

Briefing Note

The Honourable John-Paul Langbroek MP
Minister for Education, Training and Employment

Action required: For Noting

Required by: N/A

Routine – to provide the Minister with an update on the progress of the transfer of land from Queensland Health to Brisbane Central State School.

SUBJECT: BRISBANE CENTRAL STATE SCHOOL – DEFERRAL OF SETTLEMENT TO ALLOW QUEENSLAND HEALTH TO CONTINUE OCCUPANCY UNTIL 30 JUNE 2014

Summary of key objectives

- To advise the Minister that it has been agreed to defer the settlement of the property located at 169 Water Street, Spring Hill until 30 June 2014, in response to a request by Queensland Health (QH) to continue occupancy until September or December 2014, via a lease back, in lieu of vacating the property by 30 March 2014.

Key issues

- The Department is in the process of acquiring the surplus QH site at 169 Water Street, Spring Hill described as Lot 1 on SP841384, which has an area of 6,684m².
- The terms of the inter-agency sale were agreed to by the appropriately delegated officers of both the Department of Education, Training and Employment (DETE) and QH. Under Government Land Policies, an exchange of letters may suffice as the agreed form of contract between State Government Departments. A copy of the letter is at **Attachment 1**.
- The salient points of the agreement between the departments were:
 - Transfer price \$47,000,000 (exclusive of GST);
 - Settlement scheduled to occur on 30 March 2014;
 - Vacant possession to be given at settlement; and
 - DETE to be provided access prior to settlement to assist with future planning.
- Under Government Land Policies and due to the value of the property, the endorsement of the Chair of the Economic Development Board within the Department of State Development Infrastructure and Planning (DSDIP) is required.
- QH submitted a joint Economic Development Board (EDB) submission to DSDIP in January 2014. Verbal advice from DSDIP indicates that approval has been obtained although written confirmation is yet to be received.
- The Letter of Exchange (point 4) did indicate that an extension of the settlement date may be negotiated by mutual agreement between the parties.
- On 4 February 2014, QH sent through a request to remain on the Spring Hill site until December 2014, or until September 2014 at a minimum. DETE consideration was sought on this continued occupancy via a lease back arrangement.

Implications

8. If DETE were to agree to QH's continued occupancy, the options available were:
 - Decline QH request and proceed to settle the property as per the agreement on 30 March 2014. QH's tenant (Child and Youth Mental Health Service, Children's Health Queensland Hospital and Health service) would have been required to vacate by this date.
 - Settle on 30 March 2014, but enter into an arrangement for continued occupancy with DETE as a landlord and QH as tenant.
 - Delay settlement until June 2014 only. This was the preferred option as there will be no additional administrative burden such as negotiating lease agreements and adhering to Landlord obligations and responsibilities, and will afford QH with an additional three months to find alternative accommodation.
9. An extension to the settlement date was contemplated when documenting the agreement between the parties. Point 4 of the Letter of exchange reads "An extension to the settlement date may be negotiated by mutual agreement between the parties."
10. DETE's Infrastructure Programs and Delivery area is currently in the process of undertaking a master planning exercise over the site. They have been consulted about the extended settlement and they have confirmed this would not pose any issues from their perspective. Under the agreed arrangement, DETE has access to the site prior to settlement to assist with their future planning.

Background

11. Brisbane Central State School is a P-7 school located on a small site with significant Heritage issues.
12. Brisbane Central State School will continue to experience enrolment growth and be impacted by the closure of the Fortitude Valley State School.
13. There is a need for reinvestment into a number of existing assets to meet functionality issues. The acquisition of the former QH site at 169 Water Street, Spring Hill is the preferred solution to future proof Brisbane Central State School.

Right to information

14. I am of the view that the contents or attachments contained in this brief **are not suitable** for publication.

Recommendation

That the Minister **note** the request by Queensland Health to continue to occupy the property located at 169 Water Street, Spring Hill until December 2014 or at a minimum, to September 2014, and that the Department has agreed to extend the settlement date until 30 June 2014 only.

NOTED

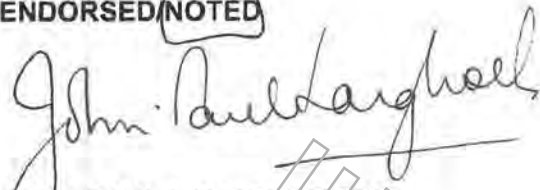


FIONA CRAWFORD
 Chief of Staff
 Office of the Hon John-Paul Langbroek MP
 Minister for Education, Training and
 Employment

7, 4, 14

Copy to Assistant Minister

ENDORSED/NOTED



JOHN-PAUL LANGBROEK MP
 Minister for Education, Training and
 Employment

9, 4, 14

Minister's comments

Action Officer Kerry O'Shaughnessy A/Director Real Estate, Environmental, Emergency, Security and Housing Management Tel: 3034 6000 Date: 11/03/2014	Endorsed by: A/ED Maree Bauer Infrastructure Programs and Delivery Tel: 3224 2826 Mob: [redacted] Date: 19/03/2014	Endorsed by: ED Vince White Infrastructure Operations Tel: 3034 4020 Mob: [redacted] Date: 11/03/2014	Endorsed by: ADG Paul Hobbs Infrastructure Services Tel: 3034 4520 Mob: [redacted] Date: 20/03/2014	Endorsed by: DDG Jeff Hunt Corporate Services Tel: 3034 4720 Mob: [redacted] Date: 31/03/2014	Endorsed by: DG Dr Jim Watterston Tel: 3034 4752 Mob: [redacted] Date: A, 14
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Released by DEPT Act
 Under the RTI Act

Briefing Note

Chief of Staff

Office of the Minister for Education, Training and Employment

Action required: For Noting

Action required by: N/A

Routine – Background information.

SUBJECT: THE TRANSFER OF QUEENSLAND HEALTH'S AND THE DEPARTMENT OF EDUCATION, TRAINING AND EMPLOYMENT'S LAND INTERESTS IN DOOMADGEE

Summary of key objectives

- To provide background information regarding long standing land tenure anomalies at the northern portion of the Doomadgee State School site and in relation to two parcels of Department of Education, Training and Employment reserve tenure land on which Doomadgee Aboriginal Shire Council (DASC) infrastructure has been constructed.

Key issues

- The Department has previously agreed to transfer a portion of the existing school site and other reserve land on which a water treatment plant has been constructed to DASC as part of an earlier Indigenous Land Use Agreement (ILUA) package intended to address whole-of-Government land tenure issues at Doomadgee.
- To date, no further action has occurred as the Crown Law prepared ILUA package was not agreed to by the traditional owners resulting in the ILUA not being signed off and a need for an alternative tenure strategy to be formulated and progressed by the parties.
- DASC has now requested the Department take action to resolve the previously identified land tenure issues as follows:
 - transfer the trusteeship of an agreed portion of the existing Doomadgee State School site (departmental reserve land) to DASC, on which DASC-owned and operated infrastructure is located, including triplex accommodation; and
 - transfer the trusteeship of the departmental reserve land to DASC, on which the DASC-owned and operated water treatment plant infrastructure is located.
- As a result of the requirement to consult extensively with DASC, and the local community, the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA), has agreed to liaise with the relevant parties on behalf of the Department.

Implications

- The departmental land tenure anomalies can be addressed in a timely and efficient manner with assistance from DATSIMA as the local government contact for all of the departmental land dealings.
- The subject departmental land is reserve tenure (not freehold tenure) and, as such, all reserve tenure land dealings require the approval of the Department of Natural Resources and Mines (DNRM) in its capacity as approving agency for all reserve tenure land dealings.
-

Sch. 3(7)

Background

8. The Department previously agreed to transfer certain departmental reserve tenure land to DASC as part of a previous whole-of-Government ILUA negotiation package that failed to receive final agreement from the community representatives.
9. The ILUA negotiations were working towards resolving the various cross-agency land tenure issues in the Doomadgee township, however these negotiations were eventually discontinued, and consequently the previously agreed to land transfers did not take place.
10. The subject departmental reserve tenure land to be transferred is located in the northern portion of the school site, described as Lot 2 on SP264278. The subject land has existing DASC-owned triplex accommodation units and other DASC infrastructure constructed on it.
11. DASC has recently requested this portion of the school site be transferred to Council's ownership and control.
12. The other remaining departmental reserve tenure land that DASC has requested to be transferred has the township's water treatment infrastructure constructed on it. The subject departmental reserve tenure lots are properly described as Lots 38 and 39 on NC14. The Department has previously agreed to transfer this land to DASC as part of the previous ILUA negotiations.
13. DATSIMA's Remote Indigenous Land and Infrastructure Program Office has been appointed to coordinate the process of Government land transfers and to provide a key, single contact point.
14. The Department will continue to liaise with DATSIMA and DNRM as required to resolve the above land tenure anomalies in an expedient manner.

Right to information

15. I am of the view that the contents or attachments contained in this brief **are not suitable** for publication.

Recommendation

That the Chief of Staff:

Note that the Department is continuing to work with the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs to resolve land ownership issues in Doomadgee.

NOTED


FIONA CRAWFORD
Chief of Staff
Office of the Hon John-Paul Langbroek MP
Minister for Education, Training and Employment

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Copy to Minister

Chief of Staff's comments


Action Officer
 Michelle Catterall
 Director
 REEESHM

Tel: 3034 6000

Endorsed by:
 ED
 Vince White
 Infrastructure
 Operations
 Tel: 3034 4626
 Date: 07/02/2014

Endorsed by:
 ADG
 Paul Hobbs
 Infrastructure
 Service
 Tel: 3034 4520
 Date: 12/02/2014

Endorsed by:
 DDG
 Jeff Hunt
 Corporate Services
 Tel: 3034 4771
 Date: 14/02/2014

Endorsed by:
 DG - DETE
 Dr Jim Watterston

 Tel: 3034 4752
 Date: 20/2/14

Briefing Note

Chief of Staff

Office of the Minister for Education, Training and Employment

Action required: With Correspondence

Action required by: N/A

Routine – Thank you letter to [redacted] regarding Evesham State School

SUBJECT: EVESHAM STATE SCHOOL – THANK YOU LETTER TO [redacted]

Summary of key objectives

- To confirm that legal advice has established [redacted] [Sch. 3(7)]

Key issues

- The former Evesham State School site, one building, shed and covered area, had been under the control of the [redacted] as part of a Grazing Lease, which was conditionally gifted to the State for use as a school, on the proviso the land and buildings would be returned if the school ceased to operate.
- The former Evesham State School site and residence was excised on 1 November 1991 from Lot 6 on plan MO55 which was leased by [redacted]
- The lease of Lot 6 on Plan MO55 is still current, however the lessees are now [redacted]. The description of the lease was amended in 1993 to exclude Lot 1 for a Reserve for State School purposes. The tenure of the school site was subsequently converted to freehold.
- Legal advice had established [redacted] [Sch. 3(7)]
- Legal advice indicated that [redacted] [Sch. 3(7)] This is in accordance with the Department of Natural Resources and Mine's (DNRM) preference that once land is converted to freehold, it should remain freehold. This process would also be the simplest way to deal with the land.
- To minimise costs associated with removing the structures from the land, the improvements will be repaired to a zero net book value and transferred to [redacted] [Sch. 3(7)] [redacted] has accepted all the built improvements for nil value.
- On 16 January 2014, the Assistant Director-General Infrastructure Services, approved the amendment to the asset value to a zero net book value.

Implications

- A valuation undertaken on 7 June 2013 identified a land component of \$500, with the original family building used as the school library valued at \$1,000. [redacted] [Sch. 3(7)] [redacted] with the original gift, the land and the school library are to be returned to the [redacted]. The total value of all other Department of Education, Training and Employment (DETE) campus buildings was assessed at \$54,000.

Background

9. The former Evesham State School has ceased to operate with the site declared surplus by DETE on 18 June 2012, and the property is identified on the 2013-14 DETE Disposal Program.
10. The return of the conditionally gifted land and building to the son of the original donor, who is lessee of all land adjoining the Evesham State School site, can be supported by DETE based on well documented acceptance of the condition to return the land and building in the event the school ceased to operate.

Right to information

11. I am of the view that the contents or attachments contained in this brief **are not suitable** for publication.

Released by DETE
under the RTI Act

Recommendation

That the Chief of Staff to **note**

- the approval to dispose of the former Evesham State School and residence on the Morella-Silsoe Road, Morella (otherwise described as Lot 1 on plan MO842915) by DETE on 18 June 2012;
- the approval by the Assistant Director-General Infrastructure Services on 16 January 2014 to amend the asset value to a zero net book value and to transfer the property to the [redacted] at nil cost; and
- the information in this brief to support the Minister's thank you letter to the [redacted]

NOTED



FIONA CRAWFORD
 Chief of Staff
 Office of the Hon John-Paul Langbroek MP
 Minister for Education, Training and Employment

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 Copy to Minister

Chief of Staff's comments

Action Officer Michelle Catterall Director REEESHM Tel: 3034 6000	Endorsed by: ED Vince White Infrastructure Operations Tel: 3034 6226 Mob: [redacted] Date: 10/02/2014	Endorsed by: ADG Paul Hobbs Infrastructure Services Tel: 3034 4500 Mob: [redacted] Date: 11/02/2014	Endorsed by: DDG Jeff Hunt Corporate Services Tel: 3034 4771 Mob: [redacted] Date: 17/02/2014	Endorsed by DG Dr Jim Watterston for [redacted] Date: 19/2/14
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Briefing Note

The Honourable John-Paul Langbroek MP
Minister for Education, Training and Employment

Action required: For Noting

Action required by: N/A

Routine – Arrangements for the construction of the external infrastructure bordering the site on which the new Public Private Partnership (PPP) at Pimpama is to be constructed and needs to commence by 1 March 2014 to be completed in time for the school opening at the start of Term 1, 2015.

SUBJECT: EXTERNAL INFRASTRUCTURE REQUIREMENTS BORDERING THE NEW PPP SCHOOL SITE AT PIMPAMA

Summary of key objectives

- The new school to be built at Pimpama is one of 10 schools to be built by the Queensland Schools PPP Project by Plenary Schools Pty Ltd and is scheduled to open for start of school 2015.
- The Pimpama site has been owned by the Department of Education, Training and Employment (DETE) since June 2011. There are currently a number of significant residential developments commencing next to, and across the road from, the Pimpama school site.
- As a result of the school and these developments, there are currently a number of design and safety issues with Dixon and Cunningham Drives that front the Pimpama site, that need to be addressed with various developers, including Rix Developments.
- A satisfactory solution needs to be agreed upon by DETE and the relevant developers by 1 March 2014 to ensure the alterations to Dixon Drive are completed in time for the start of school 2015.

Key issues

1. Rix Developments recently purchased development property across the road from the school site on the south side of Dixon Drive.
2. Leda Developments Pty Ltd also owns property that adjoins the Pimpama school site on the north and west boundaries.
3. QM Properties owns the land across the road to the east on Cunningham Drive.
4. There are several safety and external infrastructure issues that need to be addressed with Dixon and Cunningham Drives' road frontages which will impact on these commercial developments and also the school site.
5. While many of these infrastructure issues are not directly related to the construction of the school, it is incumbent on the Department to work with the developers to minimise the 'rework' that may be required, provided this does not increase the overall costs of delivering the Pimpama school in isolation.
6. The Department is looking to undertake meetings and negotiations with Rix, Leda and QM Properties to identify roles and responsibilities for the infrastructure solutions and consider entering into an infrastructure agreement with the developers which may incorporate a cost sharing arrangement where appropriate.

7. Rix has already made contact with Watpac (Plenary's construction contractor) and Plenary has had a brief introductory discussion with their point of contact.
8. On 20 January 2014, officers of Infrastructure Services met with Rix to discuss the infrastructure issues around the Pimpama School site.

Implications

9. Serious disruption to the operations of the new Primary School at Pimpama may result if the external infrastructure is not completed in time for start of school 2015.

Background

10. On 22 May 2013 the Government announced that 10 new schools would be built in high growth areas of South East Queensland via a PPP known as the Queensland Schools Project. The Queensland Schools PPP Project will engage the private sector to design, construct, commission, partly finance, maintain and provide facilities management services for the package of schools.
11. On 30 May 2013 the Director-General endorsed the 10 schools to be included in the Queensland Schools PPP Project.
12. Contract Close occurred on 17 December 2013 with the signing of the Project Deed by the Acting Minister for Education, Training and Employment and was handed over to DETE to roll out the project. Construction of Stage 1 of the first two schools, a high school at Burpengary and a primary school at Pimpama, will commence in January 2014 and is scheduled to be completed for the start of school 2015.
13. Master Plans for the two schools are expected to be finalised by the end of January 2014 with construction to commence mid-February 2014.

Right to information

14. I am of the view that the contents of attachments contained in this brief **are not suitable** for publication.

Released under the
DEPARTMENT OF
DETE

Recommendation

That the Minister:

- **Note** the issues surrounding the delivery of external infrastructure for the delivery of Stage 1 of the new school at Pimpama by the Queensland Schools PPP Project.

NOTED

FIONA CRAWFORD
 Chief of Staff
 Office of the Hon John-Paul Langbroek MP
 Minister for Education, Training and
 Employment

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 Copy to Assistant Minister

**APPROVED/NOT APPROVED
 ENDORSED/NOTED**

JOHN-PAUL LANGBROEK MP
 Minister for Education, Training and
 Employment

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Minister's comments

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Action Officer
 Terry Lalley
 A/ED
 Infrastructure
 Operations
 Tel: 3034 4600

Endorsed by:
 ED IPD & A/ADC
 Dave Baxter
 Infrastructure
 Services
 Tel: 3034 4836
 Date: 17/01/2014

Endorsed by:
 A/DDG
 Adam Black
 Corporate Services
 Tel: 3034 4771
 Date: 21/01/2014

Endorsed by:
 DG
 Dr. Jim Watterston
 Tel: 3034 4752
 Date: 29/1/14

SUBJECT: Mr Trevor Ruthenberg MP, Member for Kallangur to represent Minister at the first Shovel of Dirt (SOD) of new secondary school site at Burpengary on 17 February 2014

EVENT LOCATION: Corner Pitt & Wain Roads,
Burpengary.

Year school opened	2015
Current number of students	
Current number of students with disabilities	
Current number of Indigenous students	

DATE: 17 February 2014

PRINCIPAL / HOST / DIRECTOR: Terry Lalley Director,
Infrastructure Procurement and Contract Management,
Infrastructure Operations.

ELECTORATE: Kallangur

POPULATION:

1. BACKGROUND:

- On 17 December 2013, the Acting Minister for Education Training and Employment signed the Queensland Schools Public Private Partnership (PPP) Project Deed with the Plenary Schools Consortium.
- Under the Queensland Schools PPP Project, Plenary Schools will design, construct, commission, partly finance, maintain and provide facilities management services for 10 new schools (eight Primary and two High schools) in high growth areas of South East Queensland (i.e. Brisbane, Gold Coast, Ipswich and Moreton local government areas) until 2043. These schools will operate as independent Public Schools.
- Construction of Stage 1 of the first schools, a Primary school at Pimpama and a High School at Burpengary will commence in February 2014. These first two schools will open for the commencement of the 2015 academic year.
- This will be followed by schools opening in 2016 (four Primary) and 2017 (three Primary and one High).

2. CURRICULUM INITIATIVES

- N/A - new school being constructed.

3. FUNDING

- The new High School to be built at Burpengary (Y7-12) is one of 10 schools to be built under the Queensland Schools Public Private Partnership Project, consequently there are no individual costings per school. The value of the Queensland Schools project is estimated to be approximately \$473 million to December 2043 when the schools will revert back to the State.

Briefing Officer and Branch: Terry Lalley
Telephone: 3034 4600
TRIM No: 14/35457
Date brief completed by Action Officer:

4. CONTENTIOUS ISSUES

- The land on which the new school at Burpengary is to be constructed was acquired by the Department through the Department of Natural Resources and Mines (DNRM) under section 15 of the *Acquisition of Land Act 1967*. In all 10 lots were acquired from eight owners.
- Suggested response – the addition of school infrastructure is a vital contributor to the development of the community. Future school locations are selected to best meet future demand across the state and are based on:
 - Population growth and demographic analysis which is undertaken in conjunction with the Office of the Government Statistician within the Department of Treasury and Trade;
 - Once a general location is determined based on high demand and growth; a site is selected that meets the Department's requirements in terms of size, topography, and equidistance to existing school sites;
 - Accessibility and transport issues are also taken into consideration.

5. FUNDING/PROGRAMS

- The new High School to be constructed at Burpengary is one of 10 schools to be built under the Queensland Schools Public Private Partnership, consequently there are no individual costings per school. The estimated value of the Queensland school project is estimated to be approximately s.47(3)(b) - Contrary to Public Interest to December 2043 when the schools will revert back to the State.

APPROVED: Vince White, Executive Director Infrastructure Operations

Date: 10/02/2014



Released by DET under the
PRIVACY ACT

SUBJECT: Minister and Michael Crandon MP, Member for Coomera will turn the first Shovel of Dirt (SOD) at site of new P-6 School at Pimpama on 14 February 2014

EVENT LOCATION: Corner Cunningham & Dixon Drive
PIMPAMA

Year school opened	2015
Current number of students	
Current number of students with disabilities	
Current number of Indigenous students	

DATE: 14 February 2014

PRINCIPAL / HOST / DIRECTOR: Jason Cook, Contract Manager, Queensland Schools Public Private Partnership Project, Infrastructure Procurement and Contract Management, Infrastructure Operations.

ELECTORATE: Coomera

POPULATION:

1. BACKGROUND:

- On 17 December 2013 the Acting Minister for Education, Training and Employment signed the Queensland Schools Public Private Partnership (PPP) Project Deed with the Plenary Schools Consortium.
- Under the Queensland Schools PPP Project, Plenary Schools will design, construct, commission, partly finance, maintain and provide facilities management services for 10 new schools (eight Primary and two High schools) in high growth areas of South East Queensland (i.e. Brisbane, Gold Coast, Ipswich and Moreton local government areas) until 2043. These schools will operate as Independent Public Schools.
- Construction of Stage 1 of the first schools, a Primary school at Pimpama and a High School at Burpengary will commence in February 2014. These first two schools will open for the commencement of the 2015 academic year.
- This will be followed by schools opening in 2016 (four Primary) and 2017 (three Primary and one High).

2. CURRICULUM INITIATIVES

- N/A - new school being constructed.

3. FUNDING

- The new school at Pimpama is one of 10 schools to be built under the Queensland Schools PPP Project; consequently there are no individual costings per school. The value of the Queensland Schools project is estimated to be approximately \$473 million to December 2043 when the schools will revert back to the State.

4. CONTENTIOUS ISSUES

The Region is not aware of any contentious issues.

Briefing Officer and Branch: Terry Lalley
Telephone: 3034 4600
TRIM No: 14/32465
Date brief completed by Action Officer:

5. FUNDING/PROGRAMS

The new school at Pimpama is one of 10 schools to be built under the Queensland Schools PPP project; consequently there are no individual costings per school. The estimated value of the Queensland school project is estimated to be approximately [redacted] to December 2043 when the schools will revert back to the State.

APPROVED: Vince White, Executive Director Infrastructure Operations	Date: 07/02/2014
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7/2/14

Released by DETE
under the RTI Act

Briefing Note

The Honourable John-Paul Langbroek MP
Minister for Education, Training and Employment

Action required: For Advice

Action required by: N/A

Routine – background information to support correspondence and to seek advice whether a trial of the use of school ovals as green space by the public in school holiday periods should be re-instigated.

SUBJECT: DULACCA STATE SCHOOL – AFTER HOURS PLAY/SPORT AND THE COMMUNITY USE OF SCHOOL PLAYING FIELDS

Summary of key objectives

- The Department considers that the formal Hire Agreement is not red tape, but is required to provide an appropriate level of defined responsibility when third parties are using State owned facilities.
- An appropriate alternate strategy that may be considered and/or adopted has been provided. Use of School Ovals by the public in out-of-school hours as green space, will require Queensland Government Insurance Fund (QGIF) input on cover for the additional exposure to liability incurred when casual users access school grounds.

Key issues

1. The request for the completion of a formal Hire Agreement by ^{to Public Interest} s.47(3)(b) - Contrary should not be considered to be a red tape issue. It is a standard form of accountability that is required to provide an appropriate level of defined responsibility when third parties are using State owned facilities.
2. Generally, under common law of negligence, the Department as the owner and occupier of the premises, has a duty to take reasonable care to avoid a foreseeable risk of harm to the entrants to its premises. Therefore, the School Principal should reduce any potential liability for the Department by having the rights and obligations associated with the use of school facilities clearly documented in the Hire Agreement. This is common practice, even with community use of local council facilities.
3. However, if the use of the school playing fields is not formally regulated and administered, as it has now been represented to be 'simply play for children and adults of the community', then this may lead to misunderstanding between the parties regarding their rights and obligations.
4. Casual use of the playing fields by individuals without entering into any formal agreement—that is, the use of school ovals as green space by the public in school holiday periods—was trialled by the Department in 2011; however, with the change in government, it was discontinued.

Implications

5. If no one in this community group and/or the group as a whole wants to accept responsibility and be held accountable for the conduct of these activities, then the Department will have to accept the risks associated with such activities. The Department's position regarding the use of the playing fields by the community without any formal arrangement being put in place is that it is unauthorised access and is not allowed.

6. The community group from Dulacca State School does not demonstrate a specific need to utilise the sporting fields other than to play and undertake personal training. The activity should therefore be viewed as public access as for a public park. This activity, by the description of use, is casual and should be considered to be public use of the school ovals.
7. The use of school playing fields by the 'public'—that is without a formal hire agreement—needs to be considered separately to the community use policy and procedures.

Background

8. In April 2013, the Acting Principal of Dulacca State School, stopped the after school sport training conducted by volunteers that had been approved/allowed by the previous Principal and for which no formal agreement was in place.
9. The Acting Principal advised the volunteers and local community members that a formal hire agreement for the use of the sporting fields after hours needed to be entered into.
10. A number of discussions and requests were undertaken between the community members, the Acting Principal and the School Operations Team in the Darling Downs South West Region.
11. A teleconference was held on 12 August 2013 to resolve the matter. In summary the following strategies were discussed and reviewed:
 - a) School authorised activity on facilities: the Acting Principal has not supported this strategy as it has been determined that the *Curriculum Activity Risk Assessment (CARA)* guidelines cannot be met.
 - b) Community Activity (Parents and Citizens' Association (P&C) activity on facilities): advice from the P&C and their underwriters was that the activity was not considered to be a P&C activity.
 - c) Individual Hire Agreement: as this activity is not considered to be included in (a) or (b), then the alternate strategy recommended was for the community members to enter into a formal Hire Agreement to use the facilities. Additionally, in order for the Acting Principal to waive the requirement for the hirer(s) to have Public Liability Insurance, as part of the risk assessment, it was considered that the hirer(s) would need to meet the minimum requirements outlined in CARA guidelines of:
 - i) a current first aid certificate holder;
 - ii) relevant coaching qualifications; and
 - iii) a Blue card or positive notice for working with children

There has been no consideration of hire charges for the facilities.

12. Following on from this teleconference, on 30 August 2013, [redacted] wrote to the Minister's Officer and the Premier, expressing her concerns with the outcome of the teleconference and that she considered these requirements to be red tape.

Right to information

13. I am of the view that the contents or attachments contained in this brief **are not suitable** for publication.

Recommendation

That the Minister

- **note** that having further reviewed the situation in light of the Premier's comment, Infrastructure Operations considers that the:
 - use of a community use Hire Agreement is appropriate in these circumstances because a third party person/organisation is using State owned facilities;
 - requirement for first aid qualifications is reasonable as the person is operating in a remote locality;
 - requirement for a blue card may not be necessary if the activity is not a regulated business under the *Commission for Children and Young People and Child Guardian Act 2000*;
 - requirement for a coaching qualification is not required, provided the activity is not more than a play activity or individual personal training and is not formal training or competition based; and
 - Department could consider the re-introduction of the trial for the use of school ovals by the public as green space.
- **sign** the attached letter to s.47(3)(b) - Contrary to Public Interest
- **note** the information regarding the use of school ovals as green space by the public trail; and
- provide **comment/endorsement** of a determination as to whether this trial should be re-instigated, particularly as a possible solution for the Dulacca State School Community.

NOTED

**APPROVED/NOT APPROVED
ENDORSED/NOTED**



FIONA CRAWFORD
Chief of Staff
Office of the Hon John-Paul Langbroek MP
Minister for Education, Training and Employment



JOHN PAUL LANGBROEK MP
Minister for Education, Training and Employment

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Copy to Assistant Minister

Minister's comments

Please reinstate the trial - at Dulacca.
And advise results / plans to expand trial.

Action Officer Patrick Sherry Principal Facilities Services Officer REEESHM	Endorsed by A/Manager Gayle McGowan	Endorsed by: ED Tom Jumpetz	Endorsed by: A/ADG Dave Baxter	Endorsed by: A/DDG Adam Black	Endorsed by: DG Dr. Jim Watterston
Tel: 30346001	Tel: 30346020	Tel: 32670460 Mob: s.47(3)(b) - Contrary to Public Interest	Tel: 30346000 Mob: s.47(3)(b) - Contrary to Public Interest	Tel: 30346000 Mob: s.47(3)(b) - Contrary to Public Interest	Tel: 30344752 Mob: s.47(3)(b) - Contrary to Public Interest
Date: 07/11/2013	Date: 07/11/2013	Date: 14/01/2014	Date: 15/01/2014	Date: 15/01/2014	Date: 20/1/14

Briefing Note

The Honourable John-Paul Langbroek MP
Minister for Education, Training and Employment

Action required: For Noting with Correspondence

Action required by: N/A

Urgent – To support outgoing correspondence to the Premier.

SUBJECT: MINISTERIAL LETTER TO THE PREMIER REGARDING WATER-BASED FIRE SAFETY SYSTEMS IN PUBLIC SCHOOLS

Summary of key objectives

- To inform the Minister of progress on the development of a plan to address the issue of non-compliant fire hydrants.

Key issues

1. The Department of Education, Training and Employment (DETE) is working closely with Building and Asset Services (BAS) and Queensland Fire and Emergency Services (QFES) to develop a plan to address the issue of non-compliant fire hydrants in schools. A copy of the plan is attached (Ref: 14/85001).
2. The key elements of the plan include:
 - a) the development of a check list as a tool to systematically investigate the causes of non-compliant fire hydrants at each school and to identify solutions
 - b) developing and implementing a risk assessment for non-compliant hydrants based on the type of hydrant and observed flow and pressure rates.
3. The Department plans to investigate first those hydrants that have been assigned the highest rating through application of the risk assessment tool. Following the investigations, the Department will develop an implementation plan for rectification of the hydrants. Given the complexity and extent of the issue, the aim is to progressively rectify the hydrants over the next three years.

Implications

4. DETE has limited resources to implement the plan. A budget submission has been prepared seeking government funding. Full implementation of the plan is dependent on the availability of government funding.
5. The initial estimate to rectify non-compliant fire hydrants is \$30 million. The Department has a 2014–15 budget submission seeking this funding.

Background

6. Following annual testing, BAS advised the Department in 2010 that there were 118 schools and five TAFE campuses where fire hydrants did not meet standards for water flow and pressure. BAS has advised that there are now 179 schools and 10 TAFE campuses whose fire hydrants do not meet the standard.
7. A significant cause of non-compliance is the reduced water pressure being supplied by water Distribution Retailers and local councils.

Recommendation

That the Minister:

note the progress on the development of a strategy to address the issue of non-compliant fire hydrants in schools; and

Sign the attached letter to the Honourable Campbell Newman MP, Premier.

NOTED

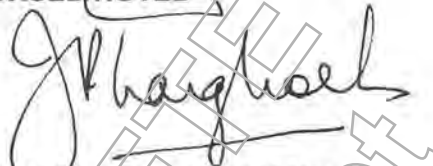


FIONA CRAWFORD
 Chief of Staff
 Office of the Hon John-Paul Langbroek MP
 Minister for Education, Training and
 Employment

28/3/14

Copy to Assistant Minister

APPROVED/NOT APPROVED
ENDORSED/NOTED



JOHN-PAUL LANGBROEK MP
 Minister for Education, Training and
 Employment

30/3/14

Minister's comments

Action Officer Greg Duck Manager, Asset Maintenance, Programs & Services Infrastructure Operations Tel: 3034 4531	Endorsed by: ED Vince White Infrastructure Operations Tel: 3034 4531 Mob: 08 47(3)(b) - 5473 Date: 17/03/2014	Endorsed by: ADG Paul Hobbs Infrastructure Services Tel: 3034 4531 Mob: 08 47(3)(b) - 5473 Date: 20/03/2014	Endorsed by: DDG Jeff Hunt Corporate Services Tel: 3034 4531 Mob: 08 47(3)(b) - 5473 Date: 21/03/2014	Endorsed by: DG Dr Jim Watterston Tel: 303 44752 Date: 24/3/14
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MINISTERIAL BACKBENCH LIAISON RESPONSE – Access to school bus service for [redacted] to attend Geebung Special School – [redacted]

- Under the School Transport Assistance Program for Students with Disabilities, eligible students may receive transport assistance to attend their nearest school, or the nearest school with an approved specialised program appropriate to the student's needs.
- If parents choose to enrol their student in a school other than the nearest as described above, transport assistance under the School Transport Assistance Program for Students with Disabilities is not available.
- Geebung Special School is [redacted] nearest school with an approved specialised appropriate program to suit [redacted] needs.
- This school is Redcliffe Special School. Transport assistance to support attendance at that school is available.
- If educationally valid reasons support the student's attendance at other than the nearest school, transport assistance may be considered as an 'exceptional circumstance' in accordance with the provisions of the Program.
- The Principal, Geebung Special School, has advised that while [redacted] has inspected Geebung Special School, [redacted] has not yet sought to enrol [redacted] in that school. The Principal has further advised that there are no educationally valid reasons why [redacted] would attend Geebung Special School, rather than Redcliffe Special School.
- If [redacted] has concerns about the program offered at Redcliffe Special School, it would be appropriate for [redacted] to discuss these with the Principal Education Officer: Student Services in the North Coast Regional Office on telephone 3203 9017.

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Jeff Hunt
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MINISTERIAL BACKBENCH LIAISON RESPONSE – Advancing our Schools Maintenance and Great Results Guarantee allocations for schools in the Ferny Grove electorate

Advancing our Schools Maintenance

- The Advancing our Schools Maintenance (AoSM) and Fixing Our Schools initiatives announced as part of the 2012-13 State Budget is providing an additional \$300 million to address school maintenance over the 2012-13 to 2014-15 financial years.
- The objective of this unprecedented investment is to reduce the pre-existing maintenance backlog across Queensland state schools as identified in 2011-12 condition assessments.
- School maintenance backlog is identified in annual condition assessments conducted by Building and Asset Services (BAS) and reported in each school's Maintenance Assessment Report (MAR).
- Ferny Grove State High School questioned their 2011-12 MAR of \$215,500 as it excluded outstanding tasks previously included in the 2010-11 MAR totalling \$1.8 million.
- Outstanding MAR tasks roll over to the subsequent annual MAR until addressed.
- After review of all relevant information BAS undertook a reassessment at the school to confirm the validity of the previously identified unactioned tasks.
- Taking into account completed works, BAS subsequently corrected the 2011-12 MAR to include the previously excluded and outstanding 2010-11 tasks resulting in a revised MAR value of \$1,419,800.
- Consequently, Ferny Grove State High School's 2013-14 AoSM allocation was adjusted from \$99,667 to \$322,286 to account for this anomaly in the 2011-12 MAR data.
- Circumstances contributing to this anomaly were isolated and unique and were complicated by a range of external factors.
- 2013-14 AoSM allocations for the other schools in the Ferny Grove Electorate remained unchanged as advised in November 2013:

- Ferny Grove State School	\$186,819
- Ferny Hills State School	\$138,505
- Grovely State School	\$27,897
- Mount Nebo State School	\$6,352
- Mount Samson State School	\$9,404
- Patricks Road State School	\$35,654
- Samford State School	\$46,925

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Great Results Guarantee

- All eight Queensland state schools in the Ferny Grove Electorate will share in almost \$1 million of the \$131 million additional funding available through the Great Results Guarantee in 2014:

School	2014 Estimated funding
Ferny Grove State High School	\$142,815
Ferny Grove State School	\$186,381
Ferny Hills State School	\$94,278
Grovely State School	\$112,569
Mount Nebo State School	\$8,280
Mount Samson State School	\$66,768
Patricks Road State School	\$184,673
Samford State School	\$165,684
Ferny Grove Total:	\$961,448

- All schools now have in place a Great Results Guarantee, which establishes an agreement between the school and the Director-General or, for Independent Public Schools, the School Council.
- These agreements are now published on each school's website and they show all community members how this additional funding will be used to improve student outcomes.
- The first instalment of the 2014 Great Results Guarantee funding was paid into each school's bank account on 21 March 2014 and further instalments will be paid through the year.

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QSSRR
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under the RTI Act

MINISTERIAL BACKBENCH LIAISON RESPONSE – Information on tendering process for local builders

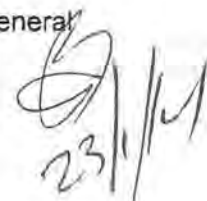
- A flexible procurement process is available to schools engaging contractors from the marketplace via Direct to Market to deliver maintenance works, providing a range of procurement options including:
 - Directly engaging contractors via a quotation request or tender process;
 - Selecting contractors from an existing procurement arrangement e.g. Standing Offer Arrangement (SOA);
 - Engaging a project manager to manage procurement and delivery of local trade contractors;
 - Utilising a fee-for-service procurement service provided by DETE regional offices who tender works in bulk on behalf of schools.
- The Department of Education, Training and Employment (DETE) is currently finalising an SOA for maintenance organisations to perform, sub-contract and manage maintenance works for Direct to Market schools. A SOA for Project Managers will be developed in the future.
- Schools follow DETE procurement guidelines to locate contractors by seeking one verbal quote for works up to \$2,000 and three verbal quotes up to \$5,000 in value.
- For works over \$5,000 in value, schools request written offers from:
 - a minimum of three contractors (if works likely to be under \$100,000); or
 - a minimum of five contractors (if works likely to be over \$100,000).
- Contractors directly engaged by schools to perform maintenance works via Direct to Market are required to be pre-registered with the Department of Public Works, Building and Asset Services (BAS).
- Schools wanting to engage with local contractors not currently on the BAS register are encouraged to direct interested contractors to BAS to become registered.
- A step-by-step guide to registering, including BAS's general business rules of registration is available via <http://www.hpw.gov.au/pages/default.aspx>
- While contractors will be working directly for participating schools, the registration process ensures that contractors employed to carry out maintenance works hold appropriate insurances, understand various obligations (e.g. Health and Safety; Code of Practice) and comply with legislative requirements such as licensing and certification.
- DETE, in conjunction with BAS, makes this contractor contact list available via DETE's web portal to Queensland state schools who directly engage contractors for their maintenance needs.
- DETE is currently validating the contact details of BAS registered contractors as well as the scope of services provided and locations serviced to assist schools and regions to more easily source suitable contractors in the local area.

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Approved by:

Adam Black
A/Deputy Director-General
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23/1/11

MINISTERIAL BACKBENCH LIAISON RESPONSE – Fortitude Valley State School Oval

- The Fortitude Valley State School site was declared surplus on 14 January 2014 and is currently being prepared for open market disposal.
- The Real Estate Unit, Department of Education, Training and Employment (DETE) are working with the Royal National Agricultural and Industrial Association of Queensland (RNA) to provide car parking during special events.
- Energex and Queensland Urban Utilities infrastructure is expected to be installed in the oval over the next year, to the benefit of the surrounding community and former school site. The Real Estate Unit is working with the RNA to ensure the provision of car parking during special events works around these infrastructure upgrades.
- Any revenue DETE receives from car parking arrangements will go to covering the holding costs of Fortitude Valley State School and other closed schools.

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**MINISTERIAL BACKBENCH LIAISON RESPONSE – Mt Crosby State School
Service Road**

- The Mount Crosby State School is described as Lot 145 on SP155775 (refer attached Smart Map - Ref: 14/71270).
- The service road that runs alongside Mt Crosby Rd is external to the boundaries of the school site (refer attached survey plan - Ref: 14/71269 describing area as "new road").
- The road appears to be used as the school's set down facility (refer attached School Facilities map - Ref: 14/71271).
- These types of facilities are usually jointly funded by the State and the relevant road authority i.e. DTMR or Council and are dedicated as road with responsibility for maintenance then resting with the road authority.
- If Mt Crosby Rd is not regarded as a Main Road, then the Member's enquiry should be redirected to Brisbane City Council.

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MINISTERIAL CAUCUS LIAISON RESPONSE - Disposal of surplus property - MURRUMBA EO

- Approval to dispose of the Bermuda Avenue Site (Deception Bay) was granted on 27 April 2010.
- The Department of Natural Resources and Mines (DNRM) was originally appointed to manage this disposal project on behalf of the Department of Education, Training and Employment (DETE).
- DNRM formally approached Moreton Bay Regional Council in May 2013 to seek its agreement to accept trusteeship of the Bermuda Avenue, Deception Bay site for the creation of an Environmental Reserve. A formal response from Council was never received by DNRM and the project stalled until management of the disposal of the site transferred to Building and Asset Services, Department of Housing and Public Works (BAS) in late 2013, as part of a rationalisation of work performed by the two departments.
- The property is recognised as being affected by acid sulphate soils, presenting a low to medium bushfire hazard; is a recognised wetland protection area and has biodiversity significance. A Most Appropriate Use (MAU) assessment has been completed by DNRM. The MAU assessment made a recommendation regarding the most appropriate future use for the site in accordance with principles set out in the Government Land Policies.
- The MAU recommendation is for the future use of the site to be overseen by the State, to ensure undesirable impacts on the land and the adjacent Deception Bay Conservation Park and Moreton Bay Marine Park are minimised. DNRM identified the most appropriate way forward to ensure this outcome is:

"Declare the property a reserve for a community purpose under Schedule 1 of the Land Act 1994. Appropriate community purposes would be environmental, coastal management, natural resource management buffer, or a combination of these purposes. Reservation for a community purpose would be suitable if the council is prepared to accept long term trusteeship."
- The Queensland Parks and Wildlife Service (QPWS) made an initial enquiry regarding taking on the land for the creation of an Environmental Reserve. On 31 July 2013, Mr John Carter, Area Manager, South Eastern Region, Queensland Parks and Wildlife Service (telephone: 3512 2327) confirmed verbally that QPWS would prefer the land to be transferred to Council's trusteeship rather than accept ownership of the land in its own right. QPWS indicated that Council held similar adjacent reserves and it was practical to declare the property a reserve for a community purpose under Schedule 1 of the *Land Act 1994* in accordance with the MAU Assessment.
- Whilst the current zoning of the site is residential, the Department of Natural Resources and Mines has determined its use for residential purposes is not compatible with State interests and the planning scheme. The site is identified as low lying with the southern end of the site covered by scattered pockets of mangroves in shallow salt water lagoons. Due to these constraints, the property is recognised as having negligible development potential and only a marginal value.
- Moreton Bay Regional Council has confirmed to BAS that it will not purchase the site but has recently indicated its preparedness to accept trusteeship of the site. BAS has committed to follow up Council's decision to accept trusteeship and have this advice confirmed in writing. DETE contacted BAS officers on 29 January 2014 to ensure follow up with the Council occurs as swiftly as possible.

- If Council were to refuse acceptance of the property, the only course left available to dispose of the site would be to refer the property to market, (an independent valuation undertaken on 6 May 2013 indicates a potential revenue of (b) (7) - (D)). It should be noted that during discussions, Council indicated to BAS that it would not support any residential development upon the site despite the tenure/zoning supporting a single residential use. A determined developer may still be able to overcome such obstacles, however it significantly increases the developer's risk which would undoubtedly be reflected in the price.

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