FINAL MINUTES

9 April 2014

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32326	09.04.2014	Ordinary Meeting Minutes

Declaration of Potential Conflict of Interest

Nil.

ORDINARY MEETING
MINUTES

1. ATTENDANCE:

Deputy Mayor Cr K J Casey (Acting Chairperson), Crs C J Bonanno, L G Bonaventura, F A Gilbert, A N Jones, G J Martin, T A Morgan, D J Perkins, P F Steindl, and R D Walker were in attendance at the commencement of the meeting. Also present was Mr K Jefferies (Acting Chief Executive Officer) and Mrs M Iliffe (Minute Secretary).

The meeting commenced at 10.00 am.

2. ABSENT ON COUNCIL BUSINESS:

Her Worship the Mayor, Cr D T Comerford and Mr B Omundson (Chief Executive Officer) who are visiting Local Government shared services sites and alternative models of service delivery in the United Kingdom.

3. APOLOGIES:

Nil

4. CONDOLENCES:

Nil

5. CONFIRMATION OF MINUTES:

5.1 ORDINARY MEETING MINUTES 2 APRIL 2014

THAT the Ordinary Meeting Minutes held on 2 April 2014 be confirmed.

Moved Cr Jones **Seconded Cr Gilbert**

CARRIED

6. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING:

Nil

7. MAYORAL MINUTES:

Nil

8. CORRESPONDENCE AND OFFICERS' REPORTS:

8.1 REVIEW OF BUSINESS SUPPORT PROGRAM ARRANGEMENTS

Author Executive Officer Performance and Strategy

Purpose

To outline the outcomes of the review into Business Support Program Arrangements and the structural change recommended by Economic Development Review, and seek a Council resolution in support of the resultant changes to Council's organisational structure.

Background/Discussion

Business Support Program Arrangements

The review of Business Support Program Arrangements was undertaken as an action of the Roadmap to Organisational Excellence report which called for a "review of business services teams for operational efficiencies", in the then departments of Engineering Services (ES), Water and Waste Services (WWS), and Development Services (DS). ES and WWS have since combined to form the Department of Engineering and Commercial Infrastructure (ECI).

The review focused on the business services teams in the three departments although it was extended to include aspects of the Performance and Strategy Program where there were functional interrelationships between the programs. The total full-time equivalents (FTEs) across the three business services team amounted to 52.8 however this included 17 staff in the Plumbing and Trade Waste section in ECI and seven Planning Advice staff in DS which were not considered for rationalisation by this review due to their specialised nature. There is a separate project currently underway which is assessing the administrative support arrangements in DS as the staff which deliver these services do not form part of that department's business services team, and therefore were outside of the scope of this review.

The review of Business Support Program Arrangements aimed to identify savings which could be achieved through operational efficiencies and by removing redundancies between the programs. The review identified four vacant positions that could be relinquished to achieve budget savings, and a further position which could be redeployed from DS to the Information Services Program to fill an existing vacancy. The consequential vacancy resulting from this redeployment could also be converted to budget savings.

The value of the potential savings to the wages budget is approximately $400,000. This is on top of another long term temporary position which was terminated by ECI in anticipation of efficiencies resulting from the merger of its two administrative support teams.

Alternatively, the existing budgets for the five positions, if not converted to savings, could have be used to meet other higher organisational priorities identified by the review including: workplace health and safety; planning and performance; and project management. However the Strategy, Leadership and Performance Team (SLPT) decided to realise all of these savings by reducing the wages budget for 2014/15 by the value of the five identified positions.

The review also considered whether the existing resources of the teams could be better deployed to higher priority activities. Accordingly, opportunities were identified to realign some of the capacity and capabilities in the business services programs to higher departmental and corporate priorities and to undertake internal reorganisations to improve service delivery. In this regard, as a number of projects being delivered by the DS Business Support Program were nearing completion, there was an opportunity to better utilise the high level of business process review and project management skills of the team to benefit the whole of council. This involves the movement of the Manager Business Support along with three business improvement and project management positions in DS to OS to create a new program called Enterprise Risk and Strategic Review (ERSR). The new program would also include five officers from workplace health and safety team who would relocate from the Human Resources Program. In the longer term, the three governance positions in the Governance and Assets Program would be transferred to ERSR.

The new ERSR Program would address corporate priorities identified by the review including:

- the need for greater attention to the management, operations, and reform of workplace health and safety;
- the development and implementation of an integrated management system (IMS);
- the need for a project management framework; and
- supporting enhancements to the council's performance planning and reporting framework.

The analysis and process review capabilities of this new program would also enable corporately significant organisational review tasks and projects to be assigned to it in the future.

Changes would be made to DS to manage the planning advice team which would remain in the department, along with the department's administrative support staff.

The review also recommended that the two Business Services Programs formally in Engineering Services and Water and Waste Services come together to form a single Business Services Program and that the Manager Business Services move into this role under a revised and broader position description.

Economic Development Review

One of the recommendations of the recently completed Economic Development Review was that the Manager Economic Development should report directly to the CEO rather than to the Director Development Services. This was recommended on the basis that economic development services are broad ranging and strategic and therefore better driven by using centralised approach with high level oversight by the CEO. The review found that it was

becoming increasingly common across Local Government for the economic development function to be delivered through organisational units closely aligned to the CEO.

Consultation and Communication

Consultation has been undertaken with affected Managers and a communication strategy has been developed to inform staff of the proposed changes recommend by the Business Support Program Arrangements review. The Services Union has been briefed on this review.

There are no significant implications for staff associated with the change in reporting arrangements for the Manager Economic Development.

Resource Implications

By realising the savings of the five positions identified by the Business Support Program Arrangements review, the wages budget for 2014/15 will be reduced by approximately $400,000. There are no resource implications resulting from the realignment of the Manager Economic Development position.

Risk Management Implications

The proposed changes pose no material organisational risk.

Conclusion

Section 196 (1) of the Local Government Act 2009 requires that: *A local government must by resolution, adopt an organisation structure that is appropriate to the performance of the local government's responsibilities.*

Accordingly, changes at the Manager level recommended by the review require Council's approval.

Officer's Recommendation

THAT Council approve the new organisational structure which involves:

- a single Business Services Program in Engineering and Commercial Infrastructure;
- the creation of a new program entitled Enterprise Risk and Strategic Review in Organisational Services to replace the Business Support Program in Development Services; and
- the Manager Economic Development reporting to the CEO.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Perkins **Seconded Cr Walker**
CARRIED

8.2 PETITION - RECONSTRUCTION & DRAINAGE - UNGERER LANE, NORTH MACKAY

Author Manager Technical Services

Purpose

To report to Council on findings of an investigation into issues raised in a Petition received requesting the reconstruction and installation of underground drainage in Ungerer Lane, North Mackay.

Background/Discussion

Council received a Petition on 25 February 2014 relating to the reconstruction and installation of underground drainage in Ungerer Lane, North Mackay. Council resolved, at its 12 March 2014 Ordinary Meeting, that the Petition be formally received and be referred to the Chief Executive Officer for a report to be prepared investigating the issues raised in the Petition including an estimate of costs associated with the works.

Council has in the past received numerous representations from residents at this location and complaints in regard to dust generation and alternatively water ponding and poor quality drainage and surface conditions at this location. Records of such complaints exist at least back to 2008 and, as a result, funds were allocated in the 2010/2011 Capital Works Program to undertake works shown on Plans A0-1495 to A0-1498 attached. Cost estimates for the works were $83,000.

The design incorporated minor pavement reconstruction and bitumen sealing as well as surface dish and open drainage to cater for overland flow from residences fronting Malcomson Street towards the north given the differences in elevation of the land on both sides of Ungerer Lane and the fact that no underground drainage system exists directly adjacent to Ungerer Lane.

It is believed that the proposal as it existed would significantly improve both road surface and drainage conditions at the location to that which currently exists.

As a result of commitments to NDRRA works, construction by Civil Projects has been delayed and only recently has construction been programmed which is believed to be one of the causes for the generation of the Petition. Concept designs for a full reconstruction and installation of underground drainage have been prepared and are attached. Drainage provisions cannot be extended past that location shown as insufficient grade exists for a further extension based on invert levels of adjacent stormwater reticulation systems. Cost estimates for the concept proposal are $341,758.

Consultation and Communication

- Director Engineering & Commercial Infrastructure
- Manager Technical Services
- Design Co-Ordinator
- CEO & Directors

Resource Implications

Current budget allocations of $83,000 have been allowed to fund the existing proposal. Should the concept proposal be selected, funds in the value of $258,758 will have to be reallocated or alternatively the Project deferred until funds in this value are available from within the Capital Works Program.

Given Council's current objective to undertake a detailed review of its capital program to potentially reduce the scope of works in future years, the revised proposal for Ungerer Lane could not be supported.

Risk Management Implications

In both cases, Council has no legal requirement to provide drainage systems so risk/liability issues do not apply. The works as proposed will address the initial complaint around dust and will also improve the management of stormwater from the current state.

Conclusion

Currently approved works in Ungerer Lane were proposed to address residents' complaints. It is suggested that both pavement and drainage works will considerably improve the situation that currently exists.

The reconstruction proposal and inclusion of underground drainage significantly increases project costs. Given the current review of the Capital Works Program, should this option be selected the Project would have to be funded by deferring other works or alternatively the whole Project deferred until funds are available.

Given the options available, the current Project is believed to address resident complaints and it is recommended that therefore this is the best option to improve resident amenity in the short term.

Officer's Recommendation

THAT Council resolve to progress with the current proposed Shoulder Sealing Project in Ungerer Lane for the value of $83,000 and that the principal Petitioner is advised of the outcome of the recommendation.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Gilbert **Seconded Cr Morgan**

CARRIED

8.3 CHILDREN'S PLAY AREA IN STAN CAMM PARK, MIDGE POINT

Author Chief Executive Officer

Purpose

A petition signed by a number of residents at Midge Point sought to have Stan Camm Park made more user friendly for preschool and primary school aged children. The equipment and associated infrastructure are stated to be both unsuitable and dangerous.

Background/Discussion

In response to a petition from a number of residents of Midge Point received by Council at its meeting of 16 October 2014, the Chief Executive Officer inspected Stan Camm Park on Sunday, 16 March 2014 and found that both the park and park furniture to be of a sound standard. Please see photos of the inspection as attached.

Consultation and Communication

Cr Alison Jones.

Resource Implications

Nil.

Risk Management Implications

Nil.

Conclusion

The Chief Executive Officer's inspection found Stan Camm Park and its furniture to be in good order.

Officer's Recommendation

THAT the chief petitioner be notified of the Chief Executive Officer's findings.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Morgan **Seconded Cr Jones**

CARRIED

9. CONSIDERATION OF COMMITTEE REPORTS:

Nil

10. RECEIPT OF PETITIONS:

Nil

11. TENDERS:

11.1 MRC 2014-034 REQUEST FOR EXPRESSIONS OF INTEREST (REOI) - MACKAY CITY CENTRE PUBLIC REALM IMPROVEMENT - PUBLIC ART COMMISSION

File No **MRC 2014-034 - Request for Expressions of Interest (REOI) – Mackay City Centre Public Realm Improvement – Public Art Commission**
Author **Director Community and Client Services**

Purpose

To present to Council for approval recommended shortlisted responses to MRC 2014-034 - Request for Expressions of Interest for the Mackay City Centre Public Realm Improvement – Public Art Commission.

Background/Discussion

The Central Business District (CBD) Revitalisation Project is jointly funded by Council and grant funding through the Department of Regional Australia, Local Government, Arts and Sport, Regional Development Australia Fund.

At Council's Meeting of 29 January 2014, it was resolved that in accordance with section 228 (3) a - b of the *Local Government Regulation 2012,* that Expressions of Interest be invited for a Public Art Commission.

Expressions of Interest were invited on 18 January 2014, via Council's website and advertised in the Daily Mercury, the Courier Mail, The Australian, Art Almanac, Arts Hub, Creative Foyer, and sent to each Australian State's Arts Agency seeking responses for the commissioning of public art work within Mackay's CBD with the intention of inviting the production of Marquette from the shortlisted artists.

The following responses were received by the closing time of 10.00am on Friday, 14 March 2014.

1) Adriaan Vanderlugt CV
2) Artfully
3) Artventure

4) Brett Ashby
5) Blue Sky View
6) Christopher Trotter
7) Col Henry
8) Creative Move
9) Damien Butler
10) Donna Maree Robinson and Jodie Connolly
11) Down Street Studios
12) Harbinger Consultants
13) Hew Chee Fong
14) Jacques van der Merwe and Mike Taylor
15) James Culkin
16) Jane CavanoughJohn Fuller
17) John Fuller
18) Julie Squires
19) Kenneth George Sealey
20) Kim Cuthrie
21) Lloyd Godman
22) Lucas Salton Design
23) Margaret Worthington
24) Meagan Streader
25) Milne and Stone House Pty Ltd
26) Ndylight
27) Niche Art
28) Phil Henshall
29) Solano
30) Stephen Newton Sculpture
31) Tug of War Design
32) Wanda Bennett

An initial compliance check was conducted to identify submissions that were non-conforming with the immediate requirements of the Request for Expression of Interest. This included compliance provision of requested information.

All submissions were progressed through to the Qualitative Criteria Assessment on the basis that all terms, conditions and mandatory requirements of the REOI had been met.

During the evaluation, respondents were assessed against the Qualitative Criteria identified in the REOI. The Qualitative Criterion included:

- Previous experience including fabrication and installation of major public realm works
- Artist statement about the proposed artwork
- Visual representation of proposed artwork

The Qualitative Criteria Assessment was carried out by the Evaluation Panel on 19 March 2014 with the Evaluation Panel scoring the responses according to the Evaluation Matrix.

The evaluation of the Expressions of Interest was conducted by:

- Manager MECC & Events

- Director Artspace
- Exhibitions Curator Artspace

Following the Evaluation Panel's meeting, consultation on aesthetics was carried out on 20 March 2014 which was conducted by Council's Visual Arts Advisory Committee with co-opted stakeholders including:

Mackay Regional Council Personnel - Civil Projects, Procurement and Plant, MECC & Events Representatives from City Centre Taskforce.

Due to a conflict of interests two members of Council's Visual Arts Advisory Committee were unable to provide input.

At the completion of the Evaluation and the consultation process, it was agreed that the following artists be shortlisted, in no particular order, with the intention of inviting Marquette's from those persons, in accordance with Section 228 (6) a-b of the *Local Government Regulation 2012*.

ARTIST	ART WORK NAME
The Niche Art	Cane Fire
Creative Move	Coral Cane
Damian Butler	Sun and Moon
Artventure	Unnamed

Consultation and Communication

Consultation was conducted between Council's Visual Arts Advisory Committee, Civil Projects, City Centre Taskforce, Procurement and Plant, MECC and Events, Community Lifestyle and Artspace prior to the Request for Expression of Interest being released.

Resource Implications

$8,000.00 is required of the available $850,000.00 Public Arts budget (part of City Centre Revitalisation Project budget), to commission the production of four Marquettes.

Balance of available Public Arts budget is $842,000.00. The commission of the chosen artwork totals $240,000, leaving a balance of $602,000 to progress further public artworks as required.

Risk Management Implications

Risk – Potential for delays in the commission, production and installation of the Public Artworks, to hold up and jeopardise budget and program associated with the main streetscape contract. Mitigated through management to ensure timely progression of public arts program in line with main program.

Conclusion

That a shortlist of artists be invited to produce Marquette's representing the artworks as presented during the REOI stage and that each artist be paid $2,000.00 (excluding GST) to assist with the costs of producing their Marquette.

Officer's Recommendation

THAT Council approves the shortlisted artists listed below for MRC 2014-034 Request for Expressions of Interest for the Mackay City Centre Public Realm Improvement – Public Art Commission, with the intention of commissioning Marquettes from that shortlist:

ARTIST	ART WORK NAME
The Niche Art	Cane Fire
Creative Move	Coral Cane
Damian Butler	Sun and Moon
Artventure	Unnamed

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonanno **Seconded Cr Morgan**

CARRIED

Cr Perkins recorded his vote for the Motion
Cr Jones recorded her vote against the Motion

11.2 NDRRA PROJECT DELIVERY OF APPROVED SEALED ROADS RESTORATION WORKS

File No **NDRRA Project – Delivery of Approved Sealed Roads Restoration Works**
Author **Program Manager Civil Operations**

Purpose

To present to Council the pricing received for delivery of the final list of National Disaster Relief & Recovery Arrangements (NDRRA) approved sites on the sealed road network that have not been assigned for delivery as yet and to seek approval for delivery, in line with the Local Government Act 2009 and the Local Government Regulation 2102.

Background/Discussion

Reference is made to the recent report presented to the Council meeting of 26th March 2014 which provided details of the delivery mechanism options available for the restoration of

approved sealed road sites that had not been assigned for delivery, prior to the 30 June 2014 deadline. Final negotiations have now been held with Downer EDI and RoadTek to allow the final works program to be awarded.

The value of approved restoration works on sealed roads remaining for delivery is $2,209,819 in approved funds or Recommended Value (RV) terms. This work is predominately in the urban street network.

A variation of this magnitude to the existing contract with Downer would normally be considered outside acceptable scope variation, however in line with the Local Government Act 2009, s104, Council is able to award variations of this magnitude provided that it is accord with the listed sound contracting principles in part (3) of s104, these being:

(a) value for money; and
(b) open and effective competition; and
(c) the development of competitive local business and industry; and
(d) environmental protection; and
(e) ethical behaviour and fair dealing

Also, in line with the Local Government Regulations 2012, chapter 6 s 235, a local government may enter into a medium-sized contractual arrangement without first inviting written quotes or tenders on a number of exceptions including (f) the contract is made with, or under an agreement with, a government agency. Discussions have been held with RoadTek the construction unit of the Department of Transport & Main Roads. RoadTek have advised that they have resources immediately available. They have a well-documented experience with undertaking numerous projects involving the same type of restoration works.

The negotiations with Downer and RoadTek have been undertaken on the same basis as the negotiations with BMD Constructions. They were asked to price the works in the same format as the Queensland Reconstruction Authority (QRA) benchmarking methodology. This methodology separates project risk costs from the direct project costs. The pricing submitted in this format allows direct comparison with QRA's benchmarked rates to assess value for money. The separated risk cost would only be incurred in the event of delays outside the control of the contractor. Also, if ordered provisional sum items were separated from the pricing. These provisional items include such works as excavate and replace unsuitable materials, addition of additional material for shape correction and geotechnical investigation which will only be ordered if the site conditions warrant. These costs are eligible variations to the approved scope.

The outcomes of the negotiations are as follows:

- RoadTek's schedule of rate prices for the restoration works are lower than the pricing received from Downer.
- RoadTek's pricing for the full scope of outstanding restoration works, excluding provisional items is $2,813,054, that is, 27% above the RV.
- RoadTek's pricing for the small value sites with RV less than $15,000 are well in excess of the RV, making it difficult to demonstrate value for money. These sites with a RV value of $60,666 have been removed from the contract scope of works.
- RoadTek's negotiated price for the revised scope of restoration works, excluding provisional items is $2,499,694.99, that is, 16% above the RV.

- The value of provisional items, e.g. geotechnical testing, excavate and replace unsuitable material, for the revised scope of restoration works is $679,670.82. This work will only be ordered if site conditions warrant. This work if warranted is expected to be assessed as being within the QRA scope of works and eligible for funding.
- RoadTek have provided a works programme demonstrating the works can be completed by the deadline, subject to favourable weather being received.
- The total value of the re-measurable schedule of rates contract including provisional items and based on the condition that it expires on 30 June 2014 irrespective of the status of works, is $3,179,365.81.

Consultation and Communication

Consultation has been held with senior Council officers across Organisational Services and Engineering & Commercial Infrastructure, the Contract Superintendents and Queensland Reconstruction Authority senior officers on the proposed delivery and pricing model including:

- Director of Engineering & Commercial Infrastructure
- Manager Civil Operations
- Manager Civil Projects
- Manger of Plant & Procurement
- Project Manager NDRRA
- Contract Superintendents
- Queensland Reconstruction Authority Regional Liaison Officer

A briefing was also provided to SLPT and councillors in relation to the NDRRA program and status.

Resource Implications

The NDRRA team have assessed the delivery options for the final approved sites on the sealed road network that have not been assigned for delivery as yet, taking into consideration the time available and resources available to successful complete the works by the 30 June 2014 deadline.

Internal resources are fully committed on other Council and NDRRA projects. The engagement of external resources is the only viable option available to deliver the final approved sites on the sealed road network.

Consultants have already been appointed to manage the delivery of the outstanding sealed roads restoration works and they have confirmed their capability to manage this additional scope of works.

Risk Management Implications

The awarding of this scope of work carries some risk in that Council could potentially have to fund a portion of the works. This has been estimated at the worst case of being 20% of the RV of the approved scope including provisional items. Also, there is the potential for the need to undertake complementary works (e.g. extra area in excess of the approved area) in association with the approved restoration works in order to provide optimum outcomes. The estimated

value of the maximum risk is $430,000 and the value of complementary works is $170,000. If this was to occur then the additional Council funds would need to be funded through a review of the existing capital works budget.

The contract has also been set up with a completion date of the 30th June no matter what the stage of the works are all to mitigate ongoing costs risks to council.

Whilst acknowledging that in proceeding with these works Council may have to contribute funds to the final works, it is still deemed to be a value for money outcome for Council.

The provisional items will only be ordered if the site conditions warrant and will be eligible works refundable under the NDRRA program and hence will be a low risk to Council.

Conclusion

It is concluded that delivery of the approved NDRRA restoration works on sealed roads not yet assigned for delivery, by a negotiated contract with RoadTek will achieve the best value for money outcomes within the available time constraints for delivery, and in compliance with the Local Government Act and Regulations.

Officer's Recommendation

THAT Council approve the awarding of the re-measurable schedule of rates Contract MRC 2013-064, NDRRA Sealed Roads Restoration Works, for the value of $3,179,365.81 to RoadTek, including the condition that the contract shall cease on 30 June 2014 irrespective of the status of works.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr Gilbert**

CARRIED

11.3 REMOVAL AND SALE OF COUNCIL HOUSES

File No **MRC 2014-042 Removal and sale of Council houses**
Author **Manager Property Services**

Purpose

To present to Council for approval, tenders submitted for MRC 2014-042 Removal and sale of Council houses.

Background/Discussion

Mackay Regional Council (Council) identified a number of housing assets which were additional to requirements resulting in pricing for their removal and/or sale being sought.

The location and description of the assets that were issued for sale by tenderer are:

- 5 Goldsmith Street East Mackay
- 47 Alexandra Street West Mackay
- 22 Holts Road, Beaconsfield

Tenders were invited on the 11 January 2014, via Council's website and advertised locally in the Daily Mercury requesting pricing for the sale or removal of one or more of the houses listed.

The following submissions were received by the closing time of 10.00am 4th February 2014:

1. Cortis Civil & Demo Pty Ltd
2. ENH Projects Pty Ltd
3. Mackay House Removals (QLD) Pty Ltd

An initial compliance check was conducted on the 7th February 2014 to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

All submissions were progressed through to the qualitative criteria assessment on the basis that all terms and conditions and mandatory requirements of the RFT had been met.

During the evaluation, tenderers were assessed against the nominated qualitative criteria. The weighting attributed to each qualitative criteria was:

a)	Relevant Experience	25%
b)	Key personnel skills and experience and resources	25%
c)	Tenderers' Respondents	20%
d)	Demonstrated Understanding	20%
e)	Local Content	10%

The tendered lump sum prices, excluding GST, are listed below:

Property	Tenderer	Lump Sum Price (Excluding GST)
22 Holts Road, Beaconsfield	Mackay House Removals (QLD) Pty Ltd	Expense to Council $ 18,000.00
22 Holts Road, Beaconsfield	Cortis Civil and Demo Pty Ltd	Expense to Council $ 35,000.00
47 Alexandra Street, West Mackay	Mackay House Removals (QLD) Pty Ltd	Expense to Council $ 16,000.00
47 Alexandra Street, West Mackay	Cortis Civil and Demo Pty Ltd	Expense to Council $ 30,000.00
5 Goldsmith Street, East Mackay	Mackay House Removals (QLD) Pty Ltd	Expense to Council $ 13,636.67
5 Goldsmith Street, East Mackay	Cortis Civil and Demo Pty Ltd	Expense to Council $ 25,000.00
5 Goldsmith Street, East Mackay	ENH Projects Pty Ltd	Income to Council $ 5,000.00

The qualitative criteria assessment was carried out by the Evaluation Panel 11th February 2014 with the evaluation panel scoring the tenders according to the evaluation matrix.

All applicants were assessed against the qualitative selection criteria. Specific criteria were weighted according to their importance as perceived and agreed by the evaluation panel. Relative weightings were published within the RFT.

The RFT specified that Council could award the contract per property or a number of properties. Following the completion of the evaluation the panel declined any offers for the following properties:

- 5 Goldsmith Street East Mackay
- 22 Holts Road, Beaconsfield

The evaluation panel recommends awarding the contract for the property located at 47 Alexandra Street West Mackay only, to Mackay House Removals as their submission represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council.

The evaluation of the tender was conducted by:

- Co-Ordinator Property Services
- Technical Officer Property Services

- Team Leader – Maintenance — Property Services
- Contracts Co-ordinator — Procurement and Plant

The non-acceptance of tenders submitted for buildings located at 5 Goldsmith Street East Mackay and 22 Holts Road, Beaconsfield is based on such properties being utilised for proposed new projects that will provide opportunities to enhance and rationalise facilities in the Pioneer Valley and generate income through property development.

Consultation and Communication

Consultation was conducted between Director Community & Client Services, representatives from the Property Services, Parks & Environment and Procurement & Plant programs prior to the Request for Tender being released.

Further discussion was held between Director Community & Client Services, Manager Community Lifestyle, Manager Parks & Environment and Planning Officer in regards to the proposed alternative use of buildings located at 5 Goldsmith Street East Mackay and 22 Holts Road, Beaconsfield.

Briefing to be presented to Council on the 7 May 2014 at 3.15pm pertaining to the proposed future use of the building located at 5 Goldsmith Street East Mackay and 22 Holts Road, Beaconsfield.

Resource Implications

The cost associated with the removal of the building located at 47 Alexandra Street West Mackay being $16,000.00 will be accommodated within the Property Services budget.

Council will incur a loss of $5,000.00 by not accepting the tendered price for 5 Goldsmith Street East Mackay but the benefits to Council through the retention of the building will exceed the loss of such income.

Risk Management Implications

The removal of the building located at 47 Alexandra Street will be undertaken by a qualified contractor who will meet Council's requirements for such work, hence addressing risk management implications for Council.

The buildings can be re-tendered at a later date if required for minimal cost.

Conclusion

That awarding contract MRC 2014-042 Removal and Sale of Council Houses for the property located at 47 Alexandra Street West Mackay only, to Mackay House Removals for the lump sum price (expense to Council) of $16,000.00, excluding GST as it represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council.

Officer's Recommendation

THAT Council award contract MRC 2014-042 Removal and Sale of Council Houses for the property located at 47 Alexandra Street West Mackay only, to Mackay House Removals for the lump sum expense of $16,000.00 (Excluding GST).

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Steindl **Seconded Cr Bonanno**

CARRIED

11.4 MRC 2014-009 - PROVISION OF VETERINARY SERVICES

File No **MRC 2014-009 Provision of Veterinary Services**
Author **Manager Health and Regulatory Services**

Purpose

To present to Council for approval, tenders submitted for MRC 2014-009 Provision of Veterinary Services.

Background/Discussion

The Mackay Regional Council issued a Request for Tender (RFT) MRC 2014-009 Provision of Veterinary Services, inviting submissions to supply a variety of veterinary services including:

- Euthanising;
- Microchipping;
- De-sexing of cats and dogs;
- Call outs for injured animals; and
- Veterinary checks as required.

Tenders were invited on 30 November 2013 via Council's website and advertised locally in the Daily Mercury.

The following submissions were received by the closing time of 10.00am 14 January 2014:

a) Andergrove Veterinary Clinic; and
b) Better Pet Vets Pty Ltd

An initial compliance check was conducted on the 17 January 2014 to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

All submissions were progressed through to the qualitative criteria assessment on the basis that all terms, conditions and mandatory requirements of the RFT had been met.

During the evaluation, tenderers were assessed against the nominated qualitative criteria. The weighting attributed to each qualitative criteria was:

a)	Relevant Experience	25%
b)	Key personnel skills and experience	25%
c)	Tenderers' Resources	20%
d)	Tenderers' Price	20%
e)	Local Content	10%

The qualitative criteria assessment was carried out by the Evaluation Panel on 4 February 2014 with the evaluation panel scoring the tenders according to the evaluation matrix.

All applicants were assessed against the qualitative selection criteria. Specific criteria were weighted according to their importance as perceived and agreed by the evaluation panel. Relative weightings were published within the RFT.

A Tender Information Request was issued to Better Pet Vets Pty Ltd requesting a confirmation of their pricing to reflect the pricing categories requested in the Tender. Better Pet Vets Pty Ltd declined to re-submit their pricing schedule and as such the Evaluation Panel deemed their Tender as non-conforming.

The evaluation of the tender was conducted by:

- Co-ordinator Regulatory Services;
- Team Leader Local Laws; and
- Contracts Officer – Procurement and Plant.

Consultation and Communication

Consultation was conducted between the Health and Regulatory Services and Procurement and Plant prior to the Request for Tender being released.

Resource Implications

By having this arrangement in place for veterinary services, prevents Council from having to employ a full time registered veterinarian. Currently, there is not enough work to sustain a full time veterinarian and therefore this arrangement allows us to use veterinary services as required. Furthermore, it prevents Council from providing the necessary infrastructure for a veterinary surgery.

Yearly expenditure is dependent on the number of animals both rehomed and/or euthanized. Figures for the previous financial period were:

- 12/13 Budget $50.000
- 12/13 Year Actuals - $32,466.72

Risk Management Implications

By having this arrangement in place for veterinary services, ensures animals are in a reasonable condition to be re-homed.

Ensures Council is compliant with the Animal Management (Cats and Dogs) Act 2008 that requires animals to be de-sexed and micro-chipped before selling.

This service also demonstrates Councils commitment to animal welfare and ensures that any animal entering Councils care are treated humanely and afforded the best quality opinion to ensure sound decisions are made.

Conclusion

That awarding the contract to Andergrove Veterinary Clinic represents the most advantageous outcome and demonstrated value for money to Mackay Regional Council based on their demonstrated understanding of Council's requirements and their previous experience and personnel skills and resources.

The supported tender had a simple fee structure model which provides swifter and simpler administrative process both at the pound and main business centres.

The second tenders pricing schedule incorporated a complex charging structure based on weight, age and sex of animal which would create an additional accounting and administrative burden both at the pound and the main business centres.

Officer's Recommendation

THAT Council award contract MRC 2014-009 Provision of Veterinary Services to Andergrove Veterinary Clinic for the schedule of rates submitted in their Pricing Schedule.

Council Resolution

THAT the Officer's Recommendation be adopted.

Moved Cr Bonaventura **Seconded Cr Gilbert**

CARRIED

12. CONSIDERATION OF NOTIFIED MOTIONS

Nil

13. LATE BUSINESS:

13.1 EVENTS ATTENDED BY COUNCILLORS

Cr Steindl attended the North Queensland Games in Townsville last week-end where over 4,000 athletes competed. Mackay's Liam Mumford won the opening event, the Men's 1500 metre race.

Crs Casey and Walker attended the opening of the Marian Woolworths in the new Marian Town Centre last night with over 1,000 residents enjoying the event. The Grand Opening of the Marian Town Centre will take place on Saturday 12 April from 10.00 am.

Cr Jones attended on behalf of the Mayor the Sonkran Thai Water Festival on Saturday 5 April. This was the first time the Festival was opened to the public by invitation and the third time the Festival has been held in Mackay.

14. PUBLIC PARTICIPATION:

Nil

15. CONFIDENTIAL REPORTS:

Nil

16. MEETING CLOSURE

The meeting closed at 10.22 am.

17. FOR INFORMATION ONLY

17.1 DEVELOPMENT APPLICATION INFORMATION - 24.03.14 TO 30.03.14

For Council Information Only - No Decision Required.

Development Applications Received

App no	Code / Impact	Address	Applicant	Description	Officer
CA-2007-181		61 Whitsunday Drive, BLOOMSBURY	Max Watterson & Associates	Permissible Change - Change of Conditions - Material Change of Use - Development Permit over entire Lot 504 on SP200342 and Reconfiguration of a Lot for 33 Rural Residential Lots over 2 stages - development Permit and Reconfiguration of a Lot over balance land - Preliminary Approval	Julie Brook
CON-2014-43		9 Oliver Street, BALL BAY	Russell M Everett	Building Work - Boundary Setback for House	Andrea McPherson
CON-2014-44		52 George Street, MACKAY	Totalspan Mackay	Building Work - Boundary Setback for Carport	Josephine McCann
CON-2014-45		6 Bernborough Avenue, OORALEA	GMA Certification Group Pty Ltd - Port Douglas	Building Work - Boundary Setback for Awning	Kathryn Goodman
CON-2014-46		35 Calen Mount Charlton Road, CALEN	William R Batchelor and Sandra L Batchelor	Building Work - Boundary Setback for Dwelling House	Andrea McPherson
CON-2014-47		75 Maple Drive, ANDERGROVE	Totalspan Mackay	Building Work - Boundary Setback for Carport	Josephine McCann
CON-2014-48		4 Gracie Court, WALKERSTON	GMA Certification Group Pty Ltd - Port Douglas	Building Work - Boundary Setback for Carport	Kathryn Goodman
CON-2014-49		41 Scarborough Circuit, BLACKS BEACH	Matrix Certification Services	Building Work - Boundary Setback for Dwelling House	Andrea McPherson
MCUC-2011-260	Code	70-90 Beaconsfield Road East, ANDERGROVE	Andergrove Lakes Pty Ltd	Request to Consider Plans Generally in Accordance - 86 Multiple Dwelling Units including 16 Dual Key units (102 keys) & Commercial Premises (Catering Shop) - Amendment of FFE Locations	Julie Brook
MCUCD-2008-315	Code	8 River Street, MACKAY	Justin Robert Smith Pty Ltd	Request to Change Condition - Material Change of Use - 41 Multiple Dwelling Units and Catering Shop	Shane Kleve
MCUI-2014-66	Impact	2 Patch Street, SARINA	Jab Fitness	Indoor Entertainment (Gymnasium Facility)	Josephine McCann
ROLC-2010-368	Code	61 Whitsunday Drive, BLOOMSBURY	Max Watterson & Associates	Permissible Change - Change of Conditions - 1 Rural Lot into 36 Rural Residential Lots and 1 Balance Lot	Julie Brook
ROLC-2014-65	Code	632 Marian-Eton Road, MARIAN	Nicholas C Brennan	Boundary Realignment 2 Rural Lots into 2 Lots	Darryl Bibay

Development Applications Entering Decision Making Period

App Number	Code / Impact	Address	Applicant	Description	Officer
CA-2008-281B		10 Brooks Road SARINA	Sentinel Sarina Development Pty Ltd	Request for Permissible Change - Change of Conditions - Material Change of Use (Urban residential) AND Reconfiguration of 2 Lots to create 73 Lots.	Helle Jorgensen Smith
MCUC-2011-260B	Code	70 Beaconsfield Road East ANDERGROVE	Andergrove Lakes Pty Ltd	Request to Consider Plans Generally in Accordance - 86 Multiple Dwelling Units including 16 Dual Key units (102 keys) & Commercial Premises (Catering Shop) - Amendment of FFE Locations	Julie Brook
MCUC-2014-25	Code	194 Yakapari-Habana Road THE LEAP	David T Phare and Rosanna s Phare	Home Based Business (Beauty Spa)	Kathryn Goodman

App Number	Code / Impact	Address	Applicant	Description	Officer
MCUC-2014-40	Code	63 Superior Boulevard ANDERGROVE	Murphy Homes QLD Pty Ltd	Material Change of Use - Dual Occupancy	Darryl Bibay
ROLC-2010-368B	Code	61 Whitsunday Drive BLOOMSBURY	Max Watterson & Associates	Permissible Change - Change of Conditions - 1 Rural Lot into 36 Rural Residential Lots and 1 Balance Lot	Julie Brook
ROLC-2013-233	Code	30 Christoe Street FARLEIGH	Michael G Spiteri	Boundary Realignment 2 Rural Lots into 2 Lots	Darryl Bibay
ROLC-2014-18	Code	5 Neill Street EAST MACKAY	Ross H deBoer	Reconfiguration of a Lot - 1 Urban Residential Lot into 2 Lots	Josephine McCann

Development Applications Finalised

App No	Code / Impact	Location	Applicant	Description	Officer
Application Withdrawn					
CAI-ASPA-2013/112	Impact	L 4 Hodges Road SHOAL POINT QLD 4750	Jamie Pickering P/L ATF Pickering Family Trust No4	Preliminary Approval (s242-SPA) to vary the Planning Scheme for a Material Change of Use (Residential Uses) including change to the Level of Assessment to be assessed under provisions of the Urban Expansion Zone and Preliminary Approval for part of Lot 4 RP817122 - 1 Rural Lot to include Road Network	Kathryn Goodman
ROLC-ASPA-2014/24	Code	2 Ridolfis Road FARLEIGH QLD 4741	Lisa R Morris	1 Rural Lot into 2 Lots & Access Easement	Kathryn Goodman
Approved Subject to Conditions					
CON-ASPA-2013/125		9 Marine Parade BUCASIA QLD 4750	GMA Certification Group Pty Ltd - Port Douglas	Building Work - Boundary Setback for Awning	Josephine McCann
CON-ASPA-2014/30		81 Phoenix Crescent RURAL VIEW QLD 4740	Totalspan Mackay	Building Work - Boundary Setback for Residential Storage Shed	Andrea McPherson
CON-ASPA-2014/33		20 Pauline StreetW ALKERSTON QLD 4751	Robert I Dunn	Buidling Work - Boundary Setback for Residential Storage Shed	Andrea McPherson
CON-ASPA-2014/39		120B Malcomson Street NORTH MACKAY QLD 4740	Dixon Homes Mackay	Building Work - Boundary Setback for House	Andrea McPherson
CON-ASPA-2014/40		6 Carbeen Street ANDERGROVE QLD 4740	Paul B Heel	Building Work - Boundary Setback for Shed	Darryl Bibay
CON-ASPA-2014/41		78 Melba Street ARMSTRONG BEACH QLD 4737	Mackay and Whitsunday Building Certification	Building Work - Boundary Setback and Oversize Residential Storage Shed	Helle Jorgensen Smith
MCUC-ASPA-2012/410A	Code	10 Gold Street MACKAY QLD 4740	Akasa Pty Ltd	Permissible Change - Change of Conditions- Multiple Dwelling Units (6)	Darryl Bibay
MCUC-ASPA-2014/44	Code	32 Lawrence Street WALKERSTON QLD 4751	Sandsky Developments	Material Change of Use - Dual Occupancy (2 Units)	Darryl Bibay
MCUC-ASPA-2014/48	Code	8 Bonney Street RURAL VIEW QLD 4740	Murphy Homes QLD Pty Ltd	Material Change of Use - Dual Occupancy	Brogan Jones
MCUC-ASPA-2014/54	Code	24 Farming Road OORALEA QLD 4740	Sandsky Developments	Dual Occupancy	Helle Jorgensen Smith
MCUC-ASPA-2014/63	Code	35 Logan Crescent ERAKALA QLD 4740	Moggys Developments Pty Ltd	Building Work - Boundary Setback for Carport	Andrea McPherson
MCUCD-IDAS-1991/9A	Code	435 Milton Street PAGET QLD 4740	Mackay Brothers Football Club Inc	Request for Permissible Change - Change of Conditions-P&E Application - Consent - Caretaker's Residence and Sport &	Leah Harris

App No	Code / Impact	Location	Applicant	Description	Officer
				Recreation (Consent Permit No. 009)	
MCUCD-IDAS-2008/495A	Code	144-150 Shakespeare Street MACKAY QLD 4740	GMA Certification Group Pty Ltd - Port Douglas	Request for Generally in Accordance - Place of Worship	Andrea McPherson
MCUI-ASPA-2013/286	Impact	246 Bells Road PALMYRA QLD 4751	Kerwin Group Pty Ltd	Undefined Use (Administration and Ancillary Storage of Business Related Materials Associated with a Mobile Business)	Kathryn Goodman
ROLC-ASPA-2013/431	Code	L 601 Beaconsfield Road East ANDERGROVE QLD 4740	Andergrove Lakes Pty Ltd	Reconfiguration of a Lot - 3 Proposed Lots into 15 Residential Lots	Julie Brook
Negotiated Decision					
MCUI-ASPA-2010/190	Impact	L 4 Yakapari-Habana Road HABANA QLD 4740	Aqua Drilling	Material Change of Use - Extractive Industry, ERA 16(2a) Extraction 5,000 to 100,000tpa; and ERA 16 (3a) Screening 5,000 to 100,000tpa (approval for maximum of 18,500tpa)	Julie Brook
Application Lapsed					
MCUI-ASPA-2013/354	Impact	20 Davey Street GLENELLA QLD 4740	Pro Town Planners	Multiple Dwelling Units (3)	Darryl Bibay
Relevant Period Extended					
RECONF-IDAS-2009/10B		927 Grasstree Road SARINA BEACH QLD 4737	John G Mifsud and Lynda M Mifsud	Request for Extension of Relevant Period - 1 Rural Lot to create 7 Rural Residential Lots	Josephine McCann

Confirmed on Wednesday 16 April 2014

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MAYOR