



# City of Ipswich

**IPSWICH  
CITY  
COUNCIL**

**AGENDA**

*of the*

**ENVIRONMENT AND SUSTAINABILITY COMMITTEE**

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

**On Thursday, 16 June 2022  
At 10 minutes after the conclusion of the Economic and Industry Development  
Committee**

**MEMBERS OF THE ENVIRONMENT AND SUSTAINABILITY COMMITTEE**

Councillor Russell Milligan (**Chairperson**)

Councillor Andrew Fechner (**Deputy Chairperson**)

Mayor Teresa Harding

Deputy Mayor Jacob Madsen

Councillor Kate Kunzelmann

**ENVIRONMENT AND SUSTAINABILITY COMMITTEE AGENDA**

*10 minutes after the conclusion of the Economic and Industry  
Development Committee on Thursday, 16 June 2022*  
Council Chambers

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\*\* Item includes confidential papers

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**ENVIRONMENT AND SUSTAINABILITY COMMITTEE NO. 5**

**16 JUNE 2022**

AGENDA

**WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY**

**DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

**BUSINESS OUTSTANDING**

**CONFIRMATION OF MINUTES**

1. **CONFIRMATION OF MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY COMMITTEE NO. 2022(04) OF 5 MAY 2022**

**RECOMMENDATION**

That the Minutes of the Meeting held on 5 May 2022 be confirmed.

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**OFFICERS' REPORTS**

2. **FLOOD RECOVERY SUPPORT - WILDLIFE CARERS AND PRIVATE LANDHOLDERS**

This is a report concerning flood recovery funding made available to wildlife carers and private landholders who are in partnership with council. The funding in the form of a bursary was made available to eligible wildlife carers and landholders who have a registered Voluntary Conservation Agreement or Land for Wildlife Agreement with council, in response to the 2022 flood impacts. The purpose of the Bursary was to offer immediate support to impacted carers and property owners caring for an increased amount of flood impacted wildlife.

**RECOMMENDATION**

That the report be received and the contents noted.

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3. **\*\*POTENTIAL AQUISITION OF A LAND IN SOUTH RIPLEY WITH ENVIROPLAN PROGRAM AND LEVY FUNDS**

This is a report concerning the voluntary acquisition of 25.25 hectares of significant conservation land in South Ripley. It is proposed that the Ipswich Enviroplan Program and Levy Funds be used to acquire this land and secure the site. Site

location and funds required are outlined in the confidential background information (Attachments 1 to 3).

RECOMMENDATION

- A. That Council resolve to purchase the whole of the land in South Ripley, as outlined in Confidential Attachment 1 for environmental purposes.
- B. That the method of acquisition be by agreement with the affected person/s pursuant to the *Property Law Act 1975* and the *Land Title Act 1994*.

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4. QUEENSLAND FIRE AND BIODIVERSITY CONSORTIUM ANNUAL CONTRIBUTION

This is a report concerning the ongoing partnership and financial contribution to the Queensland Fire and Biodiversity Consortium (QFBC).

RECOMMENDATION

That the report be received and the contents noted.

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5. TI TREE BIOENERGY FUNDING - ANNUAL PROGRAM REPORT

This is a report concerning Ipswich City Council's role in managing and delivering on revenue collected from the Ti Tree Bioenergy facility. Ipswich City Council looks to manage and expend these funds in such a way as to offset social and environmental impacts from the facility and improve amenity and environmental values for the local community through the provision of community proposed projects.

This report highlights progress to date on current projects and proposes the list of projects to be developed upon and delivered in the 2022-2023 financial year and beyond.

RECOMMENDATION

That in accordance with the Ti Tree Bioenergy Funding governance arrangements Council endorse the proposed program of projects to be pursued in the 2022-2023 financial year.

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6. \*\*CHERISH THE ENVIRONMENT FOUNDATION LIMITED

In March 2021, a report was presented to Environment and Sustainability Committee proposing that Council seek legal and governance advice in order to develop an exit strategy for Council from the Cherish the Environment Foundation.

This is a report providing the final documents that make up the exit strategy for Council, including a revised draft Constitution as provided by Cherish the Environment Foundation board.

### RECOMMENDATION

That the Chief Executive Officer be authorised to negotiate and finalise the terms of the Separation Deed, Deed of Indemnity – Stockland, Deed of Indemnity – QR, and Grandchester Services Agreement to be executed by Council and to do any other acts necessary to implement Council’s decision in accordance with section 13(3) of the *Local Government Act 2009*.

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### NOTICES OF MOTION

### MATTERS ARISING

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**ENVIRONMENT AND SUSTAINABILITY COMMITTEE NO. 2022(04)**

**5 MAY 2022**

MINUTES

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

**COUNCILLOR'S APOLOGIES:** Nil

**OFFICERS' ATTENDANCE:** Chief Executive Officer (Sonia Cooper), General Manager Infrastructure and Environment (Sean Madigan), General Manager Planning and Regulatory Services (Peter Tabulo), General Manager Community, Cultural and Economic Development (Ben Pole), Chair – Retail Sub-Project Sub Committee (James Hepburn), Communications, Events and Engagement Manager (Karyn Sutton), Senior Communications and Policy Officer (David Shaw), Chief of Staff – Office of the Mayor (Melissa Fitzgerald) and Theatre Technician (Harrison Cate)

**WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY**

Councillor Russell Milligan (Chairperson) delivered the Acknowledgement of Country.

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**DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

Nil

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**BUSINESS OUTSTANDING**

Nil

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**CONFIRMATION OF MINUTES**

1. **CONFIRMATION OF MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY COMMITTEE NO. 2022(03) OF 7 APRIL 2022**

**RECOMMENDATION**

Moved by Councillor Andrew Fechner:  
Seconded by Deputy Mayor Jacob Madsen:

**That the minutes of the Environment and Sustainability Committee held on 7 April 2022 be confirmed.**

AFFIRMATIVE

Councillors:

Milligan

Fechner

Harding

Madsen

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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**OFFICER'S REPORT**

2. **RECOGNISING EMERGENCY SERVICES VOLUNTEERS DURING NATIONAL VOLUNTEER WEEK 2022**

This is a report concerning council's recognition of disaster and emergency volunteers during National Volunteer Week in May. Volunteerism assists in developing a caring, equitable society and all volunteers should be commended for their contribution.

**RECOMMENDATION**

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

**That the report be received and the contents noted.**

AFFIRMATIVE

Councillors:

Milligan

Fechner

Harding

Madsen

NEGATIVE

Councillors:

Nil



Kunzelmann

The motion was put and carried.

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**NOTICES OF MOTION**

Nil

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**MATTERS ARISING**

Nil

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**PROCEDURAL MOTIONS AND FORMAL MATTERS**

The meeting commenced at 11.33 am.

The meeting closed at 11.47 am.

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Doc ID No: A7958199

ITEM: 2

SUBJECT: FLOOD RECOVERY SUPPORT - WILDLIFE CARERS AND PRIVATE LANDHOLDERS

AUTHOR: TEAM LEADER (ENVIRONMENT AND SUSTAINABILITY EDUCATION AND AWARENESS)

DATE: 22 MARCH 2022

### **EXECUTIVE SUMMARY**

This is a report concerning flood recovery funding made available to wildlife carers and private landholders who are in partnership with council. The funding in the form of a bursary was made available to eligible wildlife carers and landholders who have a registered Voluntary Conservation Agreement or Land for Wildlife Agreement with council, in response to the 2022 flood impacts. The purpose of the Bursary was to offer immediate support to impacted carers and property owners caring for an increased amount of flood impacted wildlife.

### **RECOMMENDATION/S**

**That the report be received and the contents noted.**

### **RELATED PARTIES**

There was no declaration of conflicts of interest

### **IFUTURE THEME**

Natural and Sustainable

### **PURPOSE OF REPORT/BACKGROUND**

The 2022 flood and heavy rain events of February and May severely impacted the Ipswich community. Post flood planning was undertaken to support the recovery of affected environments, communities, and businesses. This identified the need for immediate financial options. As such a flood recovery bursary was developed, targeting two community stakeholders, being: wildlife carers and existing landowner conservation partners.

### **Wildlife Carers**

Wildlife carers play a crucial role in the conservation efforts of native wildlife in Ipswich. Wildlife carers belong to voluntary organisations dedicated to the rescue, transportation, rehabilitation, and release of sick or injured wildlife. These groups are not-for-profit, and volunteers operate 24hours a day with mostly home-based coordinators and trained volunteers assisting in all aspects of animal rescue and recovery.

The 2022 flood events displaced large amounts of native wildlife including ringtail and brushtail possums, wallabies and kangaroos, birds, reptiles, and koalas. Volunteers are faced with increased costs for caring for native wildlife in Ipswich as a result of increased wildlife requiring rescue and rehabilitation.

### **Summary of Identified flood impacts to Wildlife and Wildlife Carers**

- Emergency hotlines saw a huge uptick in calls from the general community reporting displaced and injured wildlife.
- Several call outs were made per day by volunteer rescuers for wildlife rescues and transportation to Wacol RSPCA, vet clinics or other carers, this has resulted in increased fuel usage compounded by a number of major road closures across the city
- Normal rescue and rehabilitation facilities reached capacity with injured or displaced wildlife
- Volunteer rescuers who were directly impacted by the floods continue to undertake rescues even though many of them having property inundation or associated issues themselves.
- There are a reduced number of available volunteer rescuers or transporters as a due to having been cut off or directly impacted by the flooding, therefore there were not enough available vaccinated volunteers (QFever and Lyssavirus)
- Identified food shortage for flying foxes and bats, blossoms have been washed away and flying foxes will be likely entering backyards to feed resulted in increased pressure on already stressed flying fox populations
- Whilst WACOL wildlife service RSPCA have accepted the majority of rescued flying foxes and bats they are or were at capacity.

### **Requested support**

- Financial support for rescue expenses
  - Fuel costs taking note of present increased fuel costs and increased journeys
  - Rescue materials such as long poles for high reaching wildlife rescues
- Need for vaccinated volunteers to help with flying fox and bat rescues
- Access to boats or marine transport for any water rescues
- Assistance with communication to residents regarding the food shortage and ways to support wildlife during this time

To adequately address the emergency needs of wildlife carers in a transparent and fair manner, it was recommended that a Flood Recovery Bursary be developed, guidelines were

developed (Attachment 1) to ensure the assessment of applications using eligible criteria is used.

Table 1 Projects approved as per the assessment criteria and eligibility

Project	Funding Amount Requested	In-kind contribution	Total Project Cost	Funding Amount Recommended
Wildlife Aviary	\$1,000	\$1,212.00	\$2,212.00	\$1,000
Supporting our Wildlife	\$416.64	\$416.64	\$833.28	\$416.64
Muck for the Ducks and Birds	\$263.25	\$263.25	\$526.50	\$263.25
Macropods and Birds	\$972.78	\$972.78	\$1945.56	\$972.78
Feeding the Fortunate	\$200.14	200.14	\$400.28	\$200.14
Rescued and rehabilitated Ducks and Birds	\$290.25	\$290.25	\$580.50	\$290.25
Bird ICU	\$779.00	\$779.00	\$1,558.00	\$779.00
Wildlife enclosure	\$1,000.00	\$1,200.00	\$2,200.00	\$1,000.00
Help for Hilltop Haven	\$798.71	\$798.71	\$1,597.42	\$798.71
			<b>TOTAL</b>	<b>\$5,720.77</b>

Summary of projects funded by the Flood Recovery Bursary for Wildlife Carers

- Construction of an aviary to allow additional wildlife effected by floods to be rehabilitated
- Purchase of food for wildlife in care and on a soft release plan
- Feeding equipment and bedding
- Supplement milk products for pinkie joeys
- Purchase enclosures for soft release of wildlife
- Purchase of storage equipment for food supplies
- Forage supplies equipment such as browse cutters

**Private Landholder Funding Support**

The Landholder Conservation Partnerships Program aims to encourage and assist Ipswich landholders to manage, enhance and protect ecosystems in order to conserve flora and fauna on their properties. The LCPP is funded by Council’s Enviroplan Levy and offers non-statutory and statutory partnerships. Non-statutory partnerships fall into three sub-categories; Land for Wildlife (LfW), Voluntary Conservation Agreements (VCA) and the Habitat Gardens Partnerships. Statutory partnerships have one sub-category; Voluntary Conservation Covenant (VCC).

The LCPP provides ongoing support for private landholders who can demonstrate a commitment to either restoring fragmented landscapes or protecting and maintaining intact areas of vegetation located in priority areas in Ipswich.

Landholders were consulted during the peak of the floods and afterwards to gauge the immediate and ongoing impacts on their properties. Landholders have access to an annual Nature Conservation Grant, however the works needing support were not eligible under the Grant guidelines.

- The Flood Recovery Bursary aimed to directly support the rectification works as a result of the floods on private land in partnership with council and;
- To support landholders in partnership with council with expenses associated with restoration materials, machinery and creek/river clean up on their properties
- Applicants were eligible to apply for a maximum of up to \$2,000 (excluding GST) per application
- In-kind contributions were not required in this instance.

#### **Types of projects applied for funding**

- Debris and rubbish removal
- Removal of destroyed fencing including wire and posts
- Re-fencing to exclude cattle from highly erodible riverbank areas
- Development of bank stabilisation plans involving planting and fencing
- Revegetation of damaged areas with native species
- Management of emerging weeds
- Restoration of the original creek profile using earthwork machinery to mitigate further erosion
- Erosion control and bank stabilisation

#### **Future risks**

- Large infestations of riparian weeds emerging
- Continued erosion

Nine (9) applications were received

- Applications were assessed by a panel of two (2) council officers and the below recommendations were made for approved applicants as per the Bursary Guidelines (Attachment 2):

Table 2 - Projects approved as per the assessment criteria and eligibility

Project	Funding Amount Requested	In-kind contribution	Total Project Cost	Funding Amount Recommended
2022 Flood Damage	\$2,000.00	\$30,000.00	\$32,000.00	<b>\$2,000.00</b>
Worlds End Pocket River Flats Environment Protection	\$2,000.00	\$14,095.00	\$16,095.00	<b>\$2,000.00</b>

Woods End Creek Sandpaper Fig Flood Repair Project	\$1,974.00	\$1,285.00	\$3,284.30	<b>\$1,974.00</b>
Erosion repair and prevention	\$2,000.00	\$2,550.00	\$4,550.00	<b>\$1,900.00</b>
Creek bank stabilisation	\$2,000.00	\$2,000.00	\$4,000.00	<b>\$2,000.00</b>
Creek rejuvenation	\$2,000.00	NA	\$2,000.00	<b>\$2,000.00</b>
Woodend Rd Flood Recovery	\$1,999.49	\$1,700.00	\$3,699.49	<b>\$1,999.49</b>
Purga Creek Bank Remediation	\$2,000.00	\$1,180.00	\$3,180.00	<b>\$2,000.00</b>
Brisbane River castor oil plant control	\$2,000.00	NA	\$2,000.00	<b>\$2,000.00</b>
			<b>TOTAL</b>	<b>\$17,873.49</b>

### LEGAL/POLICY BASIS

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

### RISK MANAGEMENT IMPLICATIONS

No risks have been identified

### HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS
<b>RECEIVE AND NOTE REPORT</b>
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

- No financial implications indicated as the funding was refocused from within existing budget.
- Grant funding was sourced from within the allocated Natural Environment and Land Management grant funding budget.

### COMMUNITY AND OTHER CONSULTATION

The following stakeholders were consulted with during the process of identifying the type of support available from council,

- Community Funding and Support team were consulted and agree with the proposal in this report and will support the process
- Local wildlife carers were consulted with and agree with the support provided in this report



- Private Landholders registered in Landholder Conservation Partnerships Program were consulted with through the process

### CONCLUSION

The identified funding mechanisms aimed to directly support;

- Flood affected wildlife and wildlife cares in the Ipswich LGA in assisting with expenses associated with rescues, transportation, rehabilitation and release of native wildlife.
- Landholders registered in the Landholder Conservation Partnerships Program requiring immediate support for rectification works on their properties that were not eligible for other funding support mechanisms.

### ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Flood Recovery Guidelines - Wildlife Carers <a href="#">↓</a> 
2.	Flood Recovery Guidelines - Landholder Partnerships <a href="#">↓</a> 

Stephani Macarthur

**TEAM LEADER (ENVIRONMENT AND SUSTAINABILITY EDUCATION AND AWARENESS)**

I concur with the recommendations contained in this report.

Phil A. Smith

**NATURAL ENVIRONMENT AND LAND MANAGER**

I concur with the recommendations contained in this report.

Kaye Cavanagh

**MANAGER, ENVIRONMENT AND SUSTAINABILITY**

I concur with the recommendations contained in this report.

Sean Madigan

**GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT**

*“Together, we proudly enhance the quality of life for our community”*

## Guidelines

# Flood Recovery - Wildlife Carers

<b>Objectives</b>	<ul style="list-style-type: none"><li>▪ To directly support flood affected wildlife in the Ipswich LGA</li><li>▪ To support wildlife carers expenses associated with rescues, transportation, rehabilitation and release of native wildlife</li></ul>
<b>Funding Range</b>	<ul style="list-style-type: none"><li>▪ Applicants are eligible to apply for a maximum of up to \$1,000 (excluding GST) per application.</li><li>▪ In-kind contributions not required</li></ul>
<b>Timeframe</b>	<ul style="list-style-type: none"><li>▪ Applications open 1 April 2022</li><li>▪ Application closes 30 April 2022</li><li>▪ Notification of application outcome mid June</li></ul>
<b>Eligibility Criteria</b>	<ul style="list-style-type: none"><li>▪ Registered wildlife carers in the Ipswich LGA</li><li>▪ Registered wildlife carers outside of the Ipswich LGA who rescue wildlife in Ipswich</li></ul>
<b>Eligible Initiatives</b> *funds cannot be used as a reimbursement	<ul style="list-style-type: none"><li>▪ Rescue and rehabilitation equipment and materials</li><li>▪ Fuel for rescues, transportation and fodder collection</li><li>▪ Food for wildlife</li><li>▪ Funding for volunteer vaccinations (Lyssavirus and QFever)</li></ul>
<b>Assessment Criteria</b>	<ul style="list-style-type: none"><li>▪ Funding purpose</li><li>▪ Submission of one quote for materials and equipment</li><li>▪ Proof of Wildlife Caring registration</li><li>▪ For fuel purchase – proposed number of call outs and kilometres, fuel costs and vehicle type</li></ul>
<b>Funding Approval Process</b>	<ul style="list-style-type: none"><li>▪ All applications to be assessed by at least two (2) council officers</li><li>▪ Recommendation for approval from Economic and Community Development General Manager</li></ul>
<b>Application Process</b>	<ul style="list-style-type: none"><li>▪ Application, assessment and acquittal via the council Smarty Grants Portal</li></ul>



## Guidelines

# Flood Recovery Bursary – Partnership Members

<b>Bursary Objectives</b>	<ul style="list-style-type: none"><li>▪ To directly support the rectification works as a result of the floods on private land in partnership with council</li><li>▪ To support landholders in partnership with council with expenses associated with restoration materials, machinery and creek/river clean up on their properties</li></ul>
<b>Funding Range</b>	<ul style="list-style-type: none"><li>▪ Applicants are eligible to apply for a maximum of up to \$2,000 (excluding GST) per application</li><li>▪ In-kind contribution not required</li></ul>
<b>Timeframe</b>	<ul style="list-style-type: none"><li>▪ Applications open 1 April 2022</li><li>▪ Application closes 30 April 2022</li><li>▪ Notification of outcome end of May</li></ul>
<b>Eligibility Criteria</b>	<ul style="list-style-type: none"><li>▪ Registered members in the Landholder Conservation Partnerships Program affected by the 2022 floods<ul style="list-style-type: none"><li>• Land for Wildlife</li><li>• Corridor Conservation Agreement</li><li>• Biodiversity Conservation Agreement</li><li>• Voluntary Conservation Covenant</li></ul></li></ul>
<b>Eligible Initiatives</b> *funds cannot be used as a reimbursement	<ul style="list-style-type: none"><li>▪ Contractor costs associated with:<ul style="list-style-type: none"><li>• Debris removal</li><li>• Bank stabilisation (works along river and creek banks are subject to approval using machinery)</li></ul></li><li>▪ Rehabilitation of creek banks using native plants</li><li>▪ Removal of emerging weeds in flood impacted area (within your agreement area)</li></ul>
<b>Assessment Criteria</b>	<ul style="list-style-type: none"><li>▪ Description of flood impacts and photo evidence of property damage</li><li>▪ Project area must be within the Agreement area</li><li>▪ Submission of one quote for materials and equipment</li><li>▪ Budget and breakdown of costs</li></ul>
<b>Funding Approval Process</b>	<ul style="list-style-type: none"><li>▪ All applications to be assessed by at least two (2) council officers<ul style="list-style-type: none"><li>• Competitive Bursary</li></ul></li><li>▪ CEO approval</li></ul>
<b>Application Process</b>	<ul style="list-style-type: none"><li>▪ Application, assessment and acquittal via the council Smarty Grants Portal</li></ul>

Doc ID No: A8056219

ITEM: 3

SUBJECT: POTENTIAL ACQUISITION OF A LAND IN SOUTH RIPLEY WITH ENVIROPLAN PROGRAM AND LEVY FUNDS

AUTHOR: PLANNING OFFICER (ENVIRONMENTAL MANAGEMENT)

DATE: 12 MAY 2022

### **EXECUTIVE SUMMARY**

This is a report concerning the voluntary acquisition of 25.25 hectares of significant conservation land in South Ripley. It is proposed that the Ipswich Enviroplan Program and Levy Funds be used to acquire this land and secure the site. Site location and funds required are outlined in the confidential background information (Attachments 1 to 3).

### **RECOMMENDATION/S**

- A. That Council resolve to purchase the whole of the land in South Ripley, as outlined in Confidential Attachment 1 for environmental purposes.**
- B. That the method of acquisition be by agreement with the affected person/s pursuant to the *Property Law Act 1975* and the *Land Title Act 1994*.**

### **RELATED PARTIES**

There was no declaration of conflicts of interest.

### **IFUTURE THEME**

Natural and Sustainable

### **PURPOSE OF REPORT/BACKGROUND**

The land is currently listed on the open market for sale via a selling agent.

A desktop assessment and subsequent on-site inspection were carried out to determine values and suitability for acquisition of the property under Enviroplan – refer confidential Attachment 2 for a summary report.

The proposed acquisition aligns with key themes in Council’s adopted corporate strategies and plans:

- Enviroplan Capital Investment Strategy 2017-2022 – priority area for acquisition
- Ipswich Nature Conservation Strategy 2015 – Priority Area for Conservation and Rehabilitation

- Ipswich Nature Conservation Strategy 2015 – Corridor Area
- Koala Conservation and Habitat Management Plan – Koala Habitat Restoration Areas
- Ipswich Integrated Catchment Plan – Upper Bundamba Natural Flood Plain Management Option

Council’s Ipswich Enviroplan Program & Levy Procedure provides an assessment framework which includes 13 evaluation criteria. The framework and criteria are applied as part of an assessment of the land. The land meets several criteria, in particular:

- Environmental significance & biodiversity values (including level of threat)
- Protection of water quality and catchment values
- Aboriginal Cultural Heritage and Aboriginal Cultural Landscape features
- Enhancement of the overall protection and sustainable use of the natural environment within the city
- Level of priority within the Nature Conservation Strategy

An independent market valuation determined the land’s current market value as outlined in confidential Attachment 1.

#### **LEGAL/POLICY BASIS**

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

*Local Government Act 2009*

*Ipswich Enviroplan Program and Levy Policy*

*Property Acquisition and Disposal Policy*

#### **RISK MANAGEMENT IMPLICATIONS**

Risks associated with the acquisition proposal are detailed below in Table 1.

<b>Risk/Issue</b>	<b>Mitigation and Control Measure</b>
Owner receives and accepts an offer during the time it takes to seek council approval	Provides regular updates to selling agent of progress.
Council offer does not meet owner price expectations	Communicate expectations clearly. Provide market valuation report to selling agent.

**Table 1:** Risks and mitigation measures.

The risk of not approving the recommendation is that the property could be degraded through grazing, clearing or development. This could result in a loss of key natural environmental values particularly of the wetland and habitat features.

#### **HUMAN RIGHTS IMPLICATIONS**

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Council has a discretion on whether to put forward an offer to purchase the land.
(b) What human rights are affected?	There is no obligation for the owners to accept Council's written offer. The property is listed on the open market
(c) How are the human rights limited?	N/A
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	N/A
(e) Conclusion	The decision is consistent with human rights.

### FINANCIAL/RESOURCE IMPLICATIONS

Enviroplan levy funds as outlined in confidential Attachment 1 are required to purchase the land and implement immediate capital investment to make the site secure. This consists of:

- Immediate capital cost to secure and manage the property
- A restoration and site management plan using a suitably qualified wetland ecologist
- Expected total property purchase price including fees\*

*\*based on primary assessment and subject to negotiation*

Acquisition will require a budget amendment. Council is holding sufficient funds as "restricted cash" in relation to Enviroplan. These restricted funds are for purposes outlined in the Enviroplan Separate Charge in each annual budget. This includes the acquisition of land for environmental purposes. It is expected that the funds for the property would be included in the 2022-2023 financial year budget.

### COMMUNITY AND OTHER CONSULTATION

Due to the private nature of acquiring land, no community consultation is undertaken. Assessing the land involves engagement with key sections of council who provide technical advice and input. These sections include:

- Finance and Treasury
- Environment and Sustainability
- Property Services

- Community and Cultural Services

## CONCLUSION

The property at South Ripley (as outlined in Confidential Attachment 1) contains important environmental values worthy of protecting within Council's Natural Area Estate. Investing Enviroplan levy funds in its voluntary acquisition aligns with council's policy and strategic position. The land's acquisition and ongoing management protects its environmental values now and for future generations.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Confidential Property and Acquisition Information
2.	Confidential Enviroplan Acquisition Detailed Assessment Memorandum - South Ripley Property
3.	Confidential Kerbside Restricted Assessment Valuation

Merrin Allen

### PLANNING OFFICER (ENVIRONMENTAL MANAGEMENT)

I concur with the recommendations contained in this report.

Alicia Rieck

### SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

I concur with the recommendations contained in this report.

Phil A. Smith

### NATURAL ENVIRONMENT AND LAND MANAGER

I concur with the recommendations contained in this report.

Kaye Cavanagh

### MANAGER, ENVIRONMENT AND SUSTAINABILITY

I concur with the recommendations contained in this report.

Sean Madigan

### GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT

*"Together, we proudly enhance the quality of life for our community"*

Doc ID No: A8053470

ITEM: 4

SUBJECT: QUEENSLAND FIRE AND BIODIVERSITY CONSORTIUM ANNUAL CONTRIBUTION

AUTHOR: TEAM LEADER (LAND MANAGEMENT AND NATURAL AREA PLANNING)

DATE: 11 MAY 2022

### **EXECUTIVE SUMMARY**

This is a report concerning the ongoing partnership and financial contribution to the Queensland Fire and Biodiversity Consortium (QFBC).

### **RECOMMENDATION/S**

**That the report be received and the contents noted.**

### **RELATED PARTIES**

QFBC is hosted by Healthy Land and Water with the membership committee being made up of representatives from:

- Brisbane City Council
- The City of the Gold Coast
- Gympie Regional Council
- Ipswich City Council
- Logan City Council
- Moreton Bay Regional Council
- Redlands City Council
- Scenic Rim Regional Council
- Somerset Regional Council
- South Burnett Regional Council
- Sunshine Coast Council Regional Council
- Toowoomba Regional Council
- Powerlink
- Queensland Fire & Emergency Services (including the Rural Fire Service Queensland)
- Queensland Parks and Wildlife Service
- Department of Transport and Main Roads
- EQ Water

### **IFUTURE THEME**

Natural and Sustainable

### **PURPOSE OF REPORT/BACKGROUND**

QFBC was established in 1998 and is a network of land managers and stakeholders devoted to providing a coordinated response and best-practice recommendations for fire

management, fire ecology and the conservation of biodiversity throughout Queensland. QFBC functions under the auspice of the regional Natural Resource Management body (Healthy Land and Water) and is supported through sponsorship and in-kind funding arrangements with currently 19 supporting organisations including South East Queensland local councils, other government agencies, non-government organisations, Queensland Fire and Emergency Services and Powerlink.

Ipswich City Council has been a member of QFBC since 2000.

This partnership has enabled Ipswich to continue to advance the Natural Area Estate Fire Management Program through the most up to date fire ecology science and help to support the long-term conservation and biodiversity values contained within Ipswich and throughout South East Queensland.

The benefits to both Council and the community include:

- **Fire Management Information** - access to the most up to date information and research on fire management techniques and vegetation processes.
- **Educational Information** - access to all QFBC products and services, such as manuals, planning kits, information brochures and interpretive materials.
- **Partnership Assistance** - assistance with extension, through provision of information, recommendations and guidelines to landholders, such as facilitating workshops.
- **Specialist Technical Advice** - technical support regarding management of fire in bushland including appropriate monitoring techniques, operational and strategic planning guidance.
- **Networking** - access to a network of information regarding fire and management issues.
- **Promotional Opportunity** - promotion of Council's activities through the Consortium.
- **Council Involvement** - representation at Consortium meetings including input into the direction of the Consortium's activities to ensure maximum benefits to Council.

In addition to the broader benefits above, Council has worked continuously over the past 12 months with QFBC to ensure their services specifically address the practical requirements of the Natural Area Estate Fire Management Program. These specific outcomes are detailed in the attached sponsorship letter from QFBC (see Attachment 1) and set up the basis for Council's support through 2021-2022.

#### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:  
*Queensland Fire and Emergency Services Act 1990*

**RISK MANAGEMENT IMPLICATIONS**

The primary risk associated with not continuing the membership is a disconnect with a key non-government network that provides support, services, and training regarding best practice fire science from an International, National and Local perspective.

**HUMAN RIGHTS IMPLICATIONS**

<b>HUMAN RIGHTS IMPACTS</b>	
<b>OTHER DECISION</b>	
(a) What is the Act/Decision being made?	Read and note.
(b) What human rights are affected?	Human rights are not affected by these decisions.
(c) How are 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 Consortium has sought stakeholder commitments for 2021-2022. An annual Council contribution of \$8,032 (excl. GST) was requested as detailed in Attachment 1. This financial contribution has been included within the Enviroplan budget for the 2021–2022 financial year.

**COMMUNITY AND OTHER CONSULTATION**

No community consultation was required for this report. Relevant internal stakeholders were consulted.

**CONCLUSION**



Council has been requested to provide a funding contribution to the QFBC for the 2021-2022 financial year. Council has continued to work with partners and QFBC to provide the necessary support for the important work that QFBC undertakes, and which offers significant and direct benefit to Council. The commitment to funding aligns with actions identified in Ipswich City Council’s Nature Conservation Strategy 2015 and the Natural Area Estate Fire Management Program.

The many benefits from partnering with the QFBC ensures that Council continues to receive the latest fire research and management practices for the protection of life and property, as well as supporting the long-term conservation and biodiversity values contained within Ipswich and throughout South East Queensland.



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**ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS**

1.	ICC Partner Letter 21 22 190422 Final  
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John Young

**TEAM LEADER (LAND MANAGEMENT AND NATURAL AREA PLANNING)**

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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14 April, 2022

John Young  
Coordinator Environment & Sustainability  
Ipswich City Council  
PO Box 191  
Ipswich Qld 4305

**RE: Queensland Fire and Biodiversity Consortium Partner Funding 2021- 2022**

Dear John,

As Manager of the Queensland Fire and Biodiversity Consortium (QFBC), I would like to take this opportunity to thank Ipswich City Council for their partnership and for the highly valued contributions over the life of the QFBC. I would like to recognise the valuable collaboration we have with you on our Steering Committee and your input as a highly skilled and knowledgeable fire and land management operator. I would also like to acknowledge the team at Ipswich City Council, including the Land for Wildlife officers, we appreciate it is a team effort and are very grateful for the ongoing support.

**QFBC Partnering with Key Stakeholders**

One of the key strengths of the QFBC is the number and diversity of partners. Each supporting organisation contributes financially and in kind to the QFBC and these contributions increase significantly the value, networking reach, influence, skill base and knowledge potential of the QFBC, which in turn allows us to better provide for our partners.

For the 2021/2022 financial year, the QFBC is seeking financial support from: Brisbane City Council (CC), The City of the Gold Coast, Gympie Regional Council (RC), Ipswich CC, Logan CC, Moreton Bay RC, Noosa Council, Redlands CC, Scenic Rim RC, Somerset RC, South Burnett RC, Sunshine Coast Council, Toowoomba RC, Powerlink, Queensland Fire and Emergency Services (including the Rural Fire Service Queensland), Queensland Parks and Wildlife Service (QPWS), Department of Transport and Main Roads and Seqwater. This impressive list of supporting organisations reflects the extensive support for the QFBC and illustrates our active and dedicated partnerships over the past 22 years.

I would also like to gratefully acknowledge Healthy Land and Water, who administer the QFBC. Healthy Land and Water is an independent not-for-profit organisation and the regional delivery body for the Federal Governments' National Regional Land Partnerships program.

**2021 - 2022 QFBC Partner Contributions**

The contribution of partners is vital in securing and ensuring our ongoing function and we are enormously grateful to Ipswich City Council for the continued support. As you know, we manage the business of the QFBC on an efficient and very conservative budget and our service is highly regarded and increasingly in demand. Our goal remains to improve fire and biodiversity management across SEQ and the state, provide tailored support and resourcing for our partners and facilitate networking and communication across the sector. For 21/22 year we are requesting Ipswich City Council contribute **\$8032 (ex GST)**, this is the 20/21 contribution plus 2% CPI.





Doc ID No: A8064091

ITEM: 5  
SUBJECT: TI TREE BIOENERGY FUNDING - ANNUAL PROGRAM REPORT  
AUTHOR: NATURAL ENVIRONMENT AND LAND MANAGER  
DATE: 18 MAY 2022

### **EXECUTIVE SUMMARY**

This is a report concerning Ipswich City Council's role in managing and delivering on revenue collected from the Ti Tree Bioenergy facility. Ipswich City Council looks to manage and expend these funds in such a way as to offset social and environmental impacts from the facility and improve amenity and environmental values for the local community through the provision of community proposed projects.

This report highlights progress to date on current projects and proposes the list of projects to be developed upon and delivered in the 2022-2023 financial year and beyond.

### **RECOMMENDATION/S**

**That in accordance with the Ti Tree Bioenergy Funding governance arrangements Council endorse the proposed program of projects to be pursued in the 2022-2023 financial year.**

### **RELATED PARTIES**

Willowbank Action Group

Ti Tree Bioenergy

### **IFUTURE THEME**

Safe, Inclusive and Creative

### **PURPOSE OF REPORT/BACKGROUND**

This financial year the administration of the Ti Tree Bioenergy projects has been managed entirely under the new governance arrangements approved by Council in February 2021 (Attachment 1). This included board public consultation to source proposals for suitable community and environmental projects for delivery via 'Shape your Ipswich' through July and August 2021.

Council received 18 submissions from across the LGA including a number from members of Willowbank Area Group (WAG).

The internal Ti Tree working group then considered the submissions for eligibility against the agreed criteria and the final list was then discussed with the Divisional Councillors and community representatives from WAG in line with the recommended governance process.

Through this process the projects listed in Table 2 have been selected to progress and added to the delivery schedule for feasibility, design or delivery over the next 2 financial years (2022-2023 and 2023-2024).

Table 1 below is a summary of works undertaken or continuing through the 2021-2022 financial year.

<b>Table 1. Progress update on recommended projects for 2021-2022 financial year</b>	
<b>Projects</b>	<b>Progress</b>
Fencing around Mack Family Park & George Hatchman Bush Reserve.	Fencing works and entry way completed
Revegetation in Willowbank area (multiple revegetation projects submitted)	Large scale weed removal undertaken and revegetation of native species commenced and under maintenance at George Hatchman and Mack Park of other suitable planting sites. Plantings to enhance/create natural areas and create koala habitat.
Local land acquisition for the establishment of new parks and conservation areas and or vegetation buffers in line with proposals.	Investigations are ongoing. Much of the land in vicinity of Willowbank and Ebenezer whilst high value environmental habitat is zoned for future industry commercial and or residential making it costly and likely to be isolated in the future. Council officers have been looking at existing Council owned land in the Payne's Road area to establish as a viable new Ti Tree reserve and have been in discussion with WAG. A management proposal/plan is under development.
Continuation of wildlife signage and fauna movement project	Wildlife signage project has commenced and is on going with investigations and potential install 2 Kangaroo/Koala/Wildlife warning signs; one to be located at the approach to the intersection of Wigmore Street & Willowbank Drive & the other at the southern intersection of Willowbank drive & McHales Way
Community amenity infrastructure e.g. park benches picnic tables within the local reserves and parks.	Not commenced.

Feasibility study of community walking and cycling trails around O'Neill's Road, Ipswich-Amberley Road and Mt Elliot Mine Road, including continuation of the footpath from Warren Court to McHales Way	Design and construction of the continuation of the footpath between Warren Court and McHales way is in progress. Concept and costing completed works to commence early in the 2022-2023 financial year.
Wetland and waterway restoration on Bremer River and Warrill Creek.	Identification of suitable sites on going. Revegetation of waterway sites has been constrained by wet weather and flooding. This will role on to the 2022-2023 financial year
Partnership with Ipswich Koala Protection Society (IKPS) for potential purchase of property for a Koala Reserve and Koala fodder and investigate the use of local tracking collars	Several meetings have taken place with IKPS and proposal has been drawn up in this regards these will be considered for the 2023-2024 financial year funding and include assistance with funding a Koala ambulance and supporting local bush regeneration and protection in urban areas.

<b>Table 2. Proposed projects for the 2022-2023 financial year and beyond</b>	
<b>Projects</b>	<b>Comments</b>
Footpath Construction for McHale's Way to Warrens Court. Investigation into other local footpaths.	Potential sites on parkland on or around O'Neill's Road, Ipswich-Amberley Road.
Informational Signage	Directional and historical interpretation signage at the summit and possible inclusion of indigenous story related to the immediate area around Mack Family Park.
New Community/Koala Nature Reserve	Continued investigation into the establishment of 'Ti Tree' reserve with community and habitat focussed enhancement in the Willowbank Ebenezer area either on existing Council land on Payne's Road or through new acquisition(s).
Outdoor Learning	Investigation and feasibility study into the establishment of a local environmental education facility or hub in existing or new reserve within the areas

<p>Koala Conservation – Plantings Fodder Trees and Partnership with IKPS</p>	<p>Exploration of options to support the ongoing work of the Ipswich Koala Protection Society in their conservation efforts in and around Collingwood Park and potentially linking in with land in the Ebenezer Willowbank and Purga Koala habitat areas, potentially including the provision of a new Koala ambulance. A plan is being developed and proposed by IKPS and the ambulance is under consideration.</p>
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A number of the proposals received as part of the community engagement were deemed to be either out of scope or were not feasible to be delivered directly by Council. Given this, further consideration and review will be given in the remainder of this year and into the next to alternative fund distribution methods. This may include grants and bursaries to enable community groups to facilitate their own improvements or projects.

### **OTHER PROPOSALS REQUIRING FURTHER CONSIDERATION**

WAG have expressed their support for a number of other major capital expenditure projects and have presented these for consideration outside the public consultation period. This proposal will need to be properly assessed to ensure that they meet the criteria and are not projects that could or should otherwise be funded utilising existing subprogram funding and if they add to the social and environmental amenity of the wider population of Willowbank and surrounds. These include curb and channel of O’Neil’s Road Willowbank and major community centre and facility for the Willowbank area.

### **FINANCIAL IMPACTS**

The balance of the Ti Tree fund is as of March 2022 \$1,777,838.18 with a \$350,000 preliminary budget put forward for the 2022-2023 financial year.

This year’s estimated revenue is approximately \$440,000.

### **LEGAL/POLICY BASIS**

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

### **RISK MANAGEMENT IMPLICATIONS**

In collecting the funds from Ti Tree, under the terms of the aforementioned conditions, Council enters into an agreement to manage and expend those funds in line with their intended purpose. In not spending these funds or spending them in a manner not aligned with its intent Council is at risk of not meeting the legal requirements of the court order. Furthermore the community for which the funding was intended to support are at risk of missing out on an opportunity to offset any potential social or environmental impacts as a result of the Ti Tree Bioenergy facility.

Whilst Council is striving to deliver suitable projects it acknowledges that there is presently an accumulation of funds and annual spends are below the annual revenue. It is envisaged that the spends will increase over the following financial years as projects go from scoping to

delivery phase. There is also plans to look at resourcing options for this program going forwards.

### HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	That in accordance with the Ti Tree Governance arrangement Council considered and endorses the proposed program of projects to be perused in the 2022/2023 financial year.
(b) What human rights are affected?	No human rights are being impacted.
(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 balance of the Ti Tree funds is as of March 2022 \$1,777,838.18

This year's estimated revenue from Ti Tree is approximately \$440,000.

Next year's proposed budget is \$350,000 in capital funding.

This program is presently resourced across the Infrastructure and Environment Department. The department is exploring options for dedicated or shared resource to take carriage of the program.

### COMMUNITY AND OTHER CONSULTATION

The community are consulted through the "Shape your Ipswich" website through July/August 2021 and asked to provide suggestions for relevant projects. The community were also provided with the objectives and intent of the program to guide their submissions.

Many proposed projects were not in line with the intent of the program or fell outside Council's remit, control or ability.

Further to the 'Shape your Ipswich' engagement officers are in regular contact with the Willowbank community through meetings and correspondence with the Willowbank Area Group (WAG). WAG provide further suggestions through both the general community process and direct suggestions.




The projects and expenditure are published on the Ipswich City Council Transparency and Integrity Hub.

## CONCLUSION

With the proposed list of projects next year Council continues to develop and deliver works in line with the intent of the Ti Tree Bioenergy payments with a focus on improving social and environmental outcomes to the Willowbank and wider Ipswich community.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Council report 25 February 2021 - Ti Tree Bioenergy Payments - Project Development Process and Governance Framework <a href="#">↓</a> 
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Phil A. Smith

**NATURAL ENVIRONMENT AND LAND MANAGER**

I concur with the recommendations contained in this report.

Kaye Cavanagh

**MANAGER, ENVIRONMENT AND SUSTAINABILITY**

I concur with the recommendations contained in this report.

Sean Madigan

**GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT**

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Doc ID No: A8073873

ITEM: 6

SUBJECT: CHERISH THE ENVIRONMENT FOUNDATION LIMITED

AUTHOR: MANAGER, ENVIRONMENT AND SUSTAINABILITY

DATE: 23 MAY 2022

### **EXECUTIVE SUMMARY**

In March 2021, a report was presented to Environment and Sustainability Committee proposing that Council seek legal and governance advice in order to develop an exit strategy for Council from the Cherish the Environment Foundation.

This is a report providing the final documents that make up the exit strategy for Council, including a revised draft Constitution as provided by Cherish the Environment Foundation board.

### **RECOMMENDATION**

That the Chief Executive Officer be authorised to negotiate and finalise the terms of the Separation Deed, Deed of Indemnity – Stockland, Deed of Indemnity – QR, and Grandchester Services Agreement to be executed by Council and to do any other acts necessary to implement Council’s decision in accordance with section 13(3) of the *Local Government Act 2009*.

### **RELATED PARTIES**

Cherish the Environment Foundation Limited Directors

- Steve Rafter
- Shane O’Kane
- Cr Andrew Fechner
- Jeffrey Keech

Cherish the Environment Foundation Secretary

- Bryce Hines

### **IFUTURE THEME**

Natural and Sustainable

A Trusted and Leading Organisation



### **PURPOSE OF REPORT/BACKGROUND**

In 2008, the Mayor of Ipswich City announced the launch of Cherish the Environment Foundation, a new and innovative initiative formed in partnership with Patrick Rafter's Cherish the Children Foundation. Cherish the Environment Foundation (CTEF/Cherish) was created to provide a vehicle for community engagement and collaboration in projects that are of benefit to Ipswich's natural environment.

The principal objects of Cherish are:

- the protection and enhancement of the natural environment; and
- the provision of information or education, or the carrying on of research, about the natural environment

Under its constitution, Cherish seeks to pursue its objects within Ipswich LGA through acquiring, managing and protecting biodiversity and bushland; working towards decreasing waste generation and increasing recycling; improving water quality; increasing local food production; minimising the impacts of carbon emissions; and, promoting environmental education.

Ipswich City Council is listed as the 'founding member' in the constitution.

Up until and including 2018-2019, Council has provided an annual contribution to the Foundation, which represents \$1 per rate assessment from Council's Enviroplan Separate Charge. Since commencement these contributions total more than \$840,000.

Council has also provided third party guarantees on behalf of the Foundation in relation to their environmental projects and agreed to allow the Foundation to utilise part of the Mt Grandchester Conservation Estate for advanced offset purposes.

In February 2021, Council received a letter from Cherish the Environment Foundation Director Shane O'Kane seeking direction from Council on its future involvement and membership of Cherish and how best to finalise transitional arrangements.

In March 2021, a report was presented to Environment and Sustainability Committee proposing that Council seek legal and governance advice in order to develop an exit strategy for Council from the Cherish the Environment Foundation.

This report is to present Council with the final documentation that make up the exit strategy, being:

- Separation Deed
- Secured Deed of Indemnity – Queensland Rail
- Secured Deed of Indemnity – Stockland
- Grandchester Services Agreement – Advanced Offset

Further to this, Cherish the Environment Foundation has prepared and presented Council with a revised draft Constitution to reflect the changes in membership following the exit of Council.

### **CONFLICT OF INTEREST**

As the Founding Member of Cherish the Environment Foundation, Council has 2 nominated directors on the Cherish the Environment Foundation Board, being:

- Cr Andrew Fechner
- Jeff Keech (A/GM Corporate Services)

### **PROPOSAL**

Following endorsement by committee and approval through Council resolution, the proposed next steps are:

- To seek final review and agreement on the draft documents from the Cherish the Environment Foundation Board
- To finalise and execute all documents that collectively form the exit strategy for Council and Cherish the Environment Foundation
- Council nominated directors to resign from the Cherish the Environment Foundation board
- To prepare a joint media release and communications between Council and Cherish the Environment Foundation outlining the exit of Council from the charity, and the environmental achievements within the Ipswich LGA

### **CONSULTATION AND COMMUNICATION**

The draft documents have been prepared in consultation with:

- Manager Environment and Sustainability
- Legal Services – Solicitor
- Acting Chief Financial Officer
- External legal services – Minter Ellison

Cherish the Environment Foundation have been consulted on the drafts and have provided responses on key clauses for Council's further consideration and redrafted – as now presented in the confidential attachments.

### **LEGAL/POLICY BASIS**

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

The documents that make up the exit strategy (attachments 2-5) have been prepared by an external legal firm, in consultation with Council’s legal services team.

### RISK MANAGEMENT IMPLICATIONS

In March 2021, Council passed a resolution to commence the preparation of an exit strategy from the charity Cherish the Environment Foundation Limited. As Council is the founding member of Cherish, as per the constitution, Council engaged the services of an external legal firm, Minter Ellison, to identify and address all legislative and governance requirements for exiting the charity. This approach will assist Council in reducing the risks associated with its exit.

Further, Council has contributed public funds collected through the Enviroplan Levy to Cherish since its commencement. Council has considered the risk of how the funds have been expended over this period and assessed that the funds have been spent in accordance with the objects of the Constitution. That is, that funds have been expended within the Ipswich LGA and for environmental purposes. To mitigate the reputational risks, the Separation Deed includes a requirement for Cherish to reinvest funds of \$1.3Million within the Ipswich LGA, and that protection covenants over existing offsets are in place and remain in accordance with the Environmental Offsets Act.

### HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The Recommendation states that the Chief Executive Officer be authorised to negotiate and finalise the terms of the Deed of Separation, Deeds of Indemnity and Grandchester Service Agreement to be executed by Council and to do any other acts necessary to implement Council’s decision in accordance with section 13(3) of the Local Government Act 2009.
(b) What human rights are affected?	No human rights are affected by this decision.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

### FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications to this decision.

## COMMUNITY AND OTHER CONSULTATION

Consultation has been held with key internal stakeholders from:

- Environment and Sustainability Branch
- Finance Branch
- Legal Services Branch

Consultation with the Secretary of Cherish the Environment Foundation Limited on the proposed constitutional changes and draft documents.

## CONCLUSION

Since inception in 2008, Cherish the Environment Foundation has contributed towards improved conservation and biodiversity outcomes within the Ipswich LGA. These outcomes have primarily been achieved through environmental offsets for koala habitat and acquisition of conservation land.

Council has engaged an external legal firm to provide legal and governance advice to support the development of an exit strategy – through relevant documentation – for Council to exit from Cherish the Environment Foundation Limited as a founding member.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Cherish the Environment Foundation Limited constitution - current  
	CONFIDENTIAL
2.	Separation Deed
3.	Deed of Indemnity - Stockland
4.	Deed of Indemnity - Queensland Rail
5.	Grandchester Services Agreement
6.	Cherish the Environment Foundation Limited constitution - with amendments

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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