's behalf.
2. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* be awarded to All-Con Constructions Pty Ltd for the sum of \$411,113.00 (excluding GST)
 - a) That the Council enters into an agreement with All-Con Constructions Pty Ltd as described in this report
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with All-Con Constructions Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* and any required variations of the agreement on Council's behalf

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

OFFICER'S RECOMMENDATION

1. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* be awarded to Queensland Civil Group Pty Ltd for the sum of \$571,297.50 (excluding GST)
 - a) That the Council enters into an agreement with Queensland Civil Group Pty Ltd as described in this report
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Queensland Civil Group Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 1* and any required variations of the agreement on Council's behalf.
2. That the tender for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* be awarded to All-Con Constructions Pty Ltd for the sum of \$411,113.00 (excluding GST)
 - a) That the Council enters into an agreement with All-Con Constructions Pty Ltd as described in this report
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with All-Con Constructions Pty Ltd for *Regional Footpath Renewal Program (MBRC009806) - Separable Portion 2* and any required variations of the agreement on Council's behalf

REPORT DETAIL

1. Background

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

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

2. Explanation of Item

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

Separable Portion 1 - Footpath Renewals includes the following locations.

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

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

Separable Portion 2 - Footpath Renewals includes the following locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

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

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

3.4 Risk Management Implications

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

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

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

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

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

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

| | |
|------------------------------------|-----------------|
| Tender Price - Separable Portion 1 | \$ 571,297.50 |
| Tender Price - Separable Portion 2 | \$ 411,113.00 |
| Contingency - 10% | \$ 98,241.05 |
| | ----- |
| Total Project Cost | \$ 1,080,651.55 |
| | ===== |

3.7 Economic Benefit Implications

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

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

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

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

Executive Summary

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

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

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

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

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

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

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

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That the tender for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park' - be awarded to A_Space Australia for the total sum of \$105,910.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with A_Space Australia for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park' and any required variations of the agreement on Council's behalf.

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

2. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* - be awarded to Urban Play (Option 1) for the total sum of \$75,664.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* - be awarded to A_Space Australia for the total sum of \$109,750.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* - be awarded to Urban Play (Option 2) for the total sum of \$109,834.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* and any required variations of the agreement on Council's behalf.
5. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground'* - be awarded to Urban Play (Option 2) for the total sum of \$124,674.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground'* and any required variations of the agreement on Council's behalf.

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

OFFICER'S RECOMMENDATION

1. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park'* - be awarded to A_Space Australia for the total sum of \$105,910.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 1 - Collins Park'* and any required variations of the agreement on Council's behalf.
2. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* - be awarded to Urban Play (Option 1) for the total sum of \$75,664.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 2 - Doman Court Park'* and any required variations of the agreement on Council's behalf.
3. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* - be awarded to A_Space Australia for the total sum of \$109,750.00 (excluding GST).
 - a) That the Council enters into an agreement with A_Space Australia as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with A_Space Australia for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 3 - Wallace Street Park'* and any required variations of the agreement on Council's behalf.
4. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* - be awarded to Urban Play (Option 2) for the total sum of \$109,834.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 4 - Westminster Road Park'* and any required variations of the agreement on Council's behalf.
5. That the tender for *'2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground'* - be awarded to Urban Play (Option 2) for the total sum of \$124,674.00 (excluding GST).
 - a) That the Council enters into an agreement with Urban Play as described in this report.

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

- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Urban Play for '2020/2021 Playground and Fitness Renewal Program (VP189810) - Separable Portion 5 - Zammitt Street Sportsground' and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

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

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

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

2. Explanation of Item

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

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

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

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

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

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

| RANK | TENDERER | EVALUATION SCORE |
|------|----------|------------------|
| 8 | Proludic | 91.44 |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

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

3.3 Policy Implications

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

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

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

3.4 Risk Management Implications

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

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

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

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

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

| | |
|--|-----------------------|
| Playground and Fitness Infrastructure - Package 1 | \$ 1,040,128.02 |
| Playground and Fitness Infrastructure - Package 2: | |
| Separable Portion 1 - Tender Price | \$ 105,910.00 |
| Separable Portion 2 - Tender Price | \$ 75,664.00 |
| Separable Portion 3 - Tender Price | \$ 109,750.00 |
| Separable Portion 4 - Tender Price | \$ 109,834.00 |
| Separable Portion 5 - Tender Price | \$ 124,674.00 |
| Package 2 Sub Total | \$ 525,832.00 |
| Contingency - 10% | \$ 52,583.20 |
| Qleave | \$ 3,024.00 |
| | ----- |
| Total Package 2 Cost | \$ 581,439.20 |
| | ===== |
| Total Package 1 + 2 Cost | \$1,621,567.22 |
| Remaining Funds | \$ 168,432.78 |

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

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

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

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

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

4 PLANNING SESSION

(Cr D Grimwade)

ITEM 4.1

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

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

Executive Summary

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

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

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

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Adam Hain

CARRIED 13/0

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

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

2. Explanation of Item

2.1 Proposal

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

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

Solander Lake Bowls Club is part of the Cosmos Park Sports Complex, which is owned by MBRC. A community lease is held by the Club, and Council's Sport and Recreation department have provided their support for the proposed change to the lighting on the green.

2.2 Remission Policy

The remission request for the \$811.00 application fee has been considered under *Council's Remission Policy 2150-015: Development Fees and Infrastructure Charges for Community Organisations and Charitable Groups*. The Policy outlines criteria to be met regarding not-for-profit status, evidence demonstrating no financial gain, and the provision of services that make a vital contribution to the Moreton Bay region. The Club meets all Policy criteria however it holds both a gaming licence and a Community Club liquor licence.

It is considered that the Club provides a valuable service to its members and the wider Bribie Island community, and therefore meets the "intent" of the Policy. Furthermore, the Remission Policy states that "*Council may consider, by exception, an application for remission, where there is a primary wide community benefit and where a strict application of the scheduled development application fees and charges could cause hardship and reduce valuable services to the community*". It is therefore recommended that the remission request of \$811.00 be approved for the Solander Lake Bowls Club.

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

3. Strategic Implications

- 3.1 Legislative / Legal Implications Nil identified
- 3.2 Corporate Plan / Operational Plan
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.
- 3.3 Policy Implications
The remission request has been sought under Council's Remission Policy 2150-015
- 3.4 Risk Management Implications
The decision regarding this remission request may have implications for future remission requests from other Clubs in the region who have a gaming and liquor licence.
- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
Remissions are factored into Council's budget.
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Division 1 Councillor has been consulted.

ATTENDANCE

Mr Marco Alberti attended the meeting at 10.13am for discussion on Item 4.2.

ITEM 4.2

DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY

APPLICANT: DL AND ASSOCIATES PTY LTD C/- DTS GROUP QLD PTY LTD
OWNER: AUGUSTA ELC PTY LTD AS TRUSTEE

Meeting / Session: 4 PLANNING
Reference: A20061117 : 21 May 2020 – Refer Supporting Information A20061124, A20224749 & A20224772
Responsible Officer: CA, Senior Planner (PL Development Services)

Executive Summary

| APPLICATION DETAILS | |
|-------------------------------------|--|
| Applicant: | DL and Associates Pty Ltd C/- DTS Group QLD Pty Ltd |
| Lodgement Date: | 20 February 2020 |
| Properly Made Date: | 27 February 2020 |
| Confirmation Notice Date: | 4 March 2020 |
| Information Request Date: | 18 March 2020 |
| Info Response Received Date: | 2 April 2020 |
| Public Notification Dates: | Commenced: 14 April 2020 Finished: 12 May 2020 |
| No. of Submissions: | Properly Made: 2 Not Properly Made: 0 |
| Decision Due Date: | 22 July 2020 |
| Prelodgement Meeting Held: | Yes (PRE/5356) |

| PROPERTY DETAILS | |
|--------------------------|-----------------------------------|
| Division: | Division 5 |
| Property Address: | 54-66 Old Bay Road, Deception Bay |
| RP Description | Lot 32 SP152335 |
| Land Area: | 16,380m ² |
| Property Owner | Augusta Elc Pty Ltd as Trustee |

| STATUTORY DETAILS | |
|---------------------------------|--|
| Planning Legislation: | Planning Act 2016 |
| Planning Scheme: | MBRC Planning Scheme |
| Planning Locality / Zone | General Residential Zone - Suburban Neighbourhood Precinct |
| Level of Assessment: | Impact and Policy Neutral |

This application seeks a Material Change of Use - Development Permit for Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation at 54-66 Old Bay Road, Deception Bay, described as Lot 32 SP152335.

The application was publicly advertised with two (2) properly made submissions received. The proposed development is consistent with the intent of the MBRC Planning Scheme, and is recommended to be approved, subject to conditions.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

This report is being presented to the Council for decision as the proposal received submissions, with the development application to be determined by the Council instead of under Council officer delegation. Therefore, Council is now the authorised entity to decide the development application.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Sandra Ruck

CARRIED 13/0

That the Officer's Recommendation be adopted as detailed in the report.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation at 54-66 Old Bay Road, Deception Bay, described as Lot 32 SP152335, subject to the following plans/documents and conditions:

| Approved Plans and Documents | | | |
|---|-------------------------|----------------------------------|--------------|
| Plan / Document Name | Reference Number | Prepared By | Dated |
| Site Plan Proposed | A-102 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Site Plan Proposed | A-103 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Ground and Roof Plan Proposed - Building 1 | A-201 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Ground and Roof Plan Proposed - Building 2 | A-202 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Ground, Level 1 and Roof Plan Proposed - Building 3 | A-203 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Ground and Roof Plan Proposed - Building 4 | A-204 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Street View Elevations Proposed | A-300 (B.) | Christian Zambelli Architect | 30/03/2020 |
| SW, NW, NE & SE Elevations Proposed - Building 1 | A-301 (B.) | Christian Zambelli Architect | 30/03/2020 |
| SW, NW, NE & SE Elevations Proposed - Building 2 | A-302 (B.) | Christian Zambelli Architect | 30/03/2020 |
| SW, NW, NE & SE Elevations Proposed - Building 3 | A-303 (B.) | Christian Zambelli Architect | 30/03/2020 |
| SW, NW, NE & SE Elevations Proposed - Building 4 | A-304 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Perspectives | A-305 (B.) | Christian Zambelli Architect | 30/03/2020 |
| A, B, C & D Sections Proposed - Building 1 & 2 | A-401 (B.) | Christian Zambelli Architect | 30/03/2020 |
| E, F, G & H Sections Proposed - Building 3 & 4 | A-402 (B.) | Christian Zambelli Architect | 30/03/2020 |
| Landscape Plan | 2002 Sht-1 Rev. B | Mark Baldock Landscape Architect | 17/02/2020 |
| Site Based Stormwater Management Plan | 6010-3.1 | STORM water consulting | 31/03/2020 |
| Traffic Impact Assessment | CIV2313-TRAF01 | Contour | 12/02/2020 |
| Waste Management Plan | CIV02313 Rev B | Contour | 14/02/2020 |

Conditions

| CONDITION | | TIMING |
|--|--|---------------|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| 1 | Approved Plans and/or Documents | |

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

| CONDITION | | TIMING |
|--|--|---|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| A | Undertake development generally in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times. |
| B | Submit to the Council for its records a 3D digital copy of the final development approval plans in .SKP or .DAE file format. Note: Refer to https://www.moretonbay.qld.gov.au/Services/Building-Development/DA-Lodgement/3D-Model-Submission for more details. | |
| 2 | Building Design | |
| A | Extend the awnings for Buildings 2 and 3 along the Old Bay Road frontage of the site to the front property boundary or an alternative alignment agreed to by Council in writing that improves sun and rain protection to the uses and members of the public. If required, the awnings are to be cantilevered and not supported by posts. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times. |
| B | Extend the pavement area in front of Buildings 2 and 3 along the Old Bay Road frontage to the alignment of the awning above it as the presence of an awning above makes the area below unsuited to landscaping. | |
| C | Ensure all glazing along the Old Bay Road frontage remains uncovered and free of signage, stickers, frosting, curtains, blinds and the like, unless otherwise approved by Council in writing, to ensure that there are views into the tenancies from the road and vice versa and the creation of an Active Frontage as defined in the Planning Scheme. | |
| 3 | On-Site Car Spaces | |
| A | Provide car spaces on-site generally in accordance with the approved plans. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times. |
| B | Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plan. Car spaces, access lanes and driveways shown on the approved plan must not be used for any other purpose. | |
| 4 | Bicycle Parking Facilities | |
| | Install secure bicycle parking facilities for a minimum of ten (10) bicycles. Bicycle parking is to be provided in accordance with Austroads (2008), Guide to Traffic management - Part 11: Parking. | Prior to commencement of use or Council endorsement of any Community Management |

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

| CONDITION | | TIMING | | | | | | | | | |
|--|--|--|----------------------------|------------------|----------------------|---------------------|------|-------------------|---------------------|------------------|---------------------------|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | | | | | | | | | | |
| DEVELOPMENT PLANNING | | | | | | | | | | | |
| | | Statement, whichever occurs first and to be maintained at all times. | | | | | | | | | |
| 5 | Use and Survey | | | | | | | | | | |
| A | Ensure the Caretakers Residence is; (i) not separately titled (for example under a Building Format Plan) from the other tenancies in the development; or (ii) included as part of the common property in any Community Title Scheme. to ensure the use operates as a Caretakers Residence and not as a Dwelling House. | To be maintained at all times. | | | | | | | | | |
| B | Ensure the approved uses are limited to the maximum Gross Floor Areas as nominated below: <table border="1" data-bbox="343 996 1117 1160"> <thead> <tr> <th>Possible Land Use Activity</th> <th>Gross Floor Area</th> </tr> </thead> <tbody> <tr> <td>Health Care Services</td> <td>1,395m²</td> </tr> <tr> <td>Shop</td> <td>540m²</td> </tr> <tr> <td>Food & Drink Outlet</td> <td>80m²</td> </tr> <tr> <td>Indoor Recreation & Sport</td> <td>350m²</td> </tr> </tbody> </table> | | Possible Land Use Activity | Gross Floor Area | Health Care Services | 1,395m ² | Shop | 540m ² | Food & Drink Outlet | 80m ² | Indoor Recreation & Sport |
| Possible Land Use Activity | Gross Floor Area | | | | | | | | | | |
| Health Care Services | 1,395m ² | | | | | | | | | | |
| Shop | 540m ² | | | | | | | | | | |
| Food & Drink Outlet | 80m ² | | | | | | | | | | |
| Indoor Recreation & Sport | 350m ² | | | | | | | | | | |
| 6 | Electrical Transformer | | | | | | | | | | |
| | Ensure that there is no electrical transformers located in the front setback of the development. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times. | | | | | | | | | |
| 7 | Premises Hours of Operation and Servicing | | | | | | | | | | |
| | Limit the hours of operation and servicing for all tenancies to between 6am to 9pm Monday to Sunday unless agreed to otherwise by the Council in writing. | At all times. | | | | | | | | | |
| 8 | Street Numbering and Building Names | | | | | | | | | | |
| | Install street numbering conveniently located at the road frontage of the site. Ensure street numbers and any building names are prominently displayed at the road frontage of the site, to enable identification by emergency services. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times. | | | | | | | | | |

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| CONDITION | | TIMING |
|--|---|--|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| 9 | Fencing | |
| | Ensure that any fencing constructed between this development and the approved Child Care Centre on the same site; (i) is no less than 50% transparent spread evenly across its total surface area and a maximum height of 1.2 metres; and (ii) maintains an opening / gate between the uses that is not secured or locked while the use is operating. | At all times. |
| 10 | External Lighting | |
| A | Install external lighting in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended. | Prior to commencement of use or Council |
| B | Provide certification from a suitably qualified person that external lighting has been installed in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting). | endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times. |
| 11 | Pedestrian Lighting | |
| A | Install lighting in any pedestrian areas that require illumination in accordance with AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended. | Prior to commencement of use and for (A) to be maintained at all times. |
| B | Provide certification from a suitably qualified person that lighting for pedestrian areas satisfies the intent of AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended. | |
| 12 | Waste Management Program | |
| A | Implement the approved waste management program. Note: This development will use 1.1 m ³ bins serviced onsite. | Prior to commencement of use and for (B) and (C) to be maintained at all times. |
| B | Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste. | |
| C | Provide a bin wash down facility connected to sewer as per SC 6.20 Planning Scheme Policy - Waste. | |
| 13 | Landscaping | |
| A | Provide landscaping generally in accordance with the approved Landscape Plan and Planning Scheme Policy - Integrated Design Appendix D - Landscaping. The landscaping must also include the planting of street trees along both the Old Bay Road and Thompson street frontages at a rate of 1 per 25 metres. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |

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| CONDITION | | TIMING |
|--|---|--|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| B | Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above. | |
| C | Maintain the landscaping. | At all times. |
| 14 | Vehicle Encroachment | |
| | Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops, kerbing or similar barrier approved by the Council. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times. |
| 15 | Screening of Loading Facilities / Plant Areas | |
| | Screen Loading/Unloading Facilities, Plant Areas, Refuse Storage And Other Outdoor Storage Facilities on the site from direct view from any adjoining road or public space. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times. |
| 16 | Water and/or Sewerage | |
| | Submit to Council a Certificate of Completion or Provisional Certificate of Completion (for each stage where there are stages) for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: (i) a reticulated water supply network connection is available to the land; and (ii) a sewerage network connection is available to the land; and (iii) all the requirements of Unitywater have been satisfied. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |
| 17 | Fibre Ready Telecommunications – Single | |
| A | Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs as amended, that: (i) Extends the service drop conduit from the property boundary to the external Premises Connection Device (PCD) or the likely location of the PCD; and (ii) Extends a communications conduit with drawstring from the external PCD or the likely location of the PCD to the | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |

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| CONDITION | | TIMING |
|--|---|--|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| | internal Fibre Wall Outlet (FWO) or the likely location of the FWO. | |
| B | Provide certification to Council from the installer or an RPEQ engineer (electrical engineer) that the works and infrastructure required in (A) above has been done. Note: A template for certification is available from council for the purpose of this condition. | |
| 18 | Telecommunications Internal Wiring | |
| A | Install internal wiring (Category 6 or better) within each tenancy from the expected location of any future Network Termination Device (NTD) for High Speed Broadband (based on the recommended locational criteria in the NBN Co Guideline (MDU Building Design Guide for New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs) to the same connection points in the tenancy that would have been or have been installed for telephone and television connections; including but not limited to offices, staff rooms, bedrooms, family/living rooms, study/office and the like. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |
| B | Provide certification from the installer or an RPEQ engineer (electrical engineering) that the wiring required in (A) above has been done. Note: A template for certification is available from Council for the purpose of this condition. Installers are recommended to be a registered cabler. | |
| 19 | Electricity | |
| A | Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an underground electricity supply network has been or will be constructed to the site. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |
| B | (i) Underground the existing overhead electricity supply powerlines (low voltage and 11Kv) along the Old Bay Road frontage of the site between poles P483791 and X21519-B; and (ii) Remove power pole SP12649-B and its pole mounted transformer that if still required is to become a Pad mounted transformer and not transferred to another pole; and (iii) Remove power pole P292585 (noted as being likely in conflict with the entrance into the development); and (iv) where necessary to comply with Council standards, install new street lighting posts with lamps as needed along the Old Bay Road Frontage. | |

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| CONDITION | | TIMING |
|--|--|--|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| | To remove any doubt, power poles P483791 and X21519-B may remain. | |
| 20 | Extent of Vegetation Clearing | |
| A | Clearing of native vegetation is limited to the habitat tree located along the Old Bay Road frontage. | Prior to and during site works and to be maintained. |
| B | Provide replacement fauna nesting boxes on-site at the following rate: (i) One (1) nest box for every hollow removed; or (ii) Where hollows have not yet formed in trees greater than 80cm in diameter at 1.3m height, three (3) nest boxes are required for every habitat tree removed. | Prior to the commencement of use. |
| C | Maintain the existing vegetation along the eastern portion of the site. | Prior to and during site works and to be maintained. |
| 21 | Temporary Exclusion Fencing | |
| | Delineate areas where vegetation is to be maintained with exclusion fencing to prevent accidental felling. | During site works. |
| 22 | Disposal of Cleared Vegetation | |
| | Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property. | At all times. |
| DEVELOPMENT ENGINEERING | | |
| 23 | Replace Existing Council Infrastructure | |
| | Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |
| 24 | Alterations and Relocation of Existing Services | |
| | Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |

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| CONDITION | | TIMING |
|--|---|--|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| 25 | Stormwater | |
| | Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken. | To be maintained at all times. |
| 26 | Stormwater and Flood Management | |
| A | Implement and maintain the works identified in the approved Stormwater Management Plan. <i>Note approved SMP includes 5 SPEL Stormsacks (1 per inlet) and 18 SPEL filter cartridges (EMC 45L)</i> | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |
| B | Provide flood warning and flood depth signage for the access off Thompson street and for the flooded car park area, in the locations identified on the approved Site Plan. | |
| C | Submit certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the works, including the signage, have been built in accordance with the approved Stormwater Management Plan. | |
| D | Provide a registered easement for drainage purposes in favour of Council over the area shown on the approved Site Plan in red hatch under its standard terms and requirements as registered with the Titles office. | |
| 27 | Construction Management Plan | |
| A | Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following: (i) All construction access to be from Thompson Street (ii) Material delivery and storage locations (iii) Waste locations and collection details (iv) Construction office accommodation (v) Contractor / tradesman vehicle parking arrangements (vi) Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday. The CMP may include a site layout drawing identifying these areas. The CMP needs to reflect any staging requirements. Notes: | Not less than two (2) weeks prior to commencement of works. To be maintained current at all times. |

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| CONDITION | | TIMING |
|--|--|--|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| | <p>Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs).</p> <p>Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable.</p> <p>Traffic control measures may need to be put in place for the duration of the construction works to control contractor / tradesman vehicle parking arrangements, this should be documented within the CMP.</p> <p>Materials unloading and loading must occur on-site unless prior written approval is given by Council.</p> <p>All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.</p> | |
| B | Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during construction. | At all times during construction of the development. |
| 28 | Erosion and Sediment Control | |
| A | Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document. | Prior to commencement of works and to be maintained current at all times during construction. |
| 29 | Driveway Crossover, Access, Internal Roadways, Parking and Servicing Areas | |
| A | <p>Design and construct sealed (concrete or bitumen) driveway crossovers, accesses, internal roadways, parking and servicing areas (and associated works), in accordance with the approved plans and documents of development, the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD), Australian Standards and the MBRC Planning Scheme current at the time of the building works application.</p> <p><i>Note driveway crossing levels to Thompson St to match ultimate kerb and channel with the future continuation of the existing eastern profile opposite Rainbow St</i></p> | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |
| B | Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition. | |
| 30 | Minimum Flood Planning Level | |

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| CONDITION | | TIMING |
|--|---|--|
| MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT | | |
| DEVELOPMENT PLANNING | | |
| A | Design and construct the floor levels of each building to at least the Council adopted Flood Planning Level (FPL). The FPL for this site at the time of approval is 4.4m m AHD. | Prior to commencement of use or Council endorsement of any Community Management Statement, whichever occurs first. |
| B | Submit to Council As-Constructed survey prepared by a Registered Surveyor, certifying that the development has been constructed in accordance this condition. | |

| ADVICES | |
|----------|---|
| 1 | Aboriginal Cultural Heritage Act 2003 |
| | <p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p> <p>Council strongly advises that before undertaking the land use activity, you refer to the cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government) for further information regarding the responsibilities of the developer.</p> |
| 2 | Adopted Charges |
| | <p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p> |
| 3 | Food Premises - Food Business Licence Advice |

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| ADVICES | |
|----------|--|
| | <p>In accordance with the Food Act 2006, the following must be submitted to Council prior to the commencement of construction or fit out of any licensable food business:</p> <ol style="list-style-type: none"> 1. An application for food business licence. 2. Plans and elevations (refer to note below). 3. Supporting documentation. 4. Relevant fee. <p>Note: The application is assessed against the provisions of the <i>Food Act 2006, Australia and New Zealand Food Standards Code and AS 4674 – Design, construction and fit-out of food premises (or equivalent)</i>.</p> |
| 4 | Signage |
| | <p>Ensure all signage on the site is established on the site either:</p> <ol style="list-style-type: none"> 1. In accordance with the Requirements for Accepted Development of the Advertising Devices Code; OR 2. In accordance with any Operational Works - Development Permit for an Advertising Device. |

- B. That the Council report for this application be published to the website as Council's statement of reasons in accordance with Section 63 (5) of the *Planning Act 2016*.
- C. That the following information be included in the Decision Notice.

Decision Notice information

| | Details to Insert |
|---|--|
| Application Type | Material Change of Use - Development Permit for Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation |
| Relevant Period of Approval | Material Change of Use – 6 years |
| Section 64(5) Deemed Approval | Not applicable |
| Superseded Planning Scheme | Not applicable |
| Variation approval affecting the Planning Scheme | Not applicable |
| Other Necessary Permits | <ul style="list-style-type: none"> • Operational Works – Development Permit • Building Works – Development Permit |
| Codes for Accepted Development | Not applicable |
| Referral Agencies | There are no Referral Agencies |
| Submissions | There were two (2) properly made submissions received about this application. |

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REPORT DETAIL

1. Background

On 9 April 2019, Council approved a Material Change of Use - Development Permit for Child Care Centre over the southern portion of the site (DA/37063/2018/V2C). This current development application seeks to develop the remaining site area.

On 25 November 2019, a Prelodgement Meeting was held in relation to the uses proposed as part of this development application (PRE/5356) and this development application is consistent with what was discussed at that meeting.

2. Explanation of Item

2.1 Proposal

This application seeks a Material Change of Use - Development Permit for Health Care Services, Indoor Sport and Recreation, Shop, Food and Drink Outlet and Caretaker's Accommodation.

The applicant has described the proposal as the development of a health care hub consisting of various health care services, ancillary shops, café, indoor swim school and a caretaker's residence. The site also contains an existing approval for a Child Care Centre (DA/37063/2018/V2C) over the southern portion of the site.

A summary of the development components proposed is provided below:

| Tenancy | Gross Floor Area | Possible Land Use Activity |
|---------|-------------------|--|
| 1 | 250m ² | Health Care Services (e.g. Medical Centre) |
| 2 | 400m ² | Health Care Services / Shop (e.g., Medical and/or Chemist) |
| 3 | 80m ² | Health Care Services / Food & Drink Outlet (e.g. Medical and/or Café and/or convenience store) |
| 4 | 100m ² | Health Care Services |
| 5 | 135m ² | Health Care Services |
| 6 | 140m ² | Health Care Services / Shop (e.g., Medical and/or Chemist) |
| 7 | 130m ² | Health Care Services |
| 8 | 160m ² | Health Care Services |
| 9 | 350m ² | Indoor Recreation & Sport (Indoor Swim School) |
| - | 245m ² | Caretakers Accommodation (Caretakers residence) |

The development has been designed to create an active frontage along Old Bay Road through the provision of awnings, windows and architectural features. The majority of the Thompson Street frontage is mapped as being within a Medium Risk Flood Hazard Area. As such, the built form itself does not encroach into this mapped area. Car parking spaces are proposed to be constructed along the Thompson Street frontage, however a wider landscape buffer is proposed to soften the hardstand of the car park area. The western portion of the site contains established vegetation that is to be maintained.

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Access to the development is provided via both Old Bay Road and Thompson Street. The Thompson Street access point is located within the Medium Risk Flood Hazard Area and floods in a 1% Annual Exceedance Probability (AEP) with a depth of approximately 300mm. Due to the limited flood depth and the availability of an alternate flood free access via Old Bay Road, the Thompson Street access point is satisfactory with the provision of appropriate signage outlining the hazard.

A total of eighty-three (83) car parking spaces are proposed to service the development. The northern car parking area is prone to flooding in a 1% AEP event to an approximate depth of 300mm for seven (7) car parking spaces. Due to the limited flood depth (and based on the Queensland Urban Drainage Manual) the location of these spaces is satisfactory with the provision of appropriate signage outlining the hazard.

2.2 Description of the Site and Surrounds

The site is located on the corner of Old Bay Road and Thompson Street, Deception Bay and is within the General Residential Zone - Suburban Neighbourhood Precinct.

As the development site is adjacent to Progress Park Sports Fields that then connects onto Council owned land and the Christ the King Catholic Primary School, in close proximity to Deception Bay North State School and has an existing approval for a Child Care Centre on the southern portion of the site, the development proposal represents the expansion of an existing Neighbourhood Hub.

The site is relatively clear of vegetation due to previous clearing that has lawfully occurred, with the exception of a vegetated area along the eastern portion of the site and a single tree along the Old Bay Road frontage. This development application proposes to retain the existing vegetation along the eastern boundary, however the tree along the Old Bay Road frontage is proposed to be removed to make way for vehicle access to the site.

A portion of the site is mapped within the Balance and Medium Risk Area of the Flood Hazard Overlay.

An overview of the surrounding area, including zones and land uses, is outlined in the below table:

| Directions | Planning Scheme Zone | Current Land Use |
|------------|--|--|
| North | Rural Zone | Rural properties on the opposite side of Thompson Street |
| South | Recreation and Open Space Zone | Progress Park Sports Fields |
| East | Recreation and Open Space Zone | Stormwater drainage directly adjacent to the site and Dwelling Houses beyond |
| West | General Residential Zone - Suburban Neighbourhood Precinct | Dwelling Houses |

2.3 Assessment Benchmarks related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out against, which are additional or alternative to the Assessment Benchmarks contained in Council's Planning Scheme.

These Assessment Benchmarks are prescribed as being contained in:

- the South East Queensland Regional Plan and Part E of the State Planning Policy; and
- Schedule 10 of the Regulation.

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| | |
|--|---|
| Applicable Assessment Benchmarks: | <u>State Planning Policy</u> <ul style="list-style-type: none"> State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> South East Queensland Regional Plan |
| SEQ Regional Plan Designation: | <ul style="list-style-type: none"> Urban Footprint |
| Koala Habitat Designation: | Nil |

2.3.1 *State Planning Policy*

A new State Planning Policy came into effect on 3 July 2017 and is not currently integrated into the MBRC Planning Scheme. The following assessment benchmarks are to be applied to the assessment of development applications until the State interests have been appropriately integrated into Council's planning scheme. Assessment against the SPP assessment benchmarks is as follows:

| Assessment benchmark - livable communities | | |
|---|---|---|
| Applicable to Development | SPP requirement | Comment |
| No | None | Not applicable |
| Assessment benchmark - mining and extractive resources | | |
| Applicable to Development | SPP requirement | Comment |
| No | None | Not applicable |
| Assessment benchmarks - water quality | | |
| Applicable to Development | SPP requirement | Comment |
| Yes | (1) Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from <ul style="list-style-type: none"> (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilization of nutrients and sediments. (2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2) (3) Development in a water supply buffer area avoids adverse impacts on | An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply. |

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| | drinking water supply environmental values. | |
|---|--|---|
| Assessment benchmarks - natural hazards, risk and resilience | | |
| Applicable to Development | SPP Requirement | Comment |
| Yes | <p>Erosion prone areas within a coastal management district:</p> <p>(1) Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere as is:</p> <p>(a) coastal dependent development; or</p> <p>(b) temporary, readily relocatable or able to be abandoned development; or</p> <p>(c) essential community infrastructure; or</p> <p>(d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.</p> <p>(2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(3) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>All natural hazard areas:</p> <p>(4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(5) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.</p> <p>(6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a</p> | An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply. |

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| | | |
|---|--|----------------|
| | <p>result of a natural hazard are avoided.</p> <p>(7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.</p> | |
| Assessment benchmarks - strategic airports and aviation facilities | | |
| Applicable to Development | SPP Requirement | Comment |
| No | None | Not applicable |

2.3.2 *South East Queensland Regional Plan*

The site is located in the Urban Footprint designation. The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

2.3.3 *Schedule 10 of the Regulation – Koala Habitat (not applicable)*

The site is not located in a Koala Priority Area or Koala Habitat Area and therefore the assessment benchmarks within the Regulation are not applicable. To remove any doubt, there were also no koala habitat regulatory controls applying to the site prior to 7 February 2020 when the state regulations dealing with koala habitat were amended. This is for information purposes only due to a submission raising concerns relating to koalas within the area.

2.4 Assessment Against Local Categorising Instrument - Moreton Bay Regional Council Planning Scheme

An assessment against the relevant parts of the planning scheme is set out below.

2.4.1 *Strategic Framework*

The proposal is generally consistent with the Strategic Framework. Given the proposal, on balance, achieves the Overall Outcomes of the relevant codes, an assessment against the Strategic Framework is not required by the development proposal.

2.4.2 *Assessment of Applicable Codes*

Code Compliance Summary

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal;

- (a) proposes an alternative 'Example' satisfying or not satisfying the corresponding Performance Outcome; and
- (b) proposes an outcome where no 'Example' is stated in the code and the proposed outcome does not satisfy the corresponding Performance Outcome.

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| Assessment Benchmarks | Compliance with Overall Outcomes | Performance Outcomes assessment is required |
|---|--|---|
| Zone/ Local Plan Code | | |
| General Residential Zone Code - Suburban Neighbourhood Precinct | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | PO5, PO16, PO26, PO68, PO69, PO73, PO76 |
| Overlay Codes | | |
| Flood Hazard Overlay Code | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |

The assessment of the development proposal against the Performance Outcomes of the applicable codes is discussed below in section 2.4.3.

2.4.3 Performance Outcome Assessment

| Performance Outcome | Example |
|--|---|
| General Residential Zone Code - Suburban Neighbourhood Precinct | |
| PO5 Front setbacks ensure non-residential buildings address and actively interface with streets and public spaces. | E5.1 For the primary street frontage buildings are constructed: <ul style="list-style-type: none"> a. to the property boundary; or b. setback a maximum of 3m from the property boundary, where for the purpose of outdoor dining. AND E5.2 For the secondary street frontage, setbacks are consistent with adjoining buildings. |
| <i>Performance Outcome Assessment</i> | |
| The built form of the development provides setbacks ranging from 1.5m to 2.9m along the Old Bay Road frontage and between 1.5m and 4.9m along the Thompson Street frontage. | |
| The increased setbacks along the Old Bay Road frontage have been provided to allow additional pavement along the frontage where the verge narrows. Although setback from the primary street frontage, the built form addresses the street and provides an active interface through the provision of awnings, windows and architectural features. | |
| The built form along Thompson Street, being the secondary street frontage, contains setbacks that ensure the built form does not encroach within the mapped Medium Risk Flood Hazard Area. Example E5.2 suggests setbacks for the secondary street frontage are consistent with adjoining buildings. Although there are no buildings adjoining this site, the Dwelling Houses to the east are setback approximately 4.5m. An increased setback along this frontage is therefore more in line with the residential development to the east and also consistent with setbacks sought for residential development within the Suburban Neighbourhood Precinct. Windows are provided within the built | |

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| Performance Outcome | Example | | | | |
|---|--|-----------|----------------------|--|--|
| <p>form in order to provide casual surveillance of the public space. A landscape buffer is also proposed to be provided along this frontage.</p> <p>Overall, it is recommended that the performance solution be accepted in this instance.</p> | | | | | |
| <p>PO16</p> <ul style="list-style-type: none"> a. Development ensures that the biodiversity quality and integrity of habitats is not adversely impacted upon but maintained and protected. b. Development does not result in the net loss of fauna habitat. Where development does result in the loss of a habitat tree, development will provide replacement fauna nesting boxes at the following rate of 1 nest box for every hollow removed. Where hollows have not yet formed in trees > 80cm in diameter at 1.3m height, 3 nest boxes are required for every habitat tree removed. c. Development does not result in soil erosion or land degradation or leave land exposed for an unreasonable period of time but is rehabilitated in a timely manner <p>Note: Further guidance on habitat trees is provided in Planning scheme policy - Environmental areas</p> | <p>No example provided.</p> | | | | |
| <p><i>Performance Outcome Assessment</i></p> | | | | | |
| <p>The site is relatively clear of vegetation due to previous clearing that has lawfully occurred, with the exception of a vegetated area along the eastern portion of the site and a single habitat tree along the Old Bay Road frontage. This development application proposes to retain the existing vegetation along the eastern boundary, however the tree along the Old Bay Road frontage is proposed to be removed to allow vehicle access to the site.</p> <p>In order to achieve compliance with Performance Outcome PO16, if the development application were approved, it is recommended to be subject to a condition requiring nest boxes to be provided on site.</p> <p>Therefore, with a recommended condition requiring the placement of nest boxes, the proposal achieves the Performance Outcome.</p> | | | | | |
| <p>PO26</p> <p>All Council controlled frontage roads adjoining the development are designed and constructed in accordance with Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures. All new works are</p> | <p>E26</p> <p>Design and construct all Council controlled frontage roads in accordance with Planning scheme policy - Integrated design, Planning scheme policy - Operational works inspection, maintenance and bonding procedures and the following:</p> <table border="1" data-bbox="874 1984 1489 2042"> <thead> <tr> <th data-bbox="874 1984 1177 2042">Situation</th> <th data-bbox="1177 1984 1489 2042">Minimum construction</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table> | Situation | Minimum construction | | |
| Situation | Minimum construction | | | | |
| | | | | | |

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| Performance Outcome | Example | |
|---|--|---|
| <p>extended to join any existing works within 20m.</p> <p>Note - Frontage roads include streets where no direct lot access is provided. Note - The road network is mapped on Overlay map - Road hierarchy Note - The Primary and Secondary active transport network is mapped on Overlay map - Active transport.</p> <p>Note - Roads are considered to be constructed in accordance with Council's standards when there is sufficient pavement width, geometry and depth to comply with the requirements of Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures.</p> | <p>Frontage road unconstructed or gravel road only; OR Frontage road sealed but not constructed* to Planning scheme policy - Integrated design standard; OR Frontage road partially constructed* to Planning scheme policy - Integrated design standard.</p> | <p>Construct the verge adjoining the development and the carriageway (including development side kerb and channel) to a minimum sealed width containing near side parking lane (if required), cycle lane (if required), 2 travel lanes plus 1.5m wide (full depth pavement) gravel shoulder and table drainage to the opposite side. The minimum total travel lane width is:</p> <ul style="list-style-type: none"> • 6m for minor roads; • 7m for major roads. |
| <p>Note - Major roads are sub-arterial roads and arterial roads. Minor roads are roads that are not major roads. Note - Construction includes all associated works (services, street lighting and linemarking).</p> <p>Note - Alignment within road reserves is to be agreed with Council.</p> <p>Note - *Roads are considered to be constructed in accordance with Council standards when there is sufficient pavement width, geometry and depth to comply with the requirements of Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures. Testing of the existing pavement may be required to confirm whether the existing works meet the standards in Planning scheme policy - Integrated design and Planning scheme policy - Operational works inspection, maintenance and bonding procedures.</p> | | |
| <p><i>Performance Outcome Assessment</i></p> | | |
| <p>Thompson Street is a Council district collector with a 20m road reserve width and 6m seal. There is currently no kerb and channel constructed along both sides of the street for a length of approximately 250m, extending from Old Bay Road. Given that Thompson Street is mapped as a trunk road, no frontage works have been conditioned as it is recognised that upgrades will be required in the future that will be better managed as a coordinated process and not a piecemeal upgrade.</p> <p>Further, while a district collector typology would require a 26.8m reserve width, such a typology provides an on street car parking lane (2.6m wide) on each side. However given the design of the development along Thompson Street and the flood constrained nature of land opposite, it is very unlikely on street parking lanes along this section of Thompson Street would ever be necessary (in contrast to the existing fully developed section to the east). The remaining components of the</p> | | |

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| Performance Outcome | Example | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|--|------------------|----------------------------|---|-------------------|--|---|-------------------|--|---|------------------|--|---|-------------------|----------------------|---|-------------------|----------------------|---|-------------------|--|---|-------------------|----------------------|---|-------------------|----------------------|---|-------------------|--|---|-------------------|---|
| <p>typology can be accommodated in the existing road reserve width. Therefore, it is not necessary to require any widening of the existing 20.0m wide trunk road reserve.</p> <p>Therefore, the proposal achieves the Performance Outcome.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>PO68 Retail and commercial uses within a neighbourhood hub are of a scale that provide for the convenience needs or localised services of the immediate neighbourhood and do not constitute the scale or function of a Local centre.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note - For the function and scale of a Local centre refer to Table 6.2.1.1 Moreton Bay centres network.</p> </div> | <p>E68 Retail and commercial uses within a neighbourhood hub consist of no more than:</p> <ol style="list-style-type: none"> a. 1 small format supermarket with a maximum GFA of 1200m²; b. 10 small format retail or commercial tenancies with a maximum GFA of 100m² each. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p><i>Performance Outcome Assessment</i></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>This application seeks to expand an existing neighbourhood hub to provide nine (9) retail/commercial tenancies, creating a Healthcare Centre, ranging in size as outlined below:</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Tenancy</th> <th style="width: 20%;">Gross Floor Area</th> <th style="width: 70%;">Possible Land Use Activity</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>250m²</td> <td>Health Care Services (e.g. Medical Centre)</td> </tr> <tr> <td>2</td> <td>400m²</td> <td>Health Care Services / Shop (e.g., Medical and/or Chemist)</td> </tr> <tr> <td>3</td> <td>80m²</td> <td>Health Care Services / Food & Drink Outlet (e.g. Medical and/or Café and/or convenience store)</td> </tr> <tr> <td>4</td> <td>100m²</td> <td>Health Care Services</td> </tr> <tr> <td>5</td> <td>135m²</td> <td>Health Care Services</td> </tr> <tr> <td>6</td> <td>140m²</td> <td>Health Care Services / Shop (e.g., Medical and/or Chemist)</td> </tr> <tr> <td>7</td> <td>130m²</td> <td>Health Care Services</td> </tr> <tr> <td>8</td> <td>160m²</td> <td>Health Care Services</td> </tr> <tr> <td>9</td> <td>350m²</td> <td>Indoor Recreation & Sport (Indoor Swim School)</td> </tr> <tr> <td>-</td> <td>245m²</td> <td>Caretakers Accommodation (Caretakers residence)</td> </tr> </tbody> </table> | | Tenancy | Gross Floor Area | Possible Land Use Activity | 1 | 250m ² | Health Care Services (e.g. Medical Centre) | 2 | 400m ² | Health Care Services / Shop (e.g., Medical and/or Chemist) | 3 | 80m ² | Health Care Services / Food & Drink Outlet (e.g. Medical and/or Café and/or convenience store) | 4 | 100m ² | Health Care Services | 5 | 135m ² | Health Care Services | 6 | 140m ² | Health Care Services / Shop (e.g., Medical and/or Chemist) | 7 | 130m ² | Health Care Services | 8 | 160m ² | Health Care Services | 9 | 350m ² | Indoor Recreation & Sport (Indoor Swim School) | - | 245m ² | Caretakers Accommodation (Caretakers residence) |
| Tenancy | Gross Floor Area | Possible Land Use Activity | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 250m ² | Health Care Services (e.g. Medical Centre) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 400m ² | Health Care Services / Shop (e.g., Medical and/or Chemist) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 80m ² | Health Care Services / Food & Drink Outlet (e.g. Medical and/or Café and/or convenience store) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | 100m ² | Health Care Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 135m ² | Health Care Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 140m ² | Health Care Services / Shop (e.g., Medical and/or Chemist) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | 130m ² | Health Care Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 160m ² | Health Care Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 350m ² | Indoor Recreation & Sport (Indoor Swim School) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| - | 245m ² | Caretakers Accommodation (Caretakers residence) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Total Gross Floor Area (GFA) = 1,745m² (does not include Caretakers Accommodation as this is a residential use)</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>The Performance Outcome requires retail and commercial uses within a neighbourhood hub to be of a scale that provides for the convenience needs or localised services of the immediate neighbourhood and not be of a scale or function of a Local centre.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Table 6.2.1.1 Moreton Bay Centres Network within the Planning Scheme identifies the scale of retail and commercial activities that would determine a Local centre. Of note, to be considered a Local centre Table 6.2.1.1 identifies the scale of retail activities as ranging between 5000m² - 7000m² GFA and commercial activities ranging between 2000m² - 5000m² GFA. As demonstrated above, the total GFA is less than what would constitute a Local centre. Further, Table 6.2.1.1 includes a full-line supermarket and local professional offices as being provided within a Local centre that are not proposed in this application. In this instance, the uses proposed as part of this application are small scale that are typically health related and overall, are of a scale that will provide for the immediate neighbourhood and therefore achieves the Performance Outcome.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| Performance Outcome | Example | | | | | | | | |
|---|-----------------------------|-------------------------------|----------------|----------------------------------|----------------|---------------------------------|----------------|---------------------------------|----------------|
| <p>PO69 The expansion (into adjoining lots) of existing neighbourhood hubs or the establishment of a new neighbourhood hub must:</p> <ul style="list-style-type: none"> a. adjoin or address a park, public open space or include privately owned civic or forecourt space having a minimum area of 400m²; b. be located on the corner of a sub-arterial or collector road; c. form a 'Main street' having a maximum length of 200m; d. be centrally located within an 800m radial catchment; e. be separated from other neighbourhood hubs and centres by 1600m, measured from the centre of each neighbourhood hub or centre. | <p>No example provided.</p> | | | | | | | | |
| <p><i>Performance Outcome Assessment</i></p> | | | | | | | | | |
| <p>This development represents the expansion of an existing Neighbourhood Hub.</p> <p>Part e. of Performance Outcome PO69 requires neighbourhood hubs to be separated from other neighbourhood hubs and centres by 1600m, measured from the centre of each neighbourhood hub or centre. The proposal is unable to comply with part e. of the Performance Outcome as it is located closer than 1600m to the Deception Bay Centre and the following Neighbourhood Hubs:</p> <table border="1" data-bbox="496 1267 1299 1397" style="margin-left: auto; margin-right: auto;"> <tbody> <tr> <td>Deception Bay District Centre</td> <td>Approx. 1,350m</td> </tr> <tr> <td>Alleena Avenue Neighbourhood Hub</td> <td>Approx. 1,200m</td> </tr> <tr> <td>Zammit Street Neighbourhood Hub</td> <td>Approx. 1,200m</td> </tr> <tr> <td>Wallin Avenue Neighbourhood Hub</td> <td>Approx. 1,400m</td> </tr> </tbody> </table> <p>As the proposal is unable to comply with the Performance Outcome, assessment against the Overall Outcome is required and discussed in section 2.4.4 below.</p> | | Deception Bay District Centre | Approx. 1,350m | Alleena Avenue Neighbourhood Hub | Approx. 1,200m | Zammit Street Neighbourhood Hub | Approx. 1,200m | Wallin Avenue Neighbourhood Hub | Approx. 1,400m |
| Deception Bay District Centre | Approx. 1,350m | | | | | | | | |
| Alleena Avenue Neighbourhood Hub | Approx. 1,200m | | | | | | | | |
| Zammit Street Neighbourhood Hub | Approx. 1,200m | | | | | | | | |
| Wallin Avenue Neighbourhood Hub | Approx. 1,400m | | | | | | | | |
| <p>PO73 All buildings exhibit a high standard of design and construction, which:</p> <ul style="list-style-type: none"> a. add visual interest to the streetscape (e.g. variation in materials, patterns, textures and colours, cantilevered awning); b. enable differentiation between buildings; c. contribute to a safe environment; d. incorporate architectural features within the building facade at the street level to create human scale (e.g. cantilevered awning); e. include building entrances that are readily identifiable from the road frontage; | <p>No example provided.</p> | | | | | | | | |

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| Performance Outcome | Example |
|---|--|
| <ul style="list-style-type: none"> f. locate and orientate to favour active and public transport usage by connecting to pedestrian footpaths on the street frontage and adjoining sites; g. incorporate appropriate acoustic treatments, having regard to any adjoining residential uses; h. facilitate casual surveillance of all public spaces. | |
| <i>Performance Outcome Assessment</i> | |
| <p>The proposed built form has been architecturally designed and provides an active frontage through glazing, awnings and architectural features. The development provides pedestrian access points from the Old Bay Road frontage that lead into the site where delineated lobby areas identify the access point for each tenancy.</p> <p>However, the development is unable to comply with part e. of the Performance Outcome as individual building entrances are not identifiable from the road frontage and are instead accessible from within the car parking area.</p> <p>As the proposal is unable to comply with the Performance Outcome, assessment against the Overall Outcome is required and discussed in section 2.4.4 below.</p> | |
| <p>PO76 The number of car parking spaces is managed to:</p> <ul style="list-style-type: none"> a. avoid significant impacts on the safety and efficiency of the road network; b. avoid an oversupply of car parking spaces; c. avoid the visual impact of large areas of open car parking from road frontages and public areas; d. promote active and public transport options; e. promote innovative solutions, including on-street parking and shared parking areas. <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note - Refer to Planning scheme policy - Integrated transport assessment for guidance on how to achieve compliance with this outcome.</p> </div> | <p>E76.1 Car parking is provided in accordance with Schedule 7 - Car parking.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note - The above rates exclude car parking spaces for people with a disability required by Disability Discrimination Act 1992 or the relevant disability discrimination legislation and standards.</p> </div> |
| <i>Performance Outcome Assessment</i> | |
| <p>The development provides a total of eighty-three (83) car parking spaces. The Applicant has submitted a Traffic Impact Assessment to support the number of car parking spaces provided. It is noted that all proposed uses are able to achieve the suggested car parking rates outlined within Schedule 7 of the Planning Scheme, with the exception of the Indoor Sport and Recreation use (Swim School). Schedule 7 suggests a total of thirty-five (35) spaces be provided for the Swim School, with the development proposing instead a total of fifteen (15) spaces.</p> | |

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| Performance Outcome | Example |
|--|---------|
| <p>In this instance an alternate parking rate is proposed by the Applicant, and supported by the Traffic Impact Assessment, due to the following reasons:</p> <ul style="list-style-type: none"> The pool itself is relatively small covering an area of 120m². The areas surrounding the pool are ancillary to the pool, being the change rooms and office. The ancillary areas will not generate additional patronage to the swim school. Due to the size of the pool, there will be a limit on the number of children participating in swim classes at any one time. The swim school forms part of a larger development where cross utilisation will occur between the different land uses within the site. In particular, cross utilisation is expected to occur across the healthcare, shop and café uses, where patrons may visit multiple uses in a single trip. This is expected to reduce the overall parking demand for the development. The development is surrounded by established residential areas, in proximity to Deception Bay North State School and is accessible by public transport, as well as pedestrian and cyclist facilities. Therefore, a portion of patrons will access the site by public transport, walking, cycling, mobility scooter etc. <p>Car parking areas are primarily internal to the site and surrounded by built form. The exception to this is the northern car parking area along the Thompson Street frontage where the hardstand of the car parking area is instead softened by vegetation. This outcome is due to this portion of the site being mapped within the Medium Risk Flood Hazard Area and therefore does not contain any built form. Although the northern car parking area is within a flood hazard area, the flood depth has only an approximate depth of 300mm for seven (7) car parking spaces. Due to the limited flood depth the location of these spaces is satisfactory with the provision of appropriate signage outlining the hazard. A recommendation of this approval requires signage to be provided identifying the hazard.</p> <p>Overall, car parking is provided on-site in a way that avoids the visual impact of large open car parking from road frontages and public areas. The oversupply of car parking has been avoided with the opportunity for the development to be accessed by public transport and active transport options. The development also provides end of trip facilities such as bicycle parking spaces, a shower and lockers.</p> <p>Therefore, in this instance, the proposal achieves the Performance Outcome.</p> | |

2.4.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcomes PO69 and PO73 of the General Residential Zone Code (Suburban Neighbourhood Precinct). Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|---|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| a. The suburban neighbourhood precinct consists of a primarily residential urban fabric providing predominantly low density, low rise, detached housing on a variety of lot sizes with a maximum site density of 15 dwellings per hectare or a maximum site density of 75 dwellings | Yes | The site is located within a well-established residential area that primarily consists of a low density, low rise, detached housing. The proposed development will not compromise this outcome. Therefore, the overall outcome is achieved. |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| per hectare if complying with b. v. below. | | |
| <p>b. Residential activities consist of:</p> <ul style="list-style-type: none"> i. Detached dwelling houses, predominantly on traditional lots; ii. Detached dwelling houses on narrow lots and Dual Occupancies where they are dispersed within the streetscape or are located within easy walking distance to services (centre, public transport node, community facilities) or park; iii. Domestic outbuildings are subordinate in appearance and function to the dwelling; iv. Retirement facilities, Residential care facilities and Relocatable home parks are located within easy walking distance of a centre; v. Multiple dwellings, Rooming accommodation, short-term accommodation and tourist park only establish where they will support a higher order or district centre or a train station by being adjacent (within 400m walking distance) to that higher order or district centre or train station. vi. The built form of concentrated residential uses and managed communities (e.g. multiple dwellings, retirements facilities, residential care facilities, relocatable home parks are designed to integrate with the surrounding neighbourhood. | No | <p>A Caretaker's Accommodation use is proposed as part of this application.</p> <p>Although not listed as a specific use within the Overall Outcome, a Caretaker's accommodation is defined as:</p> <p><i>"the use of premises for a dwelling for a caretaker of a non-residential use on the same premises"</i></p> <p>It is clear and obvious that a Caretakers accommodation as a land use for a residential purpose is consistent with many of the other residential uses listed in the overall outcome with no justifiable reason for its omission.</p> <p>As a dwelling house and other residential land uses containing a 'dwelling' are listed uses, while there may be a technical non-compliance with the overall outcome a pragmatic approach is that the Caretakers accommodation is consistent with the intent of the overall outcome.</p> |
| <p>c. The design, siting and construction of residential uses are to:</p> <ul style="list-style-type: none"> i. contribute to an attractive streetscape with priority given to pedestrians; ii. encourage passive surveillance of public spaces; iii. result in privacy and residential amenity consistent with the low | Yes | <p>The Caretaker's Accommodation, being a residential use as discussed above, is located above Tenancies 6-8 and has been designed to:</p> <ul style="list-style-type: none"> • contribute to an attractive streetscape |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|--|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| <p>density residential character of the area;</p> <p>iv. provide a diverse and attractive built form;</p> <p>v. provide a low rise built form compatible with its surrounds;</p> <p>vi. incorporate sub-tropical urban design principles that respond to local climatic conditions;</p> <p>vii. incorporate sustainable practices including maximising energy efficiency and water conservation;</p> <p>viii. incorporate natural features and respond to site topography;</p> <p>ix. cater for appropriate car parking and manoeuvring areas on site;</p> <p>x. be of a scale and density consistent with the low density residential character of the area;</p> <p>xi. provide urban services such as reticulated water, sewerage, sealed road, parks and other identified infrastructure.</p> | | <ul style="list-style-type: none"> • encourage passive surveillance of public spaces, including internal to the site • provides privacy and residential amenity for the caretaker • has been architecturally designed to provide a diverse and attractive built form • is located within the low-rise two storey built form • will be connected to urban services. <p>Therefore, the overall outcome is achieved.</p> |
| d. Home based business can... | N/A | The development does not include a Home based business. |
| e. Non-residential uses in the suburban neighbourhood precinct take the form of community activities, corner stores, neighbourhood hubs or local centres. | Yes | <p>The proposal seeks to extend an existing neighbourhood hub as defined by the Planning Scheme. It is further noted that Health Care Services is listed as a community activity.</p> <p>Therefore, the overall outcome is achieved.</p> |
| <p>f. Community activities:</p> <p>i. Establish in a location that may be serviced by public transport;</p> <p>ii. Do not negatively impact adjoining residents or the streetscape;</p> <p>iii. Do not undermine the viability of existing or future centres</p> | Yes | <p>A Health Care Services use is a Community activity as defined by the Planning Scheme.</p> <p>The site is serviced by public transport along Old Bay Road, with a bus stop located approximately 120m from the development. The site does not directly adjoin dwellings and therefore will not impact on adjoining residents. The site has been architecturally designed to not negatively impact on the streetscape. As previously demonstrated within this</p> |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|---|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| | | <p>report, this development is of a small size and scale and therefore will not undermine the viability of existing or future centres.</p> <p>Therefore, the overall outcome is achieved.</p> |
| g. Corner store may establish as standalone uses. | N/A | The proposal does not seek approval for a standalone corner store. |
| <p>h. Retail and commercial activities (excluding Service stations:</p> <ul style="list-style-type: none"> i. Cluster with other non-residential uses (excluding corner stores) forming a neighbourhood hub; ii. Are centred around a 'Main Street' central core fostering opportunities for social and economic exchange; iii. Are of a small scale, appropriate of a neighbourhood hub; iv. Do not negatively impact adjoining residents or the streetscape; v. Are subordinate in function and scale to all centres within the region. | Yes | <p>The application represents the expansion of a neighbourhood hub and is clustered with other non-residential uses, assisting in the creation of a 'main street' along Old Bay Road around Progress Park. The proposal is small scale and will not impact on the amenity of the area or compete with the function of centres within the region.</p> <p>Therefore, the overall outcome is achieved.</p> |
| i. Service stations... | N/A | The proposal does not include a Service station. |
| <p>j. The design, siting and construction of non-residential uses:</p> <ul style="list-style-type: none"> i. Maintains a human scale, through appropriate building heights and form; ii. Provides attractive, active frontages that maximise pedestrian activity along road frontages, movement corridors and public spaces (excluding Services stations); iii. Provides for active and passive surveillance of road frontages, movement corridors and public spaces; iv. Promotes active transport options and ensures an oversupply of car parking is not provided; | Yes | <p>The proposed building design seeks to maintain a human scale through the provision of a low scale built form. The development provides an active street frontage through the provision of awnings and windows that also allows for the surveillance of public areas. Clear pedestrian access points are provided along the Old Bay Road frontage.</p> <p>The site promotes active transport options and will provide bicycle parking spaces and end of trip facilities. Car parking is provided internal to the site and is screened by built form along the Old Bay Road frontage and by landscaping along the Thompson Street frontage.</p> |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| <ul style="list-style-type: none"> v. Locates car parking so as not to dominate the street; vi. Does not result in large internalized shopping centres (e.g. large blank external walls with tenancies only accessible from within the building) surrounded by expansive areas of surface car parking. | | Overall, the development achieves the Overall Outcome. |
| <ul style="list-style-type: none"> k. Neighbourhood hub expansion (into adjoining lots) or the establishment of a new neighbourhood hub only occurs where: <ul style="list-style-type: none"> i. It is of a scale that remains subordinate to all centres within the region; ii. The expansion (into adjoining lots) will strengthen the existing neighbourhood hub as an important neighbourhood activity node; iii. Clear separation from existing neighbourhood hubs are to service a currently unserved catchment. The centre of a neighbourhood hub should not be located within 1600m of another neighbourhood hub or centre measured from the centre of each hub or centre; iv. For a new neighbourhood hub, it is located on a sub-arterial or collector road; v. They are appropriately designed and located to include active frontages around a 'main street' core and are staged where relevant to retain key (highly accessible) sites for long term development. | Yes | <p>The proposal seeks to expand an existing Neighbourhood Hub.</p> <p>An assessment against each part of this Overall Outcome is provided below:</p> <ul style="list-style-type: none"> (i) the expansion is at a small scale; (ii) it will strengthen the existing neighbourhood hub around Progress Park and Deception Bay North State School and the Child Care Centre that has been approved on this site; (iii) the proposal is an expansion of an existing neighbourhood hub that is already not separated by 1600m to the Deception Bay Centre zone and other existing Neighbourhood Hubs, however the separation distance is stated as 'should' rather than must, acknowledging in some instances a closer separation distance is warranted, as in this instance; (iv) the proposal is not a new neighbourhood hub, however is on a sub arterial road; (v) is well designed and assisting in the creation of a 'main street' and does not compromise a key site. <p>The Overall Outcome is complied with in this instance.</p> |
| <ul style="list-style-type: none"> l. General works associated with the development achieves the following: <ul style="list-style-type: none"> i. New development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and | Yes | <p>All general works including stormwater, traffic and earthworks achieves the requirements listed within the Overall Outcome.</p> <p>The Overall Outcome is achieved in this instance.</p> |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|--|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| <p>reticulated electricity (underground wherever possible), water and sewerage (where available);</p> <p>ii. The development manages stormwater to:</p> <p>A. Ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters;</p> <p>B. Prevent stormwater contamination and the release of pollutants;</p> <p>C. Maintain or improve the structure and condition of drainage lines and riparian areas;</p> <p>D. Avoid off-site adverse impacts from stormwater.</p> <p>iii. The development does not result in unacceptable impacts on the capacity and safety of the external road network;</p> <p>iv. The development ensures the safety, efficiency and useability of access ways and parking areas;</p> <p>v. Site works including earthworks are managed to be safe and have minimal impacts on adjoining or adjacent premises, the streetscape or the environment.</p> | | |
| <p>m. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.</p> | Yes | <p>The proposal will not result in any detrimental offsite amenity impacts. However, it is recommended that conditions be applied requiring lighting to be installed in accordance with Australian Standard AS4282:2019 - (Control of the obtrusive Effects of Outdoor Lighting) and that the hours of operation for the site be limited to between 6am and 9pm.</p> <p>The Overall Outcome is achieved in this instance.</p> |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|--|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| n. Noise generating uses are designed, sited and constructed to minimize the transmission of noise to appropriate levels and do not cause environmental harm or nuisance. | Yes | The proposal will not result in the transmission of noise to inappropriate levels that will cause environmental harm or nuisance. The Overall Outcome is achieved in this instance. |
| o. Noise sensitive uses are... | N/A | The proposal does not include a noise sensitive use as defined by the Planning Scheme. |
| p. Development in a Water supply buffer... | N/A | The site is not mapped within a Water supply buffer. |
| q. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by: i. Adopting a 'least risk, least impact' approach when designing, siting and locating development in any area subject to a constraint, limitation or environmental value to minimize the potential risk to people, property and the environment; ii. Ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. When located within a Water buffer area, complying with the Water Quality Vision and Objectives contained in the Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012. iv. Maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planning and landscaping, and facilitating safe wildlife movement and connectivity through: A. The provision of replacement, | Yes | The site is mapped within a Medium Risk and Balance Flood Hazard Area. The development has been designed so that the built form does not encroach within the Medium Risk area. The built form is located within the Balance Area, however a recommended condition requires the development to be constructed to the required Flood Planning Level (FPL) to achieve flood immunity. It is noted that a small part of the northern car parking area as well as the entrance from Thompson Street is within the Medium Risk Flood Hazard Area. Although within a flood hazard area, the flood depth is minimal with an approximate depth of 300mm. Due to the limited flood depth, the location of these spaces and vehicle access is satisfactory with the provision of appropriate signage outlining the hazard. A recommendation of this approval requires signage to be provided identifying the hazard. The site also contains existing vegetation along the eastern side of the site, as well as a single tree along the Old Bay Road frontage. The vegetation along the eastern boundary is to be retained with a recommended condition requiring temporary exclusion fencing to be provided around the vegetation to be retained to ensure accidental felling does not occur. It is noted that the single tree along the Old Bay Road frontage is proposed to be removed to make way for vehicle access to the site. A |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|--|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| <p>restoration, rehabilitation planting and landscaping;</p> <p>B. The location, design and management of development to avoid or minimize adverse impacts on ecological systems and processes;</p> <p>C. The requiring of environmental offsets in accordance with the Environmental Offsets Act 2014.</p> <p>v. Protecting native species and protecting and enhancing species habitat;</p> <p>vi. Protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance;</p> <p>vii. Establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimize adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities;</p> <p>viii. Establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat;</p> <p>ix. Ensuring it promotes and does not undermine the ongoing viability, intergrity, operation, maintenance and safety of identified infrastructure;</p> <p>x. Ensuring effective and efficient disaster management response and recovery capabilities;</p> <p>xi. Where located in an overland flow path;</p> <p>A. Development siting, built form, layout and access response to the risk</p> | | <p>recommended condition therefore requires that fauna nesting boxes be provided on site.</p> <p>The Overall Outcome, subject to the application of the recommended conditions, is therefore achieved in this instance.</p> |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| <p>presented by the overland flow and minuses risk to personal safety;</p> <p>B. Development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated with overland flow;</p> <p>C. Development does not impact on the conveyance of the overland flow for any event up to and including the 1% AEP for the fully developed upstream catchment;</p> <p>D. Development directly, indirectly and cumulatively avoid an increase in the severity of overland flow and potential for damage on the premises or other premises, public lands, watercourses, roads or infrastructure.</p> | | |
| <p>r. Development in the Suburban neighbourhood precinct includes 1 or more of the following:</p> <ul style="list-style-type: none"> • Health Care Services • Where in a Neighbourhood hub: <ul style="list-style-type: none"> - Food and Drink Outlet - Shop | Yes | The proposed development includes Health Care Services, Food and Drink Outlet and a Shop, being consistent uses within the Suburban neighbourhood precinct. |
| <p>s. Development in the Suburban neighbourhood precinct does not include any of the following:...</p> | Yes | <p>Indoor Sport and Recreation and Caretaker's Accommodation is not listed as an inconsistent use.</p> <p>The Overall Outcome is achieved in this instance.</p> |
| <p>t. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone.</p> | Yes | The proposal includes Indoor Sport and Recreation (Swim School) and Caretaker's Accommodation, being policy neutral uses that are to be considered on their merits. It is noted that these uses are ancillary to the development's intent to create a health hub. |

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| General Residential Zone Code (Suburban Neighbourhood Precinct) - Section 6.2.6.2.1 | | |
|---|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| | | As identified within this assessment of the Overall Outcomes for the Suburban Neighbourhood Precinct, the proposal does not conflict with the outcomes of the zone. Therefore, Indoor Sport and Recreation and Caretaker's Accommodation, when assessed on their merits and considering they are complimentary uses within a mixed use development, do not conflict with the outcomes of the zone. |

Based on the assessment above, the proposal is consistent with all of the Overall Outcomes of the code, with the exception of Overall Outcome b. This is due to a Caretaker's Accommodation use technically not being listed as a residential activity. However, as mentioned above, the definition of Caretaker's Accommodation is "the use of premises for a dwelling for a caretaker of a non-residential use". Therefore, a Caretaker's Accommodation is for a residential purpose and is consistent with the intent of the Overall Outcome. Although unable to comply with one (1) of the Overall Outcomes, on balance the proposal is consistent with the purpose of the code.

2.5 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is located in the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council's Charges Resolution No. 6 commencing on 3 July 2017 (CR).

2.5.1 Levied Charge

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal.

2.5.2 Levied Charge Credit

In accordance with section 14 of the CR, a credit exists for the development based on the credit being the greater of the following amounts:

(a) Payment of previous charges or contributions

There is no record of a previous charge or contribution having been made in relation to the land in accordance with section 14 of the CR. Accordingly, the credit available under this option is \$0.00

(b) Lawful use of land

There is no current existing lawful use of the land or record of a previous lawful use of the land that is no longer taking place. Accordingly, the credit available under this option is \$0.00.

(c) Other development able to occur without a development permit

There is no other development able to be lawfully carried out without a development permit (including a development permit for Building Works). Accordingly, the credit available under this option is \$0.00

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(d) The adopted charge for a residential lot (applied equally to non-residential development)
The credit available under this option is \$17,603.73 based on the proportional split stated in Table 3 of the CR. It is noted that this credit has previously been applied to an existing development permit for a Child Care Centre (DA/37063/2018/V2C). Therefore, there is no credit available under this option.

Overall, based on the above, a credit is not available for this development.

2.5.3 Levied Charge Offset or Refund

The site is not affected by a Trunk Infrastructure requirement in the recommended conditions of approval and therefore there is no offset or refund applicable to the development proposal.

2.5.4 Additional Trunk Infrastructure Costs

In accordance with section 130 of the *Planning Act 2016*, an additional payment condition may be imposed if the proposed development;

- (a) (i) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (ii) requires new trunk infrastructure earlier than when identified in the LGIP; or
- (iii) is for premises located completely or partly outside the Priority Infrastructure Area

and

- (b) the development will impose additional trunk infrastructure costs on Council after taking into account the levied charge and any trunk infrastructure provided, or to be provided by the development.

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition.

2.6 Recording of particular approvals on the MBRC Planning Scheme
Not Applicable in this instance.

2.7 Referrals

2.7.1 Council Referrals

2.7.1.1 Development Engineering

The application was referred to Development Engineering for review. The following comments have been provided:

Traffic, Access & Parking

The applicant submitted a Traffic Impact Assessment by Contour dated Feb 2020 demonstrating that the proposal achieves the Planning Scheme requirements with suitable on-site servicing and manoeuvring and access arrangements that will operate satisfactorily.

Stormwater / Flooding

The applicant submitted a Site Based Stormwater Management Plan by STORM Water Consulting dated 31 March 2020 demonstrating compliance with the Planning Scheme (e.g. stormwater quality and quantity and no filling within Medium Flood Hazard Area).

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To ensure the area within the Medium Flood Hazard Area is maintained and continues to operate satisfactorily and not be compromised, a condition requiring a drainage easement is proposed in accordance with QUDM and the Planning Scheme Policy - Integrated Design, Appendix C Stormwater Management.

Earthworks

Limited earthworks proposed to occur, with no earthworks within the Medium Flood Hazard Area.

2.7.1.2 Environmental Health

The application was referred to Environmental Health for their review. The following comments have been provided:

Acoustic Amenity

If standard hours of operation as specified within the Planning Scheme are adhered to it is not anticipated acoustic amenity of surrounding sensitive uses will be impacted. It is noted the application material identifies that the uses will all operate between 6am and 9pm as specified within the applicable code. It is therefore appropriate that a condition reflecting these operating hours be applied.

Waste Management

A Waste Management Program has been submitted and is considered acceptable for the proposed development. This development will use 4 x 1.1m³ bins serviced within the site. The arrangements appear acceptable and as a consequence it is recommended that the development be undertaken in accordance with the submitted Waste Management Program.

2.7.2 Referral Agencies

2.7.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning

There were no Concurrence Agencies involved in assessing this development application.

2.7.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.7.2.3 Third Party Agencies

There were no Third Party Agencies involved in assessing this application.

2.8 Public Consultation

2.8.1 Public Notification Requirements under the Development Assessment Rules

- (a) Public Notification was served on all adjoining landowners on 8 April 2020.
- (b) The development application was advertised in the Redcliffe and Bayside Herald on 9 April 2020.
- (c) A notice in the prescribed form was posted on the relevant land on 9 April 2020 and maintained until 12 May 2020, exceeding the 15 business days required to be publicly notified in accordance with the *Planning Act 2016*.

Submissions Received

Council received the following types of submissions in respect to this development application.

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| Type | | Number of Signatures | Number of Submissions |
|-------------------|--------------------|----------------------|-----------------------|
| Properly Made | Letter, Email, Fax | | 2 |
| | Petition | | 0 |
| Not Properly Made | Letter, Email, Fax | | 0 |
| | Petition | | 0 |
| Total | | | 2 |

The matters raised within the submissions are outlined below:

| Assessment of Submissions |
|--|
| <p>Issue - Need</p> <p>A submission received highlighted the following concerns:</p> <ul style="list-style-type: none"> • The suggested businesses are not needed in this area. There are shops and business premises empty around the corner at Deception Bay Market Square and Uhlmann Rd Shopping Precinct. Rothwell also. • The new development at Market Square only has a handful of businesses leasing premises. This was before the Covid 19 Pandemic. • There is a new gym which needs community support to stay open. • There is no need to build new premises without any need. • There are a number of health care services in proximity to the site. How does the developer going to fill these shops and with what services? • If unable to fill the tenancies, there will be the opportunity to put in retail, food/convenience stores open all hours that will impact the neighbourhood • How is the Council going to regulate what services end up in the this complex? • I don't want any services that have trading hours past 5pm or before 7am and especially not food outlets • The application states the swim school will benefit the approved child care centre and nearby schools. The swim school will be a privately owned and operated service. It is not a public pool so how will it benefit the surrounding schools. • The development states 'Indoor Sport and Recreation'. Will this become a 24hr gym? |
| <p>Discussion</p> <p>The above concerns are acknowledged, and it is recognised that there are existing commercial/retail areas within Deception Bay and Rothwell. However, there is no requirement within the MBRC Planning Scheme for an Applicant to demonstrate the economic need or viability of a development proposal as part of a development application when it is consistent with the Overall Outcomes. Should tenancies not be filled with the proposed uses and alternative uses be sought, a further application will need to be submitted to Council for assessment against the Planning Scheme.</p> <p>With regards to the developments' hours of operation, the Planning Scheme suggests operating hours between 6am and 9pm Monday to Sunday. A recommendation of this report is that a condition be imposed requiring the development, including all uses, to operate within these hours. Therefore, the Indoor Sport and Recreation use is unable to become a 24hr gym, without seeking further approval from Council.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Traffic, Access and Parking</p> <p>A submission received highlighted the following concerns:</p> <ul style="list-style-type: none"> • Safety and congestion issues with driveway location and proximity to the roundabout, Brentwood Court, school zebra crossing and approved Child Care Centre |

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| <p>Assessment of Submissions</p> <ul style="list-style-type: none"> • Residents across from the development will be impacted coming and going from their properties due to extra traffic • Safety concerns due to increased traffic and people walking and exercising in the area, as well as children riding/walking to school and attending soccer training • Validity of using 2018 traffic volumes • Noise pollution from cars breaking and accelerating • Thompson street should be the sole entrance to the whole complex. This will redirect traffic intensity down Thompson Street and away from the main thoroughfare of Old Bay Road. • Due to no houses near the Thompson Street entrance, car lights won't shine into households and the extra noise won't affect anyone. • The road along Thompson street has plenty of width to allow for a turning lane to be established • There does not seem to be enough parking within the complex for all the shops • The Council needs to seriously think about where people are going to park their cars if they can't within the centre. • We don't need anymore cars parking along Old Bay Road |
| <p>Discussion</p> <p>A Traffic Impact Assessment by Contour Consulting engineers was provided in support of the application.</p> <p>The report is based on estimated 2031 traffic using the observed 2018 traffic with a growth rate of 2% compounded annually to 2031, which is in accordance with the Planning Scheme requirements. The report demonstrates that the proposed accesses, with the estimated 2031 traffic and development traffic generation and distribution, will operate satisfactorily, and that they have safe sight lines in accordance with Australian Standard AS2890. The report also reviews car parking for the site and has determined that the total number of car parking spaces proposed is adequate for the development.</p> <p>With regards to Thompson Street being the sole entrance to the development, this is not recommended due this part of the site being mapped within a Medium Risk Flood Hazard Area. Having Thompson Street as the sole entrance has the potential to trap vehicles within the complex, with no way to exit during a major flood event.</p> <p>This is not sufficient grounds for the refusal of the application.</p> |
| <p>Issue - Flooding</p> <p>A submission raised the following concerns regarding flooding as the site is mapped within a Balance and Medium Risk Area on Overlay Map - Flood Hazard:</p> <ul style="list-style-type: none"> • Why build more concrete so water doesn't drain and create more flooding elsewhere • How are they going to prove that the area will not flood without proper rain? • A little forethought is better than having to deal with the huge problem of flooding and lack of water drainage • The flood hazard line is at the lobby entrance and covers all of the car park adjacent. How can anything be built here? |
| <p>Discussion</p> <p>A Site Based Stormwater Management Plan by STORM water consulting was provided in support of the application.</p> <p>The report outlines how stormwater will be managed for the development and has demonstrated that the proposal is not expected to cause a problem either upstream or downstream, particularly as filling is not occurring in the Medium Flood Hazard Area.</p> |

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

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| <p>Assessment of Submissions</p> <p>All proposed buildings are to be constructed above the flood level and therefore, although sited within the Balance Area of the Flood Hazard Overlay, flood immunity is achieved.</p> <p>A limited number of car parks will be susceptible to flooding in a major event however this is considered safe because of the minimal flooding depth and slow velocity, the commercial types of uses and expected relatively slow rising nature of the flooding.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Koala Zones</p> <p>A submission raised the following concerns due to clearing that has previously taken place on the development site:</p> <ul style="list-style-type: none"> • Council has erected 3 'Koala next 500m' yellow signs to caution motorists of the activity that is on the site • The 500m exactly corresponds with the area that was cleared last year • Why let a developer destroy habitat that the Council was completely aware of, so aware that they put up 3 signs • All of the trees were not meant to be cleared last year and they were. Something is wrong with development applications |
| <p>Discussion</p> <p>It is acknowledged that koala signs are located in proximity to the site and that the site has recently been cleared.</p> <p>The site contains an existing approval for a Child Care Centre (DA/37063/2018/V2C). The development permit issued for the Child Care Centre sought to retain vegetation, through conditions, that were not within the development footprint. Although the permit sought to retain vegetation, exempt vegetation clearing can occur when able to achieve the parameters set out in the Planning Scheme, specifically Table 1.7.7.1 Accepted development. Further, under the State mapping, the vegetation was mapped as Category X, meaning that it is not protected and can be cleared for any purpose. No further vegetation is proposed to be cleared as part of this application, except for a single tree along Old Bay Road.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Caretaker's Accommodation</p> <p>A submission raised the following concerns relating to the proposed Caretaker's Accommodation:</p> <ul style="list-style-type: none"> • Why does there need to be a Caretaker's residence • This sounds like a tax dodge • It's either residential or commercial, not both |
| <p>Discussion</p> <p>The Planning Scheme does not require a Caretaker's residence to be provided, however does not prevent this use being applied for. Further, the Planning Scheme does restrict mixed-use development.</p> <p>Tax requirements etc. are not a planning matter and are unable to be commented on.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Food and Drink Outlet</p> <p>A submission raised the following concerns relating to the proposed Food and Drink Outlet:</p> <ul style="list-style-type: none"> • There is no valid reason for a Food and Drink Outlet |

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

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| <p>Assessment of Submissions</p> <ul style="list-style-type: none"> • This is a residential area and it is relatively quiet of an evening • Having this outlet there will encourage evening noise pollution with cars and people congregating, as well as drug users and other undesirables • There are a number of Food and Drink Outlets in proximity to the site • The Deception Bay Shopping Centre is 1.98kms away and has five vacant food court shops that have not been close to being fully utilised • If the Council allows a Food and Drink Outlet at this development and the Developer has problems keeping tenants, this will then give them the opportunity to put a 24hr convenience store like a 7eleven in place. This will create light and noise pollution and will attract undesirables and potential for crime • Having a food outlet will only attract trouble and vandalism |
| <p>Discussion</p> <p>This application seeks approval for a Food and Drink Outlet, limited to Tenancy 3. The tenancy is relatively small having a Gross Floor Area of 80m² and is situated along Old Bay Road. The applicant has identified that the purpose of the Food and Drink Outlet is to provide a café or coffee shop that will allow users of the site to purchase food or refreshments whilst onsite.</p> <p>As previously noted, there is no requirement within the MBRC Planning Scheme for an Applicant to demonstrate the economic need or viability of a development proposal as part of a development application when it complies with the Overall Outcomes.</p> <p>With regards to allowing a 24hr convenience store, the Planning Scheme suggests operating hours between 6am and 9pm Monday to Sunday, with a recommendation of this report requiring a condition be imposed regulating these hours. Therefore, further approval would need to be sort for any change in hours of operation.</p> <p>With regards to comments relating to the congregation of undesirables, trouble and vandalism, this type of behaviour can occur at any location and is a matter for Police. Further, it is acknowledged that a caretaker is proposed to manage the site and can monitor undesirable behaviour.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Development Design</p> <ul style="list-style-type: none"> • This just looks like a glorified car park with a residence and a couple of token shopfronts • The design of the buildings along the old Bay Road side of the development are ugly • The style the architect has chosen is generic and cold • It is not consistent with the surrounding area's architecture and should be designed sympathetically to reflect the character of this residential neighbourhood • There needs to be a considerable amount of extra landscaping done to hide the poor architectural cement blot on the landscape. The restaurant area of North Lakes Shopping precinct is a good example of how to soften harsh architecture • All that white cement is going to reflect increased amount of heat during Summer |
| <p>Discussion</p> <p>The development has been designed to provide an active frontage along Old Bay Road where the building is brought forward, and awnings provided as required by the Planning Scheme. Car parking spaces are predominantly located behind the built form or screened by landscaping in order to soften the area of hardstand. Further, shade trees are provided throughout the car parking area to minimise heat island effects.</p> |

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

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| <p>Assessment of Submissions</p> <p>The architectural merit of the proposal is subjective and while the submitter is not supportive of the design, it has the elements required by the planning scheme and is consistent with many current and contemporary designs assessed by the Council.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Lighting</p> <p>A submission raised the following concerns:</p> <ul style="list-style-type: none"> • What type of lighting is going to be implemented through this complex? • A huge glowing structure outside our windows all night will impact our neighbourhood • I expect there won't be any lighting after normal business hours? If so, it will have to be subdued lighting within the complex, not bright lighting on the outside of the complex |
| <p>Discussion</p> <p>The application material submitted has not identified the type of lighting to be implemented throughout the site. However, a recommended condition of this approval is that any external lighting be provided on-site in accordance with Australian Standard AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting). This Standard sets out requirements for the control of outdoor lighting to limit the adverse effects of lighting on nearby residents. This includes higher restrictions on light levels during night time hours to prevent nuisance. Further, the applicant will be required to provide certification by a suitably qualified person that lighting has been installed and operates in accordance with the Australian Standard.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Complex Security</p> <p>A submission raised the following concerns:</p> <ul style="list-style-type: none"> • How is the complex going to be secured at night? • We have had problems in the past with drunken people partying under the Soccer Club and Gem Club car park. • This complex is going to be a magnet for any type of criminal activity after dark. • Is it going to be gated? |
| <p>Discussion</p> <p>The applicant has not identified how the development will be secured at night and it is not a requirement of the Planning Scheme for this information to be provided. However, the proposal includes a Caretaker's Accommodation and therefore provides an opportunity for on site management to ensure the activities that are raised do not occur.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Disruption During Construction</p> <p>A submission raised the following concerns:</p> <ul style="list-style-type: none"> • I cannot imagine the disruption, noise, trucks coming and going while this proposed development is underway • I will have to put up with months of construction that will start well before 6am because they will drive their noisy trucks onto site and unload them before starting time |
| <p>Discussion</p> <p>The above concerns are recognised and therefore a recommended condition of this report is that a Construction Management Plan be submitted and approved by Council.</p> |

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

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| <p>Assessment of Submissions</p> <p>The Construction Management Plan is required to include measures to ensure the development works (including all construction, demolition and excavation) do not adversely affect the health, safety, amenity, traffic or environment in the surrounding area.</p> <p>This is not sufficient grounds for refusal of the application.</p> |
| <p>Issue - Development Transparency</p> <ul style="list-style-type: none"> This proposal should be put to a more transparent process before it is considered. |
| <p>Discussion</p> <p>This application has been assessed in accordance with the relevant planning legislation, being the <i>Planning Act 2016</i>, with all application material available on Council's website through PD Online to view.</p> <p>As this application triggered Impact Assessment, the development was required to be publicly notified for at least 15 business days allowing submissions to be sent to Council for review. This application was publicly notified between 14 April 2020 to 12 May 2020, with two (2) submissions received. These submissions have been reviewed and addressed above.</p> <p>This is not sufficient grounds for refusal of the application.</p> |

2.8.2 *Notice of Compliance*

The Notice of Compliance was received by Council on 13 May 2020. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

2.9 Other Matters
None identified.

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant and submitters have appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The proposal is consistent with the existing Moreton Bay Region planning provisions and relevant policies.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

- a) In the event that an appeal is made to the Planning & Environment Court against Council's decision, the Council will incur additional costs in defending its position.
- b) Permit conditions require infrastructure contributions to Council.

ITEM 4.2 DA/40376/2020/V2K - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR HEALTH CARE SERVICES, INDOOR SPORT AND RECREATION, SHOP, FOOD AND DRINK OUTLET AND CARETAKER'S ACCOMMODATION, LOCATED AT 54-66 OLD BAY ROAD, DECEPTION BAY - A20061117 (Cont.)

- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Human Rights Implications Nil identified
- 3.11 Consultation / Communication
Refer to clause 2.8.

ATTENDANCE

Mr Marco Alberti left the meeting at 10.27am after Item 4.2.

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

ITEM 5.1

DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20018199 : 13 July 2020 - **Refer Supporting Information A20177284**
Responsible Officer: AS, Manager Property Services (CES Property & Commercial Services)

Executive Summary

The purpose of this report is to seek Council's approval to dispose of the property detailed in this report by undertaking a two-stage process being an Expressions of Interest, followed by a Select Tender campaign.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Mark Booth

CARRIED 13/0

1. That Council decides it is in the public interest to invite expressions of interest (EOI) for the disposal of the land described in this report (Land) prior to inviting written tenders.
2. That Council record its reason for resolving to invite EOIs for the disposal of the Land, which is to enable Council to consider tenders from a shortlist of EOI respondents who have submitted a clear plan and demonstrated an ability to achieve Council's desired outcomes for the Land.
3. That Council authorises the Chief Executive Officer to:
 - a) prepare a shortlist from the persons who respond to the invitation for expressions of interest and invite written tenders from those persons for the disposal of the Land;
 - b) invite all persons who submit a tender to change their tender to take account of a change in the tender specifications;
 - c) decide to accept a tender or not to accept any tenders it receives in respect of the disposal of the Land having regard to the sound contracting principles; and
 - d) do all things necessary to give effect to recommendation 1, including advertising the invitation for expressions of interest in accordance with the requirements of Local Government Regulation 2012.

ITEM 5.1 DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN - A20018199 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council decides it is in the public interest to invite expressions of interest (EOI) for the disposal of the land described in this report (Land) prior to inviting written tenders.
2. That Council record its reason for resolving to invite EOIs for the disposal of the Land, which is to enable Council to consider tenders from a shortlist of EOI respondents who have submitted a clear plan and demonstrated an ability to achieve Council's desired outcomes for the Land.
3. That Council authorises the Chief Executive Officer to:
 - a. prepare a shortlist from the persons who respond to the invitation for expressions of interest and invite written tenders from those persons for the disposal of the Land;
 - b. invite all persons who submit a tender to change their tender to take account of a change in the tender specifications;
 - c. decide to accept a tender or not to accept any tenders it receives in respect of the disposal of the Land having regard to the sound contracting principles; and
 - d. do all things necessary to give effect to recommendation 1, including advertising the invitation for expressions of interest in accordance with the requirements of Local Government Regulation 2012.

REPORT DETAIL

1. Background

This report relates to property known as Proposed Lot 110 on Drawing Number 20-344-900 (Land), (refer supporting information #1).

At Council Briefings on 20 and 27 May 2020, the Major Projects team provided a detailed overview of the Petrie Mill re-development. It was noted during the briefing that the Major Projects team have been approached by several data centre operators looking to locate on the Northern side of the greater Brisbane area.

The Land has been identified as a suitable location for a data centre in the Petrie Mill precinct.

2. Explanation of Item

This report seeks a resolution to offer the Land for sale or lease via a tender process, following an Expression of Interest (**EOI**) campaign.

This enables Council to consider tenders from a shortlist of EOI respondents who have submitted a clear plan and demonstrated an ability to achieve the specific outcomes for the site envisaged by Council.

Council will issue a development lease to the successful proponent in order to retain control over various aspects of the future development, particularly planning and ultimate development outcomes.

The site at Petrie is well located geographically for integration with surrounding fibre networks, noting there has been a recent shift in this sector seeking more diversity of data centre locations. In order to ensure such a facility would fit and add value to the knowledge and innovation vision for the precinct, and better understand the proposed built form, it is considered prudent to first seek Expressions of Interest before progressing to a formal tender. This allows industry experts to inform Council regarding best practice, in what is a niche industry.

ITEM 5.1 DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN - A20018199 (Cont.)

The below image indicates the proposed location of the ≈ 0.7ha data centre site, which is located adjacent to the proposed Energex sub-station (subject to ongoing discussions regarding the Heads of Agreement). This location provides good connectivity for data and power and is removed from the central activation areas within the broader precinct.

A proposal plan defining the Land is attached as Supporting Information #1.



3. Strategic Implications

3.1 Legislative / Legal Implications

Council must comply with the *Local Government Act 2009* (“the Act”) and the *Local Government Regulation 2012* (“the Regulation”) when it disposes of valuable non-current assets, including leases of land.

Section 228 of the Regulation allows Council to dispose of a valuable non-current asset via a tender process following an Expressions of Interest campaign.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Digital literacy and commerce - a digital region.

3.3 Policy Implications

There is no Council policy which specifically deals with the disposal of land; however, the provisions of the *Local Government Regulation 2012* apply.

3.4 Risk Management Implications

The primary risk is probity. The Manager Property Services will oversee the disposal process which will be conducted in accordance with the relevant legislation and policies.

3.5 Delegated Authority Implications

Council has already delegated power to the CEO to carry out recommendation 3 (under Delegation Council-150).

3.6 Financial Implications

A Valuation of the site will be undertaken prior to releasing the EOI to the market. Disposal of the property will be equal to or more than the market value of the land as per the *Local Government Regulation 2012*.

ITEM 5.1 DISPOSAL OF PROPERTY VIA AN EXPRESSIONS OF INTEREST CAMPAIGN - A20018199 (Cont.)

3.7 Economic Benefit Implications

A data centre typically employs low numbers of staff, however the catalytic effects of a data centre can bring considerable employment and investment benefits. Such a facility would provide a point of difference and attraction measure to other industries who rely on high speed and secure data. Mill Central also has a private data pit and pipe network rolled out as a part of its smart initiatives that further enhances the offering.

3.8 Environmental Implications

Data centres provide attractive propositions to alternative/green energy providers due to their consistent base load requirements for power and cooling. Noting that the project is also running an EOI for district energy solutions, this facility could be a catalyst site for innovative sustainability outcomes.

3.9 Social Implications

Nil identified

3.10 Human Rights Implications

Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that there are no human rights implications relevant to Council's decision.

3.11 Consultation / Communication

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

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 6.1

SOLE SUPPLIER STATUS - LINKEDIN CORPORATION

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20199278 : 24 June 2020
Responsible Officer: CC, People Experience Manager (FCS People, Culture & Safety)

Executive Summary

Under section 235(a) of Local Government Regulation 2012, Council may, by resolution, purchase goods and services from a single supplier without seeking competitive quotations. Such purchases may only be made where the local government is satisfied that there is only one supplier who is reasonably available.

As skills continue to shift in the market and with greater emphasis on delivering recruitment services inhouse, it is proposed that Council enter into an agreement with LinkedIn Corporation to broaden its capability to include executive search and sourcing, and improved people attraction strategies via social media; whilst promoting Moreton Bay Regional Council as an employer of choice.

LinkedIn Corporation is the only provider that offers the "LinkedIn Talent Solutions", which are software products that will allow the People, Culture and Safety Department to provide search capabilities via the LinkedIn platform to the same level as recruitment agencies.

This report seeks Council's approval to enter into an agreement with LinkedIn Corporation as described in this report as, in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that LinkedIn Corporation is the sole supplier who is reasonably available to provide the LinkedIn Talent Solutions.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Sandra Ruck

CARRIED 13/0

- 1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that LinkedIn Corporation is the only supplier that is reasonably available to supply the LinkedIn Talent Solutions described in this report.**
- 2. That the Council enters into an agreement with LinkedIn Corporation as described in this report.**
- 3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with LinkedIn Corporation for \$29,302.00 per annum (for a 12-month term) and any required variations of the agreement on Council's behalf.**

ITEM 6.1 SOLE SUPPLIER STATUS - LINKEDIN CORPORATION - A20199278 (Cont.)

OFFICER'S RECOMMENDATION

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that LinkedIn Corporation is the only supplier that is reasonably available to supply the LinkedIn Talent Solutions described in this report.
2. That the Council enters into an agreement with LinkedIn Corporation as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with LinkedIn Corporation for \$29,302.00 per annum (for a 12-month term) and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Historically, Council has undertaken recruitment through traditional channels such as advertising via its website, Seek.com and recruitment agencies.

In addition to these traditional channels, and to modernise Council's recruitment practices and build internal capability to recruit effectively, officers consider that Council should procure the "LinkedIn Talent Solutions" from LinkedIn Corporation (**LinkedIn**).

2. Explanation of Item

The LinkedIn Talent Solutions comprise a suite of software products, made available by LinkedIn, which can be used to engage in recruitment activities via the LinkedIn.com website.

For example, "LinkedIn Recruiter" is a LinkedIn Talent Solution. This software product is a platform for finding, connecting with, and managing potential candidates via the LinkedIn website. It identifies quality candidates and member signals, so that Council, as a recruiter, can prioritise candidates most open to hearing from Council.

"LinkedIn Jobs" is another LinkedIn Talent Solution. This product allows Council to automate Council's vacancies to the LinkedIn website and directly matches Council's vacancies to talented candidates with the skills that Council needs.

Together, the LinkedIn Talent Solutions will allow Council to attract passive candidates through LinkedIn's artificial intelligence mapping and job postings.

Whilst Council would continue to rely on its traditional recruitment channels such as Seek.com, LinkedIn is the only supplier that enables searching and passive reach through job postings and artificial intelligence for recruitment via the LinkedIn website by using the LinkedIn Talent Solutions.

Accordingly, it is recommended that LinkedIn be endorsed as a sole supplier of the LinkedIn Talent Solutions.

3. Strategic Implications

3.1 Legislative / Legal Implications

Section 235(a) of the Local Government Regulation 2012 states that a local government may enter into a medium-sized contractual arrangement without first inviting written quotes or tenders if the local government resolves it is satisfied that there is only one supplier which is reasonably available.

3.2 Corporate Plan / Operational Plan

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

ITEM 6.1 SOLE SUPPLIER STATUS - LINKEDIN CORPORATION - A20199278 (Cont.)

3.3 Policy Implications

The proposed arrangement is in accordance with Council's Procurement Policy 2150-006.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Costs associated with the procurement are budgeted within the People, Culture and Safety Department's operational budget and the value of the contract is within the financial delegation of the Director Finance and Corporate Services.

Officers currently plan to procure the "LinkedIn Recruiter" and "LinkedIn Jobs" talent solutions at a cost of approximately \$29,302.00 per annum (for a 12-month term) which would render the relevant contract with LinkedIn a "medium-sized contractual arrangement" under the Local Government Regulation 2012.

3.7 Economic Benefit Implications

Officers consider that the procurement of the LinkedIn Talent Solutions will reduce reliance on external recruitment agencies, resulting in cost-savings for the organisation.

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Human Rights Implications Nil identified

3.11 Consultation / Communication

Corporate Procurement, Media and Communications Manager and Legal Services have been consulted in relation to the preparation of this Report.

ADJOURNMENT

The meeting adjourned at 10.38am for morning tea.

The meeting resumed at 11.10am.

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

ITEM 11.1 CHANGE OF SUBURB BOUNDARY

A20314504 : **Refer Supporting Information A20314464**

Cr Mick Gillam suggested that Council needs to consider the name for the suburb in which the MILLovate Project will sit and requested that the CEO prepare a report for Council on the possible boundary changes in the MILLovate site.

In 2011 the Moreton Bay Regional Council purchased land from Orora (Petrie Paper Mill site) for the intention of development for a University and similar associated uses.

The land parcel was split by Yebri Creek and therefore became part of two suburbs, Petrie and Kallangur.

Council's intention for the site would be better served by the areas shown in yellow (in the supporting information) all being part of one suburb, Petrie. This would avoid confusion in the future, as the site develops, when reference to the University is necessary as it wouldn't be spread over two suburbs. The two parcels in green are privately owned and the seven parcels in the orange area are privately owned as well. The section in blue is on the eastern side of Russell Street. They are all privately owned.

Queensland Place Names Authority deal with boundary changes in the following way:

Defining boundaries and extent

Locality boundaries

When a proposal to name a locality is being developed, the boundaries of the locality must be clearly defined and described on a plan. In general boundaries should:

- *align to property (cadastral) boundaries or easily distinguishable community or physical boundaries, such as breaks in residential development or zoning, open space areas, ridges, creeks, flood plains, major road centrelines, railways, canals or pipelines*
- *be positioned to include areas of similar character and similar functional relationships in the same locality wherever possible*
- *contain no gaps or overlaps*
- *not define a locality as an 'island' within another locality—all localities should share a boundary with at least 2 other localities or at least 1 other locality and a state or coastal boundary*
- *not extend beyond local government or state boundaries*
- *not segment land parcels or adjacent properties in common ownership*
- *not segment roads into different localities except where it is unavoidable for very long roads (this does not include dividing a road along the centreline where that road has been identified as a distinguishable barrier suitable for a boundary).*

Some exceptions to these principles may sometimes be necessary, for example in areas with complex local government boundaries or in large areas such as forests, lakes and national parks.

Dot Point 1. The changes would be to:

SP 309926 - Lots 1, 2, 3 and 5

SP 27046 - Lot 101

SP 204478 - Lot 2

SL 10426 - Lot 15

Dot Point 2. The areas will both serve a similar function in the future and it is better to rename it before there is any development.

ITEM 11.1 CHANGE OF SUBURB BOUNDARY - A20199278 (Cont.)

Dot Point 3. There are no gaps or overlaps.

Dot Point 4. An island will not be created and it will share a boundary with the suburb of Kallangur.

Dot Point 5. The location is all included in the Moreton Bay Regional Council LGA.

Dot Point 6. The proposal does not segment land parcels or adjacent properties in common ownership as all the parcels are owned by Moreton Bay Regional Council.

Dot Point 7. The proposal does not segment any existing roads.

The above proposal deals with all land owned by Moreton Bay Regional Council. It is suggested that private parcels in the green and orange areas be surveyed as to whether they would like to be included in the suburb of Petrie or stay in Kallangur. This would then make Russell Street, Dohles Rocks Road and the railway line the boundaries between Petrie and Kallangur.

This would encompass all the land owned by Moreton Bay Regional Council.

The two parcels in private ownership are:
SP 242303 - Lot 1 and SP 275545 - Lot 33.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

Cr Denise Sims voted against the motion

CARRIED 12/1

That the Chief Executive Officer prepare a report to Council on the possible boundary changes in the MILLovate site.

ITEM 11.2

KOALA ATTACK - SWEENEY'S RESERVE, PETRIE (DOG OFF-LEASH AREA)

Refer Supporting Information A20316243

Cr Peter Flannery (Mayor) reported on a recent koala attack at Sweeney's Reserve, Petrie where a baby koala had been killed and its mother sustained injuries, however was still alive.

The Mayor said that he was aware of a number of petitions in progress regarding this matter and advised that Council would be investigating the removal of the current dog off-leash area in this location.

Cr Denise Sims stated that since 2011, the vegetation in that area had significantly grown. Cr Sims and staff have had approximately five consultations onsite with users of the dog off-leash area and noted that there is conflict with the wildlife and Council needs to consider an alternative site.

Cr Matt Constance referred to Council having presence on the ground when dogs are off-leash and questioned the status of Council's resourcing when these incidents are occurring (noting it was an issue around the region). Cr Constance suggested Council needs to provide better education to the residents on the designated dog off-leash areas where it can.

RESOLUTION

Moved by Cr Peter Flannery (Mayor)

Seconded by Cr Matt Constance

CARRIED 13/0

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

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

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

CLOSED SESSION

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Jodie Shipway

CARRIED 13/0

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

The closed session commenced at 11.54am.

OPEN SESSION

RESOLUTION

Moved by Cr Darren Grimwade

Seconded by Cr Jodie Shipway

CARRIED 13/0

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

The open session resumed at 11.59am.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

ACQUISITION OF LAND FOR INTERSECTION UPGRADE PURPOSES - DAKABIN / NARANGBA

Meeting / Session: 2 INFRASTRUCTURE PLANNING

Reference: A19411008 : 7 May 2020 - Refer **Confidential Supporting Information A19413158**

Responsible Officer: AT, Principal Integrated Transport Planner (IP Integrated Transport Planning)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (h), as the matter involves other business for which a public discussion would be likely to prejudice the interests of the Council or someone else, or enable a person to gain a financial advantage.

Executive Summary

This report seeks Council's approval to acquire land for road purposes to facilitate an intersection upgrade, which will improve the operation and safety of the intersection of Boundary Road and Old Gympie Road, Dakabin / Narangba.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Mark Booth

CARRIED 13/0

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

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

CLOSURE

There being no further business the Chairperson closed the meeting at 12.01pm.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/1320 to 20/1440 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 22 July 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 5 August 2020.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor