



City of Ipswich

IPSWICH CITY COUNCIL

AGENDA

of the

GOVERNANCE AND TRANSPARENCY COMMITTEE

**Held in the Council Chambers, 8th Floor
8th floor – 1 Nicholas Street
IPSWICH QLD 4305**

On Thursday, 10 February 2022
At 10 minutes after the conclusion of the Growth, Infrastructure and Waste
Committee meeting

MEMBERS OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE

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

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

GOVERNANCE AND TRANSPARENCY COMMITTEE AGENDA
*10 minutes after the conclusion of the Growth, Infrastructure and
Waste Committee meeting on **Thursday, 10 February 2022***
in the Council Chambers, 8th Floor, 1 Nicholas Street, Ipswich

Item No.	Item Title	Page No.
	Acknowledgement of Country	
	Declarations of Interest	
	Business Outstanding	
	Confirmation of Minutes	
1	Confirmation of Minutes of the Governance and Transparency Committee No. 2021(11) of 1 December 2021	11
	Officers' Reports	
2	Quarter 2 - Operational Plan 2021-2022 Quarterly Performance	18
3	Revised Indigenous Accord Policy	62
4	**Boundary Anomalies Between Ipswich City Council and Lockyer Valley Regional Council	70
5	**New Lease Over Part of 125A Chubb Street, One Mile to West Moreton Greyhound Owners & Trainers Association Inc.	90
6	**Acquisition of Easement for INF04088 Hayne Street Drainage Project	98
7	**Acquisition of Land for Road Purposes for INF03875 Keanes Road Rosewood Bridge Replacement	103
8	**Procurement: Contract 17692 Organic Waste Management Services	107
9	**Procurement: TCP - 18178 Geographic Information System (GIS) Enterprise Spatial Solution	111
10	Procurement: Intergraph (Hexagon) Spatial Software Maintenance	116
11	**Procurement - Robelle Domain Parklands Facility Lease	121
	Notices of Motion	
	Matters Arising	

** Item includes confidential papers

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 1

10 FEBRUARY 2022

AGENDA

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. 2021(11) OF 1 DECEMBER 2021**

RECOMMENDATION

That the Minutes of the Meeting held on 1 December 2021 be confirmed.

OFFICERS' REPORTS

2. **QUARTER 2 - OPERATIONAL PLAN 2021-2022 QUARTERLY PERFORMANCE**

This is a report concerning an assessment of Ipswich City Council's progress towards implementation of the 2021-2022 Operational Plan with notable achievements that have occurred during quarter two (Q2) (October to December 2021). Departmental representatives have provided the presented Q2 data.

RECOMMENDATION

That the report be received and the contents noted.

3. **REVISED INDIGENOUS ACCORD POLICY**

This is a report seeking Governance and Transparency Committee approval to repeal the existing Indigenous Australian Social Justice Accord Policy and adopt the revised Indigenous Accord Policy, managed by Economic and Community Development Branch within the Community, Cultural and Economic Development Department.

RECOMMENDATION

- A. That the Policy titled, "Indigenous Australian Social Justice Accord Policy (current)" as detailed in Attachment 1 be repealed.
- B. That the Policy titled, "Indigenous Accord Policy (revised)" as detailed in Attachment 2 be adopted.

4. **BOUNDARY ANOMALIES BETWEEN IPSWICH CITY COUNCIL AND LOCKYER VALLEY REGIONAL COUNCIL

This is a report concerning the amendment of local government boundaries in relation to three properties located on the boundary of Ipswich City Council (ICC) and Lockyer Valley Regional Council (LVRC). LVRC are seeking ICC's consent for LVRC to make application to seek a determination for a local government boundary change to the individual properties that have been identified.

RECOMMENDATION

- A. That Council resolve to support an application by Lockyer Valley Regional Council to the Minister for State Development, Infrastructure, Local Government and Planning and to the Local Government Change Commission to have included Lot 84 Unnamed Road, Grandchester (47 Beames Road, Laidley South) more particularly described as Lot 84 on Crown Plan CC389, in its entirety, in the Ipswich City Council boundary and excluded from the Lockyer Valley Regional Council boundary.
- B. That Council resolve to support an application by Lockyer Valley Regional Council to the Minister for Local Government and the Local Government Change Commission to have included 379-449 Coynes Road, Mount Mort and Lot 16 Coynes Road, Mount Mort more particularly described as Lots 14 & 16 on SP200498 respectively, in the Lockyer Valley Regional Council area.
- 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 any action in order to implement Council's decisions.

5. **NEW LEASE OVER PART OF 125A CHUBB STREET, ONE MILE TO WEST MORETON GREYHOUND OWNERS & TRAINERS ASSOCIATION INC.

EXECUTIVE SUMMARY

This is a report concerning the proposed new lease over part of freehold land located at 125A Chubb Street, One Mile, described as part of Lot 69 on SP169626 (**the Land**), between Ipswich City Council (**Council**) and West Moreton Greyhound Owners & Trainers Association Inc. (**WMGOTA**)

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of interest in land at 125A Chubb Street, One Mile, described as part of Lot 69 on SP169626 for greyhound training purposes, because West Moreton Greyhound Owners & Trainers Association Inc. (Lessee) is a community organisation.
- B. That Council enter into a lease (Council file reference 5514) with the Lessee:
- (i) at a yearly rent of \$1.00 excluding GST, payable to Council if demanded, and
 - (ii) for a term of five (5) years, with a five (5) year option for extension.
- 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.

6. ****ACQUISITION OF EASEMENT FOR INF04088 HAYNE STREET DRAINAGE PROJECT**

This is a report concerning the acquisition of an easement for drainage purposes over land owned by the State of Queensland (the “State”) located at 7A Hayne Street, Woodend, described as Lot 10 on RP818248.

RECOMMENDATION

That pursuant to section 362 of the *Land Act 1994*, Council accept the State’s offer to approve an easement over the Hayne Street Reserve (“Reserve”) located at 7A Hayne Street, Woodend, described as Lot 10 on RP818248.

7. ****ACQUISITION OF LAND FOR ROAD PURPOSES FOR INF03875 KEANES ROAD ROSEWOOD BRIDGE REPLACEMENT**

This is a report concerning the acquisition of land for road purposes for the construction of a new bridge across the Bremer River at Keanes Road, Rosewood.

RECOMMENDATION

- A. That Council resolve to purchase or acquire part of land located at 1008-1028 Ipswich-Rosewood Road, Rosewood, described as part of Lot 1 on RP35531 (“the land”) (Council file reference 5523), for road purposes.
- B. That in the first instance the method of acquisition will be as a purchase by agreement with the affected persons pursuant to the *Property Law Act 1974*.

- C. That should Council fail to purchase the land by agreement with the affected persons (as outlined in recommendation B above), Council, as a “*constructing authority*” pursuant to Section 5(1)(b)(i) of the *Acquisition of Land Act 1967*, will proceed to acquire the subject land.
- D. That Council be kept informed as to the progress and outcome of the acquisition.

8. ****PROCUREMENT: CONTRACT 17692 ORGANIC WASTE MANAGEMENT SERVICES**

This is a report concerning the Recommendation to Award to tender #17692 for the provision of Organic Waste Management Services and to seek Council’s approval to enter into a contract with the supplier outlined below:

1. NuGrow Ipswich Pty Ltd (ACN: 124 571 875)

The expenditure for the provision of Organic Waste Management Services is estimated at \$4,459,598.00 (excluding GST) for the total contract period of two (2) years and three (3) months including the options to extend the contract by two (2) x one (1) year periods.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. #17692 for the provision of Organic Waste Management Services to NuGrow Ipswich Pty Ltd (Supplier).
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$4,459,598.00 (excluding GST) over the entire term, being an initial term of two (2) years and three (3) months, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolves 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.

9. ****PROCUREMENT: TCP - 18178 GEOGRAPHIC INFORMATION SYSTEM (GIS) ENTERPRISE SPATIAL SOLUTION**

This is a report seeking a Council resolution regarding the procurement of a Geographic Information System (GIS) Enterprise Spatial Solution (the system), without first inviting written quotes or tenders.

Section 230(1) of the *Local Government Regulation 2012* (Regulation) allows a local government to enter into medium and large contractual agreements, through the preparation and adoption of a Tender Consideration Plan.

A Tender Consideration Plan has been prepared, setting out the background to this matter, the options considered, market and supplier capability analysis, risk analysis and the preferred option recommended to the Council.

Council seeks approval to negotiate directly with the selected vendor on price and service outcome. Confidential information has been included in the Tender Consideration Plan (Attachment 1) regarding the market analysis and alternate options considered, and Council's budgetary considerations. For these reasons, it is recommended that Attachment 1 remain confidential, as it would inform the supplier of the budgetary amount available to Council and would impact on those negotiations and would also disclose confidential information provided by other parties consulted.

This report recommends that Council resolve to adopt the Tender Consideration Plan for the acquisition, implementation, and ongoing licencing, support, maintenance, upgrade and other related ancillary items of the system, and enter into a contract with Esri Australia Pty Ltd (ESRI) for a period consisting of an implementation period, plus an initial term of three (3) years subsequent to Council's acceptance of the implementation delivery, and a further five (5) x one (1) year extension options (Implementation+3+1+1+1+1) for the estimated value as set out in confidential Attachment 1 if all extension options of the proposed contractual arrangement are exercised.

RECOMMENDATION

- A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare Tender Consideration Plan number 18178 for the provision of a Geographic Information System (GIS) Enterprise Spatial Solution (including acquisition, implementation, and ongoing licencing, support, maintenance, upgrade and other related ancillary items).
- B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt Tender Consideration Plan number 18178 that was prepared for the provision of a Geographic Information System (GIS) Enterprise Spatial Solution (including acquisition, implementation, and ongoing licencing, support, maintenance, upgrade and other related ancillary items) as detailed in the report by the Contracts Officer ICT dated 21 January 2022.
- C. That in accordance with the Tender Consideration Plan, Council enter into a contractual arrangement with Esri Australia Pty Ltd for the approximate value as set out in confidential Attachment 1 over the entire term, being a total term consisting of an Implementation period, plus an initial term of three (3) years, with options for extension at the discretion of Council (as purchaser), of an additional five (5) X one (1) year terms.

- D. 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. PROCUREMENT: INTERGRAPH (HEXAGON) SPATIAL SOFTWARE MAINTENANCE

This is a report seeking a resolution by Council to continue the annual software maintenance renewal for the Intergraph Corporation Pty Ltd T/A Hexagon Geospatial APOLLO and IMAGINE products that are operationally utilised as part of Council’s existing spatial services.

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 continuation of support and maintenance for the operationally necessary products required. The proprietary nature of the incumbent supplier’s products means that there is only one supplier who is reasonably available to provide the support and maintenance for the products. Further, due to the pending acquisition and implementation of an enterprise spatial solution by Council, it is more costly and disadvantageous to Council to tender for other software products when delivery of the enterprise spatial project will provide a final solution.

A resolution of Council is sought to approve the continuation of the maintenance renewals for the software products with Intergraph Corporation Pty Ltd T/A Hexagon Geospatial on a yearly or shorter basis as required for up to three (3) years for the period commencing 1 April 2022 and ending 31 March 2025. This is an estimated total cost of approximately sixty-five thousand dollars (\$65,000.00) excluding GST for the full three (3) year period.

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 provision of the support and maintenance of the software products.
- B. That Council enter into a contractual arrangement with Intergraph Corporation Pty Ltd T/A Hexagon Geospatial on a yearly or shorter basis as required for up to the next three (3) years at an approximate purchase price of \$65,000.00 excluding GST over the three (3) year period.

11. **PROCUREMENT - ROBELLE DOMAIN PARKLANDS FACILITY LEASE

This is a report concerning a proposed Expression of Interest (EOI) for the procurement of a suitable commercial or community operator to lease and activate

the facility within the Robelle Domain Parklands at 155 Southern Cross Circuit, Springfield Central more particularly described as Lot 762 of SP221160.

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 disposal of interest in land (lease) at 155 Southern Cross Circuit, Springfield Central more particularly described as part of Lot 762 and Plan SP221160 (Council file reference number 17859).
- 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 to guide the best use of the facility;
 - (ii) it will allow Council to identify operators with serious interest and ability, without putting all parties to the expense of submitting full tender responses at this early stage of the project;
 - (iii) it will save Council the expense of running a request for tender and evaluating it at this early stage of the project.

NOTICES OF MOTION

MATTERS ARISING

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2021(11)

1 DECEMBER 2021

MINUTES

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

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Chief Executive Officer (Sonia Cooper), Acting General Manager Corporate Services (Sylvia Swalling), General Manager Planning and Regulatory Services (Peter Tabulo), General Manager Community, Cultural and Economic Development (Ben Pole), Acting General Manager Coordination and Performance (Barbara Dart), Senior Digital Media and Content Officer (Jodie Richter), Manager Economic and Community Development (Cat Matson), Chief Financial Officer (Jeff Keech), Treasury Accounting Manager (Paul Mollenhauer), Manager, Marketing and Promotions (Carly Gregory), Manager, Community and Cultural Services (Don Stewart), Senior Property Officer Acquisitions and Disposals (Alicia Rieck), Procurement Operations Manager (Stephen Bailey), Civic Centre and Performing Arts Manager (David Finn), Senior Policy and Communications Officer (David Shaw), Manager, Libraries and Customer Services (Samantha Chandler), Manager, People and Culture (Talia Love-Linay), Principal Officer Program Management Office (Anna Payne), Acting Manager, Performance (Maree Walker) and Theatre Technician (Trent Gray)

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. 2021(10) OF 4 NOVEMBER 2021**

RECOMMENDATION

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

That the minutes of the Governance and Transparency Committee No. 2021(10) held on 4 November 2021 be confirmed.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. **REVIEW OF CEO ANNUAL PERFORMANCE APPRAISAL POLICY**

The CEO Annual Performance Appraisal Policy (the Policy) was approved by Council on 5 November 2020 and required a review in November 2021.

The Manager, People and Culture has reviewed this Policy, and sought feedback from the CEO Contract Panel (Mayor Teresa Harding, Deputy Mayor Nicole Jonic, Councillors Marnie Doyle, and Andrew Fechner) during the development of the CEO Contract of Employment and CEO Performance Agreement for 2021-2022.

The Policy has been updated to ensure compliance with the new Ipswich City Council Policy template with the inclusion of the Human Rights Commitment at section five (5). Attachment 1 shows proposed changes to the Policy using tracked changes, and Attachment 2 is a clean copy of the updated Policy.

RECOMMENDATION

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

- A. That Council note that a review of the CEO Annual Performance Appraisal Policy has been completed.**
- B. That Council resolve to adopt the amended CEO Annual Performance Appraisal Policy.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

3. PROCUREMENT: RECOLLECT PICTURE LIBRARY SUBSCRIPTIONS

This report is seeking a resolution by Ipswich City Council (Council) to engage directly with Micrographics Services Ltd to provide the continued licencing, support and maintenance subscription for the Recollect Platform that supports the Picture Ipswich Website. The total cost for the agreement over the proposed three (3) twelve (12) month terms from 2022 to 2025 is \$49,500.00 (GST Exclusive).

Recollect software is a proprietary software and is used as a comprehensive solution for preserving, transforming, and curating heritage collections and local knowledge of the City of Ipswich.

The implementation of the Recollect Platform for the Ipswich Libraries was carried out by Datacom IT in Oct 2020. This included the first year's hosting and support subscription. Datacom IT are the only Australian authorised partner for the Recollect Platform, however, Datacom IT do not manage the ongoing annual hosting and support subscription. Datacom IT have advised Council to engage directly with Micrographics Services Ltd for the ongoing annual subscription renewals.

Recollect Pty Ltd manage the ongoing licencing, support and maintenance which covers all technical support and upgrades for the platform hence, the need to engage directly with Recollect. Datacom IT supply all non-technical services for this platform such as training, configuration, customisation and development activities.

Recollect software is also used by both Moreton Bay and Noosa Councils. Both Councils have confirmed the Procurement approach matching that which is required by Council.

RECOMMENDATION

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

- 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/OR disadvantageous to invite quotes for the provision of the annual hosting and support subscription for the Recollect Platform (Picture Ipswich).**
- B. That Council enter into a contractual arrangement (Council file reference number 17092) with Micrographics Services Ltd, at an approximate purchase price of \$49,500.00 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.

4. PROCUREMENT - 2022 CIVIC CENTRE COMEDY PROGRAM

This is a report concerning the procurement of a promotor to deliver the 2022 Comedy Program for the Ipswich Civic Centre 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 Deputy Mayor Nicole Jonic:

- 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 that it would be impractical and disadvantageous to invite quotes for the provision of the delivery of a 2022 Comedy Program for the Ipswich Civic Centre.**
- B. That Council enter into a contractual arrangement (Contract number 17740) with Anthony Lamond (ABN 71 776 903 442), at an approximate purchase price of \$25,000.00 excluding GST over the entire term, being a term of one (1) year, with no options for extension.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. ACQUISITION OF LAND FOR DRAINAGE PURPOSES FOR INF03780 ALICE AND SHORT STREET KERB AND CHANNEL PROJECT

This is a report by the Senior Property Officer (Acquisitions and Disposals) dated 8 November 2021 concerning the acquisition of land for drainage purposes over 24 Alice Street, Blackstone, described as Lot 35 on RP22445 to facilitate the Alice and Short Street Kerb and Channel Project.

“The attachment/s to this report are confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*.”

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Deputy Mayor Nicole Jonic:

- A. That Council resolve to purchase the whole of the land located at 24 Alice Street, Blackstone, described as Lot 35 on RP22445 (“Land”), for drainage purposes.**
- B. That in the first instance, the method of acquisition will be by agreement with the affected person/s pursuant to the *Property Law Act 1974* and the *Land Title Act 1994*.**

- C. **That should Council fail to purchase the land by agreement with the affected person/s, Council, as “constructing authority” pursuant to Section 5(1)(b)(i) of the Acquisition of Land Act 1967, will proceed to acquire the whole land located at 24 Alice Street, Blackstone, described as Lot 35 on RP22445.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

6. RATES RELIEF IN RESPONSE TO THE COVID-19 PANDEMIC

This is a report concerning the potential extension to rates relief provided by Ipswich City Council (**Council**) in response to the COVID-19 pandemic.

RECOMMENDATION

Moved by Councillor Russell Milligan:

Seconded by Councillor Marnie Doyle:

- A. **That Ipswich City Council note the summary update, as outlined in the report by the Treasury Accounting Manager dated 15 November 2021, on rate payers who have identified as being financially impacted by the COVID-19 pandemic.**
- B. **That in response to the COVID-19 pandemic, Ipswich City Council approve the continued use of payment arrangements, granting of discounts and waiving of interest until 30 June 2022, generally in line with the report by the Treasury Accounting Manager dated 15 November 2021, for rate payers who have identified as being financially impacted by the COVID-19 pandemic and who are continuing to proactively engage with Council to address their rate arrears.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. INVOLVE PROJECT QUARTERLY STATUS UPDATE

This report provides an update on progress to date of Council's iVolve Project and the quarterly project controls report.

RECOMMENDATION

Moved by Councillor Marnie Doyle:
Seconded by Councillor Kate Kunzelmann:

That the progress report on Council's iVolve Project be received and the contents noted.

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 9.32 am.

The meeting closed at 9.51 am.

Doc ID No: A7846103

ITEM: 2
SUBJECT: QUARTER 2 - OPERATIONAL PLAN 2021-2022 QUARTERLY PERFORMANCE
AUTHOR: SOCIAL DATA OFFICER
DATE: 17 JANUARY 2022

EXECUTIVE SUMMARY

This is a report concerning an assessment of Ipswich City Council's progress towards implementation of the 2021-2022 Operational Plan with notable achievements that have occurred during quarter two (Q2) (October to December 2021). Departmental representatives have provided the presented Q2 data.

RECOMMENDATION/S

That the report be received and the contents noted.

RELATED PARTIES

There are no party matters associated with this report.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The 2021-2022 Operational Plan was formally adopted by Council on 30 June 2021. Section 174 of the *Local Government Regulation 2012* states the Chief Executive Officer must present to the local government a written assessment of progress towards implementation of the Operational Plan at a minimum of quarterly intervals.

An assessment of council's progress during Q2, being 1 October 2021 to 31 December 2021, has been prepared from commentary provided by the responsible officers and is contained in Attachment 1. Council's Finance Branch provides to council a separate report with high-level details on the financial performance. A full report of performance against the 2021-2022 Operational Plan will be included in council's Annual Report and will be presented at the conclusion of the financial year.

The Performance Branch, Coordination and Performance recently implemented the Business Planning and Reporting Operating Model project that included an assessment of current maturity and to build on quality of good business practices for the new Corporate Plan (iFuture).

With the iFuture launch on 1 July 2021, and a new Annual Plan format, the timing provided an opportunity to review the current quarterly reporting model to improve on consistency and quality of information with a change in approach to data collection and reporting style.

This included the amendment of status options to show deliverable status alongside budget status for the quarter and changes to reporting at risk items. To enhance customer readability of the Q2 report, the summary for items showing risk has been incorporated into the quarterly update comment for the relevant deliverables, as such there is no separate Risk Report included as an attachment with the quarterly reports for 2021-2022 financial year.

The table below provides a snapshot of the current positioning of each deliverable against the stated target. To clarify the progress statements used in the table, please refer to the below legend:

Deliverable status	
On Track	This status represents activity which is delivering as planned.
Needs Attention	This status represents activity which is no longer delivering as scheduled however is not yet At Risk.
At Risk	This status represents activity which is at risk of not being completed by EOFY or not achieving its targeted outcome.
Other	This status represents activity which is outside the standard status indicators. Reasons for use of this status include items that are amended, discontinued, scheduled to start in a later quarter, deferred, may have no available reporting.
Complete	This status represents activity which has been completed and has achieved the targeted outcome.

Deliverable status	Number	%
On Track	50	89.2%
Needs Attention	1	1.8%
At Risk	2	3.6%
Other	2	3.6%
Complete	1	1.8%
Total	56	100%

Budget status	
On Track	This status represents budget activity that is delivering as planned.
Under / Over	This status represents budget activity that is delivering over or under planned budget allocation.
Other	This status represents activity which is outside the standard status indicators. Reasons for this status may include items of

	expenditure which are completed, delayed, deferred or future scheduled.
No Budget Allocated	This status represents activity which has no budget allocation.

Budget status	Number	%
On Track	41	73.2%
Under / Over	9	16.1%
Other	5	8.9%
No Budget Allocated	1	1.8%
Total	56	100%

Section 174 of the *Local Government Regulation 2012* states that a local government may, by resolution, amend its annual operational plan at any time before the end of the financial year.

For ongoing reporting purposes, the amendments to the Operational Plan as a result of changes in quarter 1 are listed below.

The item listed as *Continue planning for the new Planning Scheme and Local Government Infrastructure Plan* has been split into two independent projects and now appears as:

Continue planning for the Ipswich Planning Scheme

Continue planning for the Local Government Infrastructure Plan.

The project listed as *Effective Asset Management Plan – preparation for implementation phase* is a new addition due to its significance to council operations.

There were no amendments made in quarter 2.

LEGAL/POLICY BASIS

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

RISK MANAGEMENT IMPLICATIONS

Section 174 of the *Local Government Regulation 2012* states that the Chief Executive Officer must present to the local government a written assessment of progress towards implementation of the Operational Plan at a minimum of quarterly intervals.

The highest risk is political/reputational should council fail to meet the mandated deadline for adoption of the Operational Plan Quarterly Report.

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

There are no financial or resource implications for this report.


COMMUNITY AND OTHER CONSULTATION

The content of this report has been developed from commentary provided by each department. This information provides an update on council's progress towards achieving the objectives of council's Operational Plan 2021-2022 and presents notable achievements during Q2.

CONCLUSION

This is a report concerning an assessment of Ipswich City Council's progress towards implementation of the Operational Plan 2021-2022 and notable achievements that have occurred during the quarter. Q2 data as provided by departmental representatives is presented. A full assessment of the Operational Plan 2021-2022 will be included in council's Annual Report that will be presented later in the year.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

- | | |
|----|---|
| 1. | Q2 Operational Plan ↓  |
|----|---|

Josh Mallet

SOCIAL DATA OFFICER

I concur with the recommendations contained in this report.

Maree Walker

ACTING MANAGER, PERFORMANCE

I concur with the recommendations contained in this report.

Barbara Dart

ACTING GENERAL MANAGER COORDINATION AND PERFORMANCE

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IPSWICH CITY COUNCIL ■ OPERATIONAL PLAN

2021-2022

QUARTER 2  **REPORT**



Doc ID No: A7861506

ITEM: 3
SUBJECT: REVISED INDIGENOUS ACCORD POLICY
AUTHOR: BUSINESS IMPROVEMENT OFFICER
DATE: 27 JANUARY 2022

EXECUTIVE SUMMARY

This is a report seeking Governance and Transparency Committee approval to repeal the existing Indigenous Australian Social Justice Accord Policy and adopt the revised Indigenous Accord Policy, managed by Economic and Community Development Branch within the Community, Cultural and Economic Development Department.

RECOMMENDATION/S

- A. That the Policy titled, “Indigenous Australian Social Justice Accord Policy (current)” as detailed in Attachment 1 be repealed.**
- B. That the Policy titled, “Indigenous Accord Policy (revised)” as detailed in Attachment 2 be adopted.**

RELATED PARTIES

There was no declaration of conflicts of interest.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Economic and Community Development Branch conducted a review of the current Indigenous Australia Social Justice Accord Policy to:

- change the Policy titled from Indigenous Australian Social Justice Accord Policy to Indigenous Accord Policy in line with Ipswich City Council Indigenous Accord 2020–2025,
- transfer the existing Indigenous Australian Social Justice Accord Policy content to the new corporate template in line with TP#9 requirements,
- review and update the Indigenous Accord Policy content to reflect current practices and alignment with the iFuture 2021–2026 Corporate Plan,
- strengthen alignment between the Indigenous Accord Policy and the Ipswich City Council Indigenous Accord 2020 – 2025 by including guiding principles, and

- include reference to related documents and definitions.

LEGAL/POLICY BASIS

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

iFuture 2021 – 2026 Corporate Plan
Local Government Act 2009

RISK MANAGEMENT IMPLICATIONS

The review of this policy has been undertaken in accordance with Council’s adopted Policy and Procedure Management Framework. Any delay in approving the recommendation may potentially have adopted policies inconsistent with the Council Framework.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The recommendation states that the Governance and Transparency Committee approve the Indigenous Accord Policy for adoption.
(b) What human rights are affected?	<ul style="list-style-type: none"> • Recognition and equality before the law (section 15) • Protection from torture and cruel, inhuman or degrading treatment (section 17) • Freedom of thought, conscious, religion and belief (section 20) • Freedom of expression (section 21) • Peaceful assembly and freedom of association (section 22) • Taking part in public life (section 23) • Privacy and reputation (section 25) • Cultural rights – Aboriginal peoples and Torres Strait Islander peoples (section 28) • Right to education (section 36) • Right to health services (section 37)
(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 financial/resource implications associated with this report.



COMMUNITY AND OTHER CONSULTATION

Consultation was undertaken between the Economic and Community Development Manager and relevant Economic and Community Development staff including the Indigenous Australian Community Development Officer, Senior Solicitor, Corporate Services and the Senior Social Policy Analyst. All agreed and supported the changes to the policy.

CONCLUSION

Upon adoption, the reviewed Indigenous Accord Policy will deliver a strengthened principal policy instrument which supports and aligns with the Ipswich City Council Indigenous Accord 2020–2025.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Indigenous Australian Social Justice Accord Policy (current) ↓ 
2.	Indigenous Accord Policy (revised) ↓ 

Anne Eves

BUSINESS IMPROVEMENT OFFICER

I concur with the recommendations contained in this report.

Ben Pole

GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

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Doc ID No: A7724542

ITEM: 4

SUBJECT: BOUNDARY ANOMALIES BETWEEN IPSWICH CITY COUNCIL AND LOCKYER VALLEY REGIONAL COUNCIL

AUTHOR: ACTING PROPERTY SERVICES MANAGER

DATE: 17 NOVEMBER 2021

EXECUTIVE SUMMARY

This is a report concerning the amendment of local government boundaries in relation to three properties located on the boundary of Ipswich City Council (ICC) and Lockyer Valley Regional Council (LVRC). LVRC are seeking ICC's consent for LVRC to make application to seek a determination for a local government boundary change to the individual properties that have been identified.

RECOMMENDATION/S

- A. That Council resolve to support an application by Lockyer Valley Regional Council to the Minister for State Development, Infrastructure, Local Government and Planning and to the Local Government Change Commission to have included Lot 84 Unnamed Road, Grandchester (47 Beames Road, Laidley South) more particularly described as Lot 84 on Crown Plan CC389, in its entirety, in the Ipswich City Council boundary and excluded from the Lockyer Valley Regional Council boundary.**
- B. That Council resolve to support an application by Lockyer Valley Regional Council to the Minister for Local Government and the Local Government Change Commission to have included 379-449 Coynes Road, Mount Mort and Lot 16 Coynes Road, Mount Mort more particularly described as Lots 14 & 16 on SP200498 respectively, in the Lockyer Valley Regional Council area.**
- 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 any action in order to implement Council's decisions.**

RELATED PARTIES

There was no declaration of conflicts of interest.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

On 18 July 2013 the Department of Resources (formally the Department of Natural Resources and Mines) notified LVRC of minor local government boundary anomalies that relate to two properties that are divided between LVRC and ICC local government areas. These anomalies have a direct effect on maintaining suburb/locality boundaries, which are essential for the delivery of business and emergency services.

Anomalies occur when a local government boundary bisects property lots, effectively dividing the parcel of land between two local government boundary areas. Consequently, these properties are sometimes divided into two different suburbs or localities, which cause confusion for landowners, councils and essential services.

ICC and LVRC have discussed the anomalies and determined in accordance with the *Local Government Act 2009 (LGA)* that LVRC make application to the Minister for Infrastructure, Local Government and Planning (**Minister**) for the Local Government Change Commission (**Change Commission**) to resolve the anomalies.

Under Division 2 Section 18 of the LGA, proposals for changes to local government boundaries can only be made by the Minister. When considering a local government boundary matter, the local government and the Change Commission must have regard to the matters prescribed under section 19 of the LGA and that the change is in the public interest. A notice of results is published in the local newspaper, the Queensland Government Gazette and on the ECQ website. A Change Commission decision is not subject to appeal.

The following criteria are assessed for each property to determine the appropriate local government area:-

- (a) Locality;
- (b) legal and practical access;
- (c) rates and service delivery; and
- (d) emergency services.

LVRC at its Ordinary Meeting on 28 August 2013 (Resolution Number: 3099) resolved to authorise the Chief Executive Officer to write to the Minister for Local Government and request this matter be referred to the Local Government Change Commissioner to assess boundary changes to the properties below:

1. LOT 84 ON CC389 – City of Ipswich (Locality of Grandchester) and Lockyer Valley Regional Council (Locality of Laidley South)

The boundary anomaly is shown in the map attached. This property is situated at Lot 84 Unnamed Road, Grandchester (47 Beames Drive, Laidley South) and consists of approximately 135.57 hectares, the majority of which are currently situated in the ICC local government area. Access is obtained by way of an access easement through Lot 3 on CPCC2673 which starts from Rosewood-Laidley Road within the ICC local government area.

2. LOT 14 & 16 ON SP200498 – City of Ipswich (Locality of Mount Mort) and Lockyer Valley Regional Council (Locality of Thornton)

The boundary anomaly is shown in the map attached.

Access is from a dirt track off Red Gap Road where the lots are situated. Most of Lot 14, and a small portion of Lot 16 are currently within the ICC local government area. The property owners also own Lot 15 on SP200498 which is entirely within the LVRC local government area. It is recommended that these properties as well as the area of Coynes Road adjoining Lot 14 should remain within the LVRC local government area.

LVRC contacted ICC in 2017 to discuss boundary anomalies of three (3) properties that were identified to be in both council areas. LVRC requested if ICC were agreeable to a local government boundary change so that the lots are included within a singular local government area. The boundary matters were then delayed due to staff changes at LVRC.

LVRC has since progressed the matters and has requested ICC's support for LVRC to submit the change for the local government boundaries to be changed to the Department of Resources (DOR) and the Department of Infrastructure, Local Government and Planning (LG). ICC's role in the local government boundary change is to provide a letter of support only. LVRC is the responsible party in the preparation and submission of the application for the change.

The Minister is the only authority who can refer a proposed local government boundary change to the Change Commission. The results of a Change Commission review must be handed to the Minister for a decision.

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 local government boundary should not dissect a property, a property should be entirely contained in one local government area. The proposed local government boundary change will eliminate all matters pertaining to local government electorates and any discrepancies with emergency services.

ICC and LVRC have considered the impact of the local government boundary change in relation to the above issues and jointly made the decision that this is the most practical way forward and in the public interest.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations resolve to support an application by Lockyer Valley Regional Council to the Minister for Local Government and the Local Government Change Commission to amend the local government boundary.
(b) What human rights are affected?	No human rights are affected by this decision. There is no arbitrary deprivation of property as the amendment of the boundary alignment will not impact upon the use of the land or result in a diminution of the size of the parcels. Further, the amendment will arguably further the human rights of Right to Life and Right to Health Services by ensuring health and emergency services can be properly delivered by reducing confusion about which LGA the property falls within and whose responsibility it is to respond.
(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

Local government boundaries that are amended where affected properties are included in the ICC local government area will be included in the rating and delivery services such as waste collection and subsequent revenue will be received by ICC.

ICC will need to amend its public works records and roads and asset registers which are transferred as a consequence of any local government boundary changes. Any transfer of affected properties to LVRC will include any public works, rating and delivery of services and subsequent revenue for those properties. The rating effect on ICC of the proposed changes is expected to be minimal.

COMMUNITY AND OTHER CONSULTATION

Internal consultation by ICC has been undertaken with the following departments;

- Planning and Regulatory Services have no concerns in regard to the proposed boundary realignment so that the lots are contained in one LGA.






- Environment and Sustainability Branch have no objection to the proposed boundary realignment.
- Transport Planning no issues with the proposal from a strategic transport perspective

LVRC will write to the affected properties owners and advise them of the anomalies prior to any application to the Minister.

CONCLUSION

The boundary anomalies have been subject to appropriate internal consultation to provide a letter of support to LVRC. This will enable LVRC to make the application to the Minister for Local Government to request the Change Commission under sections 19 and 20 of the *Local Government Act 2009* to make the changes to the local government boundary.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Map of Lot 84 on Crown Plan CC89 47 Beames Drive, Laidley South ↓ 
2.	Map of Lot 14 & 16 on SP200498 379-449 & Lot 16 Coynes Road, Mount Mort ↓ 
3.	Letter from Department of Resources to Lockyer Valley Regional Council ↓ 
4.	Lockyer Valley Regional Council Meeting Minutes 28 August 2013 - Local Government Boundary Anomalies ↓ 
5.	Fact Sheet 1 Overview of the Change Commission ↓ 
	CONFIDENTIAL
6.	Title Search Lot 84 Crown Plan CC389
7.	Title Search Lot 14 SP200498
8.	Title Search Lot 16 SP200498

Kerry Perrett

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.

Jeffrey Keech

ACTING GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A7797805

ITEM: 5

SUBJECT: NEW LEASE OVER PART OF 125A CHUBB STREET, ONE MILE TO WEST MORETON GREYHOUND OWNERS & TRAINERS ASSOCIATION INC.

AUTHOR: ACTING PROPERTY SERVICES MANAGER

DATE: 10 DECEMBER 2021

EXECUTIVE SUMMARY

This is a report concerning the proposed new lease over part of freehold land located at 125A Chubb Street, One Mile, described as part of Lot 69 on SP169626 (**the Land**), between Ipswich City Council (**Council**) and West Moreton Greyhound Owners & Trainers Association Inc. (**WMGOTA**).

RECOMMENDATION/S

- A.** That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of interest in land at 125A Chubb Street, One Mile, described as part of Lot 69 on SP169626 for greyhound training purposes, because West Moreton Greyhound Owners & Trainers Association Inc. (Lessee) is a community organisation.
- B.** That Council enter into a lease (Council file reference 5514) with the Lessee:
- (i) at a yearly rent of \$1.00 excluding GST, payable to Council if demanded, and
 - (ii) for a term of five (5) years, with a five (5) year option for extension.
- 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

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The George and Eileen Hastings Sporting Complex is located at 125A Chubb Street, One Mile and features baseball/softball fields, recreation fields and a greyhound training facility. WMGOTA (**the Lessee**) is an incorporated association which has occupied the Council freehold land (1.36 ha) for the operation of a greyhound training facility for approximately 40 years. Council has maintained a formal tenure agreement with WMGOTA since at least 1993. The improvements on the Land include a 400 metre straight line track, a building for the temporary accommodation of greyhounds (during trials) and a shipping container for storage. The dedicated area of land is best termed a “straight” and is used for the specific purpose of the training and timing of greyhounds and is therefore fit for purpose. Additionally, given its orientation and positioning away from other activities and dedicated fencing, the land has limited use, other than for the permitted use it is currently enjoying.

In 2021 there were thirty-nine members. No dogs reside at the premises overnight and, betting is prohibited on the premises.

Greyhound trial days are as follows:

	Winter	Summer
Tuesday	2:30 – 4pm	3:00 – 4:30pm
Thursday	2:30 – 4pm	3:00 – 4:30pm
Saturday	2:30 – 4pm	3:00 – 4:30pm

The essential tenure agreement terms are as follows:

Agreement Terms	Existing Licence Terms	Proposed Lease Terms
Period:	2 Years	5 Years
Commencement Date:	03/07/2019	01/03/2022
Expiry Date:	02/07/2021	28/02/2027
Options:	Nil	5 Years
Rent:	\$119.00 per annum	\$1.00 per annum ex GST (if demanded)
Permitted Use:	Trialling and exercising greyhounds	The provision of a greyhound training facility
Maintenance Responsibilities:	WMGOTA is responsible for structural elements, building repairs and all maintenance issues (including all fencing, general landscaping maintenance i.e. mowing, cleaning)	WMGOTA is responsible for structural elements, building repairs and all maintenance issues (including all fencing, general landscaping maintenance i.e. mowing, cleaning)

Building Ownership	Ownership of buildings and improvements upon the land is the responsibility of the Lessee. The Lessee is fully responsible for all replacement, repair and maintenance of the buildings and improvements upon the land including fair wear and tear
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A lease is more appropriate than a licence as WMGOTA are occupying the facility on an “exclusive use” basis and undertaking significant preservation of the track, given the limited use of the facility. A licence is appropriate where there is a shared use arrangement.

In 2019, Council adopted the Tenure over Council Property Policy (**Policy**) incorporating a new framework for the schedule of fees for different types of agreements. Council determines the category of a lease based on the use of the property by the community group/organisation. The proposed rent for the Lessee is determined under the policy requirements.

The existing licence between Council and WMGOTA is currently operating under a ‘holding over’ provision on a month-to-month basis. It is recommended that Council enter into a new lease under the terms set out above, to ensure that Council complies with its obligations under its Tenure over Council Property Policy and any Regulatory Authority.

It is in the public interest for Council to support the new term so that WMGOTA can continue to manage the facility to a high standard. Maintenance includes fertilising, weed control and top dressing the track which is coordinated around weather predictions. Security of tenure over the facility is imperative as the maintenance of the track requires significant time and expense from WMGOTA.

The WMGOTA currently hold a training track operator’s licence governed by the Greyhound Local Rule 52 issued by Racing Queensland. Identifying an alternate location would be difficult given the specific use, orientation and size of the land providing limited shared use opportunities with other sport and recreation groups.

LEGAL/POLICY BASIS

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

Land Title Act 1994

Local Government Regulation 2012

Local Government Act 2009

RISK MANAGEMENT IMPLICATIONS

There are low risk management implications for this lease as WMGOTA are currently under a ‘holding over’ provision under the existing licence arrangement with Council. Council’s new lease agreement will clearly set out the lessee’s maintenance responsibilities in managing the asset.

The risk implications for WMGOTA not entering into a long-term tenure over the facility is that WMGOTA will have difficulty finding an alternative location, potentially resulting in the association folding, and the creation of some reputational risk to Council.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The Recommendations resolve for Council to enter into a new lease with West Moreton Greyhound Owners & Trainers Association Inc. for a five (5) year term plus a five (5) year option for the management and operation of a greyhound training facility
(b) What human rights are affected?	Recognition and equality before the law (section 15) Protection from torture and cruel, inhuman 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

FINANCIAL/RESOURCE IMPLICATIONS

- The Finance Branch advised that the greyhound track is not specific infrastructure that is tracked for expenses.
- There is no budget particularly assigned to the greyhound track.

As any renewal, upgrade, maintenance and operating expenditure relating to the greyhound track that ICC might have incurred, are not specifically catalogued to that land, it is unknown as to the historical cost and performance of the land.

WMGOTA is responsible for general cleaning, repairs and maintenance to the leased area and must comply with all workplace health and safety requirements. Upon termination of the lease, the lessee must return the facility to Council in good repair and working order, except for reasonable wear and tear.

Council do not currently have a long-term financial forecast for its managed facilities however, there is significant commitment by Asset Services to develop and maintain Long-term financial forecasting including estimated capital expenditure for renewal, upgrading

and extending each building and facility asset. Therefore, making any decisions transparent, economical and efficient in future building and facility improvements.

COMMUNITY AND OTHER CONSULTATION

WMGOTA commenced discussions with Council on the renewal of the tenure over the facility and expressed their desire for security of tenure for a further term of 5 years with a 5 year' option to renew.





Internal consultation was completed with Community, Cultural and Economic Development on the terms of the lease;

- Community and Cultural Services advised that they are agreeable to the proposed terms of tenure.
- Safe City and Asset Protection advised that they have no concerns with the further tenure.

CONCLUSION

It is recommended that Council support the new lease to WMGOTA for a term of five (5) years with a five (5) year option by applying the exception under 236(b)(ii) of the *Local Government Regulation 2012*. The new lease will clearly outline maintenance responsibilities between Council and WMGOTA and will reflect the requirements of the *Local Government Act 2009*, *Local Government Regulation 2012*, and the *Land Titles Act 1994*.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Property Plan  
2.	Title Search  
	CONFIDENTIAL
3.	Profit & Loss Statement 2020
4.	Profit & Loss Statement 2019
5.	Profit & Loss Statement 2018

Kerry Perrett

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.

Jeffrey Keech

ACTING GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A7828839

ITEM: 6
SUBJECT: ACQUISITION OF EASEMENT FOR INF04088 HAYNE STREET DRAINAGE PROJECT
AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)
DATE: 4 JANUARY 2022

EXECUTIVE SUMMARY

This is a report concerning the acquisition of an easement for drainage purposes over land owned by the State of Queensland (the "State") located at 7A Hayne Street, Woodend, described as Lot 10 on RP818248.

RECOMMENDATION/S

That pursuant to section 362 of the *Land Act 1994*, Council accept the State's offer to approve an easement over the Hayne Street Reserve ("Reserve") located at 7A Hayne Street, Woodend, described as Lot 10 on RP818248.

RELATED PARTIES

There are no related parties arising as a direct result of this report.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

Council has identified the need for new downstream drainage infrastructure to be constructed to current standards avoiding ongoing erosion from the existing drainage outlet out to the river. Currently there is no formalised open or underground drainage infrastructure to discharge the stormwater into the river in a controlled manner. As a result, council intends to install a new underground drainage system as a long-term strategy for the conveyance of stormwater that flows down to the river through the Reserve.

The land, located at 7A Hayne Street, Woodend, described as Lot 10 on RP818248, is State owned land, being a Reserve for park purposes, managed by Council as Trustee. Council is required to manage the day-to-day activities of the Reserve.

Extension of the existing drainage network has been found to be the most suitable solution resulting in an easement being required over the Reserve. Due to several site constraints including outlet riverbank stability, best angle of entry to the river and the protection of vegetation, the current alignment is considered the most appropriate.

The easement requirement will facilitate the upgrade of the infrastructure and allow Council future legal access rights to maintain and protect the drainage infrastructure.

Property Services Section has made an application to the Department of Resources (DoR) for the new easement over the Reserve. DoR has provided Council with a Letter of Offer for the new easement which lists the requirements that Council must comply with to ensure the new easement is approved and is capable of registration on the property title.

LEGAL/POLICY BASIS

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

Local Government Act 2009

Land Act 1994

Land Title Act 1994

RISK MANAGEMENT IMPLICATIONS

The risk of not completing the planned works and establishing an easement will leave ongoing erosion issues from the existing drainage infrastructure outlet direct onto the Reserve.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	https://objprd.council.ipswich.qld.gov.au/id:A7838939/document/versions/latest
(a) What is the Act/Decision being made?	<i>Local Government Act 2009</i> <i>Land Act 1994</i> <i>Land Title Act 1994</i>
(b) What human rights are affected?	Section 24 – Property Rights
(c) How are the human rights limited?	Reduced Rights over a section of the property
(d) Is there a good reason for limiting the relevant rights? Is the limitation	The land is required to improve drainage infrastructure flows for the larger catchment and allow legal access for its ongoing maintenance. Application is made to the State via section 362 of the <i>Land Act 1994</i> seeking the appropriate approval and the State to provide all their requirements for the easement to be registered on the title.

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

FINANCIAL/RESOURCE IMPLICATIONS

Expenses relating to securing a drainage easement will form part of the project budget from the INF04088 Hayne Street Drainage Project.

COMMUNITY AND OTHER CONSULTATION

IED have instructed Property Services to secure the required drainage easement.


Property Services has also formally consulted with the Department of Resources in relation to seeking in principle approval to the required drainage easement area.

This project did not involve any community consultation as it affects one property owned by the State Government (Department of Resources) with Council as trustee of the Land.

CONCLUSION

It is recommended that Council accept the State's Letter of Offer and proceed with the conveyancing process to register the drainage easement over 7A Hayne Street, Woodend, described as Lot 10 on RP818248.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	INF04088 Hayne Street Drainage Project - Easement Plan ↓ 
	CONFIDENTIAL
2.	Easement Letter of Offer
3.	Issued Offer Account for New Easement
4.	Current Title Search - 10RP818248

Alicia Rieck

SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

I concur with the recommendations contained in this report.

Kerry Perrett

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.

Jeffrey Keech
ACTING GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A7786816

ITEM: 7

SUBJECT: ACQUISITION OF LAND FOR ROAD PURPOSES FOR INF03875 KEANES ROAD
ROSEWOOD BRIDGE REPLACEMENT

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 12 JANUARY 2022

EXECUTIVE SUMMARY

This is a report concerning the acquisition of land for road purposes for the construction of a new bridge across the Bremer River at Keanes Road, Rosewood.

RECOMMENDATION/S

- A. That Council resolve to purchase or acquire part of land located at 1008-1028 Ipswich-Rosewood Road, Rosewood, described as part of Lot 1 on RP35531 (“the land”) (Council file reference 5523), for road purposes.**
- B. That in the first instance the method of acquisition will be as a purchase by agreement with the affected persons pursuant to the *Property Law Act 1974*.**
- C. That should Council fail to purchase the land by agreement with the affected persons (as outlined in recommendation B above), Council, as a “*constructing authority*” pursuant to Section 5(1)(b)(i) of the *Acquisition of Land Act 1967*, will proceed to acquire the subject land.**
- D. That Council be kept informed as to the progress and outcome of the acquisition.**

RELATED PARTIES

There are no related parties arising as a direct result of this report.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

The objective of the project is to replace the bridge that crosses the Bremer River. The bridge is known as the Keanes Road Timber Bridge (structure ID 391543) which was originally constructed circa 1940 and is an existing 2 span timber bridge located over the Bremer River in Rosewood.

A structural investigation of the bridge was undertaken with the findings revealing that the bridge has several defective components and is nearing the end of its useful life. Council has now identified the bridge for full replacement.

Council’s design proposal is for a re-alignment of the proposed bridge to allow the existing bridge to remain in operation until post construction of the proposed bridge. This will then be followed by the demolition of the original bridge. Construction of the proposed bridge on the new alignment will eliminate the need for a temporary low-level Bremer River crossing.

To facilitate the proposed bridge replacement an acquisition is required over part of 1008-1028 Ipswich-Rosewood Road, Rosewood, described as part of Lot 1 on RP35531.

The proposed acquisition of land is considered unavoidable, due to the requirements and necessity for this project. More specifically, the acquisition is required to:

- Provide continuity of access across the Bremer River for the local residents;
- Provide a safer river crossing for expected increase in population; and
- To achieve improved road geometry.

LEGAL/POLICY BASIS

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

Local Government Act 2009

Acquisition of Land Act 1967

Property Law Act 1974

RISK MANAGEMENT IMPLICATIONS

Not resolving to acquire the land will create a risk to the public crossing the river if a temporary low-level crossing is required to be constructed. Council’s design proposal is for the re-alignment of the proposed bridge, to allow the existing bridge to remain in place, until post construction of the proposed bridge.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	<i>Local Government Act 2009</i> <i>Acquisition of Land Act 1967</i> <i>Property Law Act 1974</i>
(b) What human rights are affected?	Freedom to property
(c) How are the human rights limited?	Section 24 – Property Rights

<p>(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?</p>	<p>The area of land is unavoidable to meet the requirements of this project and to provide improved road geometry.</p> <p>Outcome by a negotiated process outside of the provisions of the <i>Acquisition of Land Act 1967</i> allows for a more neutral approach with owners rather than automatically triggering a compulsory process to secure the land under the provisions of the legislation.</p>
<p>(e) Conclusion</p>	<p>The decision is consistent with human rights.</p>

FINANCIAL/RESOURCE IMPLICATIONS

Expenses relating to the acquisition will form part of the project budget for INF03875 Keanes Road, Rosewood – Bridge Replacement.

COMMUNITY AND OTHER CONSULTATION

Infrastructure and Environment and Property Services officers have met with the affected landowners to discuss the project proposal.

The landowner’s representative has indicated they are supportive of the project and are open to progressing a negotiated outcome.

Explanation was provided that to achieve improved road geometry, a small area of land will be required on the corner of their land for road purposes. The landowner’s representative displayed a clear understanding of the location and had no objection to proceeding to the acquisition stage.

CONCLUSION

It is recommended that Council proceed with the acquisition of part of the land for road purposes at 1008-1028 Ipswich-Rosewood Road, Rosewood, described as Lot 1 on RP35531.

Council will make all reasonable attempts to negotiate by agreement. However, if unsuccessful then Council can exercise its powers under the *Acquisition of Land Act 1967* to secure the land as a constructing authority.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

<ol style="list-style-type: none"> 1. 2. 	<p>CONFIDENTIAL</p> <p>Acquisition Plan</p> <p>Current Title Search</p>
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Alicia Rieck
SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

I concur with the recommendations contained in this report.

Kerry Perrett

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.

Jeffrey Keech

ACTING GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A7858867

ITEM: 8

SUBJECT: PROCUREMENT: CONTRACT 17692 ORGANIC WASTE MANAGEMENT SERVICES

AUTHOR: CATEGORY SPECIALIST

DATE: 24 JANUARY 2022

EXECUTIVE SUMMARY

This is a report concerning the Recommendation to Award to tender #17692 for the provision of Organic Waste Management Services and to seek Council's approval to enter into a contract with the supplier outlined below:

1. NuGrow Ipswich Pty Ltd (ACN: 124 571 875)

The expenditure for the provision of Organic Waste Management Services is estimated at \$4,459,598.00 (excluding GST) for the total contract period of two (2) years and three (3) months including the options to extend the contract by two (2) x one (1) year periods.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. #17692 for the provision of Organic Waste Management Services to NuGrow Ipswich Pty Ltd (Supplier).**
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$4,459,598.00 (excluding GST) over the entire term, being an initial term of two (2) years and three (3) months, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.**
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolves 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

Natural and Sustainable

PURPOSE OF REPORT/BACKGROUND

Organic waste is waste derived from material that was once living (excluding petroleum-based materials) and is one of the main waste streams that create significant greenhouse gas emissions in the community. Organics like food and garden waste are valuable resources that can be harnessed and returned to productive use, turned into compost to improve, and fertilised soil, or rescued to provide food for people and animals.

Ipswich City Council (“Council”) is committed to increasing the recovery of organic waste from all waste streams and improving the way the community collect and treat organic waste. Council already provides a kerbside collection service to the community that allows food organics and garden organics (“FOGO”) to be added to the garden waste bin so they can be recycled into top quality compost.

In 2020-2021, approximately 60,657 tonnes of domestic municipal solid waste (MSW) were collected from 85,663 kerbside rated services, of which organic waste accounted for approximately 42% of the total waste stream. Of this organics waste fraction, 22% was food and another putrescible waste and 20% was found to be green/garden waste.

Currently, the rate of recyclables recovered from landfilling is tracking at 23%. Come 2025, Council will need to increase its recycling rate by 50% to achieve the State recycling/diversion targets which represents a significant shift in material flows is required. In alignment with Council’s new Resource Recovery Strategy, Council will seek to expand its core collection service to include a FOGO bin for Ipswich residents during 2023 – 2024.

On 3 December 2021, a Request for Tender (RFT) was issued to the open market via VendorPanel seeking suitable responses for the provision of organic waste management services. The RFT closed on 12 January 2022. The RFT process and details of the evaluation are outlined in Confidential Attachment 2: 17692 Recommendation to Award – Organic Waste Management Services

LEGAL/POLICY BASIS

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

RISK MANAGEMENT IMPLICATIONS

The current agreement (#10330) is due to expire 31 March 2022, all available extension options have been exercised.

Further details on risks and mitigations are available in Confidential Attachment 2: 17692 Recommendation to Award – Organic Waste Management Services

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	This report recommends Council to enter into a contractual arrangement with the nominated supplier and delegate to the Chief Executive Officer the power to take contractual action pursuant to section 238 of the Regulation.
(b) What human rights are affected?	No human rights are affected by this decision. The subject matter of the contractual arrangement 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.

FINANCIAL/RESOURCE IMPLICATIONS

The contract value for this agreement is estimated in \$4,459,598.00 for the total contract period, including extensions. Further details and spend analysis are outlined in Attachment 1.

COMMUNITY AND OTHER CONSULTATION

The Infrastructure and Environment Department, as the relevant contract owner, were consulted and have endorsed the Recommendation to Award.

CONCLUSION

It was determined by the Evaluation Panel that NuGrow Ipswich Pty Ltd, as per the attached Recommendation to Award, possess the capabilities and capacity to meet Council's requirements and will provide the best value for money for the provision of Organic Waste Management Services.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Strategy and Tender Evaluation Plan (STEP)
2.	17692 Recommendation to Award

Samuel Carbone-Mora
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

David McAlister
RESOURCE RECOVERY MANAGER

I concur with the recommendations contained in this report.

Shyanne Ward
ACTING GOODS AND SERVICES 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.

Sean Madigan
GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A7853837

ITEM: 9

SUBJECT: PROCUREMENT: TCP - 18178 GEOGRAPHIC INFORMATION SYSTEM (GIS)
ENTERPRISE SPATIAL SOLUTION

AUTHOR: CONTRACTS OFFICER ICT

DATE: 21 JANUARY 2022

EXECUTIVE SUMMARY

This is a report seeking a Council resolution regarding the procurement of a Geographic Information System (GIS) Enterprise Spatial Solution (the system), without first inviting written quotes or tenders.

Section 230(1) of the *Local Government Regulation 2012* (Regulation) allows a local government to enter into medium and large contractual agreements, through the preparation and adoption of a Tender Consideration Plan.

A Tender Consideration Plan has been prepared, setting out the background to this matter, the options considered, market and supplier capability analysis, risk analysis and the preferred option recommended to the Council.

Council seeks approval to negotiate directly with the selected vendor on price and service outcome. Confidential information has been included in the Tender Consideration Plan (Attachment 1) regarding the market analysis and alternate options considered, and Council's budgetary considerations. For these reasons, it is recommended that Attachment 1 remain confidential, as it would inform the supplier of the budgetary amount available to Council and would impact on those negotiations and would also disclose confidential information provided by other parties consulted.

This report recommends that Council resolve to adopt the Tender Consideration Plan for the acquisition, implementation, and ongoing licencing, support, maintenance, upgrade and other related ancillary items of the system, and enter into a contract with Esri Australia Pty Ltd (ESRI) for a period consisting of an implementation period, plus an initial term of three (3) years subsequent to Council's acceptance of the implementation delivery, and a further five (5) x one (1) year extension options (Implementation+3+1+1+1+1+1) for the estimated value as set out in confidential Attachment 1 if all extension options of the proposed contractual arrangement are exercised.

RECOMMENDATION

- A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare Tender Consideration Plan number 18178**

for the provision of a Geographic Information System (GIS) Enterprise Spatial Solution (including acquisition, implementation, and ongoing licencing, support, maintenance, upgrade and other related ancillary items).

- B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt Tender Consideration Plan number 18178 that was prepared for the provision of a Geographic Information System (GIS) Enterprise Spatial Solution (including acquisition, implementation, and ongoing licencing, support, maintenance, upgrade and other related ancillary items) as detailed in the report by the Contracts Officer ICT dated 21 January 2022.**
- C. That in accordance with the Tender Consideration Plan, Council enter into a contractual arrangement with Esri Australia Pty Ltd for the approximate value as set out in confidential Attachment 1 over the entire term, being a total term consisting of an Implementation period, plus an initial term of three (3) years, with options for extension at the discretion of Council (as purchaser), of an additional five (5) X one (1) year terms.**
- D. 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

Esri Australia Pty Ltd

Ipswich City Council

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

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

This report is seeking a Council resolution to prepare and adopt a Tender Consideration Plan (TCP) regarding the formation of a contract with Esri Australia Pty Ltd (ESRI) as per section 230(1) of the *Local Government Regulation 2012* (Regulation).

ESRI is an international supplier of geographic information system software, web GIS and geodatabase management applications, headquartered in the USA, with a registered office located in Brisbane QLD. ESRI is a long established and well-reputed company, with its mapping & spatial analytics technology being widely known and used across the globe.

A TCP has been prepared setting out the background to this matter, the options considered, market and supplier capability analysis, risk analysis and the preferred option recommended

to the Council. The TCP is attached to this report as Confidential Attachment 1. For the reasons detailed in the TCP, it would be both practical and advantageous to Council to adopt the TCP as per the recommendations therein.

The contract will be for the acquisition, implementation, and ongoing licensing, support, maintenance, upgrade, and other related ancillary items of the enterprise Geographic Information System (GIS) Enterprise Spatial Solution required by Council. The new system is intended to bring about a reduction and/or consolidation of the multiple applications currently in use across Council to address separate components of existing requirements and introduce a consistent Council-wide solution.

For the purposes of enabling the outcome desired by Council that is also compliant with Chapter 6, Part 3 of the Regulation, it is intended to enter into a new contract with ESRI for a total term consisting of an Implementation period, plus an initial term of three (3) years, with five (5) further one (1) year extension options in order to ensure Council can maintain long term support for a core product with an increase to value for money over time. It is anticipated the Contract will run for no longer than a total of 9 years.

The anticipated value of this new contract over the entire term exceeds the Chief Executive Officer’s delegated financial authority for expenditure of up to two million dollars (\$2,000,000). Therefore, approval is being sought from Council for the purposes of allowing Council to enter into the new contract with ESRI once the details are finalised.

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

A risk analysis has been undertaken in the attached Tender Consideration Plan.

The Geographic Information System (GIS) Enterprise Spatial Solution has not been scoped as part of the core systems being addressed by Council’s iVolve Project, however the critical integration aspects of the GIS system have been identified and form part of iVolve consideration to ensure optimal integration of the product into the core systems.

Accordingly, the risk of investing in this software at this time is low and can be addressed in the integration business requirements for the iVolve Project.

Application	iVolve Scope Alignment	iVolve Impact Rating	Impact Treatment
Geographic Information System (GIS) Enterprise Spatial Solution	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

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A, B and C state that Council enter into a contractual arrangement with Esri Australia Pty Ltd for the acquisition, implementation, and ongoing licencing, support, maintenance, upgrade and other related ancillary items of a Geographic Information System (GIS) Enterprise Spatial Solution.
(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.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications, as the initial acquisition and implementation is budgeted as a capital expense in the ICT Budget and ongoing licensing, support, maintenance, upgrade and other related ancillary items of the system is budgeted as an operational expense in the IED Budget. There are no additional financial implications.

This report seeks a resolution of the Council for an estimated value as set out in confidential Attachment 1 for ESRI to provide, implement and support the enterprise Geographic Information System (GIS) Enterprise Spatial Solution required by Council.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the ICT and Asset Services Branches who support the recommendations of this report.

This report does not require Community consultation.

CONCLUSION

In order for Council to receive the maximum benefit of a consolidated, tailored and fit-for-purpose Geographic Information System (GIS) Enterprise Spatial Solution, it is recommended

that Council utilise Section 230(1) of the *Local Government Regulation 2012* and through the adoption of the attached Tender Consideration Plan, resolve to provide the requested approval in relation to the proposed contractual arrangement with ESRI for a total term consisting of an Implementation period, plus an initial term of three (3) years, with five (5) further one (1) year extension options (Implementation+3+1+1+1+1+1).

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Tender Consideration Plan - 18178 GIS Enterprise Spatial Solution
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Amanda Cowen

CONTRACTS OFFICER ICT

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.

Sylvia Swalling

CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Brett McGrath

MANAGER, ASSET SERVICES

I concur with the recommendations contained in this report.

Sean Madigan

GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A7858265

ITEM: 10
SUBJECT: PROCUREMENT: INTERGRAPH (HEXAGON) SPATIAL SOFTWARE MAINTENANCE
AUTHOR: CONTRACTS OFFICER ICT
DATE: 25 JANUARY 2022

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to continue the annual software maintenance renewal for the Intergraph Corporation Pty Ltd T/A Hexagon Geospatial APOLLO and IMAGINE products that are operationally utilised as part of Council's existing spatial services.

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 continuation of support and maintenance for the operationally necessary products required. The proprietary nature of the incumbent supplier's products means that there is only one supplier who is reasonably available to provide the support and maintenance for the products. Further, due to the pending acquisition and implementation of an enterprise spatial solution by Council, it is more costly and disadvantageous to Council to tender for other software products when delivery of the enterprise spatial project will provide a final solution.

A resolution of Council is sought to approve the continuation of the maintenance renewals for the software products with Intergraph Corporation Pty Ltd T/A Hexagon Geospatial on a yearly or shorter basis as required for up to three (3) years for the period commencing 1 April 2022 and ending 31 March 2025. This is an estimated total cost of approximately sixty-five thousand dollars (\$65,000.00) excluding GST for the full three (3) year period.

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 provision of the support and maintenance of the software products.**
- B. That Council enter into a contractual arrangement with Intergraph Corporation Pty Ltd T/A Hexagon Geospatial on a yearly or shorter basis as required for up to the next three (3) years at an approximate purchase price of \$65,000.00 excluding GST over the three (3) year period.**

RELATED PARTIES

Intergraph Corporation Pty Ltd T/A Hexagon Geospatial

Ipswich City Council

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

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

To ensure continuity of the necessary supply of support and maintenance for Council's APOLLO and IMAGINE spatial services products.

Background

Intergraph Corporation Pty Ltd T/A Hexagon Geospatial (Intergraph) is an American headquartered global company, with a registered office located in New South Wales. It is a long established and reputable provider of an engineering and geospatially powered software.

The supplier's proprietary APOLLO and IMAGINE software products have been in use at Council as part of Council's spatial services tool suite since 2013. The licences are owned by Council, with an annual support and maintenance fee applicable. In 2019 a three (3) year contract was entered into with Intergraph for the provision of the annual support and maintenance. The contract expires on 31 March 2022.

The continued use of the current Intergraph products has been identified as being dependent on the pending acquisition and implementation of an enterprise spatial solution by Council. This means that the enterprise spatial solution is expected to be developed to include the functionality provided by these products. As such, it would be counterproductive, costly, and untimely to source and implement a new product which will potentially be superseded by the new enterprise solution. This renders Intergraph the only supplier reasonably available for the provision of the support and maintenance for the proprietary APOLLO and IMAGINE software products currently in use by Council. While it is not anticipated, it is still prudent to allow for up to three (3) years for use of this product while the enterprise spatial solution is fully implemented within Council.

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 risk to Council if the recommendation within this report is not approved is that Council will not be able to continue the support and maintenance of the APOLLO and IMAGINE spatial products until such time as an enterprise spatial solution is implemented and that key

spatial operational software will not receive the necessary support and maintenance as required.

The APOLLO and IMAGINE software products have not been scoped as part of the core systems being addressed by Council’s iVolve Project, however the critical integration aspects of the replacement enterprise GIS system have been identified and form part of iVolve consideration to ensure optimal integration of the product into the core systems.

Accordingly, the risk of investing in this software at this time is low and can be addressed in the integration business requirements for the iVolve Project.

Application	iVolve Scope Alignment	iVolve Impact Rating	Impact Treatment
Intergraph Corporation Pty Ltd T/A Hexagon Geospatial APOLLO and IMAGINE products	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

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that Council enter into a contractual arrangement on a yearly or shorter basis as required for up to three (3) years with Intergraph Corporation Pty Ltd T/A Hexagon Geospatial for the continued provision of a software support and maintenance.
(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.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications, as the APOLLO and IMAGINE software support and maintenance renewal is budgeted as an operational expense within the ICT Branch Budget. There are no additional financial implications.

This report seeks a resolution of Council for an approximate total cost of sixty-five thousand dollars (\$65,000) excluding GST if a renewal of the APOLLO and IMAGINE software support and maintenance is entered into on a yearly or shorter basis as required for up to three (3) years for the period commencing 1 April 2022 and ending 31 March 2025.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the Asset Services 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 continued provision of support and maintenance of the APOLLO and IMAGINE spatial products, it is recommended that Council provide the requested approval in relation to the proposed contractual arrangement with Intergraph Corporation Pty Ltd T/A Hexagon Geospatial for up to the next three (3) years to allow for an outcome in relation to the implementation of an enterprise spatial solution.

Amanda Cowen

CONTRACTS OFFICER ICT

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.

Sylvia Swalling

CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Brett McGrath

MANAGER, ASSET SERVICES

I concur with the recommendations contained in this report.

Sean Madigan

GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A7807681

ITEM: 11
SUBJECT: PROCUREMENT - ROBELLE DOMAIN PARKLANDS FACILITY LEASE
AUTHOR: CATEGORY SPECIALIST
DATE: 15 DECEMBER 2021

EXECUTIVE SUMMARY

This is a report concerning a proposed Expression of Interest (EOI) for the procurement of a suitable commercial or community operator to lease and activate the facility within the Robelle Domain Parklands at 155 Southern Cross Circuit, Springfield Central more particularly described as Lot 762 of SP221160.

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 disposal of interest in land (lease) at 155 Southern Cross Circuit, Springfield Central more particularly described as part of Lot 762 and Plan SP221160 (Council file reference number 17859).**
- 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 to guide the best use of the facility;**
 - (ii) it will allow Council to identify operators with serious interest and ability, without putting all parties to the expense of submitting full tender responses at this early stage of the project;**
 - (iii) it will save Council the expense of running a request for tender and evaluating it at this early stage of the project.**

RELATED PARTIES

There are no related parties at this stage. There are no declared conflicts of interest at this stage.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Council seeks to engage a community, not-for-profit or commercial operator to lease and activate the facility at 155 Southern Cross Circuit, Springfield Central more particularly described as part of Lot 762 and Plan SP221160 (the facility). Council would like to invite operators to propose innovative and alternative viable solutions for the facility which maximise value for Council, the operator and the community.

The facility was purpose built for a café style outlet and at the time of construction was intended to be the only full-time, full-service food outlet within the Robelle Domain Parklands. However, with the continued growth of the surrounding Springfield area and increased competition the café became an unviable business operation for the previous lessee and the facility was surrendered in June 2019. Since then, the café area has remained untenanted with an external area being utilised by a user group for storage purposes. At the time of surrender it was suggested that Council investigate opportunities to repurpose the facility for alternative uses that would activate the parklands and support increased outdoor and recreational uses for the vicinity.

Over the past 12 months Council has received numerous enquiries from interested parties to lease the facility, a variety of uses for the facility have been proposed, including:

- Café / restaurant;
- Storage for community exercise equipment;
- Selling of gift wares;
- Function area to invite guest speakers;
- Book depository;
- Sporting goods library.

However, due to the requirements of section 227 of the regulation, requiring Council to dispose of an interest in land by tender, Council has been unable to engage with any of the interested parties to further assess or explore the viability of the proposals.

A Strategy and Tender Evaluation Plan (STEP) has analysed the procurement options and recommended an EOI process as the preferred procurement strategy to secure a suitable lessee for the facility (attachment 1). An EOI process will achieve the following outcomes:

- Compliance with the Sound Contracting Principles and sections 227 and 228 of the *Local Government Regulation (QLD) 2012*;
- Allow the community to propose innovative and alternative viable solutions for the activation and use of facility, without putting all contenders through the expense of full tender response in the initial stages;
- Provide Council with the opportunity to understand from the market and community what the best use of the facility will be;
- Allow Council to evaluate the proposals against a set criteria in a fair and transparent manner and shortlist solutions which maximise value for Council, the operator and the community; and
- Provide Council with the opportunity to work with one or multiple shortlisted operators to conduct a Request for Tender (RFT) process.

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 risks associated with an EOI and RFT process have been considered in the attached STEP.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A states that pursuant to Section 228(3)(a) of the Regulation it would be in the public interest to invite expressions of interest before inviting written tenders for the lease at 155 Southern Cross Circuit, Springfield Central more particularly described as part of Lot 762 and Plan SP221160.
(b) What human rights are affected?	No human rights are affected by the decision to proceed to Expression of Interest because no person has been engaged to enter into a lease for the premises.
(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

Council's obligations under a lease have been considered in operational budgets, a full maintenance schedule which identifies the maintenance obligations of both parties will be included in the proposed lease agreement.

Council has no intention to remove, amend or change the current infrastructure of the facility. There will be no capital expenditure required as part of this EOI or RFT process.

COMMUNITY AND OTHER CONSULTATION

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

Over the past 12 months Council has received several enquiries from the community with proposals to lease and activate facility. This EOI will notify the community that Council is considering a new lease opportunity for the facility and allow the community to respond.

The proposed EOI will be released on Council's tender platform and open to all community, not-for-profit and commercial operators. It will be advertised on Council's social media pages. Procurement will engage with the marketing branch to ascertain other suitable local Ipswich and Springfield publications to advertise the EOI.

CONCLUSION

An EOI process for the lease of 155 Southern Cross Circuit, Springfield Central more particularly described as part of Lot 762 and Plan SP221160, will maximise the innovative and alternative options available to Council to ensure the facility activation delivers maximum value for Council, the operator and the community.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Strategy and Tender Evaluation Plan
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Shyanne Ward

CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Richard White

MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Kerry Perrett

ACTING PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Don Stewart

MANAGER, COMMUNITY AND CULTURAL SERVICES

I concur with the recommendations contained in this report.

Ben Pole

GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

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