

**E&C RESULTS -1SEPTEMBER 2009**

SUB NO.	FILE NO.	DIV.	TITLE	Result
01/09-01  M	109/800/286/165	Corporate Services	Queensland Police Service Community Lease - Belmont Recreation Reserve	Yes

Present: Lord Mayor Campbell Newman, G M Quirk, G Knapp, A Cooper, D McLachlan, A Schrunner, P Matic, J Prentice

**BCC PUBLICATION SCHEME  
10 YEAR RELEASE**

M - Indicates an E&C Committee decision (or minute item), which is included in this document.  
R - Indicates an E&C Committee recommendation to full Council. Details can be accessed through the Council Minutes, which are available for inspection on Level 2 of the Brisbane Square Library, 266 George Street, Brisbane.

1.0 FILE NUMBER: 109/800/286/165

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 TITLE

Queensland Police Service Community Lease – Belmont Recreation Reserve.

3.0 ISSUE/PURPOSE

That Council approve the offering of a Community lease to the Queensland Police Service over a part of Land at Belmont Recreation Reserve for the development and operation of a Police Station.

4.0 PROPONENT

Ian Maynard  
Divisional Manager, Corporate Services Division

5.0 SUBMISSION PREPARED BY

Mark Mazurkiewicz  
Manager, City Property

6.0 DATE

31 August 2009

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For Establishment and Coordination Committee Approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

Not applicable.

9.0 RECOMMENDATION


That Council rescind the E & C decision of 15 September 2008 and that Council grant a community lease to the Queensland Police Service as part of the Belmont Recreation Reserve as shown on the Plan comprising Attachment "A" for the development and operation of a Police Station on the following terms and conditions:

- I. term of 10 years commencing 15 September 2009;
- II. rental of ~~redacted~~ (including GST) per year;
- III. otherwise on the standard terms and conditions for community leases;
- IV. otherwise on terms acceptable to Manager, City Property and the Chief Legal Counsel.

CHAIRPERSON

I Support / ~~Reject~~ the Recommendation

If rejected please state reasons



Councillor Adrian Schinner  
Chairman  
FINANCE and ADMINISTRATION COMMITTEE

10.0 DIVISIONAL MANAGER



Ian Maynard  
Divisional Manager  
CORPORATE SERVICES DIVISION

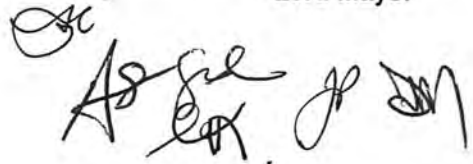
I Recommend Accordingly

.....  
CHIEF EXECUTIVE OFFICER

**APPROVED**

01 SEP 2009

.....  
Lord Mayor



BCC PUBLIC INFORMATION RELEASE SCHEME  
10 YEAR RELEASE

## 12.0 CONSULTATION

Councillor Adrian Schrinner, Chairman Finance and Administration Committee (31<sup>st</sup> August 2009)  
Councillor Geraldine Knapp, Chairman Families and Community Services Committee (31<sup>st</sup> August 2009)  
Ian Grant-Smith, A/Corporate Real Estate Manager City Property (31<sup>st</sup> August 2009)

All consulted are in agreement with the recommendation.

## 13.0 IMPLICATIONS OF PROPOSAL

If Council does not agree to offer to lease to QPS, The State may resume part of the Trust in order to develop the site. The State would prefer not to have to resort to this as it raises amongst other things, Native Title issues which will delay the development significantly.

## 14.0 COMMERCIAL IN CONFIDENCE

No

## 15.0 CORPORATE PLAN IMPACT

Friendly, Safe City: Inclusive and Caring Communities – The provision of a Police Station is considered a high priority.

## 16.0 CUSTOMER IMPACT

There is a demonstrated need to establish a Police Station for the community in this geographical area.

## 17.0 ENVIRONMENTAL IMPACT

The development of Site 1 would require some clearing of vegetation, however QPS will undertake a planting program to off-set the vegetation removed for the site.

## 18.0 POLICY IMPACT

Nil

## 19.0 FINANCIAL IMPACT

Council will receive rental of redacted (including GST) per year.

## 20.0 HUMAN RESOURCE IMPACT

Nil

## 21.0 URGENCY

In the normal course of business.

## 22.0 PUBLICITY/MARKETING STRATEGY

Nil

## 23.0 OPTIONS

1. Approval to offer a 10 year lease to the Queensland Police Service over part of Belmont Recreation Reserve to as Site 1, for the development and operation of a Police Station.
2. Not approve the recommendation.

Option 1 is the preferred option.

NB: If the Officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**E&C RESULTS –7 SEPTEMBER 2009**

SUB NO.	FILE NO.	DIV.	TITLE	Result
07/09-01 R	109/800/286/130	Brisbane Infrastructure	Progress Road Upgrade – Stage 2, Ipswich Motorway to Boundary Road, Wacol	Yes
07/09-02 R	109/800/286/131	Brisbane Infrastructure	Progress Road Upgrade – Stage 3A, Teraba Street to Garden Road, Richlands.	Yes
07/09-03 M	109/800/286/38	Brisbane Infrastructure	Hale Street Link – Energex funded works on the Hale Street Link project	Yes
07/09-04 M	109/800/286/161	Brisbane Infrastructure	Bus procurement order for the 2010-11 financial year.	Yes
07/09-05 R	134/695/317/5	Corporate Services	Audit Report for the year ended 26 June 2009	Yes
07/09-06 R	134/695/317/4	Corporate Services	Presentation and tabling of the audited 2008/09 Annual Financial Statements	Yes
07/09-07 R	134/695/317/2	Corporate Services	Presentation and tabling of the Quarterly Financial Report for the period ended June 2009	Yes
07/09-08 M	12/51/1(P9)	Corporate Services	Monthly Report – Delegation of Authority to Travel – June, 2009	Yes
07/09-09 M	112/800/148/4	Corporate Services	Lease Amendment for premises occupied by the East Regional Business Centre	Yes
07/09-10 M	109/800/286/43	Corporate Services	Required car parking and community meeting space for the West Regional Business Centre	Yes
07/09-11 M	109/800/286/147	Corporate Services	South Regional Business Centre Accommodation Option.	Yes
07/09-12 R	109/800/286/120	C P & S	Proposed Amendments to the Natural Assets Planning Scheme Policy	Yes
07/09-13 R	109/800/286/119	C P & S	Proposed changes to the House Code	Yes
07/09-14 M	109/800/286/155	C P & S	Ex Gratia Payment to the redacted redacted redacted	Yes
07/09-15	109/800/286/88	C P & S	Changes to Area Classification and Demolition Control Precincts	Held
07/09-16 R	109/800/286/95	C P & S	Paradise Wetlands Infrastructure Contributions Planning Scheme Policy	Yes
07/09-17	109/800/286/139	FaCS	Updating of Council's Prosecution Policy	Held

**E&C RESULTS -7 SEPTEMBER 2009**

SUB NO.	FILE NO.	DIV.	TITLE	Result
07/09-18	109/800/286/115	FaCS	Booker Place Park, Bellbowrie – Alteration of Leasing Agreement	Held
07/09-19 M	109/800/286/154	OLMCEO	2008/2009 Annual Report from the Office of the Disputes Commissioner	Yes
07/09-20 M	109/800/286/160	OLMCEO	Appointments to Professional Bodies	Yes
07/09-21	(3)456/65	OLMCEO	Council Recesses 2010-11	Held
07/09-22 M	182/210/179/31	OLMCEO	Construction of Kingsford Smith Drive Stage 1 upgrade between Harvey Street North and Theodore Street	Yes
07/09-23 M	109/800/286/127	OLMCEO	Significant Procurement Activity Plan (SPAP) in relation to the Howard Smith Wharves Revitalisation Project	Yes
07/09-24 R	109/800/286/97	C P & S	Change to Area Classification for 61 Love Street, Holland Park in the Brisbane City Plan 2000	Yes

Present: Lord Mayor Campbell Newman, G M Quirk, G Knapp, A Cooper, D McLachlan, A Schrunner, P Matic, J Prentice

BCC PUBLICATI  
10 YEAR RELEASE SCHEME

M - Indicates an E&C Committee decision (or minute item), which is included in this document.  
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1.0 FILE NUMBER: 109/800/286/38

07 SEP 2009 - 03

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 TITLE

Hale Street Link – Energex funded works on the Hale Street Link project

3.0 ISSUE/PURPOSE

To approve the undertaking of Energex funded additional works on the Hale Street Link Project

RECEIVED

07 SEP 2009

4.0 PROPONENT

Barry Broe, Divisional Manager, Brisbane Infrastructure

COMMITTEE SECRETARY

ACTION TAKEN

07 SEP 2009

5.0 SUBMISSION PREPARED BY

Steve Hammer, Project Director – Hale Street Link, Major Infrastructure Projects Office, Ext 37541

TOWN CLERK

APPROVED

6.0 DATE

1st September 2009

7 SEP 2009

Lord Mayor

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For E&C Approval

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

No

9.0 RECOMMENDATION

That E&C approve the Hale Street Link Alliance entering into an agreement to perform specified works for Energex to the estimated value of \$960,000 as part of the Hale Street Link Project conditional upon those works being fully funded by Energex.

10.0 DIVISIONAL MANAGER AND CHAIRPERSON

*Barry Broe*

Barry Broe  
Divisional Manager  
Brisbane Infrastructure

*Graham Quirk*

Graham Quirk  
Chairperson  
Infrastructure Committee

I Recommend Accordingly

*John Kaye*  
ACTING CHIEF EXECUTIVE OFFICER

I Support / Reject the Recommendation/s.

If Rejected – please state reasons:



## 11.0 BACKGROUND

The Hale Street Link Alliance (HSLA) Project Alliance Agreement (PAA) requires that spatial provisions be made for the inclusion of Public Utility Plant across the Hale Street Link (HSL) Bridge.

The PAA allowed for relocation of existing services where necessary for HSL project works, not for the provision of new services..

Where any utility provider wants to construct additional public utility works at the entry to or across the Hale Street Link Bridge then that provider needs to negotiate with HSLA for the construction of those services by the Alliance at the provider's cost.

Energex requires new conduit infrastructure installed across Montague Road in South Brisbane and Coronation Drive at Hale Street and it is considered appropriate if this work is done during construction of HSL Project.

HSLA has priced the proposed Energex requirements at an estimated price of \$960,000 asset creation work.

Energex has agreed to pay that sum to the HSLA to undertake the work. Additionally, Energex have undertaken the works to connect to the HSLA Energex works at the northern abutment to cross Coronation Drive, thus avoiding any disruption to the completed HSL traffic arrangements. This works has been carried out in July and August 2009.

The recommended commercial approach to the Energex works has been reviewed and agreed to by Council's Independent Financial Auditor (KPMG) for the HSLA contract.

The HSLA Alliance Leadership Team (ALT) has reviewed the scope of works and commercial agreement provided by Energex for the works and concluded that the terms of the agreement are acceptable on the basis of the agreed lump sum price for the works.

HSLA has included in its quote to Energex contingencies and sums to cater for all aspects of construction risk. The ALT is confident that there is negligible exposure for costs exceeding revenue for these works.

The risk of delay of HSL project works as a result of performing the Energex works is considered negligible.

The Energex works will be accounted for as a separate revenue and cost stream outside the HSLA Target Outturn Cost.

Therefore, it is recommended that Council permit the Energex works to undertaken by HSLA subject to payment of Energex of the costs of those works.

## 12.0 CONSULTATION

Cr Graham Quirk, Chairperson Infrastructure Committee  
Jude Munro, Chief Executive Officer  
David Askern, Manager Brisbane City Legal Practice  
Craig Stevens, Manager Marketing & Communications

## 13.0 IMPLICATIONS OF PROPOSAL

The proposed recommendation will allow delivery of the Energex externally funded works as part of the Hale Street Link Alliance.

## 14.0 COMMERCIAL IN CONFIDENCE

No

## 15.0 CORPORATE PLAN IMPACT

Nil

## 16.0 CUSTOMER IMPACT

Residents in adjoining properties to works will be impacted due to night work requirements to excavate across Coronation Drive. The Hale Street Link community and stakeholder team representatives and Energex's contractor will be providing updates to the effected properties ahead of the works being undertaken.

Undertaking these works as part of the Hale Street Link project improves the long term outcomes for the travelling community as further disruption to Coronation Drive and Hale Street Link will be avoided.

## 17.0 ENVIRONMENTAL IMPACT

Nil

## 18.0 POLICY IMPACT

Nil

## 19.0 FINANCIAL IMPACT

Council's participation in the externally funded Energex works will be consistent with the pain/gain regime principles of the PAA, except for it being treated as a separate target price works. Therefore, Council will share in any pain and/or gain with respect to any cost over/under runs of the agreed amount for the works as funded by Energex.

**20.0 HUMAN RESOURCE IMPACT**

Nil

**21.0 URGENCY**

In the normal course of business

**22.0 PUBLICITY/MARKETING**

The completion of the provision for Energex works during the HSL project works will avoid potential future criticism of Council and Energex for works to be completed at a later date i.e. post opening of HSL bridge.

**23.0 OPTIONS**

Option 1: Accept the recommendation

Option 2: Not accept the recommendation

Option (1) is the preferred option

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**SUBMISSION NUMBER**

1.0 File number: 109/800/286/161

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 Title

Bus procurement order for the 2010-11 financial year.

3.0 Issue/purpose

To approve the final details of the Bus Procurement Order with Volgren Australia Pty Ltd for the 2010-2011 financial year.

4.0 Proponent

Barry Broe, Divisional Manager, Brisbane Infrastructure

5.0 Submission prepared by

Gary Moroney, Senior Adviser, Fleet Management, Transport and Traffic, Brisbane Infrastructure

6.0 Date

31 August 2009

7.0 For E&C approval or recommendation to Council

E&C approval

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

N/A

9.0 Recommendation

That E&C approve the placing of a final procurement order with Volgren Australia Pty Ltd for the purchase of:-

- (a) 51 x 12.5m Rigid Volvo Environmentally Enhanced Vehicle (EEV) low emission, diesel vehicles; and
- (b) 60 x 14.5m Rigid, Volvo, EEV, low emission, diesel vehicles;

for delivery in the 2010-2011 financial year at a total cost of \$53,859,681.00.

RECEIVED

07 SEP 2009

COMMITTEE SECTION

ACTION TAKEN

07 SEP 2009

TOWN CLERK

10.0 Divisional Manager

Committee Chairman

I Support / Reject the recommendation.  
If reject, please state reasons

*Barry Broe*

Barry Broe 2/9/09  
Divisional Manager  
Brisbane Infrastructure

*Jane Prentice*

Cy Jane Prentice  
Chairman, Public and Active Transport  
and Economic Development

I Recommend Accordingly

*Sally Jordan*  
ACTING CHIEF EXECUTIVE OFFICER

APPROVED

7 SEP 2009

Lord Mayor

*[Handwritten signatures and initials]*

BCC PUBLIC RELEASE SCHEME  
10 YEAR RELEASE

## 11.0 Background

Due to the unprecedented patronage growth in public transport, the Administration has committed to the procurement of 500 buses over four years (an average of 125 buses per year).

On 5 December 2008, Council entered into a Head Supply Agreement with Volgren Australia Pty Ltd for the future procurement of new buses. In conjunction with this Volgren was given an order for 85 12.5m Rigid, Volvo, EEV, low emission, diesel vehicles for the 2009-10 financial year. MAI was issued an order to supply the remaining 40 MAN CNG rigid buses by December 2009 which is the final order under the contract.

On 18 June 2009 E&C approved in principle the placement of an order for 2010/11 for diesel fuel type low floor, EEV, low emission buses. To progress the order the number of buses and body configuration of these buses now needs to be determined.

Under the terms and conditions of the agreement, orders for the 2010/11 fleet must be placed with Volgren Australia Pty Ltd by 30 September 2009 to ensure on-time delivery of the vehicles.

Under the head supply agreement Council can order various body options for diesel buses. These are 12.5m rigid, 14.5m rigid or articulated buses. No orders have yet been placed for the Volvo 14.5m or articulated bus configurations.

Brisbane Transport has undertaken a preliminary technical and driver handling assessment on equivalent Scania 14.5m diesels which were delivered in April 2009. The technical evaluation is generally supportive subject to the qualification that previous experience with other fleet types is that technical and/or performance problems may develop at a later date partly due to Brisbane's subtropical climate and relatively tough terrain.

The bus operators have been generally supportive of the handling and performance of the vehicles. The 14.5m diesels are currently confined to one depot and there has been extensive training and driver support.

Based on the above assessment it is proposed to order 60 Volvo 12.5m Rigid Diesel and 51 Volvo 14.5m Rigid Diesel vehicles under the Head Supply Agreement.

The rationale for this mix is as follows:

- (a) 51 12.5m Rigid are immediately required to meet standard transport needs across Brisbane.
- (b) The 60 14.5m Rigid are higher capacity vehicles which will allow for dedicated scheduling initiatives on routes with consistent full standing loads.
- (c) The proposed number of 14.5m vehicles provides sufficient 'critical mass' to better optimise formal bus operator competency training and spare parts management

The procurement of more 14.5m Rigid is not supported at this stage until:

- (a) TransLink and BCC review the impact on the management of CBD kerbside allocation (including the stopping arrangements for the planned City Glider) and key infrastructure such as Queen Street Bus Station and King George Square Bus Station.
- (b) The Volvo 14.5m Rigid prototype is evaluated formally in service.
- (c) The impact of the distribution of more 14.5m Rigid such vehicles across more depots is analysed.

Details of the proposed procurement order are as follows:-

**Planned 2010/11 purchase**

Bus Type	Vehicle No.	Rigid Equivalent	Chassis Price	Body Price	Cost per Bus	Total Price
12.5 m Rigid EEV Diesel	51	51	\$161,490.00	\$295,881.00	\$457,371.00	\$23,325,921.00
14.5 m Rigid EEV Diesel	60	74	\$189,100.00	\$319,796.00	\$508,896.00	\$30,533,760.00
<b>Total</b>	<b>111</b>	<b>125</b>				<b>53,859,681.00</b>
<b>Note:-</b>	one 14.5m bus equals 1.23 rigid bus equivalents					
	Body Price is subject to Rise & Fall contract conditions, \$850k requested for contingency to cover these possible variations.					

Note that the recommendation reflects that less than 125 physical buses will be purchased.

Approval is now sought for the placing of this procurement order.

**12.0 Consultation**

- Cr Adrian Schrinner, Chairman Finance & Administration Committee – telephone response 31 Aug 2009
- Barry Broe, Divisional Manager Brisbane Infrastructure – email 26 Aug 2009
- Victor Franco, Manager Transport and Traffic – email 28 Aug 2009
- Alan Warren, Divisional Manager Brisbane Transport – email 31 Aug 2009
- Sherry Clarke, Transport Network Operations Manager, Brisbane Transport – email 31 Aug 2009
- Ian Maynard, Divisional Manager Corporate Services – email 27 Aug 2009
- David Askern, Chief Legal Counsel – email 31 Aug 2009
- Anthony Pennisi, Procurement Manager Strategic Procurement – email 27 Aug 2009

**All consulted and in agreement with the recommendation.**

**Translink has not been consulted on this proposed procurement order but has previously been advised that Council intends to purchase 125 low floor rigid diesel bus equivalents for 2010/11.**

**13.0 Implications of proposal**

The approval will secure the delivery of 125 rigid bus equivalents in 2010/11 .

If the proposal is not approved there will be a significant risk of the delivery schedule not being achieved.

**14.0 Commercial in confidence**

No

**15.0 Vision/Corporate Plan impact**

The placement of this order will contribute to the Vision 2026 theme of an accessible and connected city by maintaining effective public transport services.

**16.0 Customer impact**

Brisbane residents will continue to be provided with an effective and efficient bus service.

**17.0 Environmental impact**

The provision of an effective public transport service will reduce congestion and environmental impacts of traffic movements.

The vehicles being recommended meet EEV emission standards.

**18.0 Policy impact**

E&C has already approved ordering 125 rigid equivalents for 2010/11 on 18 June 2009. Approval of the placement of this order is consistent with this existing policy.

**19.0 Financial impact**

The 2010-11 financial year has a forward capital budget allocation of \$59.32m. It is intended that Council will recover the capital cost of the vehicles by the sale of buses to a State Government Authority, such as Translink.

Operational costs are intended to be covered under the Translink 3G contract once finalised. It is recognised that no growth funding is currently available. The impact of this is being considered by a dedicated project control group.

The strategy to purchase a mix of 14.5m and 12.5m rigid buses reduces the capital expenditure for 125 rigid bus equivalents by approximately \$4.42M (subject to final contract provisions) and reduces the operational costs by decreasing the number of bus operators required.

**20.0 Human resource impact**

The placement of the order can be serviced within current resourcing levels.



**21.0 Urgency**

Very urgent, the delivery of buses in 2010/11 is dependant upon this decision.

**22.0 Publicity/marketing strategy**

No marketing of this decision will be undertaken. Marketing will occur upon vehicles being delivered in 2010.

**23.0 Options**

Option 1: To approve the placement of an order with Volgren Australia for 51 x 12.5m rigid Volvo, EEV low emission, diesel vehicles and 60 x 14.5m rigid Volvo, EEV low emission, diesel vehicles (111 buses in total equal to 125 rigid bus equivalents).

Option 2: To not approve the placement of the order and request other options be considered.

**Option 1 is the preferred option.**

**NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

1.0 FILE NUMBER: 12/51/1(P9)

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 TITLE

Monthly Report - Delegation of Authority to Travel - June, 2009

3.0 ISSUE/PURPOSE

Provision of relevant monthly travel report.

4.0 PROPONENT

Ian Maynard, Divisional Manager, Corporate Services

5.0 SUBMISSION PREPARED BY

Irene Murphy, Travel Co-ordinator, Strategic Procurement Office, ext. 39159

6.0 DATE

17 August, 2009

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL?

For information purposes.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR ORDINANCE?

No.

9.0 RECOMMENDATION

That the Establishment and Co-ordination Committee note the information submitted on approved travel for June, 2009.

Chairman

I Support/Reject the Recommendation

If Reject - please state reasons

*As Sch*  
Cr Adrian Schinner  
CHAIR FINANCE COMMITTEE

10.0 DIVISIONAL MANAGER

*Ian Maynard*  
Ian Maynard  
DIVISIONAL MANAGER

RECEIVED

07 SEP 2009

COMMITTEE SECTION

ACTION TAKEN

07 SEP 2009

TOWN CLERK

APPROVED

7 SEP 2009

Lord Mayor

*[Handwritten signatures and initials]*

Recommend Accordingly

*Ian Maynard*  
ACTING CHIEF EXECUTIVE OFFICER

BOG YEAR RELEASE SCHEME

## 11.0 BACKGROUND

In pursuance of the request for information on a monthly basis of travel approved under delegation, reports are enclosed for June, 2009, for each Unit of Administration showing travel actually undertaken during that month.

Attachment "A" shows details associated with travel undertaken by non Council employees not covered by the Travel Policy.

In summary, the position is as follows:

		June, 2009
<i>Non-Commercial Operations</i>		
a)	<b>International Travel</b>	
	(i) Number of Bookings	1
	(ii) Airfares	\$ 2,520.00
b)	<b>Domestic Travel</b>	
	(i) Number of Bookings	36
	(ii) Airfares	\$10,846.88
c)	<b>Accommodation and Allowances Costs</b>	\$13,960.81
d)	<b>Registration Fees for Conferences</b>	\$20,734.40
e)	<b>Other Costs e.g. hire car</b>	\$ 3,302.38
	<b>TOTAL</b>	<b>\$51,364.47</b>
	<b>Attachment "A"</b>	<b>\$ 2,408.81</b>

**12.0 CONSULTATION**

Liaison with Officers undertaking travel and Divisional Travel Officers.

**13.0 IMPLICATIONS OF PROPOSAL**

Nil.

**14.0 COMMERCIAL IN CONFIDENCE**

No

**15.0 VISION/CORPORATE PLAN IMPACT**

Nil.

**16.0 CUSTOMER IMPACT**

Nil.

**17.0 ENVIRONMENTAL IMPACT**

Nil.

**18.0 POLICY IMPACT**

In line with Council policy.

**19.0 FINANCIAL IMPACT**

Expenses incurred through Divisional Travel Votes.

**20.0 HUMAN RESOURCE IMPACT**

Not applicable

**21.0 URGENCY**

In the normal course of business.

**22.0 PUBLICITY/MARKETING STRATEGY**

At the discretion of the Lord Mayor.

**23.0 OPTIONS**

- (1) That E&C note the information submitted on approved Travel for June, 2009.
- (2) Not approve the recommendation.

**Option (1) is the preferred option.**

**If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

1.0 FILE NUMBER: 112/800/148/4

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 TITLE

Lease Amendment for premises occupied by the East Regional Business Centre.

3.0 ISSUE/PURPOSE

Seek approval to amend the Lease for premises occupied by the East Regional Business Centre, 2 Millennium Boulevard, Carindale.

4.0 PROPONENT

Ian Maynard  
Divisional Manager, Corporate Services Division

**ACTION TAKEN**

07 SEP 2009

**TOWN CLERK**

5.0 SUBMISSION PREPARED BY

Mark Mazurkiewicz  
Branch Manager, City Property

**RECEIVED**

07 SEP 2009

6.0 DATE

7 September 2009

**COMMITTEE SECTION**

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For Establishment and Coordination Committee Approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

Not applicable.

BCC 10-YEAR PUBLICATION RELEASE SCHEME

9.0 RECOMMENDATION

1. That approval be granted for City Property Branch to negotiate and for Council to amend the Lease for premises occupied by the East Regional Business Centre on the following basis:

Area: Approximately 2,454 m<sup>2</sup> (as per current lease survey)

Lease Commencement: 20 September 2009.

Lease Term: 5 years

Total Rent: \$375.00 per square metre per annum (+ GST) (inclusive of outgoings) totalling \$920,250.00 per annum + GST

Outgoings: \$255,000.00 estimate for 2009/10 financial year equating to \$104 per m<sup>2</sup> (base year, being the initial year of lease commencement and included in base rent above). Outgoings are apportioned to Council at year end calculated on the following basis: Total Centre's outgoings minus Base Year outgoings multiply by BCC proportion (currently 71.48%).

Rent Reviews: 4% annually on base rent component.

Car Parking: \$75 (+ GST) per bay per month for 45 secured car park bays and 5 licensed external car park bays, totalling \$45,000 + GST in the first year.

Incentive: \$170,400 rent rebate. Additionally BCC to obtain 3 quotes for the supply and installation of carpet tiles throughout the premises and Lessor will provide funds for the cheapest quote.

On terms and conditions satisfactory to both the Manager City Property and the Chief Legal Counsel Brisbane City Legal Practice.

2. The Lessor will remedy all outstanding OH&S issues previously identified with the building by BCC.

CHAIRPERSON

I Support / Reject the Recommendation  
If rejected please state reasons

*Adrian Schrinner*

Councillor Adrian Schrinner  
Chairman

FINANCE and ADMINISTRATION COMMITTEE

**APPROVED**

7 SEP 2009

Lord Mayor

10.0 DIVISIONAL MANAGER

*Ian Maynard*

Ian Maynard  
Divisional Manager  
CORPORATE SERVICES DIVISION

I Recommend Accordingly

*[Signature]*

ACTING CHIEF EXECUTIVE OFFICER

## 11.0 BACKGROUND

Council entered into a ten year lease for the premises currently occupied by the East Regional Business Centre, 2 Millennium Boulevard, Carindale. The Lease expires on the 19 September 2009 and has two five year options.

Council elected not to exercise the option for a further five year term and the owner has offered a better commercial rental arrangement.

The table below is a summary of current and proposed leases for comparison purposes:

	Current Lease	Proposed Lease Amendment
Area (m2)	2,454m2	2,454m2
Rent (m2)	\$771,949.00 (\$314m2)	\$920,250.00 (\$375m2)
Outgoings	\$255,000.00 (\$103m2)	Included in rental above for commencement year. Subsequent years will be % over base year. This is an increase or decrease in outgoings of \$255,000.00 of which BCC will be responsible for their percentage share of 71.48%.
Rent Reviews	CPI Min 3% max 5%	4%
Car Parking	\$25,180.00	\$45,000.00
Incentive	n/a	\$170,400.00 and replacement of carpet estimated at \$98,160.00
<b>Total Rent, Outgoings, car parking</b>	<b>\$1,052,130.00</b>	\$965,250.00 less incentive and carpet replacement of \$268,560 equals <b>\$696,690.00</b>

Should Council not accept an amendment to the current Lease and relocate to an alternative site it would cost approximately \$2.8M to fit out the new premises and to make good the current premises.

Securing these premises for a further five year term will allow the Council services provided at the East Regional Business Centre to continue in a known and accessible location as set out in the recommendation.

Approval is now sought to negotiate and amend the lease for premises occupied by the East Regional Business Centre as set out in recommendation to this submission.

## 12.0 CONSULTATION

Councillor Adrian Schrinner, Chairman Finance and Administration  
Committee – 10/08/2009  
Margaret Allison, Divisional Manager, Families and Community Services  
Division – 13/08/2009  
Rob Broughton, Business Manager, Families and Community Services  
Division – 11/08/2009  
Graeme Jones, A/Divisional Manager, City Planning and Sustainability  
Division – 13/08/2009  
Kathryn Houston, Solicitor, Brisbane City Legal Practice – 10/08/2009  
Glenn Huby, Corporate Property Adviser, City Property – 10/08/2009

All consulted are in agreement with the recommendation.

## 13.0 IMPLICATIONS OF PROPOSAL

Sectional Support	No implications
Service Levels	No implications
Political	No implications
Industrial Relations	No implications
Regional Implications	No implications
Social and Community	No implications

## 14.0 COMMERCIAL IN CONFIDENCE

No

## 15.0 CORPORATE PLAN IMPACT

In accordance with the Corporate Vision Theme: Smart and prosperous city  
Council Program: City Governance  
Service focus: Manage Council's finances and assets effectively to provide  
best value for money for ratepayers.

## 16.0 CUSTOMER IMPACT

Nil

## 17.0 ENVIRONMENTAL IMPACT

No environmental issues associated with this proposal.

## 18.0 POLICY IMPACT

Nil

## 19.0 FINANCIAL IMPACT

Provision has been made in the 2009/10 budget for this  
rental commitment.



**20.0 HUMAN RESOURCE IMPACT**

Nil

**21.0 URGENCY**

In the normal course of business.

**22.0 PUBLICITY/MARKETING STRATEGY**

Nil

**23.0 OPTIONS**

1. Approve the recommendation
2. Not approve the recommendation.

Option 1 is the preferred option.

**NB: If the Officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

1.0 FILE NUMBER: 109/800/286/43

**SUBMISSION TO THE ESTABLISHMENT & CO-ORDINATION COMMITTEE**

2.0 TITLE

Required car parking and community meeting space for the West Regional Business Centre.

3.0 ISSUE/PURPOSE

To approve the lease of 11 Riverview Terrace, Indooroopilly to be used as parking space for the new West Regional Business Centre as well as community meeting facility.

4.0 PROPONENT

Ian Maynard.  
Divisional Manager  
Corporate Services Division

5.0 SUBMISSION PREPARED BY

Ian Walker  
Development Manager  
City Property  
Phone: 35439

6.0 DATE

31 August 2009

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL?

For Establishment and Coordination Committee Approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR ORDINANCE?

No

9.0 RECOMMENDATION

That approval be granted to Lease property at 11 Riverview Terrace, on the following terms:

Leased Area Whole of site being 11 Riverview Terrace, Indooroopilly

Date of commencement 1 October 2009

Initial Term Three years

Options Three years

Gross Annual Rent \$70,000p.a. (Ex GST)

Review Profile: Reviewed annually by CPI at date of anniversary.

Car Parking The Lessee will have exclusive use of all car parking spaces available on the property, subject to all relevant approvals

Insurance The Lessee must have and keep current:
• a public liability insurance policy for \$10,000,000.00 for each event;
• an insurance policy covering damage to or destruction of all plate glass in the windows and other parts of the premises; and
• an insurance policy covering the Lessee's fittings and other goods in the premises for their full insurable value.

Make Good The Lessee shall on the expiration or the earlier termination of this agreement deliver up the Premises to the Lessor in the order and condition at the beginning of the Agreement.

And otherwise on terms and conditions are satisfactory to both the Manager, City Property and the Chief Legal Counsel, Brisbane City Legal Practice.

ACTION TAKEN

07 SEP 2009

TOWN CLERK

RECEIVED

07 SEP 2009

COMMITTEE SECTION

CHAIRPERSON

I Support / Reject the Recommendation
If rejected please state reasons

[Handwritten signature of Councillor Adrian Schrinner]

Councillor Adrian Schrinner
Chairman
FINANCE and ADMINISTRATION COMMITTEE

APPROVED

7 SEP 2009

Lord Mayor

[Handwritten signatures and initials of various officials]

10.0 DIVISIONAL MANAGER

[Handwritten signature of Ian Maynard]

Ian Maynard
Divisional Manager
CORPORATE SERVICES

Recommend Accordingly

[Handwritten signature of Acting Chief Executive Officer]
ACTING CHIEF EXECUTIVE OFFICER

## 11.0 BACKGROUND

On 6 July 2009, E & C approved the leasing of a new facility for the West Regional Business Centre at 70 Station Road, Indooroopilly.

A lease for 70 Station Road has been finalised as per the terms of the E & C and fit-out works are currently underway.

City Property have been working to secure the additional parking nominated in the E & C paper. The original site proposed for the additional car parking was the adjoining church site on the corner of Musgrave Road and Station Road.

Approval is now sought to enter into a lease for parking & community hall purposes. Council has been informed that this parking will not be available as extension works are being carried out on the church and the car park area will be required whilst these works are being carried out.

City Property have reviewed all possible sites for additional parking in the area with the only site acceptable to Family and Community Services being a nearby property at 11 Riverview Terrace, Indooroopilly. This property is currently vacant, is approximately 1200sqm in area and consists of a 350sqm hall at the front of the site and vacant land at the rear of the site that could provide parking for 18 vehicles. We are advised by DA assessment that a use as car parking and community use is compliant.

The hall has been identified as a possible community meeting space, a facility that is required by Community Services as the required expansion of the Indooroopilly library will displace the current community meeting space.

The terms that have been negotiated for the lease of the site are as follows:

Leased Area	Whole of site being 11 Riverview Terrace, Indooroopilly
Date of commencement	1 October 2009
Initial Term	Three years
Options	Three years
Gross Annual Rent	\$70,000p.a. (Ex GST)
Review Profile:	Reviewed annually by CPI at date of anniversary.
Car Parking	The Lessee will have exclusive use of all car parking spaces available on the property, subject to all relevant approvals
Insurance	The Lessee must have and keep current: <ul style="list-style-type: none"><li>• a public liability insurance policy for \$10,000,000.00 for each event;</li><li>• an insurance policy covering damage to or destruction of all plate glass in the windows and other parts of the premises; and</li><li>• an insurance policy covering the Lessee's fittings and other goods in the premises for their full insurable value.</li></ul>
Make Good	The Lessee shall on the expiration or the earlier termination of this agreement deliver up the Premises to the Lessor in the order and condition at the beginning of the Agreement.

And otherwise on terms and conditions satisfactory to both the Manager City Property and the Chief Legal Counsel Brisbane City Legal Practice.

## 12.0 CONSULTATION

The following Council officers have been consulted in the preparation of this proposal:

Councillor Adrian Schrunner, Chairman Finance and Administration Committee -24/8/2009  
Councillor Jane Prentice, Chairman, Public & Active Transport & Economic -25/8/2009  
Ian Maynard, Divisional Manager, Corporate Services – 24/8/2009  
Margaret Allison, Divisional Manager, Families & Community Services – 24/8/2009  
Rob Broughton, Manager, Business Services – 24/8/2009  
Richard Sivell, Manager, Development Assessment – 24/8/2009  
Shane McLeod, Manager, Local Asset Services – 24/8/2009  
Kent Stroud, Branch Manager, Community Development Services – 24/8/2009  
Mark Mazurkiewicz, Manager, City Property – 24/8/2009  
Kathryn Houston, Solicitor, Brisbane City Legal Practice – 24/8/2009

## 13.0 IMPLICATIONS OF PROPOSAL

The recommended lease will provide the only opportunity for parking in the immediate area and also allows for improved community service through the provision of a community meeting space.

## 14.0 COMMERCIAL IN CONFIDENCE

Details of this proposal remain 'commercial in confidence'.

## 15.0 CORPORATE PLAN IMPACT

Corporate Vision Theme: Smart and Prosperous City.

Council Program: City Governance.

Service focus: Manage Council's finances and assets effectively to provide the best value for money for ratepayers.

The project outcome is also in accordance with Corporate Plan Outcome 1.4: Strategy 1.4.3: Improved management and performance of Council's physical asset portfolio – to align Council's physical asset holdings with corporate and community needs.

## 16.0 CUSTOMER IMPACT

Approval of this submission will result in an improvement in community satisfaction with Council's services because of the following:

- Providing the required car-parking to allow the new West Regional Business Centre to provide services efficiently;
- Provides an accessible community meeting space for Indooroopilly;

## 17.0 ENVIRONMENTAL IMPACT

Nil

## 18.0 POLICY IMPACT

Nil

## 19.0 FINANCIAL IMPACT

Funds are available from the following base budget service areas:

• City Property	10.3.3.1	\$32,400
• Compliance and Regulatory Services	7.1.2.2	\$12,533
• Local Asset Services	3.3.3.1	\$12,533
• Community Services	5.4.3.2	\$12,533

Of the \$70,000 per annum cost, \$32,400 per annum was approved on 6 July 2009 through the previous E & C submission for West Regional Business Centre as part of City Property's base budget lease costs.

The additional \$37,600 per annum required has been agreed to be funded as follows:

• CARS	\$12,533
• LAS	\$12,533
• Community Services	\$12,533

It has been agreed that this cost will be funded out of the base budget for each of these business units.

A due diligence condition audit will need to be completed to establish the capital cost to bring the hall up to compliance for use as a community facility.

## 20.0 HUMAN RESOURCES

Nil

## 21.0 URGENCY

An urgent decision is sought to enable the property to be secured and allow the additional parking to be available when the new West Regional Business Centre becomes operational.

## 22.0 PUBLICITY/MARKETING STRATEGY

Not Applicable

## 23.0 OPTIONS

- Option 1: Approve this recommendation
- Option 2: Not approve the recommendation

**Option 1 is the preferred option.**

**NB: If the Officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

1.0 FILE NUMBER: 109/800/286/147

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 TITLE

South Regional Business Centre Accommodation Option.

3.0 ISSUE/PURPOSE

To approve the terms of a lease of the South Regional Business Centre at Sunnybank Hills Shopping Centre for a further term of five years effective 1 November 2009.

4.0 PROPONENT

Ian Maynard  
Divisional Manager, Corporate Services Division

5.0 SUBMISSION PREPARED BY

Ian Walker  
Development Manager, City Property

6.0 DATE

31 August 2009

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For Establishment and Coordination Committee Approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

Not applicable.

9.0 RECOMMENDATION

That approval be granted to enter into a lease at the South Regional Business Centre (SRBC) premises at Sunnybank Hills Shopping Centre on the following conditions:

Commencement: 1 November 2009.

Lease Term: 5 years

Gross Rental: \$587,894.32 per annum including outgoings reviewed annually to CPI on the anniversary of date of commencement.

Break Clause: During the term of the lease a break clause can be exercised by Council by providing three months notice between month 21 and 30 of the term subject to Council paying 6 months gross rental. This arrangement will allow Council to proceed with the proposed relocation of the SRBC to Salisbury/Rocklea.

Make good: Council must comply with its obligations under the lease for make good but can elect to pay to the lessor an agreed capital payment of 75% of the cost assessed by independent quantity surveyors.

CHAIRPERSON

I Support / Reject the Recommendation  
If rejected please state reasons

**APPROVED**

7 SEP 2009

*Adrian Schinner*

Councillor Adrian Schinner  
Chairman

FINANCE and ADMINISTRATION COMMITTEE

Lord Mayor

*Handwritten initials: TM, AB, J, LH, DM*

10.0 DIVISIONAL MANAGER

*Ian Maynard*

Ian Maynard  
Divisional Manager  
CORPORATE SERVICES DIVISION

**ACTION TAKEN**

07 SEP 2009

TOWN CLERK

**RECEIVED**

07 SEP 2009

COMMITTEE SECTION

I Recommend Accordingly

*Ian Maynard*  
ACTING CHIEF EXECUTIVE OFFICER



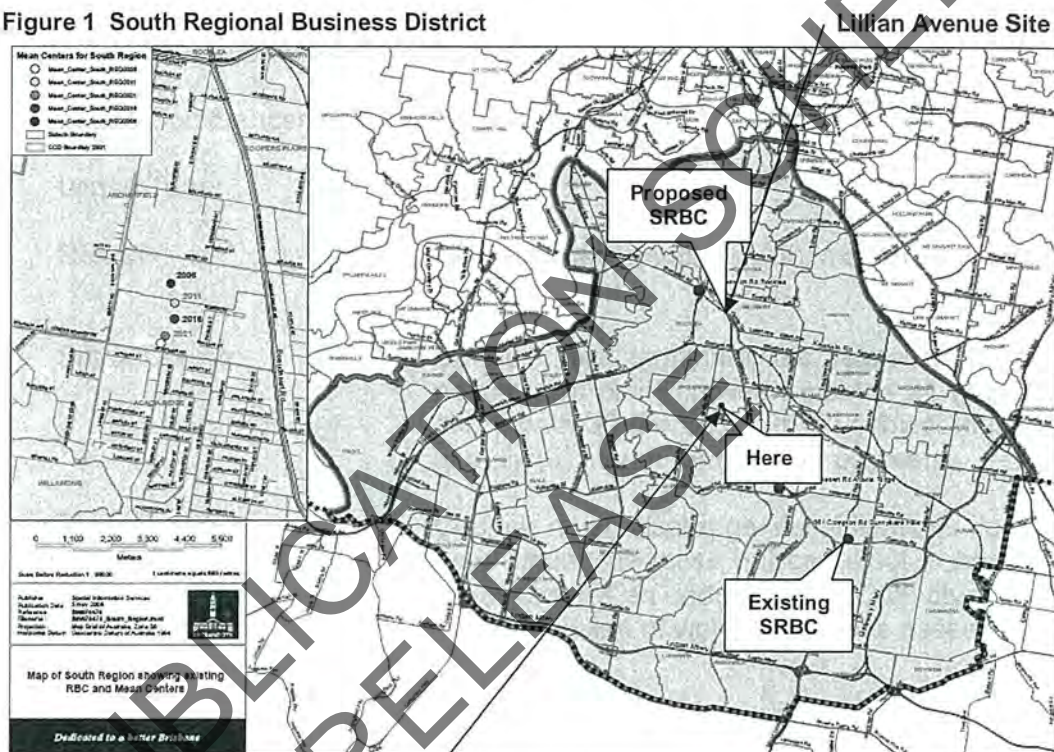
## 11.0 BACKGROUND

The South Regional Business Centre (SRBC) is currently located within the Sunnybank Hills Shopping Centre. The lease over the existing premises expires on 31 October 2009 but has an option to renew for five (5) years.

The SRBC currently occupies approximately 2,500 square metres but the recent inclusion of a Contact Centre and a Development Assessment branch has seen this accommodation demand swell to approximately 3,000-3,500 square metres.

City Property has reviewed alternative accommodation options. FaCS has completed a location study and after consulting with all stakeholders, the suburbs of Rocklea and Salisbury provide a better customer support location, based on demographic profiling for the South Region Business Centre.

Figure 1 South Regional Business District



Geographical Centre South Region

Land owned by Council (and occupied by State Emergency Services - SES ) at **26 Lillian Avenue Rocklea**, more particularly described as Lot 11 in SP155728, has been selected as the preferred location. The land is zoned CU7 Railway Activities. Discussions with the Development Assessment Branch indicated that a Material Change of Use will be required

Design and construction of the new facility is proposed to also accommodate the requirements of the current SES occupants whilst achieving the following cost and ownership structure.

It is proposed that the land would be transferred to City of Brisbane Investment Corporation (CBIC), with a Design and Construct building contract commissioned by CBIC.

A Heads of Agreement has been secured with CBIC, (subject to legal documentation) and a Development Application for the site will be lodged upon approval of the commercial arrangement.

To provide Council with the flexibility needed to progress a development on the site at 26 Lillian Avenue, Rocklea, the Lessor of the current Sunnybank Hills premises, Yu Feng Limited, has agreed that, rather than exercise the option on the same terms as the existing lease, Council is granted a lease of Sunnybank Hills, with occupancy from November 2009 on following terms:

Lease Commencement:	1 November 2009
Lease Term:	5 years
Rental:	CPI adjusted annually with market at November 2012.
Break Clause:	Council may terminate the lease at 3 months notice (rent paid) between months 21 (July 2011) and month 30 (February 2012) subject to payment at a six (6) month rent penalty payment.
Make Good:	Council must discharge its obligations for make good under the lease but can elect to have costs assessed by an independent Quantity Surveyor and pay, in lieu of work 75% of this assessment.

BCC PUBLICATIONS SCHEME  
10 YEAR RELEASE

## 12.0 CONSULTATION

Councillor Adrian Schrinner, Chairman Finance and Administration Committee – 24/08/2009  
Councillor Amanda Cooper, Chairman Neighbourhood Planning and Development Committee 24/08/2009  
Councillor Geraldine Knapp, Chairman Families and Communities Services Committee - 24/08/2009  
Michael Papageorgiou, Divisional Manager, City Planning and Sustainability - 25/08/09  
Ian Maynard, Divisional Manager, Corporate Services – 21/08/2009  
Margaret Allison, Divisional Manager, Families and Community Services – 24/08/2009  
Rob Broughton, Manager Business Services – 17/08/2009  
Richard Sivell, Manager Development Assessment – 17/08/2009  
Mark Mazurkiewicz, Manager, City Property – 21/08/2009  
Kathryn Houston, Solicitor, Brisbane City Legal Practice – 21/08/2009

All consulted are in agreement with the recommendation.

## 13.0 IMPLICATIONS OF PROPOSAL

Sectional Support	No implications
Service Levels	No implications
Political	No implications
Industrial Relations	No implications
Regional Implications	No implications
Social and Community	No implications

## 14.0 COMMERCIAL IN CONFIDENCE

No

## 15.0 CORPORATE PLAN IMPACT

Corporate Vision Theme:	Smart and prosperous city
Council Program:	City Governance
Service focus:	Manage Council's finances and assets effectively to provide best value for money for ratepayers.

## 16.0 CUSTOMER IMPACT

Approval of this submission will result in an improvement in community satisfaction with Council's services because of the following:

- New location is geocentrically placed to reduce job reaction times for large sections of an expanding community;
- More efficient services able to be provided with an improved standard of staff working accommodation;
- A new location to better satisfy Council's 'Accessible and Equitable' provision ensuring 'Zero Harm' for employees and visitors.

**17.0 ENVIRONMENTAL IMPACT**

In accordance with the Council's corporate theme of Clean and Green, the building is targeting National Australian Built Environment Rating System (formerly Australian Building Greenhouse Rating) 4.0 rating.

**18.0 POLICY IMPACT**

Nil

**19.0 FINANCIAL IMPACT**

Lease costs are incorporated in the 2009/2010 City Property Base Budget.

**20.0 HUMAN RESOURCE IMPACT**

Nil

**21.0 URGENCY**

In the normal course of business.

**22.0 PUBLICITY/MARKETING STRATEGY**

Nil

**23.0 OPTIONS**

1. Approve the recommendation
2. Not approve the recommendation.

Option 1 is the preferred option.

**NB: If the Officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

07 SEP 2009 - 14

1.0 File number

109/800/286/155 (A001633763 - DRS/USE/H05-931537)

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 Title

Ex Gratia Payment to the [redacted]

3.0 Issue/purpose

To seek approval for an ex gratia payment to the [redacted] to offset increases in headwork's contributions in relation to an approval for an Extension of 16 Dwelling Units to its development at [redacted]

4.0 Proponent

Michael Papageorgiou, Divisional Manager, City Planning and Sustainability

5.0 Submission prepared by

Richard Sivell, Manager, Development Assessment, 3403 4645

6.0 Date

7 September 2009

7.0 For E&C approval or recommendation to Council

For E&C approval

**APPROVED**

7 SEP 2009

Lord Mayor

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

Not applicable

9.0 Recommendation

That E&C approve the making of an ex gratia payment of [redacted] to the [redacted] to offset the increase in the headwork's contribution, which is still outstanding, in relation to an approval for an Extension of 16 Dwelling Units to its development at [redacted] conditional upon the matter being kept confidential.

10.0 Divisional Manager

Committee Chairman

I Support / ~~Reject~~ the recommendation.

If reject, please state reasons

Michael Papageorgiou  
Divisional Manager  
City Planning & Sustainability

Councillor Amanda Cooper  
Chairman  
Development Assessment & Neighbourhood  
Planning Committee

I Recommend Accordingly

ACTING CHIEF EXECUTIVE OFFICER

**ACTION TAKEN**

07 SEP 2009

TOWN CLERK

**RECEIVED**

07 SEP 2009

COMMITTEE SECTION

## 11.0 Background

On 22 February 2006 development approval was granted for an extension of 16 units to a Multi-Unit Dwelling [redacted] owned by [redacted]. At the time of the approval, the estimated total headwork's cost was [redacted] calculated at the 2005/2006 rates, being the rates applicable at the time.

On 16 September 2008 [redacted] received a notice from our MCU Contributions Audit Unit informing them that they had failed to pay the development contributions (Sewerage, Water and Parkland charges of [redacted] by the due date of 30 June 2006) in relation to this building project. Failure to pay by that date has seen the amount payable increase to [redacted] when calculated at the current 2009/2010 rates, an increase of [redacted].

[redacted] responded that it was a genuine oversight and they had unintentionally overlooked making the payment of the headwork's charges.

[redacted] subsequently paid [redacted] being the charges at the 2005/2006 rate.

[redacted] has written to the Lord Mayor requesting that Council consider accepting the payment of the 2005/2006 headwork's contributions of [redacted] as full payment of its contribution obligations. The basis of this request is that it will help ease the financial strain of the [redacted] that provides much needed [redacted]. As a result, the Lord Mayor suggested consideration of an ex gratia payment via the Establishment and Coordination Committee. A letter was sent to Mr Voloschenko from the Lord Mayor advising this course of action.

Approval is now sought to make this ex gratia payment. Given the possible precedent, this payment should be conditional upon the payment remaining confidential.

Note: No payment will actually be made to the [redacted] [redacted] as the intent of the ex gratia payment is to offset a balance of contributions still outstanding.

## 12.0 Consultation

- Councillor Amanda Cooper, Chairman, Neighbourhood Planning and Development Assessment Committee (18 August 2009)
- David Askern, Manager, Brisbane City Legal Practice (7 July 2009)

Both are in agreement with the recommendation.

## 13.0 Implications of proposal

This payment has the potential to set a precedent however, such requests are always treated on their individual merits and on the specific circumstances.

## 14.0 Commercial in confidence

The offer of an ex gratia payment is only to be made on the basis that the entire matter is treated as commercial in confidence by all parties.

## 15.0 Vision/Corporate Plan impact

In accordance with the Council commitment to support quality and well located [redacted] in Brisbane.

## 16.0 Customer impact

The ex gratia payment will reduce the financial hardship on this [redacted].

## 17.0 Environmental impact

Nil

## 11.0 Background

redacted  
redacted  
redacted  
At the time of the approval, the estimated total headwork's cost was redacted calculated at the 2005/2006 rates, being the rates applicable at the time.

On 16 September 2008 redacted received a notice from our MCU Contributions Audit Unit informing them that they had failed to pay the development contributions (Sewerage, Water and Parkland charges of redacted by the due date of 30 June 2006) in relation to this building project. Failure to pay by that date has seen the amount payable increase to redacted when calculated at the current 2009/2010 rates, an increase of redacted

redacted responded that it was a genuine oversight and they had unintentionally overlooked making the payment of the headwork's charges.

The Association subsequently paid redacted being the charges at the 2005/2006 rate.

redacted has written to the Lord Mayor requesting that Council consider accepting the payment of the 2005/2006 headwork's contributions of redacted as full payment of its contribution obligations. The basis of this request is that it will help ease the financial strain of the redacted that provides much needed redacted. As a result, the Lord Mayor suggested consideration of an ex gratia payment via the Establishment and Coordination Committee. A letter was sent to redacted from the Lord Mayor advising this course of action.

Approval is now sought to make this ex gratia payment. Given the possible precedent, this payment should be conditional upon the payment remaining confidential.

Note: No payment will actually be made to the redacted redacted as the intent of the ex gratia payment is to offset a balance of contributions still outstanding.

## 12.0 Consultation

- Councillor Amanda Cooper, Chairman, Neighbourhood Planning and Development Assessment Committee (18 August 2009)
- David Askern, Manager, Brisbane City Legal Practice (7 July 2009)

Both are in agreement with the recommendation.

## 13.0 Implications of proposal

This payment has the potential to set a precedent however, such requests are always treated on their individual merits and on the specific circumstances.

## 14.0 Commercial in confidence

The offer of an ex gratia payment is only to be made on the basis that the entire matter is treated as commercial in confidence by all parties.

## 15.0 Vision/Corporate Plan impact

In accordance with the Council commitment to support quality and redacted in Brisbane.

## 16.0 Customer impact

The ex gratia payment will reduce the financial hardship on this redacted.

## 17.0 Environmental impact

Nil

**18.0 Policy impact**

Nil

**19.0 Financial impact**

No specific funding is necessary as the ex gratia payment is effectively an offset against an amount owing.

This ex gratia payment will effectively result in a loss of potential revenue of redacted.

Note: No payment will actually be made to the redacted redacted, as the intent of the ex gratia payment is to offset a balance of contributions still outstanding.

**20.0 Human resource impact**

Nil

**21.0 Urgency**

In the normal course of business.

**22.0 Publicity/marketing strategy**

Not applicable given the commercial in confidence nature of the payment.

**23.0 Options**

1. That E&C accept the payment of redacted for the 2005/2006 headwork's contributions as final payment by making an ex gratia payment of redacted to offset the increase in headwork's payable.
2. Make an ex gratia payment of another amount.
3. Require the full payment for headwork's charges at the current rates applicable.

Option 1 is the preferred option.

**NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

BCC PUBLIC INFORMATION SCHEME  
10 YEAR RELEASE



1.0 File number

109/800/286/154

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 Title

2008/2009 Annual Report from the Office of the Disputes Commissioner

3.0 Issue/purpose

To give notification to E&C of the work performed by the Office of the Disputes Commissioner during 2008/2009.

4.0 Proponent

Peter Rule, Acting Executive Manager, Office of the Chief Executive

5.0 Submission prepared by

Rebecca McAnalen, Disputes Commissioner, ext 34689

**APPROVED**

6.0 Date

24 August 2009

7 SEP 2009

7.0 For E&C approval or recommendation to Council

For E&C approval

Lord Mayor

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

Not applicable

9.0 Recommendation

That E&C note the contents of the attached 2008/2009 Annual Report for the Officer of the Disputes Commissioner

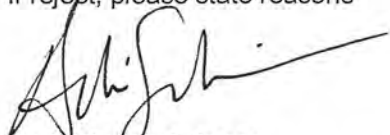
10.0 Divisional Manager

Committee Chairman

I Support / ~~Reject~~ the recommendation.

If reject, please state reasons

  
Peter Rule  
A/Executive Manager, Office of the CEO

  
Cr Adrian Schrinner  
Chairman, Finance & Administration Committee

**ACTION TAKEN**

07 SEP 2009

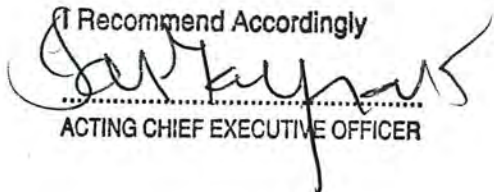
TOWN CLERK

**RECEIVED**

07 SEP 2009

COMMITTEE SECTION

I Recommend Accordingly

  
ACTING CHIEF EXECUTIVE OFFICER

## **11.0 Background**

Customers may write to the Disputes Commissioner to further dispute a penalty infringement notice (ie. An on the spot fine) following an initial review by the area of Council which issued the infringement notice. As part of its function, the Office of the Disputes Commissioner is required to report annually to the Chief Executive Officer. The attached report provides a summary of the work carried out by the Office of the Disputes Commissioner during the 2008/09 year.

The report contains details of:

- Investigations finalised
- The rate of infringement notice waivers
- Identified system issues and recommended solutions.

## **12.0 Consultation**

- Peter Rule, Acting Executive Manager, Office of the Chief Executive is in agreement with the recommendation.

## **13.0 Implications of proposal**

Nil

## **14.0 Commercial in confidence**

Nil

## **15.0 Vision/Corporate Plan impact**

The Corporate Plan 2008-2012 includes a City Governance Program to ensure the governance of Brisbane City is accountable and transparent. The Office of the Disputes Commissioner provides an independent and transparent review process for penalty infringement notices.

## **16.0 Customer impact**

Nil

## **17.0 Environmental impact**

Nil

## **18.0 Policy impact**

Nil

## **19.0 Financial impact**

Nil

## **20.0 Human resource impact**

Nil

## **21.0 Urgency**

In the normal course of business

**22.0 Publicity/marketing strategy**

At the discretion of E&C

**23.0 Options**

*Option 1: That E&C approve the recommendation*

*Option 2: That E&C not approve the recommendation*

**Option 1 is the preferred option.**

***NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.***

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**SUBMISSION NUMBER**

**E&C**

**07 SEP 2009 - 2 0**

**1.0 FILE NUMBER:** 109/800/286/160

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

**2.0 TITLE**

Appointments to Professional Bodies.

**3.0 ISSUE/PURPOSE**

The purpose of this submission is to seek E&C approval for the appointment of Andrew MacLeod, Chief Internal Auditor, to the Professional Issues/Advocacy Committee of the Information Systems Audit and Control Association and as the Chair of the Government & Regulatory Authorities Regional Taskforce of the Information Systems Audit and Control Association.

**4.0 PROPONENT**

Peter Rule  
Acting Executive Manager, Chief Executive's Office

**5.0 SUBMISSION PREPARED BY**

Andrew MacLeod  
Chief Internal Auditor, Office of the Lord Mayor and Chief Executive Officer  
Ext: 36897

**6.0 DATE**

25 August 2009

**7.0 E & C APPROVAL OR RECOMMENDATION TO COUNCIL?**

For E&C approval

**8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR ORDINANCE?**

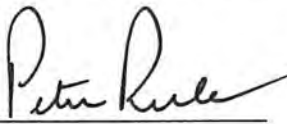
Not applicable

9.0 RECOMMENDATION

That E&C approves

1. The appointment of Andrew MacLeod, Chief Internal Auditor, to the Professional Issues/Advocacy Committee of the Information Systems Audit and Control Association; and
2. The appointment of Andrew as the Chair of the Government & Regulatory Authorities Regional Taskforce of the Information Systems Audit and Control Association.
3. The Chief Internal Auditor, to attend one meeting of the Information Systems Audit and Control Association Professional Issues/Advocacy Committee, usually held in Chicago, USA, in the next year at no cost to Council.

10.0 DIVISIONAL MANAGER



Peter Rule,  
Acting Executive Manager  
Chief Executive's Office

**APPROVED**

7 SEP 2009

Lord Mayor

CHAIRPERSON

I Support / ~~Reject~~ the Recommendation/s.  
If Reject - please state reasons:



Cr Adrian Schrinner  
Chairperson  
Finance And Administration Committee

**ACTION TAKEN**

07 SEP 2009

**TOWN CLERK**

**RECEIVED**

07 SEP 2009

**COMMITTEE SECTION**

I Recommend Accordingly



ACTING CHIEF EXECUTIVE OFFICER

BCC 10 YEAR PUBLIC RELEASE SCHEME

## 11.0 Background

With more than 85,000 members in more than 160 countries, the Information Systems Audit and Control Association (ISACA) is recognised as the global leader in IT governance, control and assurance. Founded in 1969, ISACA sponsors international conferences, administers the globally respected CISA (Certified Information Systems Auditor) designation held by more than 60,000 professionals worldwide, and develops globally-applicable Information Systems (IS) Auditing and Control Standards. An affiliated Foundation undertakes leading-edge research in support of the profession.

The ISACA Professional Issues/Advocacy Committee oversees the monitoring and identification of activities of global legislative and regulatory or standard setting guidance issues. The Government & Regulatory Authorities Regional Taskforce assesses and recommends action on governmental regulations and legislation initiatives on a regional and local basis. This taskforce covers Australia, New Zealand and Papua and New Guinea.

Andrew MacLeod, the Chief Internal Auditor, has been appointed to the 2009 -2010 ISACA Professional Issues/Advocacy Committee. The nine member Committee meets once a year usually in Chicago and via conference calls as needed. Chicago meetings are scheduled on a Friday and a Saturday and ISACA fully funds this meetings. This will be Andrew MacLeod's first year on the Professional Issues/Advocacy Committee and the Government & Regulatory Authorities Regional Taskforce. Previously, he was a member of the Standards Board since 1995.

The Council will benefit from the contacts he will make/maintain and by access to leading edge IS audit research and developments. With Council implementing many computer systems, it is important that the appropriate controls are in place. Assurance Services has an IS Assurance team who review new computer systems before implementation, data conversions and hardware controls. Membership of the Professional Issues/Advocacy Committee will allow him to keep up to date with what is happening worldwide in relation to IS Audit and benefit Council's IS Assurance team.

There will be no cost to Council for this attendance but travelling time will be required as the meeting is held on a Friday and a Saturday. E & C have previously agreed for Andrew MacLeod to take up to ten days off from work to attend meetings of the Institute of Internal Auditors and the Information Systems Audit and Control Association in each financial year. Any extra time would be taken as either leave without pay or recreation leave.

It is proposed that E&C approve Andrew MacLeod's appointment to the Professional Issues/Advocacy Committee of the Information Systems Audit and Control Association and as the Chair of the Government & Regulatory Authorities Regional Taskforce of the Information Systems Audit and Control Association.

## 12.0 Consultation

- Peter Rule, Acting Executive Manager, Chief Executive's Office
  - Len Scanlan, Chair of the Brisbane City Council Audit Committee
- All are in agreement with the recommendation.

## 13.0 Implications of proposal

Membership of the ISACA Professional Issues/Advocacy Committee will allow Andrew MacLeod access to leading edge IS Audit research and developments.

## 14.0 Commercial in confidence

No.

## 15.0 Vision/Corporate Plan impact

Membership of this Standards will contribute to the following aspects of Council's Vision 2026 and Corporate Plan 2006-2010:

- Developing Brisbane as a Regional and World City through improving Cooperative City Governance by sharing skills and knowledge with other SEQ councils through the SEQ Local Government Internal Auditors Discussion Group.
- Helping Brisbane to achieve Outcome 1.6 Risk Management (Service 10.6.1.1 in 2008/2009 Council Budget) by assuring service delivery through the effective management of risks.

## 16.0 Customer impact

This membership of the ISACA Professional Issues/Advocacy Committee should lead to a higher quality of IS Audit coverage in Council.

## 17.0 Environmental impact

Nil.

## 18.0 Policy impact

Nil.

**19.0 Financial impact**

No cost to council.

**20.0 Human resource impact**

Nil.

**21.0 Urgency**

in the normal course of business..

**22.0 Publicity/marketing strategy**

Nil.

**23.0 Options**

Option 1: Approve the recommendation

Option 2: Not approve the recommendation

**Option 1 is the preferred option.**

BCC PUBLICATION SCHEME  
10 YEAR RELEASE



07 SEP 2009 - 2 2

**SUBMISSION NUMBER**

**1.0 FILE NUMBER:**

109/800/286/163

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

**2.0 TITLE**

Construction of Kingsford Smith Drive Stage 1 upgrade between Harvey Street North and Theodore Street.

**3.0 ISSUE/PURPOSE**

To seek Establishment and Coordination Committee approval of the Significant Procurement Activity Plan (SPAP) in relation to procuring the construction of Kingsford Smith Drive Stage 1 upgrade between Harvey Street North and Theodore Street.

**4.0 PROPONENT**

Jude Munro, Chief Executive Officer.

**5.0 SUBMISSION PREPARED BY**

David Cox  
Corporate Risk Manager  
Corporate Services Division

**APPROVED**

07 SEP 2009

Lord Mayor

**6.0 DATE**

1 September 2009.

**7.0 E & C APPROVAL OR RECOMMENDATION TO COUNCIL?**

For E&C Approval.

**8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?**

No.

**ACTION TAKEN**

**RECEIVED**

07 SEP 2009


07 SEP 2009

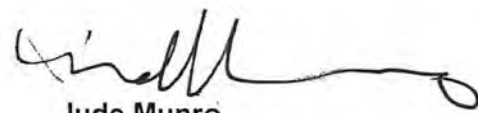
**9.0 RECOMMENDATION**

**TOWN CLERK**

**COMMITTEE SECTION**

That the Establishment and Co-ordination Committee approve the attached submission.

10.0   
David Cox  
Corporate Risk Manager  
Corporate Services Division

  
Jude Munro  
Chief Executive Officer

## 11.0 BACKGROUND

The Chief Executive Officer and the Stores Board considered the attached scheduled submission on 1 September 2009.

The submission is referred to E&C as it is considered the most advantageous outcome for the provision of the required goods and services:

<b>CONTRACT NO.</b>	<b>CONTRACT TITLE</b>	<b>REASON FOR SUBMISSION</b>
E90504-08/09	Kingsford Smith Drive Stage 1 – Upgrade Between Harvey Street and Theodore Street	Within E&C Delegation

## 12.0 CONSULTATION

The Chief Executive Officer and Permanent Head of the Unit of Administration responsible for the submission, Stores Board and relevant Divisional Officers have been consulted and are in agreement with the recommendation.

## 13.0 IMPLICATIONS OF PROPOSAL

The recommended process will provide the most advantageous outcome for Council.

## 14.0 COMMERCIAL IN CONFIDENCE

No.

## 15.0 VISION/CORPORATE PLAN IMPACT

The recommendation of this submission will contribute to the efficient management of the City's resources.

## 16.0 CUSTOMER IMPACT

The submission covers the carrying out of work or supply of goods and services to meet Council approved programs.

## 17.0 ENVIRONMENTAL IMPACT

Tenderers are evaluated in line with Council's policy on the use of environmentally friendly and recycled products and environmental considerations have been taken into account in the evaluation of tenders relating to this submission, where applicable.

## 18.0 POLICY IMPACT

Submitted in accordance with Council's Procedures for Procurement, Contracting and Tendering.

## 19.0 FINANCIAL IMPACT

Financial details are included in the Divisional submission.

20.0 HUMAN RESOURCE IMPACT

Not Applicable.

21.0 URGENCY

As soon as possible.

22.0 PUBLICITY/MARKETING STRATEGY

As required.

23.0 OPTIONS

Option 1: That the E&C approve the recommendation.

Option 2: Not approve the recommendation.

**Option 1 is the preferred option.**

NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**SUBMISSION NUMBER**

1.0 **FILE NUMBER:** 109/800/286/127

**E&C**

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE** 07 SEP 2009 - 2.3

2.0 **TITLE**

Significant Procurement Activity Plan (SPAP) in relation to the Howard Smith Wharves Revitalisation Project.

3.0 **ISSUE/PURPOSE**

To seek Establishment and Coordination Committee approval of the Significant Procurement Activity Plan (SPAP) in relation to the Howard Smith Wharves Revitalisation Project.

4.0 **PROPONENT**

Jude Munro, Chief Executive Officer.

5.0 **SUBMISSION PREPARED BY**

David Cox  
Corporate Risk Manager  
Corporate Services Division

**APPROVED**

07 SEP 2009

6.0 **DATE**

11 August 2009.

Lord Mayor

7.0 **E & C APPROVAL OR RECOMMENDATION TO COUNCIL?**

For E&C Approval.

8.0 **IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?**

No.

9.0 **RECOMMENDATION**

That the Establishment and Co-ordination Committee approve the attached submission.

10.0 David Cox  
Corporate Risk Manager  
Corporate Services Division

Jude Munro  
Chief Executive Officer

**ACTION TAKEN**

07 SEP 2009

**TOWN CLERK**

**RECEIVED**

07 SEP 2009

**COMMITTEE SECTION**

## 11.0 BACKGROUND

The Chief Executive Officer and the Stores Board considered the attached scheduled submission on 11 August 2009.

The submission is referred to E&C as it is considered the most advantageous outcome for the provision of the required services:

<b>CONTRACT NO.</b>	<b>CONTRACT TITLE</b>	<b>REASON FOR SUBMISSION</b>
R 90365-08/09	Significant Procurement Activity Plan in relation to the Howard Smith Wharves Revitalisation Project	Within E&C Delegation

## 12.0 CONSULTATION

The Chief Executive Officer and Permanent Head of the Unit of Administration responsible for the submission, Stores Board and relevant Divisional Officers have been consulted and are in agreement with the recommendation.

## 13.0 IMPLICATIONS OF PROPOSAL

The recommended process will provide the most advantageous outcome for Council.

## 14.0 COMMERCIAL IN CONFIDENCE

No.

## 15.0 VISION/CORPORATE PLAN IMPACT

The recommendation of this submission will contribute to the efficient management of the City's resources.

## 16.0 CUSTOMER IMPACT

The submission covers the carrying out of work or supply of goods and services to meet Council approved programs.

## 17.0 ENVIRONMENTAL IMPACT

Tenderers are evaluated in line with Council's policy on the use of environmentally friendly and recycled products. Environmental considerations will be taken into account in the evaluation of tenders where applicable.

## 18.0 POLICY IMPACT

Submitted in accordance with Council's Procedures for Procurement, Contracting and Tendering.

## 19.0 FINANCIAL IMPACT

Financial details are included in the Divisional submission.

**20.0 HUMAN RESOURCE IMPACT**

Not Applicable.

**21.0 URGENCY**

As soon as possible.

**22.0 PUBLICITY/MARKETING STRATEGY**

As required.

**23.0 OPTIONS**

Option 1: That the E&C approve the recommendation.

Option 2: Not approve the recommendation.

**Option 1 is the preferred option.**

NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**E&C RESULTS – 21 SEPTEMBER 2009**

SUB NO.	FILE NO.	DIV.	TITLE	Result
21/09-01 M	109/695/586/1-02	Brisbane Infrastructure	Monthly Project Report – July 2009	Yes
21/09-02 M	109/800/286/137	Brisbane Transport	Travel Proposal, United States of America and Canada – leadership APTA Class of 2009-10	Yes
21/09-03 M	109/800/286/149	Corporate Services	Claim for compensation arising from the resumption of land for Environmental Purposes at 326 Pine Mountain Road, Carina Heights	Yes
21/09-04 R	109/800/286/23	C P & S	Amendment of Decision to Resume Drainage Easements – Browne Street, Stage 3 New Farm Drainage	Yes
21/09-05 R	(3)456/65	OLMCEO	Council Recesses 2010-11	Yes
21/09-06	109/800/286/179	OLMCEO	Overseas Travel to attend The World Urban Environment Congress to be held in Kaohsiung and Taipei, Taiwan	Held
21/09-07	126/210/179/26	OLMCEO	Emergency repair of Air-conditioning systems for 136 Volvo Mk3 Metroliner buses	Held
21/09-08 M	109/800/286/170	OLMCEO	Supply and Maintenance of Specialist Mobile Plant on a Dry Hire or Purchase Basis for Quarries and Asphalt Plants	Yes
21/09-09 M	188/210/297/1	OLMCEO	Stores Board Submission – Amended Significant Procurement Activity Plan in relation to New CityCat Ferry Terminals	Yes
21/09-10	109/800/286/176	OLMCEO	Provision of Ecosystem Restoration and Herbicide Application Services	Held
21/09-11 M	109/800/286/171	OLMCEO	Stores Board Submission – Building and Fire Engineering Certifier for the Brisbane City Hall Restoration Project	Yes
21/09-12 M	109/800/286/118	Corporate Services	Retail Tenancy appointment for King George Square Redevelopment	Yes
21/09-13 M	137/225/137/11	OLMCEO	Appointment of Conduct Review Panel (CRP) members to review an alleged minor breach of the Code of Conduct for Councillors	Yes

Present: Deputy Mayor G M Quirk, G Knapp, A Cooper, D McLachlan, I McKenzie, A Schrunner, P Matic

M - Indicates an E&C Committee decision (or minute item), which is included in this document.  
 R - Indicates an E&C Committee recommendation to full Council. Details can be accessed through the Council Minutes, which are available for inspection on Level 2 of the Brisbane Square Library, 266 George Street, Brisbane.

1.0 File number 109/695/586/1-02

21 SEP 2009 - 01

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 Title

Monthly Project Report – July 2009

3.0 Issue/purpose

The purpose of this Submission is to provide regular Project performance updates on all Projects.

4.0 Proponent

Barry Broe, Divisional Manager, Brisbane Infrastructure Division, 3403 7652.

RECEIVED

21 SEP 2009

5.0 Submission prepared by

Ian Maynard, Divisional Manager, Corporate Services, 3403 4577.

COMMITTEE SECTION

6.0 Date

21 August, 2009

ACTION TAKEN

21 SEP 2009

7.0 For E&C approval or recommendation to Council

For E&C approval.

TOWN CLERK

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

N/A.

9.0 Recommendation

That E&C accept the Monthly Project Report.

Chairperson

I Support / Reject the recommendation.

If reject, please state reasons

Signed  
Councillor Adrian Schrinner,  
Chairman, Finance and Administration Committee

APPROVED

21 SEP 2009

A Lord Mayor

10.0 Divisional Manager

Barry Broe  
Barry Broe 3/9/09  
DIVISIONAL MANAGER, Brisbane Infrastructure Division

I Recommend Accordingly

CHIEF EXECUTIVE OFFICER



## 11.0 Background

The **Project Report Summary** report, in Attachment A, has adopted a colour system to improve the identification of those projects that are reporting exceptions. If a project is reporting an exception (i.e. not on budget in 2008-09, not on time, not on estimate whole of project, scope changes or emerging issues), then the flag for that item will appear as red. If a project is not reporting an exception (i.e. on budget in 2008-09, on time, on estimate whole of project, no scope changes or no emerging issues), then the flag for that item will appear as green.

In the **E&C Monthly Project Report**, in Attachment B, all additional or new information can be identified under the **\*\*\*\*\* JULY 2009 UPDATE\*\*\*\*\*** heading.

## 12.0 Consultation

Individual project reports are compiled by Project Reporters, in consultation with the relevant

- Project Managers,
- Program Managers/Business Unit Financial Controllers,
- Divisional/Executive Managers and
- Branch Managers.

Are in agreement with the recommendation.

## 13.0 Implications of proposal

It is envisaged that this approach will improve our capability to respond to any emerging issues and ensure all Stakeholders are well informed of the Projects' progress.

## 14.0 Commercial in confidence

No.

## 15.0 Vision/Corporate Plan impact

Nil.

## 16.0 Customer impact

- Improved standards of Project Management; and
- Improved awareness of Risk Management Principles.

## 17.0 Environmental impact

Nil.

## 18.0 Policy impact

Nil.

## 19.0 Financial impact

Nil.

**20.0 Human resource impact**

Nil.

**21.0 Urgency**

In the normal course of business.

**22.0 Publicity/marketing strategy**

N/A.

**23.0 Options**

*Option 1: Approve the recommendation that E&C accept the Monthly Project Report for July 2009.*

*Option 2: Do not accept the report.*

**Option 1 is the preferred option.**

***NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.***

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

1.0 File number

109/800/286/137

E&C

21 SEP 2009 - 02

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 Title

Travel proposal, United States of America and Canada – Leadership APTA Class of 2009-10.

3.0 Issue/purpose

To seek E&C approval for Alan Geyer, Bus Operations Manager, Brisbane Transport, to travel to the United States and Canada to engage in an intensive leadership program that connects class members with APTA's executive leadership, transit industry leaders and leadership experts.

4.0 Proponent

Alan Warren, Divisional Manager Brisbane Transport

RECEIVED

21 SEP 2009

ACTION TAKEN

21 SEP 2009

COMMITTEE SECTION

TOWN CLERK

5.0 Submission prepared by

Alan Warren, Divisional Manager Brisbane Transport

6.0 Date

11 September 2009

APPROVED

21 SEP 2009

7.0 For E&C approval or recommendation to Council

For E&C approval

*[Handwritten signatures and initials]*  
Lord Mayor  
JM

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

N/A

9.0 Recommendation

That E&C approve Alan Geyer, Bus Operations Manager, Brisbane Transport, to travel to United States and Canada to attend and participate in the Leadership APTA Program during 2009 and 2010, at an estimated cost to Council of \$20,900.

10.0 Divisional Manager & Chairperson

I Support /  Reject the Recommendation/s.

If Reject – please state reasons:

*[Handwritten signature of Alan Warren]*

Alan Warren  
DIVISIONAL MANAGER

*[Handwritten signature of Jane Prentice]*

Councillor Jane Prentice  
CHAIRMAN  
Public and Active Transport and  
Economic Development

I Recommend Accordingly

*[Handwritten signature]*

.....  
CHIEF EXECUTIVE OFFICER

## 11.0 Background

Leadership APTA is the American Public Transportation Association's premier professional development program, designed to develop and support the next generation of leaders of APTA and the public transportation industry.

Each year, the Leadership APTA Committee selects 25 individuals from among APTA applicants to participate in a year-long program that includes intensive workshops, conferences, class leadership projects, teleconferences, online meetings, and web-based events. Please see the attached for detailed course information.

Alan Geyer plays a significant role in Brisbane Transport's operations, being part of the second tier of management beneath the Divisional Manager. He is accountable for delivering all operational aspects of our business and has eight Depot Manager roles that report directly to him. Alan's leadership skills are paramount in balancing the delivery of excellent customer service in an efficient manner, while balancing the expectations of our political leaders.

Brisbane Transport is close to, if not already, the best bus operator in Australia and is striving to be seen as the "thought leaders in public transport in Australia". The APTA program on offer is a fantastic opportunity for Brisbane Transport to progress towards achieving this goal by enabling Alan to enhance his skills through interaction with successful operators in the United States and learning from their successes as well as those things that did not work as well as may have been expected.

In accordance with the Leadership APTA application process, Brisbane Transport submitted an application for selection prior to the deadline of 30 June 2009 to ascertain whether Alan would be accepted to the program prior to proceeding with the approval process within Council.

APTA advised Brisbane Transport on 11 August 2009 that Alan's application had been successful and that he was in fact the first Australian selected for this program.

To be recognised as a graduate of the Leadership APTA Class of 2009-10 and receive a certificate of completion, each member of the class must actively participate in the following:

- The required December 2009 and July 2010 Leadership APTA workshops.
- The March 2010 APTA Legislative Conference.
- Related required Leadership APTA workshops.
- Assigned projects and tasks with fellow team members, including the team leadership projects.
- Conference calls and web-based events.
- Leadership APTA online forums, teleconferences and online meetings.

A copy of the program is attached.

Alan will complete his MBA (majoring in Management (Leadership)) in November. This program will build on his learnings, with significant benefits expected from workshops involving high performing public transport leaders and practitioners from North America.

The Queensland Bus Industry Council (QBIC) and International Association of Public Transport Australia and New Zealand (UITPANZ) are both supportive of this initiative. They have expressed an interest in establishing an annual or biannual scholarship on the basis of Alan's feedback about the value of the program. Each organisation has committed to funding for one return airfare to North America. While Alan Geyer has offered to fly economy class, given the need for three compulsory trips to North America (plus the final optional session next financial year to present his class leadership project), Brisbane Transport supports sourcing premium economy fares, which are currently competitively priced.

Approval is now sought for Alan Geyer, Bus Operations Manager, Brisbane Transport, to travel to United States and Canada to attend and participate in the Leadership APTA Program during 2009 and 2010, to attend the three compulsory and one optional programs flying economy or premium economy class at an estimated cost to Council of \$20,900.

#### **12.0 Consultation**

- Jude Munro, Chief Executive Officer
- Councillor Jane Prentice, Chairman Public and Active Transport and Economic Development

#### **13.0 Implications of proposal**

Nil.

#### **14.0 Commercial in confidence**

No.

#### **15.0 Vision/Corporate Plan impact**

- Program 3 - Moving Brisbane: "We will work to ensure the community has access to high quality integrated public transport. Demand for public transport services will be met and public transport will continue to contribute to managing road congestion".
- Program 9 – Customer Focus: "We will deliver our services with integrity and simplicity – as promised and in a simple, convenient manner".

#### **16.0 Customer impact**

Ideas gained from attendance at this course will be fed into Brisbane Transport's strategic/business planning processes to influence our strategies:

- Shaping our future through effective participation in a tripartite partnership model with Council and TransLink
- Establishing an ideal operating and governance model
- Proactively fostering effective relationships with all key stakeholders
- Servicing our customers
- Managing growth
- Proactively and aggressively managing our costs

#### **17.0 Environmental impact**

No.

#### **18.0 Policy impact**

In accordance with Council policy.

## 19.0 Financial impact

Airfares	3 x compulsory sessions 1 x optional session	\$13,400
Accommodation	26 nights @ \$250	\$6,500
Other expenses (meals, transport and personal allowance)		\$4,000
Course registration fees		\$3,000
		Sub- total: \$26,900
Less QBIC and UITPANZ funding		\$6,000
		<b>Total: \$20,900</b>

APTA has agreed to reduce the course cost by \$US500 to \$US2,500 (approximately \$AUD3,000).

The net cost of the program, which can be spread across two financial years, is approximately \$20,900, comprising \$26,900 in total, less \$6,000 in sponsorship to be provided by QBIC and UITPANZ. Please note that Alan has agreed to travel economy class, so the approximate costs quoted above are for economy class airfares. However, it is proposed he will fly premium economy if fares can be sourced at a similar price.

Funding is available from 4.80.7008.801.000.000.628.884.00.

## 20.0 Human resource impact

Nil.

## 21.0 Urgency

Payment of a \$3,000 acceptance fee is due by 1 October 2009.

## 22.0 Publicity/marketing strategy

Consultation has been undertaken with the Manager of Marketing and Communication, with a view to developing a positive communications strategy.

## 23.0 Options

Option 1: Approve recommendation, with Council to fund travel for Alan Geyer to attend the two recommended and three compulsory programs plus two optional programs, flying economy or premium economy class. QBIC and UITP to meet the cost of one airfare each.

Option 2: Approve recommendation to fund travel for Alan Geyer to attend the three compulsory and one optional programs flying economy or premium economy class. QBIC and UITP to meet the cost of one airfare each.

Option 3: Approve recommendation to fund travel for Alan Geyer to attend the three compulsory programs flying economy or premium economy class. QBIC and UITP to meet the cost of one airfare each.

Option 4: Not approve.

**Option 2 is recommended.**

1.0 FILE NUMBER

109/800/286/149

E&C

21 SEP 2009 - 03

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 TITLE

Claim for compensation arising from the resumption of land for Environmental Purposes at 326 Pine Mountain Road, Carina Heights.

3.0 PURPOSE/ISSUE

Recommendation on a claim for compensation.

4.0 PROPONENT

Ian Niven, Acting Divisional Manager, Corporate Services.

5.0 SUBMISSION PREPARED BY

Ian Ketchion, Acquisitions Officer, City Property, ext 39193.

6.0 DATE

4 September 2009

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL?

For E&C approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

No

RECEIVED

21 SEP 2009

COMMITTEE SECTION

ACTION TAKEN

21 SEP 2009

TOWN CLERK

**APPROVED**

21 SEP 2009

*[Signature]*  
Lord Mayor

A/

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

## 9.0 RECOMMENDATION

That E&C approve as follows:

- (a) The claim for compensation set out in Schedule 1 Parts 1 and 2 be rejected as excessive;
- (b) An offer of settlement be made as specified in Schedule 1 Part 3; and,
- (c) If the offer in (b) above is rejected, then an advance against compensation be made under Section 23 of the Acquisition of Land Act 1967, as set out in Schedule 1 Part 3.


### Schedule 1

<b>Part 1</b>	<b>Details of Resumption</b>
<b>Claimant</b>	VK Property Group Pty Ltd.
<b>Property Resumed</b>	Property situated at 326 Pine Mountain Road, Carina Heights, described as Lot 201 on SP203069, Parish of Bulimba having an area of 2.947ha.
<b>Purpose of Resumption</b>	Environmental Purposes.
<b>Part 2</b>	<b>Details of Claim</b>
<b>Amount of Claim</b>	(a) redacted (ex GST) for loss of freehold land. (b) Interest on redacted at the recommended Land Court Rate, from the date of resumption to the date of settlement. (c) Disturbance of redacted
<b>Part 3</b>	<b>Details of Offer</b>
<b>Amount of Offer</b>	(a) redacted (ex GST) for loss of freehold land. (b) Interest on redacted at the recommended Land Court Rate, from the date of resumption to the date of payment. (c) Reasonable Professional costs.
<b>Terms of Offer / Settlement</b>	(a) Offer is accepted in full and final satisfaction of all rights and interests that the claimant has or will have in respect of the taking of the said land. (b) The claimant enter into a deed of indemnity on terms and conditions satisfactory to the Chief Legal Counsel, Brisbane City Legal Practice.
<b>Amount of Advance</b>	(a) redacted (ex GST) for loss of freehold land. (b) Interest on redacted at the prevailing Land Court Rate, from the date of resumption to the date of payment. (c) Reasonable Professional costs.

## 10.0 DIVISIONAL MANAGER & CHAIRMAN

I Support / ~~Reject~~ the Recommendations.

(If Rejected – please state reasons)

  
Ian Niven  
Acting Divisional Manager  
Corporate Services

I Recommend Accordingly

.....  
CHIEF EXECUTIVE OFFICER

  
Cr Adrian Schrinner  
Chairman  
Finance & Administration Committee



## 11.0 BACKGROUND

By publication in the Government Gazette dated 5 October 2007, Council resumed from [redacted], land for Environmental Purposes, situated at No 326 Pine Mountain Road Carina Heights, and described as Lot 201 SP203069 Parish of Bulimba. The land comprises an area of 2.947 hectares. The resumed property is hatched in red on Attachment A. [redacted] has since passed away, and his interest has vested to The Estate of the late [redacted].

In a deed prepared by lawyers McCullough Robertson, [redacted] and [redacted] as The Executors of the Estate of the late [redacted] ("the owners"), assigned their rights to compensation for the resumed land to VK Property Group Pty Ltd and Conias Properties Pty Ltd ("the assignee"), and further, that the owner (including the executor) and the assignee agree that all compensation monies be paid direct to VK Property Group Pty Ltd, as the nominated party of the assignee. The assignee submitted a Claim for Compensation through McCullough Robertson, in the amount of [redacted], plus interest, and disturbance costs of [redacted]. The assignee allots the payment on an Advance.

Advice was sought to quantify the planning constraints associated with potential development of the property to assist Council's Valuer in determining the 'highest and best' use. As at the date of resumption, and after relying on the town planning report from Ken Ryan and Associates P/L (Council's consultant town planner), Council's consultant valuer Austin, Buckley & Associates Pty Ltd assessed a value for the resumed land at [redacted] (exclusive of GST) (Refer Attachment B).

It is therefore recommended that the Claim for Compensation be rejected as excessive and the claimant made an offer to settle in the amount of [redacted] plus interest thereon and reasonable costs incurred in making the claim. Should the claimant not accept Council's offer to settle, then it is further recommended that this amount be paid as an Advance payment against compensation.

Under the Register of Administrative Arrangements dated 29 August 2006, the E&C has the delegated authority to reject claims, approve counter-offers, and pay advances up to a value not in excess of [redacted].

## 12.0 CONSULTATION

Brad Wilson, Section Head, Planning Section, Natural Environment & Sustainability  
16 July 2009.

Phillip Rowland, Land Manager, City Property. 4 September 2009

Maria Menchise, Solicitor, Brisbane City Legal Practice. 17 July 2009

All consulted are in agreement with the recommendation.

## 13.0 IMPLICATIONS OF PROPOSAL

The claim for compensation will be processed.

**14.0 COMMERCIAL IN CONFIDENCE**

No

**15.0 CORPORATE PLAN IMPACT**

Nil

**16.0 CUSTOMER IMPACT**

Nil

**17.0 ENVIRONMENTAL IMPACT**

Nil

**18.0 POLICY IMPACT**

Nil

**19.0 FUNDING IMPACT**

Funds are available under the Bushland Preservation Levy.

**20.0 HUMAN RESOURCE IMPACT**

Nil

**21.0 URGENCY**

Normal course of business.

**22.0 PUBLICITY / MARKETING STRATEGY**

Not applicable.

**23.0 OPTIONS**

1. Approve the recommendation.
2. Not approve the recommendation.
3. Refer the matter to the Land Court for determination.

**Option 1 is the preferred option.**

***NB: If the Officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.***

21 SEP 2009 8

**SUBMISSION NUMBER**

**1.0 File number**

109/800/286/170

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

**2.0 Title**

Supply and Maintenance of Specialist Mobile Plant on a Dry Hire or Purchase Basis for Quarries and Asphalt Plants.

**3.0 Issue/purpose**

To seek Establishment and Coordination Committee approval of

- a) The Significant Procurement Activity Plan (SPAP) in relation to the Supply and Maintenance of Specialist Mobile Plant on a Dry Hire or Purchase Basis for Quarries and Asphalt Plants; and
- b) To extend the existing Contracts with Komatsu Australia Pty Ltd for the dry hire of plant for Quarries and Asphalt Plants by sole sourcing with the existing Preferred Supplier from 1 January 2010 until a new Contract(s) is implemented or 31 March 2010, whichever occurs sooner, as a contingency plan, without seeking competitive tenders from industry, in accordance with Section 2.3 - Sole or Restricted Tendering - of the Procurement Manual and pursuant to the City of Brisbane Act 1924.

**4.0 Proponent**

Ian Maynard, Acting Chief Executive Officer

**5.0 Submission prepared by**

David Cox  
Corporate Risk Manager  
Corporate Services Division

**APPROVED**

21 SEP 2009

*[Signature]*  
Lord Mayor

**6.0 Date**

8 September 2009.

*[Signatures]*  
AS PM, JIM, IJM

**7.0 For E&C approval or recommendation to Council**

For E&C Approval.

**8.0 If for recommendation to Council, is a Council resolutions required under an Act or Local Law?**

No.

**9.0 Recommendation**

That the Establishment and Co-ordination Committee approve the attached submission.

*[Signature]*

*[Signature]*

**10.0** David Cox  
Corporate Risk Manager  
Corporate Services Division

Ian Maynard  
Acting Chief Executive Officer

BCC 40 YEAR RELEASE SCHEME

RECEIVED ACTION TAKEN

21 SEP 2009

21 SEP 2009

COMMITTEE SECTION

TOWN CLERK

## 11.0 Background

The Acting Chief Executive Officer and the Stores Board considered the attached scheduled submission on 8 September 2009.

The submission is referred to E&C as it is considered the most advantageous outcome for the provision of the required goods and services:

CONTRACT NO.	CONTRACT TITLE	REASON FOR SUBMISSION
A100052-09/10	Supply and Maintenance of Specialist Mobile Plant on a Dry Hire or Purchase Basis for Quarries and Asphalt Plants	Within E&C Delegation

## 12.0 Consultation

The Chief Executive Officer and Permanent Head of the Unit of Administration responsible for the submission, Stores Board and relevant Divisional Officers have been consulted and are in agreement with the recommendation.

## 13.0 Implications of proposal

The recommended process will provide the most advantageous outcome for Council.

## 14.0 Commercial in confidence

No.

## 15.0 Vision/Corporate Plan impact

The recommendation of this submission will contribute to the efficient management of the City's resources.

## 16.0 Customer impact

The submission covers the carrying out of work or supply of goods and services to meet Council approved programs.

## 17.0 Environmental Impact

Tenderers are evaluated in line with Council's policy on the use of environmentally friendly and recycled products and environmental considerations have been taken into account in the evaluation of tenders relating to this submission, where applicable.

## 18.0 Policy Impact

Submitted in accordance with Council's Procedures for Procurement, Contracting and Tendering.

## 19.0 Financial Impact

Financial details are included in the Divisional submission.

**20.0 Human Resource Impact**

Not Applicable.

**21.0 Urgency**

As soon as possible.

**22.0 Publicity/marketing strategy**

As required.

**23.0 Options**

Option 1: That the E&C approve the recommendation.

Option 2: Not approve the recommendation.

**Option 1 is the preferred option.**

**NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**SUBMISSION NUMBER**

1.0 File No 109/800/286/187

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 Title

Stores Board Submission - Amended Significant Procurement Activity Plan (SPAP) to include a New CityCat Ferry Terminal at West End.

3.0 Issue/purpose

To seek Establishment and Coordination Committee approval to amend the Significant Procurement Activity Plan (SPAP) to include a New CityCat Ferry Terminal at West End.

4.0 Proponent

Jude Munro, Chief Executive Officer.

5.0 Submission prepared by

David Cox  
Corporate Risk Manager  
Corporate Services Division

**APPROVED**

21 SEP 2009

Lord Mayor

6.0 Date

21 September 2009.

7.0 E&C approval or recommendation to Council?

For E&C Approval.

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

No.

9.0 Recommendation

That the Establishment and Co-ordination Committee approve the attached submission.

10.0 David Cox  
Corporate Risk Manager  
Corporate Services Division



Jude Munro  
Chief Executive Officer

**RECEIVED**

21 SEP 2009

**COMMITTEE SECTION**

**ACTION TAKEN**

21 SEP 2009

**TOWN CLERK**

## 11.0 Background

The Chief Executive Officer and the Stores Board considered the attached scheduled submission on 21 September 2009.

The submission is referred to E&C as it is considered the most advantageous outcome for the provision of the required services:

CONTRACT NO.	CONTRACT TITLE	REASON FOR SUBMISSION
E100066-09/10	New CityCat Ferry Terminals	Within E&C Delegation

## 12.0 Consultation

The Chief Executive Officer and Permanent Head of the Unit of Administration responsible for the submission, Stores Board and relevant Divisional Officers have been consulted and are in agreement with the recommendation.

## 13.0 Implications of proposal

The recommended process will provide the most advantageous outcome for Council.

## 14.0 Commercial in confidence

No.

## 15.0 Vision/Corporate Plan Impact

The recommendation of this submission will contribute to the efficient management of the City's resources.

## 16.0 Customer Impact

The submission covers the carrying out of work or supply of goods and services to meet Council approved programs.

## 17.0 Environmental Impact

Tenders are evaluated in line with Council's policy on the use of environmentally friendly and recycled products and environmental considerations have been taken into account in the evaluation of tenders relating to these submissions, where applicable.

## 18.0 Policy Impact

Submitted in accordance with Council's Procedures for Procurement, Contracting and Tendering.

## 19.0 Financial Impact

Financial details are included in the Divisional submission.

**20.0 Human Resource Impact**

Not Applicable.

**21.0 Urgency**

As soon as possible.

**22.0 Publicity/Marketing Strategy**

As required.

**23.0 Options**

Option 1: That the E&C approve the recommendation.

Option 2: Not approve the recommendation.

**Option 1 is the preferred option.**

**NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

BCC PUBLICATION SCHEME  
10 YEAR RELEASE



**SUBMISSION NUMBER**

1.0 **File Number:** 109/800/286/171

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 **Title**

Stores Board Submission - Building and Fire Engineering Certifier for the Brisbane City Hall Restoration Project.

3.0 **Issue/Purpose**

To seek approval from the Establishment and Coordination Committee to directly enter into Contract with:

**Certis Pty Ltd** for the lump sum fee of \$355,509 (ex GST)

for Fire Certification and Building Certification services as part of the City Hall restoration project without seeking competitive tenders from industry in accordance with Section 2.3, Sole or Restricted Tendering, of the Procurement Manual pursuant to the City of Brisbane Act 1924.

4.0 **Proponent**

Ian Maynard, Acting Chief Executive Officer.

5.0 **Submission Prepared by**

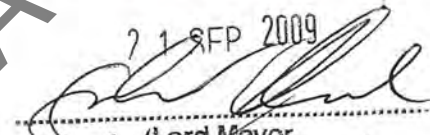
David Cox  
Corporate Risk Manager  
Corporate Services Division

**APPROVED**

6.0 **Date**

15 September 2009.

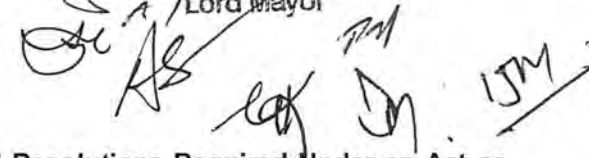
21 SEP 2009



Lord Mayor

7.0 **E&C Approval or Recommendation to Council?**

For E&C Approval.



8.0 **If for Recommendation to Council, is a Council Resolutions Required Under an Act or Local Law?**

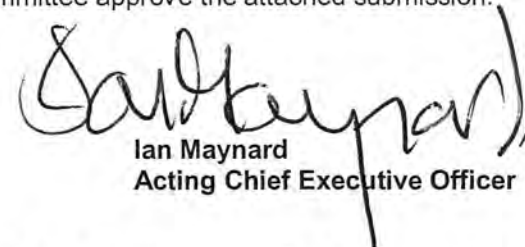
No.

9.0 **Recommendation**

That the Establishment and Co-ordination Committee approve the attached submission.



10.0 **David Cox**  
Corporate Risk Manager  
Corporate Services Division



**Ian Maynard**  
Acting Chief Executive Officer

**RECEIVED**

21 SEP 2009

**COMMITTEE SECTION**

**ACTION TAKEN**

21 SEP 2009

**TOWN CLERK**

## 11.0 Background

The Chief Executive Officer and the Stores Board considered the attached scheduled submission on 15 September 2009.

The submission is referred to E&C as it is considered the most advantageous outcome for the provision of the required services:

CONTRACT NO.	CONTRACT TITLE	REASON FOR SUBMISSION
R100047- 09/10	Building and Fire Engineering Certifier for the Brisbane City Hall Restoration Project	Within E&C Delegation

## 12.0 Consultation

The Acting Chief Executive Officer and Permanent Head of the Unit of Administration responsible for the submission, Stores Board and relevant Divisional Officers have been consulted and are in agreement with the recommendation.

## 13.0 Implications of Proposal

The recommended process will provide the most advantageous outcome for Council.

## 14.0 Commercial in Confidence

No.

## 15.0 Vision/Corporate Plan Impact

The recommendation of this submission will contribute to the efficient management of the City's resources.

## 16.0 Customer Impact

The submission covers the carrying out of work or supply of goods and services to meet Council approved programs.

## 17.0 Environmental Impact

Tenderers are evaluated in line with Council's policy on the use of environmentally friendly and recycled products. Environmental considerations will be taken into account in the evaluation of tenders where applicable.

## 18.0 Policy Impact

Submitted in accordance with Council's Procedures for Procurement, Contracting and Tendering.

## 19.0 Financial Impact

Financial details are included in the Divisional submission.

## 20.0 Human Resource Impact

Not Applicable.

## 21.0 Urgency

As soon as possible.

**22.0 Publicity/Marketing Issues**

As required.

**23.0 Options**

Option 1: That the E&C approve the recommendation.

Option 2: Not approve the recommendation.

**Option 1 is the preferred option.**

**NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

1.0 FILE NUMBER: 109/800/286/118

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 TITLE

Retail Tenancy appointment for King George Square Redevelopment.

3.0 ISSUE/PURPOSE

To seek approval from the E & C Committee to allow City Property to offer and finalise a commercial lease over the two retail lease areas at King George Square to GT14 King George Pty Ltd and Coffee Hit Pty Ltd as the restaurant and coffee shop Lessees, respectively.

4.0 PROPONENT

Ian Maynard  
Divisional Manager, Corporate Services Division

5.0 SUBMISSION PREPARED BY

Mark Mazurkiewicz  
Manager, City Property

**APPROVE**

6.0 DATE

14 September 2009

14 SEP 2009  
Lord Mayor  
[Signatures]

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For E&C approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

No.

BCC 10 YEAR PUBLICATIONS SCHEME RELEASE

**9.0 RECOMMENDATION**

That approval is granted to City Property Branch to negotiate and enter into two new leases with tenants GT14 King George Pty Ltd trading as "The Groove Train" and Coffee Hit Pty Ltd trading as "Coffee Hit" as the restaurant and coffee shop Lessees, respectively, for the retail tenancy areas within the King George Square Redevelopment on the following terms and conditions;

**Restaurant: GT14 King George Pty Ltd**

Area: 218 m<sup>2</sup> (approximately)  
Lease Commencement: 19 October 2009 (approximately)  
Lease Term: 10 years  
Gross Rent: Year 1 redacted pa (+ GST)  
Year 2 redacted pa (+ GST)  
Year 3 redacted pa (+ GST)  
Rent Reviews: redacted annually commencing Year 4  
Rent Free Period: redacted rent free for tenant fit out  
Bank Guarantee: Equivalent to 6 months rent

**Coffee Shop: Coffee Hit Pty Ltd**

Area: 23 m<sup>2</sup> (approximately)  
Lease Commencement: 19 October 2009 (approximately)  
Lease Term: 10 years  
Gross Rent: redacted (+ GST)  
Rent Reviews: redacted annually  
Rent Free Period: redacted rent free for tenant fit out  
Bank Guarantee: Equivalent to 6 months rent

and otherwise on terms and conditions satisfactory to both the Manager City Property and the Chief Legal Counsel Brisbane City Legal Practice.

**CHAIRPERSON**

**I Support / Reject the Recommendation**  
If rejected please state reasons



Councillor Adrian Schrinner  
Chairman  
FINANCE and ADMINISTRATION COMMITTEE

**RECEIVED**

2 1 SEP 2009

**COMMITTEE SECTION**

**ACTION TAKEN**

2 1 SEP 2009

**TOWN CLERK**

**10.0 DIVISIONAL MANAGER**



Ian Maynard  
Divisional Manager  
CORPORATE SERVICES DIVISION

**I Recommend Accordingly**  
  
.....  
**CHIEF EXECUTIVE OFFICER**

## 11.0 BACKGROUND

E & C approval was granted to proceed with the delivery of works to the King George Square Redevelopment Project on 21 January 2008. Subsequent Stores Board approval to appoint Kane construction as the Principal Contractor was received in May 2008. As one of its principal foundations, design of the King George Square Redevelopment includes two retail tenancy areas.

One tenancy area being for a restaurant, approximately 218m<sup>2</sup> of enclosed area, which opens directly onto the expansive paved area flanked by the amphitheatre on one side and the grand ramp on the other. This larger retail tenancy area will be operated as a restaurant and is envisaged to provide food and beverage catering for the higher use demands of King George Square visitors and functions, alike. In particular, it is expected that the restaurant will provide a diverse food offering suited to all tourism trade types throughout the year.

The second smaller retail tenancy area is 23m<sup>2</sup> and is situated directly behind the Adelaide St entry to the underground bus and car parking station. It is envisaged this smaller retail tenancy area will provide food and beverage catering for a limited "sit down" trade with takeaway capacity.

City Property was instructed by the E&C Committee on 9 March 2009 to lease both retail tenancies to external operators on a commercial basis.

Council resolves annually that granting of certain retail lease arrangements, such as at King George Square, be exempt from the tendering or public auction processes prescribed in Section 46H of the City of Brisbane Act 1924.

In accordance with this resolution, when seeking to lease retail space City Property appoints a commercial agent to conduct an open market advertising campaign. Suitable proponents are then forwarded for detailed evaluation by Council officers. This provides Council with the highest and best outcome using an independent and impartial third party. This same process was used for Green Square retail leases.

### a) Proposal received and Value Score rating

Tenancy Proposals received	Value Score	Rating
The Groove Train and Coffee Hit	2,640	1
Jimmy's on Square	2,075	2
Illy Coffee	1,965	3
Exchange Enterprise	1,965	3
Pig & Whistle	1,865	4
Sushi Train	1,825	5
Phuc Deli-Viet	1,690	6
The Coffee Club	1,610	7

## 11.0 BACKGROUND (cont)

### b) Non conforming tenders

City Property had been advised by the City Hall Project Team that the final design of City Hall Redevelopment may include a restaurant and or catering offering, which may service functions within the square. On 24 August 2009 all proponents were requested to modify their offer on the basis that Council reserved the right for restaurants or other catering offerings to be able to service functions within the square.

Jimmy's On The Square's response to the modification rejected the proposed Council requirements by seeking commercial conditions on retail trade within King George Square for exclusive use of this area for retail food and beverage trade, thereby restricting other potential Council or community group catering for marketing and or function purposes within the square itself.

Upon review by Brisbane City Legal Practice and Strategic Procurement Office, this restriction on Council's trade use and operation of King George Square was considered unacceptable and the evaluation as the second highest ranked proponent was assessed accordingly with this condition in place.

### c) Proposal assessment

In April 2009, CB Richard Ellis Estate Agents (CBRE) were appointed to conduct an open market advertising campaign in order to secure suitable lessees for the space. Advertisements were placed in The Financial Review and The Courier Mail during June 2009. A number of offers from experienced operators were provided by July 14, 2009. For the initial evaluation phase the following evaluation criteria were applied to determine preferred proponents:

#### Criteria

- Commercial Terms
- Quality and nature of the offer
- Experience
- Differentiation
- Appeal
- Activation of Square's appeal

On this basis a shortlist with recommendations was provided by CBRE to City Property.

Following this initial assessment an independent panel was formed to review the outcome of the initial phase and undertake a detailed value and benefits scoring of the proposals received. The independent panel consisted of:

- Manager, City Property
- Chief Procurement Officer, Corporate Services
- Development Manager, City Property

## 11.0 BACKGROUND (cont)

After formal internal review of each proponent's offering it was determined by the panel that the recommended single proponent for both the restaurant and coffee shop tenancy areas be awarded to GT14 King George Square Pty Ltd, trading as "The Groove Train" and Coffee Hit Pty Ltd trading as "Coffee Hit" respectively, subject to approval by E&C and finalisation of commercial terms and documentation.

The panel were of the opinion, based upon strong recommendation by CBRE, that having a single operator for both tenancies would provide the best retail outcome as the two operators are more likely to provide complementary, rather than competing offerings. This in turn enhances the chances of success of both ventures.

### d) Modification & clarification of points

During this evaluation the City Hall Project Team advised that the final design of City Hall Refurbishment may include a restaurant and or catering offering, which may service functions within the Square.

At least one Proponent had requested commercial conditions restricting retail trade within King George Square. The commercial conditions required exclusive use of this area for retail food and beverage trade, thereby restricting other potential Council or community group catering for marketing and or function purposes within the square itself. This restriction on Council's trade use and operation of King George Square was considered entirely unacceptable.

The evaluation process was suspended and CBRE instructed on 24 August 2009 to notify all Proponents that exclusive rights to food catering events in King George Square could not be provided and to ask them to resubmit their offers by close of business 31 August 2009. A copy of this letter is provided as Attachment 1. CBRE contacted each proponent by either telephone or email to convey this message.

Formal evaluation of each proponent's offering re-commenced following the passing of this deadline. The outcome of this evaluation was that the recommended proponent for both the restaurant and coffee shop tenancy areas be awarded to GT14 King George Square Pty Ltd trading as "The Groove Train" and Coffee Hit Pty Ltd trading as "Coffee Hit" respectively, subject to finalisation of commercial terms and documentation.

### e) Support for locally produced and Australian products

Julian Mero who is proprietor of both proponents is a Melbourne based restaurateur who already operates restaurants within Brisbane.

### f) Reasons for selection of recommended Tenant

"The Groove Train" restaurant operation will provide a wide menu service, offering affordable food options coupled with an appealing and modern fit out. This in turn will activate the square's appeal to visitors in this location. The operator has also nominated that they will provide discounts to tourists through applicable concessional card memberships.



## 11.0 BACKGROUND (cont)

"The Groove Train" restaurant chain has eight other stores in operation across Australia, with the most successful being located in the Eagle Street Pier Restaurant precinct, opened approximately two years ago.

The "Coffee Hit" coffee shop operation is promoted as high quality and will roast coffee beans on site ensuring a fresh offering to its customers.

### Result

Unanimous support for "The Groove Train" and "Coffee Hit" due to:

1. Competitive Market rents;
2. No restrictive conditions;
3. Wide customer appeal; and
4. The proposal, when compared with other proposals, provided a wider menu selection and competitive commercial offering that best suited the potential occupants of the square.

### g) Proposal evaluation panel objectivity

The independent panel conducted its processes in a transparent and objective manner during the tender evaluation process. The Tender Panel maintained confidentiality of information made available to them throughout the tender evaluation process.

Throughout the tender evaluation process compliance with legislative requirements and Council's policies, procedures and guidelines was maintained.

## 12.0 CONSULTATION

Councillor Adrian Schrinner, Chairman Finance and Administration Committee (10 September 2009)

Councillor Amanda Cooper, Chairman Neighbourhood Planning and Development Assessment Committee (11 September 2009)

Councillor Geraldine Knapp, Chairman Families and Community Services Committee (14 September 2009)

Kent Stroud, Manager, Community Development Services (7 September 2009)

Michael Papageorgiou, Divisional Manager, City Planning and Sustainability (10 September 2009)

Ian Grant-Smith, A/CRE Manager, City Property (10 September 2009)

Michael Byrne, Chief Procurement Officer (7 September 2009)

David Askern, Chief Legal Counsel (7 September 2009)

All consulted are in agreement with the recommendation.

### 13.0 IMPLICATIONS OF PROPOSAL

Sectional Support	No implications
Service Levels	No implications
Political	No implications
Industrial Relations	No implications
Regional Implications	No implications
Social and Community	No implications

### 14.0 COMMERCIAL IN CONFIDENCE

No

### 15.0 CORPORATE PLAN IMPACT

In accordance with the Corporate Vision Theme: Smart and prosperous city  
Council Program: City Governance.

### 16.0 CUSTOMER IMPACT

Nil

### 17.0 ENVIRONMENTAL IMPACT

No environmental issues associated with this proposal.

### 18.0 POLICY IMPACT

Nil

### 19.0 FINANCIAL IMPACT

Leasing revenue to Council of approximately \$170,000 in  
2009/2010.

### 20.0 HUMAN RESOURCE IMPACT

Nil

### 21.0 URGENCY

An urgent decision in order to secure retail tenants to coincide with the official re-opening of King George Square.

## 22.0 PUBLICITY/MARKETING STRATEGY

To be incorporated with other King George Square Redevelopment communications as appropriate.

## 23.0 OPTIONS

1. Approve the recommendation.
2. Not approve the recommendation.

Option 1 is the preferred option.

NB: If the Officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

1.0 FILE NUMBER: 137/225/137/11

SUBMISSION TO THE ESTABLISHMENT AND COORDINATION COMMITTEE

2.0 TITLE

Appointment of Conduct Review Panel (CRP) members to review an alleged minor breach of the Code of Conduct for Councillors.

3.0 ISSUE/PURPOSE

To appoint two members from the CRP to review an alleged minor breach of the Code of Conduct for Councillors, to be reviewed under the General Complaints Process as provided in the Queensland Local Government Act 1993.

4.0 PROPONENT

Peter Rule, A/Executive Manager, Office of the Chief Executive (MCEO)

5.0 SUBMISSION PREPARED BY

Rebecca McAnalen, Corporate Governance Manager, Office of the Chief Executive (DCCEO), ext 34689

6.0 DATE

21 September 2009

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For E&C approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL RESOLUTION REQUIRED UNDER AN ACT OR ORDINANCE?

No

9.0 RECOMMENDATION

That E&C:

- 1) Approve the appointment of Conduct Review Panel members to review an alleged minor breach of the Code of Conduct for Councillors.
- 2) Nominate two members from the attached list of Conduct Review Panel members to conduct the review – Mr Bob Longland and Professor Margaret Steinberg, AM.

10.0 Divisional Manager

Peter Rule  
A/Executive Manager, Office of the CEO

I Recommend Accordingly

CHIEF EXECUTIVE OFFICER

**APPROVED**

21 SEP 2009

Lord Mayor

**RECEIVED**

21 SEP 2009

**ACTION TAKEN**

21 SEP 2009

## 11.0 BACKGROUND

Brisbane City Council adopted its Code of Conduct for Councillors on 28 February 2006 as per provisions of the *Local Government Act 1993*. The Code was subsequently reviewed and again adopted by Council in August 2008. The Code has a dual purpose to document agreed standards of behaviour expected of Councillors and provide accountability.

This accountability involves appointment of a Conduct Review Panel (CRP) to investigate repeat and statutory breaches of the Code and establishment of a General Complaints Process to review complaints about minor breaches of the Code as well as administrative actions of Council.

The Town Clerk has received a complaint about a matter that he has determined, if substantiated, could constitute a breach of the ethical and behavioural obligations of Council's Code and therefore falls into the category of Minor Breach of the Code.

Therefore, the complaint must be reviewed in accordance with Council's General Complaints Process.

### General Complaints Process

Council's General Complaints Process provides for one or more members of the CRP to be appointed by unanimous decision of E&C to conduct a review of a minor breach of the Code of Conduct or a complaint about an administrative action of the Lord Mayor or Chief Executive Officer. The CRP members have requested that more than one member be appointed to conduct any such review that arises.

It is therefore recommended that two members be appointed to conduct a review into the complaint currently before the Town Clerk.

### Conduct Review Panel

Council adopted its list of CRP members by resolution on 16 May 2006 and E&C agreed in August 2008 to extend the arrangements for the existing CRP for a further four years.

A list of members is attached from which it is recommended E&C nominate two people to undertake a review of the complaint received.

The Town Clerk's office has contacted members of the panel in advance to determine availability and conflict of interest. Mr Bob Longland and Professor Margaret Steinberg, AM have both indicated availability to conduct a review and reported no conflict of interest.

Therefore it is recommended that E&C nominate Mr Bob Longland and Professor Margaret Steinberg, AM as the CRP members to conduct the review of the matter.

### Review process

The CRP members will review the complaint in accordance with the principles of natural justice and may:

- refuse to investigate a complaint or refuse to continue investigating a complaint if the CRP members consider the complaint to be trivial, frivolous or vexatious
- determine the complainant lacks sufficient direct interest
- invite additional information at any time during the review.

The CRP members will attempt to resolve the matter to the complainant's satisfaction. If this is achieved, the matter ends with no requirement for E&C or Council to be further involved.

However if this is not possible and the complainant remains dissatisfied, the CRP members must prepare a report which is circulated to both parties prior to submission to full Council for consideration. Council then resolves:

- whether the breach was committed
- if so, whether any penalties should be imposed
- if so, the nature of those penalties.

## 12.0 CONSULTATION

Peter Rule, A/Executive Manager, Chief Executive's Office  
Diane Quinn, Legislative Policy Advisor, Brisbane City Legal Practice  
Rebecca McAnalen, Disputes Commissioner, Office of the Chief Executive

All are in agreement.

## 13.0 IMPLICATIONS OF PROPOSAL

The appointment of CRP members to investigate the complaint is in keeping with the spirit of the Code of Conduct to provide open, fair and transparent accountability measures.

It will provide for an objective and impartial review to be carried out and a recommendation to go before Council.

## 14.0 COMMERCIAL IN CONFIDENCE

No.

## 15.0 CORPORATE PLAN IMPACT

Consistent with the Corporate Plan – specifically:

- Review complaints made against the administrative section of Council as well as those made under the general complaints process. This reflects Council's commitment to fair, open and transparent review processes.

## 16.0 CUSTOMER IMPACT

CRP members are independent professionals who will review complaints made under the General Complaints Process, providing transparency and accountability.

## 17.0 ENVIRONMENT IMPACT

Nil.

## 18.0 POLICY IMPACT

Nil.

## 19.0 FUNDING IMPACT

Council resolved that its CRP members be paid in accordance with Department of Industrial Relations Guidelines for Remuneration of part time Chairpersons and Members of Government Boards, Committees and Statutory Authorities. This amount is currently \$477 for members per day. CRP members appointed to review a matter will provide an invoice at the end of the review, which will be paid from the budget of the Office of the Chief Executive.

## 20.0 HUMAN RESOURCE IMPACT

The process will be managed from existing resources within the Office of the Chief Executive.

## 21.0 URGENCY

Urgent. The stated timeframe for review of complaints made under the General Complaints Process is "generally 45 days".

## 22.0 PUBLICITY/MARKETING STRATEGY

The matter is considered to be confidential and any publicity is inappropriate.

23.0 OPTIONS

1. E&C approves the recommendation.
2. E&C does not approve the recommendation.

Option 1 is recommended.

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**E&C RESULTS – 28 SEPTEMBER 2009**

SUB NO.	FILE NO.	DIV.	TITLE	Result
28/09-01 R	109/800/286/109	Brisbane Infrastructure	Acquisition of Land for Road Widening Purposes – 448 Miles Platting Road, Rochedale	Yes
28/09-02 R	109/800/286/186	Brisbane Infrastructure	Resumption of a Council Easement at 246-250 Gympie Road and 9 Somerset Road Kedron for Airport Link and Northern Busway Projects	Yes
28/09-03 R	109/800/286/183	Brisbane Infrastructure	New Lease Arrangements for Hockey Queensland at Colmslie Reserve, Morningside	Yes
28/09-04 M	109/800/286/134	City Business	Travel proposal for the Business Manager Scientific Analytical Services to visit Hill Laboratories and Watercare Services Laboratory in New Zealand	Yes
28/09-05 M	134/325/178/14	Corporate Services	Inclusion of Charitable Organisation in Appendix 'A' of the Schedule of Fees and Charges	Yes
28/09-06 R	109/800/286/142	Corporate Services	Adopting an amended Financial Risk Management Framework 2009, and delegation of powers pursuant to section 39B of the <i>City of Brisbane Act 1942</i>	Yes
28/09-07 M	109/800/286/76	Corporate Services	Lease of premises to be occupied by the Morningside Ward Office	Yes
28/09-08 R	109/800/286/139	FaCS	Updating of Council's Prosecution Policy	Yes
28/09-09 M	109/800/286/188	OLMCEO	Stores Board Submission – Sir Thomas Brisbane Planetarium, Projector System Replacement	Yes
28/09-10 R	109/800/286/192	OLMCEO	Stores Board Submission – Ferry Maintenance Facility	Yes
28/09-11 R	376/6/40(P4)	OLMCEO	Contracts and Tendering – Report to Council of Contracts accepted by Delegates (August 2009)	Yes
28/09-12 R	109/800/286/179	OLMCEO	Overseas Travel to attend The World Urban Environment Congress to be held in Kaohsiung and Taipei, Taiwan	Yes
28/09-13 Withdrawn	126/210/179/26	OLMCEO	Emergency repair of Air-conditioning systems for 136 Volvo Mk3 Metroliner buses	Withdrawn



**E&C RESULTS – 28 SEPTEMBER 2009**

SUB NO.	FILE NO.	DIV.	TITLE	Result
28/09-14 M	109/800/286/176	OLMCEO	Provision of Ecosystem Restoration and Herbicide Application Services	Yes

Present: Lord Mayor Campbell Newman, G M Quirk, G Knapp, A Cooper, D McLachlan, A Schrunner, P Matic, J Prentice

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

M - Indicates an E&C Committee decision (or minute item), which is included in this document.  
R - Indicates an E&C Committee recommendation to full Council. Details can be accessed through the Council Minutes, which are available for inspection on Level 2 of the Brisbane Square Library, 266 George Street, Brisbane.

1.0 File number  
109/800/286/134

E&C  
28 SEP 2009 - 04

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 Title

Travel proposal for the Business Manager Scientific Analytical Services to visit Hill Laboratories and Watercare Services Laboratory in New Zealand

3.0 Purpose

The purpose of this submission is to seek approval for Bob Gray, Business Manager of Scientific Analytical Services, City Business, to travel to Auckland and Hamilton, New Zealand from 19 – 22 October 2009 at an estimated cost of \$2,470.00

4.0 Proponent

Sue Rickerby, Divisional Manager City Business

5.0 Submission prepared by

Sue Rickerby, Divisional Manager City Business

6.0 Date

21 August 2009

RECEIVED ACTION TAKEN  
28 SEP 2009 28 SEP 2009  
COMMITTEE SECTION TOWN CLERK

7.0 For E&C approval or recommendation to Council

For E&C approval.

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

Not applicable.

9.0 Recommendation

It is recommended that approval be given for Bob Gray, Business Manager Scientific Analytical Services, City Business to travel to New Zealand to visit laboratories in Auckland and Hamilton from 19 – 22 October at an estimated cost of \$2,470.00

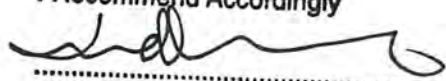
10.0 Divisional Manager

  
Sue Rickerby  
Divisional Manager  
City Business

Chairman, City Businesses and Local Assets Committee

  
Councillor David McLachlan

I Recommend Accordingly

  
CHIEF EXECUTIVE OFFICER

APPROVED

28 SEP 2009

  
Lord Mayor

## 11.0 Background

Scientific Analytical Services (SAS) moved into its new Darra facility in late September 2009. With Council's capital commitment to the new facility comes the expectation that an expansion in business and optimisation of the new resource occurs. One method of exploring possible improvements is by information exchange with similar businesses that are not direct competitors. SAS competes with other laboratories in the South-East Queensland region and interstate and it would be unlikely that a suitable partner would be found on the East coast of Australia.

Industry contacts have, in the course of various conversations with Bob Gray, referred very favourably to the business efficiencies and success of Hill Laboratories in Hamilton, New Zealand and Watercare Laboratory Services in Auckland.

Watercare Laboratory Services is a business unit of Watercare Services Limited, the largest water industry company in New Zealand and which has responsibility for water supply and wastewater services in the Auckland region. The laboratory undertakes a similar range of testing to SAS and competes successfully in the commercial sector.

Hill Laboratories is the largest privately-owned testing laboratory in New Zealand, and provides analytical testing services to:

- Environmental clients - consultants, local government bodies, and others who have a requirement to test soil, water and other material for possible environmental impact
- Agricultural and Horticultural clients - farmers, growers, fertilizer companies and consultants who require soil, plant material or feedstuffs to be tested
- Producers of Foods and Biological products - companies that produce agrochemicals, veterinary pharmaceutical products, foods and refined biological materials; or government bodies that regulate their use.

Hill Laboratories has a much wider range of capability than SAS and Watercare and has achieved a high degree of automation in its processes. It employs more than 250 staff in its laboratories in Hamilton, Christchurch and Tokyo. A list of proposed discussion topics is attached as well as some information brochures from Water Care and Hill Laboratories.

Approval is now sought for Bob Gray to travel to New Zealand from 19 – 22 October 2009.

## 12.0 Consultation

- Cr David McLachlan, City Businesses and Local Assets Committee
- Jude Munro, Chief Executive Officer

are in agreement with the recommendation.

## 13.0 Implications of proposal

This proposal presents an opportunity for the exchange of information, views and recommendations at a senior professional level and the establishment of linkages with like organisations.

## 14.0 Commercial in confidence

Nil.

## 15.0 Vision/Corporate Plan impact

The visit will improve the capacity and experience of SAS to achieve the objectives of Council in the management of its laboratory, which supports many activities across Council and the region, helping to achieve its Living in Brisbane 2026 vision.

## 16.0 Customer impact

Learnings from this visit will have the potential to improve customer service.

**17.0 Environmental impact**

Nil.

**18.0 Policy impact**

It is an opportunity to learn first hand from other organisations of their issues, ideas and solutions, which will assist with comparisons and reviews of Brisbane City Council's policies.

**19.0 Financial impact**

Costs: Return economy airfare to Auckland, NZ	\$800
Accommodation (3 nights) – allow	\$750
Car Hire (4 days @ \$55/day)	\$220
Fuel for hire car	\$100
Meals	\$400
Personal allowance (4 days)	\$200

**Total Costs** **\$2,470**

**20.0 Human resource impact**

The visit will occupy four working days.

**21.0 Urgency**

It is anticipated that the visit, if approved, will take place in October, 2009.

**22.0 Publicity/marketing strategy**

- Brisbane City Council report as per Travel Policy
- Briefing to appropriate Council staff on the knowledge gained from the visit.

**23.0 Options**

Option 1: Approve the recommendation.

Option 2: Not approve the recommendation.

**Option 1 is the preferred option.**

1.0 File number  
134/325/738/14

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 Title  
Inclusion of Charitable Organisation in Appendix 'A' of the Schedule of Fees and Charges.

3.0 Issue/purpose  
To approve the inclusion of Nepal Australia Friendship Association Queensland Inc. (NAFA) into Appendix 'A' of the Schedule of Fees and Charges from 24 March 2009.

4.0 Proponent  
Ian Niven, Acting Divisional Manager, Corporate Services Division.

5.0 Submission prepared by  
Nick Shaw, Financial Performance Manager, Corporate Services, extension 35982.

6.0 Date  
15 September 2009

RECEIVED ACTION TAKEN  
28 SEP 2009 28 SEP 2009  
COMMITTEE SECTION TOWN CLERK

7.0 For E&C approval or recommendation to Council  
For E&C Approval.

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?  
No.

9.0 Recommendation  
That E&C approve the inclusion of Nepal Australia Friendship Association Queensland Inc. (NAFA) in Appendix 'A' of the Council's Schedule of Fees and Charges effective from 24 March 2009, being the date of their application.

10.0 Divisional Manager *28/9/09*

Chairman  
I Support/Reject the recommendation.  
If reject, please state reasons.

I Recommend Accordingly  
*[Signature]*  
CHIEF EXECUTIVE OFFICER

**APPROVED**

28 SEP 2009

Lord Mayor

*[Signature]*  
IAN NIVEN  
ACTING DIVISIONAL MANAGER  
CORPORATE SERVICES

*[Signature]*  
COUNCILOR ADRIAN SCHRINNER  
CHAIRMAN FINANCE AND  
ADMINISTRATION COMMITTEE

## 11.0 Background

On 24<sup>th</sup> March 2009, the Nepal Australia Friendship Association Queensland Inc. (NAFA) lodged an application for inclusion in Appendix 'A' of the Schedule of Fees and Charges to the Chief Financial Officer (see **Attachment A**).

In support of their application for concessions, the Association provided the required documentation in the form of a 'Certificate of Registration as a Charity', registration CH1412 (see **Attachment B**).

The Office of Fair Trading also provided an e-mail confirmation (see **Attachment C**) that the Nepal Australia Friendship Association Queensland Inc. (NAFA) is a registered charity CH1412.

## 12.0 Consultation

No broader consultation has taken place.

The Chief Financial Officer, being the delegated officer to receive such applications is satisfied that the Association complies with the criteria for inclusion in Appendix 'A' as evidenced by the provision of a Certificate of Registration as a Charity.

## 13.0 Implications of proposal

Nepal Australia Friendship Association Queensland Inc. (NAFA) will become eligible for concessions against certain Fees and Charges as detailed in the Schedule of Fees and Charges document.

## 14.0 Commercial in confidence

This matter is not commercial in confidence.

## 15.0 Vision/Corporate Plan impact

The inclusion of Nepal Australia Friendship Association Queensland Inc. (NAFA) in Appendix 'A' supports the outcomes under "Inclusive Caring Communities."

## 16.0 Customer impact

Nepal Australia Friendship Association Queensland Inc. (NAFA) will have access to a range of Council services at a reduced level which will be more affordable for a charitable organisation.

## 17.0 Environmental impact

There is no environmental impact.

## 18.0 Policy impact

There is no policy impact as approving Nepal Australia Friendship Association Queensland Inc. (NAFA) inclusion in Appendix 'A' is consistent with existing policy.

**19.0 Financial impact**

There is no significant financial impact. However, some of the potential discounts the Association may be entitled to are:

<b>Fee or Charge</b>	<b>Discount</b>
All DA & Compliance Fees, Garbage Grinders, Library Facility Hire (by application), Public Health Licenses (except food), Plumbing Application Fees	50%
Advertising Fees, Entertainment Venue – Permit Renewal, Venue Hire (Halls)	100%

The above discounts may not include some 'out of pocket' expenses and may be conditional on the nature of the application.

**20.0 Human resource impact**

There is no significant impact.

**21.0 Urgency**

The approval, if granted, may be processed in the normal course of business.

**22.0 Publicity/marketing strategy**

None required.

**23.0 Options**

- Option 1: Approve the recommendation.
- Option 2: Not approve the recommendation.
- Option 3: Amend the recommendation.

Option 1 is the preferred option.

***NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.***

BCC PUBLIC INFORMATION SCHEME  
10 YEAR RELEASE

1.0 FILE NUMBER: 109/800/286/76

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 TITLE

Lease of premises to be occupied by the Morningside Ward Office.

3.0 ISSUE/PURPOSE

To seek approval for City Property Branch to negotiate and for Council to enter into a new lease of premises on the ground floor 63 Oxford St, Bulimba, to accommodate the Morningside Ward Office.

4.0 PROPONENT

Ian Niven  
A/Divisional Manager, Corporate Services Division

5.0 SUBMISSION PREPARED BY

Sheryllyn Brown  
Leasing Officer, City Property

6.0 DATE

21 September 2009

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For Establishment and Coordination Committee Approval.

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL  
RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

Not applicable.



**9.0 RECOMMENDATION**

That approval be granted for City Property Branch to negotiate and for Council to enter into a new lease for part of the ground floor of 63 Oxford Street (cnr Love Street), Bulimba on the following basis:

Area: Approximately 112 m<sup>2</sup> (subject to final survey)  
 Lease Commencement: 1 September 2009 (or upon finalisation of lease documentation, whichever is the sooner)  
 Lease Term: 5 years plus 4 + 4 year options  
 Gross Rent: redacted per annum + GST or redacted per annum (+ GST)  
 Outgoings: redacted estimate for 2009/10 financial year equating to redacted per m<sup>2</sup>. Outgoings are included in the gross rental rates above.  
 Rent Reviews: CPI annually  
 Car Parking: redacted per annum (+ GST) for 2 secured car park bays  
 Incentive: Lessor to give Lessee 6 months rent free. Lessee to pay all outgoings during rent free period.

On terms and conditions satisfactory to both the Manager City Property and the Chief Legal Counsel Brisbane City Legal Practice.

**CHAIRPERSON**

**I Support / Reject the Recommendation**  
If rejected please state reasons

**APPROVED**

28 SEP 2009

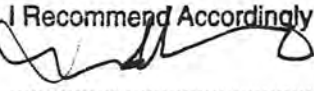
Lord Mayor

  
 Councillor Adrian Schrinner  
 Chairman  
 FINANCE and ADMINISTRATION COMMITTEE

**10.0 DIVISIONAL MANAGER**

**RECEIVED ACTION TAKEN**  
 28 SEP 2009 28 SEP 2009  
 COMMITTEE SECTION TOWN CLERK

  
 Ian Niven  
 A/Divisional Manager  
 CORPORATE SERVICES DIVISION

**I Recommend Accordingly**  
  
 CHIEF EXECUTIVE OFFICER

## 11.0 BACKGROUND

The current premises occupied by the Morningside Ward Office has an area of fifty-four square metres (54m<sup>2</sup>) and is located in the under-croft of the Bulimba Library building, cnr Riding & Oxford Street, Bulimba. There are numerous workplace health and safety issues with the current layout and it does not have a dedicated meeting room for the Councillor to meet with the ward's constituents and community groups.

Consideration was given to renovating the existing building. City Building and Maintenance Services advised the cost of the alterations would be in the order of \$200,000 to \$250,000 excluding design and construction fees. In addition, the Library would be unable to use the meeting room and the Ward Office would need to be relocated whilst the works were undertaken, with estimated works duration of between four to six months. Sharan Harvey, Manager Library Services and Councillor Shayne Sutton, Morningside Ward Office have advised that they do not support the cost of any proposed alteration works or the disruption that would result from these works.

City Property has identified five vacant tenancies that are within the Morningside Ward boundaries. The table below provides details of these tenancies:

595 Wynnum Rd, Morningside	121m <sup>2</sup>	redacted +	Leased 8/7/2009 – no longer available
6 Thynne Rd, Morningside	98m <sup>2</sup>	redacted gross	No disable access and evidence of water damage on walls and ceiling.
3b/59 Oxford St, Bulimba	105m <sup>2</sup>	redacted gross	Leased 1/7/2009 – no longer available. Warehouse/office facility.
63 Oxford St (cnr Love), Bulimba	110m <sup>2</sup>	redacted	New building suitably located and good access and exposure.
660 Wynnum Rd, Morningside	593m <sup>2</sup>	redacted	Not able to be split to offer smaller tenancy.

Suitable space is currently available on the ground floor 63 Oxford St (cnr Love St) Bulimba on the following basis:

Area:	Approximately 112 m <sup>2</sup> (subject to final survey)
Lease Commencement:	1 September 2009 (or upon finalisation of lease documentation, whichever is the sooner)
Lease Term:	5 years plus 4 + 4 year options
Gross Rent:	redacted per annum + GST or redacted per annum (+ GST)
Outgoings:	redacted estimate for 2009/10 financial year equating to redacted per m <sup>2</sup> . Outgoings are included in the gross rental rates above.
Rent Reviews:	CPI annually
Car Parking:	redacted per annum (+ GST) for 2 secured car park bays
Incentive:	Lessor to give Lessee 6 months rent free. Lessee to pay all outgoings during rent free period.

On terms and conditions satisfactory to both the Manager City Property and the Chief Legal Counsel Brisbane City Legal Practice.

Based on a estimate of CPI increases between 3% and 5%, the total rental and car parking commitment for the five year term of the Lease will be between redacted and redacted.

City Property has conducted a market analysis of the proposed rent and it is considered to be in line with current market rental for this area.

Approval is now sought for City Property branch to negotiate and for Council to enter into a new lease for part of the ground floor of 63 Oxford Street, Bulimba.

## 12.0 CONSULTATION

Councillor Adrian Schriener, Chairman Finance and Administration Committee 13/7/09

Councillor Shayne Sutton, Morningside Ward Office – 27/8/2009

Peter Rule, Acting Executive Manager, Chief Executive's Office – 27/8/2009

Kathryn Houston, Solicitor, Brisbane City Legal Practice – 27/8/2009

Sharan Harvey, Manager Library Services – 27/8/2009

Mark Mazurkiewicz, Manager City Property – 27/8/2009

Steve Martin, Operations Property Manager, City Property – 27/8/2009

Glenn Huby, Corporate Property Adviser, City Property – 27/8/2009

All consulted are in agreement with the recommendation.

### **13.0 IMPLICATIONS OF PROPOSAL**

Sectional Support	No implications
Service Levels	No implications
Political	No implications
Industrial Relations	No implications
Regional Implications	No implications
Social and Community	No implications

### **14.0 COMMERCIAL IN CONFIDENCE**

No

### **15.0 CORPORATE PLAN IMPACT**

In accordance with the Corporate Vision Theme: Smart and prosperous city  
Council Program: City Governance  
Service focus: Manage Council's finances and assets effectively to provide best value for money for ratepayers.

### **16.0 CUSTOMER IMPACT**

Nil

### **17.0 ENVIRONMENTAL IMPACT**

No environmental issues associated with this proposal.

### **18.0 POLICY IMPACT**

Nil

### **19.0 FINANCIAL IMPACT**

Provision has been made in the 2009/10 budget for this rental and fit out commitment.

### **20.0 HUMAN RESOURCE IMPACT**

Nil

### **21.0 URGENCY**

A timely decision will enable the site to be secured and enable the Morningside Ward office to relocate to more suitable premises.

### **22.0 PUBLICITY/MARKETING STRATEGY**

Nil

## 23.0 OPTIONS

1. Approve the recommendation
2. Not approve the recommendation.

Option 1 is the preferred option.

NB: If the Officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.

BCC PUBLICATION SCHEME  
10 YEAR RELEASE

**SUBMISSION NUMBER**

1.0 File No 109/800/286/188

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE**

2.0 Title

Stores Board Submission - Sir Thomas Brisbane Planetarium, Projector System Replacement.

3.0 Issue/purpose

To seek approval of the Establishment & Coordination Committee to directly enter into a Contract with Sky-Skan Incorporated for the replacement of the current full-dome projectors, together with an integrated sound and theatre lighting system, at the Sir Thomas Brisbane Planetarium.

4.0 Proponent

Jude Munro, Chief Executive Officer.

RECEIVED ACTION TAKEN  
28 SEP 2009 28 SEP 2009

5.0 Submission prepared by

David Cox  
Corporate Risk Manager  
Corporate Services Division

COMMITTEE SECTION TOWN COUNCIL

6.0 Date

22 September 2009.

APPROVED  
28 SEP 2009

7.0 E&C approval or recommendation to Council?

For E&C Approval.

Lord Mayor  
*[Signatures]*

8.0 If for recommendation to Council, is a Council resolution required under an Act or Local Law?

No.

9.0 Recommendation

That the Establishment and Co-ordination Committee approve the attached submission.

10.0 David Cox  
Corporate Risk Manager  
Corporate Services Division

*[Signature]*  
Jude Munro  
Chief Executive Officer

BCC PUBLICATIONS SCHEME  
10 YEAR RELEASE

## 11.0 Background

The Chief Executive Officer and the Stores Board considered the attached scheduled submission on 22 September 2009.

The submission is referred to E&C as it is considered the most advantageous outcome for the provision of the required services:

CONTRACT NO.	CONTRACT TITLE	REASON FOR SUBMISSION
M100004-09/10	Sir Thomas Brisbane Planetarium – Projector System Replacement	Within E&C Delegation

## 12.0 Consultation

The Chief Executive Officer and Permanent Head of the Unit of Administration responsible for the submission, Stores Board and relevant Divisional Officers have been consulted and are in agreement with the recommendation.

## 13.0 Implications of proposal

The recommended process will provide the most advantageous outcome for Council.

## 14.0 Commercial in confidence

No.

## 15.0 Vision/Corporate Plan Impact

The recommendation of this submission will contribute to the efficient management of the City's resources.

## 16.0 Customer Impact

The submission covers the carrying out of work or supply of goods and services to meet Council approved programs.

## 17.0 Environmental Impact

Tenderers are evaluated in line with Council's policy on the use of environmentally friendly and recycled products and environmental considerations have been taken into account in the evaluation of tenders relating to these submissions, where applicable.

## 18.0 Policy Impact

Submitted in accordance with Council's Procedures for Procurement, Contracting and Tendering.

## 19.0 Financial Impact

Financial details are included in the Divisional submission.

**20.0 Human Resource Impact**

Not Applicable.

**21.0 Urgency**

As soon as possible.

**22.0 Publicity/Marketing Strategy**

As required.

**23.0 Options**

Option 1: That the E&C approve the recommendation.

Option 2: Not approve the recommendation.

Option 1 is the preferred option.

**NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

BCC PUBLICATION SCHEME  
10 YEAR RELEASE



SUBMISSION NUMBER

1.0 File number 109/800/286/176

SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION COMMITTEE

2.0 Title

Provision of Ecosystem Restoration & Herbicide Application Services.

3.0 Issue/purpose

To seek Establishment and Coordination Committee approval of the Significant Procurement Activity Plan (SPAP) in relation the establishment of a Corporate Procurement Arrangement (CPA) for the Provision of Ecosystem Restoration and Herbicide Application Services.

4.0 Proponent

Ian Maynard, Acting Chief Executive Officer.

5.0 Submission prepared by

David Cox  
Corporate Risk Manager  
Corporate Services Division

RECEIVED

28 SEP 2009

COMMITTEES SECTION

ACTION TAKEN

28 SEP 2009

TOWN CLERK

6.0 Date

15 September 2009.

7.0 For E&C approval or recommendation to Council


For E&C Approval.

8.0 If for recommendation to Council, is a Council resolutions required under an Act or Local Law?

No.

9.0 Recommendation

That the Establishment and Co-ordination Committee approve the attached submission.

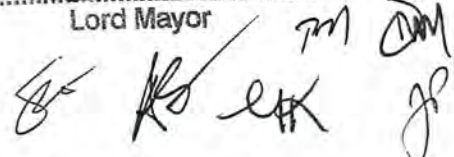
10.0   
David Cox  
Corporate Risk Manager  
Corporate Services Division

  
Ian Maynard  
Acting Chief Executive Officer

APPROVED

28 SEP 2009

Lord Mayor



BCO PUBLICATION SCHEME  
10 YEAR RELEASE

## 11.0 Background

The Acting Chief Executive Officer and the Stores Board considered the attached scheduled submission on 15 September 2009.

The submission is referred to E&C as it is considered the most advantageous outcome for the provision of the required goods and services:

CONTRACT NO.	CONTRACT TITLE	REASON FOR SUBMISSION
A100056-09/10	Provision of Ecosystem Restoration & Herbicide Application Services	Within E&C Delegation

## 12.0 Consultation

The Acting Chief Executive Officer and Permanent Head of the Unit of Administration responsible for the submission, Stores Board and relevant Divisional Officers have been consulted and are in agreement with the recommendation.

## 13.0 Implications of proposal

The recommended process will provide the most advantageous outcome for Council.

## 14.0 Commercial in confidence

No.

## 15.0 Vision/Corporate Plan impact

The recommendation of this submission will contribute to the efficient management of the City's resources.

## 16.0 Customer impact

The submission covers the carrying out of work or supply of goods and services to meet Council approved programs.

## 17.0 Environmental Impact

Tenderers are evaluated in line with Council's policy on the use of environmentally friendly and recycled products and environmental considerations have been taken into account in the evaluation of tenders relating to this submission, where applicable.

## 18.0 Policy Impact

Submitted in accordance with Council's Procedures for Procurement, Contracting and Tendering.

## 19.0 Financial Impact

Financial details are included in the Divisional submission.

**20.0 Human Resource Impact**

Not Applicable.

**21.0 Urgency**

As soon as possible.

**22.0 Publicity/marketing strategy**

As required.

**23.0 Options**

Option 1: That the E&C approve the recommendation.

Option 2: Not approve the recommendation.

**Option 1 is the preferred option.**

**NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.**

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10 YEAR RELEASE