



# AGENDA

## GENERAL MEETING

**Wednesday 9 June 2021**  
commencing at 9.30am

Caboolture Chambers  
2 Hasking Street, Caboolture

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**COUNCILLOR:**

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Wednesday 9 June 2021 commencing at 9.30am in Caboolture Chambers, 2 Hasking Street, Caboolture to give consideration to the matters listed on this agenda.

Greg Chemello  
Chief Executive Officer

3 June 2021

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**Membership = 13**  
Mayor and all Councillors

**Quorum = 7**

[Agenda for public distribution](#)

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## **STATEMENT - ATTENDEES AND LIVESTREAMING**

The Mayor to advise that the meeting will be live streamed and the video recording of the meeting will be available on the council's website.

Attendees must be aware that incidental capture of an image or sound of persons in the public gallery, may occur.

By remaining at the meeting attendees consent to being filmed and the possible use of their image and sound being published in the live streaming and recorded video of this meeting.

### **1. ACKNOWLEDGEMENT OF COUNTRY**

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Mayor, or nominee, to provide the Acknowledgement of Country.

### **2. OPENING PRAYER / REFLECTION**

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Mayor, or nominee, to provide the opening prayer / reflection for the meeting.

### **3. ATTENDANCE & APOLOGIES**

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#### **Attendance:**

Cr Peter Flannery (Mayor) (Chairperson)

#### **Apologies:**

### **4. MEMORIALS OR CONDOLENCES**

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

### **5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING**

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#### **General Meeting - 26 May 2021 (Pages 21/635 - 21/750)**

**RESOLUTION** that the minutes of the General Meeting held 26 May 2021, be confirmed.

***Attachment #1 Unconfirmed Minutes - General Meeting 26 May 2021***

**6. ADOPTION OF AUDIT COMMITTEE MEETING REPORT & RECOMMENDATIONS**

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**Audit Committee Meeting - 20 May 2021 (Pages 21/617 - 21/634)**

**RESOLUTION** that the report and recommendations of the Audit Committee Meeting held 20 May 2021, be adopted.

***Attachment #2 Unconfirmed Report & Recommendations - Audit Committee Meeting 20 May 2021***

**7. PRESENTATION OF PETITIONS**

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*(Addressed to the Council and tabled by Councillors)*

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

**8. CORRESPONDENCE**

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Receipt of correspondence addressed to the Council and tabled by the Chief Executive Officer, and Council responses to petitions tabled and community comment addresses (at the discretion of the CEO).

**9. COMMUNITY COMMENT**

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

**10. NOTICES OF MOTION (Repeal or amendment of resolutions)**

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*(s262 of the Local Government Regulation 2012)*

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

**11. CONFLICTS OF INTEREST NOTIFIED TO THE CEO**

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*Conflicts of interest notified to the CEO where not specifically related to an item on this agenda*

There are no notified conflicts of interest.

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## 12. 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
<b>1 Governance &amp; Engagement</b>	Cr P Flannery (Mayor)	Cr D Sims (Deputy Mayor)
<b>2 Infrastructure Planning</b>	Cr A Hain	C T Latter
<b>3 Engineering, Construction &amp; Maintenance</b>	Cr B Savige	Cr C Tonks
<b>4 Planning</b>	Cr D Grimwade	Cr K Winchester / Cr M Booth
<b>5 Community &amp; Environmental Services</b>	Cr M Gillam	Cr S Ruck
<b>6 Finance &amp; Corporate Services</b>	Cr M Constance	Cr J Shipway

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**1 GOVERNANCE & ENGAGEMENT SESSION**

**(Cr P Flannery, Mayor)**

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**ITEM 1.1**

**AUSTRALIAN FOOTBALL INDIGENOUS CORPORATION REQUEST FOR DISCRETIONARY FUNDS**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT

*Reference:* 62130577: 28 May 2021

*Responsible Officer:* KR, Executive Support Officer (FCS Governance & Executive Services)

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**Executive Summary**

The purpose of this report is to seek Council approval for the allocation of discretionary funds to the Australian Football Indigenous Corporation for the production of the 'Indigenous Justice Artwork story telling' book about a mural at the Caboolture Watchhouse.

**OFFICER'S RECOMMENDATION**

Council direction is required in relation to the request by the Australian Football Indigenous Corporation under Council's Discretionary Funds Policy for the 'Indigenous Justice Artwork story telling' in the amount of \$6000.

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ITEM 1.1 AUSTRALIAN FOOTBALL INDIGENOUS CORPORATION REQUEST FOR DISCRETIONARY FUNDS - 62130577 (Cont.)

**REPORT DETAIL**

**1. Background**

Council makes discretionary funds available each financial year to community organisations for community purposes in accordance with Council's Discretionary Funds Policy 2150-101, Discretionary Funds Availability Notice and Discretionary Funds Guidelines.

Unless otherwise approved by Council, each financial year, community organisations are eligible to submit applications not exceeding \$2,000 per application.

Community organisations may apply for discretionary funds from the Mayor and Councillors up to a maximum of \$2,000 (combined) each financial year.

In instances where a community organisation applies for discretionary funds in excess of \$2,000 the application is to be considered at Council's General Meeting.

**2. Explanation of Item**

The Australian Football Indigenous Corporation has requested \$6,000 in discretionary funds in support of the production of the 'Indigenous Justice Artwork story telling' book about a mural at the Caboolture Watchhouse.

The production of the 'Indigenous Justice Artwork story telling' book includes the appointment of a graphic artist and language consultant as well as printing.

The book launch date is scheduled for July to allow for Council's consideration of the discretionary funds application request.

As the total amount is above the maximum allowed in accordance with the Discretionary Fund Guidelines, Council's consideration is sought. Councillor Mark Booth and Councillor Adam Hain have each indicated they would like to support this request through the discretionary fund program to the amount of \$3,000 each.

**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 2020/2021 budget and the application for funding is eligible under the 2020/2021 Discretionary Funds guidelines.

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications  Nil identified

*ITEM 1.1 AUSTRALIAN FOOTBALL INDIGENOUS CORPORATION REQUEST FOR DISCRETIONARY FUNDS - 62130577 (Cont.)*

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Consultation has been undertaken with Manager Governance and Executive Services, Manager Community Services Sport and Recreation and the Divisional Councillors.

**ITEM 1.2**  
**4<sup>TH</sup> ANNUAL WASTE STRATEGY SUMMIT 2021**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 62132322 : 31 May 2021  
*Responsible Officer:* KR, Executive Support Officer (FCS Governance & Executive Services)

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**Executive Summary**

This report seeks consideration of Councillor attendance to the 4<sup>th</sup> Annual Waste Strategy Summit 2021 to be held at Crowne Plaza, Darling Harbour Sydney from 20-22 July 2021.

**OFFICER'S RECOMMENDATION**

1. That Councillor Brooke Savige be authorised to attend the 4<sup>th</sup> Annual Waste Strategy Summit 2021.
2. That the Chief Executive Officer arrange for officer attendance at this Summit as appropriate.

*ITEM 1.2 4TH ANNUAL WASTE STRATEGY SUMMIT 2021 - 62132322 (Cont.)*

## **REPORT DETAIL**

### **1. Background**

The 4<sup>th</sup> Annual Waste Strategy Summit 2021 is to be held at the Crowne Plaza, Darling Harbour Sydney from 20-22 July 2021. Cr Brooke Savige has indicated her interest in attending this event.

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

The 4<sup>th</sup> Annual Waste Strategy Summit 2021 is designed to stimulate discussion and enhance the Australian waste management industry's growth and modernisation.

The Summit will bring together key stakeholders in the waste sector, from local governments, government authorities, private enterprise and academics to examine what collaboration investment and technology is necessary to ensure an efficient, sustainable future for public and private sector waste management.

The Summit will include the following topics:

- The future of waste management in Australia;
- Addressing the landfill crisis;
- Embracing the circular economy;
- Product stewardship and reducing waste packaging in Australia;
- Soft plastics;
- Data and technology in waste management;
- Innovation in practice;
- Psychology of waste; and
- Waste enforcement;

### **3. Strategic Implications**

3.1 Legislative / Legal Implications  Nil identified

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

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

3.4 Risk Management Implications  Nil identified

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications  
Appropriate funds have been provided in the 2021/22 budget.

3.7 Economic Benefit Implications  
Topics associated with the summit will address a range of economic issues relevant to a local government context.

3.8 Environmental Implications  
Topics associated with the summit will address a range of economic issues relevant to a local government context.

3.9 Social Implications  
Topics associated with the summit will address a range of economic issues relevant to a local government context.

*ITEM 1.2 4TH ANNUAL WASTE STRATEGY SUMMIT 2021 - 62132322 (Cont.)*

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

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

**ITEM 1.3**  
**LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) - COASTAL LEADERS FORUM**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 62131816 : 31 May 2021  
*Responsible Officer:* LK, Executive Support Officer (FCS Governance & Executive Services)

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**Executive Summary**

The purpose of this report is to seek Council approval for Cr Peter Flannery (Mayor) to attend the Local Government Association of Queensland (LGAQ) - Coastal Leaders Forum to be held at the Gladstone Entertainment Convention Centre from 8-9 July 2021.

Approval is also sought for officer attendance at this Forum to be arranged as appropriate by the Chief Executive Officer.

**OFFICER'S RECOMMENDATION**

1. That Councillor Peter Flannery (Mayor) be authorised to attend the Local Government Association of Queensland (LGAQ) - Coastal Leaders Forum.
2. That the Chief Executive Officer arrange for officer attendance at this Forum as appropriate.

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*ITEM 1.3 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) - COASTAL LEADERS FORUM - 62131816 (Cont.)*

## **REPORT DETAIL**

### **1. Background**

The Local Government Association of Queensland (LGAQ) - Coastal Leaders Forum is to be held at the Gladstone Entertainment Convention Centre from 8-9 July 2021. The invitation is aimed at Mayors and Chief Executive Officers of Queensland Councils. Cr Peter Flannery (Mayor) has expressed an interest in attending the Forum.

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

The LGAQ -Coastal Leaders Forum is designed to recognise the unique challenges and opportunities facing Queensland coastal councils and will provide an opportunity to initiate and progress strategic discussions, identify coastal council-specific priorities and actions, showcase coastal initiatives and share information. The forum will include:

- current and emerging issues impacting on Queensland's coastal communities;
- the examination of existing advocacy priorities and distil any new specific priorities and actions;
- engagement with key State and Federal Government representatives on critical topics;
- to discuss any assistance, advice, training, and networking opportunities that may be needed; and
- guest speakers to present on a range of coastal challenges, opportunities and initiatives.

### **3. Strategic Implications**

3.1 Legislative / Legal Implications  Nil identified

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

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

3.4 Risk Management Implications  Nil identified

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications  
Appropriate funds have been provided in the 2021/22 budget.

3.7 Economic Benefit Implications  
Topics associated with the forum will address a range of economic issues relevant to a local government context.

3.8 Environmental Implications  
Topics associated with the forum will address a range of environmental issues relevant to a local government context.

3.9 Social Implications  
Topics associated with the forum will address a range of social implications relevant to a local government context.

*ITEM 1.3 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) - COASTAL LEADERS FORUM - 62131816 (Cont.)*

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

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

## ITEM 1.4 REGIONAL ECONOMIC DEVELOPMENT STRATEGY TASKFORCE

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 62144100 : 1 June 2021 - **Refer Supporting Information 62144099 & 62144098**  
*Responsible Officer:* PM, Chief Economic Development Officer (CEO, Economic Development)

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### Executive Summary

The Moreton Bay Regional Economic Development Strategy (REDS) 2020-2041 was adopted by Council on 3 February 2021. The first action of the REDS was the establishment of a Taskforce to guide the implementation of the REDS to deliver strong economic leadership.

The Taskforce is to be established under section 264 of the Local Government Regulation 2012 as an advisory committee to Council (see Attachment 1 - Draft Terms of Reference) and accordingly will have no decision-making authority and will not be able to direct Council staff.

Council advertised for the positions on the REDS Taskforce in February 2021 and 23 nominations were received at the closing date in April with the consultant, shortlisting seven (7) people for the positions. Feedback on the process was also sought from RDA Moreton Bay and Moreton Bay Region Industry and Tourism (MBRIT).

The Taskforce is made up of nine (9) members, including the Mayor and the Chief Economic Development Officer (CEDO) from Council and seven (7) local private sector business leaders. The Taskforce is expected to provide expert advice and guidance to Council on economic development matters and review key actions from the REDS to ensure the achievement of results and support delivery of the REDS economic vision and aspirational goals. Having the Taskforce made up of local businesspeople is an important demonstration to industry and the community that Council is receiving expert advice in support of the REDS delivery and working towards achieving its goals.

### OFFICER'S RECOMMENDATION

1. That in accordance with section 264(1)(b) of the Local Government Regulation 2012, Council establishes the Regional Economic Development Strategy (REDS) Taskforce as an advisory committee of Council.
2. That the Terms of Reference for the Regional Economic Development Strategy (REDS) Taskforce be adopted, as tabled.
3. That the Regional Economic Development Strategy (REDS) Taskforce consists of the Mayor, Chief Economic Development Officer (CEDO) and seven external committee members.
4. That the Council appoints the Mayor as Chairperson of the Regional Economic Development Strategy (REDS) Taskforce and the Chief Economic Development Officer (CEDO) as a committee member of the Regional Economic Development Strategy (REDS) Taskforce.
5. That in accordance with section 257 of the *Local Government Act 2009*, the Chief Executive Officer be delegated authority to appoint the seven external committee members of the Regional Economic Development Strategy (REDS) Taskforce, as outlined in this report.
6. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, implementing and discharging the Terms of Reference of the Regional Economic Development Strategy (REDS) Taskforce.

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*ITEM 1.4 REGIONAL ECONOMIC DEVELOPMENT STRATEGY TASKFORCE - 62144100 : 1 June 2021 (Cont.)*

## **REPORT DETAIL**

### **1. Background**

HRM Contracting (HRM) was commissioned on 25 January 2021 to complete the advertising, recruitment and selection of the REDS Taskforce. Advertisements were placed on SEEK (and promoted via Council social media) and the vacant positions were also sent to Chambers of Commerce and Industry Groups among others. A total of 23 nominations were received for the seven (7) private sector positions on the Taskforce.

The establishment of a REDS Taskforce is a key action of the REDS which was adopted by Council on 3 February 2021. The Taskforce is a volunteer group which will provide expert advice and guidance to Council on economic development matters and review key actions from the REDS to ensure the achievement of results and support delivery of the REDS economic vision and aspirational goals.

The key functions of the Taskforce are to:

- guide the transitions to, and build the identity of our progressive economy as articulated in the REDS;
- assess progress in the delivery of the REDS to ensure outcomes and performance measures are met;
- advocate the region's competitive strengths to secure new investment;
- monitor, encourage and support the contributions of partner organisations which have committed to delivering actions identified in the REDS; and
- oversee the development of an annual report on the delivery of actions contained in the REDS.

These roles are voluntary and will not be remunerated. It was also a requirement of shortlisting that to be considered, the candidates either had to live locally and/or their business had to operate locally. All the shortlisted candidates meet one or both of the requirements. A Draft Terms of Reference is attached and provides direction on the actions and responsibilities of the Taskforce.

A briefing with Councillors was held on 27 May 2021 noting:

*A report to be brought to a future Council meeting for Council's consideration regarding the recommended members of the Regional Economic Development Strategy Taskforce.*

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

The establishment of a REDS Taskforce is a key action of the REDS which was adopted by Council on 3 February 2021. The responsibilities of the Taskforce include, but are not limited to:

1. providing strategic advice on the direction and progress of implementation of the REDS actions and priorities under related time frames;
2. recommending future actions and/or responses to resolve emerging opportunities related to the implementation of REDS initiatives or to accommodate changing economic conditions;
3. facilitating and encouraging cooperation, partnerships and contributions to deliver REDS initiatives;
4. informing the development and assisting to drive implementation of priority industries and the four pillars;
5. identifying key avenues for, and assisting to secure, critical capital investment to deliver the region-building projects identified in the REDS and to encourage new investment in our priority industries;
6. supporting initiatives that position Moreton Bay as one of Australia's top 10 regional innovation hubs; and
7. advising on and helping to promote export and trade initiatives.

As per the REDS initial action plan, the Taskforce is expected to meet a minimum of six (6) times from Council adoption of the REDS until 30 June 2022. Appointment to the Taskforce is for an initial two (2) years with the possibility of extension.

*ITEM 1.4 REGIONAL ECONOMIC DEVELOPMENT STRATEGY TASKFORCE - 62144100 : 1 June 2021 (Cont.)*

The Taskforce will add a valuable business/private-sector voice to the ongoing delivery/implementation of the REDS and will allow Council to have the private sector standing with it when it releases key programs and initiatives.

Economic Development will provide the secretariat support for the Taskforce and it is expected that the Taskforce will present an annual report to Council. Economic Development plans to rotate meetings across the region and will invite Councillors to attend sessions when meetings are held in their Division. It will also invite the local business group/Chamber to attend any social element to the meeting. For example, it is planned that meetings conclude with light refreshments at which time some local business leaders and business group/Chamber representatives will also be invited to meet the Taskforce and discuss any of their priorities.

The recommended Taskforce nominees are:

<b>Candidate</b>	<b>Comment</b>
Michael Holstrom	<i>Co-founder &amp; CEO of STEM Punks Ventures Pty Ltd - aligns to Brighter goals and Knowledge and Innovation and Entrepreneurship priority industry in the REDS.</i>
Leanne Kemp	<i>Founder and CEO of Everledger, former Qld Government Chief Entrepreneur, aligns to Brighter goals and Knowledge and Innovation and Entrepreneurship priority industry in the REDS.</i>
Craig Shim	<i>Founder &amp; Director, Alphacrane Intercultural Specialist, former tourism industry senior manager, aligns with Tourism, Sports and Major Events priority industry as well as Trade and Investment pillar in the REDS.</i>
Allison McGruddy	<i>Co-founded My Berries (of Tim Tam fame) - aligns with Food and Agribusiness priority industry and Trade and Investment pillar in the REDS.</i>
Garth Haslam	<i>Centre Manager &amp; Regional Manager - Facilities at Scentre Group - aligns with 'identity' piece for the region and small business connectivity (more than 200 businesses operate at Westfield North Lakes with many of them being small businesses). Also provides valuable retail advice which is a large employer across the region.</i>
Lea Ea	<i>Partner, Arrow Emergency Systems and former senior executive at global corporate in South East Asia, aligns with Advanced Manufacturing priority industry and Trade and Investment pillar in the REDS.</i>
David Crowley	<i>Asia Pacific Health Sector Lead, Mott MacDonald - leads the Health Sector for the Asia-Pacific Region, which incorporates Greater China, South East Asia, Australia, and New Zealand practice which includes, healthcare and hospitals, biotechnology and advanced manufacturing, digital health, and aged care. Provides coverage in important biotech/health industry and connected to both advanced manufacturing and knowledge priority industries in the REDS.</i>

Further information and background on the nominees is provided in supporting information #2.

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ITEM 1.4 REGIONAL ECONOMIC DEVELOPMENT STRATEGY TASKFORCE - 62144100 : 1 June 2021 (Cont.)

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

The Taskforce is to be established under section 264 of the Local Government Regulation 2012 as an advisory committee to Council and accordingly will have no decision-making authority and will not be able to direct Council staff. Council's Legal Services Department has reviewed the draft Terms of Reference and will be consulted on appointment letters to successful candidates.

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

The establishment of the Taskforce and appointment of Taskforce members is the first action in the Regional Economic Development Strategy actions which were adopted by Council on 3 February 2021.

#### 3.4 Risk Management Implications

The Draft Terms of Reference sets out the mutual obligations and requirements of Taskforce members with regard to their responsibilities and limitations. An induction of Taskforce members will be conducted at the first meeting to outline responsibilities and members will be asked to sign declarations of interest/conflict of interest.

#### 3.5 Delegated Authority Implications Nil identified

#### 3.6 Financial Implications

Economic Development will provide the secretariat support for the Taskforce and manage its operations from existing operational funds.

#### 3.7 Economic Benefit Implications

Without a vibrant and growing economy, and support for the small business community, there would be a lack of jobs, income and wealth, which in turn would cause a number of far reaching social and community issues. The work that is undertaken in the REDS strategy and supported by advice from the Taskforce, provides a framework of actions to ensure a strong and vibrant local economy including the creation of jobs which will lead to economic and community benefits for the region.

#### 3.8 Environmental Implications Nil identified

#### 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 human rights relevant to its decision, Officers consider that there are no human right implications relevant to Council's decision.

#### 3.11 Consultation / Communication

Councillors  
Manager, Strategy and Engagement  
Moreton Bay Region Industry and Tourism (MBRIT)  
Regional Development Australia Moreton Bay (RDAMB)

**SUPPORTING INFORMATION**

Ref: [62144099](#) & [62144098](#)

The following list of supporting information is provided for:

**ITEM 1.4  
REGIONAL ECONOMIC DEVELOPMENT STRATEGY TASKFORCE**

***#1 REDS Taskforce Terms of Reference***

***#2 REDS Taskforce Nominees***

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**2 INFRASTRUCTURE PLANNING SESSION**

**(Cr A Hain)**

**ITEM 2.1**

**WAMURAN - CAMPBELLS POCKET ROAD - PROPOSED NAMING OF H & J WALTERS RECREATION AREA**

*Meeting / Session:* 2 INFRASTRUCTURE PLANNING  
*Reference:* 61721100 : 18 November 2020  
*Responsible Officer:* BS, Technical Officer (IP Parks & Recreation Planning)

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**Executive Summary**

An application has been received requesting that an area of parkland, located at 109 Campbells Pocket Road, Wamuran, be named after Howard and Jenny Walters. This report provides Council with background information relevant to the application and recommends that an area within Lot 6, SP227516 (Figure 1) be named "H & J Walters Recreation Area".

District Sports and Recreation facilities have been identified for delivery on the site under Council's Local Government Infrastructure Plan (LGIP) and Council's Interim Sports Facilities Plan 2012-2031 (ref 35), identifying the need for facility upgrades.

Installation of a sign in advance of these works is considered appropriate. The naming would not preclude future secondary precinct or field naming should this be sought once the intended facilities are constructed.

**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 an area within Lot 6, SP227516 (Figure 1) as "H & J Walters Recreation Area", be approved.
2. That public advertising of the proposal to name the area be undertaken via appropriate digital and print media platforms, having a distribution covering the general vicinity of the subject park, 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 advertising; the matter be referred to Council in a subsequent report.

*ITEM 2.1 WAMURAN - CAMPBELLS POCKET ROAD - PROPOSED NAMING OF H & J WALTERS RECREATION AREA - 61721100 (Cont.)*

**REPORT DETAIL**

**1. Background**

An application has been received by Council requesting that an area of parkland within Lot 6, SP227516, located at 109 Campbells Pocket Road, Wamuran, be named in recognition of Howard and Jenny Walters.

The need for additional district sports facilities has been identified in the Wamuran area and an investigation revealed that the western portion of Lot 6, SP227516 is capable of providing these facilities. The Wamuran area is also deficient for district play facilities, and a future district level passive recreation area is also proposed for the eastern portion of the site with delivery being included within the draft revised LGIP, referred to as LGIP2.

The extent of future facility expansion has been shown outlined in the shaded area in Figure 1 and will contain the recreation area proposed for naming.



**Figure 1: Lot 6, SP227516 area proposed for naming**

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ITEM 2.1 WAMURAN - CAMPBELLS POCKET ROAD - PROPOSED NAMING OF H & J WALTERS RECREATION AREA - 61721100 (Cont.)

## 2. Explanation of Item

The application to name a park or recreation reserve under Council control was lodged by Division 12 Councillor Tony Latter, in recognition of the contributions made by Howard and Jenny Walters to the Wamuran community. Acknowledging that the area will eventually be developed with both sports fields (LGIP 1) and a passive recreation area (draft LGIP 2), it is proposed that Council consider naming the recreation area, in recognition of Mr & Mrs Walters.

Information received from the applicant notes the following in respect of Mr & Mrs Walters:

*Howard and Jenny Walters are long-time community members of the Wamuran Community and managed the Wamuran Sports Club at the Wamuran Sports Grounds for 15 years, Howard also was the founding President of the Wamuran Lions and is the Current Chair of the Wamuran Co-op. Jenny recently passed away suddenly and her contribution is greatly missed.*

*Howard is often affectionately referred to as the 'Mayor of Wamuran' because of the work he has put into the area. Howard and Jenny tirelessly maintained the Sports Complex and initiated the Friday night dinners that raised funds for local sporting clubs.*

It should also be noted that the section of parkland being considered for naming, is being regularly mowed and is actively being used by residents to walk and exercise.

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 Division 12 Councillor, Tony Latter and State MP, Andrew Powell. The proposal was also referred to Council's Sport and Recreation team, who have advised that they have no objections to the proposed naming.

The recommendation to name the area after Howard and Jenny Walters complies with the Council's policy guideline as outlined below:

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

Council internal policy requires that any proposal to name an area of parkland 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. Other suitable digital media outlets will also be utilised where local print newspapers are not in existence.

It is recommended the sign for this proposed naming be installed on the Mountain Track Drive frontage of the proposed passive recreation area.

A history board is proposed to be installed in conjunction with the new signage to explain the connection Mr & Mrs Walters had with the land. The proposed wording is as follows:

*"Howard & Jenny Walters were significant volunteers within the Wamuran Community and were heavily involved with the adjacent sports complex."*

*ITEM 2.1 WAMURAN - CAMPBELLS POCKET ROAD - PROPOSED NAMING OF H & J WALTERS RECREATION AREA - 61721100 (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 Infrastructure Planning 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  
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 right implications relevant to Council's decision in this matter.
- 3.11 Consultation / Communication  
The proposed naming is supported by the Division 12 Councillor and State MP, Andrew Powell.

## ITEM 2.2 WATERWAYS PORTFOLIO ASSET MANAGEMENT PLAN

*Meeting / Session:* 2 INFRASTRUCTURE PLANNING  
*Reference:* 62133369 : 20 May 2021 - **Refer Supporting Information 61993938**  
*Responsible Officer:* JF, Asset Management Manager (IP Asset Management)

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### Executive Summary

The purpose of this report is to present the Waterways Portfolio Asset Management Plan to Council for adoption. The primary function of waterways assets is to improve and protect the health of natural waterways by reducing erosion and sedimentation issues and allowing fish passage throughout the Council region. The waterways portfolio is made up of various financial and non-financial assets, with non-financial assets (Natural Waterways and Riparian Revegetation) making up over 96% of the portfolio. The financial assets (Bank Stabilisation and Fishways) have an estimated replacement value of \$1.47M.

The Waterways Portfolio Asset Management Plan (AMP) proposes that Council should increase the current planned and reactive maintenance budgets from \$250K by an additional \$50K per annum to a total of \$400K per annum in FY2025, continue to invest in currently identified and budgeted riparian rehabilitation and revegetation projects (on average \$560K per annum), continue to invest in new waterways asset acquisitions (~\$43M over the next 15 years), and include a future provision of \$80K for capital replacement of the fishway in FY2031 and FY2035 and again in FY2046 and FY2051 totalling \$320K across a 30 year period.

The combined operational and capital funding increases will return the existing asset base to an adequate condition that is consistently maintained appropriately over a longer term horizon. This will significantly reduce the risk of asset failure and health and safety risks.

### OFFICER'S RECOMMENDATION

1. That the Waterways Portfolio Asset Management Plan be adopted, as tabled.
2. That provision be made in the next long term financial forecast for the funding required to progressively improve and upgrade Council's Waterways assets to meet the standards of service outlined in the Waterways Portfolio Asset Management Plan. The budget allocation recommendations are:
  - a) Increase the current budgets for planned and reactive maintenance from \$250K per annum by an additional \$50K per annum, commencing FY2023, to a total of \$400K in FY2025. The increased amount includes allowance for maintenance of current riparian vegetation identified in this AMP.
  - b) Continue to invest in currently identified and budgeted riparian rehabilitation and revegetation projects, on average \$560K per annum.
  - c) Continue to invest in new waterways asset acquisitions i.e. ~\$43M over the next 15 years.
  - d) Include future renewal provision of \$80K for capital replacement of the fishway in FY2031 and FY2035 and again in FY2046 and FY2051 totalling \$320K across a 30 year period.

ITEM 2.2 WATERWAYS PORTFOLIO ASSET MANAGEMENT PLAN - 62133369 (Cont.)

**REPORT DETAIL**

**1. Background**

A Council briefing was conducted on 27 May 2021 for the purpose of sharing information and providing advice/views to Council on the matter, and to receive Councillor feedback and input.

Council Briefing outcomes were noted as follows:

- *The Waterways Portfolio Asset Management Plan to be submitted to a General Meeting for consideration of adoption.*

As part of the ongoing development of Council's asset management planning, a Waterways Portfolio Asset Management Plan (AMP) has been developed. The AMP outlines the Council's approach to the management of waterways assets located throughout the Council's area. The primary function of waterways assets is to improve and protect the health of natural waterways by reducing erosion and sedimentation issues and allowing fish passage throughout the Council region.

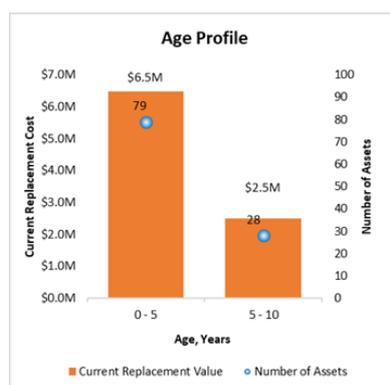
The waterways portfolio is made up of various financial and non-financial assets with non-financial assets (Natural Waterways and Riparian Revegetation) making up over 96% of the portfolio. The financial assets have an estimated replacement value of \$1.47M. Table 1 summarises the Council's waterways assets, the expected useful lives for each asset type, current average age, and current replacement cost.

Asset Classification Type	Asset Type Description	Qty	Expected Useful Life (Years)	Current Average Age (Years)	Financial Asset / Non - Financial Asset	Current Replacement Cost
Natural Waterways	River or Creek	988 km	N/A	N/A	Non-Financial	N/A (see note)
Waterway Protection (constructed)	Riparian Revegetation	125 ha	100	5	Non-Financial	N/A (see note)
	Bank Stabilisation	2 no.	50	2	Financial	\$1,312,441
Waterway Structures (constructed)	Fishway	2 no.	15	2	Financial	\$160,490
<b>TOTAL</b>						<b>\$1,472,930</b>

NOTE: Rivers, creeks and riparian revegetation are not financially recognised. Unit of measure noted where applicable

**Table 1 - Current Replacement Cost by Asset Type**

Figure 1 below shows the age profile for Council's Waterways assets, which indicates the number of assets and their total current replacement cost within each age band. For riparian revegetation assets, the cost reflects an estimate of the initial investment of approximately \$8.6 million made to create the asset and is based on an average cost per hectare derived from recent projects. The value does not include natural waterway assets (rivers and creeks).



**Figure 1 - Asset Age Profile**

ITEM 2.2 WATERWAYS PORTFOLIO ASSET MANAGEMENT PLAN - 62133369 (Cont.)

Figure 2 shows the indicative condition profile for the constructed waterways asset portfolio. Council's asset register does not currently contain condition data against these assets and an estimate of condition has been made based upon asset age and useful life. The estimated condition indicates that all constructed waterways assets are expected to be in very good condition.

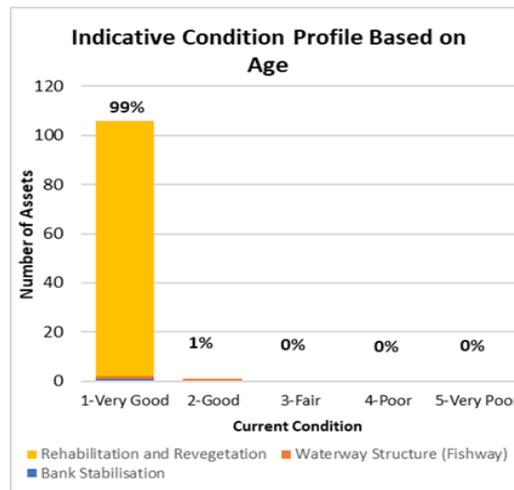


Figure 2 - Asset Condition Profile

Whilst Council has previously performed ad-hoc testing on the natural waterways assets to assess the overall stream health, there is no formal testing or maintenance regime in place. This should be considered in conjunction with the activities performed by State Government. Council's investment and contribution into the waterways asset portfolio is predominantly focused on the investment in riparian vegetation, bank stabilisation and fishway assets which all indirectly support and improve the function and condition of the natural waterways assets (rivers/creeks).

The Waterways Portfolio Asset Management Plan has been provided as supporting information and outlines plan information in further detail.

**2. Explanation of Item**

The Waterways Portfolio Asset Management Plan has been developed as a tool to assist Council in achieving the following key strategic asset management objectives:

- Optimising maintenance and renewal practices
- Prioritising investment to achieve maximum value
- Validating investment decisions to confirm funds are being spent effectively
- Identifying lower lifecycle cost solutions
- Managing risk to an appropriate level
- Monitoring and recording of the condition of waterways assets
- Modelling to predict future condition and associated maintenance requirements
- Optimise asset performance
- Minimise asset failure where minimal assets reach a poor condition

**Condition**

Understanding the condition of Council's waterways assets is important for their effective management. Waterway condition is very strongly influenced by the characteristics, processes and actions in the surrounding landscape such as the type and extent of catchment and riparian vegetation, regional climate and land use. Council does not currently record a 1-5 condition rating on the waterways asset portfolio. To support future improvements to this asset management plan, it is recommended that Council investigates a condition rating methodology for all waterways assets (including natural waterways) to obtain an accurate representation of condition. This would potentially involve the review of any regular testing that occurs to determine an overall condition for the natural waterways, working in partnership with the State Government.

ITEM 2.2 WATERWAYS PORTFOLIO ASSET MANAGEMENT PLAN - 62133369 (Cont.)

**Key Issues**

Maintenance budget - Currently, the maintenance budget of \$250,000 is insufficient to maintain all riparian revegetation assets and is usually spent on a handful of assets in any year, leaving the remainder of the assets un-serviced and at compromise of weed invasion. The ongoing maintenance should be increased as set out in the recommended maintenance section to this plan in order to ensure the assets are adequately maintained.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Section 167 - Preparation of a Long-Term Asset Management Plan - of the Local Government Regulation 2012 states that –

- (1) A local government must prepare and adopt a Long-Term Asset Management Plan.
- (2) The Long-Term Asset Management Plan continues in force for the period stated in the plan unless the local government adopts a new Long-Term Asset Management Plan.
- (3) The period stated in the plan must be 10 years or more.

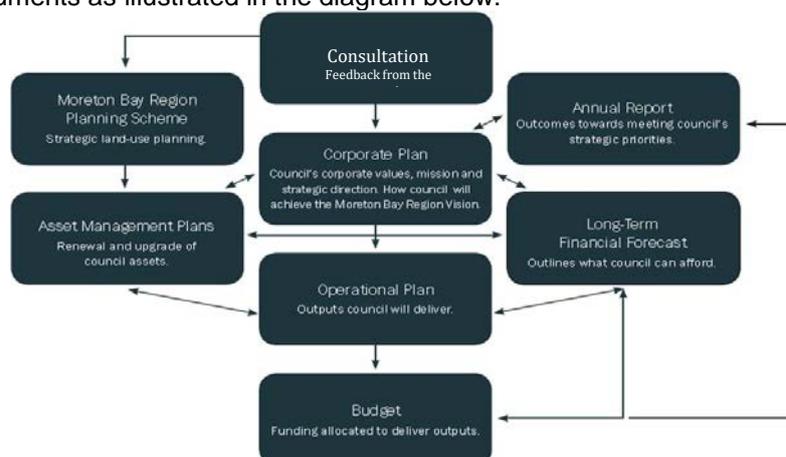
Additionally, Section 168 of the Local Government Regulation 2012 states that Council's Long-term Asset Management Plan must:

- (a) provide for strategies to ensure the sustainable management of the assets mentioned in the local government's asset register and the infrastructure of the local government; and
- (b) state the estimated capital expenditure for renewing, upgrading and extending the assets for the period covered by the plan; and
- (c) be part of, and consistent with, the long-term financial forecast.

**3.2 Corporate Plan / Operational Plan**

Council is committed to achieving the community's vision for the Moreton Bay Region. This vision represents a thriving region of opportunity where our communities enjoy a vibrant lifestyle and is structured upon three key elements; creating opportunities, strengthening communities and valuing lifestyle. These three tiers are underpinned by concepts such as local jobs for residents, strong local governance, and quality recreation and cultural opportunities.

The Strategic Asset Management Plan (SAMP) and supporting AMP's have direct linkages with other corporate documents as illustrated in the diagram below:



**Figure 3 - Asset Management within MBRC Statutory Planning Context**

As mentioned above, these plans inform Council's Long Term Financial Forecast (LTFF) in relation to costs associated with new, renewal and upgrade of assets. The plan also guides Council's Corporate Plan in relation to what Council intends to achieve, in relation to strategic asset management and informs Council's capital works program which forms part of the Operational Plan and Budget.

ITEM 2.2 WATERWAYS PORTFOLIO ASSET MANAGEMENT PLAN - 62133369 (Cont.)

3.3 Policy Implications

The Infrastructure Asset Management Policy (Policy No. 2150-043) was adopted by Council on 9 December 2020.

3.4 Risk Management Implications

Risk management associated with waterways assets are included in the plan.

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

An analysis was carried out to determine the future condition of the waterways asset portfolio with the recommended budget and benchmarked to the current average annual renewal budget.

Figure 4 below illustrates that with the currently adopted funding, the condition of the assets will decline to a point in time around the year 2073 where the portfolio as a whole will fail to meet the required standard. The impact of this is likely to be poor quality waterways, potential for fish kills and other ecological or environmental adverse effects.

With the recommended funding the overall portfolio is expected to continue to meet service levels and strategic objectives well into the future resulting in a much improved position for Council.

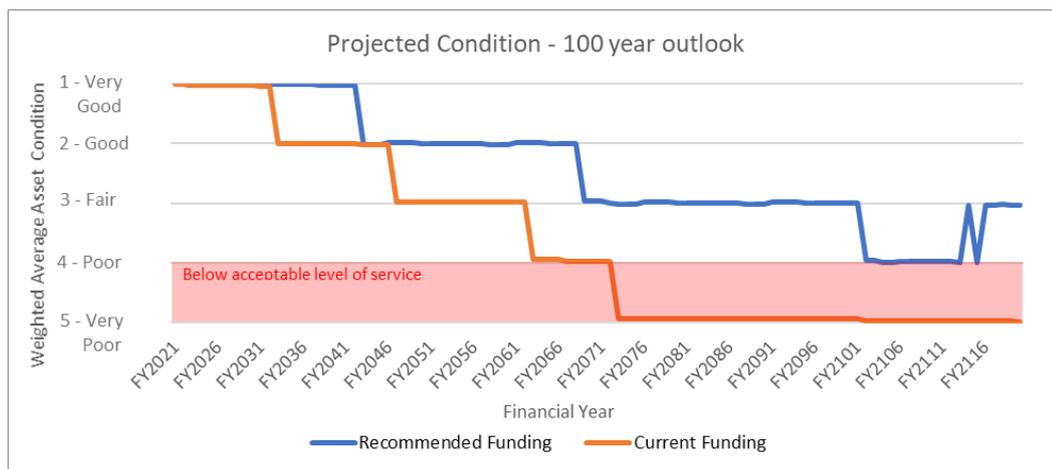


Figure 4 - Asset Projected Condition Outlook

The recommended total budget allocations are outlined below:

- Increase the current budgets for planned and reactive maintenance **from \$250,000 per annum by an additional \$50,000 per annum, commencing FY2023, to a total of \$400,000 in FY2025.**
- Continue to invest in currently identified and budgeted riparian rehabilitation and revegetation projects, on **average \$560K per annum.**
- Continue to invest in new waterways asset acquisitions i.e. **~\$43M over the next 15 years**
- Include **future renewal provision of \$80K** for capital replacement of the fishway in FY2031 and FY 2035 and again in FY2046 and FY2051 **totalling \$320K within 30 years.**

With the recommended funding, the overall portfolio is expected to continue to meet service levels and strategic objectives well into the future and avoid significant future rehabilitation and renewal costs. As per Council's strategic asset management framework, it is imperative that Council adopts a proactive approach to managing assets including planned preventative and routine maintenance. The proactive approach will extend the life of assets and minimise the risk of assets reaching a state beyond repair, where expensive full replacement costs would otherwise be incurred.

*ITEM 2.2 WATERWAYS PORTFOLIO ASSET MANAGEMENT PLAN - 62133369 (Cont.)*

The recommended funding adjustments, both for capital renewal/replacement and routine and planned maintenance, will allow Council to achieve its strategic asset management objectives including:

- Organisational commitment to effective asset management
- Managing risk appropriately
- Delivery of services to agreed standards
- Optimise asset performance
- Minimise asset failure through earlier intervention.

3.7 Economic Benefit Implications

Sustainable provision and management of Council's waterways assets supports economic growth across the region. Additionally, a well-managed waterways asset portfolio improves the overall amenity of the region and is highly valued by the community.

3.8 Environmental Implications

The effective management of Council's waterways assets assists in improving environmental outcomes.

3.9 Social Implications

The timely and cost-effective management of Council's waterways assets contributes to the overall benefit of residents, visitors, business and industry, by providing the necessary assets to support the region's quality lifestyle.

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Moreton Bay Regional Council officers, asset owners and Councillors have been consulted in the preparation of this plan.

**SUPPORTING INFORMATION**

**Ref: [61993938](#)**

The following list of supporting information is provided for:

**ITEM 2.2  
WATERWAYS PORTFOLIO ASSET MANAGEMENT PLAN**

***#1 Waterways Portfolio Asset Management Plan***

## ITEM 2.3 GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN

*Meeting / Session:* 2 INFRASTRUCTURE PLANNING  
*Reference:* 62132212 : 20 May 2021 - **Refer Supporting Information 62004653**  
*Responsible Officer:* JF, Asset Management Manager (IP Asset Management)

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### Executive Summary

The purpose of this report is to present the Green Infrastructure Portfolio Asset Management Plan to Council for adoption. The Green Infrastructure asset portfolio has a total estimated value of \$11.7 million across seven asset types that provide safe and ongoing movement opportunities for wildlife and improve road safety for all road users across the Council region.

The Green Infrastructure Portfolio Asset Management Plan (AMP) proposes that Council should retain the current materials maintenance budget (\$25K p.a.), extend the current operational budget of \$75K for wildlife stencils renewal/maintenance beyond FY2023, allocate a new inspection and maintenance budget of \$48K p.a. and a new minor modifications budget of \$50K p.a., both from FY2023 onwards. The AMP also proposes that Council continue to invest in new Green Infrastructure acquisitions as per the current program and subsequent reviews (\$11.0M over the next 10 years), and maintain the current capital renewal budget (average of \$200K p.a.) through to FY2054 and then increase to \$800K from FY2055 onwards (subject to future condition evaluations).

The combined operational and capital funding increases will return the existing asset base to an adequate condition that is consistently maintained appropriately over a longer term horizon. This will significantly reduce the risk of Green Infrastructure asset failure, health and safety risks, ensure the Green Infrastructure functions as intended, and will minimise the likelihood of expensive lump sum replacement expenditure in the future.

### OFFICER'S RECOMMENDATION

1. That the Green Infrastructure Portfolio Asset Management Plan be adopted, as tabled.
2. That provision be made in the next long term financial forecast for the capital funding and maintenance required beyond financial year 2031 (FY2031) to progressively improve and upgrade the Council's Green Infrastructure assets to meet the standards of service outlined in the Green Infrastructure Portfolio Asset Management Plan. The budget allocation recommendations are:
  - a) Retain the current budget of \$25K per annum for materials for Green Infrastructure maintenance.
  - b) Continue the current annual operational budget of \$75K beyond FY2023 to provide a continuous program for renewal and maintenance of wildlife stencils (road marking).
  - c) Allocate a new budget of \$48K per annum for inspection and maintenance of Green Infrastructure assets from FY2023 onwards.
  - d) Allocate a new budget of \$50K per annum for minor modifications of Green Infrastructure assets from FY2023 onwards.
  - e) Continue to invest in new Green Infrastructure acquisitions as per the current program, and subsequent reviews, i.e. \$11.0M over the next 10 years.
  - f) Maintain the current capital renewal budget (average of \$200K per annum) through to FY2054 and then increase to \$800K from FY2055 onwards (subject to future condition evaluations).

ITEM 2.3 GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN - 62132212 (Cont.)

**REPORT DETAIL**

**1. Background**

A Council briefing was conducted on 27 May 2021 for the purpose of sharing information and providing advice/views to Council on the matter, and to receive Councillor feedback and input.

Council Briefing outcomes were noted as follows:

- *The Green Infrastructure Portfolio Asset Management Plan to be submitted to a General Meeting for consideration of adoption.*

As part of the ongoing development of Council's asset management planning, a Green Infrastructure Portfolio Asset Management Plan (AMP) has been developed. The AMP outlines the Council's approach to the management of Green Infrastructure assets located throughout the Council's area. The primary function of Green Infrastructure assets is to provide safe and ongoing movement opportunities for wildlife and to improve road safety for all road users. Green Infrastructure assets include fauna escape and refuge poles, fencing, road overpasses and underpasses, nest boxes and wildlife stencil road markings located across the region.

Collectively, the Green Infrastructure assets have an estimated replacement value of \$11.7M. Table 1 summarises the Council's Green Infrastructure assets, the expected useful lives for each asset type, current age range, and current replacement cost. Nest boxes and wildlife stencils are not financially recognised as they fall below the financial recognition threshold; but they have an estimated replaced value of \$353K bringing the total portfolio value to \$11.7M.

Asset Type	Description/sub-types	Qty	Expected Useful life (Years)	Current Age Range (Years)	Current Replacement Cost
<b>Financial Assets</b>					
<b>Fauna Escape Poles</b>	Fauna escape poles are provided along fauna fences, which allow any wildlife trapped within the road corridor to escape while ensuring that wildlife within bushland cannot enter the roadway	185	20	0-14	\$102K
<b>Fauna Fencing</b>	Fauna fences are designed to exclude wildlife from the road corridor.	80	20	0-26	\$4.39M
<b>Fauna Overpass</b>	Fauna overpasses are provided to allow passage for wildlife above the road which in turn reduces the risk of wildlife-vehicle collisions	64	50	0-5	\$6.08M
<b>Fauna Refuge Poles</b>	Refuge poles are supplied within the open spaces which help the wildlife by providing refuge from predators.	7	20	0-2	\$3K
<b>Fauna Underpass</b>	Fauna underpasses provide safe passage for a range of wildlife allowing unrestricted access to habitat that has been fragmented by the construction of a road	9	40	0-5	\$729K
<b>Subtotal for Financial Assets</b>					<b>\$11.3M</b>
<b>Non-financial assets</b>					
<b>Nest Boxes</b>	A nest box is an enclosure built especially for animals to nest, roost or shelter in.	55	20	0-21	\$11K
<b>Wildlife-Stencils</b>	Road marking to alert drivers that the area is frequented by specific type of fauna.	57	5	0-3	\$342K
<b>Subtotal for Non-Financial Assets</b>					<b>\$353K</b>
<b>Total (combined financial + non-financial assets)</b>		<b>457</b>			<b>\$11.7M</b>

**Table 1 - Current Replacement Cost by Asset Type**

ITEM 2.3 GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN - 62132212 (Cont.)

The two Figures below show the age profile and condition rating for Council's Green Infrastructure assets, which indicates the number of assets and their total current replacement cost within each age band. As age reflects the year in which the assets were built, the profile also indicates the pattern in which they were acquired over time.

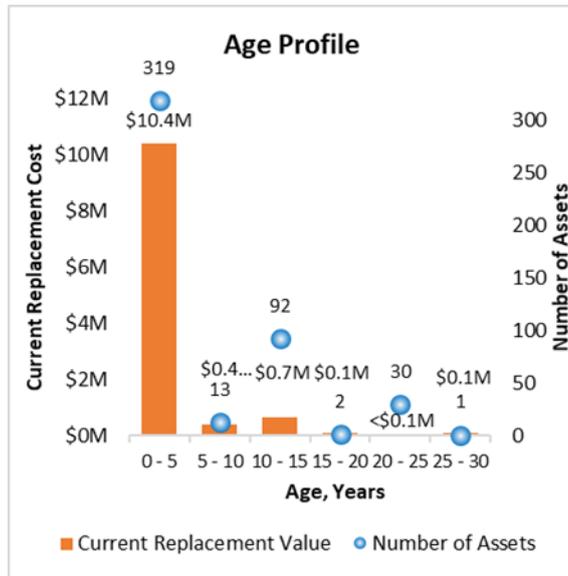


Figure 1 - Asset Age Profile

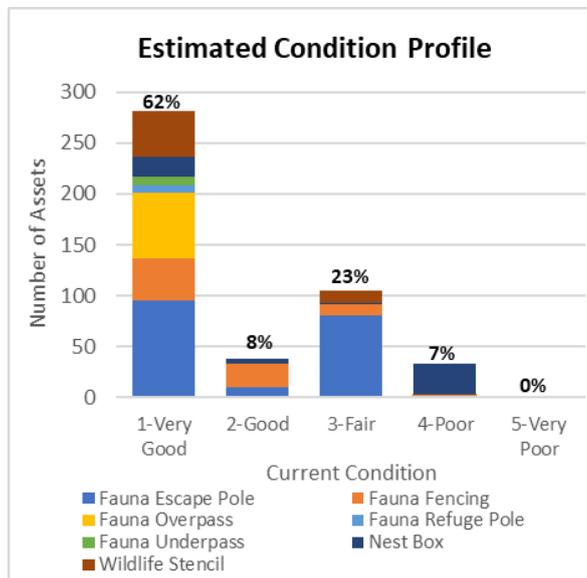


Figure 2 - Asset Condition Profile

The last 10 years has seen significant growth in both the number and value of Green Infrastructure assets built. This aligns to a period of significant growth in industry awareness around the need to construct and install Green Infrastructure assets to reduce vehicle collisions with fauna and allow fauna to co-exist in the changing land terrain from a natural to a built environment. Data collected shows positive reductions in road/wildlife incidents from the installation of these Green Infrastructure assets. Green Infrastructure assets constructed in the last 10 years account for 75% of the total number of assets and this mainly comprises of fauna overpasses, nest boxes and wildlife stencils.

## ITEM 2.3 GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN - 62132212 (Cont.)

The Green Infrastructure Portfolio Asset Management Plan has been provided as supporting information and outlines plan information in further detail.

### 2. Explanation of Item

The Green Infrastructure Portfolio Asset Management Plan has been developed as a tool to assist Council in achieving the following key strategic asset management objectives:

- Optimising maintenance and renewal practices
- Prioritising investment to achieve maximum value
- Validating investment decisions to confirm funds are being spent effectively
- Identifying lower lifecycle cost solutions
- Managing risk to an appropriate level
- Monitoring and recording of the condition of Green Infrastructure assets
- Modelling to predict future condition and associated maintenance requirements
- Optimise asset performance
- Minimise asset failure where minimal assets reach a poor condition

### Condition

Understanding the condition of Council's Green Infrastructure assets is important for their effective management. The estimated condition based on age indicates that 69% of Green Infrastructure assets should be in good to very good condition, while only 7% of assets are in poor condition. It should also be recognised that the estimated poor condition assets have only a replacement value of approximately \$11K.

### Key Issues

- Maintenance activities - Keeping the Moreton Bay Region's multiple natural green space areas connected and keeping the frequency of vehicle and wildlife accidents to a minimum relies on maintaining operability and functionality of the Green Infrastructure systems. Many of these systems require a consistent level of routine and programmed maintenance to ensure the assets are fit for purpose to function as intended.
- Renewals - The current renewals budget is considered to be sufficient through to FY2054, but beyond that will need to be increased to account for the ageing asset base and several high value assets needing replacement around a similar time.
- Maintenance budgets - Need to be increased to account for the increasing extent of the asset portfolio. If budget allocations are not adjusted, there is an increased risk that the Green Infrastructure assets will not function as intended. This may result in substandard services being provided by the assets and increase in frequency of vehicle and wildlife collisions.
- Asset performance - The asset portfolio is relatively new, but there is a need to continue to increase knowledge of the asset and its performance through systematic collection of condition data and analysis of customer services requests and performance data. Several action items have been identified to achieve improvements in these areas including an investigation into how artificial intelligence and smart systems can be utilised to improve asset knowledge and business intelligence.
- Future developments - As a future improvement it is also necessary to ensure that Green Infrastructure design guidelines for new developments result in sustainable design solutions that are acceptable to Council. It is intended for this to be incorporated into future planning scheme policy reviews.

ITEM 2.3 GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN - 62132212 (Cont.)

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Section 167 - Preparation of a Long-Term Asset Management Plan - of the Local Government Regulation 2012 states that –

- (4) *A local government must prepare and adopt a Long-Term Asset Management Plan.*
- (5) *The Long-Term Asset Management Plan continues in force for the period stated in the plan unless the local government adopts a new Long-Term Asset Management Plan.*
- (6) *The period stated in the plan must be 10 years or more.*

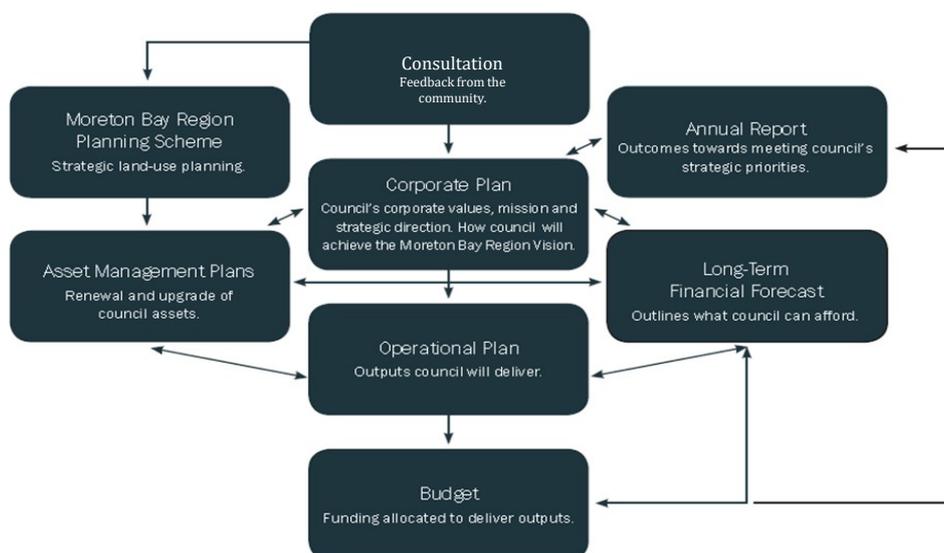
Additionally, Section 168 of the Local Government Regulation 2012 states that Council's Long-term Asset Management Plan must:

- (a) *provide for strategies to ensure the sustainable management of the assets mentioned in the local government's asset register and the infrastructure of the local government; and*
- (b) *state the estimated capital expenditure for renewing, upgrading and extending the assets for the period covered by the plan; and*
- (c) *be part of, and consistent with, the long-term financial forecast.*

**3.2 Corporate Plan / Operational Plan**

Council is committed to achieving the community's vision for the Moreton Bay Region. This vision represents a thriving region of opportunity where our communities enjoy a vibrant lifestyle and is structured upon three key elements; creating opportunities, strengthening communities and valuing lifestyle. These three tiers are underpinned by concepts such as local jobs for residents, strong local governance, and quality recreation and cultural opportunities.

The Strategic Asset Management Plan (SAMP) and supporting AMP's have direct linkages with other corporate documents as illustrated in the diagram below:



**Figure 3 - Asset Management within MBRC Statutory Planning Context**

As mentioned above, these plans inform Council's Long Term Financial Forecast (LTFF) in relation to costs associated with new, renewal and upgrade of assets. The plan also guides Council's Corporate Plan in relation to what Council intends to achieve, in relation to strategic asset management and informs Council's capital works program which forms part of the Operational Plan and Budget.

ITEM 2.3 GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN - 62132212 (Cont.)

3.3 Policy Implications

The Infrastructure Asset Management Policy (Policy No. 12-2150-043) was adopted by Council on 9<sup>th</sup> December 2020.

3.4 Risk Management Implications

Risk management associated with Green Infrastructure assets are included in the plan.

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

An analysis was carried out to determine the future condition of the Green Infrastructure asset portfolio with the recommended budget and benchmarked to the current average annual renewal budget. The figure below illustrates that with the currently adopted funding, the condition of the assets will decline to a point in time around the year 2057 where the portfolio as a whole will fail to meet the required standard. The impact of this is likely to be poor quality Green Infrastructure assets which will see the increase of vehicle collisions with fauna on roadways. With the recommended funding the overall portfolio is expected to continue to meet service levels and strategic objectives well into the future resulting in a much improved position for Council.

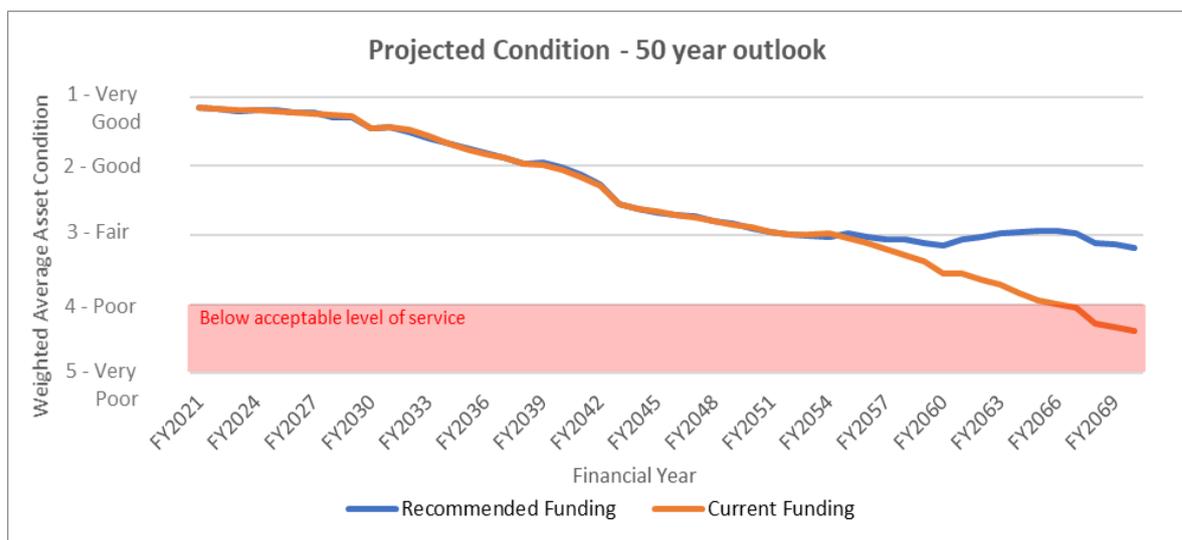


Figure 4 - Asset Projected Condition Outlook

The recommended total budget allocations are outlined below:

- Retain the current budget of **\$25,000 per annum** for materials for Green Infrastructure maintenance.
- Continue the current annual operational budget of **\$75,000** beyond FY2023 to provide a continuous program for renewal and maintenance of wildlife stencils (road marking).
- Allocate a new budget of **\$48,000 per annum** for inspection and maintenance of Green Infrastructure assets from FY2023 onwards.
- Allocate a new minor modifications budget of **\$50,000 per annum** from FY2023 onwards.
- Continue to invest in new Green Infrastructure acquisitions as per the current program, and subsequent reviews, i.e. **\$11.0M** over the next 10 years.
- Maintain the current capital renewal budget (**average of \$200,000 per annum**) through to FY2054 and then increase to **\$800,000** from FY2055 onwards (subject to actual condition evaluations).

Should these recommended budget allocations be adopted into the next long term financial forecast, the predicted condition profile of the Green Infrastructure asset portfolio will be in a much improved position for the Council and will minimise the risk of future large lump sum replacement expenditure.

## ITEM 2.3 GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN - 62132212 (Cont.)

As per Council's strategic asset management framework, it is imperative that Council adopts a proactive approach to managing assets including planned maintenance. The proactive approach will extend the life of assets and minimise the risk of assets reaching a state beyond repair, where expensive full replacement costs would otherwise be incurred.

The recommended funding adjustments, both for capital renewal/replacement and planned maintenance, will allow Council to achieve its strategic asset management objectives including:

- Organisational commitment to effective asset management
- Managing risk appropriately
- Delivery of services to agreed standards
- Optimise asset performance
- Minimize asset failure through earlier intervention.

### 3.7 Economic Benefit Implications

Sustainable provision and management of Moreton Bay Regional Council's (MBRC) Green Infrastructure assets supports economic growth across the region. Additionally, a well-managed Green Infrastructure asset portfolio improves the overall amenity of the region and is highly valued by the community.

### 3.8 Environmental Implications

The effective management of MBRC's Green Infrastructure assets assists in improving environmental outcomes.

### 3.9 Social Implications

The timely and cost-effective management of MBRC's Green Infrastructure assets contributes to the overall benefit of residents, visitors, business and industry, by providing the necessary assets to support the region's quality lifestyle.

### 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 right implications relevant to Council's decision in this matter.

### 3.11 Consultation / Communication

MBRC officers, asset owners and Councillors have been consulted in the preparation of this plan.

**SUPPORTING INFORMATION**

**Ref: [62004653](#)**

The following list of supporting information is provided for:

**ITEM 2.3**

**GREEN INFRASTRUCTURE PORTFOLIO ASSET MANAGEMENT PLAN**

***#1 Green Infrastructure Portfolio Asset Management Plan***

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**3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION**

**(Cr B Savige)**

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**ITEM 3.1**

**TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM**

*Meeting / Session:* 3 ENGINEERING, CONSTRUCTION & MAINTENANCE  
*Reference:* 61888288 : 27 May 2021 - Refer **Confidential Supporting Information**  
**61817460, 61817459 & 61817458**  
*Responsible Officer:* EH, Team Leader Operations (ECM Asset Maintenance)

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**Executive Summary**

Tenders were called for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' project through open tender using LG Tender Box. The tender contained three separable portions which are based on the resurfacing type and location of works across the region. Tenders closed on 23 March 2021, with offers received from eight companies for each separable portion of works.

It is recommended that the tender for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' project be awarded as follows, as these offers represent the best overall outcomes to Council.

**Separable Portion 1** - That the tender for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' - Separable Portion 1 project, typically for asphalt road resurfacing in Divisions 1 to 6, be awarded to Suncoast Asphalt Pty Ltd for the annual sum of \$ 6,280,473 (excluding GST) for an initial period of two years (1 July 21 to 30 June 2023) with the option to extend by a further three x one-year periods, subject to contractor acceptance and satisfactory performance.

**Separable Portion 2** - That the tender for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' - Separable Portion 2 project, typically for asphalt road resurfacing in Divisions 7 to 12, be awarded to Downer EDI Works Pty Ltd for the annual sum of \$ 6,907,628 (excluding GST) for an initial period of two years (1 July 21 to 30 June 2023) with the option to extend by a further three x one-year periods, subject to contractor acceptance and satisfactory performance.

**Separable Portion 3** - That the tender for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' - Separable Portion 3 project, typically for bitumen spray seal surfacing region wide, be awarded to Downer EDI Works Pty Ltd for the annual sum \$ 1,117,864 (excluding GST) for an initial period of two years (1 July 21 to 30 June 2023) with the option to extend by a further three x one-year periods, subject to contractor acceptance and satisfactory performance.

This project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderers operate locally.

**OFFICER'S RECOMMENDATION**

1. That the tender for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' - Separable Portion 1 project, typically for asphalt road resurfacing in Divisions 1 to 6, be awarded to Suncoast Asphalt Pty Ltd for the annual sum of \$6,280,473 (excluding GST) for an initial period of two years (1 July 21 to 30 June 2023) with the option to extend by a further three x one-year periods, subject to contractor acceptance and satisfactory performance.
  - a. That the Council enters into an agreement with Suncoast Asphalt 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 Suncoast Asphalt Pty Ltd for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' - Separable Portion 1 project and any required variations of the agreement on Council's behalf.

*ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)*

- c. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderer operates locally.
  
2. That the tender for the *'2021/2022 MBRC Road Resurfacing Program (MBRC010720)'* - Separable Portion 2 project, typically for asphalt road resurfacing in Divisions 7 to 12, be awarded to Downer EDI Works Pty Ltd for the annual sum of \$ 6,907,628 (excluding GST) for an initial period of two years (1 July 21 to 30 June 2023) with the option to extend by a further three x one-year periods, subject to contractor acceptance and satisfactory performance.
  - a. That the Council enters into an agreement with Downer EDI Works 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 Downer EDI Works Pty Ltd for the *'2021/2022 MBRC Road Resurfacing Program (MBRC010720)'* - Separable Portion 2 project and any required variations of the agreement on Council's behalf.
  - c. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderer operates locally.
  
3. That the tender for the *'2021/2022 MBRC Road Resurfacing Program (MBRC010720)'* - Separable Portion 3 project, typically for bitumen spray seal surfacing region wide, be awarded to Downer EDI Works Pty Ltd for the annual sum of \$1,117,864 (excluding GST) for an initial period of two years (1 July 21 to 30 June 2023) with the option to extend by a further three x one-year periods, subject to contractor acceptance and satisfactory performance.
  - a. That the Council enters into an agreement with Downer EDI Works 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 Downer EDI Works Pty Ltd for the *'2021/2022 MBRC Road Resurfacing Program (MBRC010720)'* - Separable Portion 3 project and any required variations of the agreement on Council's behalf.
  - c. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative and the successful tenderer operates locally.

ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)

**REPORT DETAIL**

**1. Background**

The '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' tender forms part of Moreton Bay Regional Council's (MBRC) multi-year road resurfacing program. The initial contract period is two years (1 July 21 to 30 June 2023) with the option to extend by a further three x one-year periods, subject to satisfactory performance and contractor acceptance. This tender is for programmed capital resurfacing works identified for year one of this multi-year program.

This tender has been divided into three separable portions based on locality and treatment. Separable Portions 1 and 2 are primarily asphalt resurfacing works, divided by their locality (typically north and south). Separable Portion 3 is primarily spray sealed surfacing located region wide with a selection of projects to be coordinated with pavement preparations undertaken by MBRC internal construction teams. The program scope also includes some minor civil works including, but not limited to, gully pit and kerb and channel replacement where required.

**2. Explanation of Item**

Tenders were called for the '2021/2022 MBRC Road Resurfacing Program (MBRC010720)' project through open tender using LG Tender Box. Tenders closed on 23 March 2021, with Council receiving offers from eight companies for each separable portion of works.

The tender is a schedule of rates tender, with offers assessed by the evaluation panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation. Rates may require adjustment throughout the 2021/2022 financial year and subsequent financial years due to bitumen price rise and fall and CPI adjustments as set out in the tender documents.

The road resurfacing program incorporates the use of both standard mix and environmental mix designs. The latter mix types use recycled materials such as crushed glass, recycled plastics and recycled asphalt within the mix design. Allowances were made in the bill of quantities (BOQ) for tenderers to submit the option of provisional rates for such products.

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

**Separable Portion 1 - Road Resurfacing in Divisions 1 to 6**

Rank	Tenderer	Evaluation Score (Pre LP)	Evaluation Score (Post LP)
1	Downer EDI Works Pty Ltd - (Environmental)	100.00	115.00
2	Downer EDI Works Pty Ltd	98.18	98.18
<b>3</b>	<b>Suncoast Asphalt Pty Ltd</b>	<b>93.51</b>	<b>93.51</b>
4	Suncoast Asphalt Pty Ltd - (Environmental)	93.21	93.21
5	Fulton Hogan Industries Pty Ltd - (Alternate 2)	92.44	92.44
6	Austek Asphalt Services Pty Ltd - (Environmental)	92.42	92.42
7	Austek Asphalt Services Pty Ltd	91.99	91.99
8	Fulton Hogan Industries Pty Ltd - (Alternate 1/Environmental)	91.62	91.62
9	Fulton Hogan Industries Pty Ltd	91.26	91.26
10	Allen's Asphalt Pty Ltd	90.22	90.22

ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)

Rank	Tenderer	Evaluation Score (Pre LP)	Evaluation Score (Post LP)
11	Allen's Asphalt Pty Ltd - (Environmental)	89.39	89.39
12	Stanley Macadam Pty Ltd TA Stanley Road Construction	85.70	85.70
13	Colas QLD Pty Ltd	85.20	85.20
14	Colas QLD Pty Ltd - (Environmental)	82.64	82.64
15	SS Bradley Road Solutions Pty Ltd	Non-Conforming	Non-Conforming

**Downer EDI Works Pty Ltd ('Downer')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Downer have performed similar works for MBRC in previous years to a satisfactory standard. Downer's submission contained rates for environmental mixes which includes high recycled asphalt content (RAP), recycled glass, recycled soft plastics (shopping bags) and recycled ink cartridge toner.

Downer's environmental mix offer was the lowest priced submission for this portion and received the highest evaluation score. Concerns were raised through the evaluation process with awarding the entirety of the resurfacing program to one contractor and the inherent risk this would bring MBRC. In the best interest to MBRC and to mitigate this risk it was decided to only award SP2 & SP3 to Downer.

**Suncoast Asphalt Pty Ltd ('Suncoast')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Suncoast have delivered SP1 for the last two consecutive years to a high standard which was evident through their high Contractor Performance Report scores.

Suncoast's standard mix submission for SP1 was the third lowest priced offer and received the third highest evaluation score. Given the risks identified above in awarding all separable portions to one supplier, the offer from Suncoast for SP1 is deemed best value for Council and is the recommendation of the evaluation panel for SP1.

**Austek Asphalt Services Pty Ltd ('Austek')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Austek have delivered similar resurfacing works for the last two consecutive years to a high standard which was evident through their high Contractor Performance Report scores. Austek's submission contained provisional rates for environmental mixes which included high recycled asphalt content (RAP) and the use of recycled tyres both in the asphalt mix (carbon char) and through the use of tyre derived fuel oil in the manufacturing of the asphalt mix.

Austek's Environmental Mix submission for SP1 was the fifth lowest priced offer and received the sixth highest evaluation score, and so this offer was not deemed best value for Council.

The offer from **SS Bradley Road Solutions Pty Ltd** only provided rates for one of the items requested in the tender, therefore this offer was deemed non-conforming.

**Separable Portion 2 - Road Resurfacing in Divisions 7 to 12**

Rank	Tenderer	Evaluation Score (Pre LP)	Evaluation Score (Post LP)
1	<b>Downer EDI Works Pty Ltd - (Environmental)</b>	<b>100.00</b>	<b>115.00</b>
2	Downer EDI Works Pty Ltd	97.95	97.95

## Moreton Bay Regional Council

*ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)*

Rank	Tenderer	Evaluation Score (Pre LP)	Evaluation Score (Post LP)
3	Austek Asphalt Services Pty Ltd - (Environmental)	91.23	91.23
4	Suncoast Asphalt Pty Ltd	91.06	91.06
5	Austek Asphalt Services Pty Ltd	90.74	90.74
6	Suncoast Asphalt Pty Ltd - (Environmental)	90.72	90.72
7	Fulton Hogan Industries Pty Ltd - (Alternate 2)	90.33	90.33
8	Fulton Hogan Industries Pty Ltd - (Alternate 1/Environmental)	89.34	89.34
9	Fulton Hogan Industries Pty Ltd	88.97	88.97
10	Allen's Asphalt Pty Ltd	88.68	88.68
11	Allen's Asphalt Pty Ltd - (Environmental)	87.73	87.73
12	Stanley Macadam Pty Ltd TA Stanley Road Construction	84.24	84.24
13	Colas QLD Pty Ltd	80.56	80.56
14	Colas QLD Pty Ltd - (Environmental)	77.63	77.63
15	SS Bradley Road Solutions Pty Ltd	Non-Conforming	Non-Conforming

**Downer EDI Works Pty Ltd ('Downer')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Downer have performed similar works for MBRC in previous years to a high standard. Downer's submission contained provisional rates for environmental mixes which includes high recycled asphalt content (RAP), recycled glass, recycled soft plastics (shopping bags) and recycled ink cartridge toner.

Downer's submission for SP2 Environmental Mix was the lowest priced submission and received the highest evaluation score. Based on this, the offer from Downer for SP2 is deemed best value for Council and is the recommendation of the evaluation panel for SP2.

**Austek Asphalt Services Pty Ltd ('Austek')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Austek have delivered similar resurfacing works for the last two consecutive years to a high standard which was evident through their high Contractor Performance Report scores. Austek's submission contained provisional rates for environmental mixes which included high recycled asphalt content (RAP) and the use of recycled tyres both in the asphalt mix (carbon char) and through the use of tyre derived fuel oil in the manufacturing of the asphalt mix.

Austek's Environmental Mix submission was the third lowest priced offer and received the third highest evaluation score for SP2, and so this offer was not deemed best value for Council.

**Suncoast Asphalt Pty Ltd ('Suncoast')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Suncoast have delivered similar works for the last two consecutive years to a high standard which was evident through their high Contractor Performance Report scores. Suncoast's submission contained provisional rates for environmental mixes which includes high recycled asphalt content (RAP) and recycled HDPE plastics (milk bottles, shampoo bottles).

ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)

Suncoast's Environmental mix for SP2 was the seventh lowest priced and received the sixth highest evaluation score, and so this offer was not deemed best value to council.

The offer from **SS Bradley Road Solutions Pty Ltd** only provided rates for the one of the items requested in the tender, therefore this offer was deemed non-conforming.

**Separable Portion 3 - Spray Seal Surfacing Region Wide**

Rank	Tenderer	Evaluation Score (Pre LP)	Evaluation Score (Post LP)
1	<b>Downer EDI Works Pty Ltd - (Environmental)</b>	<b>99.79</b>	<b>114.79</b>
2	Downer EDI Works Pty Ltd	99.42	114.42
3	Austek Asphalt Services Pty Ltd - (Environmental)	98.09	113.09
4	Austek Asphalt Services Pty Ltd	97.97	112.97
5	Allen's Asphalt Pty Ltd	96.53	111.53
6	Fulton Hogan Industries Pty Ltd - (Alternate 1/Environmental)	90.80	90.80
7	Fulton Hogan Industries Pty Ltd	90.60	90.60
8	Australian Road Services Pty Ltd	86.87	86.87
9	Colas QLD Pty Ltd	82.12	82.12
10	Colas QLD Pty Ltd - (Environmental)	81.68	81.68
11	Stanley Macadam Pty Ltd TA Stanley Road Construction	80.97	80.97
12	SS Bradley Road Solutions Pty Ltd	Non-Conforming	Non-Conforming

**Downer EDI Works Pty Ltd ('Downer')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Downer have performed similar works for MBRC in previous years to a high standard. Downer's submission contained provisional rates for environmental mixes which includes high recycled asphalt content (RAP), recycled glass, recycled soft plastics (shopping bags) and recycled ink cartridge toner.

Downer's submission was the lowest priced submission for SP3 and received the highest evaluation score. Based on this, the offer from Downer for SP3 is deemed best value for Council and is the recommendation of SP3.

**Austek Asphalt Services Pty Ltd ('Austek')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Austek have delivered SP3 for the last two consecutive years to a high standard which was evident through their high Contractor Performance Report scores. Austek's submission contained provisional rates for environmental mixes which included high recycled asphalt content (RAP) and the use of recycled tyres both in the asphalt mix (carbon char) and through the use of tyre derived fuel oil in the manufacturing of the asphalt mix.

## ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)

Austek's environmental mix submission was the fourth lowest priced offer and received the third highest evaluation score for SP3, and so this offer was not deemed best value for Council.

**Allen's Asphalt Pty Ltd ('Allen's')** - provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Allen's have performed similar works for MBRC in previous years to a satisfactory standard. Allen's submission was the third lowest priced offer and received the fourth highest evaluation score for SP3 and so not deemed best value for Council.

The offer from **SS Bradley Road Solutions Pty Ltd** only provided rates for the one of the items requested in the tender, therefore this offer was deemed non-conforming.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

Due to the value of the work being greater than \$200,000, a tender process was undertaken through LG Tender Box.

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

This project/tender/initiative has been procured/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.

Tenders were assessed against Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

#### 3.4 Risk Management Implications

A third-party review of financial status has been carried out on the recommended tenderers.

Suncoast Asphalt Pty Ltd receiving a rating of '*satisfactory*' which has confirmed they have the capability and financial capacity to carry out these tendered works.

Downer EDI Works Pty Ltd receiving a rating of '*very strong*' which has confirmed they have the capability and financial capacity to carry out these tendered works.

The recommended tenderers have advised that they do not foresee circumstances which would prevent the delivery of the separable portion work extents, including COVID-19 effects.

*Delivery Risk* – The budget funding for this program is substantial year on year and there remains a risk to both the company and MBRC in using one tenderer to deliver the entire road resurfacing program. To mitigate this risk Council officers are recommending a minimum of two tenderers be appointed to deliver these works on an annual basis.

Potential impacts on local traffic, buses and waste collection services have been identified as major risks for these projects. The mitigation strategies to minimise these risks are detailed below:

ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)

*Impact on local traffic* - The recommended tenderers will develop and present approved traffic management plans and approved traffic guidance schemes for this program. Traffic speeds will be reduced within the extent of the works to ensure safe passage for road users and construction activities.

*Impact on bus services* – The recommended tenderer’s traffic management methods will permit buses to maintain their normal routes. In addition to notifying affected residents, the contractors will notify relevant bus companies of the resurfacing works and the effect the works may have on services. Some projects may be undertaken at night to avoid peak traffic times and minimise disruption during school pick up times and business operating hours.

*Impact on waste collection services* - All works will be coordinated with normal waste collection times.

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council’s net rate and utility charges as stated in Council’s audited financial statements included in Council’s most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council’s annual budget.

*The cost of this project exceeds the delegated limit and is therefore reported to Council for consideration.*

3.6 Financial Implications

Council has allocated \$28.4M in the draft 2021/2022 Capital Project Program budget for road resurfacing works across the region. All works as outlined below will be debited from the following Project Numbers: 101277, 101278, 101279, 101269, 101270, 101271, 101272, 101273, 101274, 101275, 101276 and 101280. All financials below are exclusive of GST.

The total value of the recommended tenders for this contract is:

Separable Portion 1 - Tender Price	\$ 6,280,472.72
Separable Portion 2 - Tender Price	\$ 6,907,628.28
Separable Portion 3 - Tender Price	\$ 1,117,864.56
Contingency (10%)	\$ 1,430,596.56
<u>QLeave</u>	<u>\$ 82,259.30</u>
<b><u>Total Project Cost</u></b>	<b><u>\$ 15,818,821.42</u></b>

Works will commence in July 2021 and be completed by the end of March 2022 for SP1 and SP2 with SP3 going through to the end of May 2022.

In addition to the above works, a selection of works will be undertaken internally by Council’s construction crews; these works are estimated at \$5.56M (ex GST). These internal works will be predominantly within Divisions 11 and 12.

The required line marking for all portions of works will be undertaken through MBRC’s standing purchasing arrangement register for line marking. Initial estimate of costs is \$0.8M (ex GST) based on previous programs and the current scope of works.

Based upon the above cost information being achieved, there will be approximately \$6.16M remaining from the budget allocation. The intention would be to bring forward road resurfacing projects from the 2022/2023 financial year road resurfacing program and undertake these in 2021/2022 financial year. Council will be further consulted as to the ‘additional’ program of works.

3.7 Economic Benefit Implications

The road resurfacing works will address pavement surface quality, extend the life of the pavements and reduce recurrent maintenance costs on the scheduled roads.

*ITEM 3.1 TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM - 61888288 (Cont.)*

3.8 Environmental Implications

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

3.9 Social Implications

The works will improve vehicle safety and the roads' structural integrity and rideability.

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Consultation with residents will be undertaken utilising Project Notices. Direct communication with Translink and all emergency services, advising of the timing of the upcoming road works, will be undertaken once the tender has been awarded and a finalised program of works has been provided by the successful tenderers.

Variable Message Signage will be utilised and displayed prior to and throughout several larger select projects, to notify road users. The successful tenderers are required to provide written advice to all affected residents two days prior to projects being undertaken in their street etc.

**SUPPORTING INFORMATION**

Ref: [61817460](#), [61817459](#) & [61817458](#)

The following list of supporting information is provided for:

**ITEM 3.1**

**TENDER - 2021/2022 MBRC ROAD RESURFACING PROGRAM**

**Confidential #1 Tender Assessment (separable portion 1)**

**Confidential #2 Tender Assessment (separable portion 2)**

**Confidential #3 Tender Assessment (separable portion 3)**

**ITEM 3.2**  
**TENDER - PETRIE - BEEVILLE ROAD - ROAD REHABILITATION AND INTERSECTION UPGRADE**

*Meeting / Session:* 3 ENGINEERING, CONSTRUCTION & MAINTENANCE  
*Reference:* 62114574 : 31 May 2021 - Refer **Confidential Supporting Information 62007984**  
*Responsible Officer:* AM, Project Engineer (ECM Project Management)

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**Executive Summary**

Tenders were invited for the 'Petrie - Beeville Road - Road Rehabilitation and Intersection Upgrade (MBRC010775)' project. Tenders closed on 29 April 2021, with a total of nine tenders received, six of which were conforming.

It is recommended that the tender for the 'Petrie - Beeville Road - Road Rehabilitation and Intersection Upgrade (MBRC010775)' project be awarded to Allroads Pty Ltd, for the sum of \$5,377,101.55 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

**OFFICER'S RECOMMENDATION**

1. That the tender for the 'Petrie - Beeville Road - Road Rehabilitation and Intersection Upgrade (MBRC010775)' project be awarded to Allroads Pty Ltd, for the sum of \$5,377,101.55 (excluding GST).
2. That the Council enters into an agreement with Allroads 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 Allroads Pty Ltd for the 'Petrie - Beeville Road - Road Rehabilitation and Intersection Upgrade (MBRC010775)' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That to allow this tender to be awarded, Council commits the \$4,900,000 project budget allocation in the draft 2021/22 FY Capital Projects Program towards the project.
6. That to allow this project to continue, Council commits to the provision of an additional \$79,000.00 in the 21/22 FY quarter one financial review process towards the project.

ITEM 3.2 TENDER - PETRIE - BEEVILLE ROAD - ROAD REHABILITATION AND INTERSECTION UPGRADE - 62114574 (Cont.)

**REPORT DETAIL**

**1. Background**

The project is located on Beeville Road, Petrie, from the Dayboro Road roundabout to the bend which adjoins 957 Torrens Road (entrance to park on Kurwongbah Dam).

The project scope includes the rehabilitation of the subject section of road, over 1500m, specifically, the works include:

- Reconfiguration of the existing 4-way priority-controlled intersection at Frenchs Road to traffic signals;
- Signalised pedestrian crossing facilities;
- Shoulder widening, to include on-road bicycle lanes and additional traffic turn lanes to all approaches;
- Pathway renewal and widening;
- Upgrade of raised medians;
- Renewal of the existing road surfaces and landscaping to medians; and
- Upgrade and renewal of stormwater drainage between Monavale Way and Relesah Drive.

The objective of the project is to improve the level of service and safety for pedestrians, cyclists and road users. This will be achieved through renewing pavement and road surfaces; and reducing traffic delays through intersection upgrade and signalling.

The works will commence as soon as the recommended tenderer has secured the projects' supply of steel reinforced concrete pipe (srp) needs. The recommended tenderer has allowed 10 weeks for this procurement element. Other tenderer's allowed longer periods in their respective tenderers. The recommended tenderer's program once srp has been secured is for twenty-five 25 weeks to complete, which includes an allowance for wet weather (42 days).

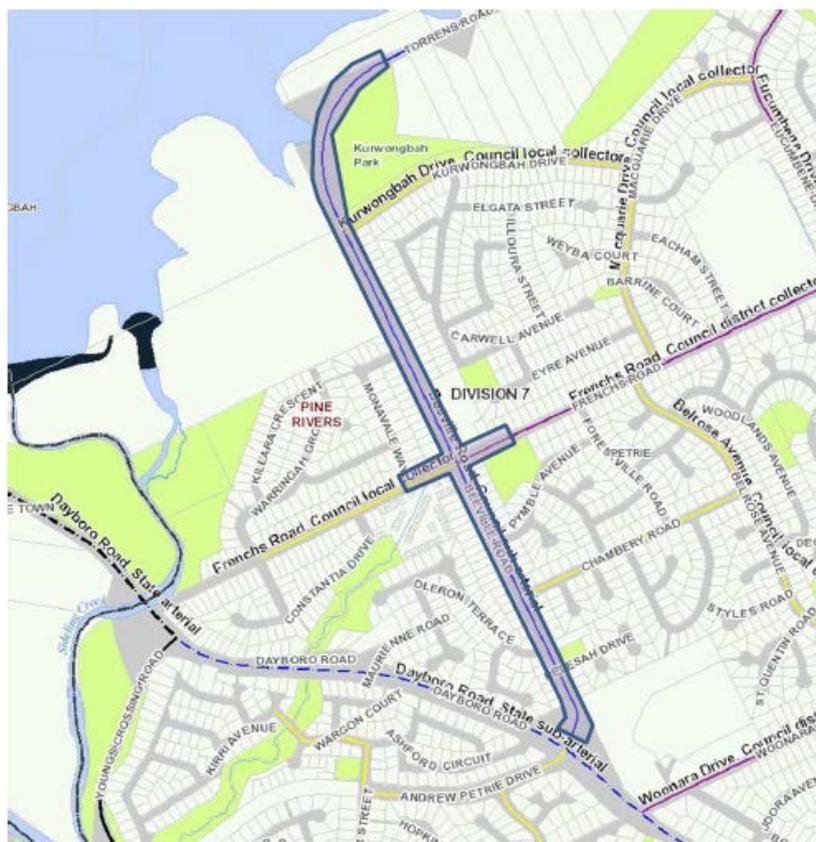


Figure 1: Beeville Road Locality Plan

*ITEM 3.2 TENDER - PETRIE - BEEVILLE ROAD - ROAD REHABILITATION AND INTERSECTION UPGRADE - 62114574 (Cont.)*

**2. Explanation of Item**

Tenders for the 'Petrie - Beeville Road - Road Rehabilitation and Intersection Upgrade (MBRC010775)' project closed on 29 April 2021, with a total of nine tenders received, six of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE (Pre Local Preference)	EVALUATION SCORE (Post Local Preference)
1	Allroads Pty Ltd	100.00	107.50
2	Ertech (Queensland) Pty Ltd	99.95	107.45
3	Civlec Pty Ltd TA GRC Civil	88.03	88.03
4	CCA Winslow Pty Ltd	87.57	87.75
5	CCA Winslow Pty Ltd Alternative Tender 2	85.54	85.54
6	Auzcon Pty Ltd	71.48	71.48
7	CCA Winslow Pty Ltd Alternative Tender 1	Non-Conforming	
8	CCA Winslow Pty Ltd Alternative Tender 3	Non-Conforming	
9	Envirosweep	Non-Conforming	

**Allroads Pty Ltd ('Allroads')** - submitted a comprehensive tender that demonstrated their experience on projects of similar scale and complexity. A tender clarification meeting was held on 15 May 2021, at which Allroads demonstrated their experience, methodology, understanding of the project and capability in delivery of the project. Allroads provided examples of relevant project experience, including Petrie Mill Intersection Upgrade (valued at \$9.4m) for Moreton Bay Regional Council, Raymont Road and Grange Road Intersection Upgrade (valued at \$3.45m) for Brisbane City Council and Wembley Road and Third Avenue, Berrinba Intersection Upgrade (valued at \$4.6m) for Logan City Council.

Allroads provided the most efficient programme for the proposed works and demonstrated an understanding of the requirements for working in a residential area, include methodology for night works. Allroads' submission included a comprehensive traffic management plan, following their review of a traffic study provided at tender stage. Allroads submitted the lowest tender price.

The evaluation panel recommends that the tender from Allroads represents the best overall value for Council.

**Ertech (Queensland) Pty Ltd ('EQ')** - submitted a comprehensive tender, detailing their construction methodology and demonstrating experience on similar projects. A program of 31 weeks from commencement on site, following an 18-26 week lead time for SRCP, was provided, inclusive of a wet weather allowance (42 days). There were no additional benefits identified for the higher price.

**Civlec Pty Ltd, trading as GRC Civil ('GRC')** - submitted a comprehensive tender, demonstrating their experience on projects of a similar scale and complexity, however, no additional benefits were identified for the higher price. GRC provided a construction program of 50 weeks, following an 18-20 week lead time for SRCP. The program provided included a wet weather allowance (100 days).

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ITEM 3.2 TENDER - PETRIE - BEEVILLE ROAD - ROAD REHABILITATION AND INTERSECTION UPGRADE - 62114574 (Cont.)

**Non-conforming tenders** – The alternative 1 and 3 submissions from CCA Winslow Pty Ltd were submitted as schedule of rates contract and not a lump sum contract. The tender from Envirosweep did not provide the mandatory tender documentation.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

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

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

This project/contract/initiative has been procured/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.

Tenders were tested against Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

#### 3.4 Risk Management Implications

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

##### *Financial Risks:*

A third-party financial assessment has been carried out and the recommended tenderer was rated 'satisfactory'.

##### *Construction Risks:*

- a. The recommended tenderer will provide a program of works, staging plans, traffic management plans, safety management plan, environmental management plan, and quality management documentation as part of the contract to detail how they will plan, establish and manage project construction risks which will be reviewed and audited by Project Management.
- b. The recommended tenderer has indicated their understanding of the project site and the proximity of the natural environment and surrounding properties to ensure the safety and well-being of all during the works.
- c. The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- d. The procurement risks relating to this project are considered low as there is adequate lead time for the recommended tenderer to procure the relevant project construction materials. At the tender clarification meeting, the recommended tenderer did not raise any foreseen COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- e. To avoid delays onsite, works will not commence until the required steel reinforced concrete pipes (scrp) have been received. The recommended tenderer has allocated a period of ten weeks in their tender offer. All conforming tenderers were requested to confirm the lead time allowance for scrp and also to provide an itemised cost for scrp supply. This information was requested for clarification purposes, at tender clarification stage, to enable Council to source the scrp directly, should contractor lead times not be achievable. Council has allowed 26 weeks lead time to mitigate risk and provide consistency across all of the tenders.
- f. An allowance has been made for night works for the installation of stormwater pipework.

*ITEM 3.2 TENDER - PETRIE - BEEVILLE ROAD - ROAD REHABILITATION AND INTERSECTION UPGRADE - 62114574 (Cont.)*

- g. The project is not impacted by any Development Approvals.
- h. Dilapidation inspections will be conducted prior to works commencing on building and surrounding areas to record the existing condition of assets and again after construction to record any change.

**3.5 Delegated Authority Implications**

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

*The cost of this project requires an amendment to the budget allocation and is therefore reported to Council for consideration.*

**3.6 Financial Implications**

Council has allocated a total of \$6,636,000 for this project, consisting of \$50,000 in the 2018/19 FY Capital Works Program for planning; \$180,000 in the 2019/20 FY Capital Works Program for design; \$1,506,000 in the 2020/21 FY Capital Works Program for service relocations and construction; and \$4,900,000 in the draft 2021/22 FY Capital Works Program for construction. All financials below are excluding GST.

Design 2019/20	\$	139,589.00
Service Relocations (Energex, Unitywater, Telstra)	\$	624,177.48
Construction tender	\$	5,377,101.55
Contingency (10%)	\$	537,710.16
QLeave (0.575%)	\$	30,918.33
<u>Construction Phase Consultant</u>	<u>\$</u>	<u>5,000.00</u>
<b><u>Total Project Cost</u></b>	<b><u>\$</u></b>	<b><u>6,714,496.52</u></b>

Estimated ongoing operational/maintenance costs \$ 14,500.00 per F/Y.

The budget amount for this project is insufficient. To allow this project to proceed, Council commits to the provision of an additional \$79,000 in the 21/22 FY quarter one financial review process.

**3.7 Economic Benefit Implications**

Once the project has been completed, the improved road pavement and medians will result in reduced maintenance and other lifecycle costs to Council.

**3.8 Environmental Implications**

An Environmental Management Plan will be provided to Council by the recommended tenderer detailing the management of environmental matters affecting the project during construction. The environment management plan will be monitored and audited by project management during the construction phase.

**3.9 Social Implications**

The road upgrade will reduce the likelihood of traffic accidents, by improving sightlines for approach and departures and by providing a road environment that improves delineation and separation. Improved pedestrian and cycling facilities, including off road paths and on-road space for cycling are included in the rehabilitation works.

**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 right implications relevant to Council's decision in this matter.

*ITEM 3.2 TENDER - PETRIE - BEEVILLE ROAD - ROAD REHABILITATION AND INTERSECTION UPGRADE - 62114574 (Cont.)*

3.11 Consultation / Communication

The businesses and residents adjacent to the works will be notified of the works and expected construction timeframe four weeks prior to commencement via a project notice, project signage, door knocking. Variable message boards will be displayed two weeks prior to the commencement of construction works. These variable message boards will be used to advise motorists of changes throughout the construction duration. Residents will be notified of night works one weeks prior to commencement, via a notice with a reminder to follow two days prior to the works via a letter and door knocking. The detailed communications plan will include a Councillor weekly email update and website page with twice weekly updates. The Divisional Councillor has been consulted and is supportive of the project.

**SUPPORTING INFORMATION**

**Ref: 62007984**

The following list of supporting information is provided for:

**ITEM 3.2**

**TENDER - PETRIE - BEEVILLE ROAD - ROAD REHABILITATION AND INTERSECTION UPGRADE**

***Confidential #1 Tender Assessment***

### ITEM 3.3

## TENDER - BURPENGARY - CABOOLTURE REGIONAL ENVIRONMENTAL EDUCATION CENTRE (CREEC) - SITE POWER SYSTEM UPGRADE

*Meeting / Session:* 3 ENGINEERING, CONSTRUCTION & MAINTENANCE  
*Reference:* 62072352 : 31 May 2021 - Refer **Confidential Supporting Information 61595528**  
*Responsible Officer:* PJ, Project Manager (ECM Project Management)

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### Executive Summary

Tenders were called from Council's Prequalified Electrical Services including Data Cabling Panel for the 'Burpengary - Caboolture Regional Environmental Education Centre - Site Power System Upgrade (MBRC009521 / VP218255)' project. Tenders closed on 27 April 2021 with a total of two tender submissions received, both of which were conforming.

It is recommended that the tender for the 'Burpengary - Caboolture Regional Environmental Education Centre - Site Power System Upgrade (MBRC009521 / VP218255)' project be awarded to Erinbowl Pty Ltd (trading as Base Electrical), for the sum of \$200,950.00 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

### OFFICER'S RECOMMENDATION

1. That the tender for the 'Burpengary - Caboolture Regional Environmental Education Centre - Site Power System Upgrade (MBRC009521 / VP218255)' project be awarded to Erinbowl Pty Ltd (trading as Base Electrical), for the sum of \$200,950.00 (excluding GST).
2. That the Council enters into an agreement with Erinbowl Pty Ltd (trading as Base Electrical), 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 Erinbowl Pty Ltd (trading as Base Electrical) for the 'Burpengary - Caboolture Regional Environmental Education Centre - Site Power System Upgrade (MBRC009521 / VP218255)' project and any required variations of the agreement on Council's behalf.
4. That it be noted the Local Preference Policy was not applied for this project as the project was procured via council Electrical Services including Data Cabling panel arrangement in line with Council's Procurement policy.
5. That to allow this project to continue, and for Council to be able to enter into the arrangement, Council commits to the provision of an additional \$137,000 in the 2021-22 FY Q1 financial review process towards the project.

*ITEM 3.3 TENDER - BURPENGARY - CABOOLTURE REGIONAL ENVIRONMENTAL EDUCATION CENTRE (CREEC) - SITE POWER SYSTEM UPGRADE - 62114574 (Cont.)*

**REPORT DETAIL**

**1. Background**

The project is located at Caboolture Regional Environmental Education Centre (CREEC), 150 Rowley Road, Burpengary. The project scope is for the upgrade of power systems and infrastructure, which include:

- Upgrade of power supply and mains cabling to the site;
- Installation of new communications infrastructure, pit and conduit for future CCTV;
- New site main switchboard and demolish existing;
- Installation of new distribution switchboards and removal of existing, to the Visitor Centre and Nursery;
- Replacement of solar panels and inverter to the Visitor Centre; and
- Landscaping.

The objective of the project is to provide sufficient electrical capacity and communications infrastructure to support planned development of the site.

Construction will commence in June/July 2021 and is estimated to take 12 weeks to complete, which includes an allowance for wet weather.



**Figure 2: Caboolture Regional Environmental Education Centre Locality Plan**

*ITEM 3.3 TENDER - BURPENGARY - CABOOLTURE REGIONAL ENVIRONMENTAL EDUCATION CENTRE (CREEC) - SITE POWER SYSTEM UPGRADE - 62114574 (Cont.)*

**2. Explanation of Item**

Tenders were called from Council's Prequalified Electrical Services including Data Cabling Panel for the 'Burpengary - Caboolture Regional Environmental Education Centre - Site Power System Upgrade (MBRC009521 / VP218255)' project, which closed on 27 April 2021, with a total of two tenders received both of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	Erinbowl Pty Ltd (trading as Base Electrical)	100.00
2	Electrical Services Queensland Pty Ltd	90.83

**Erinbowl Pty Ltd, trading as Base Electrical ('BE')** - submitted a comprehensive and well-presented tender, demonstrating their experience, methodology, understanding and capability in delivery of the project. BE provided examples of relevant project experience, including Paris Park Pathway Lighting (valued at \$82k); Queens Beach Foreshore Lighting (valued at \$320k); and Caboolture Precinct CCTV Installation (valued at \$90k), all for Moreton Bay Regional Council.

BE provided the most efficient program for the proposed works and the lowest priced tender. The evaluation panel considers the tender from BE to represent the best overall value for Council.

**Electrical Services Queensland Pty Ltd ('ESQ')** - submitted a comprehensive and well-presented tender, demonstrating their project experience, however, there were no additional benefits identified for the higher price.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Council sought quotations via Council's Prequalified Electrical Services inc Data Cabling Panel (MBRC009521) for the work through Vendor Panel, in accordance with the *Local Government Act 2009*.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

This project/contract/initiative has been procured/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 Local Preference Policy was not applied, as the project was procured via council Electrical Services including Data Cabling panel arrangement in line with Council's Procurement policy.

*ITEM 3.3 TENDER - BURPENGARY - CABOOLTURE REGIONAL ENVIRONMENTAL EDUCATION CENTRE (CREEC) - SITE POWER SYSTEM UPGRADE - 62114574 (Cont.)*

3.4 Risk Management Implications

A detailed Risk Management Plan has been prepared. The project risk has been assessed and the following issues identified, including the manner in which the possible impact of these risks are minimised is detailed below.

*Financial Risk:*

The recommended tenderer is prequalified on Council's Prequalified Electrical Services including Data Cabling Panel (MBRC009521).

*Construction Risks:*

- a. The recommended tenderer will provide a program of works, staging plans, traffic management plans, safety management plan, environmental management plan, and quality management documentation as part of the contract to detail how they will plan, establish and manage project construction risks which will be reviewed and audited by Project Management.
- b. The recommended tenderer has indicated their understanding of the project site to ensure the safety and well-being of all during the works.
- c. The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- d. The procurement risks relating to this project are considered low as there is adequate lead time for the recommended tenderer to procure the relevant project construction materials. At the tender clarification meeting, the recommended tenderer did not foresee any COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- e. The project is not impacted by any Development Approvals.
- f. Dilapidation inspections will be conducted prior to works commencing on building and surrounding areas to record the existing condition of assets and again after construction to record any change.

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

*The cost of this project requires an amendment to the budget allocation and is therefore reported to Council for consideration.*

3.6 Financial Implications

Council has allocated a total of \$100,000 in the 2020/21 FY Capital Projects Program for the design and construction of this project. All financial information below is excluding GST.

Design	\$ 10,210.00
Tender Price (Construction)	\$ 200,950.00
Contingency 10%	\$ 20,095.00
Q-Leave (0.575%)	\$ 1,155.46
Supervision/Admin Costs	<u>\$ 4,400.00</u>

**Total Project Cost \$ 236,810.46**

Estimated ongoing operational/maintenance costs \$ 4,000.00 per F/Y.

The budget amount for this project is insufficient. To allow this project to proceed and for Council to enter into the arrangement, Council commits to the provision of an additional \$137,000 in the 2021-22 FY quarter one financial review process.

*ITEM 3.3 TENDER - BURPENGARY - CABOOLTURE REGIONAL ENVIRONMENTAL EDUCATION CENTRE (CREEC) - SITE POWER SYSTEM UPGRADE - 62114574 (Cont.)*

3.7 Economic Benefit Implications

A reduction in operational costs will be achieved through the installation of a new solar power system to the Visitor Centre. The project will also enable expansion of the site, providing potential future revenue from community and group use/hire.

3.8 Environmental Implications

An Environmental Management Plan will be provided to Council by the recommended tenderer detailing the management of environmental matters affecting the project during construction. The environment management plan will be monitored and audited by project management during the construction phase.

3.9 Social Implications

Delivery of the project will enable the expansion of the site, as per Council's Master Plan, providing increased community interaction and environmental education services.

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices issued four weeks prior to the commencement of works and projects signs displayed on site prior to construction. The stakeholders, including Caboolture Regional Environmental Education Centre staff have been consulted regarding the project. The detailed communications plan will include a Councillor weekly email update and website page with fortnightly updates. The Divisional Councillor has been consulted and is supportive of the project.

**SUPPORTING INFORMATION**

**Ref: 61595528**

The following list of supporting information is provided for:

**ITEM 3.3**

**TENDER - BURPENGARY - CABOOLTURE REGIONAL ENVIRONMENTAL EDUCATION CENTRE  
(CREEC) - SITE POWER SYSTEM UPGRADE**

***Confidential #1 Tender Assessment***

**ITEM 3.4**

**TENDER - SAMFORD VALLEY - PRIVATE PERCY CASH PEDESTRIAN BRIDGE - CROSSING AND PATHWAY CONSTRUCTION**

*Meeting / Session:* 3 ENGINEERING, CONSTRUCTION & MAINTENANCE  
*Reference:* 62086536 : 31 May 2021 - Refer **Confidential Supporting Information 61841964**  
*Responsible Officer:* NM, Senior Project Manager (ECM Project Management)

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**Executive Summary**

Tenders were called for the 'Samford Valley - Private Percy Cash Pedestrian Bridge - Crossing and Pathway Construction (MBRC010707)' project. The tender closed on 13<sup>th</sup> May 2021 with a total of six tenders received, five of which were conforming.

It is recommended that Council award the tender for 'Samford Valley - Private Percy Cash Pedestrian Bridge - Crossing and Pathway Construction (MBRC010707)' project to Cragcorp Pty Ltd (trading as Queensland Bridge and Civil) for the sum of \$3,478,220.00 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

The project has received \$500,000 in funding from the State Government's Works for Queensland program; and up to a maximum of \$2,000,000 from the State Government's Department of Transport and Main Roads (DTMR).

**OFFICER'S RECOMMENDATION**

1. That the tender for the 'Samford Valley - Private Percy Cash Pedestrian Bridge - Crossing and Pathway Construction (MBRC010707)' project be awarded to Cragcorp Pty Ltd (trading as Queensland Bridge and Civil) for the sum of \$3,478,220 (excluding GST).
2. That the Council enters into an agreement with Cragcorp Pty Ltd (trading as Queensland Bridge and Civil) 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 Cragcorp Pty Ltd (trading as Queensland Bridge and Civil) for the 'Samford Valley - Private Percy Cash Pedestrian Bridge - Crossing and Pathway Construction (MBRC010707)' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.
5. That to allow Council to enter into the agreement Council commits the \$2,700,000 in funding allocated in the 21-22 FY draft Capital Projects Program to this project; and similarly, Council commits to the provision of an additional \$178,000 in funding for the project at the 21-22 FY quarter one financial review process.

ITEM 3.4 TENDER - SAMFORD VALLEY - PRIVATE PERCY CASH PEDESTRIAN BRIDGE - CROSSING AND PATHWAY CONSTRUCTION - 62086536 (Cont.)

**REPORT DETAIL**

**1. Background**

The project is located adjacent to the Private Percy Cash Bridge, Mount Samson Road, Samford Valley. The scope of works includes the detailed design and construction of a pedestrian/cycle bridge over the South Pine River, and concrete pathway connections to the existing pathway and street network.

The need for the project has arisen from the existing DTMR road bridge being only wide enough for a single 3.5m wide traffic lane in each direction, with no provision for pedestrians or cyclists who are forced to walk or cycle across the bridge in the traffic lanes. The expected outcome of the project is the provision of a safe pedestrian and cyclist access route across South Pine River.

A low-level crossing, considering both upstream and downstream of the existing bridge was initially considered and design costs incurred. During final discussions on the low-level design crossing with DTMR, DTMR advised funds were available for a pedestrian bridge and cycleway, which was considered a far superior alternative. DTMR agreed to a 50/50 contribution towards the project to a maximum contribution value of \$2M.

On this basis, Council then proceeded with design of a high-level crossing on the upstream side of the existing DTMR road bridge. The upstream location was chosen as it provides better connectivity to existing road networks for cyclists, will require less vegetation removal and provides sufficient flood immunity. The high-level crossing design has now been approved by DTMR.

This tender relates to the construction phase and will commence in early July 2021 and take twenty-four weeks to complete, including allowances for lead times and two weeks wet weather.

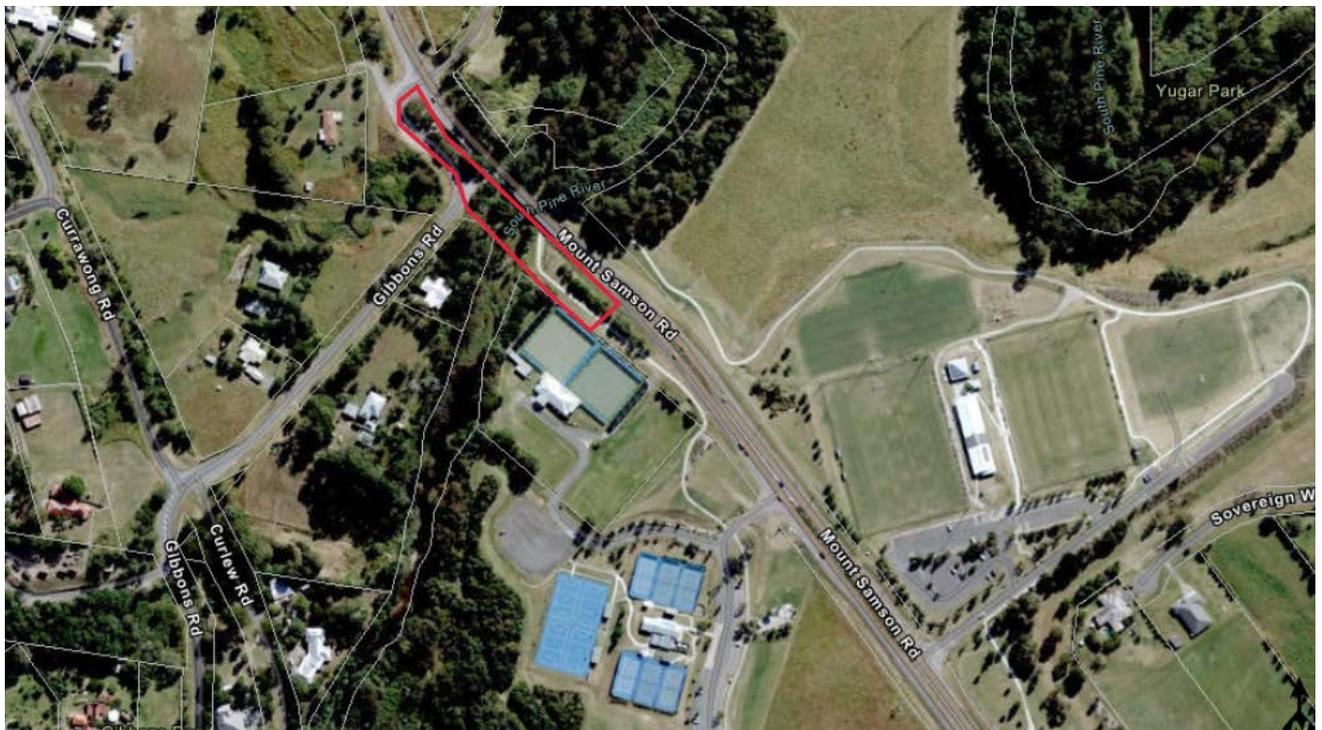


Figure 3: Location of Works

ITEM 3.4 TENDER - SAMFORD VALLEY - PRIVATE PERCY CASH PEDESTRIAN BRIDGE - CROSSING AND PATHWAY CONSTRUCTION - 62086536 (Cont.)

**2. Explanation of Item**

Tenders for the 'Samford Valley - Private Percy Cash Pedestrian Bridge - Crossing and Pathway Construction (MBRC010707)' project closed on 13<sup>th</sup> May 2021 with a total of six submissions received, five of which were conforming, with one submission non-conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents. The received tenders and evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE (Pre-Local Preference)	EVALUATION SCORE (Post-Local Preference)
1	Cragcorp Pty Ltd (trading as Queensland Bridge and Civil)	95.71	103.21
2	Main Constructions Pty Ltd	93.49	100.99
3	Alder Constructions Pty Ltd	95.76	99.51
4	Davbridge Properties Pty Ltd (trading as Davbridge Constructions)	83.33	83.33
5	Auzcon Pty Ltd	81.78	81.78
6	Superior Kerb and Concreting	Non-conforming	Non-Conforming

**Cragcorp Pty Ltd, trading as Queensland Bridge and Civil ('QBC')** - submitted a detailed tender and demonstrated their methodology and experience on projects of similar nature. At the tender clarification meeting held 26 May 2021, QBC demonstrated their relevant experience, methodology, understanding and capability in delivering the project. QBC demonstrated how they will manage construction within a waterway, including access requirements and environmental management through erosion and control measures.

QBC's construction time frame of 24 weeks (including wet weather) and availability to commence in July presents less risk to Council as the project would mainly be completed during the dry season. Less time to complete the project also decreases the risk of constructing during a major weather event.

QBC provided examples of similar projects including - Veloway Pedestrian Bridge Packages 2 and 4 (\$5.5M) and Veloway Pedestrian Bridge Package 1 (\$2.8M) for DTMR and the Gateway North Connection Cycleway (\$5.8M) for Brisbane City Council.

QBC's tender achieved the highest evaluation score post local preference application. Further QBC's tender was considered by the evaluation panel to provide the lowest risk, based upon their detailed methodology and experience on many similar projects, and represented the best overall value to Council and is recommended by the assessment panel.

**Main Constructions Pty Ltd ('Main')** - submitted a comprehensive and well-presented tender and were the lowest price tender. At a tender clarification meeting held on 26 May 2021, Main demonstrated their project experience and capability in delivering the project and detailed their methodology in dealing with the risks associated with the project; however, did not receive the highest score by the evaluation panel post local preference application.

Main provided experience in projects that were of lesser scale and value to this project. Projects presented in the submission included the Beams Road Culvert Widening (\$680k) for Brisbane City Council, Maba Court Pedestrian bridge (\$603k) and Mango Hill Footbridge (\$270k) for Moreton Bay Regional Council.

Main provided a construction time frame of forty-two weeks to complete the works, including wet weather days. The evaluation panel considered that Main's offer presented greater risk as the project would be completed over a longer duration of the annual wet season.

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*ITEM 3.4 TENDER - SAMFORD VALLEY - PRIVATE PERCY CASH PEDESTRIAN BRIDGE - CROSSING AND PATHWAY CONSTRUCTION - 62086536 (Cont.)*

**Alder Constructions Pty Ltd ('Alder')** - submitted a comprehensive and well-presented tender demonstrating their relevant project experience and were the second lowest tender pre application of the local procurement policy. Alder presented a time frame of 38 weeks to complete the project, presenting a project risk in terms of weather and the environment.

**Superior Kerb and Concreting ('Superior')** - Non-conforming, - the tenderer did not submit a conforming tender in accordance with tender documents as they provided kerb pricing only, not a lump sum tender for the overall project.

### **3. Strategic Implications**

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

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

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

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

#### **3.3 Policy Implications**

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

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

Tenders were tested against Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

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

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

A third party review of financial status has been carried out and the recommended tenderer was rated '*very strong*'.

#### *Construction Risks:*

- a. The recommended tenderer will provide a program of works, safety management plan, environmental management plan, and quality management documentation as part of the contract to detail how they will plan, establish and manage project construction risks which will be reviewed and monitored by Project Management.
- b. The recommended tenderer has indicated their understanding of the project site to ensure the safety and wellbeing of all during the works. This tenderer specialises in construction of bridge structures and has completed several successful projects for SEQ Councils, including bridges over water bodies.
- c. The recommended tenderer has indicated that their program of works takes into consideration the provision of appropriate resources to be able to complete the project works effectively and on time.
- d. An allowance for wet weather (2 weeks) is included in the recommended tenderer's construction program. The procurement risks relating to this project are considered low as there is adequate lead time for the recommended tenderer to procure the relevant project construction materials. At the tender clarification meeting, the recommended tenderer did not raise any foreseen COVID-19 related impacts which would affect material supply chains and overall time delivery of the project works.
- e. There are no Development Approvals associated with, or impacting this project.

*ITEM 3.4 TENDER - SAMFORD VALLEY - PRIVATE PERCY CASH PEDESTRIAN BRIDGE - CROSSING AND PATHWAY CONSTRUCTION - 62086536 (Cont.)*

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

*The cost of this project exceeds the delegated limit and requires an amendment to the budget allocation and is therefore reported to Council for consideration.*

3.6 Financial Implications

Council has allocated a total of \$4,200,000.00 in the Capital Projects Program towards this project, with \$47,481.00 for design in the 19/20 FY and \$1,452,519 in the 20/21 FY for construction. A further \$2,700,000 is identified in the draft 21/22 FY Capital Projects budget for construction. The project has received \$500,000 in funding from the State Government's Works for Queensland program and up to a maximum of \$2,000,000 from Queensland Transport and Main Roads for the project. All financial information provided below is excluding GST.

Design 19/20	\$ 47,481.00
Design 20/21	\$ 387,515.98
Energex Design	\$ 13,763.13
Unity Water Design	\$ 3,494.29
Telstra Design/Construction	\$ 68,829.60
Tender Price (Construction)	\$ 3,478,220.00
Contingency (10%)	\$ 347,822.00
Construction Phase Supervision	\$ 10,000.00
<u>QLeave (0.575%)</u>	<u>\$ 19,999.77</u>
<b><u>Total Project Cost</u></b>	<b><u>\$ 4,377,125.77</u></b>
Covid funding W4Q	\$ 500,000.00
Department of Main Roads funding	\$ 2,000,000.00
<b><u>Net cost to Council</u></b>	<b><u>\$ 1,877,125.77</u></b>

Estimated ongoing operational/maintenance costs \$13,500 per F/Y.

The budget amount for this project is insufficient. To allow Council to enter into the agreement, Council commits to the provision of an additional \$178,000.00 in the 21/22 FY quarter one financial review process.

3.7 Economic Benefit Implications

The new pedestrian bridge will provide safer access for cyclists and pedestrians to and from the north which will encourage local visitation and tourism.

3.8 Environmental Implications

The pedestrian bridge will encourage more journeys to be made using active means, taking people out of their cars and resulting in reduced emissions. Working in and around a watercourse presents a risk in rainfall events. Environmental impacts will be managed in accordance with a site-specific Environmental Management Plan provided by the recommended tenderer contractor.

3.9 Social Implications

Safety and comfort of all active transport users will improve with separation provided between cyclists/pedestrians and road traffic. With more people using active transport it will lead to a more accepted cycling culture in the community and less reliance on cars. More people using active transport means results in a healthier population.

*ITEM 3.4 TENDER - SAMFORD VALLEY - PRIVATE PERCY CASH PEDESTRIAN BRIDGE - CROSSING AND PATHWAY CONSTRUCTION - 62086536 (Cont.)*

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 right implications relevant to Council's decision in this matter

3.11 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices issued four weeks prior to commencement of works and project signs displayed on site four weeks prior to construction. Weekly email updates will be provided for the Divisional Councillor and include twice weekly webpage updates. The Divisional Councillor has been consulted and is supportive of the project.

**SUPPORTING INFORMATION**

**Ref: 61841964**

The following list of supporting information is provided for:

**ITEM 3.4**

**TENDER - SAMFORD VALLEY - PRIVATE PERCY CASH PEDESTRIAN BRIDGE - CROSSING AND PATHWAY CONSTRUCTION**

***Confidential #1 Tender Assessment***

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**4 PLANNING SESSION**

**(Cr D Grimwade)**

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No items for consideration.

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**5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION**

**(Cr M Gillam)**

**ITEM 5.1**

**NEW LEASE - PINE RIVERS RAPIDS BASEBALL CLUB INC. AND PINE RIVERS PUMAS RUGBY UNION CLUB INC.**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61928900 : 9 June 2020 - **Refer Supporting Information 61928901**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

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**Executive Summary**

This report seeks Council's approval for the provision of a lease to the Pine Rivers Rapids Baseball Club Inc. and the Pine Rivers Pumas Rugby Union Club Inc. at Les Hughes Sporting Complex, 119 Francis Road, Bray Park (Division 8) (refer Supporting Information #1).

**OFFICER'S RECOMMENDATION**

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

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*ITEM 5.1 NEW LEASE - PINE RIVERS RAPIDS BASEBALL CLUB INC. AND PINE RIVERS PUMAS RUGBY UNION CLUB INC. - 61928900 (Cont.)*

## **REPORT DETAIL**

### **1. Background**

Since the late 1980s, the Pine Rivers Rapids Baseball Club Inc. (Rapids) and the Pine Rivers Pumas Rugby Union Club Inc. (Pumas) have held leases with Council over the below mentioned facilities located at Les Hughes Sporting Complex, 119 Francis Road, Bray Park (refer to Supporting Information #2):

- Rapids
  - Clubhouse building; and
  - Batting shed.
- Pumas
  - Clubhouse building; and
  - Storage shed.

In 2013, Council endorsed a master plan for the site, which identified a requirement to convert one of the baseball fields to a senior rugby union field, and demolish the existing rugby union clubhouse (due to identified structural concerns) and extend the existing baseball clubhouse to accommodate rugby union. This project commenced in July 2019 and reached practical completion in April 2021.

As part of the above mentioned project, additional facilities for the Rapids have been constructed to support the club's operations. These facilities include a bullpen and storage shed (Refer Supporting Information #1).

In addition to the facilities constructed as part of this project, the Rapids have lodged an Improvement Works Application (IWA) with Council for the future construction of a scorer's office (refer Supporting Information #1). This application has been assessed by Council's key stakeholder departments, with no objections received.

With all existing tenure arrangements at this location now expired, new tenure agreements need to be entered into by Council with each group to enable their occupation of the new and future facilities at this location.

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

To enable the Rapids and Pumas to occupy the new and future facilities at this location, Council will be required to enter into tenure agreements with each organisation over their respective areas of occupation. The proposed tenure arrangements are as follows:

- A lease to be provided to the Rapids over the batting shed, bullpen, storage shed, future scorer's office and part of the clubhouse (refer Supporting Information #1);
- A shared use licence to be provided to the Rapids over the canteen and breezeways (refer Supporting Information #1);
- A lease to be provided to the Pumas over part of the clubhouse (refer Supporting Information #1); and
- A shared use licence to be provided to the Pumas over the canteen and breezeways (refer Supporting Information #1).

Accordingly, this report recommends the provision of a lease to each organisation, under the terms and conditions of Council's Community Leasing Policy, over the areas identified in Supporting Information #1 for a period of five (5) years. Council approval is not required for the establishment of the above-mentioned shared use licence agreements.

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ITEM 5.1 NEW LEASE - PINE RIVERS RAPIDS BASEBALL CLUB INC. AND PINE RIVERS PUMAS RUGBY UNION CLUB INC. - 61928900 (Cont.)

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

The Council must comply with the *Local Government Act 2009* and the Local Government Regulation 2012 when it disposes of valuable non-current assets. In accordance with section 224(6) of the Regulation, the disposal of a valuable non-current asset includes the disposal of all or any part of an interest in the asset (for example the grant of a lease over land or a building).

Section 236(2) of the Regulation provides that the exception in section 236(1)(b)(ii) of the Regulation applies only if the Council has decided by resolution that it may apply. By resolving that the exception applies, Council can dispose of the land and buildings (via a lease to a community organisation) other than by tender or auction. Each of the organisations identified in this report are community organisations for the purposes of the Regulation.

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

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

#### 3.4 Risk Management Implications Nil identified

#### 3.5 Delegated Authority Implications

As per Officer's Recommendation 5 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new leases.

#### 3.6 Financial Implications Nil identified

#### 3.7 Economic Benefit Implications Nil identified

#### 3.8 Environmental Implications Nil identified

#### 3.9 Social Implications

The issuing of a lease to each organisation will provide the organisations with facilities to support their operations.

#### 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 this report.

#### 3.11 Consultation / Communication

Councillor Gillam (Division 8);  
Relevant Council Departments;  
Pine Rivers Rapids Baseball Club Inc.  
Pine Rivers Pumas Rugby Union Club Inc.

**SUPPORTING INFORMATION**

**Ref: 61928901**

The following list of supporting information is provided for:

**ITEM 5.1**

**NEW LEASE - PINE RIVERS RAPIDS BASEBALL CLUB INC. AND PINE RIVERS PUMAS RUGBY UNION CLUB INC.**

***#1 Les Hughes Sporting Complex - Pine Rivers Rapids (Rapids) Baseball Club Inc. and Pine Rivers Pumas (Pumas) Rugby Union Club Inc. - Proposed lease areas and proposed shared use licence area***

***#2 Les Hughes Sporting Complex - Pine Rivers Rapids Baseball Club Inc. and Pine Rivers Pumas Rugby Union Club Inc. - previous lease areas***

**ITEM 5.2**

**NEW LEASE - DECEPTION BAY GEM AND ALLIED CRAFTS CLUB INC.**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61936338 : 9 June 2021 - **Refer Supporting Information 61936339**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

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**Executive Summary**

This report seeks Council's approval for the provision of a Trustee lease to the Deception Bay Gem and Allied Crafts Club Inc. at Progress Park Sports Fields, 24 Old Bay Road, Deception Bay (Division 5) (refer Supporting Information #1). The proposed lease would take effect following the group securing sufficient funding to complete a proposed building extension to their club facilities.

**OFFICER'S RECOMMENDATION**

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3 and 4, Deception Bay Gem and Allied Crafts Club Inc. be granted a lease over an area at 24 Old Bay Road, Deception Bay (refer Supporting Information #1) for a period aligning with the expiry of its existing lease at this location (31 October 2021).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the grant of this lease be subject to the Deception Bay Gem and Allied Crafts Club Inc. securing sufficient funding to undertake the project referred to in this report.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

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ITEM 5.2 NEW LEASE - DECEPTION BAY GEM AND ALLIED CRAFTS CLUB INC. - 61936338 (Cont.)

## REPORT DETAIL

### 1. Background

Since 2008, the Deception Bay Gem and Allied Crafts Club Inc. (the Club) has held a lease with Council over club facilities at Progress Park Sports Fields, 24 Old Bay Road, Deception Bay (refer to Supporting Information #1) for the purpose of operating a gem club. The lease is due to expire on 31 October 2021.

The Club have advised Council of their desire to undertake a building extension to their facilities to provide additional space for their club operations.

Community group tenants of Council facilities must submit an Improvement Works Application (IWA) to obtain Council approval for proposed improvements (eg. building extensions) on Council-controlled land. In accordance with Council's Community Leasing Improvement Works and Area Amendments Policy Directive (2160-026), where an improvement will require an increase to the group's lease area of greater than 20% of the original lease area or 250m<sup>2</sup>, consideration by Council at a General Meeting is required.

### 2. Explanation of Item

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

Construction of the proposed building extension will require the Club's lease area to be increased by approximately 116m<sup>2</sup>, representing an increase of 54% in comparison to their existing lease at this location. In accordance with Council's Community Leasing Improvement Works and Area Amendments Policy Directive (2160-026), lease area amendments incorporating a lease area increase of greater than 20% require approval by Council at a General Meeting.

Accordingly, this report recommends that Council approves the granting of a new lease to the Club over the area identified in Supporting Information #1 under the terms and conditions of Council's Community Leasing Policy (2150-079). Further, it is recommended that: the term of this lease be aligned with the term of the Club's existing lease at this location (31 October 2021); and that the provision of the new lease be subject to the group securing sufficient funding to complete the proposed project.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

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

The Council must comply with the *Local Government Act 2009* and the *Local Government Regulation 2012* when it disposes of valuable non-current assets. In accordance with section 224(6) of the Regulation, the disposal of a valuable non-current asset includes the disposal of all or any part of an interest in the asset (for example the grant of a lease over land or a building).

Section 236(2) of the Regulation provides that the exception in section 236(1)(b)(ii) of the Regulation applies only if the Council has decided by resolution that it may apply. By resolving that the exception applies, Council can dispose of the land and buildings (via a lease to a community organisation) other than by tender or auction. Each of the organisations identified in this report are community organisations for the purposes of the Regulation.

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

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

*ITEM 5.2 NEW LEASE - DECEPTION BAY GEM AND ALLIED CRAFTS CLUB INC. - 61936338 (Cont.)*

3.4 Risk Management Implications  Nil identified

3.5 Delegated Authority Implications

As per Officer's Recommendation 5 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new lease.

3.6 Financial Implications  Nil identified

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications

The issuing of a lease to the Club will provide the organisation with the ability to expand its existing facilities which will further support the Club's operations.

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

Councillor Ruck (Division 5);  
Relevant Council Departments;  
Deception Bay Gem and Allied Crafts Club Inc.

**SUPPORTING INFORMATION**

**Ref: 61936339**

The following list of supporting information is provided for:

**ITEM 5.2**

**NEW LEASE - DECEPTION BAY GEM AND ALLIED CRAFTS CLUB INC.**

***#1 Progress Park Sports Fields - Deception Bay Gem and Allied Crafts Club Inc. - Current lease area and proposed additional new lease area***

**ITEM 5.3  
NEW LEASES - SAMFORD AREA MEN'S SHED INC. AND RILEY MOTOR CLUB  
QLD INC.**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61898353 : 16 April 2020 - **Refer Supporting Information 61898354**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

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**Executive Summary**

This report seeks Council's approval for the provision of a lease to the Samford Area Men's Shed Inc. and the Riley Motor Club Qld Inc. at Denis Goodwin Reserve, 39 Showgrounds Drive, Highvale (Division 11) (*refer Supporting Information #1*).

**OFFICER'S RECOMMENDATION**

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That subject to recommendation 4, Samford Area Men's Shed Inc. be granted a lease over an area at 39 Showgrounds Drive, Highvale (*refer Supporting Information #1*) for a period of five years.
3. That, subject to recommendation 4, Riley Motor Club Qld Inc. be granted a lease over an area at 39 Showgrounds Drive, Highvale (*refer Supporting Information #1*) for a period of five years.
4. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the leases and any required variations of the leases on the Council's behalf, as described in this report.

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ITEM 5.3 NEW LEASES - SAMFORD AREA MEN'S SHED INC. AND RILEY MOTOR CLUB QLD INC. - 61898353  
(Cont.)

**REPORT DETAIL**

**1. Background**

Since 2014, the Samford Area Men's Shed Inc. has held a shared use licence with Council over an area at Denis Goodwin Reserve, 39 Showgrounds Drive, Highvale (*refer Supporting Information #1*) for the purpose of operating a men's shed. The most recent licence expired on 31 August 2020, with the organisation continuing to occupy the site on holding over terms.

In addition, since 2016 the Riley Motor Club Qld Inc. has occupied an area under the Samford Area Men's Shed Inc. licence (*refer to Supporting Information #1*) for the purpose of operating a car club. However, the group have expressed a desire to hold direct tenure with Council over their area of occupation.

**2. Explanation of Item**

A review of the existing tenure arrangements with the Samford Area Men's Shed Inc. has identified an opportunity to implement a revised tenure model for the site that administers a consistent level of support to both users. This model would see a lease provided to the Samford Area Men's Shed Inc. over a reduced area incorporating only their areas of occupation (i.e. clubhouse and immediate surrounds), and the provision of a second lease to the Riley Motor Club Qld Inc. over its clubhouse and immediate surrounds.

Both groups have been consulted in relation to the proposed new tenure arrangements at this location and have advised officers of their support. Accordingly, this report recommends that Council approves the provision of leases to the abovementioned organisations, under the terms and conditions of Council's Community Leasing Policy, over the areas identified in Supporting Information #1 for a period of five (5) years.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

The Council must comply with the *Local Government Act 2009* and the Local Government Regulation 2012 when it disposes of valuable non-current assets. In accordance with section 224(6) of the Regulation, the disposal of a valuable non-current asset includes the disposal of all or any part of an interest in the asset (for example the grant of a lease over land or a building).

Section 236(2) of the Regulation provides that the exception in section 236(1)(b)(ii) of the Regulation applies only if the Council has decided by resolution that it may apply. By resolving that the exception applies, Council can dispose of the land and buildings (via a lease to a community organisation) other than by tender or auction. Each of the organisations identified in this report are community organisations for the purposes of the Regulation.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

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

**3.4 Risk Management Implications**

Nil identified

**3.5 Delegated Authority Implications**

As per Officer's Recommendation 5 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new leases.

**3.6 Financial Implications**

Nil identified

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### ITEM 5.3 NEW LEASES - SAMFORD AREA MEN'S SHED INC. AND RILEY MOTOR CLUB QLD INC. - 61898353 (Cont.)

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications

The issuing of a lease to each organisation will provide the organisations with facilities to support their operations.

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 this report.

3.11 Consultation / Communication

Councillor Darren Grimwade (Division 11);  
Relevant Council Stakeholders;  
Samford Area Men's Shed Inc;  
Riley Motor Club Qld Inc.

**SUPPORTING INFORMATION**

**Ref: 61898354**

The following list of supporting information is provided for:

**ITEM 5.3**

**NEW LEASES - SAMFORD AREA MEN'S SHED INC. AND RILEY MOTOR CLUB QLD INC.**

***#1 Denis Goodwin Reserve - Samford Area Men's Shed Inc. and Riley Motor Club Qld Inc. - Current licence area and proposed lease areas***

**ITEM 5.4**  
**LEASE RENEWAL - CABOOLTURE SPORTS CLUB LIMITED INC.**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61936334 : 23 April 2021 - **Refer Supporting Information 61936335**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

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**Executive Summary**

This report seeks Council's approval for the provision of a trustee lease to the Caboolture Sports Club Limited at Dances Road Sportsgrounds, 107 Dances Road, Caboolture (Division 3) (*refer Supporting Information #1*).

**OFFICER'S RECOMMENDATION**

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Caboolture Sports Club Limited be granted a lease over an area at 107 Dances Road, Caboolture (*refer Supporting Information #1*) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

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ITEM 5.4 LEASE RENEWAL - CABOOLTURE SPORTS CLUB LIMITED INC. - 61936334 (Cont.)

**REPORT DETAIL**

**1. Background**

Since 2015, the Caboolture Sports Club Limited (the Club) have held a lease with Council over a clubhouse and storage shed at Dances Road Sportsgrounds, 107 Dances Road, Caboolture (refer to Supporting Information #1) for the purpose of operating a softball club. This lease is due to expire on 30 June 2021.

In 2016, the Club constructed and has since occupied a pitching practice shed at the site (refer to Supporting Information #1), however, this area of occupation was never formalised under a lease agreement.

In accordance with Council's Community Lease Renewals Policy Directive (2160-024), where the proposed renewal of a lease includes a lease area increase greater than 20% of the original lease area or 250m<sup>2</sup>, consideration by Council at a General Meeting is required.

**2. Explanation of Item**

Caboolture Sports Club Limited have made application to Council seeking renewal of its lease at Dances Road Sportsgrounds, 107 Dances Road, Caboolture under Council's Community Leasing Policy (2150-079). As part of the lease renewal assessment, Council officers identified the Club's occupation of the pitching practice shed and the need to include this area into the Club's future lease. Following discussions with the Club regarding its requested lease renewal, the Club has confirmed its desire to be granted a lease over a revised area inclusive of the clubhouse, storage shed and pitching practice shed.

The inclusion of the pitching practice shed will see the Club's lease area increase by approximately 260m<sup>2</sup>, representing an increase of 34% in comparison to their existing lease. Due to the size of the lease area increase being greater than 20% of the Club's original lease area, Council must consider the renewal at a General Meeting. Accordingly, this report recommends that Council approves the granting of a new lease to Caboolture Sports Club Limited over the areas identified in Supporting Information #1 under the terms and conditions of Council's Community Leasing Policy (2150-079). Further, it is recommended that this lease be for a period of five years.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

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

The Council must comply with the *Local Government Act 2009* and the Local Government Regulation 2012 when it disposes of valuable non-current assets. In accordance with section 224(6) of the Regulation, the disposal of a valuable non-current asset includes the disposal of all or any part of an interest in the asset (for example the grant of a lease over land or a building).

Section 236(2) of the Regulation provides that the exception in section 236(1)(b)(ii) of the Regulation applies only if the Council has decided by resolution that it may apply. By resolving that the exception applies, Council can dispose of the land and buildings (via a lease to a community organisation) other than by tender or auction. Each of the organisations identified in this report are community organisations for the purposes of the Regulation.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

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

**3.4 Risk Management Implications**

Nil identified

*ITEM 5.4 LEASE RENEWAL - CABOOLTURE SPORTS CLUB LIMITED INC. - 61936334 (Cont.)*

3.5 Delegated Authority Implications

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

3.6 Financial Implications  Nil identified

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications

The issuing of a lease to the Caboolture Sports Club Limited will provide the organisation with facilities to support its operations, as well as the operations of other site users.

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 this report.

3.11 Consultation / Communication

Councillor Hain (Division 3);  
Relevant Council Departments; and  
Caboolture Sports Club Limited.

**SUPPORTING INFORMATION**

**Ref: 61936335**

The following list of supporting information is provided for:

**ITEM 5.4**

**LEASE RENEWAL - CABOOLTURE SPORTS CLUB LIMITED INC.**

***#1 Dances Road Sportsgrounds - Caboolture Sports Club Limited - current lease area and proposed additional lease areas***

## **ITEM 5.5 LIBRARY SMART RETURN SHELVES**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61825675 : 29 March 2021  
*Responsible Officer:* AB, Library Systems and eServices Leader (CES Cultural Services)

---

### **Executive Summary**

In 2016, Council commenced investment library smart return shelves which improved accessibility, supported faster return of library items and enhanced customer experience. After a competitive procurement process, the smart return shelves were provided by Bibliotheca Pty Ltd.

Council now owns a total of nine Bibliotheca smart return shelves, and for reasons of operational efficiency and consistency in customer experience, it is recommended that Council recognise Bibliotheca Pty Ltd as a sole supplier under subsection 235(a) of the Local Government Regulation 2012 in regards to the supply of Council's library smart return shelves until 30 June 2023.

### **OFFICER'S RECOMMENDATION**

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Bibliotheca Pty Ltd is the only supplier who is reasonably available to provide library smart return shelves which are required to ensure guaranteed compatibility with Council's existing fleet and align with existing operations and customer experience, as described in this report.
2. That the Council enters into an agreement with Bibliotheca Pty Ltd for the provision of library smart return shelves until 30 June 2023, 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 and any required variations of the agreement on Council's behalf, as described in this report.

## ITEM 5.5 LIBRARY SMART RETURN SHELVES - 61825675 (Cont.)

### REPORT DETAIL

#### 1. Background

In 2016, Moreton Bay Regional Council introduced Bibliotheca smart return shelves at Bribie Island Library and over the next three years, Bibliotheca smart shelves were installed at Arana Hills, Albany Creek and Caboolture libraries.

In 2019, Council purchased five more sets of smart return shelves (2 x North Lakes Library, 2 x Redcliffe Library and 1 x Strathpine Library). Bibliotheca was again the successful supplier in the Request for Quote process.

Library's strategic planning has identified that Burpengary Library should be the next location to receive smart return shelving in 2021/22. From 2023, Council will commence a replacement program of the fleet of smart return shelves, as units reach end-of-life.

This report requests that in accordance with section 235(a) of the Local Government Regulation 2012, Council recognises that Bibliotheca Pty Ltd is the only supplier who is reasonably available to provide library smart return shelves with guaranteed compatibility with Council's existing fleet and to align with existing operations and customer experience.

#### 2. Explanation of Item

The current fleet of smart return shelves, across eight libraries, means that customers are accustomed to the Bibliotheca user-experience. Aiming for a standardised fleet also helps establish the library brand consistency across the region.

Bibliotheca Pty Ltd own the software, intellectual property and licensing rights related to Council's existing smart return shelves. Bibliotheca Pty Ltd is the only provider who has the capability of supplying smart return shelves consistent with Council's existing fleet of smart return shelves.

Under the provisions of section 235(a) of the Local Government Regulation 2012, Council may enter into a medium-sized contract with a provider without seeking quotes, if it is satisfied that the provider is the only supplier who is reasonably available to provide the product.

It is therefore recommended that Council recognise Bibliotheca as a sole supplier under section 235(a) of the Local Government Regulation 2012 regarding procurement of library smart return shelves until 30 June 2023.

#### 3. Strategic Implications

##### 3.1 Legislative / Legal Implications

Section 235(a) of the Local Government Regulation 2012, Council may enter into a medium-sized contract with a provider without seeking quotes, if it is satisfied that that is the only supplier who is reasonably available to provide the product.

##### 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 endorsement that this report is in accordance with Council's Procurement Policy 2150-006.

##### 3.4 Risk Management Implications

Risk to customer satisfaction due to inconsistency in customer service and user experience.

*ITEM 5.5 LIBRARY SMART RETURN SHELVES - 61825675 (Cont.)*

3.5 Delegated Authority Implications

The total value of the 5-year projected procurement is within the financial delegation of the Director Community & Environmental Services.

3.6 Financial Implications

The Cultural Services Department has budget allocations for the acquisition and ongoing maintenance of smart return shelves.

3.7 Economic Benefit Implications

Nil identified

3.8 Environmental Implications

Nil identified

3.9 Social Implications

The provision of a high-quality library service connects people with information, technology, experiences and each other and promotes communities that are connected, creative, innovative and economically successful.

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

Team Leader Procurement

Manager Cultural Services

Director Community & Environmental Services

Legal Services

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**6 FINANCE & CORPORATE SERVICES SESSION**

**(Cr M Constance)**

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**ITEM 6.1**  
**2021/22 COUNCIL FEES AND CHARGES**

*Meeting / Session:* 6 FINANCE & CORPORATE SERVICES  
*Reference:* 62003101: 11 May 2021 - **Refer Supporting Information 62119343**  
*Responsible Officer:* DW, Coordinator Accounting Services (FCS Accounting Services)

---

**Executive Summary**

The purpose of this report is to adopt the fees and charges schedule for 2021/22.

**OFFICER'S RECOMMENDATION**

That the 2021/22 Schedule of Fees and Charges as provided in Supporting Information #1 be adopted and commence from 1 July 2021.

---

ITEM 6.1 2021/22 COUNCIL FEES AND CHARGES - 62003101 (Cont.)

**REPORT DETAIL**

**1. Background**

A Council briefing was conducted on 12 May 2021 for the purpose of sharing information and providing advice/views to Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

*The CEO noted the way forward:*

*The draft fees and charges were reviewed at the Briefing and noted that a report to be submitted to the General Meeting for consideration of the 2021/22 Schedule of Fees and Charges.*

**2. Explanation of Item**

Council has in excess of 1000 fees and charges for specific services. These fees and charges are reviewed at least annually to ensure they are appropriate.

Fees and charges revenue represents a sizeable portion of the Council's overall operating revenues at approximately \$37 million per annum.

The majority of the proposed fees and charges for 2021/22 reflect an increase for the estimated Consumer Price Index (CPI) and wage rises.

In general terms if any fees and charges require amending over the course of the financial year a report will be presented to Council with those proposed amendments.

**3. Strategic Implications**

3.1 Legislative / Legal Implications

All cost recovery fees identified in the attached reports have been prepared in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

The key strategic risk for Council in the setting of fees and charges is the projected revenue stream that they generate. Fees and charges revenue represents a sizeable portion of the Council's overall operating revenues and as such there is an element of risk associated with forecasting the expected revenue as many fees and charges are dependent on the level of economic activity and/or demand for Council services.

To mitigate this risk, a conservative approach is taken as to the expected levels of revenue anticipated in the context of the fee and the current economic environment.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

Fees and charges represent a significant component of Council's operational revenues and contributes toward funding various operational services provided.

3.7 Economic Benefit Implications

Whilst the fees and charges do not drive any direct economic benefit to the region they do act as a barometer in terms of the level of economic activity in the region as their charging can demonstrate the demand, or otherwise, for Council services.

*ITEM 6.1 2021/22 COUNCIL FEES AND CHARGES - 62003101 (Cont.)*

3.8 Environmental Implications  Nil identified

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Council, Executive Management Team and officers of Council.

**SUPPORTING INFORMATION**

**Ref: [62119343](#)**

The following list of supporting information is provided for:

**ITEM 6.1  
2021/22 COUNCIL FEES AND CHARGES**

***#1 Schedule of Fees and Charges***

**ITEM 6.2**  
**UNITYWATER CONSENT TO INCUR FINANCE DEBT**

*Meeting / Session:* 6 FINANCE & CORPORATE SERVICES  
*Reference:* 62105422 : 25 May 2021  
*Responsible Officer:* DG, Director Finance and Corporate Services (FCS Directorate)

---

**Executive Summary**

Unitywater have advised that they have received conditional approval from the Minister of Economic Development Queensland for a loan under the Queensland Government's Building Acceleration Fund (BAF). To progress the acceptance of the offer, Unitywater are seeking consent from Council as required under the *Participating Local Government Loan Agreement (Subordinated Deed)* (PLG Agreement).

**OFFICER'S RECOMMENDATION**

1. That Council, in accordance with clause 9.4(c) of the *Participating Local Government Loan Agreement (Subordinated Deed)*, provide consent for Unitywater to enter into a secured loan through the Queensland Government's Building Acceleration Fund (BAF), subject to Unitywater obtaining approval under the *Statutory Bodies Financial Arrangements Act 1982*.
  - a) Note that consent is for *Finance Debt* in the form of:
  - b) A loan to the value of \$10.55M; and
  - c) A Guarantee for the above to the value of \$0.76M
2. That Council's Chief Executive Officer be authorised to do all things necessary to give effect to the above.

---

ITEM 6.2 UNITYWATER CONSENT TO INCUR FINANCE DEBT - 62105422 (Cont.)

**REPORT DETAIL**

**1. Background**

By letter dated 14 May 2021 Unitywater advised it has received conditional approval from the Minister of Economic Development Queensland for a loan of up to \$10.55M under the Queensland Government's Building Acceleration Fund (BAF). To progress the acceptance of the offer, Unitywater are seeking consent from Council as required under the *Participating Local Government Loan Agreement (Subordinated Deed)* (PLG Agreement). Unitywater are required to provide acceptance of the offer by 24 June 2021.

**2. Explanation of Item**

In August 2020 Unitywater made an application to the Queensland Government's Building Acceleration Fund (BAF) for financial assistance to fund the delivery of water and sewerage infrastructure to unlock development of the Caboolture West Neighbourhood Precinct 1 (NDP1). The BAF is a Queensland Government initiative to invest in infrastructure projects which stimulate economic recovery as part of the *Unite and Recover for Queensland Jobs* strategy.

The funding will support Unitywater, in collaboration with seven developers, to deliver the proposed water and sewerage infrastructure project. The developers will fund the cost of the infrastructure via cash contributions with obligations outlined in an underpinning Water Infrastructure Agreement.

To progress the acceptance of the funding offer, Unitywater need written consent from Council in accordance with clause 9.4(c) of the *Participating Local Government Loan Agreement (Subordinated Deed)* to enter into the BAF secured loan agreement with the Minister for Economic Development Queensland.

**3. Strategic Implications**

3.1 Legislative / Legal Implications

Council, as a participant in Unitywater, must provide consent for Unitywater to enter into the BAF loan agreement in accordance with clause 9.4(c) of the *Participating Local Government Loan Agreement (Subordinated Deed)*.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - a council connected with its community.

3.3 Policy Implications

Nil identified

3.4 Risk Management Implications

Council as a participant in Unitywater receives significant financial returns on an annual basis. The most significant risk to Council is that Unitywater is unable to repay the debt and Council's investment, and the financial returns it receives, are significantly impacted. This is mitigated through appropriate governance and oversight of Unitywater.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

Funding under the BAF loan agreement is to be provided interest free and is repayable over a period of fifteen years from the final drawdown with final payment expected by February 2036.

There is the potential that Unitywater's future returns to Council may be impacted due to this commitment.

3.7 Economic Benefit Implications

Delivery and operation of the proposed infrastructure will support the creation of new businesses as the Caboolture West NDP1 precinct progresses toward ultimate development. These new businesses will generate ongoing employment within the region.

*ITEM 6.2 UNITYWATER CONSENT TO INCUR FINANCE DEBT - 62105422 (Cont.)*

3.8 Environmental Implications  Nil identified

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Chief Executive Officer, Manager Legal Services

**ITEM 6.3**  
**DEBT POLICY**

*Meeting / Session:* 6 FINANCE & CORPORATE SERVICES  
*Reference:* 62004208 : 11 May 2021 - **Refer Supporting Information 62004216**  
*Responsible Officer:* DC, Accounting Services Officer (FCS Accounting Services)

---

**Executive Summary**

The purpose of this report is to present the Debt Policy for adoption.

**OFFICER'S RECOMMENDATION**

That the Debt Policy be adopted, as tabled in Supporting Information #1.

ITEM 6.3 DEBT POLICY - 62004208 (Cont.)

**REPORT DETAIL**

**1. Background**

In accordance with section 192 of the Local Government Regulation 2012, Council must prepare and adopt an annual debt policy.

**2. Explanation of Item**

Every financial year the Council must prepare and adopt an annual Debt Policy. The Debt Policy must state:

- i. the new borrowings planned for the current financial year and the next nine financial years.
- ii. the period over which the Council plans to repay existing and new borrowings.

The Debt Policy is prepared and formulated in the context of Council's Annual Budget cycle and Long Term Financial Forecast.

The Debt Policy summarises Council's forecast borrowings, covering the period from 1 July 2021 to 30 June 2031.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

In accordance with section 192 of the Local Government Regulation 2012,

- (1) A local government must prepare and adopt a debt policy for a financial year.
- (2) The debt policy must state:
  - (a) the new borrowings planned for the current financial year and the next 9 financial years; and
  - (b) the period over which the local government plans to repay existing and new borrowings

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

The Debt Policy is updated at least annually in line with the annual budget cycle but can be amended at any time if borrowing requirements change. However, any amendments to the Debt Policy must be made prior to Council lodging its borrowings application with the State Government.

**3.4 Risk Management Implications**

The risk to Council lies in the implementation and application of the Debt Policy. Council must only borrow for capital expenditure purposes as approved through the annual budget and ensure it adheres to appropriate financial ratios in determining those borrowings. The policy is prepared based on the best information available on the projected revenue and expenditure levels as well as the economic outlook.

**3.5 Delegated Authority Implications**

Nil identified

**3.6 Financial Implications**

The Debt Policy allows, upon approval from the State Government, the Council to borrow money that assists in funding capital expenditure. The borrowings forecasted allows Council to fund the capital expenditure required and remain within acceptable financial ratios over the short and long term to ensure long term sustainability

*ITEM 6.3 DEBT POLICY - 62004208 (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

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

Director Finance and Corporate Services.

***SUPPORTING INFORMATION***

**Ref: [62004216](#)**

The following list of supporting information is provided for:

**ITEM 6.3  
DEBT POLICY**

***#1 Debt Policy 2021/22***

**ITEM 6.4**  
**REVENUE POLICY 2021/22**

*Meeting / Session:* 6 FINANCE & CORPORATE SERVICES  
*Reference:* 62131765 : 31 May 2021 - **Refer Supporting Information 62119903**  
*Responsible Officer:* JL, Financial Operations Manager (FCS Financial Operations)

---

**Executive Summary**

Pursuant to section 104 of the *Local Government Act 2009* (Act) and section 193 of the Local Government Regulation 2012 (Regulation) Council is required to prepare a Revenue Policy on an annual basis.

The policy must be prepared in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.

The Revenue Policy is a key component of the system of financial management established by Council in accordance with the Act.

**OFFICER'S RECOMMENDATION**

That the 2021/22 Revenue Policy be adopted, as tabled in supporting information #1.

ITEM 6.4 REVENUE POLICY 2021/22 - 62131765 (Cont.)

**REPORT DETAIL**

**1. Background**

The Revenue Policy is a key component of the Financial Policies required under the *Local Government Act 2009* and will provide guidance during the development of the 2021/22 budget.

**2. Explanation of Item**

In accordance with the requirements set out under section 193 of the Local Government Regulation 2012, the Revenue Policy must incorporate:

- (a) the principles that the local government intends to apply in the financial year for—
  - i. levying rates and charges; and
  - ii. granting concessions for rates and charges; and
  - iii. recovering overdue rates and charges; and
  - iv. cost-recovery methods; and
- (b) if the local government intends to grant concessions for rates and charges - the purpose for the concessions; and
- (c) the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

The Council must review the Revenue Policy annually and in sufficient time to allow an annual budget that is consistent with the Revenue Policy to be adopted for the next financial year.

**3. Strategic Implications**

3.1 Legislative / Legal Implications

Council is required to prepare a Revenue Policy under section 104 of the *Local Government Act 2009*. Section 193 of the Local Government Regulation 2012 outlines the requirements of the Revenue Policy.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The Revenue Policy is required under section 104 of the Local Government Act 2009.

3.4 Risk Management Implications

The risk to Council lies in the implementation and application of the Revenue Policy. Council must set rates and charges at a level that is sufficient to provide for both current and future community requirements. To mitigate this risk, Council undertakes long term financial modelling to inform decision making.

3.5 Delegated Authority Implications                     Nil identified

3.6 Financial Implications

The annual budget for the 2020/21 financial year must be consistent with the principles outlined in the Revenue Policy.

3.7 Economic Benefit Implications                     Nil identified

3.8 Environmental Implications                     Nil identified

3.9 Social Implications                     Nil identified

*ITEM 6.4 REVENUE POLICY 2021/22 - 62131765 (Cont.)*

3.10 Human Rights Implications  Nil identified

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 right implications relevant to Council's decision in this matter.

3.11 Consultation / Communication

In preparing the amended Revenue Policy for the 2020/21 financial year, the Director Finance and Corporate Services and Financial Operations Manager were consulted.

***SUPPORTING INFORMATION***

**Ref: [62004216](#)**

The following list of supporting information is provided for:

**ITEM 6.4  
REVENUE POLICY 2021/22**

***#1 Revenue Policy 2021/22***

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

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Consideration of notified general business items (including reports on significant regional achievements) or responses to questions taken on notice.

**14. CLOSED SESSION**

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*(s254J of the Local Government Regulation 2012)*

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

**RESOLUTION to move into closed session** to discuss confidential matters.

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

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

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**14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL**

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No items for consideration.

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**14b. CONFIDENTIAL GENERAL BUSINESS**

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No items for consideration.



**MINUTES**  
**GENERAL MEETING**

**Wednesday 26 May 2021**  
commencing at 9.30am

Strathpine Chambers  
220 Gympie Road, Strathpine

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**Membership = 13**  
Mayor and all Councillors

**UNCONFIRMED**

## LIST OF ITEMS

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	<b>RESOLUTION</b>	
6.	<b>PRESENTATION OF PETITIONS</b>	<b>636</b>
	<i>(Addressed to the Council and tabled by Councillors)</i>	
6.1.	Petition: Matt Chapman - Allowing free community events in green spaces along Nathan Road, Kippa Ring (62097282)	
6.2.	Petition: Ken Salisbury - Kangaroo road kills on Bribie Island (62072578)	
6.3.	Petition: Allen Higgison - Lack of Maintenance to the lake area within the Bibimulya Wetlands (62103163)	
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10.	<b>CONFLICTS OF INTEREST NOTIFIED TO THE CEO</b>	<b>637</b>
11.	<b>OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)</b>	<b>637</b>
	<i>(as referred by the Chief Executive Officer)</i>	
	<b>1 GOVERNANCE &amp; ENGAGEMENT SESSION (Cr P Flannery, Mayor)</b>	<b>638</b>
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	<b>RESOLUTION</b>	
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	MILLOVATE BUDGET AND BUSINESS PLAN FY2022	
	<b>RESOLUTION</b>	
	REPORT DETAIL	
	<b>ITEM 1.3</b>	<b>645</b>
	AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NATIONAL AND QUEENSLAND STATE CONFERENCE	

**RESOLUTION**

REPORT DETAIL

**ITEM 1.4** 648

125TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ)  
CONFERENCE - ATTENDANCE AND DELEGATES

**RESOLUTION**

REPORT DETAIL

**2 INFRASTRUCTURE PLANNING SESSION (Cr A Hain)** 651

**ITEM 2.1** 651

DONNYBROOK - PROPOSED NAMING OF PIONEER PARK AND PUMICESTONE PARK

**RESOLUTION**

REPORT DETAIL

**ITEM 2.2** 658

AMENDMENT TO THE MORETON BAY REGIONAL COUNCIL LOCAL GOVERNMENT  
INFRASTRUCTURE PLAN

**RESOLUTION**

REPORT DETAIL

**3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION (Cr B Savige)** 662

**ITEM 3.1** 662

MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION  
(PRELIMINARY AND DETAILED DESIGN) - VARIATION

**RESOLUTION**

REPORT DETAIL

**4 PLANNING SESSION (Cr D Grimwade)** 672

**ITEM 4.1** 672

DA/41088/2020/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR  
SHOPPING CENTRE, FOOD AND DRINK OUTLET, HEALTH CARE SERVICE, INDOOR  
SPORT AND RECREATION, OFFICE - 96-110 BELLMERE ROAD, BELLMERE

**RESOLUTION**

REPORT DETAIL

**5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION (Cr M Gillam)** 722

**ITEM 5.1** 722

COMMENCEMENT OF PROSECUTIONS

**RESOLUTION**

REPORT DETAIL

**ITEM 5.2** 726

INFRINGEMENT NOTICE COURT ELECTIONS - PARKING

**RESOLUTION**

REPORT DETAIL

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***RESOLUTION***

**14b. CONFIDENTIAL GENERAL BUSINESS**

**750**

UNCONFIRMED

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**1. ACKNOWLEDGEMENT OF COUNTRY**

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Cr Brooke Savige provided the Acknowledgement of Country.

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**2. OPENING PRAYER / REFLECTION**

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Cr Brooke Savige provided the opening prayer / reflection for the meeting.

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**3. ATTENDANCE & APOLOGIES**

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**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 Mick Gillam  
Cr Cath Tonks  
Cr Matt Constance  
Cr Darren Grimwade  
Cr Tony Latter

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)
Chief Economic Development Officer	(Mr Paul Martins)
Acting Manager Strategy & Engagement	(Mr Darren Dallinger)
Manager Development Services	(Dan Staley)
Meeting Support	(Kim Reid)

**Apologies:**

Cr Denise Sims (Deputy Mayor)

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#### 4. MEMORIALS OR CONDOLENCES

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Cr Constance made special mention of the late **Christopher Ernest Arnott** who had recently passed away.

Chris was a founding member of Arana Hills SES, having worked in various roles over his 40 years of service with the SES. Cr Constance commented that Chris's dedication and commitment to the SES was outstanding.

Cr Constance passed on his condolences to Mr Arnott's family, friends and colleagues and all who had the great pleasure of knowing him.

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

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#### 5. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

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##### General Meeting - 12 May 2021 (Pages 21/545 - 21/616)

###### RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Cath Tonks

CARRIED 12/0

That the minutes of the General Meeting held 12 May 2021, be confirmed.

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#### 6. PRESENTATION OF PETITIONS

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*(Addressed to the Council and tabled by Councillors)*

##### **6.1. Petition: Matt Chapman - Allowing free community events in green spaces along Nathan Road, Kippa Ring (62097282)**

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Cr Ruck tabled a petition containing 133 signatures, received from Matt Chapman reading as follows:

*"Asking MBRC to allow free community events in green spaces along Nathan Road"*.

Council received the petition, referring it to the Director Community and Environmental Services for investigation and report to Council, if required.

##### **6.2. Petition: Ken Salisbury - Kangaroo road kills on Bribie Island (62072578)**

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Cr Savage tabled a petition containing 575 signatures, received from Ken Salisbury reading as follows:

- *"Put in dusk to dawn reductions in high impact zones, predictable risk zones;*
- *Put in motion activated illuminated Wildlife Alert signs like the SAM sign in high impact/predictable risk zones;*
- *Paint 'Wildlife Drive Carefully' signwriting at the access of high impact/predictable risk zones;*
- *Fence the area of national park on Sunderland Drive to Benabrow Avenue between Banksia Beach Primary School;*
- *Bribie Island is unique, it must be treated as a 'one off' in its planning, approval and management processes. Not just part of the MBRC regional management plans"*.

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

**6.3. Petition: Allen Higgison - Lack of Maintenance to the lake area within the Bibimulya Wetlands (62103163)**

Cr Savige tabled a petition containing 60 signatures, received from Allen Higgison reading as follows:

*“Petition to the Moreton Bay Council into what is regarded as lack of maintenance to the lake area within the Bibimulya Wetlands”.*

Council received the petition, referring it to the Director Engineering and Construction Maintenance for investigation and report to Council, if required.

**7. CORRESPONDENCE**

There was no correspondence for tabling

**8. COMMUNITY COMMENT**

There were no participants in the 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 to consider.

**10. CONFLICTS OF INTEREST NOTIFIED TO THE CEO**

*Conflicts of interest notified to the CEO where not specifically related to an item on this agenda*

There were no notified conflicts of interest.

**11. 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
<b>1 Governance &amp; Engagement</b>	Cr P Flannery (Mayor)	Cr D Sims (Deputy Mayor)
<b>2 Infrastructure Planning</b>	Cr A Hain	Cr T Latter
<b>3 Engineering, Construction &amp; Maintenance</b>	Cr B Savige	Cr C Tonks
<b>4 Planning</b>	Cr D Grimwade	Cr K Winchester / Cr M Booth
<b>5 Community &amp; Environmental Services</b>	Cr M Gillam	Cr S Ruck
<b>6 Finance &amp; Corporate Services</b>	Cr M Constance	Cr J Shipway

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**1 GOVERNANCE & ENGAGEMENT SESSION**

**(Cr P Flannery, Mayor)**

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**ITEM 1.1  
SMALL BUSINESS FRIENDLY COUNCILS**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 62012146 : 13 May 2021 - **Refer Supporting Information 61984814**  
*Responsible Officer:* PM, Chief Economic Development Officer (CEO Economic Development)

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**Executive Summary**

Council has been approached by the Queensland Government, Queensland Small Business Commissioner (QSBC) to join the Small Business Friendly Councils (SBFC) initiative. The initiative recognises local Councils that are actively supporting small businesses in their region and helping small businesses recover and build resilience following disasters and economic challenges.

The QSBC is requesting Councils to demonstrate their commitment to local small businesses in their community by signing up to a Charter as a "Small Business Friendly Council".

There are no financial costs associated with Council signing up to the Charter (Appendix 1) itself, however, contained within the Charter there are a number of requirements Council would be compelled to address, meet and report on which could require some level of resourcing/administration. Many of these tasks are 'good practice' and systems and processes that Council is already undertaking in support of the small business community across the region.

Ten (10) Councils have already signed up as Small Business Friendly Councils including Ipswich and the Scenic Rim in South East Queensland as well as Toowoomba and Cairns among others. Moreton Bay Regional Council (MBRC) would be the largest Council to date to sign up to the initiative if endorsed by Council.

May is Queensland Small Business Month (QSBM), celebrating small businesses which make a vital contribution to our economy. Council's endorsement of the SBFC at this time would show support for our small business community and build on the adoption of the Regional Economic Development Strategy (REDS) on 3 February 2021.

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**RESOLUTION**

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**Moved by Cr Mick Gillam**

**Seconded by Cr Adam Hain**

**CARRIED 12/0**

- 1. That Council endorses and signs up to the Small Business Friendly Council initiative and Charter.**
- 2. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the Small Business Friendly Council initiative and Charter with the Queensland Small Business Commissioner and communicating the Charter's intent and actions across the organisation and to the business community across Moreton Bay.**

ITEM 1.1 SMALL BUSINESS FRIENDLY COUNCILS - 62012146 : 13 May 2021 - (Cont.)

**OFFICER'S RECOMMENDATION**

1. That Council endorses and signs up to the Small Business Friendly Council initiative and Charter.
2. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the Small Business Friendly Council initiative and Charter with the Queensland Small Business Commissioner and communicating the Charter's intent and actions across the organisation and to the business community across Moreton Bay.

**REPORT DETAIL**

**1. Background**

The QSBC is working in partnership with Councils across Queensland to develop the local SBFC initiative as a commitment to be mindful of small businesses, their issues and priorities when making decisions for the local community.

Small businesses are at the heart of the Queensland economy and our regional communities. They create local jobs, grow the local economy, and provide essential goods and services. But just as importantly, small businesses help create attractive, liveable communities. They also foster civic pride and help attract people and investment into the area. In the face of unprecedented natural disasters and the economic ripple effects of the COVID-19 global pandemic, it is vital that local Councils support their small businesses to survive and thrive.

Moreton Bay region has 29,090 businesses (source: ID) with some of the largest industries being:

- Construction 6,732.
- Professional, Scientific and Technical Services 3,388.
- Transport, Postal and Warehousing 2,669.

Type of business	Number	Percentage
Non-employing	17,670	61%
1-19 Employees "small"	10,775	37%
20-199 "medium"	616	2%
200+	13	-

The Charter promotes local small business success through the following key commitments:

- effective communication and engagement
- raising small business profile and capability
- supporting resilience and recovery
- simplifying administration and regulation (reducing red tape)
- ensuring fair procurement and prompt payment terms
- promoting place-based programs
- promoting and showcasing small business and
- measuring and reporting on activities.

Councils are also invited to identify two place-based programs (activities or priorities) which create the right environment for small businesses to start, grow and build resilience.

**2. Explanation of Item**

The SBFC initiative already exists in similar forms in New South Wales, Victoria and South Australia. The REDS largely covers off on the services/functions outlined in the new Queensland Government initiative, however by signing up to the Charter, Council's membership will have the dual benefit of:

ITEM 1.1 SMALL BUSINESS FRIENDLY COUNCILS - 62012146 : 13 May 2021 - (Cont.)

1. Reinforcing Council's commitment to small business and their development which has been identified as an Industry Advancement outcome within the REDS. The charter also aligns with the objectives of the Moreton Recovery Group - Economic sub-group Action Plan, to assist businesses grow, recover and flourish in response to the COVID19 pandemic; and
2. Ensure that Council is seen as 'Small Business Friendly', signing the Charter will likely enhance the business profile of the Moreton Bay region which recognises the importance and role small businesses play in developing and diversifying our economy while also increasing our resilience.

The Charter also gives Councils the opportunity to reinforce their collaborative relationship with the local chamber(s) of commerce, industry groups or other such bodies and Council can opt to co-sign the SBFC charter together with local chamber(s).

### Program Benefits

Participation in the SBFC initiative will enable Councils to:

- access tools and resources that assist Councils with small business resilience and recovery
- use the QSBC's SBFC identifier and brand assets to promote their commitment to being small business friendly
- promote their initiatives on the SBFC website
- become part of a community of practice of like-minded small business friendly Councils
- participate in regular forums
- help attract investment and commercial opportunities to stimulate growth in the local economy and
- access a dedicated point of contact within QSBC to seek immediate advice and information regarding available programs and support.

Participation in the SBFC initiative will enable small businesses to have:

- a greater focus on helping small businesses to grow and employ more local people
- increased access to tools and resources to support business recovery and resilience
- simplified administration and regulation (reduced red tape)
- increased opportunities to promote and showcase your business and
- greater access to fair procurement and prompt payment terms for suppliers to councils.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

The Charter is a non-legally binding document and there are no legal or legislative implications. There are potential reputation impacts should Council not fulfil its obligations under the Charter which will be managed through the delivery of the REDS and internal communication with impacted/related Departments.

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

The SBFC initiative links to the REDS goals and actions which were adopted by Council on 3 February 2021.

#### 3.4 Risk Management Implications

Although many of the actions/services listed in the Charter are already being conducted by Council, should Council choose not to sign up, the local business community and chambers of commerce and industry groups may inadvertently and incorrectly label Council as unfriendly or unsupportive of small business. Risk will be managed through the delivery of the REDS action plan and associated internal dialogue with other impacted/relevant Departments.

*ITEM 1.1 SMALL BUSINESS FRIENDLY COUNCILS - 62012146 : 13 May 2021 - (Cont.)*

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

Should Council support signing the Charter there are no direct budget implications known at this stage, however, there may be some indirect costs associated with addressing and meeting commitments presented in the Charter, including reporting to the Queensland Government and general promotion of the program which can be met from the existing Economic Development operational budget.

3.7 Economic Benefit Implications

Without a vibrant and growing economy, and support for the small business community, there would be a lack of jobs, income and wealth, which in turn would cause a number of far reaching social and community issues. The work that is undertaken in the REDS strategy and linked to the SBFC initiative, provides a framework of actions to ensure a strong and vibrant local economy including the creation of jobs which will lead to economic and community benefits for the region.

3.8 Environmental Implications  Nil identified

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 right implications relevant to Council's decision.

3.11 Consultation / Communication

Councillors  
Director, Finance and Corporate Services  
Manager, Customer Response  
Manager, Development Services  
Emergency Management and Public Safety Manager  
Senior Legal Officer, Legal Services

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**ITEM 1.2**  
**MILLOVATE BUDGET AND BUSINESS PLAN FY2022**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 61993617 : 6 May 2021 - Refer Supporting Information 62047563  
*Responsible Officer:* DG, Director Finance and Corporate Services (FCS Directorate)

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**Executive Summary**

Millovate is a special purpose entity established by the Council to be responsible for delivering and managing the Mill Precinct as a 'beneficial enterprise' as defined under the *Local Government Act 2009 (Q/d)* (LGA). It is required to prepare a budget and business plan each year for approval by Council.

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**RESOLUTION**

---

Moved by Cr Jodie Shipway

Seconded by Cr Sandra Ruck

CARRIED 12/0

1. That the Millovate Business Plan 2021-2022 be approved as tabled.
2. That provision of \$5,904,235 be made in the Council's 2021/22 Financial Year Budget for the projected operating costs of Millovate.

ITEM 1.2 MILLOVATE BUDGET AND BUSINESS PLAN FY2022 - 61993617 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That the Millovate Business Plan 2021-2022 be approved as tabled.
2. That provision of \$5,904,235 be made in the Council's 2021/22 Financial Year Budget for the projected operating costs of Millovate.

**REPORT DETAIL**

**1. Background**

Requirements for the business plan and budget are outlined in the governance documents established for Millovate, namely the Statement of Corporate Intent and Support Deed. Pursuant to these documents Millovate is required to prepare a budget and business plan each year for approval by Council.

In accordance with clause 3.4 of the Statement of Corporate Intent which requires Millovate to consult with Council on its business plan, the Millovate Chair and CEO attended a Council briefing on 5 May 2021. In line with Council's decision-making framework, an extract from the minutes of the briefing is provided below:

*Millovate's budget and business plan be presented to a future general meeting for Council's consideration, subject to the suitability of the interim cost plan. Officers to ensure that Millovate's interim cost plan is brought to a future briefing by approximately August 2021.*

**2. Explanation of Item**

The purpose of the Millovate Business Plan (2021-2022) is to outline Millovate's mission, objectives, strategy and business model. It is a key document supporting Millovate's responsibilities and interaction with Council and is provided as Supporting Information #1.

The focus of the 2021-22 Plan is to investigate and test the feasibility of commercial opportunities for consideration by the Millovate Board and Council in order to optimise the social and economic return on investment for the community. A key deliverable is a Development Plan which will guide the longer-term development of The Mill at Moreton Bay site. The Development Plan will detail how Development Strategies will be coordinated, prioritised, sequenced, financed, executed and evaluated.

Given the importance of the Development Plan in understanding the quantum and timing of Council's future financial commitment to Millovate, it is considered appropriate that Council be consulted further and briefed in more detail when Millovate has completed its interim cost plan. As such it is recommended that further funding commitments by Council be subject to the suitability of the Interim Cost Plan to be prepared by Millovate in quarter one of FY2022.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Requirements for the business plan and budget are outlined in the governance documents established for Millovate, namely the Statement of Corporate Intent and Support Deed. Pursuant to these documents Millovate is required to prepare a budget and business plan each year for approval by Council.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

Nil identified

ITEM 1.2 MILLOVATE BUDGET AND BUSINESS PLAN FY2022 - 61993617 (Cont.)

3.4 Risk Management Implications

There is a risk that Millovote may not deliver on its commitments and/or not use the funds for their intended purpose. This risk is being mitigated through appropriate oversight and governance procedures.

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

This provision has been taken into consideration in the development of the Council's draft budget for 2021/22.

The budget request from Millovote totals \$5,904,235 and relates entirely to operating costs as follows:

Cost Category	FY2022 Proposed Budget
Marketing and Communications	\$292,000
Investments	\$3,035,000
Corporate Services	\$2,577,235
	<b>\$5,904,235</b>

3.7 Economic Benefit Implications

The REDS identified The Mill at Moreton Bay as one of the five region-building projects to drive MBRC's 'Bigger Bolder Brighter' goals by 2041 and nominated Millovote as a key delivery partner.

3.8 Environmental Implications

The Millovote Business Plan is seeking to balance local and regional economic growth with integrated social infrastructure development and the protection and enhancement of environmental values.

3.9 Social Implications

The delivery of the Mill at Moreton Bay is structured around four themes that aim to deliver a balance between commercial and non-commercial development and explicitly includes Community Wellbeing.

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

Millovote Project Control Group

**ITEM 1.3**

**AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA)  
NATIONAL AND QUEENSLAND STATE CONFERENCE**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 62043263 : 13 May 2021  
*Responsible Officer:* KR, Executive Support (CEOs Office)

**Executive Summary**

The purpose of this report is to determine Councillor attendance to the Australian Local Government Women's Association (ALGWA) National and Queensland State Conference be held at Coral Sea Marina Resort, Airlie Beach from 17 - 19 August 2021.

**RESOLUTION**

Moved by Cr Jodie Shipway

Seconded by Cr Adam Hain

**CARRIED 12/0**

1. That Councillors Sandra Ruck, Denise Sims and Cath Tonks be authorised to attend the ALGWA National and Queensland State Conference.
2. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

ITEM 1.3 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NATIONAL AND QUEENSLAND STATE CONFERENCE - 62043263 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That Councillors Sandra Ruck, Denise Sims and Cath Tonks be authorised to attend the ALGWA National and Queensland State Conference.
2. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

**REPORT DETAIL**

**1. Background**

Advice has been received that the ALGWA National and Queensland State Conference will be held at the Coral Sea Marina Resort, Airlie Beach from 17 - 19 August 2021. Councillor Sandra Ruck, Councillor Denise Sims and Councillor Cath Tonks have expressed an interest in attending this conference.

**2. Explanation of Item**

The 2021 conference will be hosted by Whitsunday Regional Council with a theme of 'Women Connected and Unshaken' and will provide a program to develop skills and knowledge for local government.

**3. Strategic Implications**

- 3.1 Legislative / Legal Implications  Nil identified
- 3.2 Corporate Plan / Operational Plan  
Strengthening Communities: Strong local governance - strong leadership and governance.
- 3.3 Policy Implications  
Arrangements will be made in accordance with Council's Professional Development Policy 2150-089.
- 3.4 Risk Management Implications  Nil identified
- 3.5 Delegated Authority Implications  Nil identified
- 3.6 Financial Implications  
Appropriate funds have been provided in the 2021/22 budget.
- 3.7 Economic Benefit Implications  
Topics associated with the conference will address a range of economic challenges facing local government.
- 3.8 Environmental Implications  
Topics associated with the conference will address a range of environmental implications facing local government.
- 3.9 Social Implications  
Topics associated with the conference will address a range of social implications facing local government.
- 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.

*ITEM 1.3 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NATIONAL AND QUEENSLAND STATE CONFERENCE - 62043263 (Cont.)*

3.11 Consultation / Communication

Consultation was undertaken with Councillors, the Chief Executive Officer and the Executive Leadership Team.

UNCONFIRMED

**ITEM 1.4**

**125TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) CONFERENCE - ATTENDANCE AND DELEGATES**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 62041684 : 17 May 2021  
*Responsible Officer:* LK, Executive Support Officer (CEOs Office)

**Executive Summary**

The purpose of this report is to seek Council direction in relation to Councillor attendance and Delegates at the 2021 Local Government Association of Queensland (LGAQ) 125<sup>th</sup> Annual Conference to be held at Mackay Entertainment & Convention Centre (MECC) from 25 - 27 October 2021.

**RESOLUTION**

Moved by Cr Cath Tonks

Seconded by Cr Tony Latter

CARRIED 12/0

1. That Councillors Peter Flannery (Mayor), Denise Sims (Deputy Mayor), Mark Booth, Adam Hain, Matt Constance and Tony Latter be authorised to attend the 125<sup>th</sup> Annual Local Government Association of Queensland (LGAQ) Conference.
2. That it be noted Councillors Peter Flannery (Mayor) and Denise Sims (Deputy Mayor) are Council's Delegates to the 125<sup>th</sup> Annual Local Government Association of Queensland (LGAQ) Conference, and that other Councillor attendees will attend as observers.
3. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

*ITEM 1.4 125TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) CONFERENCE - ATTENDANCE AND DELEGATES - 62041684 (Cont.)*

**OFFICER'S RECOMMENDATION**

1. That Councillors Peter Flannery (Mayor), Denise Sims (Deputy Mayor), Mark Booth, Adam Hain, Matt Constance and Tony Latter be authorised to attend the 125<sup>th</sup> Annual Local Government Association of Queensland (LGAQ) Conference.
2. That it be noted Councillors Peter Flannery (Mayor) and Denise Sims (Deputy Mayor) are Council's Delegates to the 125<sup>th</sup> Annual Local Government Association of Queensland (LGAQ) Conference, and that other Councillor attendees will attend as observers.
3. That the Chief Executive Officer arrange for officer attendance at this conference as appropriate.

**REPORT DETAIL**

**1. Background**

Advice has been received that the 125<sup>th</sup> Annual LGAQ Conference will be held at Mackay Entertainment & Convention Centre (MECC) from 25 - 27 October 2021.

**2. Explanation of Item**

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

**3. Strategic Implications**

- 3.1 Legislative / Legal Implications  Nil identified
- 3.2 Corporate Plan / Operational Plan  
Strengthening Communities: Strong local governance - strong leadership and governance.
- 3.3 Policy Implications  
Arrangements will be made in accordance with Council's Professional Development Policy 2150-089.
- 3.4 Risk Management Implications  Nil identified
- 3.5 Delegated Authority Implications  Nil identified
- 3.6 Financial Implications  
Funds for attendance to the conference have been provided in the 2021-22 budget.
- 3.7 Economic Benefit Implications  
Topics and motions associated with the conference will address a range of economic factors in local government.
- 3.8 Environmental Implications  
Topics and motions associated with the conference will address a range of environmental challenges facing local government,
- 3.9 Social Implications  
Topics and motions associated with the conference will address a range of social challenges facing local government.

ITEM 1.4 125TH ANNUAL LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) CONFERENCE - ATTENDANCE AND DELEGATES - 62041684 (Cont.)

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

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

UNCONFIRMED

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**2 INFRASTRUCTURE PLANNING SESSION**

**(Cr A Hain)**

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**ITEM 2.1**

**DONNYBROOK - PROPOSED NAMING OF PIONEER PARK AND PUMICESTONE PARK**

*Meeting / Session:* 2 INFRASTRUCTURE PLANNING  
*Reference:* 61633347: 16 February 2021  
*Responsible Officer:* BS, Technical Officer (IP Parks & Recreation Planning)

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**Executive Summary**

The Division 1 Councillor has been contacted by the Donnybrook Progress Association whose members believe that the recently installed park signage on the corner of Amy Street and Alice Street Donnybrook is incorrect. Council officers had recently replaced the ageing "Pumicestone Park" name sign as part of routine renewal program works. During the replacement process, officers identified that the name on the existing sign was inconsistent with the name as shown in Council's records system. Further investigation has determined that this name was endorsed by a Council resolution in 1998. The new sign was subsequently installed with the name "Pioneer Park" as shown in Council's system.

Numerous discussions have been held between the Donnybrook Progress Association, the Division 1 Councillor and officers from Council's Parks and Recreation Planning department. The community have now asked for the sign on the corner of Amy Street and Alice Street Donnybrook, to be changed back to "Pumicestone Park". Residents have also requested that nearby Donnybrook Foreshore parkland (figure 3) be renamed as Pioneer Park to acknowledge the contributions made by the early pioneering families.

It is acknowledged that the local community has a strong opinion on the park names and their location within the foreshore parkland and Council officers see no grounds for Council to object to what is considered a reasonable request.

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**RESOLUTION**

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**Moved by Cr Brooke Savige**

**Seconded by Cr Jodie Shipway**

**CARRIED 12/0**

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 143, CG4385 as "Pumicestone Park" be approved.
2. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 145, SP141471 and Lot 1, SP164553 as "Pioneer Park" be approved.
3. That public advertising of the proposal to name the reserves be undertaken via appropriate digital and print media platforms, having a distribution covering the general vicinity of the subject park, and on Council's website, with public submissions open for a period of 28 days.
4. That should adverse submissions be received as a result of public advertising; the matter be referred to Council in a subsequent report.

*ITEM 2.1 DONNYBROOK - PROPOSED NAMING OF PIONEER PARK AND PUMICESTONE PARK - 61633347  
(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 143, CG4385 as "Pumicestone Park" be approved.
2. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 145, SP141471 and Lot 1, SP164553 as "Pioneer Park" be approved.
3. That public advertising of the proposal to name the reserves be undertaken via appropriate digital and print media platforms, having a distribution covering the general vicinity of the subject park, and on Council's website, with public submissions open for a period of 28 days.
4. That should adverse submissions be received as a result of public advertising; the matter be referred to Council in a subsequent report.

## **REPORT DETAIL**

### **1. Background**

Council officers routinely commenced an investigation to replace a park sign within a park on the corner of Amy Street and Alice Street Donnybrook (Lot no. 143, CG4385) which was due for renewal. The investigation identified that Council had resolved in 1998 to name the park, Pioneer Park, and the current name in the park was incorrect. The former sign (Pumicestone Park) was subsequently removed and replaced with a sign naming the parkland as Pioneer Park.

The Division 1 Councillor was contacted by the Donnybrook Progress Association querying why the park name was amended and asked that it to be changed back to Pumicestone Park.

An investigation was commenced by Parks and Recreation Planning officers to clarify the correct name of the park and determine how the matter could best be resolved.

Searches of Council records have revealed that the matter had been taken to Council several times with the following outcomes;

- Council officers prepared a Council Report in 1997 proposing to name Reserve R.518 (which was later replaced by Lot 143, CG4385 and Lot 145, SP141471) as "Pumicestone Park". This was advertised in a local newspaper and 38 signatures were received requesting that instead of using the frequently used name Pumicestone, that the park be named after a long-term resident Mrs. Jeannie Johnston.
- Council officers prepared a Council Report in 1998 proposing to name Reserve R.518 as "J Johnston Park". This was again advertised in a local newspaper and 171 signatures were received in support and 176 were received voting for Pumicestone Park.
- Council officers then prepared a Council Report in 1998 proposing to name Reserve R.518 as "Pumicestone Park". The Council resolution was that the park be named "Pioneer Park". The resolution is noted below in Figure 1.
- No records can be found in Council's systems that support an adoption of the name Pumicestone Park at Donnybrook.

ITEM 2.1 DONNYBROOK - PROPOSED NAMING OF PIONEER PARK AND PUMICESTONE PARK - 61633347  
(Cont.)

**Council Resolution**

**2.3.7 NAMING OF PARK – 15 ALICE STREET, DONNYBROOK**

**Moved by Cr J McNaught and seconded by Cr G Chippendale that the recommendation NOT be adopted and that Reserve No.518 Parish of Toorbul be named "Pioneer Park" and a list of the pioneer families be placed on the sign.**

**AMENDMENT**

**Moved by Cr C Minetti and seconded by Cr J McLoughlin that the recommendation be adopted.**

**The amendment was CARRIED and when put as the motion was also CARRIED.**

Figure 1: Council resolution from 1998

Council subsequently installed a sign identifying Pioneer Park within the generically named Donnybrook Foreshore Park, opposite 6 Esplanade South, Donnybrook. The existing sign was located 90m south of the actual named park and also found to not meet current standards. This sign was removed at the same time as the sign at Pumicestone Park (late 2020).



Figure 2: Pioneer Park sign (was located in Donnybrook Foreshore Park, approximately 90m south of the named parkland)



ITEM 2.1 DONNYBROOK - PROPOSED NAMING OF PIONEER PARK AND PUMICESTONE PARK - 61633347  
(Cont.)

## 2. Explanation of Item

A meeting was subsequently held between the Donnybrook Progress Association, the Division 1 Councillor and Council officers, where the outcomes of the investigation were explained, and a way forward was agreed.

It was determined that Council approval should be sought to have the park renamed as it was historically known by the community as Pumicestone Park and has been signed as such for many years. The discussion also noted that there was a desire to continue with the recognition of the pioneering families by naming the existing Donnybrook Foreshore Park as Pioneer Park, with agreement to record notable names on the history board beneath the main sign. (Refer to Figures 5 and 6).

The proposed naming aligns with Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads). This application has been supported by Division 1 Councillor, Brooke Savage.

The recommendation to name the area complies with the Council's policy guideline as outlined below:

- Historic landmarks;
- Locality of the land;
- Names of respected community members of considerable service who are, or were resident or working within the region;
- Names of pioneering families and long-term residents;

Council internal policy requires that any proposal to name an area of parkland 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. Other suitable digital media outlets will also be utilised where local print newspapers are not in existence.

A history board is proposed to be installed in conjunction with the new Pioneer Park signage to acknowledge the pioneering families. The proposed wording is as follows:

*"In acknowledgement of the support of local pioneering families: Benson, Corscadden, Grant, Johnston, Rudken, and Van Tienhoven."*



Figure 5: Proposed boundaries of Pumicestone Park, comprised of Lot 143, CG4385 and part of the adjacent road reserve.

ITEM 2.1 DONNYBROOK - PROPOSED NAMING OF PIONEER PARK AND PUMICESTONE PARK - 61633347  
(Cont.)



Figure 6: Donnybrook Foreshore, to be renamed as Pioneer Park, Lot 1, SP164553.

In considering the matter, it is acknowledged that the local community has a strong opinion on the names and their location within the foreshore parkland and Council officers see no grounds for Council to object to what is considered a reasonable request. The essence of the former naming remains in place with appropriate recognition of the contribution of local pioneering families to the development of the community.

**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 proposed naming 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).

ITEM 2.1 DONNYBROOK - PROPOSED NAMING OF PIONEER PARK AND PUMICESTONE PARK - 61633347  
(Cont.)

- 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 2 new signs in accordance with the Draft Park and Open Space Signage Guidelines is approximately \$4,000.
- 3.7 Economic Benefit Implications  Nil identified
- 3.8 Environmental Implications  Nil identified
- 3.9 Social Implications  
The local community has a strong opinion on the matter and Council officers see no grounds for Council to object to what is considered a reasonable request.
- 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  
Appropriate consultation has been held between community representatives, The Division 1 Councillor and Councils Parks and Recreation Planning department.

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**ITEM 2.2**  
**AMENDMENT TO THE MORETON BAY REGIONAL COUNCIL LOCAL**  
**GOVERNMENT INFRASTRUCTURE PLAN**

*Meeting / Session:* 2 INFRASTRUCTURE PLANNING  
*Reference:* 62006343 : 4 May 2021  
*Responsible Officer:* EM, Coordinator Strategic Infrastructure Planning (IP Strategic Infrastructure Planning)

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**Executive Summary**

On 20 June 2017, Council adopted an amendment to the Moreton Bay Regional Council (MBRC) Planning Scheme to include a Local Government Infrastructure Plan (LGIP) and make a LGIP related administrative amendment to the MBRC Planning Scheme. The adopted amendment came into effect on 3 July 2017.

On the 3 July 2018, Council resolved to amend its existing LGIP, and to commence network planning for the LGIP utilising the current Priority Infrastructure Area (PIA) (Minute Pages 18/1472 and 18/1477). This amendment was to also to meet the requirement in section 25(3) of the *Planning Act 2016* that an LGIP be reviewed every 5 years.

Following commencement of the current Ministers Guidelines and Rules (MGR) in late 2020, it is considered advantageous to cease the existing amendment process, commenced in 2018, under the previous MGR (2017), and instead proceed under the current MGR.

This report seeks Council's support to cease to proceed with the existing amendment process under the superseded MGR (2017), and to instead undertake an "interim LGIP amendment" to the Moreton Bay Regional Council LGIP to bring into effect the most recent trunk infrastructure network planning for the Moreton Bay Region, following the processes outlined in the current under MGR (2020).

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**RESOLUTION**

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Moved by Cr Tony Latter

Seconded by Cr Brooke Savige

CARRIED 12/0

1. That Council cease to proceed with the Local Government Infrastructure Plan amendment under the Minister's Guidelines and Rules 2017, which was the subject of Council's resolution on 3 July 2018.
2. That in accordance with Section 21 of the *Planning Act 2016* and Chapter 5 Part 2, rule 4.1 of the Minister's Guidelines and Rules, Council make an "interim LGIP amendment" to the Moreton Bay Regional Council Local Government Infrastructure Plan.

ITEM 2.2 AMENDMENT TO THE MORETON BAY REGIONAL COUNCIL LOCAL GOVERNMENT  
INFRASTRUCTURE PLAN - 62006343 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That Council cease to proceed with the Local Government Infrastructure Plan amendment under the Minister's Guidelines and Rules 2017, which was the subject of Council's resolution on 3 July 2018.
2. That in accordance with Section 21 of the *Planning Act 2016* and Chapter 5 Part 2, rule 4.1 of the Minister's Guidelines and Rules, Council make an "interim LGIP amendment" to the Moreton Bay Regional Council Local Government Infrastructure Plan.

**REPORT DETAIL**

**1. Background**

The following resolution appears on minute page 18/1477 of the General Meeting held on 3 July 2018:

Ex. Coordination Committee held 3 July 2018 (Minute Page 18/1477)

1. That in accordance with Section 21 of the *Planning Act 2016* and the Minister's Guidelines and Rules under the *Planning Act 2016*, Council amend its existing Local Government Infrastructure Plan.
2. That Council commences network planning for the Local Government Infrastructure Plan utilising the current MBRC Planning Scheme Priority Infrastructure Area (PIA).

This amendment was also for the purpose of meeting Council's obligation under section 25(3) of the *Planning Act 2016* to review the LGIP every 5 years.

In accordance with the process outlined in the MGR (2017) in effect at the time, Officers commenced the associated work program (including network planning) to inform a full LGIP review and amendment.

In late 2020, the current and revised version of the MGR (2020) came into effect. The MGR (2020) outlines a clear process for undertaking a "LGIP Review", and separately articulates a more streamlined process for an "interim LGIP amendment".

A Council briefing was conducted on 29 April 2021 for the purpose of sharing information and providing advice/views to Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

A Report to be brought to a General Meeting to cease to proceed with the current amendment process and to undertake an interim LGIP amendment instead.

**2. Explanation of Item**

In late 2020, a revised version of the MGR (2020) came into effect that outlined a clear process for undertaking a "LGIP Review" as well as separately articulating a more streamlined process for an "interim LGIP amendment". Officers consider it advantageous to Council to utilise these changes in the MGR to incorporate up to date network planning into the LGIP in a more streamlined manner through an "interim LGIP amendment". Council can then undertake a 5-year review of the LGIP as required by section 25(3) of the *Planning Act 2016* at a later stage.

In accordance with transitional provisions outlined in Chapter 5, Part 7 of the MGR, as Council had resolved to undertake an amendment to the LGIP under MGR (2017), the existing amendment process would have needed to continue under that version.

*ITEM 2.2 AMENDMENT TO THE MORETON BAY REGIONAL COUNCIL LOCAL GOVERNMENT  
INFRASTRUCTURE PLAN - 62006343 (Cont.)*

Officers have sought independent legal advice regarding the options available to Council in these circumstances. Having considered that advice, officers have formed the view that Council can change the mechanism used for amending the LGIP, but to do so Council must first formally resolve to cease to proceed with the existing LGIP amendment process under the MGR (2017).

Chapter 5, part 2 of the MGR (2020) defines an “interim LGIP amendment” as:

*... an amendment to a planning scheme that is not made pursuant to a LGIP review under section 25(3) of the Act, and where the amendment does not propose to reduce the size of, remove an area from, or remove, a PIA from the LGIP.*

As Council is not proposing to amend the PIA at this time, the MBRC LGIP can be amended using the “interim LGIP amendment” mechanism. This will allow the LGIP to incorporate Council’s most recent planning assumptions and trunk infrastructure network planning, without having to complete the procedures that would apply for a full LGIP amendment.

For an “interim LGIP amendment”, Council must:

1. Consult with relevant state agencies and a distributor-retailer (water and wastewater) to the extent they may be affected by the amendment
2. Complete the LGIP Review Checklist
3. Undertake public consultation for a period of at least 15 days
4. Consider submissions
5. Adopt and notify the Chief Executive of the adoption.

An “interim LGIP amendment” is a simplified process to enable Council to maintain a contemporary LGIP and removes the time and costs associated with Appointed Reviewers and State Interest reviews. An “interim LGIP amendment” also has a shorter minimum public consultation period.

Notwithstanding the above, officers have worked with an Appointed Reviewer throughout the trunk infrastructure network planning to maintain the integrity of the MBRC LGIP.

A Communication and Engagement Plan (CEP) will be brought to Council for consideration as part of the amendment package. The CEP will describe in detail how Council will engage with the community and key stakeholders, during consultation, to seek their feedback.

The Regional Growth Management Strategy (RGMS) project is progressing and will establish future direction for growth across the region. Amendments to the LGIP to support the outcomes of the RGMS will be considered at a later date and it is considered that an interim LGIP amendment is a more streamlined process to maintaining a contemporary LGIP.

### **3. Strategic Implications**

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

Independent legal advice has been sought on the proposed approach. Officers have considered that advice, and have formed the view that, to proceed as described above, it is necessary for Council to resolve:

1. to cease to proceed with the existing LGIP amendment under Council’s previous resolution of 3 July 2018; and
2. to undertake an “interim LGIP amendment”.

Council is required to review its LGIP within 5 years of the LGIP being included in the planning scheme. Council will conduct this review prior to 3 July 2022.

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

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

ITEM 2.2 AMENDMENT TO THE MORETON BAY REGIONAL COUNCIL LOCAL GOVERNMENT  
INFRASTRUCTURE PLAN - 62006343 (Cont.)

3.3 Policy Implications  Nil identified

3.4 Risk Management Implications

An interim LGIP amendment is a more streamlined process to maintaining a contemporary LGIP, therefore reducing potential risks of delaying the amendment.

An interim LGIP amendment also enables Council to include updated planning assumptions and network planning in the planning scheme to support the development assessment process.

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

An interim LGIP amendment is a shorter process than a full LGIP amendment therefore reducing the operational costs to the organisation.

3.7 Economic Benefit Implications

The LGIP identifies future trunk infrastructure requirements to service both residential and employment growth.

3.8 Environmental Implications

The development of planning assumptions for the LGIP consider environmental constraints to ensure Council does not overestimate growth potential.

The LGIP identifies future trunk infrastructure requirements to service planned growth. The Stormwater Quality network identifies water quality infrastructure to manage the impacts of growth on waterway health and receiving waters environs. Planning and design of the other trunk infrastructure networks will consider environmental impacts and considerations in line with the requirements of the MBRC Planning Scheme and associated policies.

3.9 Social Implications

Maintaining a contemporary LGIP benefits the community by having as up to date as possible standards of service and infrastructure network planning to meet community needs and expectations.

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

Advice has been sought from the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP). Noting that Council is progressing with the Regional Growth Management Strategy, DSDILGP supports the proposal to cease the existing LGIP amendment under MGR (2017).

A Council Briefing on 29 April 2021 considered the proposed approach to cease to proceed with the amendment under MGR (2017) and undertake an interim LGIP amendment in accordance with MGR (2020).

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**3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION**

**(Cr B Savige)**

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**ITEM 3.1**

**MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION  
(PRELIMINARY AND DETAILED DESIGN) - VARIATION**

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE  
Reference: 61981016: 13 May 2021  
Responsible Officer: HM, Senior Project Manager (ECM Project Management)

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**Executive Summary**

HDR Pty Ltd was awarded the tender for the design of 'MBRC - Youngs Crossing Road - Bridge and Road Construction (Preliminary and Detailed Design)' project on 16 November 2020 following a select-invite tender process from Local Buy Pre-Qualified Suppliers Contract (BUS262-0317 - Engineering & Environment).

As part of the detailed design process, the broader road and bridge alignment has been modified (Option 1B) to that of the original concept design (Option 1). The alignment is still based upon the Youngs Crossing Road route. The modified alignment requires additional design work to complete the project.

It is recommended that Council varies the existing design project agreement with HDR Pty Ltd to allow completion of the design works for the project.

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**RESOLUTION**

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Moved by Cr Cath Tonks

Seconded by Cr Sandra Ruck

**CARRIED 12/0**

1. That Council enters into an agreement with HDR Pty Ltd, to vary the existing agreement (VP202384 / BUS262-0317), as a result of the modified alignment change, for the sum of \$600,632.
2. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the variation of the agreement with HDR Pty Ltd for 'MBRC - Youngs Crossing Road - Bridge and Road Construction (Preliminary and Detailed Design)' project and any required variations of the agreement on Council's behalf.

*ITEM 3.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN) - VARIATION - 61981016 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That Council enters into an agreement with HDR Pty Ltd, to vary the existing agreement (VP202384 / BUS262-0317), as a result of the modified alignment change, for the sum of \$600,632.
2. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the variation of the agreement with HDR Pty Ltd for 'MBRC - Youngs Crossing Road - Bridge and Road Construction (Preliminary and Detailed Design)' project and any required variations of the agreement on Council's behalf.

## **REPORT DETAIL**

### **1. Background**

Youngs Crossing Road is located on the boundary of Petrie and Joyner and is designated as a Council controlled arterial road. Youngs Crossing Road is an important transport corridor used by approximately 20,000 vehicles every day. Daily vehicle volumes are predicted to increase to 22,500 by 2026 and 27,500 by 2036.

The '*MBRC - Youngs Crossing Road - Bridge and Road Construction*' project is located on Youngs Crossing Road and extends between Protheroe Road, Joyner to Dayboro Road, Petrie. The objective of the project is to create a four-lane road connection from Protheroe Road to Dayboro Road and provide a new 1% Annual Exceedance Probability AEP (Q100) four lane bridge crossing of North Pine River and Sideling Creek.

Following the engagement of the project engineering design consultant HDR Pty Ltd, Council's project team and HDR Pty commenced an investigation into a modified alignment ('Option 1B') generally following the Council adopted concept, 'Option 1 (Youngs Crossing Road alignment)' but with the following changes:

- the proposed bridge crossing is moved further west towards the Pony Club;
- the bridge structure is split in two sections with one bridge crossing North Pine River and the other Sideling Creek and with a raised earthworks section in between.

The investigation of the 'Option 1B' was completed through a Fatal Flaw Review (FFR) which included consideration to geometry, structures, hydraulics, environmental and cost. The outcome of the FFR was that the 'Option 1B' had no fatal flaws and was the most cost-effective option considered, while also appearing to provide a number of benefits over the 'Option 1 (Youngs Crossing Road alignment)' including;

- improved constructability, that is, lessening the need for road closures during construction of the project;
- improved access to Youngs Crossing Park;
- reduced impact to the swimming area and Youngs Crossing Park;
- reducing the environmental impacts by avoiding Youngs Crossing Park and significant vegetation between North Pine River and Sideling Creek (avoiding two figs)
- reducing the hydraulic impact through aligning bridge piers within the direction of (stream) flow and;
- reducing the height of the road embankment and hence reducing its hydraulic impact.

Following the FFR, Council agreed to proceed with the detailed design of 'Option 1B'.

The project involves the construction of a section of Youngs Crossing Road, approximately 980m long, as a four-lane median divided arterial road. The scope includes a 1% AEP (Q100) two-bridge solution (168m bridge total) involving an 84m long bridge spanning over North Pine River and an 84m long bridge spanning over Sideling Creek, connected by an embankment. The bridges will be four lanes with cycle lanes on both sides and a concrete footpath on one side of the bridges.

*ITEM 3.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN) - VARIATION - 61981016 (Cont.)*

The project scope also includes the provision for amended access to the Thompson Bus Services depot, signalisation of the intersection of Youngs Crossing Road and Protheroe Road, an upgrade to the existing signalised intersection of Youngs Crossing Road and Dayboro Road. Project works will also include pavements, road furniture, street lighting, stormwater infrastructure, green infrastructure, noise walls, landscaping and offset planting.

The 'MBRC - Youngs Crossing Road - Bridge and Road Construction' project has previously been considered by Council in the following sessions:

- Council Workshop on 1 November 2019 relating to the presentation of two alternative options, Option 1 (Youngs Crossing Road alignment) and Option 2 (Andrew Petrie Drive alignment). In line with Council's decision-making framework, an extract from the outcomes of the workshop, is provided below:

*TENDER - MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN)*

**Outcome:**

Request for detailed concept designs together with estimate of costs involved (based on scenarios B & C as presented at workshop) to be brought back to Council for further review and consideration.

- Council Briefing on 1 July 2020 relating to the presentation of project background information. In line with Council's decision-making framework, an extract from the briefing notes, is provided below:

*TENDER - MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN)*

**EXTRACT TO BE INCLUDED IN OFFICER'S REPORT**

Council noted the background information provided.  
Further briefing on 22 July to review two interim upgrade options.

- Council Briefing on 22 July 2020 relating to the presentation of officer assessments of both options and resolutions to undertake further options analysis for Option 1 (Youngs Crossing Road alignment) and procurement of a community engagement consultant. In line with Council's decision-making framework, an extract from the briefing notes, is provided below:

*BRIEFING 4 - YOUNGS CROSSING UPGRADE - TRANSPORT PLANNING STUDY OUTCOMES*

**EXTRACT TO BE INCLUDED IN OFFICER'S REPORT**

**The CEO noted the way forward:**

The \$1.67m allocated through the Federal Government Covid Funding to be reallocated to other projects.

Undertake further options analysis for Option 1, including further locating bridge to the west of current option etc. Undertake options analysis, including estimates, for Dayboro Road, including Sideling Creek bridge to roundabout (Dayboro/Andrew Petrie/Beeville).

Engage community engagement consultant to work through consultation strategy etc for presentation/discussion when Option 1, Dayboro Road and Option 2 is re-presented in 8 weeks-time.

- Council Meeting on 2 September 2020 relating to community and stakeholder consultation. In line with Council's decision-making framework, an extract from meeting minutes, is provided below:

ITEM 3.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN) - VARIATION - 61981016 (Cont.)

**RESOLUTION**

Moved by Cr Peter Flannery (Mayor)

Seconded by Cr Brooke Savige

**CARRIED 13/0**

1. That an external communications consultant be engaged to undertake a Community Consultation and Stakeholder Engagement campaign commencing in September 2020, presenting options on the upgrade of Youngs Crossing Road, Joyner.
2. That following completion of the consultation, the outcomes be reported back to Council to inform decision-making on the upgrade of Youngs Crossing Road, Joyner.

- Council Briefing on 14 October 2020 relating to the preliminary results of the community consultation survey. In line with Council's decision-making framework, an extract from the briefing notes, is provided below:

*BRIEFING 3 YOUNGS CROSSING UPGRADE - CONSULTATION OUTCOMES AND NEXT STEPS*

**EXTRACT TO BE INCLUDED IN OFFICER'S REPORT**

**The CEO noted the way forward:**

Noted that a comprehensive report will be brought to Council Meeting scheduled for 12 November 2020, for Council's consideration to adopt either option 1 or option 2 for the Youngs Crossing Road Upgrade.

Noted that community engagement, via various sources, will continue throughout the course of this project through until project completion stage.

Cr Peter Flannery (Mayor) advised he has an upcoming meeting with the Minister for Population, Cities and Urban Infrastructure, Mr Alan Tudge MP, to discuss acquiring more federal funding for this project.

- At Council's General Meeting held 12 November 2020, Council resolved to adopt Option 1 (Youngs Crossing Road alignment) as the preferred option over Option 2 (Andrew Petrie Drive alignment), for the 'MBRC - Youngs Crossing Road - Bridge and Road Construction' project. In line with Council's decision-making framework, an extract from meeting minutes, is provided below:

ITEM 3.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN) - VARIATION - 61981016 (Cont.)

**RESOLUTION**

Moved by Cr Peter Flannery (Mayor)

Seconded by Cr Sandra Ruck

CARRIED 9/1

*Cr Darren Grimwade voted against the motion*

1. That Council adopt Option 1, Youngs Crossing Road alignment, as the preferred option for the upgrade of the existing Youngs Crossing Road, to achieve a 1% Annual Exceedance Probability (AEP), flood immunity (i.e. Q100).
2. That the Chief Executive Officer progress the development of the preliminary and detailed designs for the full upgrade, and report back to Council at key milestones to inform Council and the community of significant issues such as cost, timing, approvals, environmental and construction impacts, and community engagement issues.
3. That the Mayor write to the Minister for Transport and Main Roads to advise of Council's decision and preferred alignment, to seek the State Government's support to work with Council to identify necessary upgrades to Dayboro Road to cater for traffic growth, and to request a funding commitment of up to \$10 million to complete the intersection with the state controlled road.
4. That the Chief Executive Officer write to the Director General of the Department of Transport and Main Roads (DTMR) to advise them of Council's decision, and seek a commitment from them to provide a fast track approval for the design of the intersection of Youngs Crossing Road and Dayboro Road, based on the current concept design.

ITEM 2.2 YOUNGS CROSSING ROAD UPGRADE - FINAL APPROVAL - A20727400 (Cont.)

5. That the Chief Executive Officer write to the Federal Department of Infrastructure, Transport, Regional Development and Communications to advise the Department of Council's decision, to express Council's appreciation of their funding commitment towards the upgrade, and to progress the application to secure the committed funding and to request further funds for the project.
6. That Council undertake a procurement process to engage a suitably qualified community engagement and consultation specialist company, to work with Council, the engineering consultants, other specialist consultants, stakeholder groups and importantly, the community, through the design development and construction phases of the project.
7. That the Mayor writes to the community advising of Council's decision and thanking them for the extensive level of feedback received throughout the consultation period.
8. That Recommendation 1 (subject to adoption) supersede all previous Council resolutions regarding the future construction of a bridge and associated road upgrades to cross the North Pine River at Youngs Crossing, as outlined in this report.

ITEM 3.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN) - VARIATION - 61981016 (Cont.)



Figure 1 - Option 1 (Youngs Crossing Road alignment) and Option 2 (Andrew Petrie Drive alignment)

The 12 November 2020 report refers to 'MBRC - Youngs Crossing Road - Bridge and Road Construction (Preliminary and Detailed Design)' project which includes the concept review and design, site testing/investigation, preliminary design, detailed design and construction phase support for Option 1 (Youngs Crossing Road alignment) Stage 1 of the 'MBRC - Youngs Crossing Road - Bridge and Road Construction' project.



Figure 2 - Option 1 (Youngs Crossing Road alignment) Stage 1

- On 16 November 2020 the Chief Executive Officer exercised Council Delegation 163 to award the tender for 'MBRC Youngs Crossing Road - Bridge and Road Construction (Preliminary and Detailed Design)' project be awarded to HDR Pty Ltd. In line with Council's decision-making framework, an extract of the decision, is provided below:

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**CEO Decision Exercising Council Delegation 163**

The Chief Executive Officer exercised Council Delegation 163 adopting the Officer's Recommendation as follows:

1. That the tender for tender for 'MBRC - Youngs Crossing Road - Bridge and Road Construction (Preliminary and Detailed Design)' project be awarded to HDR Pty Ltd for the sum of \$1,205,531.00 (excluding GST).
2. That the Council enters into an agreement with HDR 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 HDR Pty Ltd for 'MBRC - Youngs Crossing Road - Bridge and Road Construction (Preliminary and Detailed Design)' project and any required variations of the agreement on Council's behalf.

- A Council briefing was conducted on 24 March 2021 which included consideration of the following three alignment options;

Option 1 (Youngs Crossing Road alignment): The original option being a single 180m long bridge option spanning over North Pine River and Sideling Creek with an alignment close to the existing Youngs Crossing Road.

Option 1B: An alternative option where the bridge crossing is moved further west towards the Pony Club. This option included a two-bridge solution (168m bridge total) involving an 84m long bridge spanning over North Pine River and an 84m long bridge spanning over Sideling Creek.

Option 1E: An alternative option where the bridge crossing is moved further west towards the Pony Club. This option included a 230m long bridge option spanning over North Pine River, land adjacent to the Pony Club and Sideling Creek.

Council agreed to proceed with Alternative Option 1B.



Figure 3 - Alternative Option 1B alignment sketch

In line with Council's decision-making framework, an extract from the briefing notes, is provided below:

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<p><b>EXTRACT TO BE INCLUDED IN OFFICER'S REPORT</b></p> <p><i>Key points:</i></p> <ul style="list-style-type: none"> <li>• External consultants were engaged to analysis and review option 1 (as adopted at Council General Meeting on 12 November 2020) for the proposed Youngs Crossing Road upgrade;</li> <li>• Consultants provided Council with two alternative alignments to option 1; 1a and 1b;</li> <li>• Option 1b was noted as the most cost effective with noise and environmental impacts together with constructability all taken into consideration;</li> </ul> <p><b>OUTCOMES:</b></p> <ul style="list-style-type: none"> <li>• Proceed with option 1b as noted in external consultant's recommendation;</li> <li>• Continue with regular updates to Council on the progress of this project;</li> <li>• Proceed with community consultation (with affected landowners) and provide an update to the wider community regarding the amendment to the road alignment.</li> </ul>	<p><b>Responsible Officer:</b></p> <p>Syd Jerram - Manager Integrated Transport Planning</p>
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**2. Explanation of Item**

The original agreement between Council and HDR Pty Ltd is based on the design of 'Option 1 (Youngs Crossing Road alignment)'. The FFR work undertaken by HDR Pty Ltd was completed as a variation to the original agreement as this was a specific scope of additional work undertaken in order to test the viability of 'Option 1B' against 'Option 1 (Youngs Crossing Road alignment)'.

The change in alignment from the original agreement 'Option 1 (Youngs Crossing Road alignment)' to the modified alignment 'Option 1B' requires additional concept, preliminary and detailed design works beyond that included in the original agreement and that completed as part of the FFR variation. These additional design works are associated with:

- Development of the full concept design on the modified alignment as opposed to the review and updating of the existing full concept design of 'Option 1 (Youngs Crossing Road alignment)';
- Inclusion of a second bridge structure noting that there are few details or engineering design that can be replicated/re-used for the two bridges as the North Pine River Bridge (non-skewed piers) and the Sideling Creek Bridge (skewed piers) have different pier arrangements in order to best align the bridge piers with the associated crossing flows to provide hydraulic efficiencies; and
- Inclusion of an additional embankment between the two bridge structures.

HDR Pty Ltd have submitted a variation price of \$365,952.00 to complete the additional design works required for the 'Option 1B'. HDR Pty Ltd have submitted a revised design program for the delivery of the additional design works required for 'Option 1B' which has a revised completion date of 31 March 2021.

HDR Pty Ltd have also submitted a revised accelerated program for the delivery of the additional design works required for 'Option 1B' which has a revised completion date of 11 November 2021. The revised accelerated program accommodates an Issue for Tender milestone submission with a date of 30 September 2021, which would allow Council to receive construction tenders prior to the end of the 2021 calendar year, closer to the original project program. HDR Pty Ltd have submitted a variation price of \$234,680.00 to complete the additional design works required for 'Option 1B' in accordance with the revised accelerated program.

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Council officers have reviewed the variation details and conclude that the variation prices provided are comparable with agreed contract rates and that this variation is proportional to the additional design works required to complete the design for 'Option 1B' to the revised accelerated program.

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

The agreement with HDR Pty Ltd will be undertaken as an approved variation to the existing contract and will be managed in accordance with the existing contract arrangements.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

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

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

**3.4 Risk Management Implications**

There are no risk implications beyond the normal acceptable levels associated with approving a variation to the current contract.

**3.5 Delegated Authority Implications**

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

*The cost of this project is greater than the budget allocation and is therefore reported to Council for consideration.*

**3.6 Financial Implications**

Council has allocated a total of \$1,610,000 in the 20-21 FY Capital Projects Program, with \$5,000,000, \$40,000,000 and \$20,000,000 identified in the draft 21-22 FY, draft 22-23 FY and draft 23-24 FY Capital Projects Programs respectively. The project will receive \$7.75M in funding from the Commonwealth Government Urban Congestion Fund, which is aligned with the draft 21-22 FY Capital Projects Program budget. The Commonwealth Government announced a further project contribution of \$25M on 7 May 2021, bringing the total Commonwealth Government contribution towards the project of \$32.75M. All financials below are excluding GST.

**A. Preliminary Works, Concept Design and Community Engagement (non HDR Pty Ltd work):**

Communications Consultant (The Comms Team Pty Ltd)	\$ 92,535.57
Design Brief Consultant (PROJEX QLD Pty Ltd)	\$ 10,335.00
Project Preliminary Works Traffic survey, Environmental, Cultural Heritage	\$ 11,672.84
Project Preliminary Works Internal Survey, Design & Project Management	\$ 30,467.34
<b>Sub-total 1</b>	<b>\$ 145,010.75</b>

**B. Preliminary and Detailed Design (HDR Pty Ltd)**

Original Contract Value	\$1,205,531.00
*Approved Variations to date (Fatal Flaw Review, additional Noise Monitoring Assessment and Probabilistic Cost Estimate)	\$ 106,917.00

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## ITEM 3.1 MBRC - YOUNGS CROSSING ROAD - BRIDGE AND ROAD CONSTRUCTION (PRELIMINARY AND DETAILED DESIGN) - VARIATION - 61981016 (Cont.)

**Variation for additional design works required for 'Alternative Option 1B'	\$ 365,952.00
**Variation for revised accelerated program	\$ 234,680.00
<b>Sub-total 2</b>	<b>\$1,913,080.00</b>

### C. Preliminary and Detailed Design (Other)

Structural design peer review (Arup Pty Ltd)	\$ 75,000.00
Community engagement	\$ 75,000.00
External Survey (DSQ Pty Ltd)	\$ 11,250.00
Internal Design and Project Management	\$ 85,233.00
<b>Sub-Total 3</b>	<b>\$ 246,483.00</b>

**Total (A+B+C) \$2,304,573.75**

\*Approved Variations to date (\$106,917.00) relate to the completion of the Fatal Flaw Review of Option 1 (Youngs Crossing Road alignment), Alternative Option 1B and Alternative Option 1E, as well as additional Noise Monitoring Assessment and Probabilistic Cost Estimate works.

\*\*Variations discussed within this report (\$600,632.00).

The revised project commitments (\$2,304,573.75) exceed the 20-21 FY Capital Projects budget allocation (\$1,610,000) for this project by \$694,573.75. Based on the revised accelerated program the preliminary and detailed design stage is scheduled for completion in November 2021. Forecast 20-21 FY spend by 30 June 2021 is approximately \$1.5M, in keeping with the current 20-21 FY project budget allocation, with the remaining \$800,000 of the \$2.3M forecast to be expended in 21-22 FY.

- 3.7 Economic Benefit Implications  Nil identified
- 3.8 Environmental Implications  Nil identified
- 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  
Council officers have negotiated with HDR Pty Ltd in the development and review of the variations to the current contract.

## ATTENDANCE

Dan Staley attended the meeting at 10.02am for discussion on Item 4.1.

**4 PLANNING SESSION**

(Cr D Grimwade)

**ITEM 4.1**

**DA/41088/2020/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR SHOPPING CENTRE, FOOD AND DRINK OUTLET, HEALTH CARE SERVICE, INDOOR SPORT AND RECREATION, OFFICE - 96-110 BELLMERE ROAD, BELLMERE**

**APPLICANT: Fabcot Pty Ltd**

**OWNER: Fabcot Pty Ltd**

Meeting / Session: 4 PLANNING  
Reference: 61509560: 22 January 2021 – Refer Supporting Information 61816160, 61968913, 61969393  
Responsible Officer: LT, Principal Planner (Development Services)

**Executive Summary**

<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	Fabcot Pty Ltd
<b>Lodgement Date:</b>	17 June 2020
<b>Properly Made Date:</b>	26 June 2020
<b>Confirmation Notice Date:</b>	1 July 2020
<b>Information Request Date:</b>	15 July 2020
<b>Info Response Received Date:</b>	1 October 2020
<b>Public Notification Dates:</b>	14 October - 5 November 2020
<b>No. of Submissions:</b>	Properly Made: 7 (1 support, 6 opposed incl. 1 petition) <i>Note: Petition - 165 signatories (58 legible with address and name)</i> Not Properly Made: 2
<b>Decision Due Date:</b>	30 April 2021
<b>Prelodgement Meeting Held:</b>	Yes DA/5427/2011/PRE

<b>PROPERTY DETAILS</b>	
<b>Division:</b>	3
<b>Property Address:</b>	96-110 Bellmere Road, BELLMERE QLD 4510
<b>RP Description</b>	Lot 8 RP135463
<b>Land Area:</b>	19780 m <sup>2</sup>
<b>Property Owner</b>	Fabcot Pty Ltd

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

This application seeks a Material Change of Use - Development Permit for Shopping Centre, Food and Drink Outlet, Health Care Service, Indoor Sport and Recreation, and Office situated at the abovementioned property.

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The proposal involves a new Local Centre comprising a full line supermarket (3,176m<sup>2</sup>), tenancies for remaining uses (totalling 1,591 m<sup>2</sup>), public amenities, outdoor seating and play area, landscaping and carparking (227 spaces).

The Overall Outcomes of General Residential Zone Code - Suburban Neighbourhood Precinct, support Shopping Centre, Food and Drink Outlet, Health Care Service, Indoor Sport and Recreation, and Office where in a Neighbourhood Hub. With reference to the centre hierarchy in the Centre Zone Code, the proposal involves a new Local Centre. Therefore, while the uses are anticipated in the Suburban Neighbourhood Precinct, the clustering as a Local Centre is policy neutral in this precinct and must be assessed upon its merits.

The development design presents landscaping and single storey buildings with broad eaves and large windows to Bellmere Road and River Drive. The supermarket component has a maximum building height of 10.5m. Shadow diagrams have been provided in support of the proposed development. The variation in building materials and staggered height create visual interest and minimise areas of flat, blank walls. Building design, areas of acoustic fencing and operational management practices are proposed to minimise the acoustic impact of the development to dwellings in the vicinity.

The application was publicly advertised with seven (7) submissions received. The applicant also undertook voluntary stakeholder engagement. Based on detailed assessment, the proposed development is considered to accord with the intent of the MBRC Planning Scheme and is recommended to be approved subject to conditions.

This report is being presented to the Council for decision as the proposal has raised community concerns and in accordance with the delegations to Council officers, the application is to be determined by the Council instead of under Council officer delegation. Therefore, Council is now the authorised entity to decide the development application.

A Council briefing was conducted on 16 November 2020 for the purpose of sharing information and providing advice/views to Council on the matter. The briefing provided a summary of the proposed development and confirmed that the matter would be brought to Council for decision.

The briefing included planning advice that the key relevant issues, in relation to the development application are:

- the direct competition between the new centre and the existing neighbourhood hub (particularly between a new full line supermarket and the established neighbourhood grocer) and
- the economic need for the development; and
- traffic impacts, including access to Bellmere Road, and impact on the safety and efficiency of the road network.

The Planning Act 2016 (s45) specifically excludes the consideration of a person's personal circumstances, financial or otherwise, in the assessment of an impact assessable development application. In this context, the planning decision cannot be anticompetitive to protect a business interest.

## RESOLUTION

**Moved by Cr Adam Hain**

**Seconded by Cr Jodie Shipway**

**CARRIED 12/0**

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

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*ITEM 4.1 DA/41088/2020/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR SHOPPING CENTRE, FOOD AND DRINK OUTLET, HEALTH CARE SERVICE, INDOOR SPORT AND RECREATION, OFFICE - 96-110 BELLMERE ROAD, BELLMERE - 61509560 (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 Shopping Centre, Food and Drink Outlet, Health Care Service, Indoor Sport and Recreation, and Office at 96-110 Bellmere Road, Bellmere, described as Lot 8 RP135463, subject to the following plans/documents and conditions:

<b>Approved Plans and Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Site Elevations (Bellmere Road and River Drive)	DA-20-00 Rev 8	Thomson Adsett	03/08/2020
Site Elevations (Rear)	DA-20-00 Rev 10	Thomson Adsett	03/08/2020
Site Sections	DA/30-00 Rev 10	Thomson Adsett	03/08/2020
Site Perspectives	DA-40-10 Rev 10	Thomson Adsett	22/12/2020
Perspectives - Building 02	DA-40-20 Rev 8	Thomson Adsett	22/12/2020
Waste Management Plan	MRA19-096 Rev B	MRA Environmental Pty Ltd	9/06/2020
Acoustic Report	2020079 R01L	Acoustic Works	23/09/2020
Stormwater Management Plan	200191 Rev 04	Edge Consulting Engineers	10/02/2021

<b>Plans to be Amended</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Site Plan	DA-10-00 Rev 26	Thomson Adsett	22 December 2020
Roof Plan	DA/10-10 Rev 10	Thomson Adsett	22/12/2020
Landscape concept plans "Woolworths Bellmere, Queensland"	Rev C.	Urbis	22/09/2020
Proposed Shopping Centre. Future 4 Lane Concept for Bellmere Road and River Drive	FAB0113-02 // SK10 Rev E	Cambray Consulting	15 December 2020

<b>CONDITION</b>		<b>TIMING</b>
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING</b>		
<b>1</b>	<b>Approved Plans and/or Documents</b>	
	Undertake development 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 and to be maintained at all times.

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<b>2</b>	<b>Amended Plan Required</b>	
A	<p>Submit amended plans as detailed below incorporating the following:</p> <p><u>Future 4 Lane Concept for Bellmere Road &amp; River Drive (Functional Layout Plan) including signalisation</u></p> <ul style="list-style-type: none"> <li>• Amend and redesign all turn treatments using Normal Design Domain (NDD) values from Austroads;</li> <li>• Remove the left turn entry from the Bellmere Road frontage;</li> <li>• Extend the road layout to the east to show the full transition back to the existing formation and up to Piggot Road;</li> <li>• Extend the road layout to the west to show the full transition back to the existing formation and include the bus stops. The bus stops are to be 'in lane' bus stops; and</li> <li>• Include chevron to the eastern right turn lane on the River Drive approach to the new intersection as an interim treatment;</li> </ul> <p><u>Site Plan, Roof Plan &amp; Landscape Plan</u></p> <ul style="list-style-type: none"> <li>• Update the plans to include all changes required to the Functional Layout Plan above; and</li> <li>• Landscape Plan to show landscaping (minimum turf) in the Future Development Zone.</li> </ul>	Prior to any Approval of Operational Works or Building Works.
B	Obtain approval from Council for the amended plans in accordance with (A) above.	Prior to any Approval of Operational Works or Building Works.
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to commencement of use.
<b>3</b>	<b>On-Site Car Spaces</b>	
A	Provide vehicle spaces on site in accordance with the approved plans.	Prior to commencement of use 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.	Prior to commencement of use and to be maintained at all times.
C	The area shown as "Future Development Zone" is not to be used for parking. Wheelstops, kerbing, bollards or similar is to be used to prevent vehicle access.	Prior to commencement of use and to be maintained at all times.
<b>4</b>	<b>Bicycle Parking Facilities</b>	

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	<p>Install secure bicycle parking facilities for a minimum of 23 bicycles adjacent to building entrances or in public areas for customers, staff and visitors.</p> <p>Bicycle parking is to be provided in accordance with Austroads (2008), Guide to Traffic management - Part 11: Parking.</p>	Prior to commencement of use and to be maintained.
<b>5</b>	<b>Building Activation</b>	
	<p>Glazing fronting Bellmere Road or River Drive is to:</p> <p>a. accord with the approved plans; and</p> <p>b. remain uncovered (e.g. is transparent and not covered by screens, curtains, furniture, internal fixtures, objects or the like) and free of signage between a height of 1m and 2m.</p> <p>Note: This condition is applied to ensure that the development contributes to casual surveillance of public spaces.</p>	Prior to commencement of use and to be maintained at all times.
<b>6</b>	<b>Electrical Transformer</b>	
	<p>Ensure that where electrical transformers are located in the front setback (only where an internal road is not proposed) it is screened so that the transformer is not visible from any road frontage and achieves the following:</p> <ol style="list-style-type: none"> <li>1. A combination of screening device and landscaping;</li> <li>2. The screening device is constructed of durable, weather resistant materials; and</li> <li>3. Is integrated with the design of the development and positively contributes to the streetscape.</li> </ol> <p>Where an internal road is proposed the transformer is to be located at the end of the roadway internal to the site with provision made for maintenance access through the site.</p> <p>Note: The use of barbed wire or metal prongs is not permitted.</p>	Prior to the commencement of the use and to be maintained at all times.
<b>7</b>	<b>Shopping Trolley Management Plan</b>	
A	Submit a Shopping Trolley Management Plan demonstrating how shopping trolleys are to be confined on the site.	Prior to commencement of use.
B	Obtain approval from Council for the Trolley Management Plan in accordance with (A) above.	Prior to commencement of use.
C	Implement and maintain processes and procedures in accordance with the approved Trolley Management Plan.	Prior to the commencement of use and at all times.
<b>8</b>	<b>External Lighting</b>	

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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 and to be maintained at all times.
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).	Prior to commencement of use.
<b>9</b>	<b>Pedestrian Lighting</b>	
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 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.	Prior to commencement of use.
<b>10</b>	<b>Waste Management Plan</b>	
A	Implement the approved waste management arrangements identified on the approved plan.  Note: This development will use bulk bins that can be serviced onsite by a private contractor.	Prior to commencement of use.
B	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.
C	Provide a bin wash down facility connected to sewer as per SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.
<b>11</b>	<b>Acoustic Attenuation Measures</b>	
A	Provide the acoustic attenuation measures specified in the approved acoustic report.	Prior to the commencement of the use and to be maintained at all times.
B	Provide certification from a suitably qualified person that the attenuation measures have been installed/implemented in accordance with the approved acoustic report.	Prior to the commencement of the use.
<b>12</b>	<b>Landscaping Plan</b>	
A	Provide landscaping on site generally in accordance with the approved landscape plan. Include a dense landscaped buffer, atleast 2.0m deep adjacent to the western and southern boundaries of the site. The landscape buffer is to include species capable of reaching atleast 3.0m in height at maturity.	Prior to commencement of use.

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B	The "Future Development Zone" area is to be landscaped (minimum turf) and protected from use by vehicles.	Prior to the commencement of use.
C	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	Prior to the commencement of use.
D	Maintain the landscaping.	At all times.
<b>13</b>	<b>Screen Fencing</b>	
	Provide 1.8m high treated timber screen fencing to the southern and western boundaries of the site, unless an alternative is agreed to with the adjoining property owner. The fencing is not required at the pedestrian entry to the site from Paddington Street.	Prior to commencement of use.
<b>14</b>	<b>Vehicle Encroachment</b>	
	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.
<b>15</b>	<b>Screening of Loading Facilities / Plant Areas</b>	
	Screen 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.
<b>16</b>	<b>Street Trees</b>	
	Provide street trees to both road frontages in accordance with Planning scheme policy - Integrated design Appendix D - Landscaping.	Prior to commencement of use.
<b>17</b>	<b>Management of Wildlife</b>	
A	Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency.	Prior to and during site works.
B	Provide an activity report, to be completed by the supervising Fauna Spotter Catcher, including: <ol style="list-style-type: none"> <li>1. The number and species of any animals observed during clearing;</li> <li>2. The actions taken to deal with observed animals;</li> <li>3. The number of any animals that were required to be relocated;</li> <li>4. The release site for any relocated animals;</li> <li>5. The number (if any) of animals injured during clearing;</li> <li>6. The treatment provided;</li> <li>7. The outcome of any treatment; and</li> <li>8. The location of the treatment.</li> </ol>	Within fourteen (14) days of completion of clearing.

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<b>18</b>	<b>Stockpiles of Construction and Landscaping Materials</b>	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain, wetland or watercourse.	During site works.
<b>19</b>	<b>Electricity</b>	
	Existing Powerlines are to be undergrounded for the frontages to the site and the development is to be connected and serviced by underground electricity.	Prior to commencement of use.
<b>20</b>	<b>Replace Existing Council Infrastructure</b>	
	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.
<b>21</b>	<b>Alterations and Relocation of Existing Services</b>	
	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.
<b>22</b>	<b>Stormwater</b>	
	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.
<b>23</b>	<b>Stormwater Management</b>	
A	Implement and maintain the works identified in the approved Stormwater Management Plan.	Prior to commencement of use and then to be maintained at all times.
B	Submit certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the works have been built in accordance with the approved Stormwater Management Plan.	Prior to commencement of use.
<b>24</b>	<b>Road Frontage Works and Intersection of Bellmere and River Drive - Unidentified Trunk Works</b>	
A	Submit and have approved by Council, a development application for operational works for frontage roads and the signalised intersection of Bellmere and River Drive, and associated works. The works include:  Bellmere Road - Arterial	Prior to commencement of works associated with this condition.

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	<ul style="list-style-type: none"> <li>i. 3.5m wide traffic lane;</li> <li>ii. 2.0m wide cycle lane separated from turn lanes;</li> <li>iii. Kerb and channel and associated piped drainage;</li> <li>iv. 2.5m wide footpath; and</li> <li>v. Verge attributes to suit the Arterial typology</li> </ul> <p>River Drive - Sub Arterial</p> <ul style="list-style-type: none"> <li>i. 3.5m wide traffic lane;</li> <li>ii. 2.0m wide cycle lane separated from any turn lanes;</li> <li>iii. Kerb and channel and associated piped drainage;</li> <li>iv. 2.5m wide footpath; and</li> <li>v. Verge attributes to suit the Sub Arterial typology</li> </ul> <p>And;</p> <p>The signalised intersection of Bellmere Road and River Drive, including the full ultimate construction of Bellmere Road from Piggott Road to the bus stops located approximately 75m to the west of the development site. The works are to be in accordance with the approved Future 4 Lane Concept for Bellmere Road &amp; River Drive (Functional Layout Plan).</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p>	
B	<p>Construct the works identified in (A) above in accordance with the approved plans and documents of development.</p> <p>This condition has been imposed under section 128 of the Planning Act 2016. Note that works designed to service the site only e.g turn lanes, do not constitute trunk works for the purposing of trunk offsets.</p>	Prior to commencement of use.
<b>25</b>	<b>Unidentified Trunk Land</b>	
	<p>Dedicate unidentified trunk land as road reserve, adjacent to the Bellmere Road frontage, in accordance with the approved plans.</p> <p>This condition has been imposed under section 128 of the Planning Act 2016.</p>	Prior to the commencement of use.
<b>26</b>	<b>New Non- Trunk Intersection - Bellmere Road Access to the Site</b>	

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A	<p>Ensure the detailed design of any operational works application is in accordance with the approved plans including the Site Plan and Future 4 Lane Concept for Bellmere Road and River Drive Plan.</p> <p>Any configuration or layouts provided are accepted as demonstrating the conceptual configuration of the works only and are subject to detailed design.</p>	At all times.
B	<p>Submit and have approved by Council, a development application for operational works for the intersection of the new access road to the site and Bellmere Road.</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the conceptual intersection configuration in the Council approved ITA and the MBRC Planning Scheme current at the time of the operational works application.</p>	Prior to commencement of works associated with this condition.
C	<p>Construct the intersection of the new internal access road and Bellmere Road at no cost to Council and in accordance with the approved plans and documents of development.</p> <p>This condition has been imposed under section 145 of the Planning Act 2016.</p>	Prior to commencement of use.
<b>27</b>	<b>Construction Management Plan</b>	
A	<p>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:</p> <ol style="list-style-type: none"> <li>1. Material delivery and storage locations</li> <li>2. Waste locations and collection details</li> <li>3. Construction office accommodation</li> <li>4. Contractor / tradesman vehicle parking arrangements</li> <li>5. Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday.</li> </ol> <p>The CMP may include a site layout drawing identifying these areas.</p> <p>The CMP needs to reflect any staging requirements.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs)</li> </ol>	Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.

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	<ol style="list-style-type: none"> <li>2. Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable</li> <li>3. 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</li> <li>4. Materials unloading and loading must occur on-site unless prior written approval is given by Council.</li> <li>5. All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.</li> </ol>	
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.
<b>28</b>	<b>Erosion and Sediment Control</b>	
	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.
<b>29</b>	<b>Access, Internal Roadways, Parking and Servicing Areas</b>	
A	Design and construct sealed (concrete or bitumen) 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.	Prior to commencement of use and to be maintained at all times.
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.	Prior to commencement of use.
<b>30</b>	<b>New Telecommunications Infrastructure</b>	
	(a) Provide Fibre-Ready telecommunications infrastructure (pit and pipe) throughout the development in accordance with the Communication Alliance specifications contained within Industry Guideline G645:2011 Fibre Ready Pit and Pipe Specifications for Real Estate Development Projects or in accordance with the NBN Co. specifications contained within New Developments: Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers NBN-TE-CTO-194 and Creating Pit and Pipe Designs for New	(a) Prior to the development being accepted off maintenance.

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	<p>Developments (Job Aid for Developers) NBN-TE-CTO-586 as amended and current at the date of installation.</p> <p>(b) Provide certification from a RPEQ electrical engineer that the works specified in (a) above have been installed and evidence that a telecommunications carrier licensed under the Telecommunications Act 1997 has agreed to take ownership of the infrastructure.</p> <p>Or</p> <p>(b) Provide written confirmation from NBN Co that the works specified in (a) above have been accepted by it.</p> <p>Or</p> <p>(b) Provide a 'Telecommunications Infrastructure Provisioning Confirmation' or a 'Telecommunications Network Infrastructure Notification' letter from a telecommunications carrier licensed under the Telecommunications Act 1997 (e.g. Telstra) confirming that telecommunications carrier has been engaged to install telecommunications infrastructure within the proposed development.</p> <p>Note: Council policies are available on Council's website.</p>	<p>(b) Prior to lodging a request for Compliance Assessment of subdivision plans.</p> <p>(b)(i) Prior to lodging a request for Compliance Assessment of subdivision plans.</p> <p>Or</p> <p>(b)(ii) Prior to the development being accepted off maintenance.</p>
<b>31</b>	<b>Water and/or Sewerage</b>	
	<p>Submit to Council a Certificate of Completion or Provisional Certificate of Completion for the development from the Northern SEQ Distributor-Retailer Authority (Unitywater) confirming:</p> <p>(a) a reticulated water supply network connection is available to the land; and</p> <p>(b) a sewerage network connection is available to the land; and</p> <p>(c) all the requirements of UnityWater have been satisfied.</p>	<p>Prior to lodging a request for compliance assessment of subdivision plans.</p>

**ADVICES**

<b>1</b>	<b>Aboriginal Cultural Heritage Act 2003</b>
	<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</p>

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	<p>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 <a href="#">cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)</a> for further information regarding the responsibilities of the developer.</p>
<b>2</b>	<b>Adopted Charges</b>
	<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>
<b>3</b>	<b>Food Premises - Food Business Licence Advice</b>
	<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"> <li>1. An application for food business licence.</li> <li>2. Plans and elevations (refer to note below).</li> <li>3. Supporting documentation.</li> <li>4. Relevant fee.</li> </ol> <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>

- 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**

	<b>Details to Insert</b>
<b>Application Type</b>	Material Change of Use - Development Permit for Shopping Centre, Food and Drink Outlet, Health Care Service, Indoor Sport and Recreation, and Office

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	Details to Insert
<b>Relevant Period of Approval</b>	Material Change of Use – 6 years
<b>Section 64(5) Deemed Approval</b>	Not applicable
<b>Superseded Planning Scheme</b>	Not applicable
<b>Variation approval affecting the Planning Scheme</b>	Not applicable
<b>Other Necessary Permits</b>	<ul style="list-style-type: none"> <li>• Operational Work - Road Work</li> <li>• Operational Work - Stormwater</li> <li>• Operational Work - Electrical and Street Lighting</li> <li>• Operational Work - Advertising Devices</li> <li>• Building Works – Development Permit</li> </ul> <p>Other permits may be required.</p>
<b>Codes for Accepted Development</b>	Not applicable
<b>Referral Agencies</b>	There are no Referral Agencies
<b>Submissions</b>	There were seven (7) properly made submissions about this application.

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**REPORT DETAIL**

**1. Background**

On 13 November 2007 Council's Delegate approved a Material Change of Use - Development Permit for Retirement Village (84 Units, Manager's Residence and Ancillary Facilities) - Council reference: DA/14813/2006/DA, now lapsed.

On 5 April 2011 Council approved a Material Change of Use - Development Permit for Multiple Dwelling (59 Dwelling Units and Common Recreation Area). There were subsequent changes to this approval approved on 6 July 2011 and 30 January 2012 respectively - Council reference: DA/24971/2010/DA, now lapsed.

On 2 December 2015, an application for Material Change of Use - Development Permit for Entertainment and Recreation (Indoors), Medical Centre, Office, Restaurant, Shop and Take Away Food Outlet was lodged with Council pursuant to the Caboolture Shire Plan- Council reference: DA/31077/2015/V2C. This application was withdrawn on 30 June 2017.

On 12 February 2020, a prelodgement meeting was held in relation to a proposed Material Change of Use for Shop, Food and Drink Outlet, Office, Indoor Sport and Recreation and Health Care Service. This meeting was followed by subsequent discussions about the proposal design and supporting information requirements. The design feedback also required a built form outcome along Bellmere Road / River Drive. Amongst other supporting documentation, the prelodgement meeting identified that as out of centre development, the application requires an Economic Impact Assessment. The application was to address the Residential Zone Code as well as the Centre Zone Code - Local Precinct given the scale of the proposal being akin to a Local Centre.

A Council briefing was conducted on 16 November 2020 to enable further explanation/clarification to be provided to the Council on the matter.

**2. Explanation of Item**

This application seeks a Material Change of Use - Development Permit for Shopping Centre, Food and Drink Outlet, Health Care Service, Indoor Sport and Recreation, and Office over land at 96-110 Bellmere Road, Bellmere. The proposal involves a new Local Centre comprising a full line supermarket (3,176m<sup>2</sup>), tenancies for remaining uses (totalling 1,591 m<sup>2</sup>), public amenities, outdoor seating and play area, landscaping and carparking (227 spaces).

The development application is subject to Impact Assessment because the site is not mapped as a neighbourhood hub lot identified on Overlay map - Community activities and neighbourhood hubs.

**2.1 Description of the Site and Surrounds**

The site is a 19,780 m<sup>2</sup> parcel of vacant land with a frontage of approximately 165m to Bellmere Road (Council arterial road) and 120m to River Drive (Council sub-arterial road). Bus stops on Bellmere Road west of the site are frequently serviced.

The site is predominantly flat with a slight fall from 17m AHD at Bellmere Road to a 14m AHD swale drain at the southern boundary.

The former house has been removed. The site contains scattered trees, but the majority of the site is mowed grass. The site is not mapped as containing significant vegetation.

Directions	Planning Scheme Zone	Current Land Use
North	Bellmere Road with established area of Suburban Neighbourhood	High order road with dwelling houses and parks beyond. There is also a unmapped neighbourhood hub including a 7 eleven service

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Directions	Planning Scheme Zone	Current Land Use
	Precinct and Recreation and Open Space beyond the road	station, child care centre, friendly grocer and other commercial uses.
Southeast	Suburban Neighbourhood Precinct	Dwelling houses and linking footpath to River Drive
East	River Drive with Suburban Neighbourhood Precinct and Open Space beyond the road	High order road with Dwelling houses.
West (southwest)	Suburban Neighbourhood Precinct	Townhouses (96 dwelling development)

2.2 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.

<b>Applicable Assessment Benchmarks:</b>	<u>State Planning Policy</u> <ul style="list-style-type: none"> <li>• State Planning Policy, Part E</li> </ul> <u>Regional Plan</u> <ul style="list-style-type: none"> <li>• South East Queensland Regional Plan</li> </ul> <u>From Schedule 10 of the Regulation:</u> <ul style="list-style-type: none"> <li>• nil</li> </ul>
<b>SEQ Regional Plan Designation:</b>	<ul style="list-style-type: none"> <li>• Urban Footprint</li> </ul>
<b>Koala Habitat Designation:</b>	Nil

2.2.1 *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

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<b>Assessment benchmarks - water quality</b>		
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"> <li>(a) altered stormwater quality and hydrology</li> <li>(b) waste water</li> <li>(c) the creation or expansion of non-tidal artificial waterways</li> <li>(d) the release and mobilization of nutrients and sediments.</li> </ul> (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 drinking water supply environmental values.	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply. Conditions are recommended in relation to stormwater management.
<b>Assessment benchmarks - natural hazards, risk and resilience</b>		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable
<b>Assessment benchmarks - strategic airports and aviation facilities</b>		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

2.2.2 South East Queensland Regional Plan

The site is located in the Urban Footprint.

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.

2.2.3 Schedule 10 of the Planning Regulation

Not applicable.

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2.3 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.

2.3.1 *Strategic Framework*

In accordance with section 1.7.2 of the planning scheme, the development proposal requires assessment against the Strategic Outcomes within the Strategic Framework. The applicable Strategic Outcomes under the Themes for the planning scheme are discussed as follows:

Strategic Outcome	Complies	Assessment
<b>Theme - Sustainability and Resilience</b>		
<i>Design and site development and infrastructure using sustainability and urban design principles to reflect the Region's subtropical climate, reinforce local character and achieve innovation and design excellence.</i>	Y	The building design and landscaping integrate shade features, pedestrian paths, cycling facilities and outdoor seating areas.
<i>Greenhouse gas emissions are reduced from development, land management and other planning decisions in the region.</i>	Y	The development is located within walking and cycling distance of the established residential area and adjacent to a bus stop. It also integrates outdoor seating areas and shade, reducing reliance on air conditioning.
<i>The resilience of communities, development, essential infrastructure, natural environments and economic sectors to natural hazards including projected changes in weather is increased.</i>	Y	The site is within the Balance Flood Planning Area and is appropriately designed to address stormwater. Shade structures are proposed above some of the car parking spaces, providing shade and a level of protection from weather.
<i>Identify people, economic sectors and areas that are at risk due to oil supply vulnerability and increase their resilience to the effects of oil supply vulnerability.</i>	Y	The development is located within walking and cycling distance of the established residential area and adjacent to a bus stop.
<i>The adverse effects of development on land, air quality and noise levels are avoided in the first instance, mitigated and managed to within acceptable levels and environmental harm is avoided.</i>	Y	The proposal includes acoustic mitigation measures to address noise and maintain suitable levels.
<b>Theme - Natural Environment and Landscape</b>		
<i>Biodiversity and associated ecosystem services of the Moreton Bay Region will be protected, managed and enhanced, and resilience of ecosystems (including sub-tidal ecosystems) to the impacts of changing weather patterns and other environmental challenges will be maximised.</i>	Y	The site is vacant land in an urban context that is not environmentally mapped. The site contains some scattered trees which will be removed as a part of the development. However, the proposal balances this by planting around the perimeter and within the site.

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Strategic Outcome	Complies	Assessment
<i>Koala population viability within the Moreton Bay Region will be maintained and improved.</i>	Y	The site is not within the Koala Priority Area or Koala Habitat Area.
<i>The natural values of all coastal areas, including Bribie Island, Pumicestone Passage, Deception Bay, Redcliffe Peninsula, Hays Inlet and the Pine Rivers estuary and their associated coastal features and processes will be maintained, protected and enhanced.</i>	N/A	The site is not coastal.
<i>Healthy, diverse and productive rural and coastal landscapes are maintained and enhanced, for their multiple environmental, recreational, cultural, economic and scenic amenity values.</i>	N/A	The site is not rural or coastal.
<i>Recognise and promote landscape values and scenic amenity across the Region.</i>	N/A	The site is not within the Scenic Amenity Overlay area.
<b>Theme - Strong Communities</b>		
<i>Utilise the principles of urban design to promote healthy and safe communities.</i>	Y	The proposed development includes accessibility features to ensure universal access. The layout and building design also contribute safety through casual surveillance within the site and along the road frontages.
<i>Community, cultural and sporting facilities are provided where needed within the region.</i>	N/A	
<i>The built form contributes to a sense of place and identity.</i>	Y	The building design addressed the street frontage at a prominent intersection of Bellmere, contributing to the sense of place.
<i>Provision of a well connected, diverse and accessible public open space network.</i>	N/A	
<i>Provide an integrated, high-quality, urban community greenspace network to cater for recreational and environmental needs in existing and new neighbourhoods.</i>	N/A	
<i>Provide for a variety of outdoor recreation opportunities including recreation trails and camping areas to meet community demands.</i>	N/A	
<i>A variety of housing options is provided to meet diverse community needs and achieve housing choice and affordability.</i>	N/A	
<b>Theme - Settlement Pattern and Urban Form</b>		

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Strategic Outcome	Complies	Assessment
<i>A more compact urban form is developed within the urban footprint by a program of urban design and sustainability principles aimed at increasing the jobs and people per hectare in targeted locations (to help achieve Council's long term 70% local employment target), creating walkable communities, and a viable quality transit system.</i>	Y	The proposal involves a new Local Centre on land at the junction of a Council Arterial and Sub-arterial road within an established Suburban Neighbourhood Place Type. The site is serviced by buses. In this way, the development will contribute to a walkable community and viable transit system.
<i>A strong network of activity centres with well designed public and civic spaces, and active frontages that provide a focal point for compact, self-contained and diverse communities and convenient access to an appropriate mix of businesses, services, community facilities, recreation, entertainment and employment opportunities and provided with convenient access by a quality public transport and active transport system.</i>	Y	The proposed development is a new Local Centre which is supported by an Economic Needs Assessment report. The proposed development comprises a shopping centre including supermarket and a range of tenancy uses. The site is located on the corner of an arterial and sub-arterial road, serviced by buses, and in an established residential area. Together with the existing unmapped neighbourhood hub near this corner, the proposed development creates a Local Centre cluster of services, business and employment opportunities.
<i>An attractive, safe, convenient, efficient and sustainable new town housing approximately 25,000 people together with a major shopping centre and a wide range of employment opportunities and community, education and recreation facilities continues to be developed at North Lakes.</i>	N/A	
<i>New development that is in close proximity to existing and proposed public transport stops and stations contributes to the use and viability of public transport, the use of active transport and the development of walkable neighbourhoods by providing well designed and appropriate higher density and mixed use development.</i>	Y	The site is located on the corner of an arterial and a sub-arterial road, at a well serviced bus stop and in a locality featuring established medium and low density residential dwellings, and local businesses. This outcome contributes to a walkable community and location of focal point at the bus stop.
<i>Council will seek to increase residential densities and employment opportunities within the urban corridor and specifically within and adjoining activity centres and public transport in order to maximise access to and use of services and facilities and opportunities for use of public transport, walking and cycling and also adjacent to areas of high</i>	Y	As noted above.

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Strategic Outcome	Complies	Assessment
<i>scenic amenity e.g. waterfront, environmental areas with high standards of amenity and accessible open space.</i>		
<i>New master planned walkable neighbourhoods, activity centres and enterprise and employment areas served by public transport have a role to play in helping to accommodate regional dwelling and employment targets and require comprehensive planning to coordinate future development with infrastructure delivery.</i>	N/A	
<i>Caboolture West is one of the best areas to live in South East Queensland. There is a lot of natural bushland and wildlife retained in the area as well as many parks and open space areas. There is a range of homes that people can afford that reflect the needs of all residents from families with children to retirees, singles and extended families. The area has a "sense of place" with views to the range, river and mountains. It is easy to move around due to many choices in how you can travel. Many people walk or cycle to local destinations such as shops, schools and other services that are easily accessed by dedicated pathways. Nearly all the services and shops needed are in the Caboolture West area. You don't have to travel long distances to work and there is a convenient public transport/bus service connecting to these sites.</i>	N/A	The land is not in Caboolture West. However, Economic Assessment identifies that Bellmere will play a service role to Caboolture West residents in the early development phase. The subject land is accessible via the existing path and road network. New paths and street trees will be provided along the road frontages, completing the path network.
<b>Theme - Employment Location</b>		
<i>Develop a diversified local economy that retains local jobs and builds on regional and sub-regional competitive advantages and specialisations.</i>	Y	The proposal will contribute to local employment opportunities.
<i>Encourage increased levels of activity and greater intensity of activity within existing places of employment and business activity.</i>	Y	The development is within the urban footprint. Economic Assessment has been provided in support of the proposal. The combined existing and proposed cluster of shops at this major intersection will form a Local Centre to service the Bellmere residents. The economic need for a Local Centre is increased from low/medium to

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Strategic Outcome	Complies	Assessment
		significant by the pending development in the Caboolture West Growth Area.
<i>Provide sufficient additional land for industry and related businesses to enable diversified, broad-based, future economic and employment growth across the Region.</i>	Y	The proposal does not involve industrial development but will contribute economic and employment opportunities to the locality.
<b>Theme - Rural Futures - Not applicable</b>		
<b>Theme - Natural Resources - Not applicable</b>		
<b>Theme - Integrated Transport</b>		
<i>Plan for a more compact settlement pattern and urban form to encourage sustainable travel patterns: reducing the need to make trips by any motorised form and to reduce the length of motorised trips.</i>	Y	The site is located on the corner of an arterial and a sub-arterial road, at a well serviced bus stop and in a locality featuring established medium and low density residential dwellings, and local businesses. This outcome contributes to a walkable community and location of focal point at the bus stop. The development will provide services to the locality, reducing the length of vehicle trips.
<i>Ensure all people in the Region have access to a range of travel options that reflect their budget, their needs and their lifestyle.</i>	Y	The development is accessible within the site and is located on a well serviced bus route.
<i>Invest in innovative solutions to make the most of the existing transport network, minimise resources and get the best value for money out of new infrastructure.</i>	N/A	
<i>Influence sustainable travel behaviour by creating attractive places to walk and cycle.</i>	Y	The development is accessible within the site and is located on a well serviced bus route. Together with the existing shops and services at this intersection, this project creates a new Local Centre and amenities.
<i>Advocate for regional freight network improvements to support economic growth of the region.</i>	N/A	
<b>Theme - Infrastructure</b>		
<i>Use infrastructure to support desired regional growth and help create a more compact urban pattern, cohesive urban and rural communities, and regional economic development.</i>	Y	The site is located on an arterial road serviced by regular bus services.
<i>Coordinate, prioritise and sequence infrastructure through strategic plans, programs, budgets and statutory planning.</i>	N/A	
<i>Manage demand and influence consumer behaviour to maximise the use and benefits of existing</i>	Y	Locating the proposed new Local Centre at a well serviced bus stop enables staff and

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Strategic Outcome	Complies	Assessment
<i>infrastructure and minimise the need for additional infrastructure and services.</i>		customers to choose public transport, supporting this infrastructure option.
<i>Identify, protect and manage key infrastructure sites and corridors.</i>	Y	The proposed development does not interfere with the provision of infrastructure. The site is located at the juncture of two major roads being Bellmere Road (arterial) and River Drive (sub-arterial). These corridors are already busy corridors and seek to play a significant role in the development of Caboolture West in the future. In this respect, conditions are recommended to upgrade the road frontage of the site to provide for the ultimate road corridor typologies as well as the signalisation of River Drive and Bellmere Road.
<i>Provide energy generation production, transmission and distribution capacity to meet the needs of a growing population and support the use of viable low emission energy sources where appropriate.</i>	N/A	
<i>Facilitate access to high-speed broadband telecommunications.</i>	Noted	
<i>Reduce the need for new landfill sites by minimising waste and associated environmental impacts and maximising re-use and recycling.</i>	Noted	
<b>Theme - Water Management</b>		
<i>Develop a total water cycle management plan to sustainably manage the challenges of natural hazards, changes in weather, population growth and urban development.</i>	Y	Development is located in a serviced area.
<i>Assess water supply sources to ensure future security of "fit for purpose" water and promote efficient water use and re-use, including rural catchments.</i>	Y	Development is located in a serviced area.
<i>Protect, maintain and enhance the water quality in the Region's waterways and drinking water catchments from the future predicted increases in population and development in the Region and existing land use practices.</i>	Y	Stormwater management outcomes are recommended as conditions of approval.
<i>Floodplains in the region will be managed for the long-term benefit of the community such that hazards to</i>	Y	The site is not within the Medium or High Hazard floodplain area or associated environmental areas.

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Strategic Outcome	Complies	Assessment
<i>people and damages to property and infrastructure are minimised and the intrinsic environmental values of the floodplain are protected.</i>		
<i>Ensure development is appropriately planned, designed, constructed, operated and maintained to manage stormwater and wastewater in order to protect the environmental values.</i>	Y	Stormwater management outcomes are recommended as conditions of approval.
<b>Theme - Planning Areas</b>		
<b>Element - Caboolture planning area</b>		<p>The Specific Outcomes for the Caboolture Planning Area anticipates “the development of an appropriate range of community facilities and services, sporting and recreational facilities, open space and parkland to cater for the planning area community”. The proposal will partially contribute to the listed use types.</p> <p>The Planning Area provisions do not make specific provisions for Bellmere, but as noted above, the development is within the urban footprint. Economic Assessment has been provided in support of the proposal. The combined existing and proposed cluster of shops at this major intersection will form a Local Centre to service the Bellmere residents. The economic need for a Local Centre is increased from low/medium to significant by the pending development in the Caboolture West Growth Area.</p>
<b>Theme - MBRC Place Model</b>		
<b>Element - Suburban Neighbourhood Place Type</b>	Y	The proposal seeks approval for a Local Centre which provides local convenience services and facilities. This type of outcome is anticipated as item 2 of the Suburban Neighbourhood Place Type. It compliments the existing residential development in the surrounding locality by providing employment and services within walking/cycling distance.
<p>1. This place type is primarily low density, dormitory suburbs that developed in the Region over the last 60 years which accommodate the bulk of the Region's resident population; and</p> <p>2. These areas will continue to provide low density residential, predominantly detached housing, with a limited range of local convenience services and facilities.</p>		

The proposed development is therefore consistent with the objectives of the Strategic Framework.

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2.3.2 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.

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
<b>Zone/ Local Plan Code</b>		
General Residential Zone Code - Suburban Neighbourhood precinct	No - The proposal creates a new Local Centre.	PO3 - Non-residential building height PO5 - Setbacks PO9 - Built Form PO16 - Clearing vegetation PO20 - Safe vehicle access PO72 - Non-commercial design PO76 - Car Parking PO77 - End of Trip Facilities / Bike Parking PO78 - Visibility of Loading and Servicing Areas PO83 - Hours of Operation / Amenity  <i>Note: PO68/PO69 not applicable as the development is creating a new Local Centre rather than a Neighbourhood Hub.</i>
Centre Zone Code - Local Centre  <i>Applicable as the proposal involves a combination of uses that comprise a new Local Centre</i>	No - Indoor Sport and Recreation is a policy neutral use.	PO5 - Building Height PO13 - Car Parking PO14 - Location of Car Parking PO18 - End of Trip / Bicycle Parking PO19 - Loading and servicing PO31 - Tree Clearing PO33 - Safe access
<b>Overlay Codes</b>		
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 code(s) is discussed below in section 2.3.3.

2.3.3 Performance Outcome Assessment

Performance Outcome	Example
<b>General Residential Zone Code - Suburban Precinct</b>	
PO3	E3

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Performance Outcome	Example
<p>The height of non-residential buildings does not adversely affect amenity of the area or of adjoining properties and positively contributes to the intended built form of the surrounding area.</p> <p>Note - To demonstrate compliance with the above a visual impact assessment may be required in accordance with Planning scheme policy - Residential design. Visual impact assessments will require the consideration of all built form matters (e.g. height, setbacks, site cover, building bulk and mass, articulation, roof form and other design aspects) from a variety of perspectives to ascertain if the proposal will result in a positive contribution.</p>	<p>Building height does not exceed the maximum height identified on Overlay map - Building heights except for architectural features associated with religious expression on Place of worship (60) and Educational establishment(24) buildings.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>With regard to building height, the applicant states:  <i>“The development is located in the 8.5m maximum building height area identified on the Overlay map – Building heights. Despite providing a maximum building height of 10.5m, the parts of the development which exceed the 8.5m maximum area generally limited in nature to the areas of the supermarket mezzanine (ancillary office) and the supermarket condenser deck. All other buildings, apart from some feature entry statements and awnings are generally consistent with the 8.5m maximum requirement. The isolated areas of taller built form are considered appropriate given the separation that is achieved between the plant and mezzanine (between 8m and 6m from the boundary) and the proposal to include significant landscaping in this area to screen the built from the neighbouring residential properties. Further, the development includes a varied material and colour palette and generous landscaping across the site, which, when combined with the site’s prominent location and location opposite existing non-residential development ensures that it appropriately reflects the intended character for a local centre. “</i></p> <p>With regard to PO3, the majority of the building complies with E3. The limited parts of the building that exceed 8.5m create visually interesting stepping in the architectural design. The building setback, quality materials and landscaping will ensure that the proposal does not impact the amenity of adjoining dwellings. Furthermore, the buildings have been designed to create an active interface with the road frontage. Conditions are recommended to ensure that the glazing maintains clear areas contributing to safety with casual surveillance. In this way, the development will positively contribute to the intended built form of the surrounding area. Furthermore, suitable building setbacks and landscaped areas are provided to the southern and western boundaries of the site which further reduce any impacts from building height.</p>	
<p><b>PO5</b> Front setbacks ensure non-residential buildings address and actively interface with streets and public spaces.</p>	<p><b>E5.1</b> For the primary street frontage buildings are constructed:                      a. to the property boundary; or                      b. setback a maximum of 3m from the property boundary, where for the purpose of outdoor dining.</p> <p><b>E5.2</b> For the secondary street frontage, setbacks are consistent with adjoining buildings.</p>

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Performance Outcome	Example
<i>Performance Outcome Assessment</i>	
<p>The development has road frontages to Bellmere Road and River Drive. The building has shaded frontage with awnings to the road frontage with varied setbacks which measured to the wall are closest at Bellmere Road (approx. 0m) and near the primary corner 4.970m, broadening to 7.460m at River Drive closest to the southern boundary. This further setback reflects the setback of the adjacent dwelling to the south. In this way, the development complies with PO5.</p>	
<p><b>PO9</b> The development has a built form consistent with a low rise detached dwelling house(22) that addresses the street.</p>	<p>No example provided.  Refer to Planning Scheme policy - Residential design for details and examples</p>
<i>Performance Outcome Assessment</i>	
<p>The development is predominantly achieves the anticipated building height of 8.5m. However, the building does not have the detached dwelling house form.</p> <p>As a non-residential use, the building design provisions of the Centre Zone Code - Local Centre Precinct, are more relevant to the form of the building. The applicant has been directed to address Centre Zone Code - Local Centre Precinct as a part of prelodgement engagement.</p>	
<p><b>PO16</b></p> <p>a. Development ensures that the biodiversity quality and integrity of habitats is not adversely impacted upon but maintained and protected.</p> <p>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 &gt; 80cm in diameter at 1.3m height, 3 nest boxes are required for every habitat tree removed.</p> <p>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>	<p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The site is not mapped as having Local or State Environmental significance. The site is predominantly vacant, former rural land on the corner of an arterial road and sub-arterial road. It is characterised by mowed lawn, planted landscape trees associated with the former house and scattered trees with no undergrowth. In this way, the site has limited habitat value.</p> <p>The site is identified as having low rehabilitation value and is surrounded by land which has been recently developed. Therefore, it does not form part of an existing or future environmental corridor. Retention of vegetation was not required as a part of the former approval, meaning that the trees could have been lawfully cleared previously.</p>	

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Performance Outcome	Example
<p>As the proposal involves the creation of a new Local Centre, retention of trees is not proposed. However, the development involves no net loss in habitat as landscaping proposed will exceed the quantity of existing trees. In this way it accords with the intent of PO16.</p>	
<p><b>PO20</b> Safe access is provided for all vehicles required to access the site.</p>	<p><b>E20.1</b> Site access and driveways are designed and located in accordance with:</p> <ul style="list-style-type: none"> <li>a. where for a Council-controlled road and associated with a Dwelling house:                             <ul style="list-style-type: none"> <li>i. Planning scheme policy - Integrated design;</li> </ul> </li> <li>b. where for a Council-controlled road and not associated with a Dwelling house:                             <ul style="list-style-type: none"> <li>i. AS/NZS2890.1 Parking facilities Part 1: Off street car parking;</li> <li>ii. AS 2890.2 - Parking facilities Part 2: Off-street commercial vehicle facilities;</li> <li>iii. Planning scheme policy - Integrated design;</li> <li>iv. Schedule 8 - Service vehicle requirements;</li> </ul> </li> <li>c. where for a State-Controlled road, the Safe Intersection Sight Distance requirements in Austroads and the appropriate IPWEAQ standard drawings, or a copy of a Transport Infrastructure Act 1994, section 62 approval.</li> </ul> <p><b>E20.2</b> Internal driveways, car parks and access ways are designed and constructed with a sealed pavement and in accordance with:</p> <ul style="list-style-type: none"> <li>a. AS/NZS 2890.1 Parking Facilities Part 1: Off street car parking;</li> <li>b. AS 2890.2 Parking Facilities Part 2: Off street commercial vehicle facilities;</li> <li>c. Planning scheme policy - Integrated design; and</li> <li>d. Schedule 8 - Service vehicle requirements.</li> </ul> <p>Note - This includes queue lengths (refer to Schedule 8 - Service vehicle requirements), pavement widths and construction.</p> <p><b>E20.3</b> Access driveways, manoeuvring areas and loading facilities are sealed and provide for service vehicles listed in</p>

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Performance Outcome	Example
	Schedule 8 - Service vehicle requirements for the relevant use. The on-site manoeuvring is to be in accordance with Schedule 8 - Service vehicle requirements.
	<b>E21.4</b> Landscaping (including shade trees) is provided within car parks in accordance with Planning scheme policy Integrated design.
<i>Performance Outcome Assessment</i>	
<p>Conditions have been recommended requiring amended access arrangements and external works that ensure compliance with the requirements of PO21.</p> <p>Perimeter planting is proposed around the development and car park. In lieu of planting within. Shade is to be provided in the form of a shade structure above the car parks.</p> <p>The proposal complies with PO21.</p>	
<p><b>PO72</b> Non-residential uses (excluding a Service station) address and activate streets and public spaces by:</p> <ul style="list-style-type: none"> <li>a. ensuring buildings and individual tenancies address street frontage(s), civic space and other areas of pedestrian movement;</li> <li>b. new buildings adjoin or are within 3m of the primary frontage(s), civic space or public open space;</li> <li>c. locating car parking areas and drive-through facilities behind or under buildings to not dominate the street environment;</li> <li>d. establishing and maintaining interaction, pedestrian activity and casual surveillance through appropriate land uses and building design (e.g. The use of windows or glazing and avoiding blank walls with the use of sleeving);</li> <li>e. providing visual interest to the façade (e.g. Windows or glazing, variation in colours, materials, finishes, articulation, recesses or projections);</li> <li>f. establishing and maintaining human scale.</li> </ul>	No example provided.
<i>Performance Outcome Assessment</i>	
<p>The proposal is designed to address and activate both road frontages while also increasing the southern setback to approximate the setback of the dwelling front setback to the south. In this way, the proposal complies with the intent of PO72.</p> <p>A condition is recommended requiring front glazing to retain clear sections.</p>	

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Performance Outcome	Example
<p>A condition is recommended requiring that the Future Development area is landscaped (minimum turf) and vehicle use restricted to avoid the (interim) appearance of expanse of car parking from the Bellmere Road frontage.</p>	
<p><b>PO76</b> The number of car parking spaces is managed to:</p> <ul style="list-style-type: none"> <li>a. avoid significant impacts on the safety and efficiency of the road network;</li> <li>b. avoid an oversupply of car parking spaces;</li> <li>c. avoid the visual impact of large areas of open car parking from road frontages and public areas;</li> <li>d. promote active and public transport options;</li> <li>e. promote innovative solutions, including on-street parking and shared parking areas.</li> </ul> <p>Note - Refer to Planning scheme policy - Integrated transport assessment for guidance on how to achieve compliance with this outcome.</p>	<p><b>E76.1</b> Car parking is provided in accordance with Schedule 7 - Car parking.</p> <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>
<p><i>Performance Outcome Assessment</i></p>	
<p>The Schedule 7 car parking rate for shopping centre is 5 spaces per 100m<sup>2</sup> of area associated with the use, equivalent to 238 car parking spaces. The development includes 227 spaces.</p> <p>The Centre Zone Code - Local Centre Precinct identifies an alternative car parking rate range of min 95 - max 158 spaces.</p> <p>With reference to the benchmarks of PO76, the site's location on two high order roads, well serviced by buses and in walking distance to established dwellings, the proposed number of car parking spaces and their location within the site complies with PO76.</p>	
<p><b>PO77</b> MBRC Planning Scheme V4 - General residential zone - Suburban neighbourhood precinct - Assessable 54</p> <ul style="list-style-type: none"> <li>a. End of trip facilities are provided for employees or occupants, in the building or on-site within a reasonable walking distance, and include: <ul style="list-style-type: none"> <li>i. adequate bicycle parking and storage facilities; and</li> <li>ii. adequate provision for securing belongings; and</li> <li>iii. change rooms that include adequate showers, sanitary compartments, wash basins and mirrors.</li> </ul> </li> <li>b. Notwithstanding a. there is no requirement to provide end of trip facilities if it would be unreasonable to provide these facilities having regard to: <ul style="list-style-type: none"> <li>i. the projected population growth and forward planning for road upgrading and development of cycle paths; or</li> </ul> </li> </ul>	<p><b>E77.1</b> Minimum bicycle parking facilities are provided in accordance with the table below (rounded up to the nearest whole number).</p> <p>Non-residential - Minimum 1 space per 200m<sup>2</sup> of GFA</p> <p><b>E77.2</b> Bicycle parking is:</p> <ul style="list-style-type: none"> <li>a. provided in accordance with <i>Austrroads (2008), Guide to Traffic Management - Part 11: Parking</i>;</li> <li>b. protected from the weather by its location or a dedicated roof structure;</li> <li>c. located within the building or in a dedicated, secure structure for residents and staff;</li> </ul>

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Performance Outcome	Example
ii. whether it would be practical to commute to and from the building on a bicycle, having regard to the likely commute distances and nature of the terrain; or iii. the condition of the road and the nature and amount of traffic potentially affecting the safety of commuters.	d. adjacent to building entrances or in public areas for customers and visitors.
<i>Performance Outcome Assessment</i>	
A condition is recommended requiring that 23 bicycle parking spaces are provided within the site in compliance with E77.1 and E77.2. The location of the site in proximity bus stops, dwellings and school facilitate the use of alternative transport options for staff and customers.	
<b>PO78</b> Loading and servicing areas: a. are not visible from the street frontage; b. are integrated into the design of the building; c. include screening and buffers to reduce negative impacts on adjoining sensitive land uses; d. where possible loading and servicing areas are consolidated and shared with adjoining sites.	No example provided.
<i>Performance Outcome Assessment</i>	
The development includes a loading and servicing area that is setback approximately 60m from Bellmere Road, diminishing the visibility of this part of the building. While it is visible from a small proportion of the Bellmere Road, the loading area is integrated into the building and screened to the side boundary.  In this way, the loading / service area is less prominent than the buildings which directly address the road frontages and thereby complies with PO78.	
<b>PO83</b> The hours of operation minimise adverse amenity impacts on adjoining sensitive land uses.	<b>E83</b> Hours of operation do not exceed 6:00am to 9:00pm Monday to Sunday.
<i>Performance Outcome Assessment</i>	
The proposed development involves a performance outcome which differs from Example E83.  Hours of trading • All uses (other than gymnasium) – 6am to 11pm • Gymnasium – 24 hrs • Outdoor dining limited to 6am to 10pm Non-trading/servicing operations are those hours used by staff, owners, contractors or the like to prepare for trading or clean up after trading. Deliveries and Refuse Hours • 7am to 6pm for refuse collection for all uses • 6am to 10pm for deliveries for all uses.  The application is supported by an Acoustic Report which is recommended for approval. It includes mitigation measures including acoustic fencing. A condition is recommended requiring the construction of the acoustic fence, and that development is undertaken in accordance with the recommendations of the report, including limiting the hours of outdoor dining, and closing windows in the gym.	

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Performance Outcome	Example
In this way, the development will comply with PO83.	

Performance Outcome	Example
<b>Centre Zone Code Local Centre</b> <i>Applicable as the proposal involves a combination of uses that comprise a new Local Centre</i>	
PO1 Development in the Local centre precinct is of a size, scale, range of services commensurate with the role and function of this precinct within the centres network. Note - Refer to Moreton Bay centres network Table 6.2.1.1	No example provided

*Performance Outcome Assessment*

The development itself has a gross floor area (GFA) of 4,767m<sup>2</sup>, being slightly less than the minimum indicative GFA for a Local Centre (being 5,000m<sup>2</sup>). However, the development site includes a nominated "Future Development" area. Furthermore, this development site combines with an existing unmapped neighbourhood hub at this road junction to create a collective Local Centre. In this way, the development complies with PO1.

Also, the development application is supported by Economic Assessment reporting. The combined existing and proposed cluster of shops at this major intersection will form a Local Centre to service the Bellmere residents. The economic need for a Local Centre is increased from low/medium to significant by the pending development in the Caboolture West Growth Area.

<b>PO5</b> The height of buildings reflect the individual character of the centre.	<b>E5</b> Building height does not exceed the maximum height identified on Overlay map - Building heights.
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*Performance Outcome Assessment*

As identified above, the majority of the development complies with building height, but a performance outcome is proposed for building height in relation to the supermarket mezzanine (ancillary office) and the supermarket condenser deck which are 10.5m.

This development creates a new Local Centre. Accordingly, it is creating the character of the centre through its built form, complying with PO5.

The limited parts of the building that exceed 8.5m create visually interesting stepping in the architectural design. The building setback, quality materials and landscaping will ensure that the proposal does not impact the amenity of adjoining dwellings. Furthermore, the buildings have been designed to create a single storey, active interface with the road frontage. In this way, the development will positively contribute to the intended built form of the surrounding area.

PO13 The number of car parking spaces is managed to: a. provide for the parking of visitors and employees that is appropriate to the use and the site's proximity to public and active transport options;	E13 Car parking is provided in accordance with the table below. .. Non-residential: Max - 1 per 30m <sup>2</sup> of GFA
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Performance Outcome	Example
<p>b. not include an oversupply of car parking spaces. Note - Refer to Planning scheme policy - Integrated transport assessment for guidance on how to achieve compliance with this outcome.</p>	<p>Min - 1 per 50m<sup>2</sup> of GFA</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>Example E13 anticipates a car parking space range of 95- 158 spaces for the proposed 4,767m<sup>2</sup> GFA. The proposed development includes 227 spaces. The development complies with the minimum number of car parks but exceeds the maximum number of car parking spaces in the Centre Zone Code.</p> <p>A greater rate of car parking spaces (238) is anticipated in the General Residential Zone Code (as above).</p> <p>With reference to PO13, the proposed number of spaces balances between the anticipated rate of spaces in the General Residential Zone Code and the Centre Zone Code.</p> <p>The Traffic Impact Assessment provided in support of the development application provides evidence of car parking space demand for similar centres. In this way, the proposal complies with PO13a and PO13b by providing the number of spaces required for the proposed use and does not involve an oversupply of spaces.</p>	
<p><b>PO14</b> Car parking is designed to avoid the visual impact of large areas of surface car parking on the streetscape.</p>	<p>E14 At-grade car parking: a. does not adjoin a main street or a corner; b. where at-grade car parking adjoins a street (other than a main street) or civic spaces it does not take up more than 40% of the length of the street frontage.</p>
<p><i>Performance Outcome Assessment</i></p>	
<p>The proposal plans illustrate a Future Development area as being sealed. To avoid this becoming an interim car parking area with visual prominence at Bellmere Road, a condition is recommended that requires physical barriers to vehicles and landscaping (minimum turf) on the area. This will ensure that the development complies with PO14.</p>	
<p>PO18 a. End of trip facilities are provided for employees or occupants, in the building or on-site within a reasonable walking distance, and include: i. adequate bicycle parking and storage facilities; and ii. adequate provision for securing belongings; and iii. change rooms that include adequate showers, sanitary compartments, wash basins and mirrors. b. Notwithstanding a. there is no requirement to provide end of trip facilities if it would be unreasonable to provide these facilities having regard to: i. the projected population growth and forward planning for road upgrading and development of cycle paths; or</p>	<p>E18.1 Minimum bicycle parking facilities are provided in accordance with the table below (rounded up to the nearest whole number).  Minimum 1 space per 200m<sup>2</sup> of GFA  E18.2 Bicycle parking is: a. provided in accordance with Austroads (2008), Guide to Traffic Management - Part 11: Parking; b. protected from the weather by its location or a dedicated roof structure;</p>

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Performance Outcome	Example
<p>ii. whether it would be practical to commute to and from the building on a bicycle, having regard to the likely commute distances and nature of the terrain; or</p> <p>iii. the condition of the road and the nature and amount of traffic potentially affecting the safety of commuters.</p> <p>Editor's note - The intent of b above is to ensure the requirements for bicycle parking and end of trip facilities are not applied in unreasonable circumstances. For example these requirements should not, and do not apply in the Rural zone or the Rural residential zone etc.</p> <p>Editor's note - This performance outcome is the same as the Performance Requirement prescribed for end of trip facilities under the Queensland Development Code. For development incorporating building work, that Queensland Development Code performance requirement cannot be altered by a local planning instrument and has been reproduced here solely for information purposes. Council's assessment in its building work concurrence agency role for end of trip facilities will be against the performance requirement in the Queensland Development Code. As it is subject to change at any time, applicants for development incorporating building work should ensure that proposals that do not comply with the examples under this heading meet the current performance requirement prescribed in the Queensland Development Code.</p>	<p>c. located within the building or in a dedicated, secure structure for residents and staff;</p> <p>d. adjacent to building entrances or in public areas for customers and visitors.</p> <p>Note - Bicycle parking structures are to be constructed to the standards prescribed in AS2890.3.</p> <p>Note - Bicycle parking and end of trip facilities provided for residential and non-residential activities may be pooled, provided they are within 100 metres of the entrance to the building.</p> <p>E18.3 For non-residential uses, storage lockers:</p> <p>a. are provided at a rate of 1.6 per bicycle parking space (rounded up to the nearest whole number);</p> <p>b. have minimum dimensions of 900mm (height) x 300mm (width) x 450mm (depth).</p> <p>Note - Storage lockers may be pooled across multiple sites and activities when within 100 metres of the entrance to the building and within 50 metres of bicycle parking and storage facilities.</p> <p>Editor's note - The examples for end of trip facilities prescribed under the Queensland Development Code permit a local planning instrument to prescribe facility levels higher than the default levels identified in those acceptable solutions. This example is an amalgamation of the default levels set for end of trip facilities in the Queensland Development Code and the additional facilities required by Council.</p> <p>E18.4 For non-residential uses, changing rooms:</p> <p>a. are provided at a rate of 1 per 10 bicycle parking spaces;</p> <p>b. are fitted with a lockable door or otherwise screened from public view;</p> <p>c. are provided with shower(s), sanitary compartment(s) and wash basin(s) in accordance with the table below (see Code)</p>
<p><i>Performance Outcome Assessment</i></p>	

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Performance Outcome	Example
The proposal plans show end of trip facilities and some bike parking. Conditions are recommended to ensure that the proposal complies with PO18/E18.	
<p>PO19 Loading and servicing areas:</p> <ul style="list-style-type: none"> <li>a. are not visible from any street frontage;</li> <li>b. are integrated into the design of the building;</li> <li>c. include screening and buffers to reduce negative impacts on adjoining sensitive land uses;</li> <li>d. are consolidated and shared with adjoining sites where possible.</li> </ul> <p>Note - Refer to Planning scheme policy – Centre and neighbourhood hub design.</p>	No example provided
<i>Performance Outcome Assessment</i>	
<p>The development includes a loading and servicing area that is setback approximately 60m from Bellmere Road, diminishing the visibility of this part of the building. While it is visible from a small proportion of the Bellmere Road, the loading area is integrated into the building and screened to the side boundary.</p> <p>In this way, the loading / service area is less prominent than the buildings which directly address the road frontages and thereby complies with PO19.</p>	
<p>PO31</p> <ul style="list-style-type: none"> <li>a. Development ensures that the biodiversity quality and integrity of habitats is not adversely impacted upon but maintained and protected.</li> <li>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 &gt; 80cm in diameter at 1.3m height, 3 nest boxes are required for every habitat tree removed.</li> </ul>	No example provided.
<i>Performance Outcome Assessment</i>	
<p>The site is not mapped as having Local or State Environmental significance. The site is predominantly vacant, former rural land on the corner of an arterial road and sub-arterial road. It is characterised by mowed lawn, planted landscape trees associated with the former house and scattered trees with no undergrowth. In this way, the site has limited habitat value.</p> <p>The site is identified as having low rehabilitation value and is surrounded by land which has been recently developed. Therefore, it does not form part of an existing or future environmental corridor. Retention of vegetation was not required as a part of the former approval, meaning that the trees could have been lawfully cleared previously.</p> <p>As the proposal involves the creation of a new Local Centre, retention of trees is not proposed. However, the development involves no net loss in habitat as landscaping proposed will exceed the quantity of existing trees. In this way it accords with the intent of PO31.</p>	
PO33	No example provided.

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Performance Outcome	Example
Development provides functional and integrated car parking and vehicle access, that: <ul style="list-style-type: none"> <li>a. prioritises the movement and safety of pedestrians between car parking areas at the rear through to the 'main street' and the entrance to the building (e.g. rear entry, arcade etc.);</li> <li>b. provides safety and security of people and property at all times;</li> <li>c. does not impede active transport options;</li> <li>d. does not impact on the safe and efficient movement of traffic external to the site;</li> <li>e. where possible vehicle access points are consolidated and shared with adjoining sites.</li> </ul>	
<i>Performance Outcome Assessment</i>	
Conditions have been recommended requiring amended access arrangements and external works that ensure compliance with the requirements of PO33, including removing one of the two proposed accesses along Bellmere Road.	

#### 2.3.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcome PO9 - Building design of the General Residential Zone Code - Suburban Precinct. Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

General Residential Zone Code - Suburban Precinct		
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 per hectare if complying with b. v. below.	Y	Overall Outcome a. states "predominantly".  The proposed development comprises a new Local Centre to provide services to the established residential development in the area. This use is anticipated in Overall Outcome e. below.
b. Residential activities....	N/A	The proposal does not involve a residential use.
c. The design, siting and construction of residential uses...	N/A	The proposal does not involve a residential use.
d. Home based business...	N/A	The proposal does not involve 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.	Y	The proposal involves a new Local Centre.
f. Community activities...	N/A	The proposal does not involve a community activity use.

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g. Corner stores...	N/A	The proposal involves a new Local Centre, not a corner store.
<p>h. Retail and commercial activities (excluding Service stations):</p> <ul style="list-style-type: none"> <li>i. cluster with other non-residential uses (excluding corner stores) forming a neighbourhood hub;</li> <li>ii. are centred around a 'Main Street' central core fostering opportunities for social and economic exchange;</li> <li>iii. are of a small scale, appropriate for a neighbourhood hub;</li> </ul> <p>Note - Retail and commercial uses that will result in a new or existing neighbourhood hub expanding to a scale and function consistent with a Local centre are to be assessed as if establishing a new Local centre. Refer to the Centre zone code for relevant assessment benchmarks.</p> <ul style="list-style-type: none"> <li>iv. do not negatively impact adjoining residents or the streetscape;</li> <li>v. are subordinate in function and scale to all centres within the region.</li> </ul>	<p>N</p> <p>Y</p> <p>N</p> <p>Y</p> <p>N</p>	<p>i. The proposed uses cluster together as a Local Centre as anticipated in Overall Outcome e.</p> <p>ii. The proposed development creates a centralised Main Street feel while also providing activation to the road frontage.</p> <p>iii. The proposal is of a Local Centre scale.</p> <p>As per the note, the proposal has also been assessed in relation the Centre Zone Code - Local Centre.</p> <p>iv. The proposal includes acoustic mitigation measures, landscaping and design variations to ensure that the proposal does not negatively impact adjoining residents or the streetscape. The proposal will contribute services and outdoor gathering areas and safe pedestrian movement paths in a positive way.</p> <p>v. As a new Local Centre, this proposal will be subordinate to higher order Centres. It is relevant to note that Economic Assessment reporting has identified that the combined existing and proposed cluster of shops at this major intersection will form a Local Centre to service the Bellmere residents. The economic need for a Local Centre is increased from low/medium to significant by the pending development in the Caboolture West Growth Area.</p>
i. Service stations...	N/A	The proposal does not involve a service station.
<p>j. The design, siting and construction of non-residential uses:</p> <ul style="list-style-type: none"> <li>i. maintains a human scale, through appropriate building heights and form;</li> </ul>	Y	i. The development maintains the human scale through the use of awnings, shade structures, landscaping and glazing. The

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<p>ii. provides attractive, active frontages that maximise pedestrian activity along road frontages, movement corridors and public spaces (excluding Service stations);</p> <p>iii. provides for active and passive surveillance of road frontages, movement corridors and public spaces;</p> <p>iv. promotes active transport options and ensures an oversupply of car parking is not provided;</p> <p>v. locates car parking so as not to dominate the street;</p> <p>vi. does not result in large internalised shopping centres (e.g. large blank external walls with tenancies only accessible from within the building) surrounded by expansive areas of surface car parking.</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>	<p>majority of the development complies with the anticipated building height. There are limited sections which are taller, but their location is setback and avoid dominating the pedestrian environment.</p> <p>ii. The proposal is designed to present an attractive, pleasant pedestrian environment that creates a welcoming entrance to the site.</p> <p>iii. The development provides glazing and clear sightlines that contribute to safety within and outside the site.</p> <p>iv. The development has ready access to a well serviced bus stop. The development will also contribute to footpaths and bike facilities. Analysis of car parking has found that the proposed number of spaces is sufficient and not an oversupply.</p> <p>v. The car parking is located within the site. A condition is recommended so that the Future Development area is landscaped (minimum turf) and protected from vehicle encroachment so that car parking does not dominate the street.</p> <p>vi. The development design avoids blank walls and presents an active frontage to the road frontages.</p>
<p>k. Neighbourhood hub expansion...</p>	<p>N/A</p>	<p>The proposal does not involve a Neighbourhood Hub expansion.</p>
<p>l. General works associated with the development achieves the following:</p> <p>i. new development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and reticulated electricity (underground wherever possible), water and sewerage (where available);</p> <p>ii. the development manages stormwater to:</p>	<p>Y</p>	<p>Development to be conditioned to comply.</p>

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<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>	<p>Y</p>	<p>m. Supporting reports confirm that the development will comply with Council requirements.</p>
<p>n. Noise generating uses are designed, sited and constructed to minimise the transmission of noise to appropriate levels and do not cause environmental harm or nuisance.</p>	<p>Y</p>	<p>n. Supporting reports confirm that the development will comply with Council requirements.</p>
<p>o. Noise sensitive uses are designed, sited and constructed so as not to be subject to unacceptable levels of noise.</p>	<p>N/A</p>	<p>The proposal does not include noise sensitive uses.</p>
<p>p. Development in a Water supply buffer is undertaken in a manner which contributes to the maintenance and enhancement where possible of water quality to protect the drinking</p>	<p>N/A</p>	

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<p>water and aquatic ecosystem environmental values in those catchments.</p>		
<p>q. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by:</p> <ul style="list-style-type: none"> <li>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 minimise the potential risk to people, property and the environment;</li> <li>ii. ensuring no further instability, erosion or degradation of the land, water or soil resource;</li> <li>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.</li> <li>iv. maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planting and landscaping, and facilitating safe wildlife movement and connectivity through: <ul style="list-style-type: none"> <li>A. the provision of replacement, restoration, rehabilitation planting and landscaping;</li> <li>B. the location, design and management of development to avoid or minimise adverse impacts on ecological systems and processes;</li> <li>C. the requiring of environmental</li> </ul> </li> </ul>	<p>Y</p>	<p>The development avoids areas of mapped constraint</p>

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<p>offsets in accordance with the Environmental Offsets Act 2014.</p> <ul style="list-style-type: none"> <li>v. protecting native species and protecting and enhancing species habitat;</li> <li>vi. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance;</li> <li>vii. establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimise adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities;</li> <li>viii. establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat;</li> <li>ix. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of identified infrastructure;</li> <li>x. ensuring effective and efficient disaster management response and recovery capabilities;</li> <li>xi. where located in an overland flow path:             <ul style="list-style-type: none"> <li>A. development siting, built form, layout and access responds to the risk presented by the overland flow and minimises risk to personal safety;</li> <li>B. development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated</li> </ul> </li> </ul>		
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<p>with the 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> <p>...</p> <ul style="list-style-type: none"> <li>- Health Care Services</li> <li>- Where in a Neighbourhood Hub             <ul style="list-style-type: none"> <li>o Food and drink outlet(28)</li> <li>o Hardware and trade supplies(32)</li> <li>o - Health care services(33)</li> <li>o Indoor sport and recreation(38) - for a gymnasium</li> <li>o Office(53)</li> <li>o Service industry(73)</li> <li>o Shop(75)</li> <li>o Shopping centre(76)</li> <li>o Veterinary services(87)</li> </ul> </li> </ul>	<p>Noted</p>	<p>The new Local Centre is anticipated in Overall Outcome e. The uses proposed are listed as appropriate if in a Neighbourhood Hub. Therefore, the uses themselves are appropriate.</p>
<p>s. Development in the Suburban neighbourhood precinct does not include any of the following: (none of the proposed uses)</p>	<p>Y</p>	<p>None of the proposed uses are listed.</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>	<p>Noted.</p>	

Based on the assessment above, the proposal is inconsistent with one (1) of the Overall Outcomes of the code(s). Therefore, in accordance with section 1.7.2 of the MBRC Planning Scheme, an assessment against the Strategic Framework is set out in section 2.3.1 of this report.

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In addition, section 45 (5) of the *Planning Act 2016* states the assessment may be carried out against, or having regard to, any other relevant matter other than a person's personal circumstances, financial or otherwise. The other relevant matters to justify any approval of the proposal, are discussed in section 2.8 of this report.

## 2.4 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. 8 commencing on August 2018 (CR).

### 2.4.1 Levied Charge

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal and has been calculated as shown in the Infrastructure Charges Notice attached to this report taking into consideration any applicable credits or offsets.

### 2.4.2 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) Uses equivalent to a previously defined use

Not applicable.

(b) 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

(c) 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.

(d) 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

(e) The adopted charge for a residential lot (applied equally to non-residential development)

The credit available under this option is \$18,136.02 based on the proportional split stated in Table 3 of the CR.

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#### 2.4.3 Levied Charge Offset or Refund

The site is identified as being located within the Priority Infrastructure Area however is not identified as being affected by a Trunk Infrastructure requirement under Council's LGIP. Both River Drive and Bellmere Road are mapped under Council's LGIP as **existing** Trunk Roads. However, it is noted that both roads, and the intersection of these roads are not constructed to the anticipated road typology under the planning scheme for these road classifications. In this regard, Council Officers are recommending the applicant upgrade the frontage roads to the site and the intersection of River Drive and Bellmere Road to signals. In relation to the signalised intersection upgrade:

- Bellmere Road is identified in the Road Hierarchy Overlay as an arterial road;
- River Drive identified in the Road Hierarchy Overlay as a sub-arterial road;
- Where an arterial road and sub-arterial road intersect the intersection is to be "signalised or as per Austroads" in accordance with intersection management in Appendix A of the Planning Scheme Policy (Integrated Design).

For arterial and sub-arterial road direct vehicle access is generally not permitted by the planning scheme. Council may consider alternative access arrangements on a detailed design basis in accordance with Appendix A of the Planning Scheme Policy (Integrated Design).

In addition, the planning scheme identifies Caboolture West within the Emerging Community Zone and Caboolture West Local Plan (Noting - the local plan identifies the development of the Caboolture West Local Plan area over the next 40 years). The Bellmere Rd/River Dr intersection will be required to be upgraded to accommodate growth in the locality, including Caboolture West. If Council was to defer the cost of the intersection it would be required to bare the cost of the establishment cost for the intersection plus the modification/re-establishment costs of the Woolworth's frontage, including the proposed signalised site access on Bellmere Road. In this respect, it is appropriate to bring forward these works and land dedication by recommending a condition requiring the unidentified trunk infrastructure item (Section 128(3) of the Planning Act 2016) to be delivered by the development.

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

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.

#### 2.5 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

#### 2.6 Referrals

##### 2.6.1 Council Referrals

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### **2.6.1.1 Development Engineering**

#### 3.1 Traffic, Access & Parking

Neither the Bellmere Road nor River Drive frontages are fully constructed to the required standard. As a consequence, the recommendations of this report include conditions requiring upgrades to both road frontages.

It has been identified that the intersection of Bellmere Road and River Drive will require upgrading to a signalised intersection in the near future. These works are considered to be unidentified trunk works. As a consequence, the recommendations of this report include a necessary condition requiring the construction of the unidentified trunk infrastructure.

A functional layout plan for the external works was provided to Council detailing the above frontage works and associated signalisation of the Bellmere Road / River Drive intersection and the Bellmere Road site access. The layout plan requires a number of amendments and as a consequence, an amended plan condition is recommended to ensure the plan meets Council's requirements.

#### 3.2 Stormwater / Flooding

A Stormwater Management Plan (SMP) was submitted in support of the proposal which demonstrated that stormwater can be addressed in accordance with Council's requirements. As a consequence, the recommendations of this report include a condition requiring the development to be carried out in accordance with the SMP.

### **2.6.1.2 Environmental Health**

#### Lighting

It is recommended that conditions are included to ensure suitable lighting is installed.

#### Waste Management

A waste management program has been provided and is acceptable for the proposed use. This development will use bulk bins in two enclosures serviced onsite by a private contractor. As a consequence, the recommendations of this report include a condition that the development be undertaken in accordance with the waste management program.

#### Noise

An amended Acoustic Report prepared by Acoustic Works dated 23 September 2020, report number 2020079 R01L, was submitted in response to an information request and recommends ways to ameliorate impacts that are considered acceptable. The recommendations include acoustic barriers in various locations as well as operational matters for activities such as deliveries, waste collection, forklift operation, speakers for outdoor dining music, and fixed windows in any gymnasium.

#### Food Premises - Food Business Licence

The development will incorporate licensable food businesses under the Food Act 2006 that will have specific structural requirements. As a consequence, the recommendations of this report include an advice for a Food Business Licence.

### **2.6.2 Referral Agencies**

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

ITEM 4.1 DA/41088/2020/V2C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR SHOPPING CENTRE, FOOD AND DRINK OUTLET, HEALTH CARE SERVICE, INDOOR SPORT AND RECREATION, OFFICE - 96-110 BELLMERE ROAD, BELLMERE - 61509560 (Cont.)

2.7 Public Consultation

2.7.1 *Public Notification Requirements under the Development Assessment Rules*

- (a) Public Notification was served on all adjoining landowners on 13 October 2020.
- (b) The development application was advertised in the QuesUCM - Caboolture Shire Herald Digital on 13 October 2020.
- (c) A notice in the prescribed form was posted on the relevant land on 13 October 2020 and maintained for a period of 15 business days until 16 November 2020.

2.7.2 *Submissions Received*

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

Type	Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax	6
	Petition	165 (58 legible with required details)
Not Properly Made	Letter, Email, Fax	2
	Petition	
<b>Total</b>		9

The matters raised within the submissions are outlined below:

Assessment of Submissions
<p><b>Issue</b> Nil</p> <p>One (1) supporting submission - positive contribution to the region.</p>
<p><b>Issue</b> <b>Economic Impact Assessment</b></p> <p>Insufficient demand. Negative Impact on existing businesses and, by extension, employment. That there are existing Coles, Woolworths, Aldi in the catchment. Duplication of tenancy types. Existing vacancies and risk of further closures at Bellmere hub 200m away.</p>
<p><b>Discussion</b></p> <p>The application material included Economic Impact Assessment reporting.</p> <p>The economic analysis determined that the combination of the two existing unmapped neighbourhood hubs and the proposed development will form a Local Centre clustered around the Bellmere/River intersection and adjacent corner. The Local Centre will service the Bellmere residents. It is noted that the economic need for a Local Centre in this location is significantly increased by the pending development in the Caboolture West Growth Area.</p> <p>The closest mapped Centre Zone areas are approximately 2km (direct line) from the subject site, and those are higher order centres (Caboolture and Morayfield).</p> <p>It was found that there may be a negative effect on the existing unmapped neighbourhood hubs in their current form, particularly the older Bellmere Shopping Centre.</p> <p>However, the Planning Act 2016 (s45) specifically excludes the consideration of a person's personal circumstances, financial or otherwise, in the assessment of an impact</p>

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assessable development application. In this context, the planning decision cannot be anticompetitive to protect a business interest.

This is not reason for refusal of the application.

**Issue**

**Small Business and Supplier Impacts**

Concerns that the proposal will detrimentally impact small businesses and their local suppliers.

**Discussion**

Further to the Economic Impact comments above, the Planning Scheme does not restrict the duplication of tenancy types (e.g. 2 butchers, bakers), nor does it control or restrict supplier arrangements.

However, through the provision of road and intersection upgrades, safe pedestrian movement paths and building designs that address the street frontage, the proposed development will combine with the existing unmapped neighbourhood hub shops clustered around the same intersection area to serve the local community with a variety of types and forms of business.

This is not reason for refusal of the application.

**Issue**

**Traffic and Congestion**

Concerns regarding resultant increase in traffic in the area as a result of the development. Concerns that the increased traffic flows combined with the proximity of the proposed development to the nearby school and pre-school could impact the safety of cyclists and pedestrians.

After the service station and associated retail uses commenced on the opposite corner of the intersection, the local traffic has become more congested. This adjacent development has approximately 30 car parks whereas the proposed Woolworths shopping centre will have many more car parks (227).

Many customers of the existing local convenience store come from the local primary and nearby high schools in the afternoon. Concerns that the increased traffic generation of the proposed development will not only cause more road accidents, but also increase the risk of to these school children.

A further concern brought about by the increased traffic is an increase in vehicular and pedestrian congestion on the surrounding road network. Concerns that this will have the effect of making it difficult to turn right out of nearby streets onto River Drive and Bellmere Road. Subsequently there will be a need to install traffic lights and pedestrian crossings which is an issue that Council must address.

**Discussion**

The site has road frontage to both Bellmere Road (arterial) and River Drive (sub-arterial), which will become important frame roads in the future development of the surrounding area for urban purposes.

Having regard to the overall development context in this part of the region, it is noted that Bellmere Road forms one of the proposed main transport links to the Caboolture West development area. The intersection of Bellmere Road and River Drive will subsequently become more significant as the surrounding area and the Caboolture West area develops.

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The intersection of Bellmere Road and River Drive will ultimately need to be signalised as part of much larger upgrades to the network. This upgrade has not been identified within Council's Local Government Infrastructure Plan (LGIP) but is nonetheless necessary to ensure a functional network that performs to meet user's needs into the future. The applicant has prepared concept plans for the intersection, with construction of the ultimate intersection to be conditioned to be completed with the proposed development as unidentified trunk infrastructure.

This intersection upgrade also has the added benefit of providing protected (signalised) pedestrian crossings across both Bellmere Road and River Drive, providing increased levels of safety for pedestrians and cyclists.

This is not reason for refusal of the application.

**Issue**

Concerns about rezoning.  
Inconsistent with existing zoning / More appropriate zones to locate this use.

**Discussion**

The application does not seek approval to change the Zone. This concern appears to be a misinterpretation of the current Planning Legislation. Under superseded legislation, there was a process for rezoning land to permit some uses. This application seeks approval for a Material Change of Use under the Planning Act.

This matter is addressed in detail in the assessment in relation to the General Residential Zone Code - Suburban Precinct above. In summary, while residential activities are anticipated to be the predominant use in this Zone and Precinct, non-residential activities, including new Local Centres are anticipated.

Accordingly, the proposed development is not inconsistent with the existing zoning. It is well located on higher order road, serviced by regular bus services and within walking distance of existing residential development. In this way, the development encourages multi-modal transport use and contributes to services within a walkable neighbourhood.

Furthermore, the proposed development includes acoustic mitigation measures, building design and landscaping to ensure that the development does not interfere with the existing residential activities in the vicinity of the site.

These outcomes are consistent with the Planning Scheme intent for this Zone and Precinct. Therefore, this is not reason for refusal of the application.

**Issue**

Design does not encourage socialisation

**Discussion**

The proposed development includes pathways, bike parking and outdoor seating areas. It is located close to the existing bus stop and will include additional paths within the site and around the road frontages, thereby contributing to the walkable neighbourhood and opportunities for socialisation.

This is not reason for refusal of the application.

**Issue**

Concerned with loss of trees, fauna habitat including reference to koalas

**Discussion**

The site is not mapped as having Local or State Environmental significance. The site is predominantly vacant, former rural land on the corner of an arterial road and sub-arterial road. It is characterised by mowed lawn, planted landscape trees associated with the

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former house and scattered trees with no undergrowth. In this way, the site has limited habitat value.

The site is identified as having low rehabilitation value and is surrounded by land which has been recently developed. Therefore, it does not form part of an existing or future environmental corridor. Retention of vegetation was not required as a part of the former approval, meaning that the trees could have been lawfully cleared previously.

As the proposal involves the creation of a new Local Centre, retention of trees is not proposed. However, the development involves no net loss in habitat as landscaping proposed will exceed the quantity of existing trees.

This is not reason for refusal of the application.

**Issue**

Concerned with rubbish.

**Discussion**

The Planning Scheme requires the management of waste in the form of serviced bin areas. While Council's Local Laws address management of waste on site and its collection, littering is a criminal act which is not regulated by Council.

This is not reason for refusal of the application.

2.7.3 Notice of Compliance

The Notice of Compliance was received by Council on 6 November 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.

2.8 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.

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- b) Permit conditions require trunk works which exceed the value of infrastructure contributions. Council is likely to require to issue a refund to the developer for the cost of works exceeding infrastructure charges.

3.7 Economic Benefit Implications

The proposal will provide for increased employment opportunities and wider range of goods to the immediate area.

- 3.8 Environmental Implications  Nil identified

- 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

Refer to clause 2.7.

**ATTENDANCE**

Dan Staley left the meeting at 10.09am after Item 4.1.

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**5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION**

**(Cr M Gillam)**

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**ITEM 5.1  
COMMENCEMENT OF PROSECUTIONS**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61984035 : 5 May 2021  
*Responsible Officer:* GL, Brief Management and Prosecutions Coordinator (CES Customer Response Services)

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**Executive Summary**

Investigations have been conducted in relation to several dog attacks where the investigating officers have recommended prosecution as a means of enforcement.

Council's approval is sought for the commencement of four (4) prosecutions in the Magistrates Court for what Council Officers allege to be offences under the *Animal Management (Cats and Dogs) Act 2008* (the Act) and the *Moreton Bay Regional Council Local Law No. 2 (Animal Management) 2011* (Local Law 2).

The matters have been reviewed and assessed as appropriate to progress for prosecution in the Magistrates court.

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**RESOLUTION**

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Moved by Cr Karl Winchester

Seconded by Cr Jodie Shipway

**CARRIED 12/0**

1. That Council authorise the Chief Executive Officer to commence prosecutions in the Magistrates Court for each of the matters described in this report, for what Council officers allege to be offences under the *Animal Management (Cats and Dogs) Act 2008* and *Moreton Bay Regional Council Local Laws No.2 (Animal Management) 2011*.
2. That the prosecutions described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM 5.1 COMMENCEMENT OF PROSECUTIONS - 61984035 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That Council authorise the Chief Executive Officer to commence prosecutions in the Magistrates Court for each of the matters described in this report, for what Council officers allege to be offences under the *Animal Management (Cats and Dogs) Act 2008 and Moreton Bay Regional Council Local Laws No.2 (Animal Management) 2011*.
2. That the prosecutions described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

**REPORT DETAIL**

**1. Background**

Council is the responsible agency for enforcement and regulation under the Act and Moreton Bay Regional Council Local Law 2. Investigations have been conducted in relation to several dog attacks. It is considered appropriate, and in the public interest, to progress these matters to the Magistrates Court for prosecution.

The Act and Local Law 2 provide legal and procedural frameworks for the administration, implementation and enforcement of animal ownership and management practices.

The Act provides that amongst others it is an offence for a person to fail to take reasonable steps to ensure a dog does not attack and Local Law 2 provides that amongst others it is an offence to fail to provide a proper enclosure and prevent an animal from wandering.

Council's approval is sought for the commencement of four (4) prosecutions in the Magistrates Court against four individuals for what Council officers allege to be offences under the Act and Local Law 2.

A summary of facts has been drafted for each matter and reviewed to ensure there is sufficiency of evidence to prove the offences.

**2. Explanation of Item**

Investigations have been conducted in relation to several dog attacks where the investigating officers have recommended prosecution as a means of enforcement.

The improper keeping of animals presents a risk within the community. An opportunity exists in each of these matters for Council to take enforcement action against the responsible person for keeping a dog improperly and, in doing so, encourage both individual and community compliance under the Act and Local Law 2.

Given the seriousness of the attacks in these matters, and that the most serious of the charges can only be enforced by way of prosecution, Council officers consider this to be the most appropriate action.

Table 1 below outlines the alleged offences for each matter.

**Table 1 - Prosecutions**

Summary of charges - Prosecutions			Prosecution reference number
<b>Matter 1</b>	Charge 1 - 31/10/2020	Duty to maintain a proper enclosure and prevent animal from wandering	LS/2021/0250
	Charge 2 - 31/10/2020	Failing to ensure dog does not attack another animal bodily harm	
	Charge 3 - 31/10/2020	Failing to ensure dog does not attack another animal causing death	

ITEM 5.1 COMMENCEMENT OF PROSECUTIONS - 61984035 (Cont.)

Summary of charges - Prosecutions			Prosecution reference number
<b>Matter 2</b>	Charge 1 - 04/09/2020	Duty to maintain a proper enclosure and prevent animal from wandering	LS/2021/0251
	Charge 2 - 04/09/2020	Failing to ensure dog does not attack another animal causing death	
	Charge 3 - 14/10/2020	Failure to ensure the mandatory conditions for the keeping of a regulated dog are complied with for the dog	
	Charge 4 - 05/01/2021	Duty to maintain a proper enclosure and prevent animal from wandering	
	Charge 5 - 06/01/2021	Failing to ensure dog does not attack another animal	
	Charge 6 - 07/01/2021	Failing to ensure dog does not attack another animal causing death	
<b>Matter 3</b>	Charge 1 - 10/08/2020	Duty to maintain a proper enclosure and prevent animal from wandering	LS/2021/0270
	Charge 2 - 10/08/2020	Failing to ensure dog does not attack another animal causing bodily harm	
<b>Matter 4</b>	Charge 1 - 02/11/2020	Duty to maintain a proper enclosure and prevent animal from wandering	LS/2021/0312
	Charge 2 - 02/11/2020	Failing to ensure dog does not attack a person causing bodily harm	
	Charge 3 - 01/12/2020	Failure to ensure the mandatory conditions for the keeping of a regulated dog are complied with for the dog	
	Charge 4 - 02/01/2021	Fail to ensure an animal is under effective control in a public place	
	Charge 5 - 02/01/2021	Failing to ensure dog does not attack another animal causing death	
	Charge 6 - 28/01/2021	Failure to ensure the mandatory conditions for the keeping of a regulated dog are complied with for the dog	

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Prosecutions would be commenced in the Magistrates Court against each of the individuals who were, at the material time, the responsible person for each of these matters for offences under the Act and Local Law 2.

Section 237(2) of the *Local Government Act 2009* provides that 'a local government may start proceeding under the *Justices Act 1886* in the name of a local government employee who is a public officer within the meaning of that Act'. The Chief Executive Officer falls within that definition and there are a number of advantages in commencing a prosecution in the name of the employee as opposed to the Council itself, in particular some degree of protection in relation to costs and the ability to deal with the matter should the defendant fail to appear.

**3.2 Corporate Plan / Operational Plan**

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

ITEM 5.1 COMMENCEMENT OF PROSECUTIONS - 61984035 (Cont.)

- 3.3 Policy Implications  Nil identified
- 3.4 Risk Management Implications  
The matters have been reviewed and assessed in preparation for court.
- 3.5 Delegated Authority Implications  Nil identified
- 3.6 Financial Implications  
Legal and court costs associated with the commencement of legal proceedings, including court filing fees will be met through existing budget allocations. The matters will be handled by Council's Brief Management and Prosecutions Coordinator through to the Magistrates Court therefore no external fees will be applicable.
- 3.7 Economic Benefit Implications  Nil identified
- 3.8 Environmental Implications  Nil identified
- 3.9 Social Implications  
Court proceedings can establish broader understanding of statutory and local laws regulation and build community confidence in Councils ability to effectively address offending.
- 3.10 Human Rights Implications  
Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Council officers consider that Council's decision in this circumstance is compatible with a person's human rights as a person against whom prosecution proceedings are commenced has the right to a fair hearing.
- 3.11 Consultation / Communication  
Director Community and Environmental Services

**ITEM 5.2**  
**INFRINGEMENT NOTICE COURT ELECTIONS - PARKING**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61985184 : 5 May 2021  
*Responsible Officer:* GL, Brief Management and Prosecutions Coordinator (CES Customer Response)

**Executive Summary**

Council's approval is sought for the commencement of a prosecution in the Magistrates Court for alleged offence under the *Transport Operations (Road Use Management - Road Rules) Regulation 2009*.

The *State Penalties Enforcement Act 1999* allows for a person who has been issued with a penalty infringement notice to elect to have the matter heard through the Magistrates Court instead of paying the infringement.

Council has received an election request from a member of the community who has received a penalty infringement notice. This matter has been assessed and is considered appropriate to proceed as requested to the Magistrates Court. In order to progress the matter a resolution of Council is sought authorising officers to commence court proceedings.

**RESOLUTION**

Moved by Cr Jodie Shipway  
Seconded by Cr Mark Booth

CARRIED 12/0

1. That Council authorise the Chief Executive Officer to commence prosecution in the Magistrates Court for the matter described in this report, for what Council officers allege to be an offence under the *Transport Operations (Road Use Management - Road Rules) Regulation 2009*.
2. That the prosecution described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM 5.2 INFRINGEMENT NOTICE COURT ELECTIONS - PARKING - 61985184 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That Council authorise the Chief Executive Officer to commence prosecution in the Magistrates Court for the matter described in this report, for what Council officers allege to be an offence under the *Transport Operations (Road Use Management - Road Rules) Regulation 2009*.
2. That the prosecution described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

**REPORT DETAIL**

**1. Background**

The *Transport Operations (Road Use Management - Road Rules) Regulation 2009* provide a legal and procedural framework with the objective to provide road rules in Queensland that are substantially uniform with road rules elsewhere in Australia and provides for their administration, implementation and enforcement.

Council officers are authorised by the Chief Executive Officer, in accordance with their delegations, to issue Penalty Infringement Notices for offences that relate to Council's Local Laws and State legislation.

When a Penalty Infringement Notice is issued to a person for an offence, the *State Penalties Enforcement Act 1999* states that the alleged offender must, within 28 days after the date of the infringement notice, elect one of the following options:

- a) pay the fine in full or
- b) pay the fine in instalments (penalty amounts over \$200) or
- c) make an election to the administering authority to have the matter of the offence decided in a Magistrates Court.

In addition to the abovementioned options, Council provides the alleged offender with the opportunity to request a review of the issuing of the penalty infringement notice. Whilst there is no legislative requirement for this review, Council will undertake a review of the facts and circumstances relating to the issue of the penalty infringement notice and consider any reasonable or compassionate grounds offered by the alleged offender. A review decision is provided to the requestor in writing.

If an alleged offender elects to have the matter heard and determined by a Magistrates Court, officers undertake the same review process to ensure that the infringement notice has been correctly and lawfully issued before progressing the matter.

**2. Explanation of Item**

Council has received a request from a community member who was issued with a penalty infringement notice and who has elected for the matter to be heard by the Magistrates Court instead of paying the infringement, it is considered appropriate to proceed to the Magistrates Court.

The penalty infringement notice was issued to the requestors for what Council officers allege to be an offence under the *Transport Operations (Road Use Management - Road Rules) Regulation 2009*.

The *Transport Operations (Road Use Management - Road Rules) Regulation 2009* provides amongst other things offences in relation to regulated parking including section 205 which establishes an offence for parking for longer than indicated.

Council is the responsible agency for enforcement and regulation of part 12 of the *Transport Operations (Road Use Management - Road Rules) Regulation 2009*. The matter has been reviewed to ensure the penalty infringement notice has been correctly and lawfully issued in preparation for progressing to court.

Officers propose to proceed as requested by the alleged offender with a prosecution via the Magistrates Court. Table 1 below outlines the offence for which the alleged offender has elected to proceed to court.

ITEM 5.2 INFRINGEMENT NOTICE COURT ELECTIONS - PARKING - 61985184 (Cont.)

Table 1 - Court elect infringement

Summary of charges			Infringement amount	Prosecution reference number
Matter 1	28/01/2021	A driver must not park continuously on a length of road, or in an area, to which a permissive parking sign applies for longer than the period indicated by information on or with the sign	\$73	LS/2021/0249

3. Strategic Implications

3.1 Legislative / Legal Implications

Prosecutions would be commenced in the Magistrates Court against the individual who was, at the material time, the responsible person for the offence under the *Transport Operations (Road Use Management - Road Rules) Regulation 2009*.

Section 237(2) of the Local Government Act 2009 provides that 'a local government may start proceeding under the Justices Act 1886 in the name of a local government employee who is a public officer within the meaning of that Act'. The Chief Executive Officer falls within that definition and there are a number of advantages in commencing a prosecution in the name of the employee as opposed to the Council itself, in particular some degree of protection in relation to costs and the ability to deal with the matter should the defendant fail to appear.

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 matter has been reviewed in preparation for court.

3.5 Delegated Authority Implications

Nil identified

3.6 Financial Implications

The matter will be handled by Council's Brief Management and Prosecutions Coordinator through to the Magistrates Court therefore no external fees will be applicable.

3.7 Economic Benefit Implications

Nil identified

3.8 Environmental Implications

Nil identified

3.9 Social Implications

Court proceedings can establish broader understanding of statutory and local laws regulation and build community confidence in Councils ability to effectively address offending.

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

Director Community and Environmental Services

**ITEM 5.3**  
**INFRINGEMENT NOTICE COURT ELECTIONS - ENVIRONMENTAL**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61985088 : 14 May 2021  
*Responsible Officer:* GL, Brief Management and Prosecutions Coordinator (CES Customer Response Services)

**Executive Summary**

Council's approval is sought for the commencement of a prosecution in the Magistrates Court for an alleged offence under the *Environmental Protection Act 1994*.

The *State Penalties Enforcement Act 1999* allows for a person who has been issued with a penalty infringement notice to elect to have the matter heard through the Magistrates Court instead of paying the infringement.

Council has received an election request from a member of the community who has received a penalty infringement notice. This matter has been assessed and is considered appropriate to proceed as requested to the Magistrates Court. In order to progress the matter a resolution of Council is sought authorising officers to commence court proceedings.

**RESOLUTION**

Moved by Cr Matt Constance

Seconded by Cr Cath Tonks

CARRIED 12/0

1. That Council authorise the Chief Executive Officer to commence prosecution in the Magistrates Court for the matter described in this report, for what Council officers allege to be an offence under the *Environmental Protection Act 1994*.
2. That the prosecution described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

ITEM 5.3 INFRINGEMENT NOTICE COURT ELECTIONS - ENVIRONMENTAL - 61985088 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That Council authorise the Chief Executive Officer to commence prosecution in the Magistrates Court for the matter described in this report, for what Council officers allege to be an offence under the *Environmental Protection Act 1994*.
2. That the prosecution described be commenced in the name of the Chief Executive Officer, pursuant to section 237(2) of the *Local Government Act 2009*.

**REPORT DETAIL**

**1. Background**

The *Environmental Protection Act 1994* provide a legal and procedural framework with the objective to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development) and provides for the administration, implementation and enforcement of this objective.

Council officers are authorised by the Chief Executive Officer, in accordance with their delegations, to issue Penalty Infringement Notices for offences that relate to Council's Local Laws and State legislation.

When a Penalty Infringement Notice is issued to a person for an offence, the *State Penalties Enforcement Act 1999* states that the alleged offender must, within 28 days after the date of the infringement notice, elect one of the following options:

- d) pay the fine in full or
- e) pay the fine in instalments (penalty amounts over \$200) or
- f) make an election to the administering authority to have the matter of the offence decided in a Magistrates Court.

In addition to the abovementioned options, Council provides the alleged offender with the opportunity to request a review of the issuing of the penalty infringement notice. Whilst there is no legislative requirement for this review, Council will undertake a review of the facts and circumstances relating to the issue of the penalty infringement notice and consider any reasonable or compassionate grounds offered by the alleged offender. A review decision is provided to the requestor in writing.

If an alleged offender elects to have the matter heard and determined by a Magistrates Court, officers undertake the same review process to ensure that the infringement notice has been correctly and lawfully issued before progressing the matter.

**2. Explanation of Item**

Council has received a request from a community member who was issued with a penalty infringement notice and who has elected for the matter to be heard by the Magistrates Court instead of paying the infringement, that are considered appropriate to proceed with to the Magistrates Court.

The penalty infringement notice was issued to the requestors for what Council officers allege to be an offence under the *Environmental Protection Act 1994*.

The *Environmental Protection Act 1994* provides amongst other things offences in relation to environmental harm including section 440ZG which establishes an offence for depositing prescribed water contaminants in waters and related matters.

Council is the responsible agency for enforcement and regulation of section 440ZG of the *Environmental Protection Act 1994*. The matter has been reviewed to ensure the penalty infringement notice has been correctly and lawfully issued in preparation for progressing to court.

Officers propose to proceed as requested by the alleged offender with a prosecution via the Magistrates Court. Table 1 below outlines the offence for which the alleged offender has elected to proceed to court.

ITEM 5.3 INFRINGEMENT NOTICE COURT ELECTIONS - ENVIRONMENTAL - 61985088 (Cont.)

**Table 1 - Court elect infringement**

Summary of charges			Infringement amount	Prosecution reference number
<b>Matter 1</b>	17/09/2019	A person must not unlawfully deposit a prescribed water contaminant in waters, or in a roadside gutter or stormwater drainage.	\$2,001	LS/2021/0258

**3. Strategic Implications**

**3.1 Legislative / Legal Implications**

Prosecutions would be commenced in the Magistrates Court against the individual who was, at the material time, the responsible person for the offence under the *Environmental Protection Act 1994*.

Section 237(2) of the Local Government Act 2009 provides that 'a local government may start proceeding under the Justices Act 1886 in the name of a local government employee who is a public officer within the meaning of that Act'. The Chief Executive Officer falls within that definition and there are a number of advantages in commencing a prosecution in the name of the employee as opposed to the Council itself, in particular some degree of protection in relation to costs and the ability to deal with the matter should the defendant fail to appear.

**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 statutory schemes established by the *Environmental Protection Act 1994* rely on Council to investigate, monitor and enforce the offences against those laws. The matter has been reviewed in preparation for court.

**3.5 Delegated Authority Implications**

Nil identified

**3.6 Financial Implications**

Legal and court costs associated with the commencement of legal proceedings, including court filing fees will be met through existing budget allocations. The matter will be handled by Council's Brief Management and Prosecutions Coordinator through to the Magistrates Court therefore no external fees will be applicable.

**3.7 Economic Benefit Implications**

Nil identified

**3.8 Environmental Implications**

Nil identified

**3.9 Social Implications**

Court proceedings can establish broader understanding of statutory and local laws regulation and build community confidence in Councils ability to effectively address offending.

**3.10 Human Rights Implications**

Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Council officers consider that Council's decision in this circumstance is compatible with a person's human rights because any person against whom prosecution proceedings are commenced will have the right to a fair hearing.

*ITEM 5.3 INFRINGEMENT NOTICE COURT ELECTIONS - ENVIRONMENTAL - 61985088 (Cont.)*

- 3.11 Consultation / Communication  
Director Community and Environmental Services

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**ITEM 5.4**  
**FEEES FOR VOLUNTEER MANAGED COMMUNITY HALLS**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61878995 : 14 May 2021 - **Refer Supporting Information 61869860**  
*Responsible Officer:* MW, Team Leader Community Facility Operations (CES Community Services, Sport & Recreation)

**Executive Summary**

Management committees of Council's volunteer managed community halls are required under their management agreements to provide Council with an annual schedule of hire fees for endorsement. Council officers have been working with the management committees to, where practical, standardise fee structures across the region.

Seventeen not-for-profit hirers of Council's volunteer managed halls have special hire fees with hall management committees that fall outside of the standard fees approved by Council. These special hire fees are required to be reviewed by Council on a regular basis.

This report seeks endorsement for the 2021/22 schedule of hire fees and special hire fees (*refer Supporting Information #1 and #2*), for Council's volunteer managed halls.

**RESOLUTION**

**Moved by Cr Matt Constance**  
**Seconded by Cr Tony Latter**

**CARRIED 12/0**

1. **That the 2021/22 schedule of hire fees for volunteer managed halls be endorsed as detailed in Supporting Information #1.**
2. **That the 2021/22 schedule of special hire fees for not-for-profit groups be endorsed as detailed in Supporting Information #2.**

ITEM 5.4 FEES FOR VOLUNTEER MANAGED COMMUNITY HALLS - 61878995 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That the 2021/22 schedule of hire fees for volunteer managed halls be endorsed as detailed in Supporting Information #1.
2. That the 2021/22 schedule of special hire fees for not-for-profit groups be endorsed as detailed in Supporting Information #2.

**REPORT DETAIL**

**1. Background**

Thirty-nine of Council's halls are managed by volunteer management committees. The management agreements under which the committees operate require them to review and set hire fees and provide these annually to Council for endorsement.

There are differences in how management committees structure their fees. Council officers continue to work with management committees to transition to a standard fee structure across the region. For the 2021/22 financial year, all but three management committees have chosen to implement a version of the standard fee structure.

There are seventeen not-for-profit hirers of volunteer managed halls with historical 'special hire fees'. These 'special hire fees' facilitate the use of a hall at a discounted rate. At its 24 June 2020 General Meeting, Council resolved to continue these 'special hire fees' for the 2020/21 financial year. The following resolution appears on Minute Page 20/1248 of the General Meeting of Council held 24 June 2020.

**RESOLUTION**

1. That the 2020/21 schedule of hire fees for volunteer managed community centres and halls be endorsed as detailed in Supporting Information #1.
2. That the 2020/21 schedule of special hire fees for not-for-profit groups be endorsed as detailed in Supporting Information #2.

**2. Explanation of Item**

Hall management committees propose their fees and charges with consideration to the operating costs of the venue, the anticipated levels and types of usage, and their other responsibilities under the management agreements (e.g. minor facility maintenance).

Operating costs for community halls vary across facilities due to the size and type of building, the availability of specialised equipment (e.g. AV equipment, kitchen facilities, etc), and the level of use. Examples of operating costs which are the responsibility of the management committees under their management agreements include cleaning, electricity charges, and equipment renewal.

Management committees are encouraged to implement small hire fee increases on an annual or biannual basis to ensure that increases in operating costs are offset, and to mitigate the need for large increases in future years. Thirty-one halls have proposed fee changes for the 2021/22 financial year.

The schedule of hire fees for volunteer-managed community halls is provided in Supporting Information #1 of this report for Council's endorsement.

A review of 'special hire fees' endorsed by Council for the 2020/21 financial year has been undertaken by Council officers, with no changes proposed for the 2021/22 financial year. Accordingly, this report

ITEM 5.4 FEES FOR VOLUNTEER MANAGED COMMUNITY HALLS - 61878995 (Cont.)

recommends the continuation of all 'special hire fees', as detailed in Supporting Information #2, for the 2021/22 financial year.

**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  Nil identified

3.4 Risk Management Implications  Nil identified

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

Income from hire fees support management committees in meeting hall operational costs including, but not limited to cleaning, minor maintenance; and electricity charges. Further, sound facility management by committees can reduce Council's ongoing costs in maintaining community hall facilities.

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications

Well-managed and resourced community halls benefit the community by providing local spaces for community activities and events.

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

- Hall management committees
- Divisional Councillors

**ITEM 5.5**  
**GROW IT LOCAL – SOLE SUPPLIER**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61993625 : 14 May 2021 - **Refer Supporting Information 61551918**  
*Responsible Officer:* ML, Community Development Officer (CES Community Services, Sport & Recreation)

**Executive Summary**

Council has been approached by the organisation Grow It Local Pty Ltd (GIL) to become a Queensland foundation partner and to launch the GIL program in the Moreton Bay Region. GIL is a digital, web-based platform that aims to make growing food more accessible, increase the production and consumption of locally grown foods, inspire positive health and wellbeing and help build stronger and more resilient communities.

Under section 235(a) of the 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.

This report seeks Council's approval that in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Grow It Local is the sole supplier who is reasonably available for the provision of its digital web-based platform, branded assets and events programming.

**RESOLUTION**

Moved by Cr Darren Grimwade

Seconded by Cr Karl Winchester

**CARRIED 12/0**

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Grow it Local Pty Ltd is the only supplier who is reasonably available for the provision of its digital web-based platform, branded assets and events programming.
2. That Council enters into an agreement with Grow it Local Pty Ltd for a pilot period of two (2) years for the provision of its online platform, branded assets and programming 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 Grow it Local Pty Ltd and any required variations of the agreement on Council's behalf.
4. That an evaluative report be undertaken 18 months into the Grow it Local pilot period to determine Council's participation beyond the two-year pilot period.

*ITEM 5.5 GROW IT LOCAL – SOLE SUPPLIER - 61993625 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That in accordance with section 235(a) of the Local Government Regulation 2012, Council is satisfied that Grow it Local Pty Ltd is the only supplier who is reasonably available for the provision of its digital web-based platform, branded assets and events programming.
2. That Council enters into an agreement with Grow it Local Pty Ltd for a pilot period of two (2) years for the provision of its online platform, branded assets and programming 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 Grow it Local Pty Ltd and any required variations of the agreement on Council's behalf.
4. That an evaluative report be undertaken 18 months into the Grow it Local pilot period to determine Council's participation beyond the two-year pilot period.

## **REPORT DETAIL**

### **1. Background**

Grow it Local has approached Council with a proposal to partner in the delivery of the GIL program in the Moreton Bay Region (Refer Supporting Information #1). Council Officers from Waste Services and Community Services, Sport and Recreation met with GIL representatives to learn more about the program and its benefits to Council, community organisations, businesses and residents.

Grow It Local is a digital, web-based platform that enables residents and community groups to connect around growing, sharing and eating locally grown food. More specifically, it promotes the sharing of knowledge, skills, space, produce, seeds and seedlings, compost, and more.

The organisation has partnered with 12 councils across Australia and is seeking to establish foundation partner relationships with two or three Queensland councils over the next twelve months to launch the program in Queensland. GIL has approached Moreton Bay Regional Council, as well as Brisbane, Gold Coast, Sunshine Coast and Redland City Councils. Brisbane City Council has accepted GIL's invitation to become one of its Queensland foundation partners.

A Council Briefing was conducted on 10 February 2021 for the purpose of informing the Council of the invitation to partner with Grow it Local and to obtain feedback from the Council regarding the opportunity.

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

Grow It Local is procured via an annual membership fee, calculated on a population-based subscription model. The cost to Council to partner with GIL is quoted to be \$16,000 per annum, with a two-year commitment required (total investment of \$32,000).

In return for Council's investment, GIL will deliver:

- **Unlimited and free access:** Free unlimited registrations and access to the GIL program for residents of the Moreton Bay Region;
- **Digital workshops:** Fortnightly digital workshops and live broadcasts to help educate and inspire communities to grow, share and eat local produce;
- **Digital platform:** A website that enables local community members to register and connect to share and exchange knowledge, skills, produce, seeds, unused space and more;
- **Council dashboard:** A Council dashboard that provides localised data relating to program participation, composting, food waste diversion, square meters under cultivation, what's growing locally and when and, how local community members are engaging and connecting with each other;
- **Communication assets:** Council branded communication assets, website and media toolkit to help build awareness and encourage the community to get involved;

ITEM 5.5 GROW IT LOCAL – SOLE SUPPLIER - 61993625 (Cont.)

- **Grow It Local Festival:** A knowledge and skill sharing festival that runs throughout spring each year and features workshop sessions by high profile personalities such as Costa and Paul West amongst others. Local community members are invited to open their gardens, share produce and exchange seeds and seedlings; and
- **Impact report:** A local impact report developed in consultation with social market research firm Taverner Research highlighting the program’s waste reduction, positive environmental, social and economic impacts achieved in Moreton Bay Region.

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 if the local government resolves it is satisfied that there is only one supplier who is reasonably available.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The recommendations of this report are in accordance with Council’s Procurement Policy 2150-006.

3.4 Risk Management Implications                     Nil identified

3.5 Delegated Authority Implications

The value of the contract is within the financial delegation of the Manager Community Services, Sport and Recreation.

3.6 Financial Implications

The Grow It Local program membership fee will cost Council \$16,000 per annum for the pilot period of two years (\$32,000 total). Council funding of \$16,000 has been identified within the existing 2020/21 COVID-19 Disaster Management operational budget to support year one costs, however additional funds in the amount of \$16,000 would need to be provided as part of Council’s 2021/22 operational budget to support year two of the pilot.

Provision for this project has been included in the development of the Council’s 2021/22 draft budget.

3.7 Economic Benefit Implications                     Nil identified

3.8 Environmental Implications

The GIL platform encourages residents and community groups to learn, participate and connect around sustainable lifestyle practices. These practices include growing food, reducing ‘food miles’, composting, seed saving and nurturing native flora and fauna.

Council already delivers community education to encourage residents to adopt environmentally responsible, active and healthy lifestyles. Education has been offered on backyard gardens, worm farming, reducing waste and more. GIL can provide an additional platform to promote the Council’s education efforts, as well as improving community-led environmental outcomes

3.9 Social Implications

GIL uses an online platform to connect people socially using gardening, sustainability and sharing as a conduit to fostering and maintaining community networks. GIL enables Council to explore the power of technology to bolster community development outcomes and nurture the community to identify and leverage its own strengths for greater social wellbeing.

*ITEM 5.5 GROW IT LOCAL – SOLE SUPPLIER - 61993625 (Cont.)*

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 right implications relevant to Council's decision.

3.11 Consultation / Communication

- Grow It Local Pty Ltd
- All Councillors (Council Briefing - 10 February 2021)
- Relevant Council departments

UNCONFIRMED

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**6 FINANCE & CORPORATE SERVICES SESSION**

**(Cr M Constance)**

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**ITEM 6.1**

**MONTHLY FINANCIAL REPORTING PACKAGE - 30 APRIL 2021**

*Meeting / Session:* 6 FINANCE & CORPORATE SERVICES  
*Reference:* 62024256 : 13 May 2021 - **Refer supporting information 62019055**  
*Responsible Officer:* DC, Accounting Services Manager (FCS Accounting Services)

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**Executive Summary**

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 30 April 2021.

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**RESOLUTION**

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**Moved by Cr Jodie Shipway**

**Seconded by Cr Adam Hain**

**CARRIED 12/0**

**That the Financial Reporting Package for the year to date period ending 30 April 2021 be received.**

*ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 APRIL 2021 - 62024256 (Cont.)*

## OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 30 April 2021 be received.

## **REPORT DETAIL**

### **1. Background**

The Financial Reporting Package for the month ending 30 April 2021 is contained within the supporting information to this report.

This package contains a number of financial documents to provide a breakdown of key financial data and includes:

- Statement of Revenues and Expenses
- Capital Expenditure by Portfolio Program
- Balance Sheet and Cash Flows
- Treasury Report

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

The year to date Financial report as at the end of April is complete and the performance and position of Council is outlined below in the context of the attached report.

Council amended its 2020/21 Budget during the month of February which is shown alongside the original adopted budget in the report where applicable.

#### Operating Result (page 1)

As at 30 April 2021 operating revenue was \$491.5 million compared to operating expenses of \$379.6 million thus representing an operating surplus of \$111.9 million, which is in line with expectations at this time of year.

#### Operating Revenues (page 1)

The fourth quarter rates and utility charges were levied in late April. Rates and utility charges represent the bulk of the revenue recognised thus far being \$331 million. Revenue has slightly exceeded the budget by just under \$1.5 million.

Fees and Charges revenue was budgeted on the conservative side with expected decreases resulting from the COVID 19 pandemic, however this has not eventuated with revenues derived from building, plumbing, development and waste services performing above original budget targets. Given the current trend this revenue will end up surpassing the budgeted target.

Interest revenue is tracking as expected.

Operational grants and subsidies are tracking below budget, entirely due to the timing of when grants are received. The Financial Assistance Grant represents 75% of all the operational grants Council receives and is paid quarterly. In the recent May Federal Government budget, it has been confirmed that half of the 2021/22 Financial Assistance Grant will be paid to Council in the remaining weeks of 2020/21.

Other revenues are also tracking behind budget at this stage with a few timing differences impacting on budget performance. Tax Payments from Unitywater represent 65% of this budget item. Current payments received are provisional and are subject to variation at the end of the financial year once Unitywater's end of year tax position is known.

The Unitywater participation revenue is a conservative budget estimate and is a non-cash revenue stream. Revenue is accrued in line with the budget each month and adjusted at year end in accordance with Unitywater's end of financial year result.

*ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 APRIL 2021 - 62024256 (Cont.)*

Operational Expenses (page 1)

Employee benefits are tracking fractionally over budget.

Material and Services are trending below budget but, again, this is largely expected to be a timing difference with spend expected to increase as remaining expenditure commitments are fulfilled in the lead up to the end of the financial year.

Depreciation expenses and finance costs are tracking to budget.

Capital Revenue (page 1)

Infrastructure cash contributions from developers has trended above expectations and as a result the budget was increased to \$45 million as part of the quarter 2 quarterly review. In total \$42.5 million has been received to date, representing 94.4% of the total budgeted amount.

All infrastructure asset contributions that have been received to date have been recognised. As these contributions tend to come in irregularly a considerable quantum is still expected over the remainder of the financial year.

The capital grants and subsidies revenue budget is tracking at just under 69%. Whilst more revenue is expected over the remaining months some revenue will not be received until 2021/22 which is when a number of current year capital works projects reach completion.

Operating Revenue and Operating Expenditure Graphs (page 2)

The purpose of these graphs is to track actual revenue and actual expenses to a linear monthly budget.

Given the majority of Council's operating revenue cycle is rate related (quarterly in advance), revenue will track to the right-hand side of the budgeted revenue line and slowly edge closer to the line as the quarters draw to an end. This is reflected in the movement of the orange revenue line from July to April as it moves closer to the linear trend. The quarter 4 rate levy was delayed 3 weeks until late April, so the usual increase in revenue for March has occurred in April.

Conversely, operating expenses will generally track to the left of the budget line and trend that way, gradually drawing closer to the line as the end of the financial year approaches. The orange trend line is progressing as expected.

Capital Expenditure (page 3, 4 and 5)

Capital expenditure is \$148.9 million after the first ten months of 2020/21 and represents 59.5% of the total program. The *total capital expenditure progress* graph summarises the percentage of all capital expenditure completed to date compared to a linear budget spend.

The *capital expenditure by portfolio program* table breaks down the capital spend into program categories. In addition to the actual spend to date of \$148.9 million, there are committed costs (orders placed for works) in the amount of \$91.7 million bringing the total cost to \$240.6 million of the current \$250 million program (96% of the capital program committed).

The associated *capital expenditure progress % to date by portfolio program* graph tracks the percentage spend by portfolio program compared to the budget to date. The orange line represents the year to date budget at 83% highlighting the linear budget spend to April 2021. Variations across the programs are normal as capital project delivery is not linear in nature so timing differences are expected.

Balance Sheet and Cash Flow (page 6)

The Balance sheets list Council assets and liabilities and net community equity.

The Cash flow statement indicates a closing cash balance in the amount of \$347.8 million for April. The forecast for the end of June 2021 is currently \$273 million.

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 APRIL 2021 - 62024256 (Cont.)

Treasury Report (page 7 and 8)

The Treasury Report outlines Council performance with respect to cash investments and borrowings.

Interest earned on investments was approximately \$2.4 million. Interest rates on offer are quite low in the current market with deposit terms of less than 3 years offering interest rates of less than 1% per annum. The weighted average return on all investments for Council is now sitting at 0.76%.

The Investment graphs give an indication of the percentage of investments held with each financial institution and the maturity profile of Council's investments. Council currently has \$318 million of cash at call with the remaining \$30 million maturing over next 3 to 12 months.

The QIC Growth Fund is currently valued at \$118 million as at the end of April. Council originally invested \$100 million in this fund in June 2018.

Council's total debt position has decreased (\$370m to \$342m) as repayments were made in September, December and March. Council is expected to repay debt in the amount of \$37 million for the year and is budgeted to borrow \$40 million to fund capital works. Borrowings are expected to be drawn down in June 2021.

**3. Strategic Implications**

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed.

3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. The ongoing COVID-19 pandemic will continue to present new risks requiring Council to closely monitor its performance and position compared to budget and continually refine its long-term financial modelling projections to inform decision making.

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

As at the end of April 2021, Council's operating surplus is \$111.9 million while capital expenditure amounted to \$148.9 million.

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

ITEM 6.1 MONTHLY FINANCIAL REPORTING PACKAGE - 30 APRIL 2021 - 62024256 (Cont.)

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

Director Finance and Corporate Services

UNCONFIRMED

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

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### ITEM 12.1 REGIONAL EVENTS

Council acknowledged recent events that had taken place in the region:

- Opening of the Indoor Centre and rugby union and touch football clubhouse facilities at **the South Pine Sports Complex** which is able to host National events.
- **Queensland Volunteering Awards Presentation 2021** where North Lakes resident, Evelyn Robinson, was awarded the **Youth Volunteering Award** which recognises an individual aged between 15 to 24 years, who has demonstrated an outstanding voluntary commitment in Queensland and who through their volunteering has positively impacted the lives of others.

### ITEM 12.2 USC GIVING DAY DONATION - \$1000 TO SANDY MITCHELL LEGACY FUND

Cr Peter Flannery (Mayor) provided the following statement:

*"Councillors, of the many things we have to be proud of here in Moreton Bay Region... I'm always most proud when we can say we're leading the nation.*

*Our success in defying the national trend of declining koala numbers, by doubling the koala population at The Mill over the last three years isn't just cause for celebration.*

*I hope it's cause for other Councils to follow our lead in investing millions into initiatives like our environmental land buyback strategy, green infrastructure initiatives, tree planting programs and green corridors.*

*But there's so much more work to be done.*

*So today I have a relatively small but significant ask of you. Today is USC's annual 'Giving Day', a donation drive where a simple act of kindness can have an enormous impact.*

*And if we can get just a small number of people to donate as little as \$5 in the next 12 hours, then our partners at USC will score a \$75,000 windfall courtesy of the Sandy Mitchell Legacy Fund.*

*So I propose that Council takes the lead in this last minute donation drive, with a \$1,000 donation to get us across the finish line.*

*The donations will go towards research funding for the koala chlamydia vaccine pioneered by USC microbiologist Professor Peter Timm.*

*His team has spent decades searching for a solution and recently had a breakthrough in administering a koala chlamydia vaccine trial – this could literally be a lifeline for koalas.*

*But to enable this vaccine to be used in all wild populations of koala, USC needs to complete a registration process involving a final trial. The only barrier standing in their way now is funding.*

*So let's smash down the barrier and lead the charge for a last minute donation drive!*

*Can I ask everyone watching online to open another browser right now and make a donation to help bring the USC team one step closer to delivering this lifesaving vaccine.*

ITEM 12.2 - USC GIVING DAY DONATION - \$1000 TO SANDY MITCHELL LEGACY FUND cont.

Securing the \$75,000 doesn't depend on the amount donated, just the number of people who donate. So even if you get online now and contribute just \$5 it could help USC score a massive payday.

Contribute what you can by visiting: [givingday.usc.edu.au/campaigns/koala-vaccine.](http://givingday.usc.edu.au/campaigns/koala-vaccine)

The Mayor (Cr Peter Flannery) then moved the following motion:

**RESOLUTION**

Moved by Cr Peter Flannery

Seconded by Cr Cath Tonks

CARRIED 12/0

That as part of the University of the Sunshine Coast's (USC's) annual 'Giving Day', Council donates \$1000 to the Sandy Mitchell Legacy Fund towards research funding for the koala chlamydia vaccine pioneered by USC microbiologist Professor Peter Timm.

**ITEM 12.3**

**PARKS & LEISURE AUSTRALIA (QLD) PLAYSACE AWARD - THE MILL WATER PARK**

Cr Peter Flannery (Mayor) referred to the recent Parks & Leisure Australia (Qld) Awards, making the following comments:

*"Councillors! We all know that Moreton Bay Region is the best place to live, work and play. And now it's official... Again!*

*For the second year running, Moreton Bay Region has been named one of the best places to play in all of Queensland!*

*Each year, Parks and Leisure Australia acknowledges the best of the best in the sports, recreation and leisure industry through its prestigious excellence awards.*

*So I'm thrilled to announce that The Mill Water Park has taken out the prestigious **Playspace Award** for a facility over \$500,000.*

*Last year The Hills District All Abilities Playground at Leslie Patrick Park won in this same category. The Mill Water Park was also highly commended as Park of the Year.*

*This is a testament to the incredible talent of our parks planning team - so I want to thank Paul Hilton and everyone involved for continually pushing the boundaries of how we play in Moreton Bay.*

*It's also a testament to all of you in this room, who are willing to walk the talk when it comes to investing the money needed to invigorate the liveability of our region as our population grows.*

*These are big, expensive, visionary projects that are invaluable to our community.*

*They bring untold value in terms of the vibrancy and recreation opportunities.*

*This particular project has also become a destination within its own right, with data telling us families are coming from as far afield as Bribie Island and The Hills District, and outside the region as south as Chermside.*

ITEM 12.3 - PARKS & LEISURE AUSTRALIA (QLD) PLAYSPACE AWARD - THE MILL WATER PARK cont.

*So can I again congratulate and thank all the Council officers involved, as well as the consultant team and play designers and contractors.*

*You have again shown that collaboration is the key to success on these important community projects for residents to enjoy.*

*And I look forward to making more parks and playground announcements in next month's Budget."*

Cr Peter Flannery (Mayor) presented Council with **Playspace Award** certificates which will be displayed in the cabinet outside Council Chambers, Strathpine.

**ITEM 12.4  
AFL KEN GANNON COMMUNITY FOOTBALL FACILITIES**

Cr Peter Flannery (Mayor) made mention of the AFL Ken Gannon Community Football Facilities Award, noting that in 2020, Moreton Bay Regional Council were joint National Project of the Year winners for the Nathan Road Sports Complex.

The Mayor congratulated all Council officers who had been involved in this outstanding project and presented Council with a plaque from the event organisers which will be put on display in the cabinet outside Council Chambers, Strathpine.

**ITEM 12.5  
NRL WOMENS CHAMPIONSHIPS**

Cr Peter Flannery (Mayor) made mention of The Harvey Norman Women's National Championship which was held recently at Redcliffe's Moreton Daily Stadium.

The event was sponsored by Council and saw fourteen teams from across the country competing in the four-day event, with an estimated 350 players and officials converging to the region bringing with them a massive injection into the local economy.

Cr Peter Flannery (Mayor) was presented with a football from the event organisers in appreciation of Council's support, which will be put on display in the cabinet outside Council Chambers, Strathpine.

**13. CLOSED SESSION**

*(s254J 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 Tony Latter

Seconded by Cr Cath Tonks

**CARRIED 12/0**

**That Council move into closed session pursuant to the provisions of s254J of the Local Government Regulation 2012 to discuss Items C.1.**

The closed session commenced at 10.48am (livestreaming paused).

**OPEN SESSION**

**RESOLUTION**

Moved by Cr Cath Tonks

Seconded by Cr Jodie Shipway

**CARRIED 12/0**

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

The open session (livestreaming) resumed at 10.52am.

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**14a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL**

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**ITEM C.1 – CONFIDENTIAL**  
**PRIVATE SALE OF LAND - PETRIE**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 62046902: 18 May 2021  
*Responsible Officer:* PC, Project Director - The Mill (ECM Major Projects)

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**Basis of Confidentiality**

Pursuant to s254J(3) of the Local Government Regulation 2012, clause (g), as the matter involves negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**Executive Summary**

This report seeks a Council resolution to market and sell the nominated Council-owned property by private sale following an unsuccessful public tender process.

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**RESOLUTION**

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Moved by Cr Matt Constance

Seconded by Cr Mark Booth

CARRIED 12/0

1. That the proposal to dispose of Council-owned property identified in this Confidential report (Land) by private sale be approved as detailed in the report.
2. That the exception contained in section 236(1)(a) of the Local Government Regulation 2012, applies to the Council for the disposal of the Council-owned land referred to in recommendation 1 so that the said property may be disposed of other than by tender or auction.
3. That the Chief Executive Officer is authorised to take all action necessary to implement recommendation 1, including, but not limited to, negotiating and agreeing on the sale price of the property, subject to that price being supported by a valuation obtained for the purpose, and execution of any required contract.

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**14b. CONFIDENTIAL GENERAL BUSINESS**

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No items for consideration.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 21/635 to 21/750 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 26 May 2021.

\_\_\_\_\_  
Greg Chemello  
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 9 June 2021.

\_\_\_\_\_  
Greg Chemello  
Chief Executive Officer

\_\_\_\_\_  
Councillor Peter Flannery  
Mayor



# REPORT

## Audit Committee Meeting

**Thursday 20 May 2021**  
commencing at 1.01pm

Strathpine Chambers  
220 Gympie Road, Strathpine

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### CHAIRPERSON'S REPORT

The recommendations contained within this report of the Audit Committee meeting held 20 May recommended to the Council for adoption.

STEPHEN COATES  
CHAIRPERSON  
AUDIT COMMITTEE

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#### **Membership = 5**

*(two Councillors and three external members plus one alternate member (Councillor))*

#### Councillors

Cr Matt Constance

Cr Cath Tonks

*Cr Jodie Shipway (alternate member)*

#### External Committee Members

Mr Stephen Coates (Chairperson)

Ms Helen Moore

Mr Peter Scott

Quo

**UNCONFIRMED**

## SCHEDULE OF ITEMS

### 1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

### CONDUCT AND RECORD OF MEETING

### 2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

**ITEM 2.1** 620  
SIGNIFICANT ORGANISATION & SYSTEM MATTERS

**ITEM 2.2** 621  
STAFF SURVEY

**ITEM 2.3** 622  
MILLOVATE UPDATE

### 3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

**ITEM 3.1** 623  
CORPORATE SYSTEMS REVIEW

**ITEM 3.2** 624  
REPORTABLE LOSSES

**ITEM 3.3** 625  
FRAUD RISK & CORRUPTION CONTROL GROUP

**ITEM 3.4** 626  
ENTERPRISE RISK MANAGEMENT FRAMEWORK UPDATE

### 4 FINANCIAL REPORTING

**ITEM 4.1** 627  
MONTHLY FINANCIAL REPORT

**ITEM 4.2** 628  
QUEENSLAND AUDIT OFFICE LOCAL GOVERNMENT 2020 REPORT

**ITEM 4.3** 629  
QUEENSLAND TREASURY CORPORATION - MORETON BAY REGIONAL COUNCIL -  
2020 CREDIT REVIEW

**ITEM 4.4** 630  
DRAFT PROFORMA FINANCIAL STATEMENTS FOR 2020/21

**ITEM 4.5** 631  
DRAFT BUDGET 2021/22 OVERVIEW

### 5 EXTERNAL AUDITOR REPORT

**ITEM 5.1** 632  
QUEENSLAND AUDIT OFFICE UPDATE

**6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS**

**ITEM 6.1**  
INTERNAL AUDIT OVERVIEW

633

**7 GENERAL BUSINESS**

**8 NEXT AUDIT COMMITTEE MEETING**

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## ATTENDANCE & APOLOGIES

### Attendance:

#### Committee Members:

Mr Stephen Coates (Chairperson)  
Cr Matt Constance  
Cr Cath Tonks  
Cr Jodie Shipway  
Ms Helen Moore \*via Video Conference  
Mr Peter Scott \*via Video Conference

#### Observer:

Cr Sandra Ruck

#### Invited External Representatives:

Mr Michael Keane (Queensland Audit Office)  
Mr Charles Strickland (Queensland Audit Office) \*via Video Conference 1.01pm to 1.25pm

#### Officers:

Chief Executive Officer	Greg Chemello
Director Finance & Corporate Services	Donna Gregory
Internal Auditor Manager	Jill Tavares
Accounting Services Manager	Denis Crowe
Meeting Support	Larissa Kerrisk

### Apologies:

Nil

### External Representatives attended for:

Item 6.1  
*Sean Rooney and Hussain Poonawala - PwC (via Video Conference 1.24pm - 1.37pm)*  
*Luke Kim and Jon Lucas - Ernst & Young (via Video Conference 1.41pm - 1.56pm)*

Item 3.1  
*Project Manager Loretta Libke - 2.06pm - 2.21pm*

Item 3.2 - Item 3.4  
*Governance Manager Megan Praeger - 2.25pm - 2.38pm*

**IN CAMERA SESSION**

Pursuant to the Audit Committee Terms of Reference and at the request of the Audit Committee Chairperson, an in camera session was held (closed session to Committee Members only).

The in camera session commenced at 1.03pm with only Committee members, Observer (Cr Sandra Ruck) and the Chief Executive Officer in attendance.

The meeting reconvened in closed session at 1.09pm.

## 1 POTENTIAL CONFLICT OF INTEREST DECLARATIONS

Committee members are required to provide written declarations declaring any potential or actual conflicts of interest they may have in relation to their responsibilities.

As they arise between meetings, or at the beginning of each Committee meeting, members are required to declare any new or changed potential or actual conflicts of interest that may apply to specific matters on the meeting agenda.

### Notified Potential Conflict of Interest

Stephen Coates (Chairperson) advised of a notified potential conflict of interest which is to be managed by the Auditor General's Office and Moreton Bay Regional Council's Chief Executive Officer. The potential conflict of interest relates to staff assigned to Council's external audit.

### Record of advice - Helen Moore

Helen Moore advised that although not a conflict of interest placed on record that she became a Non-Executive Director of Binna Burra on 20 March 2021.

## CONDUCT AND RECORD OF MEETING

### Conduct in closed session

Council is obligated under Chapter 8, Part 2 Division 1A of the Local Government Regulation 2012 (Regulation) for its meetings to be open.

s254A(2) of the Regulation states that Division 1A does not apply to Audit Committee meetings.

**In accordance with Council's Decision-making Framework, Audit Committee meetings are not open to the public and are conducted in closed session.**

### Record

The Audit Committee is a non-decision-making meeting.

S211 of the Regulation states:

- (1)(c) *as soon as practicable after a meeting of the committee, give the local government a written report about the matters reviewed at the meeting and the committee's recommendations about the matters.*
- (1)(4) *the Chief Executive Officer must present the report mentioned in subsection (1)(c) at the next meeting of the local government.*

**The report and recommendations from this meeting will be submitted to Council's next General Meeting for adoption in accordance with s211 of the Regulation.**

## 2 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

### ITEM 2.1 SIGNIFICANT ORGANISATION & SYSTEM MATTERS

*Meeting / Session:* AUDIT  
*Responsible Officer:* GC, Chief Executive Officer (CEO, CEO's Office)

The Chief Executive Officer provided an update to the Audit Committee on relevant organisational matters, as outlined below:

- Status update on the staff survey
- Recruitment - noting it is proceeding well and the retention rate is within the aimed range
- Organisational structure - currently being fine-tuned
- The Leader Connect forum held with managers and team leaders across the organisation has continued to work well
- TechOne
- Policy Framework Implementation is underway with a number of policies having now been converted to Operational Directives.
- Economic Development Department have been successful with a strong strategy, full team and a good set of policies to work with
- Community Engagement team has expanded
- Moreton Says Survey is underway - responses have been received however noted there are communities yet to be engaged with
- 2021/22 budget process
- MILLovate - update on governance and Master Plan review

#### COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance  
Seconded by Cr Cath Tonks

CARRIED

That the update provided by the Chief Executive Officer be noted.

**ITEM 2.2**  
**STAFF SURVEY**

*Meeting / Session:* AUDIT COMMITTEE  
*Responsible Officer:* DG, Director Finance & Corporate Services (FCS)

Director Finance & Corporate Services provided an update on the staff survey.

**COMMITTEE RECOMMENDATION**

Moved by Cr Jodie Shipway  
Seconded by Helen Moore

CARRIED

That the update provided in relation to the staff survey be noted.

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**ITEM 2.3  
MILLOVATE UPDATE**

*Meeting / Session:* AUDIT  
*Reference:* 61992633 : 6 May 2021 - Refer **Confidential Supporting Information**  
**62022842**  
*Responsible Officer:* DG, Director Finance and Corporate Services (FCS Directorate)

**Executive Summary**

The purpose of this paper is to provide a summary of the work Council has undertaken to date in establishing MILLOvate. This report provides information that will assist the Committee to understand the Governance and Engagement Framework that supports the ongoing work between Council and MILLOvate.

**COMMITTEE RECOMMENDATION**

Moved by Matt Constance

Seconded by Cr Cath Tonks

**CARRIED**

1. That the report be noted.
2. That the MILLOvate Audit & Risk Committee Chair be requested to keep Council's Audit Committee up to date and that the Minutes from each meeting be provided.

### 3 ENTERPRISE RISK MANAGEMENT ACTIVITIES UPDATE

#### ITEM 3.1 CORPORATE SYSTEMS REVIEW

Meeting / Session: AUDIT COMMITTEE - Refer **Confidential** Supporting Information 62024331  
Responsible Officer: LL, Project Manager (FCS Project Services)

Project Manager - Loretta Libke will attend Audit Committee to provide an update on the TechOne project.

#### COMMITTEE RECOMMENDATION

Moved by Matt Constance

Seconded by Cath Tonks

CARRIED

That the update provided in relation to the TechOne project be noted.

**ITEM 3.2**  
**REPORTABLE LOSSES**

Meeting / Session: *AUDIT COMMITTEE*  
Reference: **Refer Confidential Supporting Information 61965046**  
Responsible Officer: *DG, Director Finance & Corporate Services (FCS Directorate)*

Governance Manager will attend to talk to Council's Register of Reportable Loss - Council Assets, provided for the Audit Committee's information.

The Register will be provided to the Audit Committee on a quarterly basis.

**COMMITTEE RECOMMENDATION**

Moved by Cr Cath Tonks  
Seconded by Cr Jodie Shipway

**CARRIED**

That the update provided in relation to Council's Register of Reportable Loss - Council Assets be noted.

**ITEM 3.3  
FRAUD RISK & CORRUPTION CONTROL GROUP**

*Meeting / Session:* AUDIT COMMITTEE  
*Reference:* Refer **Confidential** Supporting Information 61989828  
*Responsible Officer:* DG, Director Finance & Corporate Services (FCS Directorate)

The Register will be provided to the Audit Committee on a quarterly basis. As requested at the Audit Committee Meeting held 29 May 2019, the Fraud Risk Control Group Minutes are provided for committee's information.

The following document is provided in the supporting information:

- Memorandum - Fraud and Corruption Trend Data Quarter 3

**COMMITTEE RECOMMENDATION**

Moved by Cr Jodie Shipway  
Seconded by Helen Moore

CARRIED

That the Fraud Risk and Corruption Trend Data Quarter 3 update be noted.

**ITEM 3.4**  
**ENTERPRISE RISK MANAGEMENT FRAMEWORK UPDATE**

*Meeting / Session:* AUDIT COMMITTEE  
*Reference:* 61991493 : 7 May 2021 - Refer **Confidential** Supporting Information  
**61991526**  
*Responsible Officer:* MP, Governance Manager (FCS Governance & Executive Services)

**Executive Summary**

The purpose of this report is to provide a progress update on the implementation of Council's Enterprise Risk Management Framework.

**COMMITTEE RECOMMENDATION**

Moved by Helen Moore  
Seconded by Peter Scott

**CARRIED**

That the Audit Committee note the progress on the implementation of the Enterprise Risk Management Framework.

## 4 FINANCIAL REPORTING

### ITEM 4.1 MONTHLY FINANCIAL REPORT

*Meeting / Session:* AUDIT  
*Reference:* **Refer Supporting Information 61892069 & 61909458 (Extract of Actual Report to General Meeting)**  
*Responsible Officer:* DC, Accounting Services Manager (CEO Accounting Services)

In accordance with the adopted Audit Plan a copy of the most recent Financial Reports are attached for Committee's information (refer supporting information).

- a) Monthly Financial Report for 31 March 2021, as adopted by Council at its meeting of 28 April 2021; and
- b) Quarter 3 Operational Plan Review for 2021, as adopted by Council at its meeting of 28 April 2021.

It is noted that the attachments are an extract of the report and supporting information from that meeting.

### COMMITTEE RECOMMENDATION

Moved by Peter Scott

Seconded by Matt Constance

CARRIED

That the Monthly Financial Report for March 2021 and the Quarter 3 Operational Plan Review for 2020/21, as adopted by Council on Wednesday 28 April 2021, be received and noted.

**ITEM 4.2**  
**QUEENSLAND AUDIT OFFICE LOCAL GOVERNMENT 2020 REPORT**

*Meeting / Session:* AUDIT  
*Reference:* 61987257 : 6 May 2021 - Refer **Confidential** Supporting Information  
**61987314**  
*Responsible Officer:* DG, Director Finance & Corporate Services (FCS Directorate)

**Executive Summary**

The purpose of this report is to present the Queensland Audit Office Local Government 2020 Report and outline Council's comparative performance.

**COMMITTEE RECOMMENDATION**

Moved by Stephen Coates  
Seconded by Cr Cath Tonks

**CARRIED**

That the report be noted.

**ITEM 4.3  
QUEENSLAND TREASURY CORPORATION - MORETON BAY REGIONAL  
COUNCIL - 2020 CREDIT REVIEW**

*Meeting / Session:* AUDIT  
*Reference:* Refer **Confidential** Supporting Information 61988165  
*Responsible Officer:* DG, Director Finance and Corporate Services (FCS Directorate)

The following document is provided in the supporting information:

Correspondence dated 30 April 2021 received from Queensland Treasury Corporation regarding Moreton Bay Regional Council's 2020 Credit Review.

**COMMITTEE RECOMMENDATION**

Moved by Cr Jodie Shipway  
Seconded by Cr Cath Tonks

**CARRIED**

That the correspondence from Queensland Treasury Corporation regarding Moreton Bay Regional Council's 2020 Credit Review be received and noted.

**ITEM 4.4**  
**DRAFT PROFORMA FINANCIAL STATEMENTS FOR 2020/21**

*Meeting / Session:* AUDIT  
*Reference:* 61947724: 28 April 2021 - Refer **Confidential** Supporting Information  
**61968233**  
*Responsible Officer:* DC, Accounting Services Manager (FCS Accounting Services)

**Executive Summary**

The purpose of this report is to present the draft proforma financial statements for 2020/21.

**COMMITTEE RECOMMENDATION**

Moved by Helen Moore

Seconded by Cr Matt Constance

**CARRIED**

1. That the draft proforma financial statements for 2020/21 be noted.
2. That it be noted the pro-forma financial statements, as presented, may undergo further refinement in the lead up to the next scheduled Audit Committee meeting to be held in August.

**ITEM 4.5  
DRAFT BUDGET 2021/22 OVERVIEW**

*Meeting / Session:* AUDIT  
*Reference:* 17 May 2021 - Refer **Confidential** Supporting Information 62032117  
*Responsible Officer:* DG, Director Finance & Corporate Services (FCS)

**Executive Summary**

Discussion on the budget overview for 2021/22.

**COMMITTEE RECOMMENDATION**

Moved by Jodie Shipway

Seconded by Matt Constance

**CARRIED**

That the draft budget overview be noted.

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## 5 EXTERNAL AUDITOR REPORT

### ITEM 5.1 QUEENSLAND AUDIT OFFICE UPDATE

Meeting / Session: AUDIT COMMITTEE  
Reference: Refer **Confidential** Supporting Information 62008239 & 61850896

Queensland Audit Office will provide an update to the Audit Committee.

#### COMMITTEE RECOMMENDATION

Moved by Peter Scott

Seconded by Cr Matt Constance

CARRIED

That the Queensland Audit Office update be received and noted.

## 6 INTERNAL AUDIT OVERVIEW, REPORTS & FOLLOW-UP ACTIONS

### ITEM 6.1 INTERNAL AUDIT OVERVIEW

*Meeting / Session:* AUDIT  
*Reference:* 62012324 : Refer **Confidential** Supporting Information 62012329, 62012328, 62012326, 62012327 & 62012325  
*Responsible Officer:* JT, Internal Audit Manager (CEOs Office)

#### Executive Summary

This report provides information to the Audit Committee on the activities of the Internal Audit function for the period from 6 February 2021 to 13 May 2021.

#### COMMITTEE RECOMMENDATION

Moved by Cr Jodie Shipway  
Seconded by Cr Cath Tonks

CARRIED

That the Audit Committee notes and endorses this report and associated supporting information.

## 7 GENERAL BUSINESS

There was no General Business.

## 8 NEXT AUDIT COMMITTEE MEETING

12 August 2021.

## CLOSURE

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There being no further business the Chairperson closed the meeting at 3.02pm.

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