



City of
Ipswich

AGENDA

GOVERNANCE AND TRANSPARENCY COMMITTEE

Thursday, 9 March 2023

10 minutes after the conclusion of the Growth, Infrastructure and Waste Committee or such later time as determined by preceding committee

Council Chambers, Level 8
1 Nicholas Street, Ipswich

MEMBERS OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE

Deputy Mayor Jacob Madsen (**Chairperson**)
Councillor Russell Milligan (**Deputy Chairperson**)

Mayor Teresa Harding
Councillor Marnie Doyle
Councillor Kate Kunzelmann
Councillor Nicole Jonic

GOVERNANCE AND TRANSPARENCY COMMITTEE AGENDA

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GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2

9 MARCH 2023

AGENDA

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

CONFIRMATION OF MINUTES

1. **CONFIRMATION OF MINUTES OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2023(01) OF 9 FEBRUARY 2023**

RECOMMENDATION

That the Minutes of the Meeting held on 9 February 2023 be confirmed.

OFFICERS' REPORTS

2. **PROPOSED ORGANISATIONAL RESTRUCTURE**

This is a report concerning the proposed restructure of Ipswich City Council's current organisational structure. The organisational changes are aimed at:

- Improving the organisation's ability to meet current and future opportunities and challenges for the community, especially within the areas of environment and sustainability.
- Reducing the overall scale and complexity of the current Infrastructure and Environment Department (IED).
- Realigning the functions performed by the Coordination and Performance Department (CPD). CPD is an essential but small department that, by virtue of scale and size, doesn't warrant being a department.

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

RECOMMENDATION

- A. That Council approve the current Infrastructure and Environment Department be changed by the separation of the current Environment and Sustainability Branch to become a new Environment and Sustainability Department.
- B. That Council approve that the Coordination and Performance Department ceases to be a department and that the following relocations of function occur:
- (a) Media, Communications and Engagement Branch to the Community, Cultural and Economic Development Department;
 - (b) Performance Branch into a newly titled Branch, 'Strategy and Performance' within the Office of the Chief Executive; and
 - (c) Executive Services to the Office of the Chief Executive with a direct reporting relationship to the Chief Executive Officer.

3. **CONCESSION FOR GENERAL RATES - 297-347 ALPERS ROAD, MOUNT MORT QLD 4340

This is a report concerning a request for a concession for general rates from The Queensland Trust for Nature for 297-347 Alpers Road, Mount Mort QLD 4340.

RECOMMENDATION

That having satisfied the criteria in s120 of the of the *Local Government Regulation 2012*, as well as the Rates Concession Policy, the property at 297-347 Alpers Road, Mount Mort QLD 4340, be granted a 100% concession on the differential general rate from the 30 August 2022, being the date of application.

4. **CONCESSION FOR GENERAL RATES - VARIOUS PROPERTIES

This is a report concerning a request for a concession for general rates from Cherish the Environment Foundation Limited (**Cherish**) for 11 properties.

RECOMMENDATION

That having satisfied the criteria in s120 of the of the *Local Government Regulation 2012*, as well as the Rates Concession Policy, the properties in Table 1 be granted a 100% concession on the differential general rate from the 11 November 2022, being the date of application.

Table 1

PROPERTY LOCATION
605-623 Ipswich Rosewood Road, JEEBROPILLY QLD 4340

19 McGearys Road, THAGOONA QLD 4306
26 McGearys Road, THAGOONA QLD 4306
66 McGearys Road, THAGOONA QLD 4306
99999 McGearys Road, THAGOONA QLD 4306
81 McGearys Road, THAGOONA QLD 4306
59 McGearys Road, THAGOONA QLD 4306
Lot 155 Underground, UNDERGROUND LAND QLD 4305
528-530 Woolshed Creek Road, WOOLSHED QLD 4340
795-851 Rosewood Laidley Road, CALVERT QLD 4340
82-200 G Hines Road, MUTDAPILLY QLD 4307

5. PROCUREMENT - CONTRACT 16589 LOCAL GOVERNMENT INFRASTRUCTURE PLAN ADVISORY AND COORDINATION SERVICES

This is a report concerning the recommendation to approve the continuation of contract #16589 for the provision of Local Government Infrastructure Plan Professional Advisory and Coordination Services, with Morgan Wilson Planning Consultant until 29 February 2024 with one (1) x twelve (12) month optional extension, at an estimated total contract cost between \$300,000 and \$400,000 (ex GST), without inviting tenders.

Section 235(b) of the *Local Government Regulation 2012* allows a local government to enter into a large sized contractual arrangement, if the local government resolves that the services provided are of a specialised nature and it would be impractical to invite tenders.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical to invite tenders for the provision of Local Government Infrastructure Plan Professional Advisory and Coordination Services.
- B. That Council continue the contractual arrangement (Council file reference number 16589) with Morgan Wilson Planning Consultant, at an estimated cost between \$300,000 to \$400,000 excluding GST over the entire term, being a term of two (2)

years nine (9) months, with an option for extension at the discretion of Council (as purchaser), of an additional one (1) X twelve (12) month term.

6. PROCUREMENT: FORBURY COMMERCIAL MODELLING SOFTWARE FOR NICHOLAS STREET PRECINCT

This is a report seeking a resolution by Council to continue contract 16657 with the existing supplier Forbury Property Valuation Solutions (AUS) Pty Ltd (Forbury) for the seamless continuity of the commercial modelling capability that is critical to the management and strategy of the Nicholas Street Precinct. The contract is for the Software as a Service (SaaS) subscription to the Forbury commercial modelling software product suite.

A Council resolution that the exception under section 235(a) of the *Local Government Regulation 2012* applies as the models developed for Council are not transferrable to any other third-party software, which means that the incumbent software supplier is the only supplier who is reasonably available to continue providing the software necessary for access to the modelling.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the ongoing provision of the commercial modelling software in use for the Nicholas Street Precinct.
- B. That the contractual arrangement 16657 with Forbury Property Valuation Solutions (AUS) Pty Ltd (Supplier) for the annual subscription of the commercial modelling software used for the Nicholas Street Precinct be continued as required for up to a further five (5) years at an approximate value of \$47,000.00 + GST over the entire term of the contract if the subscription is continued for all five (5) additional years.

7. **PROCUREMENT - 20144 BRIDGE REPLACEMENT WORKS - HIDDENVALE RD, CALVERT

This is a report concerning the recommendation to award Tender 20144 Bridge Replacement Works – Hiddenvale Rd, Calvert and to seek Council’s approval to enter into a contract with the nominated supplier as per confidential Attachment 2 to undertake the bridge replacement works on Hiddenvale Rd, Calvert.

After an open market request for tender process, an evaluation panel has recommended one supplier for the bridge replacement works as set out in Recommendation B below. The recommendation provides Council with a company located in an adjacent local government area. The recommendation has been determined by the evaluation panel to offer Council the best value for money.

If Council is satisfied with the nominated supplier, the name of the supplier will be included in the Council's resolution at Recommendation B.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 20144 Bridge Replacement Works – Hiddenvale Road, Calvert.
- B. That Council enter into a contractual arrangement with the Supplier for the lump sum amount of three million five hundred and seventy-three thousand five hundred and fifty-five dollars and nine cents (\$3,573,555.09) excluding GST and the contingency amount as listed in confidential Attachment 2.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action*" pursuant to section 238 of the Regulation, in order to implement Council's decision.

8. ****PROCUREMENT - EOI - BRASSALL BIKEWAY STAGE 6B**

This is a report concerning the final design piece in completing the Bikeway, known as Stage 6B, design options for a commuter bikeway connection from the existing Brassall Bikeway to the Bradfield Bridge.

Council is seeking to invite Expressions of Interest to identify suppliers who can demonstrate their capability to undertake a contract of this nature and invite applicants to participate in a tendering process, leading to the formation and award of a design contract only. The construction contract will be a separate process.

RECOMMENDATION

- A. That pursuant to Section 228(3)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that it would be in the public interest to invite expressions of interest before inviting written tenders for the provision of Design Consultancy Services.
- B. That pursuant to Section 228(3)(b) of the Regulation, Council's reasons for making such resolution are that:
 - (i) it will allow Council to canvas the market for information and generate interest from the market to capture a larger pool of suppliers, gauge interest and availability to tender for the contract by inviting Expressions of Interest;
 - (ii) elicit information from suppliers that demonstrates their capability to undertake a contract of this nature and provide their initial thoughts on how the commuter bikeway connection could be developed;

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- (iii) to shortlist and recommend applicants to participate in a tendering process, seeking more detailed information around their capacity to undertake a contract of this nature and a fee for the delivery of the defined scope of service.

9. PROCUREMENT - WHAT BIN DAY APP SUBSCRIPTION FOR IPSWICH CITY COUNCIL AND SOMERSET REGIONAL COUNCIL

This is a report seeking Council Resolution by Ipswich City Council (ICC) to undertake a direct engagement with Socket Software Pty Ltd (Socket Software). It is proposed, to enter into a new contract with Socket Software combining the two current contracts for ICC and Somerset Regional Council's (SRC) "What Bin Day" Mobile App Licences for a further six (6) years (3+3) as Council have a contract with Somerset Regional Council to provide this service on their behalf for a total of seven (7) years. The What Bin Day App is an App that can be downloaded on mobile phones to allow Ipswich and Somerset residents to identify which bin goes out on what day for collection. The ICC contract has been in place for some years and last year Council took on the management of Somerset Regional Council's requirements for this application. The current contracts expire on 02 June 2023. The total contract value for the six (6) year term based on a 3+3 arrangement, is approximately \$82,890.00 ex GST.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes OR tenders for the provision of What Bin Day Mobile App Licences.
- B. That Council enter into a contractual arrangement (Council file reference number 19849) with Socket Software Pty Ltd, at an approximate purchase price of \$83,000.00 excluding GST over the entire term, being an initial term of three (3) years, with options for extension at the discretion of Council (as purchaser), of an additional one (1) x three (3) year term.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action*" pursuant to section 238 of the Regulation, in order to implement Council's decision.

10. ****AMENDMENT TO COMMITTEE REPORTS DATED 13 OCTOBER 2022 AND 10 NOVEMBER 2022 REGARDING FLOOD RESILIENT HOMES FUND - VOLUNTARY HOME BUY BACK PROPOSED PROPERTY ACQUISITION**

This is a report concerning an amendment to the proposed acquisition of two (2) properties, as detailed in the Confidential Attachments 1 and 2 by Ipswich City Council, as part of the voluntary home buyback program.

This initiative gets its funding from the jointly funded Commonwealth and Queensland Governments Resilient Homes Fund under the Disaster Recovery Funding Arrangements.

RECOMMENDATION

- A. That Council resolve to amend a property description in its previous decision (Item No. 7 of the Governance and Transparency Committee No. 2022 (10) adopted as recommendation A, at the Council Ordinary meeting of 24 November 2022) as highlighted in Confidential Attachment 1 for the purpose of the voluntary home buy-back program.
- B. That Council resolve to amend a property description in its previous decision (Item No. 8 of the Governance and Transparency Committee No. 2022 (09) adopted as recommendation A, at the Council Ordinary meeting of 27 October 2022) as highlighted in Confidential Attachment 2 for the purpose of the voluntary home buy-back program.
- C. That Council resolve to authorise the Chief Executive Officer to take the necessary action in order to implement Council's decision, including but not limited to making, amending and discharging the contractual arrangement/s.
- D. That Council be kept informed as to the progress and outcome of the purchases.

11. ****FLOOD RECOVERY RESILIENT HOMES FUND - VOLUNTARY HOME BUY BACK PROPOSED PROPERTY ACQUISITION**

This is a report concerning the proposed acquisition of various residential properties by Ipswich City Council for the purposes of the voluntary home buy-back program.

This initiative gets its funding from the jointly funded Commonwealth and Queensland Governments Resilient Homes Fund under the Disaster Recovery Funding Arrangements.

RECOMMENDATION

- A. That Council resolve to purchase the properties listed in Confidential Attachment 1 for the purposes of the voluntary home buy-back program.

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- B. That Council resolve to authorise the Chief Executive Officer to take the necessary action in order to implement Council's decision, including but not limited to making, amending and discharging the contractual arrangement/s.
 - C. That Council be kept informed as to the progress and the outcome of the purchases.
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12. DISPOSAL OF COUNCIL FREEHOLD LAND - BULK DECISION FOR 649 LOTS IDENTIFIED AS ACCESS RESTRICTION STRIPS WITHIN THE IPSWICH CITY COUNCIL LOCAL GOVERNMENT AREA

This is a report concerning the disposal for road purpose of all Council freehold lots throughout the Ipswich City Council local government area that are identified as Access Restriction Strips, as outlined in the spreadsheet attached to this report.

RECOMMENDATION

- A. That Council declare surplus to Council requirements and available for disposal for road purpose, all lots identified as Access Restriction Strips (ARS) within the Ipswich City Council local government area, more particularly described by lot on plan in the spreadsheet in Attachment 1.
 - B. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(i) of the Regulation applies to the disposal of, for road purpose, the ARSs in the spreadsheet in Attachment 1, because the State of Queensland (represented by the Department of Resources) (DoR) is a government agency.
 - C. That Council only effect the disposal of the ARSs in the spreadsheet in Attachment 1, in the event that a development application is made that requires the disposal of an ARS for road purpose or in the event that an application is made to Council requesting an ARS be opened as road.
 - D. That Council note that as disposals occur, lot on plan descriptions for the ARSs can be reconfigured or changed if an ARS is partially disposed of. Recommendations A and B include any reconfiguration or change to the lot on plan descriptions for the ARSs contained in Attachment 1.
 - E. That pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer, the power to take "contractual action" pursuant to section 238 of the Regulation, in order to implement Council's decision.
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13. REPEAL OF PREVIOUS COUNCIL DECISION AND PROPOSED NEW TRUSTEE LEASE OVER 254 BRISBANE ROAD, BUNDAMBA TO IPSWICH KNIGHTS SOCCER CLUB INC.

This is a report concerning the repeal of a previous decision of the City Management, Finance and Community Engagement Committee, Item No. 17 on the 16 February 2018, and adopted at the Ordinary meeting of 27 February 2018. The decision concerned an extension of a trustee lease to Ipswich Knights Soccer Club Inc. (**Knights**) over land located at 254 Brisbane Road, Bundamba, (more properly described as Lot A in Lot 507 on SL6935 on SL230112). The commencement date specified in the decision has since passed and the repeal of Recommendation C of the previous Council decision is required to resolve the updated commencement date.

In return for the extension of this trustee lease, the Knights (together with the West Moreton Darts Association Inc. (**Darts**), who own the land with the Knights as joint tenants) entered into a 10 year lease with Council for a peppercorn rent over part of the freehold land located at 66 Riverview Road, Riverview (**the Riverview land**) and described as part of Lot 8 on RP22349. The purpose of the lease at Riverview for Council is to facilitate the provision of additional sporting infrastructure in the Riverview area.

RECOMMENDATION

- A. That Council repeal its previous decision, contained in recommendation C, Item No. 17 of the City Management, Finance and Community Engagement Committee report, on the 16 February 2018 (attachment A to this report) and adopted at the ordinary council meeting on 27 February 2018.
- B. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council as Trustee for the State of Queensland resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of leasehold interest in land at 254 Brisbane Road, Booval, more particularly described as part of Lot A in Lot 507 on SL6935 on SL230112, because Ipswich Knights Soccer Club Inc. (Trustee Lessee) is a community organisation.
- C. That Council enter into a trustee lease (Council file reference number 5265) with the Trustee Lessee:
 - (i) at an annual rent of \$1.00 excluding GST, payable to Council if demanded, and
 - (ii) for an initial term expiring 28 February 2028, with no options for extension.
- D. That pursuant to section 64(1) and 64(2) of the *Land Act 1994*, Ministerial approval has been dispensed with (as per Attachment 4 of this report); and the soccer club purpose of the trustee lease is consistent with the purpose of the trust land.
- E. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “contractual

action” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

14. REPEAL OF PREVIOUS COUNCIL DECISION AND PROPOSED NEW TELECOMMUNICATIONS LEASE TO TPG TELECOM LIMITED OVER 90-120 JONES ROAD, BELLBIRD PARK

This is a report requesting the repeal of a previous decision of the City Management, Finance and Community Engagement Committee, Item No. 23 on 23 January 2018 and adopted at the Council Ordinary meeting of 30 January 2018 concerning the new lease to Vodafone Network Pty Limited over 90-120 Jones Road, Bellbird Park and that Council now enter a new lease to TPG Telecom Limited.

RECOMMENDATION

- A. That the previous decision of Council, as per Item No. 23 of the City Management, Finance and Community Engagement Committee No. 2018(01) on 23 January 2018 and adopted at the Council Ordinary meeting of 30 January 2018, be repealed.
- B. That pursuant to section 236(2) of the Local Government Regulation 2012 (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 90-120 Jones Road, Bellbird Park, more particularly described as part of Lot 86 and Plan RP115331, for telecommunications purposes because, TPG Telecom Limited is a telecommunications provider, the lease is conditional upon the construction of an all-weather sealed access from Jones Road to the telecommunications facility.
- C. That Council enter into a lease (Council reference number 2235) with TPG Telecom Limited (Lessee):
 - (i) at a commencing annual rent of \$19,000 excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, with no options for extension.

15. **SURRENDER AND ACQUISITION OF DRAINAGE EASEMENTS FOR INF02666 OVER 82 AND 84 GLADSTONE ROAD, COALFALLS

This is a report concerning the proposed surrender of existing Easements A and B in Lot 2 on RP23977 located at 84 Gladstone Road, Coalfalls, and Easement C in Lot 1 on RP90834 located at 82 Gladstone Road Coalfalls, for drainage purpose and the acquisition of a new Easement for drainage purpose to align with the design of the kerb and channel project for Gladstone Road in this location.

RECOMMENDATION

- A. That Council declare existing Easement C in Lot 1 RP90834 located at 82 Gladstone Road, Coalfalls, surplus to Council requirements and grant consent to the surrender of Easement C.

- B. That Council declare existing Easements A and B in Lot 2 RP23977 located at 84 Gladstone Road, Coalfalls, surplus to Council requirements and grants its consent to the surrender of Easements A and B.
- C. That pursuant to Section 6(1) of the *Acquisition of Land Act 1967*, Council as “*constructing authority*” proceed to acquire two (2) new easements alignments for drainage purpose (Council file reference number 5307) being:
- Part of Lot 1 RP90834 located at 82 Gladstone Road, Coalfalls; and
- Part of Lot 2 RP23977 located at 84 Gladstone Road, Coalfalls. (New Easements)
- D. That in the first instance, the method of acquiring the New Easements will be by agreement with the affected person/s in accordance with Division 3, *Acquisition of Land Act 1967*; however, where agreement cannot be reached, or operational timeframes intervene, the method of acquiring the subject easement will be in accordance with Division 2, *Acquisition of Land Act 1967*.
- E. That Council be kept informed as to the progress and outcome of the acquisition.

16. IVOLVE PROGRAM QUARTERLY STATUS REPORT

Please note that the attached ARMC report was written on 13 January 2023. The information below provides an update from that date. This report is accurate as at 21 February 2023.

iVolve Program - Final Business Case Amber

The Expression of Interest (EOI) seeking solution proposals from suppliers has completed. The EOI has provided invaluable information to be able to shortlist suppliers and provide more accurate solution costs estimates.

The ICT Steering Committee approved an addendum to the existing business case instead of a full business case update. Using the information from the EOI, the addendum will include a roadmap for the iVolve program articulating the sequencing and timings for future iVolve projects, together with an investment update.

Stage 3 of the iVolve program will close following approval of the business case addendum. Stage 4 of the program, which is more delivery focussed has commenced with the Fusion project initiating.

An updated iVolve governance structure is now in place and active. This structure is scalable to be able to handle multiple iVolve projects running in parallel.

iVolve program - Oracle Fusion project Amber

The Oracle software purchase (covering Finance, Procurement and Fleet) will be put to Council for approval on 23 February 2023. The delivery partner to implement the software will be with the CEO for approval following finalisation of the Oracle Licence purchase.

The project team has been engaged to provide feedback on the delivery partner Statement of Work (SoW) which is now signed off.

A new Project Control Group (PCG) has been formed as part of the governance update. This group is a delivery focussed team consisting of impacted Branch Managers and the Corporate Services General Manager.

Specific staff are in the process of being seconded to the project and this process is progressing to plan with good support from the business areas. A project team kick-off will be held on 23 February 2023.

RECOMMENDATION

That the report be received and the contents noted.

NOTICES OF MOTION

MATTERS ARISING

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2023(01)

9 FEBRUARY 2023

MINUTES

COUNCILLORS' ATTENDANCE: Deputy Mayor Jacob Madsen (Chairperson); Councillors Russell Milligan (Deputy Chairperson), Mayor Teresa Harding, Marnie Doyle, Kate Kunzelmann and Nicole Jonic

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), General Manager Planning and Regulatory Services (Peter Tabulo), Acting General Manager Coordination and Performance (Barb Dart), Acting General Manager Infrastructure and Environment (Graeme Martin), Acting Manager Procurement (Ross Muller), Resource Recovery Manager (David McAlister), Acting Property Services Manager (Alicia Rieck), Manager, Community and Cultural Services (Don Stewart), Natural Environment and Land Manager (Phil A Smith), Program Manager Flood Recovery (Matt Mulrone), Chief of Staff Office of the Mayor (Melissa Fitzgerald), Chief Information Officer (Sylvia Swalling), Manager, Libraries and Customer Services (Samantha Chandler), Senior Communications and Policy Officer (Jodie Richter), Senior Media Officer (Darrell Giles), Senior Media Officer (Lucy Stone), Customer Strategy and Experience Manager (Anne Cahill) and Theatre Technician (Harrison Cate)

WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor Jacob Madsen (Chairperson) delivered the Acknowledgement of Country.

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. **CONFIRMATION OF MINUTES OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2022(11) OF 29 NOVEMBER 2022**

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Russell Milligan:

That the Minutes of the Governance and Transparency Committee held on 29 November 2022 be confirmed.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. **QUARTER 2 - OPERATIONAL PLAN 2022-2023 QUARTERLY PERFORMANCE**

This is a report concerning an assessment of Council's progress towards implementation of the 2022-2023 Operational Plan with notable achievements that have occurred during quarter two (Q2) (October to December).

RECOMMENDATION

Moved by Councillor Marnie Doyle:
Seconded by Councillor Russell Milligan:

That the Quarter 2 Operational Plan 2022-2023 Quarterly Performance report be received and noted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

NEGATIVE

Councillors:

Nil

Kunzelmann
Jonic

The motion was put and carried.

3. QUARTERLY REPORT TO THE DEPARTMENT OF STATE DEVELOPMENT,
INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING

This is a report concerning a request from the Director-General, Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) for Council to provide a series of quarterly performance reports.

This report represents the October to December 2022 quarter and is reflective of the scope requested by the Director-General in June 2022.

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Marnie Doyle:

That the Committee endorse the draft letter to the Director-General (DSDILGP) containing the quarterly update for October to December 2022 as set out in Attachment 1.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. UPDATE TO COUNCIL'S MEETING CONDUCT POLICY, MEETING PROCEDURES
POLICY AND PUBLIC PARTICIPATION POLICY

This is a report concerning recent minor updates to the State Government's *Model Meeting Procedures* and *Best Practice Example - Standing Orders for Local Government and Standing Committee Meetings* and updating Council's Meeting Procedures Policy, Meeting Conduct Policy and Public Participation Policy so they are not inconsistent with the State Government model as per legislative requirements.

RECOMMENDATION

Moved by Councillor Kate Kunzelmann:
Seconded by Mayor Teresa Harding:

- A. **That the updated policy titled ‘Meeting Conduct’ as outlined in Attachment 3, be adopted.**
- B. **That the updated policy titled ‘Meeting Procedures’ as outlined in Attachment 6, be adopted.**
- C. **That the updated policy titled ‘Public Participation at Ordinary Council Meetings’ as outlined in Attachment 9 and the revised ‘Public Participation Application Form’ as outlined in Attachment 11, be adopted.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. DISPOSAL OF INTEREST IN LAND FOR EASEMENT PURPOSES OVER PART OF 1 HAIG STREET, BRASSALL

This is a report concerning the disposal of an interest in land to grant a new easement for a sewerage purpose in favour of Urban Utilities. This easement will connect to the existing Urban Utilities sewerage treatment plant that is currently being upgraded located at 13 Haig Street, Brassall, described as Lot 1 on RP115168.

“The attachment/s to this report are confidential in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*.”

RECOMMENDATION

Moved by Councillor Nicole Jonic:
Seconded by Councillor Russell Milligan:

- A. **That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemption referred to in section 236(1)(c)(iv) of the Regulation applies for the disposal of the easement interest**

of part of 1 Haig Street, Brassall, described as Lot 4 on RP8227 (“the Land”), by way of a new easement arrangement for sewerage purposes between Council and Urban Utilities.

- B. That pursuant to s257(1)(b) of the *Local Government Act 2009* Council resolve to delegate the power to the Chief Executive Officer to be authorised to negotiate and finalise the terms of the proposed easement as detailed in Recommendation A of this report and to do any other acts necessary to implement Council’s decision.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

6. PROCUREMENT: RATES MODELLING SOFTWARE (EASYREV) MAINTENANCE AND SUPPORT AGREEMENT - EXTENSION TO CONTRACT 12472

This is a report seeking Council Resolution by Ipswich City Council (Council) to undertake a direct engagement with Harbour Software Pty Ltd (Harbour Software). It is proposed, to extend the current contract by a further three (3) years on a 1+1+1 arrangement, for the continuation of the Rates Modelling Software (EasyRev) maintenance and support. It is intended that this software is replaced under the iVolve Project during the upcoming implementation process. The current software has been used by the Treasury Department since 2016 and is a key tool to provide the capture, analysis and calculation of rating scenarios. The current contract expires on 30 April 2023.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Russell Milligan:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes for the provision of the Rates Modelling Software (EasyRev) maintenance and support.**

- B. That Council enter into a contractual arrangement (Council file reference number 12472) with Harbour Software Pty Ltd, at an approximate purchase price of \$24,000.00 (excluding GST) over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. PROCUREMENT: SUPPLY OF UNBOUND PAVEMENT MATERIAL FOR MAINTENANCE OF COUNCIL'S UNSEALED ROADS

This is a report concerning an increase in the approximate value for the Procurement of Supply of Unbound Pavement Material for Maintenance of Council's Unsealed Roads.

RECOMMENDATION

Moved by Councillor Russell Milligan:

Seconded by Councillor Nicole Jonic:

- A. That Council vary the contractual arrangement with CW & EJ Russell for an additional approximate purchase price of \$3,000,000 excluding GST over the entire term of up to three (3) years, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), for an additional two (2) x one (1) year terms.**
- B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "contractual action" pursuant to section 238 of the Regulation, in order to implement Council's decision.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

NEGATIVE

Councillors:

Nil

Kunzelmann
Jonic

The motion was put and carried.

8. PROCUREMENT: CUSTOMER EXPERIENCE MATURITY ASSESSMENT

This is a report concerning the procurement of a supplier to conduct annual maturity assessments of Council's Customer Experience Strategy over a three (3) year period from 2023 to 2025 without first inviting written quotes or tenders. Section 235(b) of the *Local Government Regulation 2012* allows a local government to enter into a medium or large sized contractual arrangement, if the local government resolves that the services provided are of a specialised nature.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Russell Milligan:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical to invite quotes for the provision of the annual Customer Experience Maturity Assessment.**
- B. That Council enter into a contractual arrangement (Council file reference number 19806) with Ipsos Pty Ltd, at an approximate purchase price of \$70,000 excluding GST over the entire term, being an initial term of one (1) year with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

9. PROCUREMENT: WASTE MANAGEMENT SOFTWARE SOLUTION CONTRACTS
12759 AND 14024

This a report seeking a resolution by Council to vary contract 14024 with existing supplier Mandalay Technologies Pty Ltd and contract 12759 with existing supplier 3 Logix Pty Ltd to add further extension options until 30 June 2026 to continue the uninterrupted provision of Council's core community waste collection service systems whilst awaiting an iVolve outcome to be determined. The contracts are for the provision of Council's transfer station operations system and waste collection vehicle operational system respectively.

This matter is required as officers seek Council resolution that the exception under section 235(a) of the *Local Government Regulation 2012* applies to the uninterrupted continuation of these key systems for the operational functionality required. The specialised nature of these systems provided means that the incumbent suppliers are the only suppliers reasonably available to continue the provision of these systems for the duration. Further, due to the identified iVolve relevance of the systems, it is more costly and disadvantageous to Council to go to tender until the iVolve impact is assessed and understood.

A resolution of Council is sought to vary the contractual arrangements with both suppliers to allow further optional extensions until 30 June 2026. This will increase the total value of the contract 14024 to approximately two hundred and fifty-five thousand dollars (\$255,000.00) excluding GST, and the total value of contract 12759 to approximately two million, one hundred and sixty thousand dollars (\$2,160,000.00) excluding GST for the full extended term of the contracts if all extension options are exercised.

RECOMMENDATION

Moved by Councillor Nicole Jonic:

Seconded by Councillor Marnie Doyle:

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the ongoing provision of the transfer stations operations system and related ancillary items provided by Mandalay Technologies Pty Ltd (Mandalay).**
- B. That the contractual arrangement 14024 with Mandalay for the transfer stations operations system and related ancillary items be extended for a further optional period(s) until 30 June 2026 at an approximate value of \$77,281.00 + GST over the additional term (increasing the approximated contract value to \$255,000.00 + GST over the entire extended term of the contract if all options are utilised).**

- C. That Council enter into a Deed of Variation with Mandalay to appropriately amend the existing contractual arrangement.
- D. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the ongoing provision of the waste collection vehicle operations system and related ancillary items provided by 3 Logix Pty Ltd (3 Logix).
- E. That the contractual arrangement 12759 with 3 Logix for the waste collection vehicle operations system and related ancillary items for a further optional period(s) until 30 June 2026 at an approximate value of \$309,355.00 + GST over the additional term (increasing the approximated contract value to \$2,160,000.00 + GST over the entire extended term of the contract if all options are utilised).
- F. That Council enter into a Deed of Variation with 3 Logix to appropriately amend the existing contractual arrangement.
- G. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

10. PROCUREMENT: DISC PROFILE SOLUTION

This is a report concerning a contractual arrangement with INTEGRO Learning Company Pty Ltd (INTEGRO), to provide continued servicing of the DISC profile solution.

The Council is requested to consider and resolve that the exception set out in section 235(a) of the *Local Government Regulation 2012* applies due to INTEGRO being the authorised Australian distributor of Wiley’s Everything DiSC assessment tools. The value of the arrangement is estimated to be \$60,000 excluding GST per

annum, for three (3) years to February 2026 up to the sum of \$200,000 excluding GST.

RECOMMENDATION

Moved by Councillor Nicole Jonic:
Seconded by Councillor Marnie Doyle:

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that INTEGRO is the only supplier reasonably available to provide the John Wiley & Sons Everything DiSC assessment tool through INTEGRO for the current DiSC system for the following reason:**
- 1. As the current DiSC profile system is under an arrangement between the John Wiley & Sons and INTEGRO which has established a sole supplier arrangement for the DiSC John Wiley & Sons Everything DiSc profile system.**
- B. That Council enter into a contractual arrangement with INTEGRO for the provision of the DiSC profile system for a period of one (1) year with the option to extend for an additional two (2) years.**

AFFIRMATIVE
Councillors:
Madsen
Milligan
Harding
Doyle
Kunzelmann
Jonic

NEGATIVE
Councillors:
Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 10.43 am.

The meeting closed at 10.58 am.

Doc ID No: A8647053

ITEM: 2
SUBJECT: PROPOSED ORGANISATIONAL RESTRUCTURE
AUTHOR: GENERAL MANAGER CORPORATE SERVICES
DATE: 8 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the proposed restructure of Ipswich City Council's current organisational structure. The organisational changes are aimed at:

- Improving the organisation's ability to meet current and future opportunities and challenges for the community, especially within the areas of environment and sustainability.
- Reducing the overall scale and complexity of the current Infrastructure and Environment Department (IED).
- Realigning the functions performed by the Coordination and Performance Department (CPD). CPD is an essential but small department that, by virtue of scale and size, doesn't warrant being a department.

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

RECOMMENDATION/S

- A. That Council approve the current Infrastructure and Environment Department be changed by the separation of the current Environment and Sustainability Branch to become a new Environment and Sustainability Department.**
- B. That Council approve that the Coordination and Performance Department ceases to be a department and that the following relocations of function occur:**
- (a) Media, Communications and Engagement Branch to the Community, Cultural and Economic Development Department;**
 - (b) Performance Branch into a newly titled Branch, 'Strategy and Performance' within the Office of the Chief Executive; and**
 - (c) Executive Services to the Office of the Chief Executive with a direct reporting relationship to the Chief Executive Officer.**

RELATED PARTIES

There are no conflicts of interest declared in relation to the matters covered in this report.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Following changes at the executive level of the organisation, an opportunity for a minor restructure of the current organisational structure was identified. This proposed organisational change is designed to improve the organisation's ability to meet the current and future opportunities and challenges for the community, particularly in the areas of environment and sustainability, to reduce the scale and complexity of the current Infrastructure and Environment Department (IED) and to make best use of the available resources.

The proposed restructure introduces a standalone Environment and Sustainability Department by removing the current Environment and Sustainability Branch from the current IED structure. At the same time, it is proposed to relocate functions currently included within the Coordination and Performance Department (CPD) to other parts of the organisation and to remove the department from the organisation structure.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009

POLICY IMPLICATIONS

This process to develop the proposed organisational structure has been managed within the requirements of the:

- Ipswich City Council (ICC) Certified Agreements
- Determination of Department Structures, Descriptions and Position Outlines Administrative Directive.

RISK MANAGEMENT IMPLICATIONS

A well designed, effective and efficient organisational structure is essential to the delivery of Council's legislative responsibilities and services to the community. A poorly designed organisational structure, where functions are duplicated, responsibilities are unclear, layers of management and spans of control are too great or inconsistent presents risks to achieving service delivery obligations, value for money and retaining a talented and capable workforce.

FINANCIAL/RESOURCE IMPLICATIONS

Operational (Employee Expense) costs associated with proposed restructure are anticipated to increase between \$70,000 to \$95,000 per annum as a result of the proposed restructure.

COMMUNITY AND OTHER CONSULTATION

Information on the proposed organisational restructure was shared with the Mayor and Councillors on 8 December 2022. The Mayor and Councillors were briefed on 31 January 2023 on the proposed restructure and provided feedback. A response was provided to the Mayor and Councillors' feedback and the Councillors discussed the proposed restructure again on 7 February and 22 February 2023. The Councillors feedback on the structure has been addressed in the organisational changes recommended in this report.

Internal consultation has been undertaken on the proposed changes with impacted employees during the period from 8 December 2022 through to the end of February 2023. This has occurred through information sharing, face to face consultation sessions and the opportunity for anonymous written feedback. Feedback from this consultation process has been considered and incorporated into the proposal wherever possible and appropriate.

The associated industrial unions have been kept informed of the proposed changes through the consultation process.

There has been no community consultation undertaken in the preparation of this report.

CONCLUSION

It is recommended that the Council approve the proposed organisational restructure to support reducing the scale and complexity of the IED and moving functions from the current Coordination and Performance Department, enabling Council to meet current and future opportunities and challenges for the community.

HUMAN RIGHTS IMPLICATIONS.

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The decision being sought to be made is to approve changes to the organisation's structure.
(b) What human rights are affected?	Not applicable
(c) How are the human rights limited?	The decision does not limit human rights as it relates to the arrangement of the organisation to perform its legislative functions and is not a decision in relation to individuals.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Proposed Organisational Structure  
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Matt Smith

GENERAL MANAGER CORPORATE SERVICES

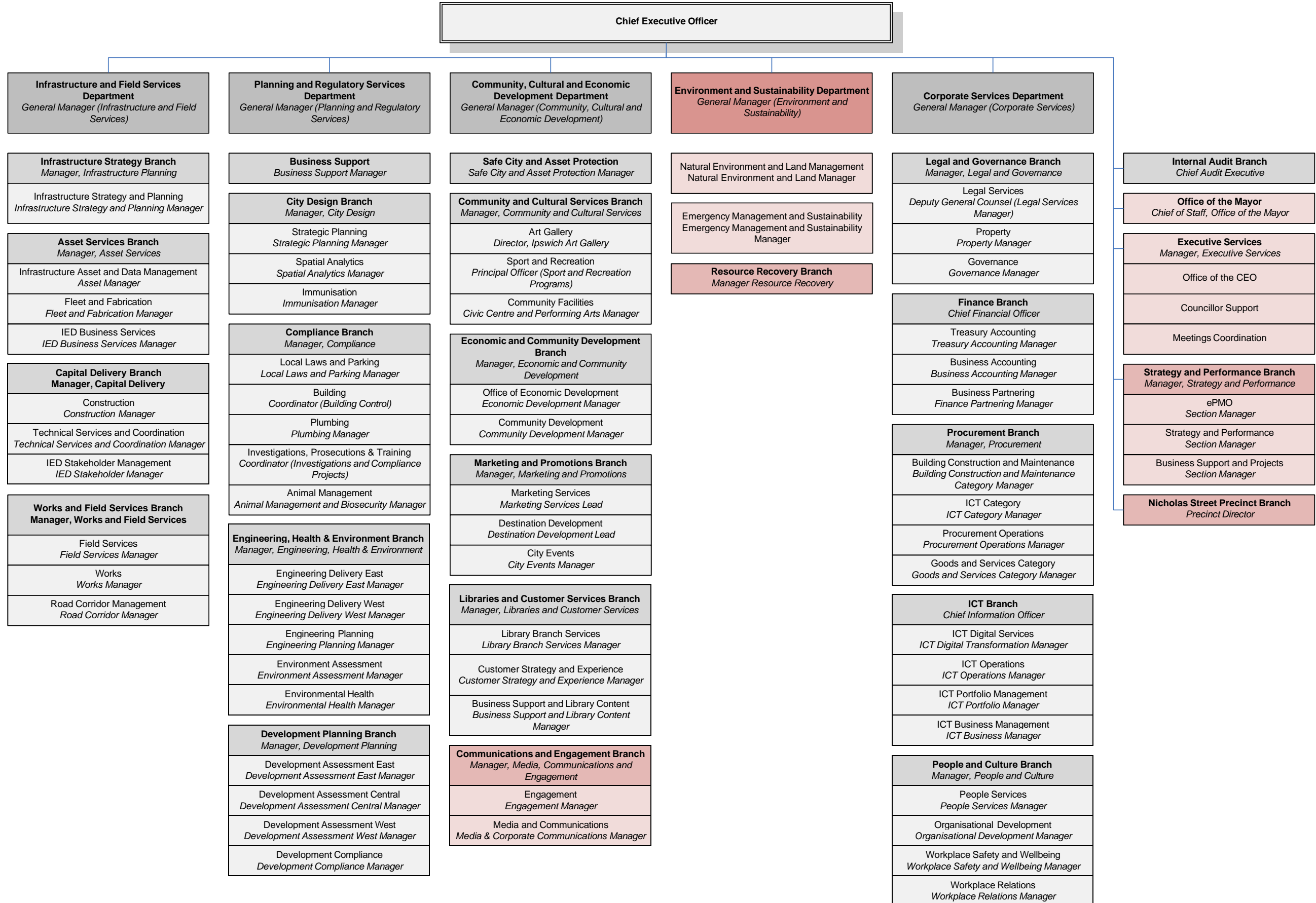
I concur with the recommendations contained in this report.

Sonia Cooper

CHIEF EXECUTIVE OFFICER

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IPSWICH CITY COUNCIL ORGANISATION STRUCTURE – PROPOSED CHANGES



Doc ID No: A8579132

ITEM: 3

SUBJECT: CONCESSION FOR GENERAL RATES - 297-347 ALPERS ROAD, MOUNT MORT QLD 4340

AUTHOR: TREASURY ACCOUNTING MANAGER

DATE: 6 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning a request for a concession for general rates from The Queensland Trust for Nature for 297-347 Alpers Road, Mount Mort QLD 4340.

RECOMMENDATION/S

That having satisfied the criteria in s120 of the of the *Local Government Regulation 2012*, as well as the Rates Concession Policy, the property at 297-347 Alpers Road, Mount Mort QLD 4340, be granted a 100% concession on the differential general rate from the 30 August 2022, being the date of application.

RELATED PARTIES

Councillors and Senior Managers should consider The Queensland Trust for Nature for the purposes of related party disclosures.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Council's Rates Concession Policy allows for a 100% concession for general rates on properties that meet the criteria outlined in the policy.

The Queensland Trust for Nature have requested a concession for general rates on 297-347 Alpers Road, Mount Mort QLD 4340 as listed in the recommendation of this report. The Queensland Trust for Nature are a registered Charity that work to protect and connect ecologically important land. Its primary focus remains the connectivity of strategic wildlife corridors.

For the purposes of granting concession, Council officers are satisfied the property is being used for an eligible purpose. The activities undertaken on the property are considered to contribute to 'The preservation, restoration or maintenance of structures or places of

cultural, environmental, historic, heritage or scientific significance to the Ipswich City Council local government area', accordingly the property is considered eligible to be granted a rates concession.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009

POLICY IMPLICATIONS

This report and its recommendations are consistent with the Rates Concession Policy

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL/RESOURCE IMPLICATIONS

Granting of this 100% concession will result in a reduction of general rates revenue of approximately \$19,494 per annum.

COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation.

CONCLUSION

The Queensland Trust for Nature being the owner of 297-347 Alpers Road, Mount Mort QLD 4340, satisfy the requirements of the Rates Concession Policy as an eligible property owner. Further, the property is being used for purposes that are consistent with the requirements of the Rates Concession Policy, to be eligible for a 100% concession for general rates. The application of the Rates Concession Policy in this instance is consistent with Revenue Policy and the Budget and Rating Resolutions.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The recommendation proposes a granting of 100% Council remission on the property at 297-347 Alpers Road, Mount Mort QLD 4340
(b) What human rights are affected?	No human rights are affected by this decision.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting	Not Applicable

the relevant rights? Is the limitation fair and reasonable?	
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Letter Requesting Rates Concession
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Paul Mollenhauer
TREASURY ACCOUNTING MANAGER

I concur with the recommendations contained in this report.

Jeffrey Keech
CHIEF FINANCIAL OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER CORPORATE SERVICES

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Doc ID No: A8610606

ITEM: 4
SUBJECT: CONCESSION FOR GENERAL RATES - VARIOUS PROPERTIES
AUTHOR: TREASURY ACCOUNTING MANAGER
DATE: 6 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning a request for a concession for general rates from Cherish the Environment Foundation Limited (**Cherish**) for 11 properties.

RECOMMENDATION/S

That having satisfied the criteria in s120 of the of the *Local Government Regulation 2012*, as well as the Rates Concession Policy, the properties in Table 1 be granted a 100% concession on the differential general rate from the 11 November 2022, being the date of application.

Table 1

PROPERTY LOCATION
605-623 Ipswich Rosewood Road, JEEBROPILLY QLD 4340
19 McGearys Road, THAGOONA QLD 4306
26 McGearys Road, THAGOONA QLD 4306
66 McGearys Road, THAGOONA QLD 4306
99999 McGearys Road, THAGOONA QLD 4306
81 McGearys Road, THAGOONA QLD 4306
59 McGearys Road, THAGOONA QLD 4306
Lot 155 Underground, UNDERGROUND LAND QLD 4305
528-530 Woolshed Creek Road, WOOLSHED QLD 4340
795-851 Rosewood Laidley Road, CALVERT QLD 4340
82-200 G Hines Road, MUTDAPILLY QLD 4307

RELATED PARTIES

Councillors and Senior Managers should consider Cherish the Environment Foundation Limited for the purposes of related party disclosures.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Council's Rates Concession Policy allows for a 100% concession for general rates on properties that meet the criteria outlined in the policy.

Cherish have requested a concession for general rates for the properties as listed in the recommendation of this report. Cherish are a registered Charity that continue to deliver habitat restoration programs on the properties they own. Cherish work closely with Ipswich City Council and local landholders to increase the area of natural bushland through environmental offsets and other relevant mechanisms and enable the community and businesses of Ipswich to become more environmentally active.

For the purposes of granting concession, Council officers are satisfied the property is being used for an eligible purpose. The activities undertaken on the property are considered to contribute to 'The preservation, restoration or maintenance of structures or places of cultural, environmental, historic, heritage or scientific significance to the Ipswich City Council local government area', accordingly the property is considered eligible to be granted a rates concession.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009

POLICY IMPLICATIONS

This report and its recommendations are consistent with the Rates Concession Policy

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL/RESOURCE IMPLICATIONS

Granting of this 100% concession will result in a reduction of general rates revenue of approximately \$44,500 per annum.

COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation.

CONCLUSION

Cherish being the owners of the 11 properties satisfy the requirements of the Rates Concession Policy as an eligible property owner. Further, the properties are being used for purposes that are consistent with the requirements of the Rates Concession Policy, to be eligible for a 100% concession for general rates. The application of the Rates Concession Policy in this instance is consistent with Revenue Policy and the Budget and Rating Resolutions.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A proposes a granting of 100% Council remission on the 11 properties detailed in Table A.
(b) What human rights are affected?	No human rights are affected by this decision.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Letter Requesting Rates Concession
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Paul Mollenhauer
TREASURY ACCOUNTING MANAGER

I concur with the recommendations contained in this report.

Jeffrey Keech
CHIEF FINANCIAL OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER CORPORATE SERVICES

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Doc ID No: A8645924

ITEM: 5

SUBJECT: PROCUREMENT - CONTRACT 16589 LOCAL GOVERNMENT INFRASTRUCTURE
PLAN ADVISORY AND COORDINATION SERVICES

AUTHOR: CATEGORY SPECIALIST

DATE: 8 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the recommendation to approve the continuation of contract #16589 for the provision of Local Government Infrastructure Plan Professional Advisory and Coordination Services, with Morgan Wilson Planning Consultant until 29 February 2024 with one (1) x twelve (12) month optional extension, at an estimated total contract cost between \$300,000 and \$400,000 (ex GST), without inviting tenders.

Section 235(b) of the *Local Government Regulation 2012* allows a local government to enter into a large sized contractual arrangement, if the local government resolves that the services provided are of a specialised nature and it would be impractical to invite tenders.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical to invite tenders for the provision of Local Government Infrastructure Plan Professional Advisory and Coordination Services.**
- B. That Council continue the contractual arrangement (Council file reference number 16589) with Morgan Wilson Planning Consultant, at an estimated cost between \$300,000 to \$400,000 excluding GST over the entire term, being a term of two (2) years nine (9) months, with an option for extension at the discretion of Council (as purchaser), of an additional one (1) X twelve (12) month term.**

RELATED PARTIES

Ipswich City Council

Wilson, Morgan Patrick (ABN 36 517 810 113) trading as Morgan Wilson Planning Consultant

There are no conflicts of interest identified or declared in relation to the contents of this report.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

On 31 May 2021, Council entered into a contract with Morgan Wilson Planning Consultant (Supplier), for the provision of Professional Advisory and Project Coordination Services for the Local Government Infrastructure Planning (LGIP 2024) Preparation.

The Supplier is engaged on an 'as required' basis under a schedule of hourly rates (at an average of 8-16 hours per week), to coordinate and provide advice on LGIP 2024, planning scheme processes and compliance under the *Planning Act 2016* and Ministers Guidelines and Rules.

At the time of entering into the contractual arrangement it was forecast the engagement would be required for a 12-month period at an estimated cost of \$100,000 (ex GST). The contractual arrangement was extended in June 2022 until December 2023 to allow for the continuation of the services for the duration of the LGIP 2024 project at a cost of up to \$200,000 (ex GST). It is now forecast that services will be required until 29 February 2024, with an optional extension period of 12 months, in the event further consultation is required during the implementation stage. Costs are now estimated to be in the range of \$300,000 to \$400,000 (ex GST) for the entire term, inclusive of the extension period.

The Supplier was engaged following a competitive request for quote process in accordance with section 225 of the *Local Government Regulation* (Regulation), which allows Council to enter into a medium sized contractual arrangement with a value between \$15,000 to \$200,000 (ex GST).

The forecast contract spend will now exceed \$200,000 (ex GST) and surpasses the legislative threshold from a medium sized contractual arrangement to a large sized contractual arrangement. Pursuant to the Regulation a large sized contractual arrangement exceeding \$200,000 requires Council to invite written tenders, unless a valid exception applies.

It is recommended that Council exercise an exception and resolve to continue the contractual arrangement with Morgan Wilson Planning Consultant, for the duration of the LGIP 2024 project at revised estimated cost between \$300,000 to \$400,000 (ex GST), without inviting written tenders. This recommendation is made due to the specialised nature of the services provided by the Supplier making it impractical for Council to now invite written tenders for these services.

Pursuant with Chapter 5 of the Ministers Guidelines and Rules, Council must engage an Appointed Reviewer for various stages/compliance checks of LGIP 2024. The Appointed Reviewer must hold specified qualifications and be appointed to the 'Panel of approved LGIP reviewers' as selected by the Department of State Development, Infrastructure, Local Government and Planning. There are only 11 approved Appointed Reviewers on the state panel.

Morgan Wilson Planning Consultant is engaged as the LGIP 2024 Project Coordinator and the Ipswich City Council Appointed Reviewer. The project is at a critical milestone with Stage 1 (LGIP Preparation) and Stage 2 (First compliance check by the Appointed Reviewer) expected to be completed and finalised with Council endorsement of the proposed LGIP 2024 in March 2023.

Stage 3 (State review), Stage 4 (Public consultation), Stage 5 (Second compliance check by the Appointed Reviewer), Stage 6 (Ministers consideration) and Stage 7 (Adoption and Go live), are still to be completed. The Suppliers' specialist expertise and exhaustive knowledge of the LGIP 2024 project will be critical to the completion of the remaining stages of work, particularly Stage 5, the legislative second compliance check.

It is anticipated Stage 7 will commence in early August 2023, with reporting to Council in December 2023 and implementation in early 2024. To consider a new Supplier commencing at this late stage of the project is a high risk, especially given the extensive involvement the Supplier has had in the work undertaken to date.

This recommendation extends the contract to 29 February 2024 and includes an optional extension period of 12 months in the event of any delays; and to provide assistance throughout the implementation period

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:

Local Government Act 2009

Local Government Regulation 2012

Planning Act 2016

Planning Regulation 2017

POLICY IMPLICATIONS

This report and the recommendation continued within is consistent with the Procurement Policy and Procedure.

The following plans and strategies were considered and informed the preparation of the LGIP 2024:

- Active Ipswich Strategy – to inform the parks network and transport network preparation
- Arts and Cultural Strategy – to inform the land for community facilities network preparation
- Community Development Strategy – to inform the land for community facilities network preparation
- iGO City of Ipswich Transport Plan – to inform the transport network preparation
- Nature Conservation Strategy – to inform the parks network preparation
- Open Space and Recreation Strategy – to inform the parks network preparation

The LGIP 2024 was also informed and prepared in parallel with the Ipswich Plan 2024. It is noted that a number of these informing plans and strategies are currently under review and will also likely be informed by the work undertaken for the LGIP 2024.

RISK MANAGEMENT IMPLICATIONS

The risk of not approving the recommendation is LGIP 2024 is delayed whilst a tender process is undertaken, potentially compromising the delivery of the LGIP 2024 project and the Ipswich Plan 2024. There is also a risk of delay in the provision of the State review decision to proceed to public consultation.

FINANCIAL/RESOURCE IMPLICATIONS

As at 10 February 2023 the contract cost is \$175,440.00 (ex GST). The estimated cost of the total contract engagement with Morgan Wilson Planning Consultant is expected to be between \$300,000.00 to \$400,000.00 (ex GST).

There are finance and resource implications associated with preparation of the LGIP 2024. A project plan is in place, and budget has been considered in the 2022 / 2023 budget.

COMMUNITY AND OTHER CONSULTATION

There has been no community consultation in the preparation of this report.

Morgan Wilson Planning Consultant is an Approved Reviewer in accordance with the Department of State Development, Infrastructure, Local Government and Planning Ministers Guidelines and Rules.

Significant consultation has taken place as part of LGIP 2024 with the relevant state agencies responsible for infrastructure or property, and Urban Utilities as the distributor-retailer responsible for providing water and wastewater services for Ipswich.

CONCLUSION

It is recommended that Council resolve to continue the contractual arrangement with Morgan Wilson Planning Consultant, for the duration of LGIP 2024 at revised estimated cost between \$300,000 to \$400,000 (ex GST), without inviting written tenders. It is recommended this decision is made as it is impractical to invite written tenders due to the specialist nature of the works performed to date, the Suppliers intricate knowledge of the project and the Suppliers position as an approved Appointed Reviewer.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The decision is to continue the contractual arrangement, with Morgan Wilson Planning Consultant for the duration of the LGIP without inviting tenders, as the specialist nature of the works

	being delivered makes it impractical for Council to invite written tenders.
(b) What human rights are affected?	The decision relates to a business decision and human rights are not impacted by the loss of a business opportunity.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

Shyanne Ward
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Juliana Jarvis
GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Brett Davey
MANAGER, CITY DESIGN

I concur with the recommendations contained in this report.

Alisha Connaughton
MANAGER, COMPLIANCE

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Doc ID No: A8664372

ITEM: 6

SUBJECT: PROCUREMENT: FORBURY COMMERCIAL MODELLING SOFTWARE FOR
NICHOLAS STREET PRECINCT

AUTHOR: CONTRACTS OFFICER ICT

DATE: 13 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to continue contract 16657 with the existing supplier Forbury Property Valuation Solutions (AUS) Pty Ltd (Forbury) for the seamless continuity of the commercial modelling capability that is critical to the management and strategy of the Nicholas Street Precinct. The contract is for the Software as a Service (SaaS) subscription to the Forbury commercial modelling software product suite.

A Council resolution that the exception under section 235(a) of the *Local Government Regulation 2012* applies as the models developed for Council are not transferrable to any other third-party software, which means that the incumbent software supplier is the only supplier who is reasonably available to continue providing the software necessary for access to the modelling.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the ongoing provision of the commercial modelling software in use for the Nicholas Street Precinct.**
- B. That the contractual arrangement 16657 with Forbury Property Valuation Solutions (AUS) Pty Ltd (Supplier) for the annual subscription of the commercial modelling software used for the Nicholas Street Precinct be continued as required for up to a further five (5) years at an approximate value of \$47,000.00 + GST over the entire term of the contract if the subscription is continued for all five (5) additional years.**

RELATED PARTIES

Forbury Property Valuation Solutions (AUS) Pty Ltd

Ipswich City Council

There was no declaration of conflicts of interest

IFUTURE THEME

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PURPOSE OF REPORT/BACKGROUND

For the purposes of briefing Council in session about the forecasted Nicholas Street precinct commercial returns and day-to-day operational commercial modelling and decision-making, a solution was required to produce more informed and readily digestible comprehensive financial information modelling.

In consultation with Council, Queensland Treasury Corporation (QTC) has done extensive work developing a set of asset sale models to assist in identifying divestment options/timing for a number of Nicholas Street retail and civic assets. The models developed for Council were developed for use on the Forbury software products and are not transferrable to any other third-party software.

Founded in 2003, Forbury Property Valuation Solutions (AUS) Pty Ltd (Forbury) is a developer of software-based commercial real estate investment tools, headquartered in New Zealand with a registered office located in New South Wales. The software solution provided by Forbury is a real estate modelling software commonly used in the industry in Australia.

In 2021, Council entered into a negotiated contractual arrangement with Forbury for a SaaS subscription to their commercial modelling software, renewed annually, commencing 9 June 2021. The initial subscription was for a cost of \$5,750.00 + GST for a year. Council has subsequently continued the subscription with Forbury and will require a continuation of the subscription for up to the next five (5) years. As continuing the subscription in the 2023-2024 year will cause the total value of the contractual arrangement to exceed \$15,000.00 + GST, a resolution under s235(a) of the Regulation is sought in order to continue the arrangement without first inviting written quotes or tenders.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012

POLICY IMPLICATIONS

The matter of this report is consistent with the Procurement Policy. No other policies have been identified that would be impacted.

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendation within this report is not approved is that Council will not be able to continue receiving the provision of the commercial modelling software that is required to make use of the set of asset sale models developed for Council by QTC.

The Forbury commercial modelling software used for the Nicholas Street Precinct has not been identified as being addressed by Council’s iVolve Project.

Accordingly, the risk of investing in this software at this time is low and can be addressed (if required) by a yearly review as the iVolve Project progresses.

Further, it would be costly and disadvantageous to Council to tender for a different modelling software product as all models in use would require total re-development for any new system.

Application	iVolve Scope Alignment	iVolve Impact Rating	Impact Treatment
Forbury Commercial Modelling Software	Low – not likely to be part of core systems	Low	Not identified as being in the Core system, or in the initial 5-year roadmap

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications, as the subscription under contract with Forbury is budgeted as an operational expense by the Nicholas Street Precinct Branch.

The total value of the contractual arrangement will increase to approximately \$47,000.00 excluding GST over the entire term of the contract if the subscription is continued for all five (5) additional years. There are no additional financial implications.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the Nicholas Street Precinct Branch and the ICT Branch who support the recommendations of this report. This report does not require community consultation.

CONCLUSION

In order for Council to receive seamless continued commercial modelling capability that is critical to the management and strategy of the Nicholas Street Precinct, it is recommended that Council provide the requested approval to continue the current contractual arrangement with Forbury up to a further five (5) years.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that Council continue the existing contractual arrangement with Forbury for up to five (5) further years for the continued provision of the commercial modelling software used for the Nicholas Street Precinct.

(b) What human rights are affected?	No human rights are affected by this decision as the contracts will be with a Company. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable.
(e) Conclusion	The decision is consistent with human rights.

Amanda Cowen
CONTRACTS OFFICER ICT

I concur with the recommendations contained in this report.

Juliana Jarvis
GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Greg Thomas
PRECINCT MANAGER

I concur with the recommendations contained in this report.

Graeme Martin
ACTING GENERAL MANAGER, INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A8684285

ITEM: 7

SUBJECT: PROCUREMENT - 20144 BRIDGE REPLACEMENT WORKS - HIDDENVALE RD,
CALVERT

AUTHOR: CATEGORY SPECIALIST

DATE: 20 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the recommendation to award Tender 20144 Bridge Replacement Works – Hiddenvale Rd, Calvert and to seek Council’s approval to enter into a contract with the nominated supplier as per confidential Attachment 2 to undertake the bridge replacement works on Hiddenvale Rd, Calvert.

After an open market request for tender process, an evaluation panel has recommended one supplier for the bridge replacement works as set out in Recommendation B below. The recommendation provides Council with a company located in an adjacent local government area. The recommendation has been determined by the evaluation panel to offer Council the best value for money.

If Council is satisfied with the nominated supplier, the name of the supplier will be included in the Council’s resolution at Recommendation B.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 20144 Bridge Replacement Works – Hiddenvale Road, Calvert.**
- B. That Council enter into a contractual arrangement with the Supplier for the lump sum amount of three million five hundred and seventy-three thousand five hundred and fifty-five dollars and nine cents (\$3,573,555.09) excluding GST and the contingency amount as listed in confidential Attachment 2.**
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.**

RELATED PARTIES

There was no declaration of conflict of interest.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

The purpose is to seek approval of the recommendation listed in this report. Council released Tender 20144 Bridge Replacement Works – Hiddenvale Rd, Calvert to the open market via Vendor Panel (VP340775) on Friday 23 December 2022 with a closing date of Friday 10 February 2023. On closing of the request for tender, four (4) conforming tenders were received.

The scope of works consists of:

- Construct two span double lane bridge;
- Construct crossroad culverts and headwalls with scour protection;
- Construct new road formation and approaches;
- Install guardrail in accordance with Department of Transport and Main Roads standard drawings;
- Existing trees to be removed to accommodate the proposed bridge structure, subject to relevant environmental approvals;
- Remove and reinstate existing new signage;
- Transition pavement to match neatly to existing formation;
- Existing timber bridge and approaches to be demolished.

Tenders were assessed by an evaluation scoring panel against an agreed set of evaluation criteria and weightings, taking into consideration the effectiveness of each tender submission and the level of detail provided.

It was determined by the evaluation scoring panel the supplier listed in Recommendation B of the attached confidential report possesses the capabilities and capacity to meet Council's requirements for the bridge replacement works at Hiddenvale Rd, Calvert. The supplier provided good examples of their previous bridge replacement works demonstrating a high level of experience with this type of work. They also demonstrated they have a good understanding of the requirements of the specification. The evaluation scoring members are confident they have the necessary expertise to meet the requirements of the contract, best value for money and recommends them for the award of the contract.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Regulation 2012

POLICY IMPLICATIONS

The matter of this report is consistent with the Procurement Policy. No other policies have been identified that would be impacted.

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendation within this report is not approved is that Council’s ability to complete the project would be compromised and further investment would be required to retender for services not currently within Council’s delivery capability.

FINANCIAL/RESOURCE IMPLICATIONS

The cost estimate and spend analysis is outlined in Attachment 2.

COMMUNITY AND OTHER CONSULTATION

The Infrastructure and Environment Department as the relevant contract owner have been consulted and agree with the proposal in this report and have endorsed Attachment 2.

CONCLUSION

It was determined by the evaluation panel the recommended supplier, as per Attachment 2, possesses the capability and capacity to meet Council’s requirement for the bridge replacement works at Hiddenvale Rd, Calvert.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The report recommends Council to enter into a contract with the supplier listed in Attachment 2 for Bridge Replacement Works – Hiddenvale Rd, Calvert.
(b) What human rights are affected?	No Human rights are affected by this decision. This is because the tenders are all companies. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Location Map  
	CONFIDENTIAL
2.	Recommendation to Award

Gavin Wright
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Pedro Baraza
CONSTRUCTION MANAGER

I concur with the recommendations contained in this report.

Graeme Martin
ACTING GENERAL MANAGER, INFRASTRUCTURE AND ENVIRONMENT

I concur with the recommendations contained in this report.

Sonia Cooper
CHIEF EXECUTIVE OFFICER

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Doc ID No: A8684947

ITEM: 8
SUBJECT: PROCUREMENT - EOI - BRASSALL BIKEWAY STAGE 6B
AUTHOR: CATEGORY SPECIALIST
DATE: 21 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the final design piece in completing the Bikeway, known as Stage 6B, design options for a commuter bikeway connection from the existing Brassall Bikeway to the Bradfield Bridge.

Council is seeking to invite Expressions of Interest to identify suppliers who can demonstrate their capability to undertake a contract of this nature and invite applicants to participate in a tendering process, leading to the formation and award of a design contract only. The construction contract will be a separate process.

RECOMMENDATION

- A. That pursuant to Section 228(3)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that it would be in the public interest to invite expressions of interest before inviting written tenders for the provision of Design Consultancy Services.**
- B. That pursuant to Section 228(3)(b) of the Regulation, Council's reasons for making such resolution are that:**
- (i) it will allow Council to canvas the market for information and generate interest from the market to capture a larger pool of suppliers, gauge interest and availability to tender for the contract by inviting Expressions of Interest;**
 - (ii) elicit information from suppliers that demonstrates their capability to undertake a contract of this nature and provide their initial thoughts on how the commuter bikeway connection could be developed;**
 - (iii) to shortlist and recommend applicants to participate in a tendering process, seeking more detailed information around their capacity to undertake a contract of this nature and a fee for the delivery of the defined scope of service.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Natural and Sustainable

PURPOSE OF REPORT/BACKGROUND

Council seeks to secure a Supplier to undertake the design of the commuter bikeway connection from the existing Brassall Bikeway to the Bradfield Bridge. The proposed EOI will request similar projects in consideration of the following:

- a) An elevated ramp extending from the east end of the existing bikeway path, adjacent to the David Trumpy Road Bridge rising to the west to connect onto the Bradfield Bridge
- b) Lift tower located behind the existing pre-cast concrete retaining structure connecting the existing bikeway path to the Bradfield Bridge.
- c) Lift tower located between the heritage bridge abutments and the Bradfield Bridge connected to the existing bikeway path via a ramped tunnel under the shopping centre driveway and the shopping centre forecourt adjacent to the Bradfield Bridge.
- d) Lift tower located between the heritage bridge abutments and the Bradfield Bridge connected to the existing bikeway path via a slab-on-ground ramp up to the shopping centre basement carpark level and the shopping centre forecourt adjacent to the Bradfield Bridge.

The location, orientation, and design of any proposed structure is to ensure any anticipated compromise to the riverbank integrity is mitigated through development of suitable supporting infrastructure to maintain the riverbank stability during flood or inundation events.

The engagement of a capable experienced Supplier will provide Council with informed advice and the most suitable design option to proceed with

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012

POLICY IMPLICATIONS

The matter of this report is consistent with the Procurement Policy. No other policies have been identified that would be impacted.

RISK MANAGEMENT IMPLICATIONS

Risk Management Implications are outlined in confidential attachment 1.

FINANCIAL/RESOURCE IMPLICATIONS

Risk Management Implications are outlined in confidential attachment 1.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the Technical Services Coordination Branch who support the recommendations of this report.

CONCLUSION

In conclusion, due to the specialised nature of the services being sought, it would be impractical and disadvantageous to invite tenders for the provision of Design Consultancy Services. Council seeks approval to seek expressions of interest based on the recommendations and information contained within this report.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The recommendation seeks approval to seek out expressions of interest.
(b) What human rights are affected?	No human rights are affected by this decision.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL EOI STEP Brassall Bikeway 6b
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Carlo Sorbello
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Wayne Bichel
BUILDING CONSTRUCTION AND MAINTENANCE CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Raees Rasool
ACTING MANAGER, CAPITAL PROGRAM DELIVERY

I concur with the recommendations contained in this report.

Graeme Martin
ACTING GENERAL MANAGER, INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A8172453

ITEM: 9

SUBJECT: PROCUREMENT - WHAT BIN DAY APP SUBSCRIPTION FOR IPSWICH CITY COUNCIL AND SOMERSET REGIONAL COUNCIL

AUTHOR: PROCUREMENT OFFICER (OPERATIONAL)

DATE: 23 JANUARY 2023

EXECUTIVE SUMMARY

This is a report seeking Council Resolution by Ipswich City Council (ICC) to undertake a direct engagement with Socket Software Pty Ltd (Socket Software). It is proposed, to enter into a new contract with Socket Software combining the two current contracts for ICC and Somerset Regional Council's (SRC) "What Bin Day" Mobile App Licences for a further six (6) years (3+3) as Council have a contract with Somerset Regional Council to provide this service on their behalf for a total of seven (7) years. The What Bin Day App is an App that can be downloaded on mobile phones to allow Ipswich and Somerset residents to identify which bin goes out on what day for collection. The ICC contract has been in place for some years and last year Council took on the management of Somerset Regional Council's requirements for this application. The current contracts expire on 02 June 2023. The total contract value for the six (6) year term based on a 3+3 arrangement, is approximately \$82,890.00 ex GST.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes OR tenders for the provision of What Bin Day Mobile App Licences.**
- B. That Council enter into a contractual arrangement (Council file reference number 19849) with Socket Software Pty Ltd, at an approximate purchase price of \$83,000.00 excluding GST over the entire term, being an initial term of three (3) years, with options for extension at the discretion of Council (as purchaser), of an additional one (1) x three (3) year term.**
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action*" pursuant to section 238 of the Regulation, in order to implement Council's decision.**

RELATED PARTIES

Ipswich City Council

Somerset Regional Council

Socket Software Pty Ltd

There was no declaration of conflicts of interest

IFUTURE THEME

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PURPOSE OF REPORT/BACKGROUND

Purpose:

The purpose of this report is to make the recommendation to continue with the What Bin Day Mobile App Licence agreement, currently supplied by Socket Software Pty Ltd to ensure that Ipswich City Council can meet the contractual obligation with Somerset Regional Council and that the residents of both Ipswich City Council and Somerset Regional Council can retain this service.

Background:

ICC launched the What Bin Day App with a media release in April 2015, encouraging Ipswich residents to sign up for the App, which would provide up-to-date technology to remind residents when to put their bins out for collection. The App can also provide for once-off custom events like Household Hazardous Waste Drop-off Day by broadcasting these events to those residents who have downloaded the App. The App also has the capacity to advise residents of service disruptions and emergency events, and for Council to list the appropriate bin for a particular waste item and provide recycling instructions.

ICC was a founding member with Socket Software, who are the sole supplier of the What Bin Day Mobile App from its inception, to the current day and as a result receive an annual founding member discount on the subscription of approx. \$1900 ex GST.

In 2021 SRC entered into a seven (7) year contract with ICC to manage this service on behalf of SRC to include the residents of SRC. As part of ICC's contract with SRC, SRC pay a marketing and education allowance per annum, part of which is allocated to manage and deliver this product.

The term recommended in this report allows ICC to lock in the pricing for the first three (3) year term, billed on an annual basis for both ICC and SRC. The optional three (3) year extension ensures we can provide the service for the remainder of the Somerset Contract with ICC and again to fix pricing for a further three (3) years.

ICC would also like to include a contingency allowance of approximately 20% of the total value over the six years to cover any upgrades and additional features that become available

across the term of the contract. This contingency allowance equates to approx. \$13,800.00 ex GST over the full term of the contract.

The total contract value for the six (6) year term based on a 3+3 arrangement, is approximately \$82,890.00 ex GST. This figure includes the contingency allowance.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012

RISK MANAGEMENT IMPLICATIONS

The continuation of this service provided by Socket Software is imperative to meet the contractual obligation made to Somerset Regional Council and allows Ipswich City Council to retain a founding member discount on annual renewals.

The risk of not approving the recommendation would see Council in breach of contract with Somerset Regional Council as we are committed to a seven (7) year contract.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	That Council enter into a contract with Socket Software Pty Ltd, contract number 19849, for a period of three (3) years, with a further three (3) year extension option for the provision of the What Bin Day Mobile App Licence.
(b) What human rights are affected?	No human rights are affected as it is a company.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

There are no resourcing or budgeting implications. The operational costs associated with the proposed Contract have been allocated within the Environment and Sustainability Branch, Infrastructure and Environment Departments operational budget.

As part of ICC's contract with SRC, they pay a marketing and education allowance per annum, part of which is allocated to manage and deliver this product."

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the Environment and Sustainability Branch who support the recommendations of this report.

CONCLUSION

In order for this service to continue, it is recommended Council resolve to enter into a contract with Socket Software Pty Ltd for an initial term of three (3) years, with a further one (1) by three (3) year extension option for cover until 2029.

Nicky Weldon

PROCUREMENT OFFICER (OPERATIONAL)

I concur with the recommendations contained in this report.

Jacquie Whitham

ICT CATEGORY MANAGER

I concur with the recommendations contained in this report.

Richard White

MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Kaye Cavanagh

MANAGER, ENVIRONMENT AND SUSTAINABILITY

I concur with the recommendations contained in this report.

Graeme Martin

ACTING GENERAL MANAGER, INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A8677692

ITEM: 10

SUBJECT: AMENDMENT TO COMMITTEE REPORTS DATED 13 OCTOBER 2022 AND 10 NOVEMBER 2022 REGARDING FLOOD RESILIENT HOMES FUND - VOLUNTARY HOME BUY BACK PROPOSED PROPERTY AQUISITION

AUTHOR: PROGRAM MANAGER (FLOOD RESILIENT HOMES)

DATE: 17 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning an amendment to the proposed acquisition of two (2) properties, as detailed in the Confidential Attachments 1 and 2 by Ipswich City Council, as part of the voluntary home buyback program.

This initiative gets its funding from the jointly funded Commonwealth and Queensland Governments Resilient Homes Fund under the Disaster Recovery Funding Arrangements.

RECOMMENDATION/S

- A. **That Council resolve to amend a property description in its previous decision (Item No. 7 of the Governance and Transparency Committee No. 2022 (10) adopted as recommendation A, at the Council Ordinary meeting of 24 November 2022) as highlighted in Confidential Attachment 1 for the purpose of the voluntary home buy-back program.**
- B. **That Council resolve to amend a property description in its previous decision (Item No. 8 of the Governance and Transparency Committee No. 2022 (09) adopted as recommendation A, at the Council Ordinary meeting of 27 October 2022) as highlighted in Confidential Attachment 2 for the purpose of the voluntary home buy-back program.**
- C. **That Council resolve to authorise the Chief Executive Officer to take the necessary action in order to implement Council's decision, including but not limited to making, amending and discharging the contractual arrangement/s.**
- D. **That Council be kept informed as to the progress and outcome of the purchases.**

RELATED PARTIES

There is no declaration of conflicts of interest.

IFUTURE THEME

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Safe, Inclusive and Creative

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

Through funding available from the Commonwealth and Queensland Governments' Resilient Homes Fund, Council has resolved to purchase properties identified by the Queensland Reconstruction Authority under the Resilient Homes Fund.

The two properties that are required for this amendment have been incorrectly recorded and this amendment does not affect the original Tranches identified by the Queensland Reconstruction Authority.

Two (2) properties form part of this amendment:

- One from Tranche 3 as highlighted in Confidential Attachment 1 has been incorrectly recorded and this amendment does not affect the original Tranches identified by the Queensland Reconstruction Authority; and
- The other location, as part of Tranche 2 as highlighted in Confidential Attachment 2 has been identified due to planning constraints and two parcels of land being rated together (one parcel already forms part of the Tranche 2 endorsed property list in the confidential attachment). Further due diligence by Council and the Queensland Reconstruction Authority (QRA) considers that the two parcels are recognised as one property. QRA have approved to include the additional lot into the process.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Identified property amendment - Tranche 3
2.	Identified property amendment - Tranche 2
3.	Plan - property amendment recommendation - Tranche 2 & 3

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:

Local Government Act 2009

Local Government Regulation 2012

Land Act 1994

Property Law Act 1974

RISK MANAGEMENT IMPLICATIONS

The risk of not being able to amend the reports and therefore execute the Contract of Sale on the properties that have accepted the written offer made by the QRA could mean delays in formalising the Contract of Sale and completing the purchase, which could result in public scrutiny of Council’s participation in the program.

Delays could also have an impact on the owners of the properties, as they may have made alternative living arrangements that depend upon the completion of the conveyance for their property. There may be additional financial and social impacts on the property owner/s, including a risk that the property owner/s are no longer eligible for the program, if there are delays in Council undertaking its obligations under the program.

FINANCIAL/RESOURCE IMPLICATIONS

Expenses relating to the acquisition of the property are included in funding available through the Resilient Home Program, which is jointly funded by the Commonwealth and Queensland Governments under the Disaster Recovery Funding arrangements.

Conveyancing and other associated costs will be recoverable costs through the fund.

Following the completion of the conveyancing transaction, Council is required to secure the property, and arrange for the residence on the property to be demolished, the land cleared and rehabilitation undertaken. This may be the subject of further separate reports to Council as the tranches progress.

COMMUNITY AND OTHER CONSULTATION

The Queensland Reconstruction Authority have contacted the owners of the properties and assessed them as eligible and confirmed they meet the guidelines for voluntary home buy-back.

Relevant officers in Planning, Development, Community Development, Finance, Procurement, Works and Field Services, Corporate Government, Waste, Facilities and Assets, Security Services and Coordination and Performance areas of Council have been included in discussions relating to the program, as recognised subject matter experts.

CONCLUSION

It is recommended that the Council resolve to amend the previous reports and purchase the properties listed in Confidential Attachment 1 and 2 for the purposes of the voluntary home buy-back program.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The acquisition of property by Council is via a voluntary buy - back program funded by the Commonwealth Government/Queensland Government Resilient Homes Fund.

	The decision that is required to be made is whether Council decides to acquire an interest in the properties selected by the Queensland Reconstruction Authority at times throughout the program. In effect, Council is undertaking the conveyancing transaction for properties that have been selected by QRA from those registered for the voluntary buy-back program, using funds provided by the QRA from the Resilient Homes Fund, so Council's discretion is limited.
(b) What human rights are affected?	Any potential affect on human rights is outside the discretion of Council, given that Council is undertaking the conveyancing transaction for properties that have been selected by the QRA from those registered for the voluntary buy-back program. The right to property will not be unreasonably infringed, as the owners of property voluntarily participate in the buy-back program.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

Melanie de Kleyn
PROGRAM MANAGER (FLOOD RESILIENT HOMES)

I concur with the recommendations contained in this report.

Alicia Rieck
ACTING PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Kaye Cavanagh
MANAGER, ENVIRONMENT AND SUSTAINABILITY

I concur with the recommendations contained in this report.

Graeme Martin
ACTING GENERAL MANAGER, INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A8603360

ITEM: 11

SUBJECT: FLOOD RECOVERY RESILIENT HOMES FUND - VOLUNTARY HOME BUY BACK
PROPOSED PROPERTY ACQUISITION

AUTHOR: PROGRAM MANAGER (FLOOD RESILIENT HOMES)

DATE: 20 JANUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the proposed acquisition of various residential properties by Ipswich City Council for the purposes of the voluntary home buy-back program. This initiative gets its funding from the jointly funded Commonwealth and Queensland Governments Resilient Homes Fund under the Disaster Recovery Funding Arrangements.

RECOMMENDATION/S

- A. That Council resolve to purchase the properties listed in Confidential Attachment 1 for the purposes of the voluntary home buy-back program.**
- B. That Council resolve to authorise the Chief Executive Officer to take the necessary action in order to implement Council's decision, including but not limited to making, amending and discharging the contractual arrangement/s.**
- C. That Council be kept informed as to the progress and the outcome of the purchases.**

RELATED PARTIES

There is no declaration of conflicts of interest.

IFUTURE THEME

A Trusted and Leading Organisation

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Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

Through funding available from the Commonwealth and Queensland Governments' Resilient Homes Fund, the State Government has established a program through which funding is available to assist eligible homeowners to seek a voluntary home buy-back of their property

if their property was affected by the south-east Queensland rainfall and flooding event which occurred from 22 February to 5 April 2022, and the May 2022 event. Although the funding is provided from the Resilient Homes Fund, Council is the purchaser of properties under the program.

The State Government have contacted registered owners to confirm their interest in the program through the Queensland Reconstruction Authority (QRA), with the QRA organising independent property valuation reports to enable written offers to be made to registered owner/s of properties on attached list of identified properties.

Valuations have commenced, with the QRA in the process of organising a Letter of Offer to be issued to the registered property owner/s. This list of properties is being referred to as Tranche 4.

Once a written offer from the QRA is accepted by an owner in Tranche 4, Council will be undertaking the conveyancing for the transaction. The REIQ Contract of Sale will be entered into by the registered owner/s of the property and Council.

Due to the nature of the properties within Tranche 4, it is a requirement that all of the properties are acquired together; with settlement of all properties to occur on the same day, if not at the same time. Council will not be able to immediately commence demolition works on the properties but will commence as soon as reasonably practical after settlement has occurred.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:

Local Government Act 2009

Local Government Regulation 2012

Land Act 1994

Property Law Act 1974

RISK MANAGEMENT IMPLICATIONS

The risk of not being able to execute the Contract of Sale on the properties that accept the written offer made by the QRA is that there would be delays in Ipswich City Council formalising the Contract of Sale and completing the purchase, which could result in public scrutiny of Council's participation in the program.

Delays could also have an impact on the participants in the program, as they may have made alternative living arrangements that depend upon the completion of the conveyance for their property. There may be additional financial and social impacts on the property owner/s, including a risk that the property owner/s are no longer eligible for the program, if there are delays in Council undertaking its obligations under the program.

Council has undertaken due diligence investigations into the properties, and some risks have been identified as part of that due diligence investigation. These risks include encumbrances on some properties that will require resolution and removal as part of the conveyancing and

settlement process, and, due to the nature of the properties, an agreement that impacts all of the properties that has restrictions on its termination. Council will need to negotiate and reach agreement with the parties to that agreement and those encumbrances regarding their removal or termination.

FINANCIAL/RESOURCE IMPLICATIONS

Expenses relating to the acquisition of the property are included in funding available through the Resilient Home Program, which is jointly funded by the Commonwealth and Queensland Governments under the Disaster Recovery Funding arrangements.

Conveyancing and other associated costs will be recoverable costs through the fund.

In order to reach agreement with the parties to the encumbrances and agreement identified in the Risk Management section of this report, some expenditure of funds may be required. Council officers will look to manage this in conjunction with the QRA and will look to utilise funding under the Resilient Homes Program where possible.

Following the completion of the conveyancing transaction, Council is required to secure the property, and arrange for the residence on the property to be demolished, the land cleared and rehabilitation undertaken. This may be the subject of further separate reports to Council as the tranches progress.

COMMUNITY AND OTHER CONSULTATION

The Queensland Reconstruction Authority have contacted owners at all properties that meet the required guideline criteria for the Resilient Homes Fund to notify them of the program. Owners registered for inclusion in the program and were able to select from the following categories (more than one category can be selected):

- Voluntary Home Buy Back;
- Resilient Retrofit Program; and
- Home Raising Program.

Once the interest is registered, the State Government assesses those properties which have registered for Voluntary Home Buy Back as an option, to ensure the properties are eligible and meet the guidelines for this option. The State Government have arranged for independent valuations, following with the issuing of formal written offers to the registered owner/s of properties as listed in Confidential Attachment 1 (Tranche 4).

Council has undertaken preliminary enquiries into the properties for the purposes of 'due diligence' for this type of acquisition. Ongoing consultation and advice are sought from Legal Services and Property Services to progress the necessary actions.

Relevant officers in Planning, Development, Community Development, Finance, Procurement, Works and Field Services, Corporate Government, Waste, Facilities and Assets,

Security Services and Coordination and Performance areas of Council have been included in all discussions as recognised subject matter experts.

CONCLUSION

It is recommended that Council resolve to acquire the properties listed in the Confidential Attachment 1 for the purposes of the voluntary home buy-back program (Tranche 4).

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The acquisition of property by Council is via a voluntary buy - back program funded by the Commonwealth Government/Queensland Government Resilient Homes Fund. The decision that is required to be made is whether Council decides to acquire an interest in the properties selected by the Queensland Reconstruction Authority at times throughout the program. In effect, Council is undertaking the conveyancing transaction for properties that have been selected by QRA from those registered for the voluntary buy-back program, using funds provided by the QRA from the Resilient Homes Fund, so Council's discretion is limited.
(b) What human rights are affected?	Any potential affect on human rights is outside the discretion of Council, given that Council is undertaking the conveyancing transaction for properties that have been selected by the QRA from those registered for the voluntary buy-back program. The right to property will not be unreasonably infringed, as the owners of property voluntarily participate in the buy-back program.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Identified Properties - Tranche 4
2.	Overall Plan - Tranche 4

Melanie de Kleyn
PROGRAM MANAGER (FLOOD RESILIENT HOMES)

I concur with the recommendations contained in this report.

Alicia Rieck
ACTING PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Kaye Cavanagh
MANAGER, ENVIRONMENT AND SUSTAINABILITY

I concur with the recommendations contained in this report.

Graeme Martin
ACTING GENERAL MANAGER, INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A8645906

ITEM: 12

SUBJECT: DISPOSAL OF COUNCIL FREEHOLD LAND - BULK DECISION FOR 649 LOTS
IDENTIFIED AS ACCESS RESTRICTION STRIPS WITHIN THE IPSWICH CITY COUNCIL
LOCAL GOVERNMENT AREA

AUTHOR: PROPERTY OFFICER

DATE: 8 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the disposal for road purpose of all Council freehold lots throughout the Ipswich City Council local government area that are identified as Access Restriction Strips, as outlined in the spreadsheet attached to this report.

RECOMMENDATION/S

- A. That Council declare surplus to Council requirements and available for disposal for road purpose, all lots identified as Access Restriction Strips (ARS) within the Ipswich City Council local government area, more particularly described by lot on plan in the spreadsheet in Attachment 1.**
- B. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(i) of the Regulation applies to the disposal of, for road purpose, the ARSs in the spreadsheet in Attachment 1, because the State of Queensland (represented by the Department of Resources) (DoR) is a government agency.**
- C. That Council only effect the disposal of the ARSs in the spreadsheet in Attachment 1, in the event that a development application is made that requires the disposal of an ARS for road purpose or in the event that an application is made to Council requesting an ARS be opened as road.**
- D. That Council note that as disposals occur, lot on plan descriptions for the ARSs can be reconfigured or changed if an ARS is partially disposed of. Recommendations A and B include any reconfiguration or change to the lot on plan descriptions for the ARSs contained in Attachment 1.**
- E. That pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer, the power to take “contractual action” pursuant to section 238 of the Regulation, in order to implement Council’s decision.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

An Access Restriction Strip (**ARS**) is a narrow strip of freehold land owned by Council, designed to prevent adjoining landowners from having dual access to their properties.

Within the Ipswich City Council local government area there are 649 known ARSs, as described in Attachment 1 to this report. These lots may at some time become part of a development application where access to the land to be developed is currently prevented by the ARS, but that access will be required for the development application to be approved.

All development applications are processed under the requirement of the *Planning Act 2016*, and if approved, the survey plan for the proposed development will show the reconfigured lots and dedicate the ARS for public use as road.

In some instances, an application may be made seeking dual access to their land for reasons such as flooding or inaccessible or unformed road entry. On a case by case basis, Council will deal with the ARS independently by either a Survey Plan or Dedication of Road by Notice, depending on whether the application deals with part of or the whole ARS lot. The applicant will be required to pay for all costs associated with that section of ARS to be opened as road.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

Planning Act 2016

POLICY IMPLICATIONS

This report and the recommendations contained within are consistent with the Property Acquisition and Disposal Policy.

RISK MANAGEMENT IMPLICATIONS

There will be no impact to Council if the recommendation to dispose of the ARS's within the Ipswich City Council local government area is not resolved. However, the ARS will prohibit any adjoining landowner from having dual access to facilitate a proposed development or dual use of their freehold land. The requirement for the ARS to be opened as road will then need to be assessed on an individual case-by-case basis, possibly requiring individual reports and resolutions of Council. The bulk decision requested will provide the approval (by

resolution) from Council that is initially required, however, the disposal of individual ARSs will be made on an ‘as needed’ basis.

A Council resolution is required, because under the *Local Government Regulation 2012*, land is considered to be a ‘**valuable non-current asset**’, regardless of its value. The Regulation provides exceptions to (eg) going to tender for disposal, however, stipulates that to use the exception, Council must first **resolve** to do so. A function or power of Council that legislatively stipulates a resolution cannot be delegated.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial impacts to Council as the ARS is of no value and cannot be used for any other purpose other than road. Council proposes to provide Owners Consent on an ‘as-needed’ basis when requested to make any development application properly made, in accordance with the requirements of the *Planning Act 2016*, or when an individual application is made to open an ARS as road.

COMMUNITY AND OTHER CONSULTATION

Community consultation is not required in this instance as the disposal of individual ARSs will be made on an ‘as needed’ basis. Each application received will be further investigated to ensure that the ARS is not required and can be opened as road, prior to the issue of Council’s Owners Consent under the *Planning Act 2016*.

CONCLUSION



It is recommended that Council declare all ARS’s in the Ipswich City Council local government area surplus to Council requirements and available for disposal, with individual disposals considered on an ‘as needed’ basis in accordance with Recommendation C.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A, B, C and D state that Council will resolve that all ARSs within the Ipswich Local Government Area are surplus to Council requirements and available for disposal, with each individual disposal considered on as ‘as needed’ basis.
(b) What human rights are affected?	No human rights are affected by the decision to support any request to open Council owned freehold land being an ARS, as road, under the <i>Land Title Act 1994</i> . Council intends to undertake individual investigations for each application made to determine if it should be opened as road at the time the application is made. The decision by Council to open the ARS as road means that the underlying land tenure will be transferred to the State – the State does not have human rights as it is not an individual; this decision will not affect human rights.

	End of assessment.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Current List of Access Restriction Strips Identified by Lot on Plan  
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Judi Howard
PROPERTY OFFICER

I concur with the recommendations contained in this report.

Alicia Rieck
ACTING PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy
MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER CORPORATE SERVICES

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Doc ID No: A8616650

ITEM: 13

SUBJECT: REPEAL OF PREVIOUS COUNCIL DECISION AND PROPOSED NEW TRUSTEE LEASE OVER 254 BRISBANE ROAD, BUNDAMBA TO IPSWICH KNIGHTS SOCCER CLUB INC.

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 27 JANUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the repeal of a previous decision of the City Management, Finance and Community Engagement Committee, Item No. 17 on the 16 February 2018, and adopted at the Ordinary meeting of 27 February 2018. The decision concerned an extension of a trustee lease to Ipswich Knights Soccer Club Inc. (**Knights**) over land located at 254 Brisbane Road, Bundamba, (more properly described as Lot A in Lot 507 on SL6935 on SL230112). The commencement date specified in the decision has since passed and the repeal of Recommendation C of the previous Council decision is required to resolve the updated commencement date.

In return for the extension of this trustee lease, the Knights (together with the West Moreton Darts Association Inc. (**Darts**), who own the land with the Knights as joint tenants) entered into a 10 year lease with Council for a peppercorn rent over part of the freehold land located at 66 Riverview Road, Riverview (**the Riverview land**) and described as part of Lot 8 on RP22349. The purpose of the lease at Riverview for Council is to facilitate the provision of additional sporting infrastructure in the Riverview area.

RECOMMENDATION

- A. That Council repeal its previous decision, contained in recommendation C, Item No. 17 of the City Management, Finance and Community Engagement Committee report, on the 16 February 2018 (attachment A to this report) and adopted at the ordinary council meeting on 27 February 2018.
- B. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council as Trustee for the State of Queensland resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of leasehold interest in land at 254 Brisbane Road, Booval, more particularly described as part of Lot A in Lot 507 on SL6935 on SL230112, because Ipswich Knights Soccer Club Inc. (Trustee Lessee) is a community organisation.
- C. That Council enter into a trustee lease (Council file reference number 5265) with the Trustee Lessee:

- (i) at an annual rent of \$1.00 excluding GST, payable to Council if demanded, and
 - (ii) for an initial term expiring 28 February 2028, with no options for extension.
- D. That pursuant to section 64(1) and 64(2) of the *Land Act 1994*, Ministerial approval has been dispensed with (as per Attachment 4 of this report); and the soccer club purpose of the trustee lease is consistent with the purpose of the trust land.
- E. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Knights have a trustee lease with Council over the fields and clubhouse located at 254 Brisbane Road, Bundamba (**the Bundamba trust land**). Together with Darts, the Knights own the Riverview land. On 27 February 2018 Council resolved to enter into a lease with the Knights and Darts over the Riverview Land for a peppercorn rent, with Council managing and maintaining the Riverview land under the Lease. The decision to enter the lease of the Riverview land was subject to the trustee lease over the Bundamba trust land being extended, and for Council to agree to waive rent under that trustee lease. Council was prepared to agree to these conditions and had resolved to extend the trustee lease over the Bundamba land, with the rent amended to be a peppercorn rental, with the extension due to commence 1 March 2020.

The negotiations between Council and the Knights regarding the trustee lease over the Bundamba land have taken some time due to rectification of the field lights installed in 2018 by the Knights being required, and the subsequent negotiations regarding the ongoing responsibilities relating to those lights. The result of those negotiations is that the Knights are responsible for the rectification and ongoing repair, maintenance, and asset end of life replacement of those field lights.

The proposed new trustee lease terms are as follows;

Lease Terms	Terms Adopted by the 2018 report	New Terms
Term:	8 Years	The length of the remaining term of the lease over, the Riverview land.
Commencement Date:	1 March 2020	1 April 2023
Expiry Date:	29 February 2028	29 February 2028
Commencing Rent:	\$1.00 per annum ex GST (if demanded)	\$1.00 per annum ex GST (if demanded)
Permitted Use:	The provision of soccer club activities	The provision of soccer club activities

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:

Land Act 1994

Land Regulation 2020

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

The proposed trustee lease to the Knights is consistent with the purpose of the trust land, the obligations of the *Land Regulation 2020* and Council's approved Tenure over Property Policy.

RISK MANAGEMENT IMPLICATIONS

If Recommendation C of the existing Council decision is not repealed, and the recommendations above are not adopted, Council will breach the existing adopted recommendations and may jeopardise the freehold lease in Council's favour over the Riverview land.

FINANCIAL/RESOURCE IMPLICATIONS

The Knights will be responsible for cleaning, general repairs and maintenance and general pest control under the trustee lease over the Bundamba land. The Knights installed new field lights in 2018 and consequently will be responsible for the rectification, repairs and maintenance, and end of life replacement for the field lights.

COMMUNITY AND OTHER CONSULTATION

The Knights have agreed to the proposed new terms including the responsibility for the field lights.

Works and Field Services and Asset Services requested that the parties determine the responsibilities for the field lights prior to entering a new trustee lease.

Community and Cultural Services were consulted and support the proposal in this report.







CONCLUSION



It is recommended that Council repeal part (recommendation C, of attachment A) of the existing Council decision and proceed to enter a new trustee lease over 254 Brisbane Road, Bundamba for a term expiring 29 February 2028, being the expiry date of the freehold lease over the Riverview land.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	For Council to enter into a trustee lease with the Ipswich Knights Soccer Club Inc. (the "Lessee") for a term of approximately 5 years expiring 29 February 2028
(b) What human rights are affected?	Recognition and equality before the law (section 15) Protection from torture and cruel, inhumane or degrading treatment Freedom of movement (section 19) Freedom of expression (section 21) Peaceful assembly and freedom of association (section 22) Privacy and reputation (section 25)
(c) How are the human rights limited?	The proposed decision to enter into the lease will potentially interfere to restrict with the rights identified above because the lessee will have the power to eject persons in particular circumstances
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Yes. Ejecting a person in particular circumstances is a reasonable approach to ensure health and safety. Less restrictive means would be warnings, etc, but it is anticipated that these would be utilised prior to any ejection
(e) Conclusion	The decision is consistent with human rights

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Committee Report - CMFCE - February 2018 ↓ 
1.1	Locational Plan - 254 Brisbane Road Bundamba ↓ 
1.2	Locational Plan - 66 Riverview Road Riverview ↓ 
1.3	Council Resolution ↓ 
2.	Council Adopted Reports - February 2018 ↓ 
3.	Survey Plan - Lease Area ↓ 

4. | Written Authority No.1 (2020) Section 64 of the Land Act 1994  

Kerry Perrett
SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Alicia Rieck
ACTING PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy
MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER CORPORATE SERVICES

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Doc ID No: A8637034

ITEM: 14

SUBJECT: REPEAL OF PREVIOUS COUNCIL DECISION AND PROPOSED NEW
TELECOMMUNICATIONS LEASE TO TPG TELECOM LIMITED OVER 90-120 JONES
ROAD, BELLBIRD PARK

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 6 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report requesting the repeal of a previous decision of the City Management, Finance and Community Engagement Committee, Item No. 23 on 23 January 2018 and adopted at the Council Ordinary meeting of 30 January 2018 concerning the new lease to Vodafone Network Pty Limited over 90-120 Jones Road, Bellbird Park and that Council now enter a new lease to TPG Telecom Limited.

RECOMMENDATION

- A. That the previous decision of Council, as per Item No. 23 of the City Management, Finance and Community Engagement Committee No. 2018(01) on 23 January 2018 and adopted at the Council Ordinary meeting of 30 January 2018), be repealed.**
- B. That pursuant to section 236(2) of the Local Government Regulation 2012 (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 90-120 Jones Road, Bellbird Park, more particularly described as part of Lot 86 and Plan RP115331, for telecommunications purposes because, TPG Telecom Limited is a telecommunications provider, the lease is conditional upon the construction of an all-weather sealed access from Jones Road to the telecommunications facility.**
- C. That Council enter into a lease (Council reference number 2235) with TPG Telecom Limited (Lessee):**
 - (i) at a commencing annual rent of \$19,000 excluding GST, payable to Council; and**
 - (ii) for a term of ten (10) years, with no options for extension.**

RELATED PARTIES

There were no declarations of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Since the previous Council decision to enter the Lease with Vodafone Network Pty Limited (**Vodafone**) over 90-120 Jones Road, Bellbird Park ("**the site**"), Vodafone Hutchison Australia Pty Limited have since merged with TPG Telecom Limited (**TPG**). Because of this merger, Vodafone have changed their company name to TPG Telecom Limited and Vodafone Network Pty Limited as a wholly owned indirect subsidiary which subsequently requires a new Council decision. TPG have formed one unifying brand for enterprise, government, and business.

Vodafone Network Pty Ltd is a wholly owned indirect Subsidiary of Vodafone Hutchison Australia Pty Limited. Vodafone Hutchison Australia has merged with TPG. As part of the merger, the company name has changed to TPG Telecom Limited. Any existing Vodafone lease/licence agreements are being assigned to TPG Telecom Limited. All new lease/licences are to be entered into in the name of TPG Telecom Limited.

Vodafone approached Council to lease land for the construction of a new communications facility on freehold land located at 90-120 Jones Road, Bellbird Park. This lease proposal for the site was put to Council and adopted at the Council Ordinary meeting of 30 January 2018 on the below adopted terms:

Lease Terms	Adopted Terms	New Terms
Term:	4 x 5 Years	10 Years
Commencement Date:	1 November 2018	1 May 2023
Expiry Date:	31 October 2038	30 April 2033
Commencing Rent:	\$19,000 (plus GST) per annum	\$19,000 (plus GST) per annum
Fixed Increase Dates:	3% annual increases	3% annual increases

An updated valuation for telecommunications purposes has been undertaken and provided to Council by its external independent registered valuer.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012
Planning Act 2016

POLICY IMPLICATIONS

The 'Tenure for Telecommunications Infrastructure Policy' implemented in 2019 allows for a maximum term of ten (10) years including options and consecutive leases. It is prudent that the term is changed to a ten (10) year term only in accordance with the existing policy.

RISK MANAGEMENT IMPLICATIONS

The risk of Council not approving the new recommendations to enter a lease with TPG and repeal the existing decision to enter a lease with Vodafone, will mean that TPG do not have written tenure over Council's freehold land, without a Council decision. However, TPG has existing powers as a telecommunications provider to construct the tower and associated equipment and shelters under the carrier's powers and immunities set out in the *Telecommunications Act 1997 (Cth)*.

FINANCIAL/RESOURCE IMPLICATIONS

The carriers are not at liberty to pay landowners rent, however, they do so in good faith. If Council do not resolve to enter a lease with TPG, Council may risk the annual rent and further legal expenses should the carrier take legal action against Council without a fair and reasonable justification for not entering a lease with TPG, specifically because Council have previously resolved to enter a lease over the subject site with a Telecommunications provider.

COMMUNITY AND OTHER CONSULTATION

Council issued Vodafone with the lease agreement after the initial decision to enter the lease and has continued to pursue them for execution of the agreement over the site. CPS Global (contracted by TPG and the former Vodafone) have recently engaged with Council to amend the lessee's name on the proposed leases, hence the request for a new council decision.

CONCLUSION

It is recommended that Council repeal the existing Council decision and proceed to resolve to enter a new lease over 90-120 Jones Road, Bellbird Park, to TPG Telecom Limited for a term of ten (10) years in accordance with the existing Council Tenure for Telecommunications Infrastructure Policy.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A, B and C state that Council repeal the existing Council decision and enter a lease with TPG Telecom Limited for the provision of telecommunications purposes
(b) What human rights are affected?	No human rights are affected by this decision. This is because the lessee is a company (only individuals have human rights). Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable

(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Title Search - Lot 86 RP115331 ↓ 
2.	Change of Name - Vodafone to TPG ↓ 
3.	Property Plan - 90-120 Jones Road, Bellbird Park ↓ 
4.	7932/18 MCU DA Plans Approved ↓ 
5.	Committee Report_Proposed New Leases for Telecommunications Purposes - Vodafone Network Pty Limited ↓ 
6.	Council Resolution_CMFCE Committee No. 2018(01) of 23 January 2018 adopted 30 January 2018 (A5998197) ↓ 

Kerry Perrett
SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Alicia Rieck
ACTING PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy
MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER CORPORATE SERVICES

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Doc ID No: A8631744

ITEM: 15

SUBJECT: SURRENDER AND ACQUISITION OF DRAINAGE EASEMENTS FOR INF02666 OVER 82 AND 84 GLADSTONE ROAD, COALFALLS

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 2 FEBRUARY 2023

EXECUTIVE SUMMARY

This is a report concerning the proposed surrender of existing Easements A and B in Lot 2 on RP23977 located at 84 Gladstone Road, Coalfalls, and Easement C in Lot 1 on RP90834 located at 82 Gladstone Road Coalfalls, for drainage purpose and the acquisition of a new Easement for drainage purpose to align with the design of the kerb and channel project for Gladstone Road in this location.

RECOMMENDATION

- A. That Council declare existing Easement C in Lot 1 RP90834 located at 82 Gladstone Road, Coalfalls, surplus to Council requirements and grant consent to the surrender of Easement C.
- B. That Council declare existing Easements A and B in Lot 2 RP23977 located at 84 Gladstone Road, Coalfalls, surplus to Council requirements and grants its consent to the surrender of Easements A and B.
- C. That pursuant to Section 6(1) of the *Acquisition of Land Act 1967*, Council as “*constructing authority*” proceed to acquire two (2) new easements alignments for drainage purpose (Council file reference number 5307) being:
- Part of Lot 1 RP90834 located at 82 Gladstone Road, Coalfalls; and
- Part of Lot 2 RP23977 located at 84 Gladstone Road, Coalfalls. (New Easements)
- D. That in the first instance, the method of acquiring the New Easements will be by agreement with the affected person/s in accordance with Division 3, *Acquisition of Land Act 1967*; however, where agreement cannot be reached, or operational timeframes intervene, the method of acquiring the subject easement will be in accordance with Division 2, *Acquisition of Land Act 1967*.
- E. That Council be kept informed as to the progress and outcome of the acquisition.

RELATED PARTIES

The registered owners of 82 and 84 Gladstone Road, Coalfalls.

There were no declarations of conflicts of interest.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

As part of the Gladstone Road Kerb and Channel project, Ipswich City Council (**Council**) has identified that existing downstream drainage infrastructure has insufficient capacity to accept inflow from the planned kerb and channel works and associated new stormwater mains. Investigations have identified blockages are present in the now undersized network and the drainage outlet is well short of the riverbank.

Easement A (135m²) and Easement B (107m²) over Part of Lot 2 RP23977 and Easement C (260m²) over Part of Lot 1 RP90834 were created by Council on 29 May 1991 for drainage purpose. The upgrades to the drainage network have since been designed to safely discharge stormwater from Gladstone Road, including proposed upgrade to existing capacity and to discharge in a controlled manner to the Bremer River.

The new drainage infrastructure is designed to minimise impacts over private residences. Therefore, the area in which the drainage infrastructure has been made redundant may be surrendered and two (2) new aligned Easements created, to provide Council legal access rights to the new infrastructure. The proposed Easement over Part of Lot 1 RP90834 is approximately 386 m² and the proposed Easement over Part of Lot 2 RP29377 is approximately 231 m².

The surrender of the three (3) existing Easements (totalling 502m²) will be for nil consideration and the acquisition of the two (2) new Easements (approximating 617m²) will be subject to land valuations for compensation and take into consideration the existing encumbrances on both titles.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:

Acquisition of Land Act 1967
Local Government Act 2009

POLICY IMPLICATIONS

This report and the recommendation contained within is consistent with the Property Acquisition and Disposal Policy.

RISK MANAGEMENT IMPLICATIONS

The risk of not resolving to surrender the existing Easements and acquire the new Easements will result in Council not meeting requirements to facilitate the upgrade of the drainage infrastructure that will be incapable of accepting inflow from the planned kerb and channel works on Gladstone Road.

FINANCIAL/RESOURCE IMPLICATIONS

Expenses relating to the surrender of the existing easements and acquisition of new easements will form part of the budget from the INF02666 Gladstone Road Kerb and Channel project. The expenses include payment of compensation to the property owners, registration of a new survey plan as well as surrender and registration of the easements with Titles Queensland.

Council will seek to acquire the new easements by agreement with the property owners, however, if an agreement cannot be reached and the easements are resumed by Gazettal Notice, expenses relating to Land Court proceedings will also form part of the project budget.

COMMUNITY AND OTHER CONSULTATION

In August 2022, a Program Coordinator and Landscape Architect from the Capital Delivery Branch met with the registered owners of both 82 and 84 Gladstone Road, Coalfalls. The properties are owned by the same party.

Discussions included the proposed works, potential impacts on the vegetation and the requirement around the surrender and acquisition of easements. The property owners expressed their concerns around the size of the new easements and the effect this would have on the saleability of their surplus land. Discussion around the construction boundary and site 'laydown' area are yet to take place.

CONCLUSION

It is recommended that Council proceed with the compulsory acquisition of easements as a "Constructing Authority" under the *Acquisition of Land Act 1967* (ALA) over the following properties:

- Part of Lot 1 RP90834 located at 82 Gladstone Road, Coalfalls QLD 4305 (386 m²)
- Part of Lot 2 RP23977 located at 84 Gladstone Road, Coalfalls QLD 4305 (231 m²)

In the first instance, Council will make all reasonable attempts to negotiate by agreement with the property owners, when Council issue the notice of intention to resume (NIR). Therefore, Council will seek to compulsorily acquire by way of resumption agreement with the property owners. However, if this is unsuccessful, Council will exercise its power as a constructing authority under the *Acquisition of Land Act 1967* and make application to the relevant Minister for the easements to be taken.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Surrender and acquisition of drainage easements over private property either by way of negotiated purchase or compulsory acquisition under the <i>Acquisition of Land Act 1967</i> .
(b) What human rights are affected?	Section 24 - Property Rights
(c) How are the human rights limited?	<p>This right is subject to an internal limitation. Cannot ‘arbitrarily’ be deprived of property.</p> <p>‘Arbitrary’ conduct is conduct that is capricious, unpredictable, or unjust and includes inferences that are unreasonable in the sense of not being proportionate to the legitimate aim that is sought. Council can only compulsorily acquire an easement for the purposes prescribed, and in the manner provided for, under the <i>Acquisition of Land Act 1967</i>. The ALA provides for compensation for easements compulsorily acquired.</p> <p>Council is also only burdening the amount of land necessary to achieve its drainage easement purpose based on professional surveys.</p>
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	While the decision to acquire the easement is interfering with the owner’s right to not be deprived of their property, it is arguably not ‘arbitrary’ interference as it is undertaken in accordance with the regulatory framework of the <i>Acquisition of Land Act 1967</i> and in accordance with the law.
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Title Search - Lot 1 on RP90834 - 82 Gladstone Road, Coalfalls
2.	Title Search - Lot 2 on RP23977 - 84 Gladstone Road, Coalfalls
3.	Registered Survey Plan of existing Easements A, B & C
4.	Proposed Easement Acquisition Plan

Bianca Gaudry
SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Alicia Rieck

ACTING PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy

MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Matt Smith

GENERAL MANAGER CORPORATE SERVICES

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Doc ID No: A8568759

ITEM: 16

SUBJECT: INVOLVE PROGRAM QUARTERLY STATUS REPORT

AUTHOR: PROJECT OFFICER

DATE: 4 JANUARY 2023

EXECUTIVE SUMMARY

Please note that the attached ARMC report was written on 13 January 2023. The information below provides an update from that date. This report is accurate as at 21 February 2023.

iVolve Program - Final Business Case Amber

The Expression of Interest (EOI) seeking solution proposals from suppliers has completed. The EOI has provided invaluable information to be able to shortlist suppliers and provide more accurate solution costs estimates.

The ICT Steering Committee approved an addendum to the existing business case instead of a full business case update. Using the information from the EOI, the addendum will include a roadmap for the iVolve program articulating the sequencing and timings for future iVolve projects, together with an investment update.

Stage 3 of the iVolve program will close following approval of the business case addendum. Stage 4 of the program, which is more delivery focussed has commenced with the Fusion project initiating.

An updated iVolve governance structure is now in place and active. This structure is scalable to be able to handle multiple iVolve projects running in parallel.

iVolve program - Oracle Fusion project Amber

The Oracle software purchase (covering Finance, Procurement and Fleet) will be put to Council for approval on 23 February 2023. The delivery partner to implement the software will be with the CEO for approval following finalisation of the Oracle Licence purchase.

The project team has been engaged to provide feedback on the delivery partner Statement of Work (SoW) which is now signed off.

A new Project Control Group (PCG) has been formed as part of the governance update. This group is a delivery focussed team consisting of impacted Branch Managers and the Corporate Services General Manager.

Specific staff are in the process of being seconded to the project and this process is progressing to plan with good support from the business areas. A project team kick-off will be held on 23 February 2023.

RECOMMENDATION/S

That the report be received and the contents noted.

RELATED PARTIES

- iVolve Stage 3 Project Control Group (PCG) members
- Executive Leadership Team
- Strategic Advisor
- Procurement Branch.

IFUTURE THEME

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PURPOSE OF REPORT/BACKGROUND

This report provides an update to the Governance and Transparency Committee for the iVolve program Stage 3 and Oracle Fusion project. It contains an updated program health check based on the Queensland Audit Office's "Delivering Successful Technology Projects."

This report provides an opportunity for the Committee to ask clarification questions.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009

RISK MANAGEMENT IMPLICATIONS

Refer to Attachment 1 – Audit and Risk Report – 15 Feb 2023

Refer to Attachment 2 – iVolve health check – Feb 2023

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS
RECEIVE AND NOTE REPORT
The Recommendation states that the report be received and the contents noted. The decision to receive and note the report does not limit human rights. Therefore, the decision is compatible with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

As well as the Christmas closedown period, the last quarter consisted predominantly of the multiple procurement activities associated with iVolve, resulting in reduced consultant and contractor costs. The current forecast is predicting an even-budget result at Stage 3 end.

The Stage 4 budget will become active from 1 March 2023. The Stage 3 budget is now in the process of being closed.

Total Project Budget				
Stage	Budget (Stage)	Actuals to Date (Stage)	Estimate to Complete (Stage)	Variance (Stage Budget v ETC Stage)
Stage 1 - Discovery	\$1,500,000	\$1,176,210	\$0	\$323,790
Stage 2 - Preliminary Business Case				
Stage 3 - Final Business Case <i>Figures @ 31/01/2023</i>	\$1,000,000	\$1,101,096	\$150,000	\$-251,096
Stage 4 – Implementation FY22/23 <i>Budget active as @ 01/03/2023</i>	\$4,000,000	\$0	\$2,095,862	\$1,904,138
Stage 4 – Implementation FY23/24 onwards	\$9,500,000	TBC	TBC	TBC
Stage 5 - Solution Adopted	TBC	TBC	TBC	TBC
PROJECT TOTAL	\$16,000,000	\$2,277,306	\$2,245,862	\$11,476,832




COMMUNITY AND OTHER CONSULTATION

Extensive consultation with various stakeholders occurred during this quarter.

CONCLUSION

N/A

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Audit and Risk Report - 15 February 2023 ↓ 
2.	iVolve Health Check - March 2023 ↓ 
3.	Governance and Transparency Committee Report March 2023 Strategic Advisor ↓ 

Sasha Larkin
PROJECT OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER CORPORATE SERVICES

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