



AGENDA

GENERAL MEETING

Wednesday 16 September 2020

commencing at 9.30am

Caboolture Chambers
2 Hasking Street, Caboolture

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

Accordingly, this meeting is physically closed to the public.

However, will be live-streamed via a link on Council's website
(access to the link will be available immediately prior to the meeting)

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Wednesday 16 September 2020 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

10 September 2020

Membership = 13

Mayor and all Councillors

Quorum = 7

Agenda for public distribution

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1. ACKNOWLEDGEMENT OF COUNTRY

Mayor to provide the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Mayor to provide the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

Cr Peter Flannery (Mayor) (Chairperson)

Apologies:

4. MEMORIALS OR CONDOLENCES

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

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 2 September 2020 (Pages 20/1609 - 20/1689)

RESOLUTION that the minutes of the General Meeting held 2 September 2020, be confirmed.

Attachment #1 Unconfirmed Minutes - General Meeting 2 September 2020

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

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

7. CORRESPONDENCE

Receipt of correspondence addressed to the Council and tabled by the Chief Executive Officer

8. DEPUTATIONS / COMMUNITY COMMENT

The following residents/ratepayers, having made the appropriate application in accordance with Council's Deputations / Community Comment Session Policy (2150-062), have been approved to participate in this session.

CHAIRPERSON'S REMINDER TO PARTICIPANTS

Participants for this session are reminded that only the approved speaker may address the Council in line with the address as provided to the Mayor/CEO prior to the meeting.

*Speakers are allowed a maximum of 5 minutes and must act and speak with decorum.
If the address is considered irrelevant, offensive or unduly long, the speaker will be required to cease.*

Speakers must also note that at the conclusion of the presentation, no debate will be entered into.

8.1. Deputations / Community Comment: Steven Dobson - Youngs Crossing Upgrade (A20507542)

As approved by the Chief Executive Officer, Steven Dobson has been invited to address the Council in respect of the Youngs Crossing Upgrade.

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

(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.

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr D Sims, Deputy Mayor)

Declarations of interest statement

The Mayor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 1.1

ADOPTION OF COUNCIL POLICY - DEPUTATIONS/COMMUNITY COMMENT SESSION 2150-062

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20418638 : 19 August 2020 - **Refer Supporting Information A20377409**
Responsible Officer: KC, Team Leader Executive Support (FCS Governance & Executive Services)

Executive Summary

In accordance with Council's adopted Policy Framework, Policies are regularly reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents. Reviews of policies occur as required, or at least once every four years.

The purpose of this report is to seek Council's consideration of the Deputations / Community Comment Session Policy 2150-062.

OFFICER'S RECOMMENDATION

That the Deputations / Community Comment Session Policy 2150-062 be adopted, as appearing in the supporting information to this report.

ITEM 1.1 ADOPTION OF COUNCIL POLICY - DEPUTATIONS/COMMUNITY COMMENT SESSION 2150-062 - A20418638 (Cont.)

REPORT DETAIL

1. Background

In accordance with Council's adopted Policy Framework, Policies are regularly reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents. Reviews of policies occur as required, or at least once every four years.

2. Explanation of Item

An explanation of the objective, policy summary, and any amendments made to the identified policy is outlined below:

Policy 2150-062 - Deputations / Community Comment Session

Objective: This Policy establishes procedures to allow Moreton Bay Regional Council residents and ratepayers the opportunity to address Council, either individually or as a deputation.

Policy Summary: A resident, ratepayer or group of ratepayers and residents (deputation) can apply to address Council as part of a Deputations / Community Comment Session.

The Deputations / Community Comment Session will be scheduled for a maximum of thirty minutes as part of the Council's General Meeting agenda.

Overview of amendments:

The Policy has been reformatted into sections, with amendments being made to the Application Process and Meeting Process sections of the policy, as outlined below:

Application Process:

A copy of the full address must be provided to the CEO three business days prior to the date of the presentation.

Meeting Process:

- a) speakers will be required to adhere to the address as provided to the CEO
- b) speakers will be reminded of their obligations at the meeting including that parliamentary privilege is not extended to the local government nor the comments or discussions made during the course of the meeting proceedings
- c) at the conclusion of the meeting the CEO may clarify any statement or view expressed by the speaker, however no debate will be entered into.

3. Strategic Implications

3.1 Legislative / Legal Implications

This has been developed in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

This Policy was reviewed in accordance with Council's adopted Policy Framework.

3.4 Risk Management Implications

It is considered that this Policy establishes clear guidelines to ensure that opportunity exists for the community to address Council on matters, while providing parameters should an address be considered off-topic, offensive or unduly long.

ITEM 1.1 ADOPTION OF COUNCIL POLICY - DEPUTATIONS/COMMUNITY COMMENT SESSION 2150-062 - A20418638 (Cont.)

Application forms must be received by the CEO seven days prior to the General Meeting date at which a resident, ratepayer or group of ratepayers and residents (deputation) wish to speak, for the CEO to determine.

A copy of the full address must be provided to the CEO three business days prior to the date of the presentation.

Speakers will be reminded that parliamentary privilege is not extended to Local Government, therefore any speakers, Council and staff are not offered protection regarding comments or discussion made in the course of the General Meeting proceedings.

The CEO will have the opportunity to clarify any statements or views that may be inaccurate or unlawful.

3.5 Delegated Authority Implications ☒ Nil identified

3.6 Financial Implications ☒ Nil identified

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications

Members of the public are welcome to attend General and Committee meetings to observe proceedings.

Deputations / Community Comment Session provides an opportunity for the community to address Council.

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.

The operation of the Deputations / Community Comment Session Policy may affect a person's freedom of expression. Officers consider that the Policy is compatible with a person's freedom of expression as Council has complied with all legislative requirements in the matter and any limits (if any) are reasonable and justifiable in the circumstances.

The operation of the Deputations / Community Comment Session Policy may affect a person's right not to have a person's privacy, family, home or correspondence unlawfully or arbitrarily interfered with and not to have the person's reputation unlawfully attacked. Officers consider that the operation of the Policy is compatible with a person's rights in respect of privacy and reputation because Council has complied with all legislative requirements in the matter and any limits (if any) are reasonable and justifiable in the circumstances.

3.11 Consultation / Communication

This policy has been developed in consultation with the Council and the Executive Management Team.

SUPPORTING INFORMATION

Ref: [A20377409](#)

The following list of supporting information is provided for:

ITEM 1.1

ADOPTION OF COUNCIL POLICY - DEPUTATIONS/COMMUNITY COMMENT SESSION 2150-062

#1 Policy: 2150-062 - Deputations / Community Comment Session

ITEM 1.2 AGREEMENT - REGIONAL ECONOMIC DEVELOPMENT STRATEGY - A20418638 (Cont.)

ITEM 1.2
AGREEMENT - REGIONAL ECONOMIC DEVELOPMENT STRATEGY

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20471236 : 9 September 2020 - Refer **Confidential** Supporting Information
A20511451
Responsible Officer: PM, Chief Economic Development Officer (CEO Economic Development)

Executive Summary

In May 2020, Council embarked on a project to deliver a new Regional Economic Development Strategy (REDS) for the Moreton Bay Region, providing pathways to foster economic development in the region.

Council engaged Lucid Economics Pty Ltd (Lucid Economics) via Vendor Panel (BUS239-0515 Business Management Services) to develop the REDS on behalf of Council. There is now a requirement to incorporate the comments received during the public consultation phase and finalise the REDS prior to Council consideration.

This specialised experience and knowledge cannot be easily or practically duplicated by other consultancies given the work already undertaken, never mind the timeframes required to suit the finalisation of the REDS.

It is therefore recommended that Lucid Economics be engaged to provide ongoing support to Council in the finalisation of the REDS.

OFFICER'S RECOMMENDATION

1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to seek quotes for the services.
2. That Council enters into an agreement with Lucid Economics 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 Lucid Economics for the work specified in this report and any required variations of the agreement on Council's behalf.

ITEM 1.2 AGREEMENT - REGIONAL ECONOMIC DEVELOPMENT STRATEGY - A20418638 (Cont.)

REPORT DETAIL

1. Background

Council engaged Lucid Economics via Vendor Panel (BUS239-0515 Business Management Services) to develop the REDS on behalf of Council. This was conducted through an initial Request for Quote (RFQ) to undertake Stage 1 Scoping and Project Services for the REDS.

Subsequent to the completion of the Stage 1 RFQ, Council initiated a Ten-Point Plan at the beginning of the new Council term in April 2020, committing to enacting a REDS within the first 100-days of office. This initiative changed the scope of the works required through the Stage 1 RFQ and subsequent project variation was undertaken to procure Lucid Economics to undertake the development of the REDS within this 100-day period.

After the project had commenced, it was subsequently requested to also undertake a public consultation phase, thus in order to provide a project timeline that met the 100-day period, the project scope was adjusted to provide Council with a Draft REDS to adopt for public consultation. With this change of the project timeline and deliverables, there is now an additional requirement to review public comments and update the REDS prior to the strategy's finalisation. This additional work is outside the original scope of the amended project procurement and has also extended the project timeline.

2. Explanation of Item

This report recommends that Council enter into a contract with Lucid Economics to carry out additional work/services to complete the finalisation of the REDS.

The current project spend to date has incorporated the public consultation phase that was a separately procured service under the procurement guidelines.

Entering into a direct contract with Lucid Economics is the most practical and efficient way to ensure the additional work is completed within the timeframes to deliver the required project outcomes. The additional work required builds largely from the initial work already developed and researched by Lucid Economics, which has the specialised knowledge to finalise the REDS given its key role in consulting with internal and external stakeholders in the lead up to the preparation and submission of the draft REDS.

At this point in time, it would be difficult for another consultancy to acquire the specialised knowledge and experience necessary to ensure the work is completed within required project timeframes.

3. Strategic Implications

3.1 Legislative / Legal Implications

Under the Local Government Regulation 2012, Council must seek quotes prior to entering into a contract for services with a supplier expected to be worth between \$15,000 and \$200,000 in a financial year, or over the proposed term of the contractual arrangement. This general requirement is subject to several limited exceptions.

Section 235(b) of the Local Government Regulation 2012 provides that Council can enter into a contractual arrangement without firstly seeking quotes if it resolves that, because of the specialised or confidential nature of the services sought, it would be impractical or disadvantageous to invite quotes or tenders.

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

Given the work already undertaken and the extensive experience and knowledge acquired conducting this work it would not be advantageous for MBRC to go to the market to complete this work.

ITEM 1.2 AGREEMENT - REGIONAL ECONOMIC DEVELOPMENT STRATEGY - A20418638 (Cont.)

3.4 Risk Management Implications

The matters related to the work are still confidential; introducing a new consultant into the process would increase Council's exposure to –

- a confidential matter being released; and
- delay the works as the new consultancy comes up to speed with the project.

3.5 Delegated Authority Implications ☒ Nil identified

3.6 Financial Implications

The contract with Lucid Economics will be costed to the specific budget number relating to this work.

3.7 Economic Benefit Implications

Without a vibrant and growing economy, there would be a lack of jobs, income and wealth, which in turn would cause a number of far reaching social and community issues. This strategy 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 ☒ Nil identified

3.11 Consultation / Communication

Chief Executive Officer
Chief Economic Development Officer
Team Leader Economic Development and Innovation
Team Leader Procurement

SUPPORTING INFORMATION

Ref: [A20377409](#)

The following list of supporting information is provided for:

ITEM 1.2

AGREEMENT - REGIONAL ECONOMIC DEVELOPMENT STRATEGY

Confidential #1 Supporting Information

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 2.1

BEACHMERE - MORETON TERRACE - PROPOSED NAMING OF T E BONNEY RESERVE

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: A20425119 : 20 August 2020
Responsible Officer: BS, Technical Officer (IP Parks & Recreation Planning)

Executive Summary

An application has been received requesting that parkland, located at 207 Moreton Terrace, Beachmere, be named after Thomas Edwin Bonney. This report provides Council with background information relevant to the application and recommends that Lot 108, C311425 be named "T. E. Bonney Reserve".

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 108, C311425 as "T. E. Bonney Reserve", be approved.
2. That public advertising of the proposal to name the reserve 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 BEACHMERE - MORETON TERRACE - PROPOSED NAMING OF T E BONNEY RESERVE - A20425119
(Cont.)

REPORT DETAIL

1. Background

An application has been received by Council requesting that Lot 108, C311425 (refer Figure 1), located at 207 Moreton Terrace, Beachmere, be named in recognition of Thomas Edwin Bonney.



Figure 1: 207 Moreton Terrace, Beachmere

2. Explanation of Item

The application to name a park or recreation reserve under Council control was lodged by Division 2 Councillor Mark Booth, in recognition of the association Mr Bonney had with the land. Information received from the applicant notes the following in respect of Mr Bonney:

Thomas Edwin Bonney was born in Tasmania. He and several of his siblings, including Askin Edward, moved to mainland Australia. Thomas and Askin settled in the Caboolture/Toorbul area where they took up land. Harriet joined her sons in Queensland, and until her death in 1886 lived with Henry Albert Bonney in Wickam Street, Brisbane.

Thomas Edwin Bonney, the first homestead owner of Beachmere, died in 1907. As far as we have been able to determine, he did not marry and left no descendants. The family buried him in the same grave as his mother Harriet.

THOMAS EDWIN BONNEY was one of the first settlers to take up the land which started the community of Beachmere. The town takes its name from his homestead.

ITEM 2.1 BEACHMERE - MORETON TERRACE - PROPOSED NAMING OF T E BONNEY RESERVE - A20425119
(Cont.)

Once Queensland separated from New South Wales, the government of the day needed to support themselves as a state. It passed the Alienation of Crown Lands Act of 1860. Provision was made for the creation of agricultural reserves. Farms of 40 to 340 acres could be selected from these reserves. Consequently, the pace of selection picked up by the 1870s, with the government keen to get more people settling on the land and using it effectively:

"I think the first settler to take up land, extending from Toorbul Point to King Johnny Creek, was a man named Bonney. Toorbul Point later belonged to a man named Hamilton. From the scrubs around Caboolture township, that is now, were cut the cedar and pine logs which were rafted down the Caboolture river to what is now called Beachmere Flats. With a pitsaw, the logs were cut, hand dressed, and, on the bank at the mouth of the Caboolture River, Bonney built his homestead, naming it Beachmere; 'beach' on account of the narrow strip of sandy beach in front of the house, and 'mere' because of the marshy nature of the land. Bonney died and was buried on the place, and a Mr Geddes then took over" - as was reported in the Nambour Chronicle and North Coast Advertiser - Friday 8/8/1941

A search of Queensland Government Archives shows that Government Gazette Vol. XI No. 26 Friday, 11th March 1870 – Register No. 538 notes an application by Thomas Edwin Bonney on 24th September 1869 for 60 acres of First-Class Pastoral land to lease for a homestead with annual payments of 15 shillings. He took up that land in 1870. This document gives T E Bonney's full name – Thomas Edwin Bonney. Initially Bonney applied for a sugar lease, which again reflects the SEQ2001 Report. Captain Whish and George Raff both had sugar mills/plantations in the area.*

In 1872 the Qld Gazette shows the registration of a sheep brand for the Bonneys. Thomas and brother Askin were listed in the Post Office Directory of 1874 as living at King John's Creek & being graziers as their occupation.

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 2 Councillor, Mark Booth. The proposal was also referred to Council's local historian, who has verified the historical information provided.

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

- Persons with a historical connection to the land or area;
- Names of pioneering families and long-term residents;

Council internal policy requires that any proposal to name a park be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming. Other suitable 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 park name sign to explain the connection Mr Bonney had with the land. The proposed wording is as follows:

"Mr Bonney was an early pioneer who owned land from Toorbul Point to King Johnny Creek. He built a homestead, naming it Beachmere; 'beach' after the narrow beach in front of the house, and 'mere' due to the marshy nature of the land."

*ITEM 2.1 BEACHMERE - MORETON TERRACE - PROPOSED NAMING OF T E BONNEY RESERVE - A20425119
(Cont.)*

3. Strategic Implications

3.1 Legislative / Legal Implications ☒ Nil identified

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads).

3.4 Risk Management Implications ☒ Nil identified

3.5 Delegated Authority Implications

Subject to no adverse submissions being received, the matter should be referred to the Director Engineering Construction and Maintenance for implementation.

3.6 Financial Implications

The estimated cost of fabricating and installing a new sign in accordance with the Draft Park and Open Space Signage Guidelines is approximately \$2,000.

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications

Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication

The proposed naming is supported by the Division 2 Councillor.

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savage)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 3.1

REDCLIFFE - REDCLIFFE MEMORIAL SWIMMING POOL - SHELL RENEWALS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE

Reference: A20412290 : 18 August 2020 - Refer **Confidential** Supporting Information
A20412705

Responsible Officer: RM, Manager Asset Maintenance (ECM Asset Maintenance)

Executive Summary

On 10 June 2020, Council resolved to award a contract for the 'Redcliffe - Redcliffe Memorial Swimming Pool - Shell Renewals (MBRC009780)' project to Premis Solutions Pty Ltd (Premis).

The original scope of works under this contract included, amongst other things, renewing concrete joints to a particular standard and re-applying grout to the tiles in each of the three pools at the complex.

Recently the pools were drained, and inspections were conducted on the pool shells. It has become apparent from these inspections that the concrete within the pools is saturated, with readings of 100% relative humidity being recorded.

Now the extent of this saturation is known, the original scope of works under the contract is, in part, insufficient. For example, existing tile adhesion levels in the pools are so low that the existing tiles have effectively reached the end of their useful life. Those tiles would likely fall off during the process of re-applying grout and so now it would be prudent to alter the scope of works under the contract to include a complete tile replacement within the pool shells. At the same time, it would also be prudent to amend the scope of works to include a more comprehensive concrete joint renewal to better prevent water saturating the concrete shells in the future.

Premis has submitted a contract variation to undertake these additional works. Officers have assessed the cost of Premis' proposed variation as being acceptable. However, as the scope of works under the original contract has changed, Council is arguably entering a new contract and so Council must comply with the procurement requirements under the *Local Government Regulation 2012* (LGR).

Officers do not consider that an open tender process would be appropriate in this circumstance. That process would delay the project for at least 3-4 months (which would delay the re-opening of the pool complex). Delaying the project would also result in demobilisation costs being payable to Premis and there is no guarantee that an open tender process would secure a better alternative contractor than Premis to undertake these works.

Officers recommend that Council adopt a tender consideration plan (TCP) which will enable the new contract (including the variation) to be awarded to Premis. The LGR permits Council to enter a TCP to depart from the ordinary open tender process based upon considerations relevant to the supply relationship.

Further to the above, due to an upcoming project to install a separate filtration system to the Learn to Swim Pool, the tiling of this pool is no longer within the scope of this project. The tiling of the Learn to Swim Pool will occur in conjunction with the filtration system project to be completed within the next 12 months.

ITEM 3.1 REDCLIFFE - REDCLIFFE MEMORIAL SWIMMING POOL - SHELL RENEWALS - A20412290 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council decides to prepare a Tender Consideration Plan for the large sized contractual arrangement with Premis Solutions Pty Ltd for the Redcliffe Memorial Swimming Pool Shell Renewals.
2. That the Tender Consideration Plan for the large sized contractual arrangement with Premis Solutions Pty Ltd for the Redcliffe Memorial Swimming Pool Shell Renewals as tabled, be adopted.
3. That the Council enters into an agreement with Premis Solutions Pty Ltd as described in this report.
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 agreement with Premis Solutions Pty Ltd for the Redcliffe Memorial Swimming Pool Shell Renewals and any required variations of the agreement on Council's behalf.
5. That Council commits to the provision of \$329,903.43 (excl. GST) of additional funding to enable the project to continue and be completed as described in the report. That the additional funding for the project be provided from the 2020-21 quarter one financial process.

ITEM 3.1 REDCLIFFE - REDCLIFFE MEMORIAL SWIMMING POOL - SHELL RENEWALS - A20412290 (Cont.)

REPORT DETAIL

1. Background

On 10 June 2020, Council resolved to award a contract for the 'Redcliffe - Redcliffe War Memorial Pool - Shell Renewals (MBRC009780)' project to Premis.

The original scope of the renewal works under the proposed contract included, amongst other things:

- renewing all expansion and control joints on the pool concourse and in the pool (with a silicone sealant); and
- reapplying grout to tiles and replacing cracked or damaged tiles that were identified in a dilapidation report.

Recently, the pools have been drained and various inspections have taken place on the pool shells (including tiling inspections and structural engineering inspections). It has become apparent from these inspections that the concrete within the pool shells is saturated, with readings of 100% relative humidity being recorded. The tiling inspection report has identified that most tiles within the pool complex have adhesion levels which significantly fail to meet the relevant Australian Standards.

As a result of the concrete saturation levels now known to officers, it is considered prudent for the following works to be undertaken which did not form part of the original scope of works:

- Waterstop joints to be replaced within the structure of the 50m pool and the Toddler Pool not including the Learn to Swim Pool (which is over and above the silicone sealing of expansion and control joint repairs envisaged in the contract specification) - '*concrete joints issue*'; and
- Existing pool tiles to both the 50m Pool and the Toddler Pool to be removed and replaced (which is over and above the scope of the tiling works envisaged in the contract specification) - '*pool tiling issue*'.
- The tiling of the Learn to Swim Pool is no longer within the scope of this project. The tiling of the pool will occur in conjunction with the filtration system project to be completed within the next 12 months.

Premis has submitted contract variations to cover the estimated costs of the concrete joints issue and the pool tiling issue. That estimated cost is \$285,690.00 ex GST.

2. Explanation of Item

The standard of work required to address the concrete joints issue and the pool tiling issue was not required under the original specification. It follows that if Council agrees to a contract variation to address these issues, it is arguably entering a new contract (which necessitates a formal procurement process under the LGR). Officers consider that Council has 2 options available to it in terms of following a formal procurement process under the LGR in this circumstance. Namely:

1. Council could instigate a new tender process to secure a contractor to address the concrete joints issue and the pool tiling issue (**New Tender Option**); or
2. Council could prepare and adopt a tender consideration plan under which it can engage Premis to complete all the pool shell renewal work (including addressing the concrete joints issue and the pool tiling issue) (**TCP Option**).

ITEM 3.1 REDCLIFFE - REDCLIFFE MEMORIAL SWIMMING POOL - SHELL RENEWALS - A20412290 (Cont.)

The New Tender Option

The New Tender Option could result in other (perhaps better) tenders being received by Council in respect addressing the concrete joints and pool tiling issue, but this is by no means guaranteed.

Officers have assessed Premis' proposed costs for addressing these issues and note that this cost is comparable to the cost of similar work which has been performed at other Council pool complexes (especially when considering the estimated cost of demobilising Premis from the site while these works are carried out).

Also, during the original tender process for this renewal contract, Council only received 2 offers from contractors to carry out the pool renewal. This suggests to officers that the New Tender Option is unlikely to yield a significant number of competitive quotes to address the concrete joints and pool tiling issue.

Finally, this option will severely impact on project timing. A new tender process can be expected to take at least 3-4 months which will delay the re-opening of the pool complex to the public.

The TCP Option

The TCP Option would enable Council to award Premis the pool renewal contract as varied to include the works required to address the pool tiling and concrete joints issue.

Whilst the TCP Option may be a less open means of awarding the contract (as compared to the New Tender Option) there is a far greater chance of the project being completed sooner than would otherwise be the case if the New Tender Option was pursued.

3. Strategic Implications

3.1 Legislative / Legal Implications

The Tender Consideration Plan has been prepared in accordance with section 230 of the Local Government Regulation 2012 (Qld) (Regulation).

This section allows Council to depart from the ordinary request for tender process based upon market considerations or considerations relevant to the supply relationship. The exemption can only be invoked by Council resolution.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Council's Procurement Policy recognises that an exception under division 3, part 3, chapter 6 of the Regulation (which includes the preparation and adoption of TCPs) is a valid alternative to conducting an open tender process prior to entering into a large-sized contractual arrangement.

3.4 Risk Management Implications

The risk associated with this procurement has been assessed and the following issues identified. The way the possible impact of these risks is minimised is detailed below:

Contractual Default Risk (the contractor may fail to comply with a contractual requirement) - the performance of renewal works under the contract will be managed by a Council officer familiar with Council's specifications and compliance with those specifications will be enforced where necessary. The proposed contractor's financial position has been assessed as *satisfactory* by Council officers (which should better avoid the risk of the contractor failing to satisfy their contractual obligations).

3.5 Delegated Authority Implications

Pursuant to recommendation 3, officers recommend that Council's Chief Executive Officer be delegated authority to execute a contract in accordance with the tender consideration plan.

ITEM 3.1 REDCLIFFE - REDCLIFFE MEMORIAL SWIMMING POOL - SHELL RENEWALS - A20412290 (Cont.)

3.6 Financial Implications

If the concrete joint issue and pool tiling issue is addressed by Premis, it is expected to cost \$285,690.00 (excl. GST). This is additional to the cost of the remainder of works under the contract which Council has previously approved (\$234,200.00).

Original Tendered Contract Cost	\$ 234,200.00
Proposed TCP - Contract Variation	\$ 285,690.00
Contingency (15% of variation)	\$ 42,853.50
Qleave (variation)	\$ 1,359.93

Total Revised Contract Cost	\$ 564,103.43
	=====

The additional cost of \$329,903.43 (excl. GST) exceeds the budget allocation for the *Redcliffe - Redcliffe Memorial Pool - Shell Renewals* project (105806). The additional sum of \$329,903.43 (excl. GST) needs to be funded now to enable the project to continue and to be able to enter into a TCP with Premis.

3.7 Economic Benefit Implications

The proper repair of the pool complex is expected to increase the useful life of a Council asset and will reduce the need to expend further revenue on the repair of the complex in future.

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications

The proper repair of the pool complex in accordance with this report is expected to result in a valuable community asset being made available to the public with minimal delay.

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication

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

SUPPORTING INFORMATION

Ref: [A20377409](#)

The following list of supporting information is provided for:

ITEM 3.1

REDCLIFFE - REDCLIFFE MEMORIAL SWIMMING POOL - SHELL RENEWALS

Confidential #1 Tender Consideration Plan

ITEM 3.2

TENDER - DETAILED DESIGN OF THE EVERTON HILLS (HILLS DISTRICT) PCYC BUILDING UPGRADE (STAGES 1 AND 2); BRAY PARK (PINE RIVERS) PCYC BUILDING UPGRADE (STAGE 1) AND KIPPA-RING (REDCLIFFE) PCYC BUILDING UPGRADE (STAGE 1)

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20450255 : 8 September 2020 - Refer **Confidential** Supporting Information
A20412826
Responsible Officer: RN, (ECM Project Management)

Executive Summary

Tenders were invited for the 'Detailed Design of the Everton Hills (Hills District) PCYC Building Upgrade (Stages 1 and 2), Bray Park (Pine Rivers) PCYC Building Upgrade (Stage 1), and Kippa-Ring (Redcliffe) PCYC Building Upgrade (Stage 1)' projects. Tenders were invited using Vendor Panel Local Buy Panel (BUS265/VP196331). Tenders closed on the 18 August 2020 with a total of five tenders received all of which were conforming.

It is recommended that the tender for the 'Detailed Design of the Everton Hills (Hills District) PCYC Building Upgrade (Stages 1 and 2), Bray Park (Pine Rivers) PCYC Building Upgrade (Stage 1), and Kippa-Ring (Redcliffe) PCYC Building Upgrade (Stage 1)' projects be awarded to Mode Design Corp Pty Ltd for the sum of \$231,030 (excluding GST) as this offer was evaluated as representing the best value to Council.

OFFICER'S RECOMMENDATION

1. That the tender for the 'Detailed Design of the Everton Hills (Hills District) PCYC Building Upgrade (Stages 1 and 2), Bray Park (Pine Rivers) PCYC Building Upgrade (Stage 1), and Kippa-Ring (Redcliffe) PCYC Building Upgrade (Stage 1) (BUS265/VP196331)' projects be awarded to Mode Design Corp Pty Ltd for the sum of \$231,030 (excluding GST).
2. That the Council enters into an agreement with Mode Design Corp 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 Mode Design Corp Pty Ltd for the 'Detailed Design of the Everton Hills (Hills District) PCYC Building Upgrade (Stages 1 and 2), Bray Park (Pine Rivers) PCYC Building Upgrade (Stage 1), and Kippa-Ring (Redcliffe) PCYC Building Upgrade (Stage 1) (BUS265/VP196331)' projects and any required variations of the agreement on Council's behalf.
4. To allow this project to proceed, Council commits the sum of \$1,000,000 for the MBRC - Major Projects - Design Development program, at the 2020-21 FY quarter one review process.

ITEM 3.2 TENDER - DETAILED DESIGN OF THE EVERTON HILLS (HILLS DISTRICT) PCYC BUILDING UPGRADE (STAGES 1 AND 2); BRAY PARK (PINE RIVERS) PCYC BUILDING UPGRADE (STAGE 1) AND KIPPA-RING (REDCLIFFE) PCYC BUILDING UPGRADE (STAGE 1) - A20450255 (Cont.)

REPORT DETAIL

1. Background

This package of work has originated as a result of network planning undertaken by Council across the nominated PCYC facilities over the course of the past two to three years. The network planning work highlighted existing deficiencies include building compliance and functionality issues that are to be addressed by a series of upgrade projects.

The detailed design for the three PCYCs have been brought forward from future years for detail design and are to be designed to allow these projects to proceed to construction. The objective of the project is to increase capacity, improve functionality and resolve current facility issues.

A brief scope of the individual projects is as set out below:-

Everton Hills (The Hills District) PCYC Building Upgrade Stages 1 - involves the detailed design for new entry including access ramp, relocation of accessibility parking and the conversion of the stage area to accommodate boxing.

Everton Hills (The Hills District) PCYC Building Upgrade Stage 2 - involves the detailed design for new Kinder Gym Area, new amenities and corridor linking to the existing Martial Arts Area.

Bray Park (Pine Rivers) PCYC Building Upgrade Stage 1 - involves the detailed design of new upper level amenities area and meeting room.

Kippa-Ring (Redcliffe) PCYC Stage 1 - involves the detailed design of the upgrade of the northern amenities area, new entry from the carpark and relocated access parking.

The detailed design of the above described projects will be completed by end of December 2020.

Note the Deception Bay PCYC Stage 1 design will be completed separately, funded from the MBRC - Major Projects - Design Development program and completed by end of December 2020.

2. Explanation of Item

Tenders were invited using Vendor Panel Local Buy Panel (BUS265/VP196331) for the 'Detailed Design of the Everton Hills (Hills District) PCYC Building Upgrade (Stages 1 and 2), Bray Park (Pine Rivers) PCYC Building Upgrade (Stage 1), and Kippa-Ring (Redcliffe) PCYC Building Upgrade (Stage 1) projects. The tender closed on the 18 August 2020 with a total of five tenders received all of which were conforming. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

RANK	TENDERER	EVALUATION SCORE
1	Mode Design Corp Pty Ltd	100.00
2	Open Architecture Pty Ltd	92.24
3	PDT Pty Ltd	90.97
4	Complete Urban Pty Ltd	87.03
5	GHD Pty Ltd	75.25

Mode Design Corp Pty Ltd ('Mode') - submitted a comprehensive and well-presented tender demonstrating relevant similar project experience. A tender clarification meeting was held on 28 August 2020, at which Mode demonstrated their relevant experience and detailed methodology. Mode has recently completed detailed design of the Samford Parklands Community Hub and previously the Samford Parklands Soccer Clubhouse. Mode provided the lowest price and highest scoring tender submission. The evaluation panel recommends that the offer from Mode represents the best overall value offer to Council.

ITEM 3.2 TENDER - DETAILED DESIGN OF THE EVERTON HILLS (HILLS DISTRICT) PCYC BUILDING UPGRADE (STAGES 1 AND 2); BRAY PARK (PINE RIVERS) PCYC BUILDING UPGRADE (STAGE 1) AND KIPPARING (REDCLIFFE) PCYC BUILDING UPGRADE (STAGE 1) - A20450255 (Cont.)

Open Architecture Pty Ltd ('Open') - submitted a comprehensive and well-presented tender that demonstrated the contractor's relevant similar project experience. However, there were no additional benefits for the higher price.

PDT Pty Ltd ('PDT') - submitted a comprehensive tender demonstrating relevant similar project experience; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative / Legal Implications

Council sought quotations via Vendor Panel and used the Local Buy 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 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.

Suitably qualified consultants were sourced through the Local Buy Pre-Qualified panel arrangement as it was determined, for this project, that prequalification would provide value for money and mitigate risks due to the project complexity. In accordance with Local Preference Policy Directive a non-local business justification form was completed and approved.

3.4 Risk Management Implications

A detailed Risk Management Plan has been prepared. The project risk has been assessed and the following issues identified. The way in which the potential impact of these risks is minimised is detailed below.

Financial Risks:

The project has been procured via Vendor Panel using the Local Buy Consultancy Panel BUS265.

Design Risks:

- a) There are no procurement issues identified with this project. The lead time to complete design is considered reasonable. The recommended tenderer has advised that there are no foreseen COVID-19 related issues which will adversely impact the delivery of this project
- b) The recommended tenderer has demonstrated their understanding of the project through their tender submission and the tender clarification process.
- c) The recommended tenderer will provide a program of works as part of the contract to identify and detail how they will manage detailed design risks. This information will be assessed for appropriateness and reviewed by Council's Project Manager.

3.5 Delegated Authority Implications

☒ Nil identified

ITEM 3.2 TENDER - DETAILED DESIGN OF THE EVERTON HILLS (HILLS DISTRICT) PCYC BUILDING UPGRADE (STAGES 1 AND 2); BRAY PARK (PINE RIVERS) PCYC BUILDING UPGRADE (STAGE 1) AND KIPPA-RING (REDCLIFFE) PCYC BUILDING UPGRADE (STAGE 1) - A20450255 (Cont.)

3.6 Financial Implications

Pending Council commitment of \$1,000,000 for the MBRC - Major Projects - Design Development program at the quarter one financial process review. All figures are excluding GST.

MBRC - Major Projects - Design Development (109925)	\$ 231,030
Contingency 10%	\$ 23,103

Total Project Cost	\$ 254,133
	=====

Estimated ongoing operational/maintenance costs - Not applicable as this is for design only.

The budget amount for this project is sufficient, based upon the proviso that Council commits the \$1M in funding to the project at the 2020-21 FY quarter one financial review process.

Council has allocated \$85,000 in 2020-21 FY Capital Projects budget for the detail design of stage 1 of the Everton Hills (Hills District) PCYC Building Upgrade. It is recommended that these funds be removed from the budget at the 2020-21 FY quarter one financial review as this work is covered in the project 109925.

3.7 Economic Benefit Implications

This is a design only project at this stage and so benefits from this are limited. The next phase once the design is complete is construction. It is envisaged that many trades and suppliers will be involved which will create employment and therefore economic benefits in the region.

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

This facility development will engender a positive social impact as it will create improved and extra facilities for the local communities to meet, play and exercise.

3.10 Human Rights Implications

The facility upgrades designs will incorporate new disabled toilets ramps and entrances to bring the current buildings up to the AS1428 Disability Code.

3.11 Consultation / Communication

A detailed design communication plan has been developed. This will include regular consultation meetings with the councillor and stakeholders throughout the design phase.

The relevant Divisional Councillors have been consulted and are supportive of the project.

SUPPORTING INFORMATION

Ref: [A20412826](#)

The following list of supporting information is provided for:

ITEM 3.2

TENDER - DETAILED DESIGN OF THE EVERTON HILLS (HILLS DISTRICT) PCYC BUILDING UPGRADE (STAGES 1 AND 2); BRAY PARK (PINE RIVERS) PCYC BUILDING UPGRADE (STAGE 1) AND KIPPA-RING (REDCLIFFE) PCYC BUILDING UPGRADE (STAGE 1)

Confidential #1 Tender Evaluation

4 PLANNING SESSION

(Cr D Grimwade)

No items for consideration.

5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION

(Cr M Gillam)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 5.1

LEASE RENEWAL - THE REDCLIFFE POTTERY GROUP INCORPORATED

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20223440 : 8 September 2020 - **Refer Supporting Information A20223439**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council approval for the renewal of a lease to The Redcliffe Pottery Group Incorporated at 395 Oxley Avenue, Redcliffe (Division 6). The proposed renewal includes a lease area amendment to incorporate a currently untenured amenities block adjacent to the existing lease area (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, The Redcliffe Pottery Group Incorporated be granted a lease over an area at 395 Oxley Avenue, Redcliffe (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.1 LEASE RENEWAL - THE REDCLIFFE POTTERY GROUP INCORPORATED - A20223440 (Cont.)

REPORT DETAIL

1. Background

Since 2015, The Redcliffe Pottery Group Incorporated (the Group) has held a lease with Council over an area including a workshop and storage areas at 395 Oxley Avenue, Redcliffe (refer Supporting Information #1) for the purpose of operating a pottery group. This lease expired on 15 February 2020, with the Group continuing to occupy the facilities on holding over terms.

In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), where the proposed renewal of a lease includes a lease area increase greater than either 20% of the original lease area or 250m², consideration by Council at a General Meeting is required.

2. Explanation of Item

The Redcliffe Pottery Group Incorporated made application to Council seeking renewal of its lease at 395 Oxley Avenue, Redcliffe (refer Supporting Information #1) under Council's Community Leasing Policy. In accordance with the provision of Council's Community Lease Renewals Policy Directive (No. 2160-024), officers have assessed this application and have no objections to the requested renewal.

Additionally, officers identified an opportunity for the Group to also be granted a lease over untenured amenities located directly adjacent to the Group's lease area (refer Supporting Information #1). These untenured amenities have previously been maintained by Council for use by patrons of both The Redcliffe Pottery Group and the Redcliffe Art Society. The Redcliffe Art Society access alternative toilets within the same building as the Redcliffe Art Gallery and therefore the use of these untenured amenities has predominately related to the use of The Redcliffe Pottery Group Incorporated. The inclusion of the amenities will see the Group's lease area increased by 43m² or 22%.

Following discussions with The Redcliffe Pottery Group Incorporated regarding their requested lease renewal, the organisation has confirmed their desire to be granted a lease over a revised area inclusive of the workshop, storage areas and amenities. Accordingly, this report recommends that Council approve the granting of a new lease to the Group over the areas identified in Supporting Information #1 under the terms and conditions of Council's Community Leasing Policy (No. 14-2150-079).

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

☒ Nil identified

3.5 Delegated Authority Implications

In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), where a proposed lease renewal includes a lease area increase greater than either 20% of the original lease area or 250m², the proposed renewal must be considered by Council at a General Meeting, rather than by officers under delegated authority.

ITEM 5.1 LEASE RENEWAL - THE REDCLIFFE POTTERY GROUP INCORPORATED - A20223440 (Cont.)

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

3.6 Financial Implications ☒ Nil identified

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications

The issuing of a lease to The Redcliffe Pottery Group Incorporated will provide the club with facilities to support its 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 right implications relevant to Council's decisions.

3.11 Consultation / Communication

Cr Winchester - Division 6

Relevant Council Departments

The Redcliffe Pottery Group Incorporated

Redcliffe Art Society Incorporated

SUPPORTING INFORMATION

Ref: [A20223439](#)

The following list of supporting information is provided for:

ITEM 5.1

LEASE RENEWAL - THE REDCLIFFE POTTERY GROUP INCORPORATED

#1 The Redcliffe Pottery Group Incorporated - Current and proposed lease area

ITEM 5.2

LEASE RENEWAL - PINE RIVERS JUNIOR LEAGUE CLUB INC.

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20223479 : 8 September 2020 - **Refer Supporting Information A20223478**
Responsible Officer: CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the renewal of a lease to Pine Rivers Junior League Club Inc. at Mathieson Park, 3 Mundin Street, Petrie (Division 8). The proposed renewal includes a lease area amendment to incorporate the location of the club's soon to be constructed new changerooms facility (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, Pine Rivers Junior League Club Inc. be granted a lease over an area at 3 Mundin Street, Petrie (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.2 LEASE RENEWAL - PINE RIVERS JUNIOR LEAGUE CLUB INC. - A20223479 (Cont.)

REPORT DETAIL

1. Background

Since 2008, Pine Rivers Junior League Club Inc. (the Group) has held a lease with Council over an area, including a clubhouse, canteen and a storage shed, at Mathieson Park, 3 Mundin Street Petrie (refer Supporting Information #1) for the purpose of operating a football club. This lease expired on 30 June 2020, with the Group continuing to occupy the site on holding over terms.

In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), where the proposed renewal of a lease includes a lease area increase greater than either 20% of the original lease area or 250m², consideration by Council at a General Meeting is required.

2. Explanation of Item

Pine Rivers Junior League Club Inc. has made application to Council seeking renewal of its lease at Mathieson Park, 3 Mundin Street, Petrie under Council's Community Leasing Policy (No. 2150-079). In accordance with the provision of Council's Community Lease Renewals Policy Directive (No. 2160-024), officers have assessed this application and have no objections to the requested renewal.

Additionally, Pine Rivers Junior League Club Inc. were successful in securing grant funding support from both Council and the State Government for the construction of four universal changerooms. Therefore, the Group has requested that the renewal of its lease incorporates both its existing areas of occupation (inclusive of the clubhouse, canteen and storage shed), as well as the location where the new changerooms facility will be constructed. The inclusion of the changerooms facility will see the Group's lease area increased by 397m² or 30%.

Accordingly, this report recommends that Council approves the granting of a new lease to Pine Rivers Junior League Club Inc. over the areas identified in Supporting Information #1 under the terms and conditions of Council's Community Leasing Policy (No. 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 Council must comply with the *Local Government Act 2009* and Local Government Regulation 2012 when it disposes of valuable non-current assets. Resolving to rely on the exception provided under section 236(1)(b)(ii) of the Regulation will allow the Council to complete the disposal to a community organisation by means other than tender or auction.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

☒ Nil identified

3.5 Delegated Authority Implications

In accordance with Council's Community Lease Renewals Policy Directive (No. 2160-024), where a proposed lease renewal includes a lease area increase greater than either 20% of the original lease area or 250m², the proposed renewal must be considered by Council at a General Meeting, rather than by officers under delegated authority.

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

Moreton Bay Regional Council

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ITEM 5.2 LEASE RENEWAL - PINE RIVERS JUNIOR LEAGUE CLUB INC. - A20223479 (Cont.)

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 Pine Rivers Junior League Club Inc. will provide the club with additional facilities to support its 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 decisions.

3.11 Consultation / Communication

Cr Gillam (Division 8)

Relevant Council departments

Pine Rivers Junior League Club Inc.

SUPPORTING INFORMATION

Ref: [A20223478](#)

The following list of supporting information is provided for:

ITEM 5.2

LEASE RENEWAL - PINE RIVERS JUNIOR LEAGUE CLUB INC.

#1. 3 Mundin Street, Petrie - Pine Rivers Junior League Club Inc. - Current and proposed additional lease area

6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

Declarations of interest statement

Portfolio Councillor to inform Council of any personal interests for items in this session, then ask other Councillors if they have any personal interests that will be declared for respective items in the session.

ITEM 6.1

COVID-19 RATES RELIEF MEASURES

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20437237 : 24 August 2020
Responsible Officer: JL, Financial Operations Manager (FCS Financial Operations)

Executive Summary

Council's support measures relating to rates and charges for ratepayers experiencing financial hardship as a result of the COVID-19 pandemic are due to cease on 30 September 2020. This report provides information on the operation and utilisation of each support measure over the preceding six months and makes recommendations in relation future rates related support measures to assist ratepayers continuing to experience financial hardship as a result of the COVID-19 pandemic.

OFFICER'S RECOMMENDATION

1. Council notes Policy 2150-113 *Financial Hardship Policy (Coronavirus COVID-19)* ends at the conclusion of the current 1 July - 30 September 2020 rating period.
2. Council is satisfied that during the COVID-19 pandemic, the payment of rates or charges will cause hardship to landowners and that by granting the following concession it will encourage the economic development of the area.
3. That Council grants a rates concession under section 121 of the Local Government Regulation 2012:
 - a) to any ratepayers required to pay rates on property in the Moreton Bay Regional Council area who apply to Council and enter into a Council-approved payment plan; and
 - b) further to the resolution from the General Meeting on 13 May 2020 (Mayoral Minute #1, page 20/787), extend the period to which interest on overdue rates and charges are not applicable to include the period 1 October 2020 to 31 March 2021.
4. That pursuant to section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer the right to:
 - a) determine a ratepayer's eligibility for the concession under section 120(c) of the Local Government Regulation 2012;
 - b) enter into repayment plans with eligible ratepayers; and
 - c) determine the form of the Repayment Plan Agreement.
5. Consistent with the period of the rates concession above, Council continue the suspension of rates collection activities to 31 March 2021.

ITEM 6.1 COVID-19 RATES RELIEF MEASURES - A20437237 (Cont.)

REPORT DETAIL

1. Background

Following the onset of the current COVID-19 pandemic in March 2020, Council implemented a range of measures to assist property owners with the payment of rates and charges as outlined below:

- **Financial Hardship Policy (Coronavirus COVID-19) (Rates Hardship Policy)**

At a Special Meeting on 25 March 2020 Council adopted *Financial Hardship Policy (Coronavirus COVID-19)*. This policy introduced the *Coronavirus Rates Rebate* which provided a rebate of \$100 for eligible properties on both the 1 April to 30 June 2020 and 1 July to 30 September 2020 rates notices. To be eligible for the rebate, at least one of the property owners had to be receiving the Coronavirus Supplement paid through Centrelink to recipients of various income support payments. The *Financial Hardship Policy (Coronavirus COVID-19)* is due to be reviewed prior to the expiration of the last applicable rating period (ending 30 September 2020).

- **Interest Charges on Overdue Rates and Charges suspended for the period 1 April to 30 September 2020**

At the General Meeting of the 13 May 2020 (page 20/787), a Mayoral Minute was adopted by Council that outlined a range of additional COVID-19 support measures including the suspension of interest on overdue rates and charges for the period 1 April to 30 September 2020 and ability for ratepayers who are experiencing financial difficulty to enter into a payment plan to pay off their outstanding rates.

In addition to the above measures, all rates collection activities for the period 1 April to 30 September 2020 have been suspended to further assist ratepayers who are experiencing financial difficulty as a result of the COVID-19 pandemic.

2. Explanation of Item

This report seeks to provide information to the Council in relation to the effectiveness of the support measure put in place to assist ratepayers during the COVID-19 pandemic and will make recommendations on future support measures beyond the planned 30 September 2020 cessation date.

Coronavirus Rates Rebate

The Coronavirus Rates Rebate introduced under the *Financial Hardship Policy (Coronavirus COVID-19)* was conceived in the early days of the pandemic. Eligibility for the rebate was tied to the receipt of the Federal Government's Coronavirus Supplement. The Coronavirus Supplement is an additional fortnightly payment on top of a number of existing income support payments (including JobSeeker) that are administered and paid through Centrelink.

At the time it was anticipated that the pandemic would result in mass job losses and those affected would seek Government support through Centrelink's JobSeeker income support payment. It was anticipated that as many as 35,000 properties would be eligible for the rebate at an estimated cost of approximately \$7 million over the two applicable rating quarters.

Following the introduction of the Coronavirus Rates Rebate, the Federal Government announced a further support measure, called the JobKeeper wage subsidy, to assist in managing the impacts of the pandemic on workers. The JobKeeper subsidy is paid to employers via the Australian Tax Office and is designed to subsidise the wages of employees where their employer has been adversely affected by the pandemic. The intent of the subsidy to assist eligible businesses to continue to pay their staff, thereby reducing the need to lay off staff.

The introduction of the JobKeeper subsidy significantly reduced the number of people who lost their job as a result of the pandemic and this in turn reduced the number of property owners eligible for the JobSeeker payment through Centrelink. Accordingly, the anticipated number of ratepayers eligible for the Council's Coronavirus Rates Rebate was substantially reduced.

Following the introduction of the JobKeeper subsidy, investigations were undertaken to determine if Council could expand the eligibility criteria for the Coronavirus Rates Rebate to recipients of the JobKeeper subsidy.

ITEM 6.1 COVID-19 RATES RELIEF MEASURES - A20437237 (Cont.)

Unfortunately, there was no effective way to consistently verify the eligibility of a ratepayer for the JobKeeper subsidy.

In light of the above, it is recommended that the Coronavirus Rates Rebate not be continued beyond the planned 30 September 2020 cessation date.

Suspension of Interest Charges on Overdue Rates and Charges and Repayment Plans

Council has previously resolved not to charge interest on overdue rates and charges for the period 1 April to 30 September 2020. This period covers the final quarterly rates notice in the 2019/20 financial year and the first rating quarter of the 2020/21 financial year.

Interest on overdue rates and charges generally amounts to approximately \$250,000 per quarter depending on the level of rate arrears. Accordingly, the suspension of interest charges for the six-month period has come at a cost of approximately \$500,000.

Anecdotally the suspension of interest has been well received by ratepayers across the region. This support measure has provided assistance to both residential and commercial ratepayers experiencing financial difficulty by allowing additional time to pay their outstanding rates without incurring an additional penalty in the form of interest.

Similarly, the ability to enter into a repayment plan has been utilised by approximately 630 ratepayers over the past two rating quarters. Of these:

- Approximately 30% of ratepayers have used the payment plan to pay off all of their outstanding rates and charges.
- A further 30% of ratepayers in a payment plan continue to pay off their outstanding rates and have less than one quarter's rates outstanding.
- Approximately 20% of properties in a payment plan have the past two quarters rates bills still outstanding; and
- The final 20% of properties have outstanding rates that pre-date the COVID-19 pandemic.

As at the end of the March 2020 quarter, prior to the full impact of the COVID-19 pandemic, Council's rate arrears were 3.16% of annual rates and charges. The rate arrears for the end of the June 2020 quarter have increased to 3.36% of annual rates and charges. Given the effects of the pandemic, this increase in arrears is not unexpected.

At a high level, rates receipts as a proportion of total rates and charges levied still remains strong despite the pandemic. As shown in table 1 below, although reducing slightly in 2019/20 Q4, this proportion remained above 99%.

Table 1: Receipts as a proportion of total rates and charges levied by quarter

	Prior to Suspension of Interest Charges			Post Suspension of Interest Charges	
	2019/20 Q1	2019/20 Q2	2019/20 Q3	2019/20 Q4	2020/21 Q1 *
Rates and charges levied	\$90,164,896	\$90,518,826	\$90,705,968	\$90,517,615	\$92,239,312
Total Rates receipts	-\$90,050,158	-\$89,967,142	-\$90,189,402	-\$89,776,183	-\$85,756,279
Proportion of Levied Rates paid by the end of the quarter	99.87%	99.39%	99.43%	99.18%	92.97%

* Amounts as at 25/08/2020. Receipts for the 2020/21 Q1 period to date are generally consistent with total receipts at this point in previous quarters. Should this pattern continue we anticipate the proportion of levied rates paid by the end of 2020/21 Q1 to be in excess of 99%.

ITEM 6.1 COVID-19 RATES RELIEF MEASURES - A20437237 (Cont.)

The effects of the pandemic are undoubtedly still being felt by parts of our community and will do so beyond the current expiry of these measure on 30 September 2020. For this reason, it is proposed that the current suspension of interest on overdue rates and charges, and the offer of payment plans, be extended to cover the period 1 October 2020 to 31 March 2021.

The suspension of interest for a further two rating quarters will come at a cost of approximately \$500,000 in reduced revenue from penalty interest charges.

Furthermore, it is proposed that during this extension period a Rates Hardship Policy be developed which will provide framework for the assessment of cases of financial hardship and provide a mechanism to support eligible ratepayers into the future. The proposed Rates Hardship Policy will be in place ready for the recommencement of the charging of interest on overdue rates and charges on 1 April 2021. From this date, the Rates Hardship Policy will be used to assess ratepayers experiencing financial hardship and provide targeted assistance to those ratepayers who continue to need support.

Suspension of Rates Collection Activities

In response to the COVID-19 pandemic all rates collection activities were suspended from 1 April 2020. Similar to the suspension of interest charges, this measure was implemented to provide ratepayers experiencing financial hardship as a result of the pandemic time to be able to pay their outstanding rates and charges without incurring additional costs or being subject to legal action.

In line with the proposal for the suspension of interest charges, it is proposed that Council continue with the suspension of rates collection activities until 31 March 2021.

Mechanisms to assist ratepayers experiencing financial hardship beyond this period, including exclusion from rates collection activities, will be addressed in the proposed Rates Hardship Policy that will be developed prior to 31 March 2021.

3. Strategic Implications

3.1 Legislative / Legal Implications

It is proposed to use the concession powers under section 121 of the Local Government Regulation 2012 will be used to allow the suspension of interest on overdue rates and charges.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Policy 2150-113 Financial Hardship Policy (Coronavirus COVID-19) ends at the conclusion of the current 1 July - 30 September 2020 rating period.

3.4 Risk Management Implications

The risk to Council is largely financial with the relief measures likely to impact cashflow. The impacts have been assessed based on the best available information and will continue to be monitored.

3.5 Delegated Authority Implications

As outlined in the recommendation, a delegation to the CEO under section 257 of the *Local Government Act 2009* will be required to allow the identification of eligible ratepayers and payment plan terms.

3.6 Financial Implications

The suspension of interest for the period 1 October to 31 March 2021 will come at a cost of approximately \$500,000 in reduced revenue from penalty interest charges.

3.7 Economic Benefit Implications

The proposed extension of the support measures to assist with the payment of rates will benefit local businesses experiencing financial hardship.

ITEM 6.1 COVID-19 RATES RELIEF MEASURES - A20437237 (Cont.)

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications

The proposed extension of the support measures to assist with the payment of rates will benefit ratepayers experiencing financial hardship as a result of the COVID-19 pandemic.

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication

This report was prepared in consultation with:

- Director Finance and Corporate Services
- Manager Legal Services

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

Consideration of notified general business items or responses to questions taken on notice.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

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

No items for consideration.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

No items for consideration.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.



MINUTES

GENERAL MEETING

Wednesday 2 September 2020

commencing at 9.34am

Strathpine Chambers
220 Gympie Road, Strathpine

Pursuant to section 277E of the Local Government Regulation 2012 it is considered practicable for the public to attend the meeting because of health and safety risks associated with the public health emergency involving COVID-19

Accordingly, this meeting was physically closed to the public.

However, was live-streamed via a link on Council's website

Membership = 13
Mayor and all Councillors

UNCONFIRMED

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6.2.	Petition: Opposing Inappropriate Hunt Rd Developments (A20480931)	
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Moreton Bay Regional Council

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2 September 2020

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1. ACKNOWLEDGEMENT OF COUNTRY

Cr Jodie Shipway provided the Acknowledgement of Country.

2. OPENING PRAYER / REFLECTION

Cr Jodie Shipway provided the opening prayer / reflection for the meeting.

3. ATTENDANCE & APOLOGIES

Attendance:

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

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)
Manager Development Services	(Dan Staley)
Coordinator Planning Assessment North	(Amy White)
Meeting Support	(Hayley Kenzler)

Apologies:

Nil

4. MEMORIALS OR CONDOLENCES

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

5. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 19 August 2020 (Pages 20/1510 - 20/1608)

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 13/0

That the minutes of the General Meeting held 19 August 2020, be confirmed.

6. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

6.1. Petition: Against Lewins Place Playground Construction (A20437127)

Cr Mark Booth tabled a petition containing 39 signatures, received from Sam Edwards on behalf of residents in the area of the proposed Lewins Place Playground construction, reading as follows:

"We, the residents of the area surrounding the proposed Moreton Bay Regional Council Playground construction on the corner of Lewins Place and Fountain Road, Burpengary East, petition the council to cancel any consideration for a park in our area.

- The proposed site is adjacent to a 100yr water catchment area, this often has stagnant water in it and is full of wildlife, including snakes.*
- The proposed site already can suffer from lack of maintenance with very high grass, which also promotes the snakes in the area.*
- The proposed site is surrounded by properties of a minimum 3000m2, there is no need for a park for local residents.*
- The proposed site is in a no through road area and will encourage traffic into the area, violating our privacy, safety and quiet neighbourhood.*

We request that the Council reconsider the idea of a park in this area. There are several other construction projects which could benefit the residents of this area directly and would be much more welcome."

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

Cr Mark Booth requested that consideration be given to parks in rural residential areas, noting that he believed better use of parks in areas without open space was more appropriate.

6.2. Petition: Opposing Inappropriate Hunt Rd Developments (A20480931)

Cr Tony Latter tabled an e-petition containing 1172 supporters, received from Greg Randall, reading as follows:

"We the undersigned residents of Moreton Bay Regional Council, request that Council:

Halt the acceptance, assessment and approval of all developments in the Morayfield South emerging community area until a complete review and integration plan for the area is developed with full and unbiased community consultation"

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

7. CORRESPONDENCE

There was no correspondence for tabling.

8. DEPUTATIONS / COMMUNITY COMMENT

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

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

(s262 of the Local Government Regulation 2012)

There were no Notices of Motion.

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

(as referred by the Chief Executive Officer)

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

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

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

1 GOVERNANCE & ENGAGEMENT SESSION

(Cr P Flannery, Mayor)

ITEM 1.1

VISION SPLENDID OUTBACK FILM FESTIVAL - SPONSORSHIP (SISTER CITY RELATIONSHIP)

Meeting / Session: 1 GOVERNANCE & ENGAGEMENT
Reference: A20436192 : 24 August 2020
Responsible Officer: AL, Team Leader Economic Development and Innovation (CEO Office, Economic Development)

Executive Summary

Moreton Bay Regional Council's (Council) Sister City, Winton has been hosting the Vision Splendid Outback Film Festival (festival) since 2014. Since 2015, Council has sponsored this event as part of Council's commitment to its Sister City relationship. This sponsorship has seen the Moreton Bay Region benefit in terms of regional branding and recognition and community involvement. This year (2020) will see the 25th anniversary of our Sister City agreement which was originally signed in 1995.

A previous three-year agreement worth \$16,500 (including GST) per year expired at the beginning of 2020, with organisers approaching Council to propose a renewal of this sponsorship arrangement. The objective of the festival continues to focus on driving tourist and tourism dollars to both Winton along with building a new industry and economy for the Shire (through the international film industry) as well as promoting Moreton Bay region as an existing business and tourism destination.

Council will be reviewing the purpose and effectiveness of Sister City relationships as part of the refreshed economic development program.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Matt Constance

CARRIED 13/0

- 1. That Council sponsor the Vision Splendid Outback Film Festival for one year (2020) at a cost of \$16,500 (GST included).**
- 2. That Councillors Denise Sims (Deputy Mayor), Jodie Shipway, Cath Tonks, Mark Booth, Tony Latter and Karl Winchester be authorised to attend the Vision Splendid Outback Film Festival.**

ITEM 1.1 VISION SPLENDID OUTBACK FILM FESTIVAL - SPONSORSHIP (SISTER CITY RELATIONSHIP) - A20436192 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council sponsor the Vision Splendid Outback Film Festival for one year (2020) at a cost of \$16,500 (GST included).
2. That Councillors Denise Sims (Deputy Mayor), Jodie Shipway, Cath Tonks, Mark Booth, Tony Latter and Karl Winchester be authorised to attend the Vision Splendid Outback Film Festival.

REPORT DETAIL

1. Background

Council's Sister City, Winton, has been hosting the Vision Splendid Outback Film Festival since 2014. Council has previously sponsored the event since 2015, and most recently for a three-year period which concluded in 2019 (the cost was \$16,500 - GST included - for each year). The previous agreement was undertaken as a three-year arrangement from 2017, seeing Council and regional branding recognised at the event, while supporting our Sister City with a unique focus on the Australian film industry.

Winton has been developing its region as a film location for regional and outback Queensland through initiatives such as the Vision Splendid Outback Film Festival and several Australian films have been filmed there. In association with the film festival, Winton Shire Council is keen to expand this new economic opportunity with the development of a Vision Splendid Foundation, to assist in film scholarships for regional high school students to attend film school, and a Vision Splendid Institute, which will link educational pathways with secondary and tertiary institutes with film industry opportunities.

This year the Vision Splendid Outback Film Festival was scheduled from Friday 26 June to Saturday 4 July 2020, however due to the impacts of the Covid-19 pandemic, this has now been rescheduled for **Friday 18 to Saturday 26 September 2020**. As part of Moreton Bay Regional Council's sponsorship of the festival, Council is invited to attend the festival and associated sponsorship events.

Festival organisers have approached Council to renew this sponsorship arrangement for the next three years with an expanded sponsorship opportunity that captures our previous successful agreement with the inclusion of additional activation and partnership activities focussing on the Moreton Bay Region and in part, recognising our sister city relationship with Winton.

These additional activation opportunities may also provide a stage to help recognise and celebrate the 25th anniversary of the signing of the original Sister City agreement in 1995.

2. Explanation of Item

The sponsorship request that Council has received includes:

- \$16,500 (GST Inc) per year from 2020 (Gold category), to increase by Consumer Price Index (CPI) for a three-year period.

MBRC will receive recognition as a sponsor of the event through the following (subject to any unforeseen changes occurring):

- half page advertisement in the printed programme (approximately 5,000 printed and distributed throughout regional Queensland).
- Logo recognition:
 - in the printed programme (approximately 5,000 printed and distributed throughout regional Queensland).
 - on Official marketing collateral; posters, fliers and Festival letterhead.
 - On-screen mention prior to the evening films at Royal Open-Air Theatre.
 - Logo recognition on www.visionsplendidfilmfest.com.
 - Mention, promotion, and logo recognition via all social media avenues (Facebook, Twitter, Instagram, You Tube + Vimeo).

ITEM 1.1 VISION SPLENDID OUTBACK FILM FESTIVAL - SPONSORSHIP (SISTER CITY RELATIONSHIP) - A20436192 (Cont.)

- Signage opportunities throughout the festival at all official venues.
- Activation opportunities throughout the festival – Management would work to best facilitate these activations.
- Inclusion in e-newsletter, as a partner, and promote Moreton Bay Region's support of Regional Queensland.
- Develop an affiliation with selected Secondary Schools in Moreton Bay Region to create Short Films for the Short Film Competition.
- Link selected secondary schools with Vision Splendid Institute to further develop student's education via connecting with tertiary education groups.
- Vision Splendid Outback Film Festival to host a community screening in Moreton Bay Regional Council area to promote the partnership, the festival, and the connection with Winton.
- Vision Splendid Outback Film Festival to host annual promotional activities within Moreton Bay Regional Council area promoting the partnership, the festival, and the connection with Winton.
- 6 complimentary tickets throughout the festival.
- 6 invitations to the Official Opening night.
- 6 invitations to Sponsors thank you night – Sunday 20 September 2020.
- 6 invitations to the Official Launch.

This sponsorship opportunity provides Council with regional branding development through an internationally recognised event, with our region being promoted and recognised to the festival's domestic and international visitors.

The festival had 3,004 attendees in 2019, having the dual focus of being family friendly and promoting Australian Film in a unique visitor destination. The family friendly focus of the festival complements the marketing focus of the Moreton Bay region as a visitor destination, particularly this would come from the same leisure drive market from Brisbane and greater South-East Queensland. This is particularly of note as over half of the attendees come from Queensland.

Media exposure for the Festival generated nearly \$80,000 in Advertising Sale Rates (ASR) value. ASR value is how much the print editorial articles would have cost as a comparison to paid advertising. Combined print and online articles total 90 throughout Australia with a reach of over 15million people.

Such exposure of the festival provides Council, as a sponsor, the opportunity to promote to those attendees that the Moreton Bay Region is a unique holiday destination, and this will provide economic value to our region's economy with increased tourism expenditure and length of stay.

3. Strategic Implications

- 3.1 Legislative / Legal Implications ☒ Nil identified
- 3.2 Corporate Plan / Operational Plan
Strengthening Communities: Healthy and supportive communities - develop and strong and inclusive community
- 3.3 Policy Implications
Arrangements for attendance to the Vision Splendid Outback Film Festival will be made in accordance with Policy No: 2150-055 Entertainment & Hospitality.
- 3.4 Risk Management Implications ☒ Nil identified
- 3.5 Delegated Authority Implications ☒ Nil identified

ITEM 1.1 VISION SPLENDID OUTBACK FILM FESTIVAL - SPONSORSHIP (SISTER CITY RELATIONSHIP) - A20436192 (Cont.)

3.6 Financial Implications

This sponsorship comes is for \$16,500. The budget line for this expenditure can be attributed to 20125.000.22012 (Sister City).

Appropriate funds have been provided in the budget for attendance to the Vision Splendid Outback Film Festival.

3.7 Economic Benefit Implications

The sponsorship benefits detailed in the supporting information provide the region with opportunities to market Moreton Bay to an audience that would normally not engage with this region. This has the potential to influence tourism numbers coming to Moreton Bay from Winton and beyond through festival attendees. Increased visitation to the region would have a positive economic impact on businesses within the region. In addition, the opportunity to target participants, event suppliers and local businesses seeking to diversify/expand their business, with the region's new REDS, provides an additional investment attraction dimension and opportunity.

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

Potential for positive social impacts through the deepening of ties with our Sister City and the increased exchange of visitors to the regions.

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

Chief Executive Officer, Chief Economic Development Officer.

2 INFRASTRUCTURE PLANNING SESSION

(Cr A Hain)

ITEM 2.1

OFFSET TREE PLANTING (ASSOCIATED WITH DOHLES ROCKS ROAD FAUNA EXCLUSION FENCING)

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: A20322597 : 23 July 2020
Responsible Officer: BM, Senior Environmental Planner - Green Infrastructure Networks (IP Integrated Transport Planning)

Executive Summary

The purpose of this report is to present a revised plan for koala offset tree planting associated with the construction of a fauna exclusion fence along Dohles Rocks Road at Kallangur.

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr Sandra Ruck

CARRIED 13/0

That the delivery of koala offset tree planting be supported in the following parks within the Murrumba Downs Green Infrastructure Habitat Corridor:

- a) Pam Gorrington Park, 99 Goodfellows Road, Kallangur (adjacent road reserve); and
- b) Brays Road Park at Murrumba Downs.

ITEM 2.1 OFFSET TREE PLANTING (ASSOCIATED WITH DOHLES ROCKS ROAD FAUNA EXCLUSION FENCING) - A20322597 (Cont.)

OFFICER'S RECOMMENDATION

That the delivery of koala offset tree planting be supported in the following parks within the Murrumba Downs Green Infrastructure Habitat Corridor:

- a) Pam Gorrington Park, 99 Goodfellows Road, Kallangur (adjacent road reserve); and
- b) Brays Road Park at Murrumba Downs.

REPORT DETAIL

1. Background

Council has previously considered locations for koala offset tree planting associated with the construction of fauna fencing on Dohles Rocks Road at Kallangur.

The following resolution appears on minute page 20/1231 of the General Meeting of Council held 22 July 2020:

Ex. General Meeting held 24 June 2020 (MP. 20/1240):

RESOLUTION

That the Chief Executive Officer investigate alternative sites for koala offset planting other than as shown in figure 3 and figure 4 of the Officer's report referred to in Item 3.17 (A20002665), with a report to come back to council for consideration.

2. Explanation of Item

The updated plan revises down the number of trees proposed for Pam Gorrington Park and no longer includes street tree planting along Dohles Rocks Road at Kallangur.

A new planting site has been identified at 99 Goodfellows Road, Kallangur and adjacent road reserve land to the west. This site is within the Murrumba Downs Green Infrastructure Habitat Corridor which is known to be utilised by local koalas. This site will receive the trees originally planned for Dohles Rocks road reserve and the balance of trees from Pam Gorrington Park, Kallangur. Refer Figures 1 & 2.

A total of 129 trees will be planted to compensate for the unavoidable removal of 43 trees and shrubs to construct the fauna exclusion fence.

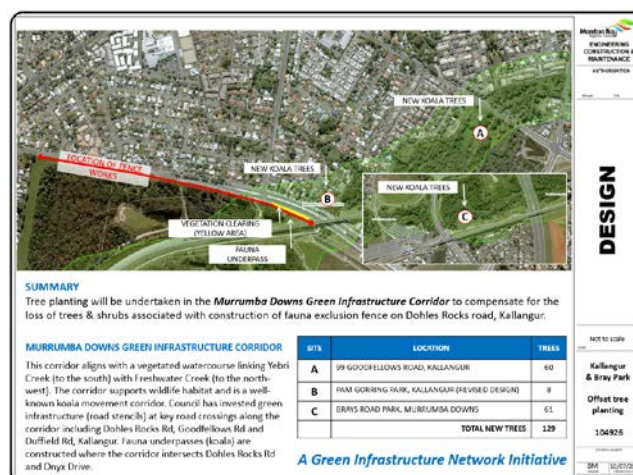


Figure 1 Summary of planting areas in the Murrumba Downs Green Infrastructure Corridor

ITEM 2.1 OFFSET TREE PLANTING (ASSOCIATED WITH DOHLES ROCKS ROAD FAUNA EXCLUSION FENCING) - A20322597 (Cont.)

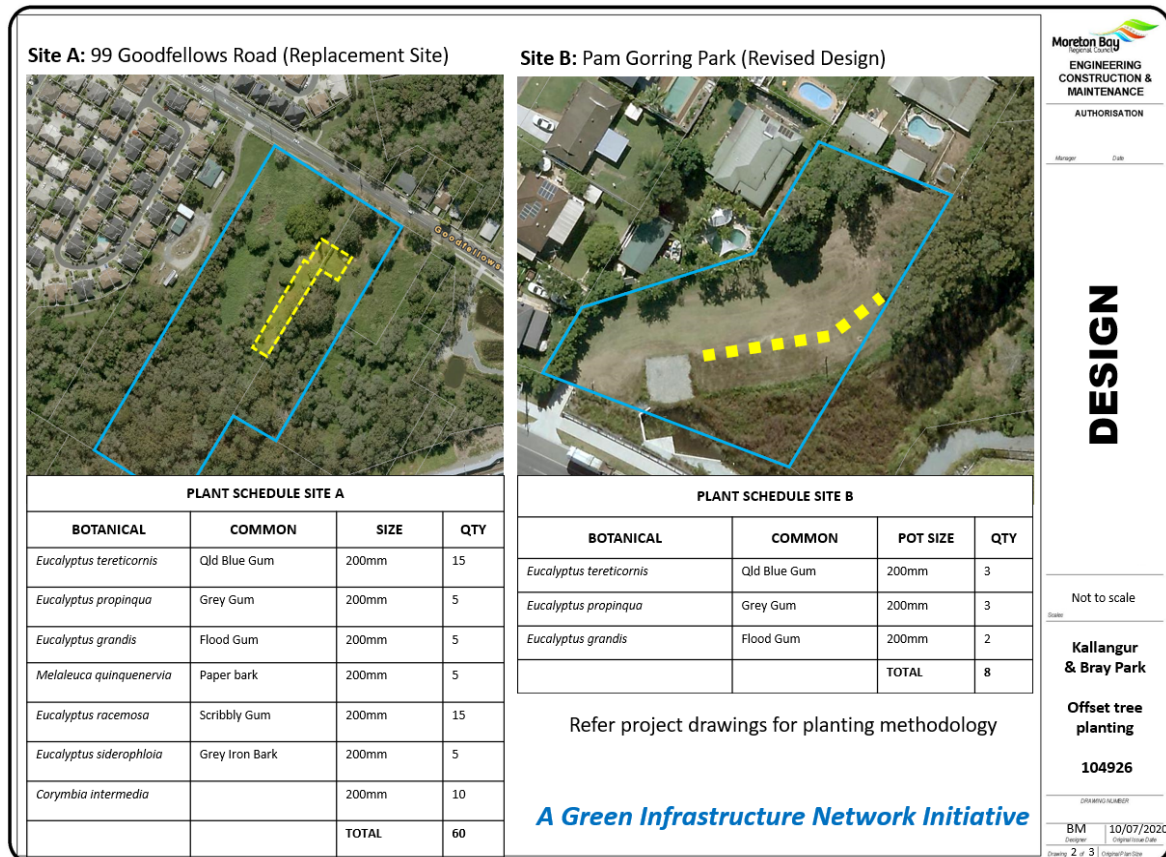


Figure 2 Sites A & B

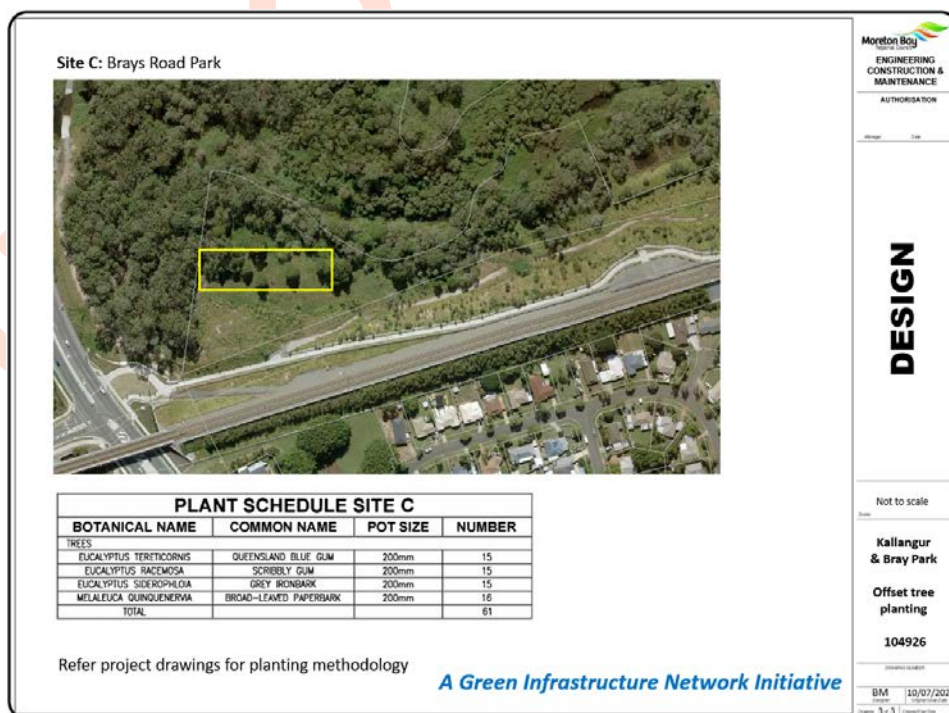


Figure 3 Site C - Brays Road Park at Murrumba Downs

ITEM 2.1 OFFSET TREE PLANTING (ASSOCIATED WITH DOHLES ROCKS ROAD FAUNA EXCLUSION FENCING) - A20322597 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications ☒ Nil identified

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

3.3 Policy Implications
The project is consistent with the Moreton Bay Regional Council's *Green Infrastructure Strategy & Action Plan*, Action 1.2 Strengthen the environmental corridor network across Moreton Bay region through retention and restoration of connections, and Koala Conservation Policy 2150-003.

3.4 Risk Management Implications
A detailed risk management plan has been prepared.

3.5 Delegated Authority Implications ☒ Nil identified

3.6 Financial Implications
Offset tree planting is being undertaken in association with the delivery of *Kallangur - Dohles Rocks Road - Fauna Exclusion Fencing installation (Koala)* which has previously been considered by Council. An amount of \$29,286.00 has been allocated.

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications
The contractor is required to submit a site-specific Environmental Management Plan, which will be reviewed and monitored by Council officers.

3.9 Social Implications
Tree planting in the Murrumba Downs Green Infrastructure Corridor will provide additional food and habitat resources for local koalas.

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication
A detailed communication plan has been prepared for the project. Project notices and signs will be distributed prior to construction. The Divisional Councillor is supportive of the project.

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: A20404746 : 17 August 2020
Responsible Officer: KT, Principal Transport Planner (IP Integrated Transport Planning)

Executive Summary

Youngs Crossing Road is classified as an arterial road in Council's road hierarchy and is an important north-south corridor linking the Moreton Bay Region with Brisbane City. Council has been progressively upgrading sections of Youngs Crossing Road to a four-lane capacity to cater for growing traffic demands. The section which crosses the North Pine River is the most expensive section due to the need to design and construct a high-level bridge that has sufficient flood immunity to cater for discharges from the North Pine Dam.

For many decades, the existing transport corridor spanning Youngs Crossing at Joyner has been an extremely vulnerable part of the region's road network that is highly susceptible to flash flooding from wet weather events and releases from the North Pine Dam. Its current Q1 flood immunity (i.e. flooding on average once every year) has resulted in many closures of this arterial road, diverting users (average 20,000 vehicles a day) onto surrounding roads causing delays and frustration for families, commuters, emergency services and other transport operations. In a two-year period between 2010 and 2012, the existing crossing was closed to traffic over 25 times.

Early in 2019, the Federal Government committed funding of \$7.75 million to "provide a flood free" upgrade of Youngs Crossing. Council has allocated \$40m (inclusive of the Federal Government commitment) in Council's 2020/21 FY budget to progress the planning, design and construction of a four-lane road and bridge over 3 financial years, between 2020/21, 2021/22 and 2022/23.

At a November 2019 Briefing Session, staff presented two alternative concepts to Councillors and have since progressed the development of concept designs, together with estimate of costs for two alternative crossing routes:

- Option 1 - Youngs Crossing Road existing alignment (largely based on existing route)
- Option 2 - Andrew Petrie Drive alignment (utilising the road reserve preserved by the former Pine Rivers Shire Council)

Concept designs for the options have been prepared and a preliminary estimate of costs for each shortlisted option was calculated in more detail. The two options, Option 1 - Youngs Crossing Road existing alignment and Option 2 - Andrew Petrie Drive (both with a Q100 flood immunity capacity), were assessed in more detail to understand impacts, risks and potential mitigation measures.

Current indicative cost estimates based on the most recent detailed concept design are:

Option 1 - Youngs Crossing Road alignment	\$49.5M
Option 2 - Andrew Petrie Drive alignment	\$56.1M

The Option 1 cost estimate does not include any future upgrading of Dayboro Road to cater for increased traffic volumes, this upgrade has been estimated to cost \$18M. Cost estimates will be further refined through the preliminary and then detailed design phases.

It is proposed that Council now undertake a program of community consultation on both Options to seek community views, to assist Council in making a final choice on the preferred route. A specialist community engagement company will be appointed to assist Council with undertaking the consultation program. The community engagement program will commence in early September, with a report to be provided to Council on the outcomes following completion of the community consultation process.

*ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)*

Due to the need to progress the project to meet timing deadlines, it is also proposed to engage engineering consultants to commence preliminary design on both options immediately, to progress site investigations, approvals, and design development.

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.

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)

OFFICER'S RECOMMENDATION

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.

REPORT DETAIL

1. Background

Council Briefing

A Council briefing was conducted on 22 July 2020 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.

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 Briefing

A Council briefing was conducted on 26 August 2020 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.

BRIEFING 9 YOUNGS CROSSING UPGRADE - UPDATE

EXTRACT TO BE INCLUDED IN OFFICER'S REPORT

The CEO noted the way forward:

That a report be submitted to the General Meeting of 2 Sep 2020 for consideration of community and stakeholder consultation for an upgrade to Youngs Crossing.

Youngs Crossing Road

Youngs Crossing Road is classified as an arterial road in Council's road hierarchy and is an important north-south corridor linking the Moreton Bay Region with Brisbane City.

Council has 3 major upgrades planned along Youngs Crossing Road within its capital expenditure long-term financial forecasting:

1. Oxford Street to Francis Road - Proposed Construction 2023 to 2024
2. Francis Road to Protheroe Road - Proposed Construction 2027 to 2029
3. Protheroe Road to Dayboro Road - Proposed Construction 2021 to 2023

*ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)*

Number 3 in the list is the section which crosses the North Pine River - Protheroe Road to Dayboro Road and is the most expensive section due to the proposal to design and construct a high-level bridge that has adequate flood immunity to cater for discharges that are made from the North Pine Dam. During significant rain events the road is forced to close for periods up to 4 days per flood event. Since the road is currently carrying approximately 20,000 vehicles per day, the Youngs Crossing Road closures present a significant cost to the local economy as re-routed traffic increase congestion and delays on parallel north south road corridors.

Council previously resolved on 30 July 2013 to support Option G, a new road on an alignment to the west of Youngs Crossing Road, emerging at Dayboro Road near Old Petrie Town and then continuing north to Torrens road through bushland. Due to the relatively high cost of Option G, the lack of government commitment to fund this major upgrade, and the recent Federal Government funding commitment of \$7.75 million to upgrade Youngs Crossing, Council supported a staff proposal in a 7 November 2019 briefing session to progress detailed concept designs of two alternative options together with estimate of costs involved, to be brought back to Council for further review and consideration.

These were to:

1. Progress a concept design study for an interim upgrade of the existing crossing with improved flood immunity, 20% AEP (Q5) to 5% AEP (Q20), generally retaining an alignment close to the current Youngs Crossing Road and connecting to Dayboro Road at the location of the current intersection.
2. Progress a concept design study for an interim upgrade of the river crossing with improved flood immunity, 20% AEP (Q5) to 5% AEP (Q20), at a location close to the existing crossing and connecting to the existing Council managed road reserve along Andrew Petrie Drive which already has a 200-metre formed 4-lane cross section along part of its length.

These two scenarios were recommended as interim - lower cost options compared to Option G, that would allow Council to best utilise the Federal Government funding commitment of \$7.75M. An interim option would still provide a greater level of flood immunity than the existing crossing and also improve traffic capacity of the road.

2. Explanation of Item

Two possible route options have been developed to address the long-standing flooding issue at Youngs Crossing.

2.1 Options Development

The original scope expanded the number of options to be investigated to include three different levels of road flood immunity (Q5, Q10 and Q20) on both the existing alignment and the alignment that would see Youngs Crossing Road connect to Andrew Petrie Drive. Engineering advice indicated that a Q5 option would result in significant afflux in nearby properties while a Q100 bridge would not be significantly more expensive than the Q20 bridge option, noting that there is only an extra 1.3m in height between a Q20 and a Q100 flood level. The brief was amended accordingly to assess a Q10, Q20 and Q100 bridge for each option.

The two route options have been identified as:

- Option 1 - Youngs Crossing Road existing alignment;
- Option 2 - Andrew Petrie Drive alignment

It is important to note that Option 1 also has a further Stage 2 component that identifies a future upgrade of Dayboro Road to a four-lane standard to accommodate the forecast traffic growth between Youngs Crossing Road and Beeville Road. Dayboro Road is a Department of Transport and Main Roads (DTMR) road and they have indicated that there are currently no plans to upgrade this section of road, due to other network priorities. This upgrade would not be required under the Option 2 scenario.

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)

The consultants prepared high level concept plans and cost estimates (Table 1) for all 6 sub-options:



Figure 2 - Aerial View of the 2 Options

	Option 1 – Youngs Crossing Road	Option 2 – Andrew Petrie Drive
Q10 (A)	\$31.9m - 140m Bridge	\$37.7m - 160m bridge
Q20 (B)	\$32.2m - 140m bridge	\$38.1m - 160m bridge
Q100 (C)	\$35.2m - 160m bridge	\$41m - 180m bridge

Table 1 - Pre-Concept Design Cost Estimates

The results of the investigation, including flood modelling maps and environmental considerations, were presented in a staff workshop, where a purpose-formed working group, consisting of Council officers from different teams and areas of responsibility developed a Multi-Criteria Analysis (MCA).

The results of the MCA indicated a strong preference of a higher-level immunity (Q100) bridge and also a preference towards the Andrew Petrie Drive alignment. i.e. the highest ranked Option was Option 2 - Andrew Petrie Drive, with a Q100 bridge. Sensitivity tests undertaken using different criteria weightings confirm the above results. The second ranked option was Option 1 - Youngs Crossing Road, Q100 bridge.

Following the MCA, Cardno prepared the concept design for the top two ranked options and calculated in more detail the cost estimate of this project including an appropriate level of contingency.

2.2 Design Considerations

The detailed design for the ultimate route option chosen by Council, will need to consider the following issues and seek to address them accordingly:

- Bridge capacity - the bridge structure will need to be designed to be capable of withstanding significant flood impacts (up to 3,0000 m³ per second) and associated debris impacts
- Road formation and embankments - refinement of the height, width and retaining structures associated with the road embankments will need to be undertaken, to reduce intrusion into park areas or residential properties
- Traffic capacity - Preliminary assessment of the two options suggests that for the opening years and in the short term, the Dayboro Road/ Beeville Road roundabout will have enough capacity to accommodate traffic with only minor adjustments. A more detailed traffic assessment will be undertaken to identify when the roundabout will need to be upgraded to traffic signals.

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)

- Visual amenity - Design of embankments, and provision of noise barriers and vegetation screens will need to be included to provide screening and reduce the visual impacts upon existing residents;
- Noise - Noise barriers will need to be provided, ideally constructed from Perspex, to reduce any noise intrusions
- Environment - Full environmental assessments of existing vegetated areas will need to be undertaken, and permits acquired for any clearing required. Off set areas will need to be established for habitat restoration off sets
- Constructability - The road and bridge will need to be designed to, as far as possible to allow for an ease of construction and minimise impacts upon current traffic flows;
- Early works packages - Early works packages, such as installation of noise / screening barriers and planting of landscaping will need to be identified to assist in minimising the visual impacts of construction works;

2.3 Implications - Impacts Assessment

The two options were assessed in more detail to understand impacts, risks and potential mitigation measures.

- Option 1 - Youngs Crossing Road existing alignment - 160m long, 8 span bridge

This route is generally based on the existing alignment of Youngs Crossing Road. There has been a traffic corridor in this vicinity since the 1940s. The final alignment of the route will seek to mitigate potential impacts to remnant vegetation.



Figure 3 - Youngs Crossing Road Alignment Concept - Option 1

- Option 2 - Andrew Petrie Drive - 180m long, 9 span bridge

During the late 1980s the Andrew Petrie Drive alignment was included in strategic planning maps of the former Pine Rivers Shire Council as a future major road between Dayboro Road and Youngs Crossing Road. Development approval documents for the Petrie on Pine estate (1990/91) described the proposed Andrew Petrie Drive four-lane arterial and included it as a condition for estate development.

Property notes were added to the majority of properties that back onto Andrew Petrie Drive to highlight that a future road may be constructed along the length of the corridor, as well as related traffic noise impacts.

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)



Figure 4 - Andrew Petrie Drive Alignment Concept - Option 2

Both of the above solutions will provide Q100 flood immunity (1 in 100 year flooding), feature elevated bridge sections and address the vulnerability issue that has characterised this crucial link in the region's road network system.

Current indicative cost estimates based on the most recent detailed concept design are:

Option 1 - Youngs Crossing Road alignment	\$49.5M
Option 2 - Andrew Petrie Drive alignment	\$56.1M

The Option 1 cost estimate does not include any future upgrading of Dayboro to cater for increased traffic volumes which has been estimated to cost \$18M. Cost estimates will be further refined through the preliminary and then detailed design phases.

It is acknowledged that both options will have differing impacts upon the community and road users. The specific challenges and opportunities associated with each option will be outlined in detail as part of the engagement process, but includes environmental, noise, traffic volume, community amenity and traffic access considerations.

2.4 Option Comparison

The assessment of route options and bridge height immunity undertaken by Council officers with support from the consultants identified that the preliminary preferred option is Option 2 - Andrew Petrie Drive (Q100 bridge), based on the following reasons:

1. Highest overall MCA score
2. Most efficient / direct traffic route (saving 20 - 30 seconds in travel time)
3. Road corridor was historically set aside for this purpose
4. The Petrie on Pine sub division was designed to accommodate a future arterial road with no direct property access. (All residential lots that are adjacent to Andrew Petrie Drive have their rear fence on the property boundary. Most of these boundary fences were constructed as noise attenuation fences in anticipation of the future construction of the arterial road.)
5. Does not require extra costs and Department Transport and Main Roads (DTMR) approvals for future upgrade of Dayboro Road to 4 lanes
6. Least disruption to traffic during construction / easier constructability
7. Less visual impact upon existing dwellings
8. Less environmental impact

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)

Staff however are also aware that both Options will have impacts upon the existing community in varying ways, and in particular, (Option 2) along Andrew Petrie Drive, has previously been recommended to Council but discounted for a range of reasons, including community impact.

2.5 Risk Assessment

Major risks and mitigation measures were identified for both options which will be further evaluated and reviewed in the next design stages.

Option 1: Existing Alignment Major Risks	Option 2: Andrew Petrie Drive Major Risks
Reaction from Youngs Crossing and Dayboro Roads residents result in major delays in delivery	Reaction from Andrew Petrie Drive residents result in major delays in delivery
Political / Reputational risk of constructing a road on high embankment if State Government have no intention of upgrading Dayboro Road	Political / Reputational risk of constructing an arterial road through a residential area
Remnant Rainforest land is off-limits resulting in an alignment closer to the Option G stage 1 footprint that goes across the Pony Club land – this will result in a cost increase i.e. longer bridge and retaining walls	Loss of vegetation buffers to existing houses that front Andrew Petrie Drive on the lower section
Visual & noise impacts of the new bridge / road on existing houses	Visual & noise impacts of the new bridge / road on existing houses, with a significantly increased through traffic volume
State Government conditions MBRC to upgrade Sideling Creek Bridge to accommodate extended right turn from Dayboro Road into Youngs Crossing Road	
State government doesn't agree in funding Dayboro Road upgrade resulting in this section taking longer to upgrade to match the capacity of Youngs Crossing Road	
Option 1: Existing Alignment Mitigation	Option 2: Andrew Petrie Drive Mitigation
Ecological survey and then detailed environmental Impact Study Review route alignments to reduce impacts Apply for additional Federal Government Funding Noise and vegetation barriers Community consultation Political Engagement	Noise and air pollution impact study Noise and vegetation barriers Community consultation Political Engagement

Table 4 - Risks and Mitigation

2.6 Revised Cost Estimates

The cost estimates have now been further refined for the two shortlisted options following completion of the more detailed concept designs. Both cost estimates include a 59% project contingency cost based on a recognised methodology (used also by DTMR) for this stage of the project. These cost estimates supersede the cost estimates in Table 1 which were based on pre concept designs.

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)

Description	Bridge	Civil Works	Afflux Mitigation	Land Acquisition	Total with contingency	Dayboro Road upgrade	Total with Dayboro Road
Option 1 Youngs Crossing Road	\$37M	\$9M	\$1M	\$2.5M	\$49.5M	\$18M	\$67.5M
Option 2 Andrew Petrie Drive	\$42.5M	\$11M	\$0.1M	\$2.5M	\$56.1M	\$0M	\$56.1M

Table 5 - Refined Cost Estimates based on Concept Designs (59% contingencies)

Revised Option 1

Due to the identified risk of Option 1 going through environmentally sensitive land, a minor change to the alignment of this option, (referred to as Option 1A - Figure 5) has been investigated by moving the location of the bridge further to the west, at the edges of the Pine Rivers Pony Club paddock. This change will avoid the part of the land with denser vegetation including the mature Moreton Bay fig trees. This revised option 1 results in a longer (260m) and more expensive bridge. It is estimated that this change will increase the cost of Option 1 by \$24.5m from \$49.5M to \$74M.



Figure 5 Alternative Youngs Crossing Rd Alignment Concept - Option 1A

2.7 Officer's Recommendations

Officers are now seeking Council authorisation to commence Community Consultation and Stakeholder Engagement with a view to progressing the project. Given the scale of the project and range of impacts upon the community, it is appropriate that there be a community engagement and consultation program implemented to provide Council with the views and opinions of the local and wider community and support Council decision making. It is proposed that external specialised communications consultants are engaged to undertake this task commencing in early September 2020.

A community engagement consultation plan may involve the following activities which will be subject to specialist advice from the successful consultant:

- Engagement with all neighbouring property owners in the Petrie on Pine estate as well as property owners along Youngs Crossing Road and Dayboro Road - to inform them about the project and the two options being considered, and to survey their preference

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)

- Direct contact / liaison with selected property owners along Andrew Petrie Drive, Youngs Crossing Road and Dayboro Road that may be impacted by the project
- Meeting and obtaining feedback from relevant community and industry groups
- Engagement with affected property owners where some degree of land acquisition may be required
- Development of a project web site, containing current and historical information, and providing regular updates to the community, and to provide a direct feedback option for the community
- Graphics of the final treatments, that includes landscaping and sound barriers
- FAQ sheets to outline the options considered, indicative costs, implications and benefits / impacts of both options
- Broader community awareness activities encouraging involvement and feedback
- Stakeholder engagement plan, including contact with State and Federal members of Parliament
- Media activities
- Other actions as advised by consultants

All engagement activities will address COVID-19 health and safety provisions.

The last action of this consultation task will be a report back to Council, summarising the work undertaken, the issues raised, and the community and stakeholders' feedback on the project and the two options. The cost of this consultation and engagement task is expected to be in the order of \$35-50k.

3. Strategic Implications

- 3.1 Legislative / Legal Implications ☒ Nil identified
- 3.2 Corporate Plan / Operational Plan
Valuing Lifestyle: Diverse transport options - an integrated regional transport network.
- 3.3 Policy Implications
38-2150-010 Community Engagement Policy
38-2180-006 Community Engagement Policy Directive
- 3.4 Risk Management Implications
Major risks and mitigation are described above in 2.5.
- 3.5 Delegated Authority Implications ☒ Nil identified
- 3.6 Financial Implications
The cost for this task is estimated at \$35-50k and will be paid from project 106989 MBRC - Youngs Crossing Road - Bridge and Road Construction, which has available funds.
- 3.7 Economic Benefit Implications
This task has the potential to save Council thousands of dollars in planning and design work as it will provide certainty on accepted design outcomes for the project and avoid rework. The outcomes may also assist Council in securing additional funding for the project, by providing the evidence to support the project and the preferred route to the State and Federal Governments.
- 3.8 Environmental Implications
Both route options have varying degrees of environmental impact. These impacts will be further identified, then sought to be mitigated through the development of the detailed design treatments, post Council adoption of the preferred Option.
- 3.9 Social Implications
Other than the social implications identified in the risk section above, this Consultation has the potential for positively affecting Council's reputation on the way it delivers infrastructure.

ITEM 2.2 YOUNGS CROSSING UPGRADE - COMMUNITY AND STAKEHOLDER CONSULTATION - A20404746
(Cont.)

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

Since this is a consultation exercise, the detailed communications plan will be the first action of the engagement. Pine Rivers Pony Club and Thompson's depot representatives, that are the two major stakeholders in the local area were briefed about the contents of this report and were advised that they will be included in the engagement process. Consultation with the Mayor and Councillors has been held through regular Briefing Sessions and one on one meetings.

UNCONFIRMED

ITEM 2.3**BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING -
EXPRESSIONS OF INTEREST - DIVISION 1**

Meeting / Session: 2 INFRASTRUCTURE PLANNING
Reference: A20319178 : 24 July 2020
Responsible Officer: JS, Lead Engineer - Coastal Infrastructure (IP Drainage, Waterways & Coastal Planning)

Executive Summary

This report seeks Council approval to invite Expressions of Interest (EOI) for the *Pacific Harbour Maintenance Dredging* project (the Project) prior to inviting tenders.

The Project involves the removal of approximately 75,000 m³ of material from within Pacific Harbour, plus transport, placement and treatment at Moreton Bay Regional Council's (MBRC) site located at 1077 Bribie Island Road, Ningi.

Council officers consider it is in the public interest to invite Expressions of Interest before inviting written tenders as there is currently insufficient detail regarding feasible dredging and material transport methods and, therefore, insufficient information to finalise a detailed and prescriptive Project Specification, nor to adequately inform the preparation of required Statutory Approvals Applications.

The EOI will be targeted to fulfil the following objectives:

- (a) Determine the level of market competition, including availability of the necessary dredging and material transport resources, and develop a contractor shortlist
- (b) Collect information for the purpose of preparing the:
 - i. Project Specification; and,
 - ii. Statutory Approvals Applications.
- (c) Facilitate timely consultation with stakeholders regarding likely dredging and material transport methods.

RESOLUTION

Moved by Cr Brooke Savige

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That Council resolve that it is in the public's interest to invite Expressions of Interest prior to requesting written tenders for this project.
2. That Council invite Expressions of Interest for the *Pacific Harbour Maintenance Dredging* project and subsequently invite tenders from an appropriate short-list of respondents to the EOI.
3. That the Chief Executive Officer be authorised to do all things necessary to implement recommendation 2 in accordance with the *Local Government Regulation 2012*.

ITEM 2.3 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - EXPRESSIONS OF INTEREST - DIVISION 1 - A20319178 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council resolve that it is in the public's interest to invite Expressions of Interest prior to requesting written tenders for this project.
2. That Council invite Expressions of Interest for the *Pacific Harbour Maintenance Dredging* project and subsequently invite tenders from an appropriate short-list of respondents to the EOI.
3. That the Chief Executive Officer be authorised to do all things necessary to implement recommendation 2 in accordance with the *Local Government Regulation 2012*.

REPORT DETAIL

1. Background

The *Canal Estates Portfolio Asset Management Plan* (CEPAMP) outlines MBRC's objective to maintain canals to the depths nominated in the *Long Term Maintenance Plans* (LTMPs) to ensure safe navigation and mooring of vessels. Canal depths within the lower reaches of the Pacific Harbour canal estate have reached the nominated 'trigger depths' and therefore maintenance dredging is required.

The maintenance dredging was originally planned to be completed via grab dredging (i.e. barge-mounted excavator or similar) into barges with disposal of the material at the State managed Mud Island Dredged Material Placement Area (in Moreton Bay offshore from Fishermen's Island). However, statutory approvals applications for this proposal were rejected by the Department of Transport and Main Roads (DTMR) due to the risk of a barge impacting the Bribie Island Bridge. MBRC subsequently investigated alternative dredging and material disposal methods, including potential land-based sites that could receive the dredged material.

Following a number of workshops to consider potential dredge spoil disposal options, a report to Council was submitted proposing that Council acquire a land site, specifically for this purpose. Council passed a resolution on 19 February 2019 to acquire the property at 1077 Bribie Island Road for the purpose of managing and disposing dredge spoil (refer *Item C.1 - CO20190219 - A18201248*). The site was formally acquired in April 2019, and a public consultation session was held at the Ningi Community Hall shortly following the site acquisition on 22 May 2019.

Since acquisition of the Ningi site, the Infrastructure Planning department has been working to complete the necessary planning, design, and statutory approvals acquisition tasks to allow for dredged material placement at the site. Detailed sediment sampling and analysis of sediments in Pacific Harbour was completed in early-mid 2020, and a specialist consultant is currently engaged to prepare the requisite statutory approvals applications for the project. Existing engineering design and specification documents are available from the originally planned project (2013-14), and the update of this documentation will be commissioned immediately following the EOI process.

Significant site works have also been undertaken on the Ningi site, including demolition and removal of dilapidated buildings; installation of security and boundary fencing; rehabilitation and revegetation of the western vegetation buffer; and progression of approvals to install a drain along the western site boundary.

2. Explanation of Item

The proposed maintenance dredging campaign involves the removal of approximately 75,000m³ of material from within lower Skippers Canal and the Marina, as shown in Figure 1.

ITEM 2.3 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - EXPRESSIONS OF INTEREST - DIVISION 1 - A20319178 (Cont.)

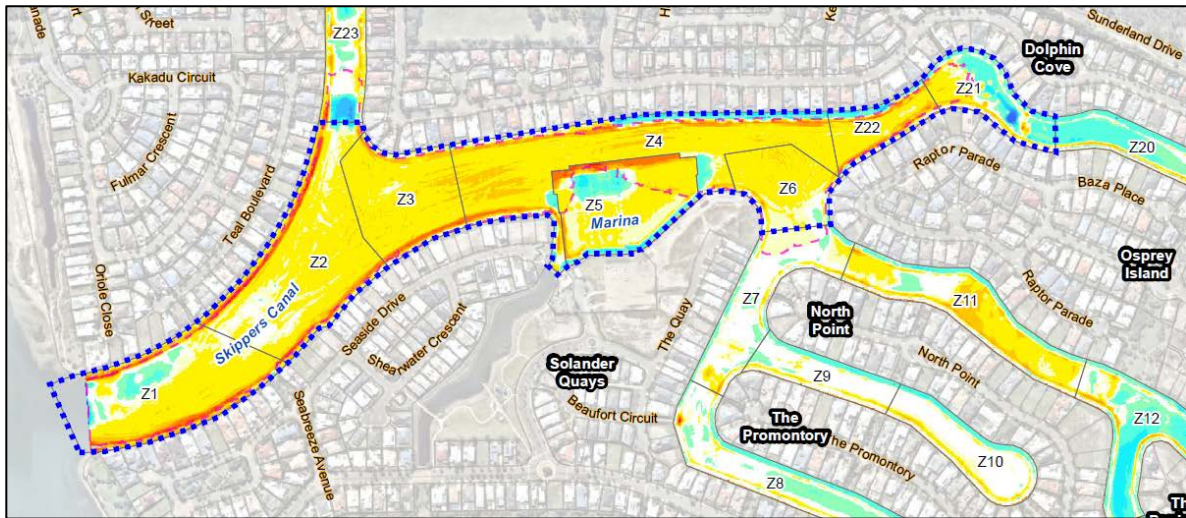


Figure 1 Pacific Harbour Maintenance Dredging project - proposed dredge area (refer dotted blue polygon)

The dredged material will be transported and placed at the Ningi site within the existing aquaculture 'ponds', as generally shown in Figure 2.



Figure 2 Pacific Harbour Maintenance Dredging project - Ningi dredged material placement site - 'pond' layout

The dredging and material placement sites are located approximately 12km apart (by road). This provides for some challenges regarding the economical transport of dredged material. Potential options for the material transport include:

ITEM 2.3 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - EXPRESSIONS OF INTEREST - DIVISION 1 - A20319178 (Cont.)

1. **Pipeline** - A purpose-built slurry pipeline (approx. 10-12 inch diameter) may be temporarily installed across Pumicestone Passage to carry the dredged material to the site. A number of 'booster stations' (small pump stations) would also be required along the pipeline to successfully pump the material to the placement site.
2. **Road** - Dredged material may be transferred to the site in sealed trucks (similar to a cement mixer). Approximately two trucks, each completing between 10 and 15 trips per day (total daily truck movements of 20 - 30 round trips per day) are anticipated using this method.
3. **Barge** - it is conceivable that shallow-draft barges could transport the dredged material from the dredge site, up Ningi Creek to the material placement site, and then transfer the material into the ponds via short section of slurry pipeline. This option is less likely feasible compared with the other two options due to the shallow depths within Ningi Creek and a potentially significantly more onerous approvals pathway.

Each of these options has marked differences in terms of the required statutory approvals and engineering specifications, including; dredging equipment, transport routes, environmental overlay triggers, and how water would be managed, and the dredged material treated at the Ningi site. The different options will also have varying degrees of impact upon the community and the natural environment. As such, Council officers consider that it is in the public interest to invite Expressions of Interest for the project, prior to requesting written tenders, to facilitate:

- assessment of dredging and material transport options available in the market, including indicative pricing;
- selection of a preferred option(s) to carry forward into the detailed design & specification and approvals acquisition tasks/phases;
- shortlisting of suitably experienced contractors for the eventual tender;
- further consultation with stakeholders regarding likely dredging and material transport methods, plus project timeframes.

3. **Strategic Implications**

3.1 Legislative / Legal Implications

The proposed EOI and subsequent tender process will be undertaken in accordance with the requirements set out in the Local Government Regulation 2012.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

This EOI will be completed in accordance with the provisions of the following documents:

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

3.4 Risk Management Implications

The Project Risk Management Plan has identified that seeking Expressions of Interest and shortlisting contractors prior to requesting written tenders will help mitigate a range of project risks, including the following:

- Approvals delays (or rejection) due to alternative dredging & transport methodologies submitted at tender phase.
- Inexperienced contractors tendering the works and subsequent failure to fulfil project objectives.
- Inadequate consultation with stakeholders regarding transport methods and project timeframes prior to works commencement.
- Project delays as a result of obtaining approvals for, and specifying, dredging and material transport methods that are not available in the market, environmentally unsustainable and/or not financially feasible.

ITEM 2.3 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - EXPRESSIONS OF INTEREST - DIVISION 1 - A20319178 (Cont.)

3.5 Delegated Authority Implications ☒ Nil identified

3.6 Financial Implications

The cost of maintenance dredging and spoil disposal within Pacific Harbour is funded by the *Pacific Harbour Canal Maintenance Special Charge*.

A total of \$8,977,000, covering dredging and spoil disposal, has been allocated across FY20/21 and FY21/22 for this project within the Pacific Harbour 50y Canal Maintenance Model. Of this, \$2,710,600 is currently allocated in Council's FY20/21 Budget and Operational Plan.

The budgeted costs include a charge to the levy of \$30 per cubic meter for placement of material at the Ningi site (i.e. a 'gate fee' - totalling \$2.25M for this project).

Notwithstanding the above, indicative costing will be requested as part of the Expressions of Interest.

3.7 Economic Benefit Implications

The proposed maintenance dredging will help to ensure safe navigation and mooring at the Pacific Harbour Marina, and therefore help to maintain the economic benefits to the area associated with the marina and attached businesses.

3.8 Environmental Implications

The project sites are located adjacent to parts of the Moreton Bay Marine Park and a designated Fish Habitat Area. Whilst environmental permits and approvals have not yet been finalised, these will be secured prior to tendering the works. Environmental monitoring, as required by the final approvals, will be undertaken throughout the works, including independent monitoring by Council's consultant. An environmental management plan will also likely be required, including review and endorsement by the Department of Environment and Science prior to works commencing.

3.9 Social Implications

The proposed maintenance dredging will have a positive impact to the residents and marina users of Pacific Harbour. However, there are a range of potential negative social impacts associated with the project and these are broadly outlined on MBRC's project web page, along with proposed high-level measures to minimise impacts. The identified potential impacts include; Noise, Dust, Odour and Water Quality, and these will be managed during the works.

Respondents to the Expressions of Interest will be required to outline proposed measures to address these (plus other) potential impacts as part of detailing their proposed dredging and material placement methodology.

MBRC's Cultural Heritage Planning Officer is also currently working with representatives of the traditional custodians (Kabi Kabi First Nations People), and the Infrastructure Planning and Asset Maintenance departments, towards preparation of a Cultural Heritage Management Plan (within a broader Environmental Management Plan for the site), to help protect cultural heritage values identified within the site.

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication

The Councillor for Division 1 has been consulted regarding the EOI and is supportive of the project.

Previous consultation undertaken to-date regarding this project is summarised as follows:

- Public consultation session at Ningi Community Hall 22 May 2019.
- Pacific Harbour Canal Property Owner's Association (PHCPOA) - four-monthly meetings (ongoing) - including Division 1 Councillor & DWCP Manager (incl. Jun 2019, Oct 2019, Feb 2020, Jun 2020).
- Project Web Page established June 2019 (ongoing).

ITEM 2.3 BANKSIA BEACH - PACIFIC HARBOUR - MAINTENANCE DREDGING - EXPRESSIONS OF INTEREST - DIVISION 1 - A20319178 (Cont.)

A Council Briefing Session will be held at the completion of the EOI assessment process to advise Council of the proposed methodology that will be tendered and to inform the community consultation program.

Future stakeholder consultation will be delivered in-line with the Project Communication Management Plan, prior to awarding of the tenders, including meetings with PHCPOA and Ningi residents, updates to the Project Web Page, and project works notifications as appropriate.

UNCONFIRMED

3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION

(Cr B Savige)

ITEM 3.1 - WITHDRAWN

REDCLIFFE - REDCLIFFE MEMORIAL SWIMMING POOL - SHELL RENEWALS

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20412290. : 18 August 2020 - Refer **Confidential** Supporting Information
A20412705
Responsible Officer: RM, Manager Asset Maintenance (ECM Asset Maintenance)

This item was withdrawn at the request of the Chief Executive Officer.

ITEM 3.2
COVID-19 MORETON RECOVERY PLAN 2020-2021

Meeting / Session: 3 ENGINEERING, CONSTRUCTION & MAINTENANCE
Reference: A20415354 : 21 August 2020 - **Refer Supporting Information A20458262**
Responsible Officer: VA, Disaster Resilience and Recovery Coordinator (ECM Directorate)

Executive Summary

This report seeks Council endorsement of the COVID-19 Moreton Recovery Plan 2020-2021.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Mick Gillam

CARRIED 13/0

That the COVID-19 Moreton Recovery Plan 2020-2021 be endorsed as Council's approved plan to mitigate and recover from the effects of the COVID-19 pandemic on the Moreton Bay Region.

ITEM 3.2 COVID-19 MORETON RECOVERY PLAN 2020-2021 - A20415354 (Cont.)

OFFICER'S RECOMMENDATION

That the COVID-19 Moreton Recovery Plan 2020-2021 be endorsed as Council's approved plan to mitigate and recover from the effects of the COVID-19 pandemic on the Moreton Bay Region.

REPORT DETAIL

1. Background

On 12 May the Moreton Recovery Group was activated to provide recovery guidance and oversight of the region's recovery approach from the effects of COVID-19. The COVID-19 Moreton Recovery Plan has been written to detail the arrangements, roles, responsibilities, recovery objectives and strategies required to ensure a coordinated recovery from the pandemic.

A Council briefing was conducted on 19 August 2020. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

BRIEFING 1 MORETON COVID-19 RECOVERY PLAN 2020-2021

EXTRACT TO BE INCLUDED IN OFFICER'S REPORT

The CEO noted the way forward:

That the COVID-19 Recovery Plan 2020-2021 be submitted to Council for adoption.

2. Explanation of Item

The COVID-19 Moreton Recovery Plan has been developed after meetings and workshops with key stakeholders including local community organisations, businesses and industries. Economic and Human and Social Recovery Actions Plan are being developed via a collaborative process involving members of the Economic and Human and Social Recovery Sub-Groups.

These Action Plans will detail the immediate, medium and long-term actions that will be undertaken to assist the community to recover from the impacts of COVID-19. These plans are working documents and will be reviewed regularly by the respective Recovery Sub Groups.

3. Strategic Implications

3.1 Legislative / Legal Implications

This plan has been prepared under the authority of the Moreton Bay Local Disaster Management Group as a special plan of the Local Disaster Management Plan and in accordance with section 30 of the *Disaster Management Act 2003*.

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

Risk management continues to be an essential element of disaster planning. The COVID-19 Moreton Recovery Plan highlights the importance of ongoing disaster risk management through continuous monitoring of the situation.

3.5 Delegated Authority Implications

☒ Nil identified

ITEM 3.2 COVID-19 MORETON RECOVERY PLAN 2020-2021 - A20415354 (Cont.)

3.6 Financial Implications

There are no foreseen funding requirements associated with the COVID-19 Moreton Recovery Plan. The financial implications associated with the Action Plans are still being worked through and will be finalised with the completion of the Action Plan work.

3.7 Economic Benefit Implications

An Economic Recovery Taskforce was activated to assist in identifying economic impacts and establish recovery objectives and strategies. An Economic Recovery Sub Group has now been activated to continue identifying impacts and implement these actions in the immediate, medium and long-term phases of recovery. It is expected that economic benefits will be identified throughout this process and included in the Economic Action Plan.

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

This plan seeks to support individuals, communities, businesses, industries, non-government organisations and government agencies. A Human and Social Recovery Taskforce was activated to assist in identifying impacts and establish recovery objectives and strategies. A Human and Social Recovery Sub Group has now been activated to continue identifying impacts and implement these actions in the immediate, medium and long-term phases of recovery. It is expected that human and social benefits will be identified throughout this process and included in the Human and Social Action Plan.

3.10 Human Rights Implications

☒ Nil identified

3.11 Consultation / Communication

Consultation has taken place with members of the following:

- Mayor and Councillors
- Executive Management Team (EMT)
- Local Disaster Management Group (LDMG)
- Moreton District Disaster Management Group (DDMG)
- Moreton Recovery Group (MRG)
- Human and Social Recovery Sub Group
- Economic Recovery Sub Group
- Human and Social Recovery Taskforce
- Economic Recovery Taskforce

ATTENDANCE

Mr Dan Staley and Ms Amy White attended the meeting at 10.08am for discussion on Item 4.1.

4 PLANNING SESSION**(Cr D Grimwade)**Declarations of interest statement

Councillor Grimwade informed Council that he had a Conflict of Interest to declare at Item 4.2 and that Cr Karl Winchester (Deputy Portfolio Councillor) would facilitate the conduct of that item.

ITEM 4.1**DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN**

APPLICANT: Mr Adam Whiting and Ms Jessica Creagh c/- Reel Planning Pty Ltd
OWNER: Miss Jessica A R Creagh and Mr Adam G Whiting

Meeting / Session: 4 PLANNING
 Reference: A20333660 : 29 July 2020 – Refer Supporting Information A20348135, A20340114, A20348136 & A20348137
 Responsible Officer: MO, A/Senior Planner (PL Development Services)

Executive Summary

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

APPLICATION DETAILS

Applicant:	Mr Adam Whiting and Ms Jessica Creagh c/- Reel Planning Pty Ltd
Lodgement Date:	17 July 2019
Properly Made Date:	17 July 2019
Confirmation Notice Date:	30 July 2019
Information Request Date:	14 August 2019
Info Response Received Date:	1 May 2020
Public Notification Dates:	15 May 2020 - 05 June 2020
No. of Submissions:	Properly Made: One (1) Not Properly Made: Nil (0)
Decision Due Date:	14 July 2020
Prelodgement Meeting Held:	Yes, PRE/4540

PROPERTY DETAILS

Division:	MBRC Division 12
Property Address:	134 Station Road, Wamuran
RP Description	Lot 1 RP 111839
Land Area:	6.414 Hectares
Property Owner	Miss Jessica A R Creagh and Mr Adam G Whiting

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	Moreton Bay Regional Council Planning Scheme
Planning Locality / Zone	Rural zone - Agriculture precinct
Level of Assessment:	Impact Assessment, Policy Neutral

MOTION

Moved by Cr Tony Latter

Seconded by Cr Adam Hain

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

AMENDMENT MOVED

Cr Tony Latter moved the following amendment:

That Condition 6 - Premises Hours of Operation be amended to now read as follows:

Limit the hours of operation to between 6.30am to 6.30pm Monday to Saturday.

Seconded by Cr Mark Booth

The amendment was put to the vote and declared **LOST 0/13**

AMENDMENT MOVED

Cr Tony Latter moved the following amendment:

That an additional condition be imposed:

That the permitted use is not to use Station Road, Wamuran to the south of the subject site between the hours of 5.00am - 6.30am.

Seconded by Cr Mick Gillam

The amendment was put to the vote and declared **CARRIED 13/0**

THE AMENDMENT BECOMES THE MOTION, and was put:

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Adam Hain

CARRIED 13/0

That the Officer's Recommendation be adopted as detailed in the report, with the inclusion of an additional condition:

That the permitted use is not to use Station Road, Wamuran to the south of the subject site between the hours of 5.00am - 6.30am.

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

This application seeks a Material Change of Use - Development Permit for Transport Depot at 134 Station Road, Wamuran, on land described as Lot 1 RP 111839 (Division 12). This application has been lodged as a result of compliance action undertaken by Council, as the site is already operating as a transport depot. As a result of this application, if approved, the development would be able to continue operating, subject to a reduced use area and an improved Station Road to accommodate the heavy vehicles.

The application was publicly advertised with one (1) submission received.

The proposed development is considered to accord with the intent of the Moreton Bay Regional Council Planning Scheme, and is recommended to be approved, subject to conditions.

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 Transport Depot at 134 Station Road, Wamuran described as Lot 1 RP 111839, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Based Stormwater Management Plan	K4542-0005-B	Knobel Engineers	01/05/2020
Traffic Impact Assessment	20-008 Rev. A	Pekol Traffic and Transport	July 2020
Bushfire Management Plan	J000571	North Coast Environmental Services	09/04/2020

Plans to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan	HDA20190608 Rev. C	Harper Design Arc P/L	21/02/2020

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
1	Approved Plans and/or Documents	
	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.	To be maintained at all times.
2	Amended Plan Required	
A	Submit an amended Site Plan incorporating the following: <ul style="list-style-type: none"> Contractor parking bays in accordance with AS2890 at a rate of 1 space per truck parking area. Include a notation that the existing access location is to be closed and re-instated. Detail a 2.0m high landscaped earth mound to the north, west and southern perimeter (front and side) of the hardstand area to provide a vegetated visual screen. 	Prior to any Approval of Operational Works and within three (3) months of the date of this approval.

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	<ul style="list-style-type: none"> Include a notation showing existing vegetation to the south of the hardstand area to be retained. 	
B	Obtain approval from Council for the amended Site Plan in accordance with (A) above.	Prior to any Approval of Operational Works and within three (3) months of the date of this approval.
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 and within four (4) months of the date of this approval.
3	Maximum Use Area	
	Ensure that the development does not exceed a maximum use area of 1,500m ² and reinstate all areas outside of the use area back to grass.	At all times.
4	Limitations of Use	
A	No vehicle servicing or major repairs, including spray painting or panel beating, is undertaken on the site.	At all times.
B	Refuelling of vehicles and other fuel storage purposes are not permitted.	At all times.
C	The washing of vehicles or equipment is not permitted unless a suitable and approved system is installed to prevent contaminants entering the environment.	At all times.
5	On-Site Car Spaces	
A	Provide car parking generally 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.
6	Premises Hours of Operation	
	Limit the hours of operation to between 5am to 6pm Monday to Saturday.	At all times.
7	Front Fencing	
	Ensure that any security fencing is constructed to a maximum height of 1.8 metres and constructed of high quality powder coated metal and is at least 70 percent semi-transparent.	At all times.
8	Screen Fencing	
	Construct a screen fence along the common boundary to Lot 22 RP 111839 for the full length of Lot 22 northern boundary. Unless an alternative design is agreed to with the owner of the adjoining land,	Within four (4) months of the date of this approval.

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
	the screen fence is to be 1.8 metres in height and constructed of treated timber.	
9	Landscaping	
A	Provide landscaping on site generally in accordance with Planning Scheme Policy - Integrated Design (Appendix D - Landscaping): The landscaping must also include the following: <ul style="list-style-type: none"> A screen buffer along the road frontage and south and north perimeter of the hardstand. The screen buffer must consist of a 2.0m high earth mound that must include plant densities in accordance with Table 2 of the PSP. Tree species must have a mature height of no less than 2 metres. 	Within four (4) months of the date of this approval.
B	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	Within four (4) months of the date of this approval.
C	Maintain the landscaping.	At all times.
10	Extent of Vegetation Clearing	
	Clearing of native vegetation must not occur between the transport depot and the existing residences to the south.	Prior to and during site works and to be maintained.
DEVELOPMENT PLANNING		
11	Amended Noise Impact Assessment Required	
A	Submit an amended environmental noise impact assessment to include the following - <ul style="list-style-type: none"> Consideration of the amended layout and its proximity to sensitive uses. Consideration of finished surface as required by conditions of this development permit. Demonstrate the use can operate within the established noise limits. 	Prior to submitting an application for operational works approval and within three (3) months of the date of this approval.
B	Obtain approval from Council for the amended environmental noise impact assessment.	Prior to submitting an application for operational works approval and within three (3) months of the date of this approval.
C	Implement all noise attenuation measures recommended in the approved environmental noise impact assessment.	Within four (4) months of the date of this approval.
D	Provide certification from a suitably qualified person that the recommended attenuation measures have been installed/implemented in accordance with the specifications of the approved environmental noise impact assessment.	Within four (4) months of the date of this approval.
12	External Lighting	

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
A	Any external lighting is to be in accordance with AS4282:2019 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	At all times.
B	Should lighting be installed, 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).	Within four (4) months of the date of this approval.
13	Waste Management	
	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	At all times.
ENVIRONMENTAL PLANNING		
14	Bushfire Management Plan	
	Implement the requirements and recommendations of the approved Bushfire Management Plan.	To be maintained.
DEVELOPMENT ENGINEERING		
15	Replace Existing Council Infrastructure	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	At all times.
16	Alterations and Relocation of Existing Services	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	At all times.
17	Stormwater	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	At all times.
18	Stormwater Management	
A	Stormwater drainage discharge from the development compound must not adversely impact adjoining lots or cause nuisance and annoyance to any person.	At all times.
B	Prepare and implement a Stormwater Management Strategy prepared by a RPEQ addressing stormwater quality discharging from the development compound. The plan must demonstrate the capture and mitigation methods of stormwater discharged from the compound and is to comply with the quality requirements of the Planning Scheme Policy Integrated Design Appendix C and Water Sensitive Urban Design.	Within four (4) months of the date of this approval.

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
C	Provide certification from an RPEQ that all works have been designed and constructed in accordance with this permit condition.	Within four (4) months of the date of this approval.
D	Maintain and repair the completed private infrastructure works to ensure its ongoing effectiveness. The certified works shall not be altered in any way without the prior written approval of Council.	At all times.
19	New Council Roads	
A	<p>Submit and have approved by Council, a development application for operational works for the following:</p> <p>Frontage works are as follows:</p> <ul style="list-style-type: none"> Station Road - Industry Access <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> <p>Notes: Construct from the D'Aguilar Highway and Station Road connection to the driveway crossover of the development a full pavement reconstruction for the ultimate 7.0 meter wide road pavement and 1.0m gravel shoulders. The travel lane measured from the edge of bitumen to the crown is to be 3.5 metres. Kerbside on-street parking is not required.</p>	Within three (3) months of the date of this approval.
B	<p>Construct, at no cost to Council and in accordance with the approved plans and documents of development the following:</p> <ol style="list-style-type: none"> The frontage road and associated works identified in (A) above. <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	Within six (6) months of the date of this approval.
20	Erosion and Sediment Control	
	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.
21	Driveway Crossover	
A	Construct a driveway crossover to Lot 1 RP111839 in accordance with the approved plans and documents of development and MBRC Standard Drawing RS-051.	Within three (3) months of the date of this approval.
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.	Within three (3) months of the date of this approval.

Moreton Bay Regional Council

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ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT PLANNING		
22	Existing Driveway Crossover	
	Remove completely all redundant driveway crossovers fronting the development site on Station Road. Reinstate all disturbed areas (including kerb and channel) to Council's standards current at the time of development.	Within three (3) months of the date of this approval.
23	Access, Internal Roadways, Parking and Servicing Areas	
A	Design and construct sealed (concrete or bitumen) or compacted gravel 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.	Within three (3) months of the date of this approval.
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.	Within three (3) months of the date of this approval.

CONCURRENCE AGENCY		
1	Concurrence Agency	
A	Comply with the conditions of State Development, Manufacturing, Infrastructure and Planning response dated 13 March 2020 (reference: 1907-12405 SRA) or as amended.	At all times.
B	Provide certification to Council prepared by a suitably qualified person or the agency demonstrating the requirements of the agency have been met.	At all times.

ADVICES	
1	Aboriginal Cultural Heritage Act 2003
	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p>

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

ADVICES	
	Council strongly advises that before undertaking the land use activity, you refer to the cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government) for further information regarding the responsibilities of the developer.
2	Adopted Charges
	<p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p>

- B. That an Infrastructure Charges Notice for the development application be provided to the applicant and included as part of the Decision Package.
- C. That the properly made submitter for the development application be provided with a copy of the Council's Decision Notice in accordance with Section 63(1)(e) of the *Planning Act 2016*.
- D. 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*.
- E. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	Material Change of Use - Development Permit for Transport Depot
Other Necessary Permits	<ul style="list-style-type: none"> Operational Works – Development Permit
Currency Period of Approval	Material Change of Use – 6 years
Section 64(5) Deemed Approval	Not applicable
Variation Approval	Not applicable
Local Categorising Instrument	<p>Local Categorising Instrument - Moreton Bay Regional Council Planning Scheme</p> <ul style="list-style-type: none"> 6.2.10 Rural zone code Strategic Framework <p>Local Categorising Instrument (Variation Approval) Not applicable</p>

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	Details to Insert
	Local Categorising Instrument (Temporary Local Planning Instrument) Not applicable
Other Relevant Assessment Matters	Not applicable.
Reasons for the Decision	Assessment Report

REPORT DETAIL

Proposal

APPLICATION DETAILS	
Applicant:	Mr Adam Whiting and Ms Jessica Creagh c/- Reel Planning Pty Ltd
Lodgement Date:	17 July 2019
Properly Made Date:	17 July 2019
Confirmation Notice Date:	30 July 2019
Information Request Date:	14 August 2019
Info Response Received Date:	1 May 2020
Public Notification Dates:	15 May 2020 - 05 June 2020
No. of Submissions:	Properly Made: One (1) Not Properly Made: Nil (0)
Decision Due Date:	14 July 2020
Prelodgement Meeting Held:	Yes, PRE/4540

This application seeks a Material Change of Use - Development Permit for Transport Depot at 134 Station Road, Wamuran, on land described as Lot 1 RP 111839 (Division 12). This application has been lodged as a result of compliance action undertaken by Council, as the site is already operating as a transport depot. As a result of this application, if approved, the development would be able to continue operating, subject to a reduced use area and an improved Station Road to accommodate the heavy vehicles.

The application seeks to create a hardstand area of 1,500m² for the parking of heavy vehicles, notably being a substantial reduction in area over the existing operations. The proposal plan provides for parking for up to 8 articulated vehicles on site. The application does not propose any dedicated employee parking (instead the applicant has identified that employees will be able to place their cars in the heavy vehicle bays whilst the heavy vehicles are offsite. However, it is a recommendation of this report that one car parking space for employee parking is provided for each heavy vehicle space on site.

There are no buildings or structures proposed as part of the development. The proposal does not involve any mechanical repairs, vehicle servicing, washdown or refuelling facilities and conditions have been recommended to ensure compliance. Landscaping and revegetation requirements have also been included to improve visual amenity associated with the use. Additionally, as the application is for Transport Depot only, any approval given would not provide for the placing / storing of fill or landscaping products on site.

As the site is located within the Regional Landscape and Rural Production Area under the South East Queensland Regional Plan, additional development requirements apply to ensure the scale of the use is consistent with the regional plan. Of importance, a 1,500m² threshold applies to outdoor areas (as defined in the planning regulation) to avoid referral to the State. The applicant has identified that the proposal provides exactly 1500m² of outdoor area. The recommended conditions of approval ensure that all aspects of the use are undertaken within this allowable area.

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The application was publicly advertised with one (1) submission received.

An assessment of the development application has been undertaken under the *Planning Act 2016*. The proposed development is considered to accord with the intent of the Moreton Bay Regional Council Planning Scheme, and is recommended to be approved, subject to conditions.

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

1. Background

1.1 Site History

On 4 June 2018, a prelodgement meeting was held with Council officers in relation to a proposed development for a Transport Depot and Bulk Landscape Supplies. Council officers advised that the proposal presented at prelodgement would not be supported due to the scale of the proposed use and impacts on high quality agricultural land and rural amenity expected in the locality. The current proposal has been amended to remove the bulk landscape supplies component and now seeks a transport depot over a substantially smaller footprint.

1.2 Description of the Site and Surrounds

1.2.1 *Current use of the subject land and surrounding land*

The site contains a dwelling house and associated outbuildings and has historically been utilised for cropping as a pineapple farm. Surrounding land provides similar rural functions, including cropping and dwelling houses.

1.2.2 *Topography*

The site gradually slopes from the north west towards the south east, at a rate of approximately 6%. The development footprint is generally flat, and the proposal doesn't involve extensive earthworks to create the hardstand area.

1.2.3 *Vegetation*

The development footprint is void of vegetation, and the development does not seek approval to remove any existing vegetation on the site. There are no accepted development clearing provisions afforded to the development following approval that would impact on vegetation mapped under the MBRC Planning Scheme, nor impact on a mapped Koala Habitat Area.

1.2.4 *Access Improvements*

The development, if approved, would require a new industrial standard crossover approximately 50 metres south of the Station Road / D'Aguilar Highway intersection. Additionally, the applicant will be required to upgrade Station Road to a standard suitable for the proposed heavy vehicle traffic between the intersection and the proposed driveway. The existing crossover is to be removed and the verge reinstated to match existing conditions.

1.2.5 *Constraints on the property*

The development footprint is largely clear of constraints mapped under the MBRC Planning Scheme, with the exception of bushfire hazard and overland flow paths. The development has been assessed against the applicable values and constraint criteria in the zone code and is considered to be compliant with the requirements.

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2. Explanation of Item

2.1 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.

Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> South East Queensland Regional Plan <u>From Schedule 10 of the Regulation:</u> Nil
SEQ Regional Plan Designation:	<ul style="list-style-type: none"> Regional Landscape and Rural Production Area
Koala Habitat Designation:	Nil

2.1.1 *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 benchmarks - Liveable communities
<u>Comment</u> Not applicable.
Assessment benchmarks - Mining and extractive resources
<u>Comment</u> Not applicable.
Assessment benchmarks - Water quality
<u>Comment</u> Not applicable.
Assessment benchmarks - Natural hazards, risk and resilience
<u>Comment</u> Not applicable. Whilst the site is located within the 'local government flood mapping area' on the SPP mapping, it is not within a flood hazard area under Council's Flood hazard overlay.
Assessment benchmarks - Strategic airports and aviation facilities
<u>Comment</u> Not applicable.

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2.1.2 South East Queensland Regional Plan

The development proposal is for a Material Change of Use in the Regional Landscape and Rural Production Area. An assessment against the applicable assessment criteria of the SEQRP has been undertaken and the proposal is considered to be consistent. It is a requirement of the Planning Regulation that development over 1,500m² in outdoor area is referred to the State for assessment against the SEQRP. In this instance, the applicant has advised that the development provides an outdoor area of 1,500m². Conditions of the approval are recommended to ensure compliance with this aspect of the SEQRP.

2.2 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.

2.2.1 Strategic Framework

The site is located within Rural place type per the Strategic Framework of the MBRC Planning Scheme. Upon review of the proposed development, it is considered that the proposal achieves the intent of the Rural element of the Strategic Framework and complies with each of the Strategic Outcomes.

Key matters within this element include ensuring that development does not cause the cessation of primary production activities within the Agriculture precinct, protects good quality agricultural land, and provides small scale industrial activities that support rural activities. Whilst it is noted that the site is currently not operating as a primary production activity, the proposed Transport Depot does not impact on the site's ability to operate a primary production function should the landowner wish to undertake such a function.

Therefore, in accordance with the above, the proposal is generally consistent with the expectations set out in the Strategic Framework.

2.2.2 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
Zone/ Local Plan Code		
Rural zone code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO10, PO80, PO83, PO89, PO97

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 2.3.3.

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2.2.3 Performance Outcome Assessment

Performance Outcome	Example
Rural zone code	
<p>PO10 On-site car parking associated with an activity provides safe and convenient on-site parking and manoeuvring to meet anticipated parking demand.</p> <p>Note - Refer to Planning scheme policy - Integrated transport assessment for guidance on how to achieve compliance with this outcome.</p>	<p>E10 On-site car parking is provided in accordance Schedule 7 - Car parking.</p>
Performance Outcome Assessment	
<p>Schedule 7 provides that parking is provided at a minimum of 2 spaces per tenancy plus 1 space per 100m² of area associated with the use. As the transport depot is proposed to be operated by a single company and contains a use area of 1,500m², 17 parking spaces would be required to meet the Example.</p> <p>The applicant has proposed to accommodate employee parking as follows:</p> <p><i>[The] operation of the transport depot would allow employees to park passenger vehicles within truck parking bays as follows:</i></p> <ul style="list-style-type: none"> <i>in the morning staff would arrive by passenger car, which would be parked temporarily on-site</i> <i>employees would then take a truck from the parking area and park the passenger car in the truck bay</i> <i>employees would use the truck for duration of the working day as required</i> <i>when returning to the facility in the afternoon, employees would remove the passenger car and then park the truck back in the dedicated bay where it would remain overnight</i> <p>Council officers have raised concern that the proposed parking arrangement may result in unsafe vehicle movements, particularly as trucks are expected to stop and wait whilst private cars are moved in/out of heavy vehicle parking areas. As a result, Council officers recommend that an amended site plan be provided to provide additional parking areas on site for employees separate to the heavy vehicle parking area.</p> <p>It is recommended that this parking be provided at a rate of 1 car parking space per Heavy Vehicle parking space. This additional parking area must be accommodated within the 1,500m² outdoor area cap imposed by the regional plan.</p> <p>Subject to the recommended conditions, it is recommended that the alternative solution be accepted.</p>	
<p>PO80 Development ensures that:</p> <ol style="list-style-type: none"> it does not adversely impact upon the low density, low intensity built form and open area character and amenity for the locality; the scale and intensity of the development does not result in adverse visual or nuisance impacts on the 	<p>E80.1 Development, including all vehicle parking, drive way areas and storage areas, is set back 30m from all property boundaries.</p> <p>E80.2</p>

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Performance Outcome	Example
<p>residents in adjoining or nearby dwellings, and when viewed from the road;</p> <p>c. vehicular movements are consistent with that reasonably expected in the surrounding low density, low intensity built form and open area character and amenity for the Rural zone.</p>	<p>The maximum number of heavy vehicles, trailers and motor vehicles stored on-site is as follows:</p> <p>a. 4 heavy vehicles;</p> <p>b. 4 trailers;</p> <p>c. Up to 6 motor vehicles.</p>
<i>Performance Outcome Assessment</i>	
<p>The proposal seeks a reduced setback of 5 metres from the primary frontage. All other setbacks are in excess of 30 metres, per the Example. The proposal also seeks approval for parking for up to 8 articulated vehicles, which requires employee parking for approximately 8 private vehicles.</p> <p>The proposal, subject to the recommended conditions, can be operated in a manner that does not adversely impact upon the low density, low intensity built form and open area character of the area nor result in adverse amenity impacts for nearby dwellings. Recommended conditions include a landscaped earth mound as well as hours of operation and the submission of an acoustic report. The traffic movements are considered appropriate given the proximity to the Highway.</p> <p>It is recommended that the alternative solution be accepted.</p>	
<p>PO83 Development gains access to a State Arterial, Arterial or Sub-Arterial road as they are roads of a suitable construction standard to accommodate heavy vehicles. Access to roads of a lesser classification are avoided.</p>	<p>E83 The site obtains vehicle access from a road classified as a State Arterial, Arterial or Sub-Arterial (see Overlay map - Road hierarchy).</p>
<i>Performance Outcome Assessment</i>	
<p>The development proposes access to Station Road, a Council local road. In this instance the development proposes to gain access onto a Council road as close as practicable to the D'Aguilar Highway (being a State Arterial road), whilst also achieving the requirements of the Dept of Main Roads. The access location balances the need to be close to the state controlled whilst also avoiding impacts to the safety and efficiency of the intersection. It is a recommendation of this report that the developer upgrade Station Road from the driveway crossover to the intersection to cater for the new use in accordance with design criteria of the MBRC Planning Scheme.</p> <p>It is recommended that the alternative solution be accepted.</p>	
<p>PO89 Development that does not require access to, or rely on the use of, fertile soils is not located in the Agricultural precinct.</p>	<p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The proposed development will occupy part of the site that has not been utilised for productive agricultural use. The application material identifies that the transport company largely moves soil and dirt through rural areas.</p> <p>It is recommended that the alternative solution be supported despite not complying with this performance outcome.</p>	

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Performance Outcome	Example
PO97 Development provides an adequate water supply for fire-fighting purposes.	E97 a. a reticulated water supply is provided by a distributor retailer for the area or; b. where not connected to a reticulated water supply, on-site fire fighting water storage containing not less than 10 000 litres (tanks with fire brigade tank fittings, swimming pools) is located within 10m of buildings and structures. c. Where a swimming pool is the nominated on-site fire fighting water storage source, vehicle access is provided to within 3m of that water storage source. d. Where a tank is the nominated on-site fire fighting water storage source, it includes: <ul style="list-style-type: none"> i. a hardstand area allowing medium rigid vehicles (15 tonne fire appliance) access within 6m of the tank; ii. fire brigade tank fittings, comprising 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines.
Performance Outcome Assessment	
The proposal does not seek to provide water storage and is not located within the reticulated water network service catchment. The proposal seeks a hardstand parking area for the purpose of storing vehicles, and as such does not pose a risk of loss of life in the event of a bushfire. It is recommended that the alternative solution be accepted in this instance.	

2.2.4 Overall Outcome Assessment

As an Impact Assessable application, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

6.2.10 Rural zone code	
Overall Outcomes (All Precincts)	Complies Y/N
a. A wide range of rural uses, as identified in the table below, are established.	Yes
Comments	
The proposal is for a Transport Depot, which is a Merit Based Use in accordance with the relevant tables.	
b. Rural activities and primary production activities are protected from intrusion by incompatible development.	Yes

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6.2.10 Rural zone code	
Comments	
The proposed development is not incompatible with the rural activities and primary production activities occurring on or neighbouring the site.	
c. Intensive rural activities [...].	N/A
Comments	
The proposal does not involve an intensive rural activity.	
d. Residential uses are limited to a single dwelling house per allotment. A secondary dwelling is permitted provided it functions and appears subordinate to the principal dwelling house	N/A
e. A range of housing options provide short-term accommodation for tourists in proximity to tourist attractions	N/A
f. Accommodation for rural workers is provided on or in close proximity to rural activities.	N/A
Comments	
The proposal doesn't provide residential or tourist accommodation nor preclude such accommodation from being delivered in a way consistent with the planning scheme.	
g. Active and passive outdoor recreational opportunities for residents and visitors to the region are established.	N/A
Comments	
The proposal doesn't provide recreational opportunities nor preclude such activities from being delivered in a way consistent with the planning scheme.	
h. Intensification of existing and new commercial and retail development does not occur.	N/A
Comments	
The application doesn't seek to intensify any existing commercial or retail development.	
i. Development maintains the open area character and scenic amenity, including the low density, low intensity and dispersed built form which defines the rural place type.	Yes
Comments	
The proposal consists of a hardstand area measuring 1,500m ² and does not propose any additional buildings or structures on the site.	
j. Development does not adversely affect the operation of aviation facilities at Mt Glorious (See Overlay map - Infrastructure buffers). This aviation facility comprises a VHF beacon.	Yes
Comments	
The development is not located within proximity to the Mt Glorious VHF Beacon and does not affect its operation.	
k. Development does not result in adverse or nuisance impacts on adjoining properties or the wider rural environment. Any adverse or nuisance impacts are contained and internalised to the lot through location, design, operation and on-site management practices.	Yes
Comments	
The recommended conditions of approval ensure that the development will be operated in a manner that avoids adverse or nuisance impacts on adjoining properties or the environment.	

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6.2.10 Rural zone code		
l. Development generating high volumes of traffic or involving heavy vehicle traffic movements is located on roads of a standard and capacity to accommodate traffic demand.		Yes
Comments		
The recommended conditions of approval require the upgrade of Station Road between the site access and the D'Aguilar Highway intersection to the standard appropriate for the development traffic.		
m. Development does not result in the establishment of industrial activities, other than rural industry.		No
Comments		
A transport depot is considered an industrial activity, and as such does not comply with this outcome. However, the consistent use table (overall outcome 't') provides that transport depots may be consistent uses in the Rural zone.		
It is considered that the proposed development is of a scale that is consistent with the expected amenity of a productive rural locality and would not result in the adverse impacts that would be associated with other forms of industrial activity that would be unsuitable for this site.		
n. General works associated with the development achieves [specific requirements].		Yes
Comments		
The proposal complies with all of the performance outcomes for general works within the Rural zone code and as such it is considered that the works comply with the overall outcome.		
o. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.		Yes
p. 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.		Yes
Comments		
The recommend conditions of approval ensure that the development will be operated in a manner that avoids environmental nuisance.		
q. Noise sensitive uses are designed, sited and constructed so as not to be subject to levels of noise expected from rural activities.		N/A
Comments		
The proposal is not for a noise sensitive use.		
r. Development in a Water supply buffer [...].		N/A
Comments		
The development does not occur in a water supply buffer area.		
s. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds [through specific measures].		Yes
Comments		
The proposal complies with all of the performance outcomes within the Rural zone code relating to values and constraint criteria and as such it is considered that the works comply with the overall outcome.		
t. Development in the Rural zone includes one or more of the [listed uses].		N/A
u. Development in the Rural zone does not include any of the [listed uses].		N/A

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6.2.10 Rural zone code	
v. Development not listed in the tables above will be considered on its merit and where it reflects and supports the outcomes of the zone.	Yes
Comments	
Transport Depot is listed as a consistent use under overall outcome 't' only where on a site greater than 16 Hectares. Transport Depot is not listed as inconsistent under overall outcome 'u'. As this site is only 6.4 hectares, the proposal is to be considered on its merits per overall outcome 'v'. The proposal has demonstrated compliance with the majority of overall outcomes in the rural zone, and on balance is considered to support the outcome sought for the zone.	
Overall Outcomes (Agriculture Precinct)	Complies Y/N
a. Uses having a focus on primary production or requiring access to fertile soils are established.	N/A
Comments	
Whilst the transport depot does not have a primary production focus, this overall outcome does not limit uses in the precinct.	
b. Development not supporting the continued use of land for primary production purposes or requiring access to fertile soils do not occur.	No
Comments	
The proposed transport depot does not directly result in the site being used for primary production and does not require access to fertile soils to operate. Notwithstanding, the proposal as presented for Council's decision has been refined by the applicant to reduce overall scale and limit intrusion into the productive portions of the land to such an extent that the majority of the productive farmland can continue for farming purposes.	
Additionally, the nature of the transport business involves supporting rural endeavours across the region through the provision of transport services for dirt, soil and other fill materials.	
c. Permanent plantations do not occur.	N/A
Comments	
The proposal does not involve a permanent plantation.	
d. Development does not limit or constrain existing and future primary production capability of the land.	Yes
Comments	
The property previously functioned as a pineapple farm, which has since stopped. As the transport depot is constructed to the side of the farming area, should the landowner wish to continue undertaking primary production on the site it would be able to occur uninhibited.	
e. Development in the Agriculture precinct includes one or more of the [listed uses].	N/A
f. Development in the Agriculture precinct does not include any of the [listed uses].	N/A
g. Development not listed in the tables above will be considered on its merit and where it reflects and supports the outcomes of the precinct and zone.	Yes
Comments	
Transport Depot is not listed in the tables accompanying either overall outcome 'e' or 'f' and is therefore anticipated to be assessed on its merits under overall outcome 'g'. The proposal provides a small scale use in an area with good access to the higher road network without compromising the ability of the land to undertake primary production activities. The proposal is considered to be consistent with planning intent for the rural zone and agricultural precinct.	

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Based on the assessment above, the proposal is inconsistent with two overall outcomes, dealing with a broad brush restrictions on industrial uses occurring in the rural zone and a similar restriction on uses on productive farming land. However, all of the overall outcomes combined need to be considered holistically as representing the purpose of the code and failing on a single prescriptive aspect does not of itself mean that the proposal is inconsistent with the purpose of the code. Contrarily, on balance, looking at all of the overall outcomes combined, giving consideration to the nature of the non-compliance with respect to the consistency of the use, the proposed scale and the operational conditions to be imposed, the proposal is consistent with the purpose of the code.

2.3 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 14 August 2018 (CR).

2.3.1 Levied Charge

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

2.3.2 Levied Charge Credit

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

(a) Payment of previous charges or contributions

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

(b) Lawful use of land

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

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

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

(d) The adopted charge for a residential lot (applied equally to non-residential development)

The credit nominally available under this option has been used by the existing residential use on the site, as the existing dwelling is proposed to be retained. Accordingly, the credit available under this option is \$0.00.

2.3.3 Levied Charge Offset or Refund

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

2.3.4 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

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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.

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

2.5 Referrals

2.5.1 *Council Referrals*

2.5.1.1 Development Engineering

Traffic, Access and Parking

The transport depot's traffic is not within the design use of Station Road. It is a recommendation of this report that Station Road, from the development's crossover to the D'Aguilar Highway, be fully reconstructed for the ultimate width to cater for the use in accordance with the MBRC Planning Scheme.

The transport depot has not proposed any internal contractor car parking spaces. It is a recommendation of this report that car parking spaces be provided in accordance with AS2890 and demonstrated in the Site Plan.

Stormwater

The development does not trigger the State Planning Policy for water quality. The stormwater management plan in support of the development proposes to use Best Management Practices for quality. It is recommended a Stormwater Management Strategy prepared by a Registered Professional Engineer Queensland (RPEQ) to demonstrate the capture and mitigation methods of pollutants from the transport depot are undertaken to address the requirements of the MBRC Planning Scheme and Water Sensitive Urban Design deemed to comply solutions.

2.5.1.2 Environmental Health

Noise

A Noise Impact Assessment by ASK consulting has been submitted in support of the application. The report has been reviewed and it is recommended that an amended report is required for the following reasons:

- The proposal has been amended since the noise report was completed which sites the proposed activity marginally closer to the dwelling at 130 Station Road (R1 Residence);
- Council officers do not agree that noise exceedances of 1 to 2 dBA above the criteria are insignificant. A revised report is to consider additional amelioration methods to limit impacts on adjoining sensitive receptors;
- A condition to provide a sealed or compacted gravel surface may require new calculations as that type of surface can result in different noise levels to a loose gravel surface; and
- The removal of a proposed shed structure from the plan will impact the noise as received by the existing dwelling house on the subject site.

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

Lighting

It is recommended that conditions are included to ensure any lighting that is installed is in accordance with the relevant Australian Standard so that it is not obtrusive to neighbouring properties.

Waste management

The recommendations of this report include a condition that the development be undertaken in accordance with SC 6.20 Planning scheme policy - Waste.

2.5.1.3 Environmental Planning

Bushfire hazard

The site is located within the Bushfire hazard area (Potential impact buffer) on Overlay map - Bushfire hazard. The applicant has provided a bushfire management plan that addresses the requirements of the Values and Constraint criteria within the Rural zone code. As such, the BMP is recommended to form part of the approved documents and a condition is recommended to ensure compliance with the plan.

2.5.2 Referral Agencies

2.5.2.1 Concurrence Agencies

The application was referred to the former Department of State Development, Manufacturing, Infrastructure, and Planning (DSDMIP) for matters relating to State-Controlled Roads. Council was advised on 13 March 2020 that DSDMIP has no objection to the development application subject to a number of conditions being attached to Council's Decision Notice.

2.5.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.5.2.3 Third Party Agencies

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

2.6 Public Consultation

2.6.1 Public Notification Requirements under the Development Assessment Rules

- (a) Public Notification was served on all adjoining landowners on 13 May 2020.
- (b) The development application was advertised in the Courier Mail on 14 May 2020.
- (c) A notice in the prescribed form was posted on the relevant land on 14 May 2020 and maintained for the minimum period of 15 business days until 5 June 2020.

2.6.2 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		1
	Petition	-	0
Not Properly Made	Letter, Email, Fax		0
	Petition	-	0
Total			1

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

The matters raised within the submission are outlined below:

Assessment of Submissions
<p>Issue</p> <p>The submission raises concerns with the impact of the development on the rural amenity and character of the area, particularly with respect to the existing extent of operations on the site. The submission advises that the existing operation has resulted in impacts to the amenity through noise, light and visual disruption to the landscape.</p>
<p>Discussion</p> <p>The development application has been lodged in response to Council enforcement action and seeks approval to allow the use to continue. As a result of concerns raised by both Council and the State Government, the scale of the Transport Depot will be significantly reduced when compared to the existing operation. The total area used for the Transport Depot will be limited to only 1,500m².</p> <p>Additionally, the recommended conditions of approval will seek to ameliorate other impacts of the depot on the adjoining residence by providing for appropriate restrictions on noise and light emissions, whilst additional landscaping and revegetation will limit the visual impact.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue</p> <p>The submission raises concerns in relation to stormwater generated from the development.</p>
<p>Discussion</p> <p>The proposed development has provided Site Based Stormwater Management Plan in support of the Transport Depot. Stormwater captured from the ground area of the depot is directed via swales to a detention basin located on the north-eastern corner of the vehicle maneuvering area. The volume of the basin has been modeled and contains suitable area to manage stormwater runoff without actionable nuisance to receiving properties. The stormwater systems are managed and maintained by the development.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue</p> <p>The submission requests that to mitigate noise and visual impacts/nuisances from the Transport Depot, a new property boundary fence on the north and eastern fences of 130 Station Road be provided.</p>
<p>Discussion</p> <p>It is agreed that noise impacts are a relevant consideration. The development is located approximately 80 metres north of the dwelling. To assist with the amelioration of impacts from the development, a condition is recommended requiring the development provide a new 1.8m treated timber fence along the northern boundary of 130 Station Road. As there is no interface between the development and the eastern boundary of 130 Station Road, a replacement fence on this boundary would not be reasonable or relevant.</p> <p>Further, the recommended conditions include provisions for additional vegetation and screening landscaping between the development and the adjoining residence.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue</p> <p>The submission requested that no lighting is to face towards adjoining residences.</p>
<p>Discussion</p>

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

Assessment of Submissions
It is agreed that this is an important consideration. The recommended conditions of approval require lighting, where installed, to comply with Australian Standard AS4282:2019 (Control of the Obtrusive Effects of Outdoor Lighting). This will ensure that any lighting installed on the site is directed away from adjoining residence in accordance with the standard.
This is not a reason for refusal of the application.
Issue
The submission requested that no trees or vegetation be removed between the transport depot and the adjoining residences.
Discussion
It is agreed that this is a relevant consideration and as such the recommended conditions of approval include conditions requiring that the existing vegetation between the transport depot and the adjoining residences to the south east are maintained with additional rehabilitation and planting provided.
This is not a reason for refusal of the application.
Issue
The submission requested that regular slashing / vegetation control occur adjoining station road occurs as well as the removal of rubbish and waste materials near adjoining property boundaries.
Discussion
The ongoing maintenance of vegetation or accumulation of objects near property boundaries is not a matter that can be addressed through development approval conditions. Disputes relating to overgrown vegetation or accumulation of objects on, against or along a property boundary fence are civil matters resolved through Queensland Civil and Administrative Tribunal (QCAT). No conditions are recommended.
This is not a reason for refusal of the application.

2.6.3 Notice of Compliance

The Notice of Compliance was received by Council on 9 June 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.

2.7 Other Matters
None identified.

3. **Strategic Implications**

3.1 Legislative/Legal Implications

The applicant and submitter 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.

ITEM 4.1 DA/38608/2019/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR TRANSPORT DEPOT AT 134 STATION ROAD, WAMURAN - A20333660 (Cont.)

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces potential risk implications to Council and the community.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

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

3.7 Economic Benefit Implications

Appropriate development supports the growing Moreton Bay Region.

3.8 Environmental Implications

New development contributes to sustainable management and protection of the natural environment in the region through compliance with the planning scheme policies and provisions.

3.9 Social Implications

Appropriately designed and located development contributes to diverse, vibrant and safe communities and facilities.

3.10 Human Rights Implications

Under the *Human Rights Act 2019*, 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. Officers consider that Council's decision in this circumstance (if it reflects the officer's recommendation) is compatible with (and does not limit) a person's rights because there are sound and lawful reasons for the recommendation as set out in this report.

3.11 Consultation / Communication

Refer to clause 2.7.

ATTENDANCE

Mr Dan Staley and Ms Amy White left the meeting at 10.40am after consideration on Item 4.1.

ITEM 4.2 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Darren Grimwade

Pursuant to s175E of the *Local Government Act 2009*, Cr Darren Grimwade declared a real conflict of interest in agenda Item 4.2 as North East Business Park was a political donor in the Councillor's 2016 election and a donation of \$2,000 was made to the Councillor on 17 November 2015.

Cr Darren Grimwade retired from the meeting at 10.41am taking no part in the debate or recommendation regarding same.

Cr Karl Winchester (Deputy Portfolio Councillor) facilitated the conduct of the meeting for Item 4.2.

ITEM 4.2

NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST

Meeting / Session: 4 PLANNING
Reference: A20359756: 4 August 2020 - Refer Supporting Information A20431461, A20438821 and **Confidential** Supporting Information A20438816 & A20438818

Responsible Officer: LF, Coordinator Neighbourhood and Precinct Planning (PL Strategic Planning & Place Making)

Executive Summary

The North Harbour Marina and Canal Estate proposal has been progressively proposed and under some form of assessment since the early 2000s. The land is currently in the Recreation and Open Space Zone and Rural Zone of the MBRC Planning Scheme (planning scheme) and is located outside the Urban Footprint identified in the South East Queensland Regional Plan 2017 (*ShapingSEQ*).

The site includes an area of approximately 579ha and has extensive frontage to the Caboolture River. The boundary adjoins an existing 1,200 dwelling residential estate (with approximately 700 lots developed to date) and land approved to accommodate a Mixed Industry and Business Area (MIBA) close to the Bruce Highway.

The proposal, which is to include a regional open space area, mixed-use marina village and residential canal estate, presents a number of potential benefits to the Moreton Bay Region and wider South East Queensland. Specifically, development in the North Harbour Marina PDA is anticipated to provide much needed recreation, tourism, and employment opportunities in the northern part of the region, while being sensitively integrated with its surroundings. It proposes to reconnect locals and visitors to the Caboolture River and wider Moreton Bay. Residential development will include a variety of housing types and will showcase exemplary housing design standards, while offering residents access to expansive open space and recreation areas and a marina-based lifestyle.

It is recommended that Council request the Minister for Economic Development Queensland (MEDQ) declare a Priority Development Area (PDA) under the *Economic Development Act 2012* (ED Act) for the North Harbour Marina PDA.

ITEM 4.2 NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST - A20359756 (Cont.)

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Mick Gillam

CARRIED 12/0

Cr Darren Grimwade had declared a Conflict of Interest and had retired from the meeting

1. That Council request the Minister for Economic Development Queensland (MEDQ) declare a Priority Development Area (PDA) under the *Economic Development Act 2012* over the land identified in Attachment A - Proposed PDA Boundary, referred to as 'The North Harbour Marina PDA', and request that Council:
 - a) receive delegated authority to lead the plan-making/ plan-preparation process;
 - b) receive delegated authority to undertake the role of development assessment; and
 - c) are granted 24 months (from the date of the PDA declaration) to prepare the Development Scheme.
2. That Attachments A and confidential supporting material B and C (Council's supporting material) be provided to the MEDQ in support of the request made in 1 above.
3. The Chief Executive Officer be authorised to make minor, administrative and editorial changes to Attachments A, B and C, if required, prior to them being provided to the MEDQ.
4. That Council authorise the Chief Executive Officer to do all things necessary to implement recommendations 1 to 3 above.

ITEM 4.2 NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST - A20359756 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council request the Minister for Economic Development Queensland (MEDQ) declare a Priority Development Area (PDA) under the *Economic Development Act 2012* over the land identified in Attachment A - Proposed PDA Boundary, referred to as 'The North Harbour Marina PDA', and request that Council:
 - a) receive delegated authority to lead the plan-making/ plan-preparation process;
 - b) receive delegated authority to undertake the role of development assessment; and
 - c) are granted 24 months (from the date of the PDA declaration) to prepare the Development Scheme.
2. That Attachments A and confidential supporting material B and C (Council's supporting material) be provided to the MEDQ in support of the request made in 1 above.
3. The Chief Executive Officer be authorised to make minor, administrative and editorial changes to Attachments A, B and C, if required, prior to them being provided to the MEDQ.
4. That Council authorise the Chief Executive Officer to do all things necessary to implement recommendations 1 to 3 above.

REPORT DETAIL

1. Background

The North Harbour Marina and Canal Estate proposal has been progressively proposed and under some form of assessment since the early 2000s. The land is currently in the Recreation and Open Space Zone and Rural Zone of the planning scheme and is located outside the Urban Footprint identified in *ShapingSEQ*.

In 2006, the project was declared State significant, initiating preparation of an Environmental Impact Statement (EIS), with the final EIS submitted to the State Government in 2008. The Coordinator General recommended the project be approved in full (with conditions) in 2009. Parts of the project (Residential estate and the Mixed Industry and Business Area (MIBA)) have been subsequently approved. To date, only the Residential estate has commenced.

The following resolution appears on Minute Page 18/2450 - 18/2451 of the General Meeting of Council held 13 December 2018:

Ex. Coordination Committee meeting held 13 December 2018 (MP. 18/2661):

COMMITTEE RECOMMENDATION

1. That the Deputy Mayor write on behalf of Council to the Minister for State Development, Manufacturing, Infrastructure and Planning, the Hon. Cameron Dick MP, expressing Council's support and requesting consideration for the declaration of a Priority Development Area (PDA) over Lot 3 SP 266287 and Lot 25 S 31125 to support the proposed North Harbour Marina and Canal development.
2. Council acknowledges that there are significant development opportunities with a focus on economic growth and the Applicants may be required by the Department of State Development, Manufacturing, Infrastructure and Planning to submit a supporting business case as part of any consideration of the use of a PDA under the *Economic Development Act 2012*.

ITEM 4.2 NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST - A20359756 (Cont.)

Following that resolution, the former Council wrote to the MEDQ on 21 December 2018 expressing Council's support and requesting consideration for the declaration of a PDA for the proposed marina and canal development. In response, in a letter dated 1 April 2019, the former Minister for State Development, Manufacturing, Infrastructure and Planning advised of his preference for Council to pursue the matter as an amendment to the planning scheme under the *Planning Act 2016 (PA)*.

It has since been confirmed with senior officers from Queensland Treasury (QT) and Council that the North Harbour Marina and Canal Estate proposal is unable to satisfy the criteria under *ShapingSEQ*. Therefore, progression of an amendment to the planning scheme would not be supported as it would not be able to satisfy the state interests identified in *ShapingSEQ*.

Having now explored the option of making an amendment to the planning scheme under the PA, if the Council wishes to progress the proposal ahead of the Regional Growth Management Strategy 2041 and the forthcoming review of *ShapingSEQ*, the last remaining option is the declaration of a PDA.

A Council briefing was held on 3 June 2020 to update Council on the advice received from QT and discuss possible next steps. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

BRIEFING 6 - STRICTLY CONFIDENTIAL NORTH HARBOUR UPDATE

EXTRACT TO BE INCLUDED IN OFFICER'S REPORT

The CEO noted the way forward:

It was noted that work will be carried out to investigate the viability of a PDA and to ensure that a robust way forward is formed in order to take to EDQ.

A further Council briefing was held on 1 July 2020 to again update Council on recent discussions with North Harbour Holdings and discuss next steps. In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

BRIEFING 3 - UPDATE ON NORTH HARBOUR MARINA AND CANAL ESTATE PROPOSAL

EXTRACT TO BE INCLUDED IN OFFICER'S REPORT

CEO noted the way forward:

Mayor to write to the Minister for State Development, Tourism and Innovation, Kate Jones MP, to seek advice and assistance in exploring the potential for the declaration of a PDA for this site, outlining why Council believes this is the best option.

Council noted the background information provided and suggested that a site visit may be worthwhile to better understand the size and scale of the area involved.

In response, on 30 July 2020, the Mayor wrote to the new MEDQ advising Council were progressing with a proposed PDA declaration request over the land and to seek advice and assistance on the matter. At the date of writing this report, no response from the MEDQ had been received.

A further Council briefing was held on 26 August 2020 to update Council on the process for seeking the declaration of a PDA for the North Harbour Marina and foreshadow a Council report, to be brought forward on 2 September 2020, on the matter.

ITEM 4.2 NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST - A20359756 (Cont.)

In line with Council's decision-making framework, an extract from the minutes of the briefing, is provided below:

BRIEFING 8 - STRICTLY CONFIDENTIAL NORTH HARBOUR MARINA AND CANAL ESTATE UPDATE

EXTRACT TO BE INCLUDED IN OFFICER'S REPORT

The CEO noted the way forward:

That a report be submitted to the General Meeting of 2 Sep 2020 for consideration.

2. Explanation of Item

Overview of PDAs

PDAs are parcels of land within Queensland, identified for specific accelerated development with a focus on economic growth. They are traditionally used to respond to gaps in the market, offering substantial community and economic benefits, and to facilitate development on complex and/or large sites.

These areas are declared by the MEDQ under the ED Act, which then removes the identified areas from the planning and development processes included in the PA. Development is streamlined through effective plan making, development assessment processes with shorter timeframes, and limited appeal rights than the PA, enabling development to reach the market sooner. In this way, shortened timeframes assist in stimulating economic, community and social growth, responding to the market and the needs of business and the community.

The use of a PDA also provides a more streamlined process to coordinate Local Government, State agency and Unitywater interests. Given the site location (values and constraints) and the proposal's complexity, this approach is considered to be of benefit due to the number of state and local interests that are likely to be affected.

To determine whether a site should be considered for declaration it must satisfy the requirements under the ED Act, including regard to:

- the main purposes of the ED Act which is to facilitate economic development, and development for community purposes, in the state; and
- the impact the PA may have on the delivery of the proposed development if the declaration were not made.

Each PDA is subject to an Interim Land Use Plan (ILUP), followed by a Development Scheme - a regulatory document that controls land use, infrastructure planning and development in the area. Once a PDA is declared and an ILUP is in place, preparation of a Development Scheme occurs over a 12 to 24-month period.

Although these documents are approved by the MEDQ, it is possible for a Council to outline its preferred role (i.e. plan preparation (draft ILUP and/or development scheme), development assessment, or both) and outline the local government's expectations regarding the role of EDQ (i.e. plan preparation, development assessment, or both).

Notwithstanding, the final PDA boundary and extent of delegations granted to Council is at the discretion of the MEDQ, and the MEDQ is under no obligation to approve the PDA request.

Request for a PDA

There are a number of matters that Council must address as part of the submission to the MEDQ, formally requesting a PDA declaration. These have been prepared and include the following:

- A map of the proposed PDA Boundary - Refer Attachment A
- A draft Interim Land Use Plan (ILUP) - Refer Attachment B - CONFIDENTIAL
- Supporting Material - Refer Attachment C - CONFIDENTIAL

ITEM 4.2 NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST - A20359756 (Cont.)

Attachments B and C to this report have been made confidential on the basis that the proposed ILUP and supporting material would prejudice the legitimate decision-making discretion and authority of the MEDQ in relation to the making of the PDA (and ILUP).

Attachment D is a brochure prepared by the landowner outlining their vision and understanding of the opportunities and benefits of the proposal. It is recommended that this information be forwarded to the MEDQ with Council's submission.

It is recommended that Council seek full delegations from the MEDQ for plan preparation (ILUP and Development Scheme) and for development assessment under the proposed PDA. This approach is consistent with the delegation's Council received for The Mill PDA. Council will also need to work in close collaboration with EDQ during the preparation of the Development Scheme.

In preparation for the request for declaration, Council commissioned an external consultant to peer review the technical reports prepared to date. As identified in the Council briefings prior to this report, the peer review outlined that there remains a number of unresolved matters and potential risks and issues with the proposal (e.g. environment, traffic, flooding, coastal hazards, infrastructure and costs etc.). While these matters need to be further considered, they are able to be addressed and resolved through the preparation of the Development Scheme. It is therefore recommended that a 24-month period to prepare the PDA Development Scheme be requested.

This would allow time for further technical reports to be prepared/ updated, resolution of outstanding matters (including state interests), preliminary engagement with EDQ and State agencies, and community consultation as part of the preparation of the PDA Development Scheme. This is not unusual in the context of a PDA, and is why a two-stage plan-making process exists under the ED Act - first the ILUP followed by the preparation of the more comprehensive PDA Development Scheme. This approach has been developed via an internal council cross-departmental governance framework and collaboration.

Once a PDA is declared, the planned next steps include:

- Community facing communications and information in relation to the proposal and the PDA process;
- Early engagement with EDQ and State agencies;
- Project planning and identification of information and technical assessments required to support the preparation of the Development Scheme.

3. Strategic Implications

3.1 Legislative / Legal Implications

Once a PDA is declared it immediately takes effect over the land included within a PDA boundary, putting aside and overriding the MBRC Planning Scheme. All proposed activities within the area are then subject to an ILUP until such time as a full Development Scheme is approved and takes effect. The ILUP will be drafted to nominate specific assessment criteria.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

As part of the preparation of the Development Scheme, Council will need to work closely with relevant state agencies to ensure that state interests are appropriately considered as part of the plan preparation process.

ITEM 4.2 NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST - A20359756 (Cont.)

3.4 Risk Management Implications

There remains a number of unresolved matters and potential risks and issues with the proposal (e.g. environment, traffic, flooding, coastal hazards, infrastructure and costs etc.). There are also potential matters relating to cultural heritage (including the Aboriginal Cultural Heritage Act 2003), and a current native title application (Native Title Act 1993 and Native Title Act (Queensland) 1993) over the land and waters which on initial investigation includes the Caboolture River and Moreton Bay Marine Park that need to be further investigated to understand their implications. These matters will be further considered/ addressed as part of the preparation of the Development Scheme.

3.5 Delegated Authority Implications

A new delegated authority for applications made under the ILUP and the Development Scheme will need to be brought into effect.

3.6 Financial Implications

A project budget will need to be established to facilitate the plan making and development decision making undertaken within Council, this was supported by Council resolution on 5 August 2020, refer ITEM C.1. The project may require an ongoing budget allocation.

3.7 Economic Benefit Implications

The North Harbour Marina PDA represents a unique opportunity that has the potential to yield substantial and fundamental economic and community benefits to the Moreton Bay Region and beyond.

3.8 Environmental Implications

It is noted that there remains a number of unresolved matters and potential risks and issues with the proposal (e.g. environment, traffic, flooding, coastal hazards, infrastructure and costs etc.). These matters will be further considered/ addressed as part of the preparation of the Development Scheme.

3.9 Social Implications

The site has the potential to accommodate a range of uses which will add significantly to the social and economic fabric of the Moreton Bay Region. Public notification of the PDA is a statutory requirement and will occur as part of the preparation of the Development Scheme. Through the preparation of the Development Scheme, Council will work closely with relevant State agencies and stakeholders, to ensure local and state interests are managed.

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. The *Human Rights Act 2019 (Qld)* Section 28 (2) (d) and (e) state:

(2) Aboriginal peoples and Torres Strait Islander peoples must not be denied the right, with other members of their community—

(d) to maintain and strengthen their distinctive spiritual, material and economic relationship with the land, territories, waters, coastal seas and other resources with which they have a connection under Aboriginal tradition or Island custom; and

(e) to conserve and protect the environment and productive capacity of their land, territories, waters, coastal seas and other resources.

While Council's decision to request the declaration of a PDA over the site is not considered to affect these rights, works and development required for the North Harbour Marina PDA may result in actions that could restrict access to land or waters (Caboolture River). Through the preparation of the Development Scheme, Council will work closely with relevant state agencies and stakeholders, to ensure compliance with the *Human Rights Act 2019 (Qld)*.

ITEM 4.2 NORTH HARBOUR MARINA PRIORITY DEVELOPMENT AREA (PDA) REQUEST - A20359756 (Cont.)

3.11 Consultation / Communication

Public notification is required for a minimum of 30 business days for the preparation of a Development Scheme under the ED Act.

ATTENDANCE

Cr Darren Grimwade returned to the meeting at 11.01am after consideration on Item 4.2.

ADJOURNMENT

The meeting adjourned at 11.01am for morning tea.

The meeting resumed at 11.20am.

ATTENDANCE

The Mayor (Cr Peter Flannery) was not present when the meeting resumed, having left the meeting at the adjournment.

Cr Denise Sims (Deputy Mayor) assumed the Chair at that time.

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

ITEM 5.1**TENDER CONSIDERATION PLAN - BIRRALEE CHILD CARE CENTRE AGENCY
EMPLOYMENT SERVICES**

Meeting / Session: 5 COMMUNITY & ENVIRONMENTAL SERVICES
Reference: A20402018 : 17 August 2020 - **Refer Supporting Information A20407035**
Responsible Officer: MM, Manager - Community Services, Sport and Recreation (CES Community Services, Sport & Recreation)

Executive Summary

Council engages Quality Recruitment QLD Pty Ltd (Quality Recruitment) for the provision of agency employment services to Birralee Child Care Centre (BCCC) through a Local Buy arrangement.

Quality Recruitment has advised that effective 7 September 2020, they will no longer operate as a panellist supplier and will only continue the supply of agency employment services to BCCC under a direct supply arrangement with Council.

Accordingly, Council will soon commence a procurement process for the continued provision of agency employment services for BCCC under a direct supply arrangement. However, during the procurement period (7 September 2020 - 31 March 2021), continuity of services to BCCC customers must be maintained through the engagement of an interim agency employment service.

Under section 230 of the Local Government Regulation 2012, Council may adopt a Tender Consideration Plan as an exception to the requirements for contractual arrangements under the *Local Government Act 2009*. A Tender Consideration Plan (*refer Supporting Information #1*) has been prepared to enable Council to enter into a short-term medium-sized contractual arrangement for the supply of agency employment services to BCCC (without the need to undertake a full tender process), ensuring that continuity of service to customers is maintained throughout the full procurement process.

RESOLUTION

Moved by Cr Matt Constance**Seconded by Cr Cath Tonks****CARRIED 12/0**

1. That Council prepares a Tender Consideration Plan for the medium-sized contractual arrangement with Quality Recruitment QLD Pty Ltd for the interim supply of agency employment services to Birralee Child Care Centre.
2. That the Tender Consideration Plan for the medium-sized contractual arrangement with Quality Recruitment QLD Pty Ltd for the interim supply of agency employment services to Birralee Child Care Centre be adopted, as tabled in Supporting Information #1.
3. That Council enters into an agreement with Quality Recruitment QLD Pty Ltd as described in this report.
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 agreement with Quality Recruitment QLD Pty Ltd for the interim supply of agency employment services to Birralee Child Care Centre and any required variations of the agreement on Council's behalf.

ITEM 5.1 TENDER CONSIDERATION PLAN - BIRRALLEE CHILD CARE CENTRE AGENCY EMPLOYMENT SERVICES - A20402018 (Cont.)

OFFICER'S RECOMMENDATION

1. That Council prepares a Tender Consideration Plan for the medium-sized contractual arrangement with Quality Recruitment QLD Pty Ltd for the interim supply of agency employment services to Birralelee Child Care Centre.
2. That the Tender Consideration Plan for the medium-sized contractual arrangement with Quality Recruitment QLD Pty Ltd for the interim supply of agency employment services to Birralelee Child Care Centre be adopted, as tabled in Supporting Information #1.
3. That Council enters into an agreement with Quality Recruitment QLD Pty Ltd as described in this report.
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 agreement with Quality Recruitment QLD Pty Ltd for the interim supply of agency employment services to Birralelee Child Care Centre and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

Since January 2018, Council has engaged Quality Recruitment, through a Local Buy arrangement under Comensura Pty Ltd, for the provision of agency employment services at BCCC. These services include the provision of both regular child care staff, as well as relief child care staff. In the 2019/20 financial year, the total cost to these services was \$198,904.

Currently, Quality Recruitment provides four of BCCC's regular child care workforce, all of which have established relationships with the children and families receiving services from BCCC.

On 7 August 2020, Council received correspondence from Quality Recruitment advising that, effective 7 September 2020, they would no longer operate as a panellist supplier and only continue the provision of agency employment services to BCCC under a direct supplier arrangement.

It has been determined that Council will undertake a procurement process for a new agency employment services contract (New Contract) for Birralelee Child Care Centre. It is Council's intention to have the New Contract in place by 31 March 2021. However, to ensure the continuity of services to customers (children and families) and compliance with relevant child care regulations (e.g. child to staff ratios), Council will be required to enter into an interim contract for the supply of agency employment services during the period of 7 September 2020 and 31 March 2021.

2. Explanation of Item

Under section 230 of the Local Government Regulation 2012, Council may adopt a Tender Consideration Plan as an exception to the requirements for contractual arrangements under the *Local Government Act 2009*.

A Tender Consideration Plan is a document which states the following:

- a) the objectives of the plan;
- b) how the objectives are to be achieved;
- c) how the achievement of the objectives will be measured;
- d) any alternative ways of achieving the objectives, and why the alternative ways were not adopted;
- e) the proposed terms of the contract for the goods or services; and
- f) a risk analysis of the market from which the goods or services are to be obtained.

ITEM 5.1 TENDER CONSIDERATION PLAN - BIRRALEE CHILD CARE CENTRE AGENCY EMPLOYMENT SERVICES - A20402018 (Cont.)

A Tender Consideration Plan (*refer Supporting Information #1*) has been prepared for the interim supply of agency employment services to BCCC, the primary objectives of which are to:

- implement an interim solution that enables the continued supply of agency employment services to BCCC by the existing specialist provider during a period whereby Council will undertake a procurement process to award a New Contract; and
- maintain service levels and minimise service disruption during the required procurement period.

These objectives will be achieved by Council entering into a short-term contract with a supplier for the continued provision of agency employment services to BCCC during the period whereby a procurement process will be undertaken (7 September 2020 to 31 March 2021) to award a New Contract under a direct supply arrangement. Alternatives to this approach have been considered (*refer Supporting Information #1 - Tender Consideration Plan*), however are not deemed appropriate or feasible.

By implementing an interim solution through this Tender Consideration Plan, Council can continue to engage the existing supplier (Quality Recruitment) under a short-term direct supply contract. This will enable the continued delivery of agency employment services to BCCC during the procurement period, as well as reduced operational and service delivery risks associated with service disruption.

3. Strategic Implications

3.1 Legislative / Legal Implications

The Tender Consideration Plan has been prepared in accordance with the provisions of the *Local Government Act 2009* (Qld) and *Local Government Regulation 2012* (Qld).

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 recommendations of this report are in accordance with Council's Procurement Policy (No. 2150-006).

3.4 Risk Management Implications

☒ Nil identified

3.5 Delegated Authority Implications

This report recommends that the Chief Executive Officer be authorised to negotiate terms and enter into a contract on behalf of Council for the continued supply of agency employment services at Birralee Child Care Centre for the interim period of 7 September 2020 to 31 March 2021.

3.6 Financial Implications

Costs associated with the engagement of agency employment services at Birralee Child Care Centre are budgeted within the Community Services, Sport and Recreation department's operational budget, and are within the financial delegation of the Director Community and Environmental Services.

3.7 Economic Benefit Implications

☒ Nil identified

3.8 Environmental Implications

☒ Nil identified

3.9 Social Implications

☒ Nil identified

ITEM 5.1 TENDER CONSIDERATION PLAN - BIRRALEE CHILD CARE CENTRE AGENCY EMPLOYMENT SERVICES - A20402018 (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

Corporate Procurement Unit
People, Culture and Safety Department
Legal Services Department

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6 FINANCE & CORPORATE SERVICES SESSION

(Cr M Constance)

**ITEM 6.1
MONTHLY REPORTING PACKAGE - 31 JULY 2020**

Meeting / Session: 6 FINANCE & CORPORATE SERVICES
Reference: A20412121: 18 August 2020 - **Refer Supporting Information A20418779**
Responsible Officer: CP, Accountant (FCS Accounting Services)

Executive Summary

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 31 July 2020.

RESOLUTION

Moved by Cr Mark Booth

Seconded by Cr Jodie Shipway

CARRIED 12/0

That the Financial Reporting Package for the year to date period ending 31 July 2020 be received.

ITEM 6.1 MONTHLY REPORTING PACKAGE - 31 JULY 2020 - A20412121 (Cont.)

OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 31 July 2020 be received.

REPORT DETAIL

1. Background

The Financial Reporting Package for the month ending 31 July 2020 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 first month of the 2020/21 financial year is complete and the performance and position of Council is outlined below in the context of the attached report.

Operating Result (page 1)

As at 31 July 2020 operating revenue was \$94.5 million compared to operating expenses of \$30.8 million thus representing an operating surplus of \$63.7 million.

Operating Revenues (page 1)

The first quarter rates and utility charges were levied in July and represent the bulk of the revenue recognised for the month being \$82.2 million. This equates to approximately 25% of the budgeted rate and utility charge revenue for the year.

Fees and charges revenue along with interest revenue are tracking in line with budget expectations.

Operational grants and subsidies are tracking below budget, largely due to a timing difference. The financial assistance grant represents 75% of all the operational grants Council receives and it is paid quarterly. The first payment is expected in August and every three months thereafter.

Other revenues are also tracking behind budget due to a timing difference. Other revenue largely relates to Unitywater's payments to Council and these payments do not commence until August. The Unitywater participation revenue is a conservative estimate and is a non-cash revenue stream.

Operational Expenses (page 1)

Employee benefits are tracking below budget, however it is expected that this will change over the next few months as vacant positions are filled and associated employee costs increase.

Material and Services are also trending below budget but this is expected to be a timing difference with spend expected to increase over coming months.

Depreciation expenses and finance costs are tracking to budget. Depreciation expense is an estimate at this stage as the asset register is currently closed off for year-end processing and reconciliation as part of the 2019/20 Audit. Depreciation processing will recommence in September.

ITEM 6.1 MONTHLY REPORTING PACKAGE - 31 JULY 2020 - A20412121 (Cont.)

Capital Revenue (page 1)

Infrastructure cash contributions from developers is tracking well above budget for the month. The budget for cash contributions for 2020/21 was set at a conservative amount as it anticipated that there may be a downturn in economic activity as a result of COVID-19. At this stage a downturn in infrastructure cash contributions has not occurred.

Infrastructure asset contributions and the subsequent asset register recognition will resume in September once the 2019/20 Audit is complete.

Capital grants and subsidies are well above budget for July, again largely due to a timing difference. Grants payments are usually received once work has been completed however in some instances Council receives grant monies up front, which is what occurred in July when Council received 50% of the Working for Queensland COVID-19 stimulus funds from the State Government in the amount of \$3.96 million.

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 a close.

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.

Capital Expenditure (page 3 and 4)

The capital expenditure by portfolio program table breaks down the capital spend into categories as defined in Council's project register system.

Capital expenditure for the first month amounted to \$9.4 million or 4.28% of the total program. The committed expenses column on the far right of the table indicates purchase orders placed, which during the year will translate into actual expenses. In total there is approximately \$96.5 million of the capital works program committed (actuals column plus the committed column) for 2020/21.

For the remaining 11 months of the year Council will seeking to spend an average of \$19 million per month to deliver its current budgeted program of \$220 million.

The associated capital expenditure progress graph tracks the percentage spend by portfolio program compared to the budget for that portfolio program. The orange line at 8.33% represents a linear position to measure the green capital expenditure column. As indicated in the graph the Petrie Mill project has spent 21% of its \$25 million budget in the first month.

Balance Sheet and Cash Flow (page 5)

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 \$382 million for July. Forecast for the end of June 2021 is \$302 million.

Treasury Report (page 6 and 7)

The Treasury Report outlines Council performance with respect to cash investments and borrowings.

Interest earned on investments was approximately \$315k for the month and achieved 6.64% of the annual budget (\$4.7m). Interest rates on offer are quite poor in the current market with deposit terms of less than 2 years offering interest rates return of less than 1% per annum. It will be challenging to achieve the budget target given the current market conditions.

ITEM 6.1 MONTHLY REPORTING PACKAGE - 31 JULY 2020 - A20412121 (Cont.)

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 \$246 million of cash at call with the remaining \$140 million maturing over next 6 to 12 months.

The QTC growth Fund continues to recover from the lows it experienced in April/May 2020 and has climbed to a balance of \$104 million at the end of July.

Council's debt position has not changed since the close of the 2019/20 Financial year. Council is expected to repay debt in the amount of \$37 million for the year and budgeted to borrow \$40 million to fund capital works. Borrowings are expected to be drawn down in May/June 2021.

Coronavirus Pandemic Impacts

Council included a number of support measures in its 2020/21 Budget and also took a conservative approach to some revenue streams in anticipation of a further deterioration in the economy over 2020/21. These measures and impacts will be monitored over the coming months to assess if the Council's budget requires amending to reflect the changing circumstances.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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 July 2020, Council's operating surplus is \$63.6 million and the capital expenditure incurred amounted to \$9.4 million.

ITEM 6.1 MONTHLY REPORTING PACKAGE - 31 JULY 2020 - A20412121 (Cont.)

3.7 Economic Benefit Implications ☒ Nil identified

3.8 Environmental Implications ☒ Nil identified

3.9 Social Implications ☒ Nil identified

3.10 Human Rights Implications ☒ Nil identified

3.11 Consultation / Communication
Director Finance and Corporate Services and Accounting Services Manager.

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

**ITEM 11.1
INTERSECTION AT CAPESTONE BOULEVARD AND STODART TERRACE,
MANGO HILL**

Cr Jodie Shipway noted that concerns have been raised by the residents of Mango Hill and surrounding suburbs as well as the parents of St Benedict's College, Mango Hill in regard to the recent changes made to the roundabout at Capestone Boulevard and Stodart Terrace, Mango Hill.

The residents stated that changes have been in place now since the start of term 3. These changes have increased wait times and added to an already very busy situation given that there are three major schools bordering the Capestone community. The icing on the cake was last week when, on two different occasions, irresponsible drivers were so frustrated that they entered the wrong side of the road and then entered the roundabout while driving toward oncoming traffic, all at school pickup time. While the residents understand this is an issue for the Police to resolve it's obvious that in Council's effort to improve pedestrian safety it's instead caused some drivers to make decisions that could be more dangerous than the previous traffic model.

After meeting with the School and Council officers it's become apparent that immediate action needs to be taken. Preliminary discussions have involved temporary signalised pedestrian traffic lights to ensure that pedestrians still have a safe carriage to cross without adding to the traffic flow issues around school drop off and pick up times.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Cath Tonks

CARRIED 12/0

That an investigation be undertaken on alternative, safer treatments for the intersection at Capestone Boulevard and Stodart Terrace, Mango Hill that does not involve the removal of lanes from Capestone Boulevard Bridge.

**ITEM 11.2
CABOOLTURE RSL CLOSURE**

Cr Adam Hain reported that Council had received correspondence from the Caboolture RSL informing Council of its intended closure. Cr Hain said that it would have been a very difficult decision for the RSL to make, and a big loss for the community.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

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

ITEM C.1 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Cath Tonks

Pursuant to s175E of the *Local Government Act 2009*, Cr Cath Tonks declared a perceived conflict of interest in Item C.1 as Cr Tonks knows one of the owners of one of the properties cited in the officer's confidential report. Cr Tonks advised that the person was known to her due to her previous employment however noted that no social interaction has occurred.

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

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

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

Moved by Cr Brooke Savige

Seconded by Cr Mick Gillam

CARRIED 11/0

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

Cr Cath Tonks remained in the meeting.

CLOSED SESSION

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Matt Constance

CARRIED 12/0

That Council move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Items C.1 to C.2.

Live streaming of the General Meeting was terminated.

The closed session commenced at 11.36am.

OPEN SESSION

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Jodie Shipway

CARRIED 12/0

That Council resume in open session.

The open session (live streaming) resumed at 11.50am.

ITEM C.2 - DECLARATION OF INTEREST

Material Personal Interest - Declaration - Cr Mick Gillam

Pursuant to s175C of the *Local Government Act 2009*, Cr Mick Gillam declared a material personal interest in Item C.2 as he owns a property bordering on the site however not in the discussion for resumption.

Cr Mick Gillam retired from the meeting at 11:52am taking no part in the debate or resolution regarding same.

Question raised

Subsequent to Cr Gillam retiring from the meeting, questions were raised as to whether Cr Gillam was "owner" of the site or a director of a company that owned the site.

At the request of the Acting Chairperson, Cr Gillam returned to the meeting at 11.53am to provide clarity on the question raised regarding his Material Personal Interest declaration. Cr Gillam confirmed that he was the sole owner of Jade Hut Enterprises Pty Ltd that owns the property noted in his declaration.

Material Personal Interest - Declaration - Cr Mick Gillam AMENDED

Pursuant to s175C of the *Local Government Act 2009*, Cr Mick Gillam declared a material personal interest in Item C.2 as Jade Hut Enterprises Pty Ltd of which he is the sole owner, owns a property bordering on the site however not in the discussion for resumption.

Cr Mick Gillam retired from the meeting at 11.54am taking no part in the debate or resolution regarding same.

CLOSED SESSION

RESOLUTION

Moved by Cr Tony Latter

Seconded by Cr Cath Tonks

CARRIED 11/0

Cr Mick Gillam had declared a Material Personal Interest for Item C.2 and had retired from the meeting.

That Council move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Item C.2.

Live streaming of the General Meeting was terminated.

The closed session commenced at 11.54am.

OPEN SESSION

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Sandra Ruck

CARRIED 11/0

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

The open session (live streaming) resumed at 11.58am

ATTENDANCE

Cr Mick Gillam returned to the meeting at 11.58am when open session resumed.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL**ACQUISITION OF LAND FOR GREEN INFRASTRUCTURE PURPOSES -
KURWONGBAH****Meeting / Session:** 2 INFRASTRUCTURE PLANNING**Reference:** A20124703 : 5 June 2020 Refer **Confidential** Supporting Information
A20197076**Responsible Officer:** BM, Senior Environmental Planner - Green Infrastructure Networks (ITPD -
Integrated Transport Planning and Design)**Basis of Confidentiality**

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

Executive Summary

This report seeks Council approval to acquire land to facilitate the construction of a fauna rope bridge.

RESOLUTION

Moved by Cr Jodie Shipway**Seconded by Cr Cath Tonks****CARRIED 12/0**

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

ITEM C.2 - DECLARATION OF INTEREST**Material Personal Interest - Declaration - Cr Mick Gillam**

Pursuant to s175C of the *Local Government Act 2009*, Cr Mick Gillam declared a material personal interest in Item C.2 as Jade Hut enterprises Pty Ltd of which he is the sole owner, owns a property bordering on the site however not in the discussion for resumption.

Cr Mick Gillam retired from the meeting at 12noon taking no part in the resolution regarding same.

**ITEM C.2 – CONFIDENTIAL
PROPOSED LAND ACQUISITION - LAWNTON / BRAY PARK - FUTURE
INTERSECTION UPGRADE**

Meeting / Session: 2 INFRASTRUCTURE PLANNING

Reference: A19594791 : 5 May 2020 - Refer **Confidential** Supporting Information
A19594847

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

Basis of Confidentiality

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

Executive Summary

This report seeks Council's approval to proceed to acquire land to facilitate the provision of a future intersection upgrade.

RESOLUTION

Moved by Cr Jodie Shipway

Seconded by Cr Cath Tonks

CARRIED 11/0

Cr Mick Gillam had declared a Material Personal Interest for Item C.2 and had retired from the meeting.

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

ATTENDANCE

Cr Mick Gillam returned to the meeting at 12.01pm after consideration on Item C.2.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.

CLOSURE

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

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 20/1609 to 20/1689 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 2 September 2020.

Greg Chemello
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 16 September 2020.

Greg Chemello
Chief Executive Officer

Councillor Peter Flannery
Mayor