



City of Ipswich

**IPSWICH
CITY
COUNCIL**

AGENDA

of the

GOVERNANCE AND TRANSPARENCY COMMITTEE

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

On Thursday, 14 July 2022
At 10 minutes after the conclusion of the Growth, Infrastructure and Waste
Committee

MEMBERS OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE

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

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

GOVERNANCE AND TRANSPARENCY COMMITTEE AGENDA
*10 minutes after the conclusion of the Growth, Infrastructure and
Waste Committee on Thursday, 14 July 2022*
Council Chambers

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GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 6

14 JULY 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 GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2022(05) OF 16 JUNE 2022**

RECOMMENDATION

That the Minutes of the Meeting held on 16 June 2022 be confirmed.

OFFICERS' REPORTS

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

This is a report concerning the supply of unbound pavement material for the maintenance of Council's unsealed roads. Resolution is sought to enter into a contractual arrangement with local quarry, CW & EJ Russell for the provision of unbound material for the maintenance of Council's unsealed roads.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes for the provision of Unbound Pavement Material for maintenance of Council's unsealed roads.
- B. That Council enter into a contractual arrangement with CW & EJ Russell for three (3) years for a value up to one million dollars GST exclusive (\$1,000,000).

3. PROCUREMENT: KIOCLOUD ANNUAL SUBSCRIPTION

This is a report seeking a Council Resolution by Ipswich City Council (Council) to continue the engagement with Aquion Pty Ltd. It is proposed to extend the current contract by a further two (2) years on a 1+1 arrangement, for the continuation of the KioCloud Kiosk Management Software which enables the Council Libraries to manage public facing screens and create a secure environment that also protects the user's privacy.

Council engaged Aquion Pty Ltd as a reseller of KioCloud Licences after the ICT Branch initiated the project to move from the Kioware single licences to the KioCloud enterprise licencing model. This recommendation by the ICT Branch was adopted in order to not only consolidate licences but also reduce spend. The current contract with Aquion was processed by RFQ in 2020 and expires 13 August 2022.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes OR tenders for the provision of KioCloud annual subscription and support of the kiosk management software.
- B. That Council enter into a contractual arrangement (Council file reference number 16407) with Aquion Pty Ltd, at an approximate purchase price of \$45,000.00 excluding GST over the entire term, being a term of one (1) year, with option for extension at the discretion of Council (as purchaser), of an additional one (1) year term.

4. **RENEWAL OF LEASE OVER 205 BRISBANE STREET, IPSWICH FROM MAEA INVESTMENTS PTY LTD

This is a report concerning the renewal of a lease over 205 Brisbane Street, Ipswich, described as Lot 10 on SP292794 between Ipswich City Council (**Council**) and MAEA Investments Pty Ltd (**MAEA**) for carparking purposes.

RECOMMENDATION

- A. That Council exercise its option to renew the leasehold interest in the land at 205 Brisbane Street, Ipswich, described as Lot 10 on SP292794, for carparking purposes.
- B. That Council enter a lease with MAEA Investments Pty Ltd ACN 619 800 789 (the Lessor), on the following terms:

- (i) at an annual rent of \$31,214.90 excluding GST payable by Council, from the commencement date of the lease on 1 July 2022; and
- (ii) for a further term of five (5) years, with no options for extension.

5. ****ACQUISITION OF EXTINGUISHED EASEMENT - EASEMENT B ON RP202017 OVER 15 NELSON ST, BUNDAMBA**

This is a report concerning the acquisition of an easement for drainage purposes described as Easement B on RP202017 (the "Easement") in Lot 5 on SP198444 located at 15 Nelson Street, Bundamba, owned by the Queensland Bulk Water Supply Authority (trading as Seqwater). The previously existing Easement was extinguished as a result of a freehold land transfer to the Co-ordinator-General.

RECOMMENDATION

- A. That Council, having considered the details contained in this report, support the acquisition of an easement for drainage purposes, of the area of land identified in Attachment 2 ("The Land"), described as Easement B on RP202017 in Lot 5 on SP198444 located at 15 Nelson Street, Bundamba, by way of Agreement with Seqwater.
- B. In the first instance the method of acquisition will be by agreement with Seqwater pursuant to the *Property Law Act 1974*, and the *Land Title Act 1994*.
- C. The Council be kept informed as to the progress and outcome of Easement B.

6. ****DISPOSAL OF COUNCIL FREEHOLD LAND - ACCESS RESTRICTION STRIP LOCATED AT LOT 717 HOOD STREET, KARALEE**

This is a report concerning the partial disposal of freehold land for road purposes located at Lot 717 Hood Street, Karalee, described as Lot 717 on RP123085 (the Lot) owned by Ipswich City Council (Council). The Lot is described as an Access Restriction Strip (**ARS**) preventing the adjoining landowner legal access to their property.

RECOMMENDATION

- A. That Council declare part of the Access Restriction Strip located at Lot 717 Hood Street, Karalee, described as Lot 717 on RP123085 surplus to Council requirements and available for disposal for road purposes.
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation applies to the disposal of part of the Access Restriction Strip located at

Lot 717 Hood Street, Karalee, described as Lot 717 on RP123085, to the State of Queensland (represented by the Department of Resources)('DoR').

- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of the disposal of the Access Restriction Strip described in recommendation B for road purposes.

7. ****DISPOSAL OF COUNCIL FREEHOLD LAND - ACCESS RESTRICTION STRIP LOCATED AT 6001 DE GRAAF STREET AND PART OF LOT 105 UNNAMED ROAD, BELLBIRD PARK**

This is a report concerning the disposal of freehold land for road purposes located at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park described as Lot 119 on SP284850 and Lot 105 on SP276503. Both lots, owned by Ipswich City Council (Council), are identified as Access Restriction Strips (**ARS**) and are proposed to be opened as road as part of a Development Application 18909/2021/RAL (the "Development Application") to reconfigure a lot.

RECOMMENDATION

- A. That Council declare the Access Restriction Strips located at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park, described as Lot 119 on SP284850 and Lot 105 on SP276503, surplus to Council requirements and available for disposal for road purposes.
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation apply to the disposal of the Access Restriction Strip located at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park, described as Lot 119 on SP284850 and Lot 105 on SP276503, to the State of Queensland (represented by the Department of Resources (DoR)).
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of disposal of the Access Restriction Strip described in Recommendation B for road purposes.

8. **DISPOSAL OF PART OF COUNCIL FREEHOLD LAND LOCATED AT 7006 PANORAMA DRIVE, SPRINGFIELD**

This is a report concerning the disposal of part of land for road purposes located at 7006 Panorama Drive, Springfield, described as Lot 9998 on SP236942, being Council freehold land held in Trust for drainage and future road purposes.

RECOMMENDATION

- A. That Council declare part of the freehold land located 7006 Panorama Drive, Springfield, described as Lot 9998 on SP236942, surplus to Council requirements and available for disposal for road purposes.
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation applies to the disposal of part of the freehold land at 7006 Panorama Drive, Springfield, described as Lot 9998 on SP236942, to the State of Queensland (Represented by the Department of Resources (DoR)).
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of disposal of part of the freehold land described in recommendation B, for road purposes.

9. **DISPOSAL OF COUNCIL FREEHOLD LAND - ACCESS RESTRICTION STRIP LOCATED AT LOT 3 MT CROSBY ROAD, CHUWAR

This is a report concerning the disposal of freehold land for road purposes located at Lot 3 Mt Crosby Road, Chuwar, described as Lot 3 on SP118671 owned by Ipswich City Council (Council). Lot 3 on SP118671 is identified as an Access Restriction Strip (ARS) and is preventing the adjoining landowner from making an application to the Department of Resources (DoR) for permanent road closure.

RECOMMENDATION

- A. That Council declare the Access Restriction Strip located at Lot 3 Mt Crosby Road, Chuwar, described as Lot 3 on SP118671, surplus to Council's requirement and available for disposal for road purposes.
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation apply to the disposal of the Access Restriction Strip located at Lot 3 Mt Crosby Road, Chuwar, described as Lot 3 on SP118671, to the State of Queensland (represented by the Department of Resources ('DoR')).
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of disposal of the Access Restriction Strip described in recommendation A & B for road purpose.

10. QUEENSLAND AUDIT OFFICE 2022 INTERIM AUDIT REPORT

This is a report concerning the Queensland Audit Office (QAO) 2022 interim audit report for the financial year ending 30 June 2022 detailing the results of QAO's interim work performed between 7 March to 6 May 2022, including a review of relevant information systems controls.

RECOMMENDATION

That the Queensland Audit Office 2022 Interim Audit Report, as detailed in Attachment 1, be received and the contents noted.

NOTICES OF MOTION

MATTERS ARISING

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2022(05)

16 JUNE 2022

MINUTES

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

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Chief Executive Officer (Sonia Cooper), Acting General Manager Corporate Services (Jeff Keech), Acting Chief Financial Officer (Paul Mollenhauer), General Manager Community, Cultural and Economic Development (Ben Pole), General Manager Planning and Regulatory Services (Peter Tabulo), General Manager Infrastructure and Environment (Sean Madigan), Procurement Manager (Richard White), Chief of Staff – Office of the Mayor (Melissa Fitzgerald), Senior Policy and Communications Officer (David Shaw), Chief Information Officer (Sylvia Swalling), Manager, Compliance (Alisha Connaughton), Animal Management and Biosecurity Manager (Haiden Taylor), Manager Procurement (Richard White), Manager Economic and Community Development (Cat Matson), Community Development Manager (Melissa Dower), Acting Property Services Manager (Kerry Perrett), Senior Property Officer (Acquisitions and Disposals)(Alicia Rieck), Property Officer (Judi Howard), Property Officer (Tara Wall) and Theatre Technician (Trent Gray)

WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY

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

ADJOURN MEETING

Deputy Mayor Jacob Madsen moved that the meeting be adjourned at 10.15 am to reconvene at 10.35 am.

AFFIRMATIVE

Councillors:
Madsen
Milligan
Harding
Doyle
Kunzelmann

NEGATIVE

Councillors:
Nil

Jonic

The motion was put and carried.

The meeting reconvened at 10.35 am.

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

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

RECOMMENDATION

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

That the minutes of the Governance and Transparency Committee held on 5 May 2022 be confirmed.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. **ANNUAL REVIEW OF DELEGATIONS TO CHIEF EXECUTIVE OFFICER**

This is a report concerning the annual review of delegations to the Chief Executive Officer for 2022.

RECOMMENDATION

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

- A. That the delegation listed in Attachment 1 which has previously been delegated from Council to the Chief Executive Officer be repealed.**
- B. That under s257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer (CEO), the power contained and detailed in Attachment 2 of the report dated 17 May 2022 by the Governance Project Officer.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

3. **DISCONTINUATION OF DISCOUNTED DOG REGISTRATION CLASSIFICATIONS FOR OBEDIENCE TRAINED DOGS, DOGS QUEENSLAND MEMBERS AND FARM DOGS**

This report provides clarification about changes to the Fees & Charges that were adopted by Council in April 2022 as they relate to the discontinuation of discounted dog registration classifications for Obedience Trained Dogs, Dogs Queensland Members and Farm Dogs.

RECOMMENDATION

Moved by Councillor Nicole Jonic:
Seconded by Councillor Kate Kunzelmann:

That the report be received and the contents noted.

Deputy Mayor Jacob Madsen proposed that this report be referred to the ordinary council meeting on 30 June 2022.

Seconded by Councillor Marnie Doyle

The mover and seconder of the original motion agreed to the proposed change to the recommendation.

RECOMMENDATION

Moved by Councillor Nicole Jonic:

Seconded by Councillor Kate Kunzelmann:

That the report be referred to the ordinary council meeting on 30 June 2022.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. **PROCUREMENT - CONTRACT 16117 HUMAN RESOURCE INFORMATION SYSTEM - HRIS - DELOITTE CONSULTING**

This a report seeking a resolution by Council to vary contract 16117 with existing supplier Deloitte Consulting Pty Ltd (Deloitte) to add five (5) further one (1) year extension options to continue the uninterrupted provision and servicing of critical Council internal systems whilst awaiting an iVolve outcome to be determined and actioned. The contract is for the provision of hosted managed services, support and related integrated licencing and subscriptions for Council's core operational Human Resources Information System (HRIS), including payroll, payroll timecard management, tax office payroll data reporting and employee push communications.

This matter is required as officers seek Council resolution that the exception under section 235(a) of the *Local Government Regulation 2012* applies to the uninterrupted continuation of the key HRIS system and associated components for the operational functionality and compliance required. The complex integration of the solution provided by the incumbent supplier means that there is only one supplier who is reasonably available to continue providing the system. Further, due to the identified iVolve dependency of the Human Resources

Information System, it is more costly and disadvantageous to Council to tender for a different system until iVolve is able to deliver a final solution.

A resolution of Council is sought to vary the contractual arrangement with Deloitte for five (5) further one (1) year extension options. This will increase the total value of the contract to approximately eight million two hundred thousand dollars (\$8,200,000.00) excluding GST for the full 10-year term of the contract if all extension options are exercised.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the ongoing provision of the Deloitte HRIS system and associated components.
- B. That the contractual arrangement 16117 (formerly 10805) with Deloitte Consulting Pty Ltd (Supplier) for the Deloitte HRIS system and associated components be extended by five (5) further one (1) year options at an approximate value of \$4,000,000.00 + GST over the additional term (increasing the approximated contract value to \$8,200,000.00 + GST over the entire extended term of the contract).
- C. That Council enter into a Deed of Variation with the Supplier to appropriately amend the existing contractual arrangement.
- 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.

RECOMMENDATION

Moved by Deputy Mayor Jacob Madsen:
Seconded by Councillor Kate Kunzelmann:

That the report be referred to the ordinary council meeting on 30 June 2022.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. PROCUREMENT - MICROSOFT ENTERPRISE LICENSING 3 YEAR AGREEMENT

This is a report concerning the financial approval for the renewal of the Microsoft Enterprise Licencing for a three (3) year period commencing 1 August 2022.

A request for quotation was released under the LGA arrangement BUS274 ICT Solutions and Services. After evaluation of responses it was determined supplier Data#3 Limited offered the most value for Council for the following three (3) year period commencing 1 August 2022.

The cost of the engagement for the provision of Microsoft Enterprise licencing for the 3-year period is estimated at \$1.48 million (ex GST) per annum or \$4.431 million (ex GST) for the contract term of three (3) years. The estimate is based upon current volumes and anticipated future resource requirements as quoted by Data#3 Limited in the RFQ response.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Kate Kunzelmann:

- A. That pursuant to Section 234 of the *Local Government Regulation 2012* (Regulation), Council utilise LGA Arrangement ICT Solutions and Services BUS274 by Local Buy Pty Ltd for the provision of Microsoft Enterprise Licencing (Council file reference number 18620), with Data#3 Limited (Supplier) who is a party to the LGA Arrangement.**
- B. That under the LGA Arrangement with the Supplier, the approximate purchase price is \$4.431 Million excluding GST over the entire term, the end date of the initial term being 31st July 2025, with no current options 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.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5.1. MATTER ON NOTICE - NUMBER OF LICENCES REQUIRED FOR MICROSOFT LICENSING AGREEMENT

Mayor Teresa Harding queried the number of licences required for this agreement.

That the Manager, Procurement advise councillors the number of licences required in relation to Item 5 for the Microsoft Licensing 3 Year Agreement prior to the council ordinary meeting on 30 June 2022.

6. PROCUREMENT - WASTE SERVICES COMMERCIAL MANAGEMENT SYSTEM

This a report seeking a resolution by Council to enter into a new agreement with Council's current vendor AMCS Australia Pty Ltd (AMCS) to transition from the old waste services commercial management system currently in use at Council (RMSWin) that is being retired by the manufacturer to the current cloud-based technology offering of the product in order to continue the uninterrupted provision of a critical Council service, being commercial waste services scheduling and billing.

This matter is required as officers seek Council resolution that the exception under section 235(b) of the *Local Government Regulation 2012* applies to the uninterrupted provision the waste services commercial management system and other related ancillary items for the operationally necessary functionality required. The specialised and proprietary nature of the incumbent supplier's products means that there is only one supplier who is reasonably available to provide such a solution and transition Council's data from the old proprietary system into the new proprietary cloud-based system. It would therefore be costly and disadvantageous to Council to tender for other software products for such a specialised component of the current waste system technology stack.

A resolution of Council is sought to enter into a new contractual arrangement with AMCS for the implementation, migration to and provision of the new cloud based Wastedge system and other related ancillary items as required for an initial term of two (2) years with options for extension of an additional one (1) year term and a further nine (9) month term. This is an estimated total cost of approximately four hundred and sixty-two thousand dollars (\$462,000.00) excluding GST for the full term of the contract if all extension options are exercised.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised

nature of the services that are sought and it would be impractical and disadvantageous to invite tenders for the provision of the proprietary Wastedge waste services commercial management system and related ancillary items.

- B. That Council enter into a contractual arrangement (Council file reference number 18941) with AMCS Australia Pty Ltd, at an approximate purchase price of \$462,000.00 excluding GST over the entire term, being an initial term of two (2) years, with options for extension at the discretion of Council (as purchaser), of an additional one (1) year term and a further nine (9) month term.

Mayor Teresa Harding queried how the price compares to the price from 2019. Deputy Mayor Jacob Madsen requested that this be recorded as a Matter on Notice for response prior to the next ordinary council meeting on 30 June 2022.

RECOMMENDATION

Moved by Councillor Nicole Jonic:
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 disadvantageous to invite tenders for the provision of the proprietary Wastedge waste services commercial management system and related ancillary items.**
- B. **That Council enter into a contractual arrangement (Council file reference number 18941) with AMCS Australia Pty Ltd, at an approximate purchase price of \$462,000.00 excluding GST over the entire term, being an initial term of two (2) years, with options for extension at the discretion of Council (as purchaser), of an additional one (1) year term and a further nine (9) month term.**
- C. **That the Manager of Procurement take this matter on notice to advise councillors on how the price compares to the price from 2019 prior to the ordinary council meeting on 30 June 2022.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Harding

The motion was put and carried.

7. PROPOSED DISPOSAL OF A SUBTERRANEAN EASEMENT LOCATED AT EASTERN HEIGHTS

This is a report concerning the proposed disposal of a subterranean easement (Easement 601111652) which connects Lots 237, 238, and 239 RP221971 (Subterranean Land) owned by Ipswich City Council (Council) to two hundred and twenty-one (221) surface lots located within Eastern Heights. The disposal of the subterranean easement will occur by way of a surrender of the easement.

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

RECOMMENDATION

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

- A. That Council declare the subterranean easement described as Easement 601111652 surplus to Council requirements and available for disposal.**
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the regulation) that the exception referred to in section 236(1)(c)(iv) of the Regulation applies to the disposal of the subterranean easement described as Easement 601111652.**
- (i) Easement 601111652 is not suitable to be offered for disposal by tender or auction due to its sub-surface location;
 - (ii) It is in the public interest to dispose of Easement 601111652 without a tender process; and;
 - (iii) The disposal is otherwise in accordance with sound contracting principles.
 - (iv) To Council’s knowledge there are no surface landowners who have expressed a wish to acquire the interest created by the Easement; if a surface landowner did express an interest, then they would also be required to purchase the adjoining subterranean land which is connected to the surface land by the Easement.
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of the disposal, by way of surrender, of Easement 601111652.**

AFFIRMATIVE
Councillors:
Madsen
Milligan
Harding

NEGATIVE
Councillors:
Nil

Doyle
Kunzelmann
Jonic

The motion was put and carried.

8. DISPOSAL OF COUNCIL FREEHOLD LAND - ACCESS RESTRICTION STRIP LOCATED AT LOTS 67 AND 68 UNNAMED ROAD, PINE MOUNTAIN

This is a report concerning the disposal of freehold land for road purposes located at Unnamed Road, Pine Mountain, described as Lots 67 and 68 on RP132618 owned by Ipswich City Council (Council). Both lots are identified as an Access Restriction Strip (ARS) and are preventing the adjoining landowners from making an application to the Department of Resources (DoR) for a permanent road closure.

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

RECOMMENDATION

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

- A. **That Council declare the Access Restriction Strip located at Unnamed Road, Pine Mountain, described as Lots 67 and 68 on RP132618, surplus to Council requirements and available for disposal for road purposes.**
- B. **That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation apply to the disposal of the Access Restriction Strip located at Unnamed Road, Pine Mountain, described as Lots 67 and 68 on RP132618, to the State of Queensland (represented by the Department of Resources ('DoR')).**
- C. **That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of disposal of the ARS described in recommendation B for road purposes.**

AFFIRMATIVE
Councillors:
Madsen
Milligan
Harding
Doyle

NEGATIVE
Councillors:
Nil

Kunzelmann
Jonic

The motion was put and carried.

9. REPEAL OF PREVIOUS COUNCIL DECISION FOR RENEWAL OF LEASE - KIOSK 1
KARALEE SHOPPING VILLAGE, 39 JUNCTION ROAD, CHUWAR - CVS LANE CAPITAL
PARTNERS PTY LTD TO IPSWICH CITY COUNCIL

This is a report requesting the repeal of a previous decision of the Governance and Transparency Committee, Item No. 3 on the 10 March 2022 and adopted at the Council Ordinary meeting of 24 March 2022 concerning the renewal of lease via a lease amendment from CVS Lane Capital Partners Pty Ltd over premises located at Kiosk 1, Karalee Shopping Village, 39 Junction Road, Chuwar and that Council now enter into a new lease.

As the lease amendment was not executed by the Lessor before the lease term expiry, Council must now enter into a new lease (versus an amendment) with CVS Lane Capital Partners Pty Ltd, on the same terms as the March resolution.

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

RECOMMENDATION

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

- A. That the previous decision of Council, as per Item No. 3 of the Governance and Transparency Committee, on 10 March 2022 and adopted at the Council Ordinary meeting of 24 March 2022, be repealed.**
- B. That Council enter into a lease (Council reference 5542) with CVS Lane Capital Partners Pty Ltd ACN 155 490 154 as trustee (the Lessor):**
- (i) at an annual rent of \$23,766.92 excluding GST payable by Council, from the commencement of the new lease; and**
 - (ii) for a term of three (3) years, with no options for extension.**

AFFIRMATIVE
Councillors:
Madsen
Milligan
Harding
Doyle
Kunzelmann

NEGATIVE
Councillors:
Nil

Jonic

The motion was put and carried.

10. INVOLVE PROJECT QUARTERLY STATUS UPDATE

This report provides a status update on the iVolve Program to the Governance and Transparency Committee from both the Program Director and Strategic Advisor regarding Stage 3 project controls and milestones.

The Project has progressed the following key outcomes and objectives during this reporting period:

- Completion of functional and non-functional requirements gathering workshops.
- Completion of the draft Application Solution Architecture and Integration Overview.
- Progression on the preparation of procurement documentation.
- Produced Assurance Gate Report.

It is noted that the ICT Branch have presented an Oracle Risk Report to ELT during this reporting period which highlights the risks and issues in the current Oracle solution and options for mitigating these risks.

These risks and the options are detailed in Attachment 2 – Strategic Advisor Report by Strategic Directors.

At the 12 May meeting, ELT endorsed recommendations regarding planned remediation activities, and resetting the iVolve schedule as a dependency of these activities, this work is currently in progress.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

11. 2020-2021 ANNUAL FINANCIAL STATEMENTS FOR CONTROLLED ENTITIES

This is a report concerning the 2020-2021 Annual Financial Statements for the following controlled entities of Ipswich City Council (Council):

- Ipswich City Properties Pty Ltd;
- Ipswich City Enterprises Pty Ltd; and
- Ipswich City Enterprises Investments Pty Ltd.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

12. REVISED ALCOHOL CONSUMPTION AND SALE IN PUBLIC PLACES POLICY

This is a report seeking Governance and Transparency Committee approval to repeal the existing "Alcohol Consumption and Sale in Public Places Policy" and adopt the revised "Alcohol Consumption and Sale in Public Places Policy", managed by Community and Cultural Services Branch within the Community, Cultural and Economic Development Department.

**RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Russell Milligan:

- A. That the policy titled, “Alcohol Consumption and Sale in Public Places Policy” (current) as detailed in Attachment 1 be repealed.**
- B. That the Policy titled, “Alcohol Consumption and Sale in Public Places Policy” (revised) as detailed in Attachment 2 be adopted.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 10.14 am.

The meeting closed at 11.13 am.

**** Refer Council Ordinary Meeting of 30 June 2022 for amendment**

Doc ID No: A8106728

ITEM: 2

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

AUTHOR: CATEGORY SPECIALIST

DATE: 8 JUNE 2022

EXECUTIVE SUMMARY

This is a report concerning the supply of unbound pavement material for the maintenance of Council's unsealed roads. Resolution is sought to enter into a contractual arrangement with local quarry, CW & EJ Russell for the provision of unbound material for the maintenance of Council's unsealed roads.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes for the provision of Unbound Pavement Material for maintenance of Council's unsealed roads.**
- B. That Council enter into a contractual arrangement with CW & EJ Russell for three (3) years for a value up to one million dollars GST exclusive (\$1,000,000).**

RELATED PARTIES

- CW & EJ Russell; and
- Ipswich City Council

There were no conflicts of interest declared

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to seek Council resolution under s235(b) for the engagement of CW & EJ Russell for the provision of unbound pavement material for the maintenance of Council's unsealed roads.

CW & EJ Russell are a local supplier based in Ipswich who has provided Council with a high-quality product at a good value for money for well over 20 years. The quality of the product has provided a Council with a significant saving in the maintenance of unsealed roads and kept the community safe.

Council has explored options to develop and test or trial other quarries based within and outside the Ipswich Council area however CW & EJ Russell continued to provided the preferred product. It is a risk to Council if we cannot secure materials from this supplier given the expansion of the upcoming Capital Program.

Council is seeking a resolution to engage directly with CW & EJ Russell as Council have been unable to secure tender responses via digital or other platforms. To date Council has engaged directly via Purchas Order via direct quotes with the business as project need identified. CW & EJ Russell are a small family business and Council is seeking this resolution in acknowledgement of the difficulty in meeting submission requirements. Council will be able to test value for money against pricing supplied by other unbound pavement material suppliers via the existing LocalBuy arrangement.

Supporting this recommendation will ensure we have a sound arrangement with a good local supplier and Council will continue to look to develop other potential suppliers.

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 the risk to Council’s Gravel Resheeting Program, based on historical testing of similar products from local quarries, these seem to have increased wear, higher frequency of replacement, less plasticity content, corrugations and damage to community vehicles. By accepting the recommendation will allow continued maintenance of Council’s unsealed roads as expected by the community.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	
(b) What human rights are affected?	The parties involved are all companies/corporations and the subject matter of the proposed engagement will not affect human rights and further consideration is unnecessary.

(c) How are the human rights limited?	
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	
(e) Conclusion	The decision is consistent with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

Financial and resource implications have been considered in making the recommendation. Financial provisions and budget are ongoing for the maintenance of Council’s unsealed roads and CW & EJ Russell continue to maintain pricing that is favourable to Council and the community.

COMMUNITY AND OTHER CONSULTATION

Consultation was undertaken with internal stakeholders who have an invested interest in the outcome of the recommendation. All parties consulted are in favour of the recommendation.

CONCLUSION

Due to the specialised nature and material sought, it would be impractical and disadvantageous to invite tenders for the provision of unbound pavement material for the maintenance of Council’s unsealed roads as detailed in the Strategy and Tender Evaluation Plan (STEP).

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL 16880 Strategy and Tender Evaluation Plan (STEP)
----	--

David Niebling

CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Wayne Bichel

BUILDING CONSTRUCTION AND MAINTENANCE CATEGORY MANAGER

I concur with the recommendations contained in this report.

Richard White

MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Sean Madigan

GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT

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Doc ID No: A8125815

ITEM: 3
SUBJECT: PROCUREMENT: KIOCLOUD ANNUAL SUBSCRIPTION
AUTHOR: PROCUREMENT OFFICER (OPERATIONAL)
DATE: 21 JUNE 2022

EXECUTIVE SUMMARY

This is a report seeking a Council Resolution by Ipswich City Council (Council) to continue the engagement with Aquion Pty Ltd. It is proposed to extend the current contract by a further two (2) years on a 1+1 arrangement, for the continuation of the KioCloud Kiosk Management Software which enables the Council Libraries to manage public facing screens and create a secure environment that also protects the user's privacy.

Council engaged Aquion Pty Ltd as a reseller of KioCloud Licences after the ICT Branch initiated the project to move from the Kioware single licences to the KioCloud enterprise licencing model. This recommendation by the ICT Branch was adopted in order to not only consolidate licences but also reduce spend. The current contract with Aquion was processed by RFQ in 2020 and expires 13 August 2022.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes OR tenders for the provision of KioCloud annual subscription and support of the kiosk management software.**
- B. That Council enter into a contractual arrangement (Council file reference number 16407) with Aquion Pty Ltd, at an approximate purchase price of \$45,000.00 excluding GST over the entire term, being a term of one (1) year, with option for extension at the discretion of Council (as purchaser), of an additional one (1) year term.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Safe, Inclusive and Creative

PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to make a recommendation to continue with the “KioCloud” Kiosk Management Software which enables Council’s Libraries to manage public facing screens and create a secure environment that also protects the user’s privacy.

From November 2017 to November 2020 the Library Customer Service (LCS) team were running Kioware on over 40 computers across our locations. At that time, the contract was at a value below \$15,000. The application proved so useful that the LCS team selected it repeatedly to address Council’s growing requirements. In the lead up to the opening of the Springfield Central Library, ICT Branch undertook a consolidation project to move Council requirements from KioWare Licences to an enterprise licencing model known as KioCloud.

In 2021 a concept brief was approved to move to an enterprise model which was deemed to be more beneficial to Council’s expanding needs, allowing the Digital Services team to remotely change settings across all of the Ipswich Libraries branches, a feature that was not available with the KioWare licence model. Aquion Pty Ltd was identified at that time as the only reseller for the Kioware/KioCloud product within the Australian market.

This solution has been tested and embedded within the service since 2017 and a move to a more efficient and effective enterprise licencing model was now required. A thorough investigation of alternatives was completed as part of the Concept Brief and Kioware/KioCloud was deemed the only product that satisfied all criteria.

The Concept Brief was requested by the Customer Experience Manager, and supported by the Manager, Libraries and Customer Services, and was conducted by the ICT Branch in 2021. Approval to proceed with Aquion Pty Ltd was given by the Customer Experience Manager in 2021.

This solution represents an invaluable tool to increase efficiency with a distributed workforce across a number of library and customer service branches including:

- Increased efficiency and effectiveness within the Digital Services team,
- Help and support from the vendor,
- Updates, maintenance and improvements,
- Simplified configuration and settings,
- Stable and reliable kiosk experiences for our customers in an increasing variety of settings.

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 the Libraries would be without Kiosk Management Software and Council would need to look at

starting the process again by going market for an alternative even though this was only actioned last year via the ICT Branch Concept Brief.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	That Council agree to extend the current contract 16407 with Aquion Pty Ltd for a further one (1) year term, with one (1) x one (1) year extension option and approve the retrospective year 2021-2022 for the provision of the "KioCloud" Kiosk Management Software
(b) What human rights are affected?	No human rights are affected as it is a company. Continuation of Shape Your Ipswich will provide community with a channel to provide feedback to Council, and a platform to host the Community Panel, thus strengthening some of the human rights.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

There are no resourcing or budgeting implications. The operational costs associated with the proposed Contract have been allocated within the Libraries and Customer Services Branch operational budget.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the Community, Cultural and Economic Development Department and ICT Branch who support the recommendations of this report.

CONCLUSION

In order for Council to continue to provide this Kiosk Management Software for use by Library Branch Services, it is recommended Council resolve to extend the current contract 16407 with Aquion Pty Ltd to continue the use of the KioCloud Kiosk Management Software for a further one (1) year term, plus an additional one (1) year extension option for cover until 13 August 2024.

Nicky Weldon
PROCUREMENT OFFICER (OPERATIONAL)

I concur with the recommendations contained in this report.

Jacquie Whitham
ICT CATEGORY MANAGER

I concur with the recommendations contained in this report.

Richard White
MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Samantha Chandler
MANAGER, LIBRARIES AND CUSTOMER SERVICES

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: A8079987

ITEM: 4

SUBJECT: RENEWAL OF LEASE OVER 205 BRISBANE STREET, IPSWICH FROM MAEA INVESTMENTS PTY LTD

AUTHOR: PROPERTY SUPPORT OFFICER

DATE: 25 MAY 2022

EXECUTIVE SUMMARY

This is a report concerning the renewal of a lease over 205 Brisbane Street, Ipswich, described as Lot 10 on SP292794 between Ipswich City Council (**Council**) and MAEA Investments Pty Ltd (**MAEA**) for carparking purposes.

RECOMMENDATION/S

- A. That Council exercise its option to renew the leasehold interest in the land at 205 Brisbane Street, Ipswich, described as Lot 10 on SP292794, for carparking purposes.**
- B. That Council enter a lease with MAEA Investments Pty Ltd ACN 619 800 789 (the Lessor), on the following terms:**
 - (i) at an annual rent of \$31,214.90 excluding GST payable by Council, from the commencement date of the lease on 1 July 2022; and**
 - (ii) for a further term of five (5) years, with no options for extension.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Council entered into a five (5) year lease with Norman Nest Egg Pty Ltd (formerly Tanda 8 Pty Ltd) on 1 July 2012 with a five (5) year option for the provision of public carparking in the Top of Town Precinct. The lease is due to expire on 30 June 2022.

Ipswich City Council provides more than 3,500 carparking spaces in the Ipswich city centre, both on and off-street. In addition, there are also a number of off-street carparks that are privately owned.

Whilst there are many free on and off-street carparks located in the Ipswich city centre, time restrictions and parking meters are also installed throughout the CBD. The aim is to make parking spaces more readily available for people who are shopping, conducting business or for dining/entertainment purposes.

A survey conducted by the Infrastructure and Environment Department historically shows that there is a high demand for off-street parking within the Ipswich CBD. However, parking data has indicated a decline in the parking being utilised in 2020, most likely linked to the COVID-19 Pandemic.

The carpark leased by Council includes parking restrictions and meters to encourage high turnover of customers to the CBD. Without Council providing this service, the existing property owners may contract with a private organisation to undertake the car parking activities.

The iGO City of Ipswich Transport Plan outlines the policy focus of parking for the City of Ipswich to strategically manage carparking, and to support economic vitality, balance the parking needs of all users and promote sustainable transport use.

On the 17 July 2018 the property located at 205 Brisbane Street, Ipswich was transferred to MAEA. Council has indicated their interest to MAEA for a five (5) year lease. Subsequently, a draft lease was provided to Council for review and consideration.

The essential lease terms are as follows:

Lease Terms	Existing Terms	Amended Terms
Period:	5 years	5 years
Commencement Date:	01/07/2012	01/07/2022
Expiry Date:	30/06/2022	30/06/2027
Options:	1 x 5 years	Nil
Rent:	\$22,500.00 per annum (excl. GST) plus outgoings, per original 2012 lease Total payments for rent and outgoings in 2021-22 were \$31,436.90.	\$31,214.90 per annum (excl. GST) plus outgoings
Review Date(s):	Annual CPI Reviews on each anniversary of the date of commencement	Fixed Review (2.5% increase) on each anniversary of the date of commencement
Permitted Use:	Primarily as a public or private area for the parking, driving or riding of vehicles and	Primarily as a public or private area for the parking, driving or riding of vehicles and

	secondarily for other local government purposes	secondarily for other local government purposes
Maintenance Responsibilities:	Council is responsible for; <ul style="list-style-type: none"> keeping the premises in good repair other than fair wear and tear 	Council is responsible for; <ul style="list-style-type: none"> keeping the premises in good repair other than fair wear and tear

LEGAL/POLICY BASIS

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

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

RISK MANAGEMENT IMPLICATIONS

The risk implications for the community and local businesses if Council do not enter a lease, over the premises located at 205 Brisbane Street, Ipswich, may result in a deficiency of carparking services within the CBD precinct.

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 from MAEA Investments Pty Ltd for a five (5) year term for the provision of a public carpark.
(b) What human rights are affected?	Human Rights are not affected by this decision. This is because MAEA Investments Pty Ltd is a company and only individuals have human rights. End of assessment.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights

FINANCIAL/RESOURCE IMPLICATIONS

Budget implications include rent and outgoings, maintaining the carpark in good repair and make good at the end of the tenancy.

COMMUNITY AND OTHER CONSULTATION

Council initiated discussions with MAEA Investments Pty Ltd for the renewal of the existing lease for the public carpark. A further term of five (5) years was proposed, on similar conditions as the existing lease. Negotiations occurred with agreement from MAEA for an annual fixed increase of 2.5%, down from 4% which was initially offered.



Internal consultation was completed with Infrastructure and Environment:

- Infrastructure and Environment confirmed their interest in renewing tenure over the carpark for a further term of five (5) years.

CONCLUSION

It is recommended that Council support the lease renewal with MAEA Investments Pty Ltd for a term of five (5) years. The lease will clearly outline maintenance responsibilities between MAEA and Council 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.	Draft Lease Agreement ↓ 
2.	Property Plan ↓ 
3.	Survey Plan SP292794 ↓ 
4.	CONFIDENTIAL Title Search

Michelle McNamara
PROPERTY SUPPORT OFFICER

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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QUEENSLAND TITLES REGISTRY
Land Title Act 1994, Land Act 1994 and Water Act 2000

LEASE / SUBLEASE

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Dealing Number

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1. Lessor MAEA INVESTMENTS PTY LTD A.C.N 619 800 789 AS TRUSTEE UNDER INSTRUMENT 718873739	Lodger (Name, address, email & phone number) CREEVEY RUSSELL LAWYERS, Solicitors PO Box 833 Toowoomba QLD 4350 E-mail: tnorman@crlawyers.com.au Tel: (07) 4617 8777 Ref: TN:220613	Lodger Code
---	--	--------------------

2. Lot on Plan Description	Title Reference
Lot 10 on SP 292794	51126734

3. Lessee	Given names	Surname/Company name and number	(include tenancy if more than one)
		IPSWICH CITY COUNCIL	

4. Interest being leased
Fee Simple

5. Description of premises being leased
LEASE IN LOT 10 ON SP 292794 AND HATCHED IN BLACK ON THE ATTACHED PLAN

6. Term of lease	7. Rental/Consideration
Commencement date/event: 01/07/2022	AS PER ATTACHED
Expiry date: 30/06/2027 and/or Event:	SCHEDULE
#Options: 1 x 5 years	
# insert <i>nil</i> if no option or insert option period (e.g. 3 years or 2 x 3 years)	

8. Grant/Execution
The Lessor leases the premises described in item 5 to the Lessee for the term stated in item 6 subject to the covenants and conditions contained in the attached schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

signature director
full name director/secretary
qualification.....	/ /	MAEA INVESTMENTS PTY LTD A.C.N 619800789 As trustee under instrument 718873739
Witnessing Officer	Execution Date	Lessor's Signature
<small>(Witnessing officer must be in accordance with Schedule 1 of the Land Title Act 1994 eg Legal Practitioner, JP, C Dec)</small>		

9. Acceptance
The Lessee accepts the lease and acknowledges the amount payable or other considerations for the lease.

signature
full name		Mayor / Authorised Councillor / Chief Executive Officer
qualification.....	/ /	Delegated officer for Ipswich City Council
Witnessing Officer	Execution Date	Lessee's Signature
<small>(Witnessing officer must be in accordance with Schedule 1 of the Land Title Act 1994 eg Legal Practitioner, JP, C Dec)</small>		

QUEENSLAND LAND REGISTRY
Land Title Act 1994, Land Act 1994 and Water Act 2000

SCHEDULE

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Title Reference 51126734

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Doc ID No: A8090067

ITEM: 5

SUBJECT: ACQUISITION OF EXTINGUISHED EASEMENT - EASEMENT B ON RP202017 OVER 15 NELSON ST, BUNDAMBA

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 31 MAY 2022

EXECUTIVE SUMMARY

This is a report concerning the acquisition of an easement for drainage purposes described as Easement B on RP202017 (the "Easement") in Lot 5 on SP198444 located at 15 Nelson Street, Bundamba, owned by the Queensland Bulk Water Supply Authority (trading as Seqwater). The previously existing Easement was extinguished as a result of a freehold land transfer to the Co-ordinator-General.

RECOMMENDATION/S

- A. **That Council, having considered the details contained in this report, support the acquisition of an easement for drainage purposes, of the area of land identified in Attachment 2 ("The Land"), described as Easement B on RP202017 in Lot 5 on SP198444 located at 15 Nelson Street, Bundamba, by way of Agreement with Seqwater.**
- B. **In the first instance the method of acquisition will be by agreement with Seqwater pursuant to the *Property Law Act 1974*, and the *Land Title Act 1994*.**
- C. **The Council be kept informed as to the progress and outcome of Easement B.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

In 2011, the Queensland Government developed the statutory water authorities which include Seqwater. Easement B was extinguished when the freehold land was transferred to the Co-ordinator-General.

Prior to the Land transferring, it contained three easements, one to Council, one to Queensland Urban Utilities (QUU) and the other to the Commonwealth Government. The

land was subsequently resumed by the Co-ordinator-General, and the easement tenements on the land were not transferred over to the new land title.

Council would like to create a new easement to replace Easement B, which is a major flood drainage area for overland water flow.

Council have negotiated a replacement Easement with Seqwater for flood prevention and stormwater control, which is the main outlet for drainage throughout the suburban catchment area.

The conditions of the new easement have been agreed and need to be signed and registered with the Titles Registry for the new easement for drainage purposes, described as Easement B on RP202017 in Lot 5 on SP198444.

LEGAL/POLICY BASIS

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

Local Government Act 2009

Local Government Regulation 2012

Land Title Act 1994

RISK MANAGEMENT IMPLICATIONS

The risk of not negotiating the new Easement would prevent Council from having a legal right to enter the land to manage the stormwater flow ensuring proper drainage within the drainage catchment area.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i> <i>Land Title Act 1994</i>
(b) What human rights are affected?	The decision to acquire the Easement will not affect human rights as the owner of the land is a company and there are no impacts on other third parties. End of assessment.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights?	Not applicable

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

FINANCIAL/RESOURCE IMPLICATIONS

Expenses relating to the new Easement will be borne by Council. The compensation for the Easement will be \$1.00, if demanded. Council will also be required to pay lodgement fees for recording of the Easement on title in the Titles Registry.

COMMUNITY AND OTHER CONSULTATION

Council’s Infrastructure and Environment Department (IED) have instructed Property Services to secure the required drainage easement. IED have also requested that the Easement document ensures that any structures or earthworks that may be constructed on the Land are not constructed within the easement and that the Land is maintained by the property owner, so that the stormwater does not flow into the adjoining properties.







Property Services has formally consulted with Seqwater in relation to seeking in-principle approval to the required drainage Easement area. IED’s requirements have been agreed to, as part of the negotiations with Seqwater and will be included in the easement document.

This project did not involve any community consultation as it affects one property owned by Seqwater.

CONCLUSION

It is recommended that Council accept the Easement document and proceed to registration of the drainage easement over 15 Nelson Street, Bundamba, described as Easement B on RP202017 in Lot 5 on SP198444

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	New Easement Document  
2.	Survey Plan RP202017 (Easement B)  
3.	Survey Plan SP198444 (Lot 5)  
	CONFIDENTIAL
4.	Current Title Search - Lot 5 SP198444

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: A8104485

ITEM: 6

SUBJECT: DISPOSAL OF COUNCIL FREEHOLD LAND - ACCESS RESTRICTION STRIP LOCATED AT LOT 717 HOOD STREET, KARALEE

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 7 JUNE 2022

EXECUTIVE SUMMARY

This is a report concerning the partial disposal of freehold land for road purposes located at Lot 717 Hood Street, Karalee, described as Lot 717 on RP123085 (the Lot) owned by Ipswich City Council (Council). The Lot is described as an Access Restriction Strip (**ARS**) preventing the adjoining landowner legal access to their property.

RECOMMENDATION/S

- A. That Council declare part of the Access Restriction Strip located at Lot 717 Hood Street, Karalee, described as Lot 717 on RP123085 surplus to Council requirements and available for disposal for road purposes.**
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation applies to the disposal of part of the Access Restriction Strip located at Lot 717 Hood Street, Karalee, described as Lot 717 on RP123085, to the State of Queensland (represented by the Department of Resources)('DoR').**
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of the disposal of the Access Restriction Strip described in recommendation B for road purposes.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

An ARS is a narrow strip of freehold land owned by Council that is designed to prevent adjoining landowners from having dual access to their properties.

The house located at 236-238 Junction Road, Karalee (the Property) has been built to front onto Tingira Avenue, with the Landowners using the constructed driveway access that traverses the ARS. The Landowner of the Property is unable to access the property from Junction Road due to the nature and curve of Junction Road impeding visibility for a safe entry and exit to and from the Property.

The Landowners are proposing to construct a shed within the Property and have been unable to proceed as they are required to obtain consent from Council to traverse the ARS.

The Landowners made an application for consent, which Council has investigated and advised the best solution would be a partial opening of the ARS as road.

Baird and Hayes Surveyors have drawn Survey Plan 334013 which illustrates that part of the ARS opened as road. Council as Landowner is required to provide a Form 18A General Consent (Titles Registry Form) to enable Survey Plan 334013 to be registered in the Titles Registry.

It has been identified that given the current access by the Landowners to the Property that the section of the ARS adjoining the Property should be considered surplus to Council's requirements.

It is noted that there is an anomaly with the current street address identifying the ARS as Lot 717 Hood Street, Karalee. The ARS is located on Tingira Drive and should be identified as Lot 717 Tingira Drive. This anomaly will be corrected for the balance of the ARS upon registration of the Survey Plan.

LEGAL/POLICY BASIS

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

Land Act 1994

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

Planning Act 2016

RISK MANAGEMENT IMPLICATIONS

Council has no use for the ARS. There will be no impact to Council if the recommendations to dispose of part of the ARS is not agreed by council resolution. However, the ARS will prohibit the Property Landowner from constructing a shed on the Property.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Section 51(2)(a) of the <i>Land Title Act 1994</i> allows for Freehold land to be opened as road by way of survey plan.

(b) What human rights are affected?	No human rights are affected by this decision to support the request to open Council owned Freehold land as road under Section 51(2)(a) of the <i>Land Title Act 1994</i> . Council has undertaken investigations and deemed the land surplus to Council's requirements. The decision by Council to open part of the ARS as road means that the underlying land tenure will transfer to the State – the State does not have human rights as it is not an individual; this decision will not affect human rights.
(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 impacts to Council as the ARS is of no value and cannot be used for any purpose other than road. Council proposes to provide a signed Form 18A for lodgement of Survey Plan 334013. All costs will be borne by the Landowners which include preparation and lodgement of Survey Plan 334013 in the Titles Registry.

COMMUNITY AND OTHER CONSULTATION

Internal consultation was undertaken with Council's Planning and Regulatory Services Department. Advice received was that the access restriction strip is adjacent to road reserve (Tingira Avenue) which is unconstructed for a major part (approximately 385m of the 450m is unconstructed). It would be considered inappropriate to remove the whole of the access restriction strip to prevent a significant number of properties gaining access to unconstructed road reserve.

Several searches associated with due diligence for the disposal have been completed. The ARS is not on the Environmental Management Register nor the Contaminated Land Register. There is also no Aboriginal or Torres Straits Islander cultural heritage values in the area.




The cost of engaging a valuer to provide a valuation for the ARS would not be covered by the sale price of the land and is not considered viable.

It is proposed that Council declare the ARS surplus to be made available for road purposes.

CONCLUSION

It is recommended that Council approve the ARS to be opened for road purposes by way of survey plan. The survey plan will require lodgement in the Titles Registry by the Landowner.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Copy of Survey Plan SP334013 ↓ 
2.	Property Plan of ARS for Road Dedication ↓ 
3.	Title Search - 717RP123085 - Lot 717 Hood Street, Karalee (ARS) ↓ 
	CONFIDENTIAL
4.	Title Search - 54RP118898 - 236-238 Junction Road, Karalee (Adjoining Landowner)

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: A8127649

ITEM: 7

SUBJECT: DISPOSAL OF COUNCIL FREEHOLD LAND - ACCESS RESTRICTION STRIP LOCATED AT 6001 DE GRAAF STREET AND PART OF LOT 105 UNNAMED ROAD, BELLBIRD PARK

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 20 June 2022

EXECUTIVE SUMMARY

This is a report concerning the disposal of freehold land for road purposes located at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park described as Lot 119 on SP284850 and Lot 105 on SP276503. Both lots, owned by Ipswich City Council (Council), are identified as Access Restriction Strips (**ARS**) and are proposed to be opened as road as part of a Development Application 18909/2021/RAL (the "Development Application") to reconfigure a lot.

RECOMMENDATION/S

- A. That Council declare the Access Restriction Strips located at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park, described as Lot 119 on SP284850 and Lot 105 on SP276503, surplus to Council requirements and available for disposal for road purposes.**
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation apply to the disposal of the Access Restriction Strip located at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park, described as Lot 119 on SP284850 and Lot 105 on SP276503, to the State of Queensland (represented by the Department of Resources (DoR)).**
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of disposal of the Access Restriction Strip described in Recommendation B for road purposes.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

An ARS is a narrow strip of freehold land owned by Council designed to prevent adjoining landowners from having dual access to their properties.

The ARS located at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park, currently prevents the adjoining landowners from having dual access to their properties at 36-38 and 40-42 Rosemary Street, Bellbird Park.

Council has received a request for owner's consent as a part of the Development Application to allow the ARS to be opened as road to facilitate adjoining landowners at 6001 De Graaf Street and Lot 105 Unnamed Road, Bellbird Park to hold dual access to their properties at 36-38 and 40-42 Rosemary Street, Bellbird Park, respectively.

The Development Application will be processed under the requirements of the *Planning Act 2016* and if approved, the survey plan will show the reconfigured lots with the ARS opened as road.

LEGAL/POLICY BASIS

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

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

Planning Act 2016

RISK MANAGEMENT IMPLICATIONS

There will be no impact to Council if the recommendations to dispose of the ARS is not resolved. However, the ARS will prohibit the adjoining landowners from having dual access to facilitate the proposed development.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations ABC states Council will resolve in accordance with Section 51 of the <i>Land Title Act 1994</i> for Council Freehold Land to be opened as road by way of survey plan.
(b) What human rights are affected?	No human rights are affected by this decision to support the request to open Council owned freehold land, as road, under the <i>Land Title Act 1994</i> . Council has undertaken investigations and deems the land surplus to Council requirements. The decision by Council to open the ARS as road means that the underlying land tenure will be transferred to the State - the

	State does not have human rights as it is not an individual; this decision will not affect human rights. End of assessment.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial impacts to Council as the ARS is of no value and cannot be used for any other purpose other than road. Council proposes to provide the Owner's Consent to make the Development Application properly made, in accordance with the requirements of the *Planning Act 2016*.

COMMUNITY AND OTHER CONSULTATION

Internal consultation was undertaken with Council's Infrastructure and Environment Department (Transport Planning, Asset Management and Open Space and Facilities). All internal stakeholders have advised that they have no objections to the disposal of the land for road purposes.

Internal consultation was also undertaken with Council's Planning and Regulatory Services Department who advised that the Development Application will be fully assessed under the requirements of the *Planning Act 2016* and the proposed road opening will be included in that assessment.



Several searches associated with due diligence for the disposal have been completed. The ARS is not on the Environmental Management Register or the Contaminated Land Register. There is also no Aboriginal or Torres Strait Islander cultural heritage values in the area.

The cost of engaging a valuer to provide a valuation for the ARS would not be covered by the sale price of the land and is not considered viable.

CONCLUSION

It is recommended that Council declare the ARS surplus to its requirements and dedicated as road, by way of a survey plan as part of the Development Approval. The survey plan will require lodgement in the Titles Registry by the Landowner/Applicant of the Development Applicant.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Title 119SP284850 - ARS - 6001 De Graaf Street, Bellbird Park ↓ 
2.	Title 105SP276503 - ARS - Lot 105 Unnamed Road, Bellbird Park ↓ 
	CONFIDENTIAL
3.	2157-D5A Proposed Plan of Subdivision - 36-38 & 40-42 Rosemary Street, Bellbird Park
4.	Title 212RP118973 - 36-38 Rosemary Street, Bellbird Park
5.	Title 211RP118973 - 40-42 Rosemary Street, Bellbird Park

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: A8130618

ITEM: 8

SUBJECT: DISPOSAL OF PART OF COUNCIL FREEHOLD LAND LOCATED AT 7006
PANORAMA DRIVE, SPRINGFIELD

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 21 June 2022

EXECUTIVE SUMMARY

This is a report concerning the disposal of part of land for road purposes located at 7006 Panorama Drive, Springfield, described as Lot 9998 on SP236942, being Council freehold land held in Trust for drainage and future road purposes.

RECOMMENDATION/S

- A. That Council declare part of the freehold land located 7006 Panorama Drive, Springfield, described as Lot 9998 on SP236942, surplus to Council requirements and available for disposal for road purposes.**
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation applies to the disposal of part of the freehold land at 7006 Panorama Drive, Springfield, described as Lot 9998 on SP236942, to the State of Queensland (Represented by the Department of Resources (DoR)).**
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of disposal of part of the freehold land described in recommendation B, for road purposes.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

Lot 9998 on SP236942 is Council freehold land held in trust for drainage and future road purposes.

RPS Group are preparing to make an application under the Springfield Area Development Plan (**SADP**) seeking development approval to Reconfigure a Lot (**RAL**) described as Lot 9999

on SP292760 located at 7001 Mur Boulevard, Springfield, for the purpose of creating seven (7) management lots to facilitate future residential subdivision.

Under the RAL, part of Lot 9998 on SP236942 is proposed to be opened as Road to be a continuation of Panorama Drive, Springfield to allow access to the future development site.

LEGAL/POLICY BASIS

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

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

Planning Act 2016

RISK MANAGEMENT IMPLICATIONS

In providing approval for the area of freehold land to be opened as road, Council is ensuring that the future development under the SADP may proceed.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Section 51 of the <i>Land Title Act 1994</i> allows for freehold land to be opened as road by way of survey plan.
(b) What human rights are affected?	No human rights are affected by this decision to support the request to open Council freehold land as road under the <i>Land Title Act 1994</i> . Council has undertaken investigations and deems the land surplus to Council requirements. The decision by Council to open part of the freehold land as road means that the underlying tenure will transfer to the State – the State does not have human rights as it is not an individual; this decision will not affect human rights.
(c) How are the human rights limited?	No 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 impacts to Council as the freehold land is required for road purposes for access to a future residential development site. All costs associated with the development application will be paid by the applicant.

COMMUNITY AND OTHER CONSULTATION

Internal consultation was undertaken with Council's Infrastructure and Environment Department (Transport Planning, Asset Management and Open Space and Facilities). All internal stakeholders have advised that they have no objections to the disposal of the land for road purposes.




Internal consultation was also undertaken with Council's Planning and Regulatory Services Department, who advised that the Development Application will be fully assessed under the requirements of the *Planning Act 2016* and the proposed road opening will be included in that assessment.

Several searches associated with due diligence for the disposal have been completed. Council's freehold land is not on the Environmental Management Register or the Contaminated Land Register. There is also no Aboriginal or Torres Strait Islander cultural heritage values in the area.

CONCLUSION

It is recommended that Council approve the area of freehold land to be opened for road purposes by way of Planning Approval under the SADP which will include a survey plan showing the area as road. The survey plan will require lodgement in the Titles Registry by the applicants.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	148947-04C - Plan of Proposed Subdivision ↓ 
2.	Title 9998SP236942 - 7006 Panorama Drive, Springfield ↓ 
3.	Dealing 719439151 - Trust Document - Lot 9998 on SP236942 ↓ 

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: A8149165

ITEM: 9

SUBJECT: DISPOSAL OF COUNCIL FREEHOLD LAND - ACCESS RESTRICTION STRIP LOCATED AT LOT 3 MT CROSBY ROAD, CHUWAR

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 29 JUNE 2022

EXECUTIVE SUMMARY

This is a report concerning the disposal of freehold land for road purposes located at Lot 3 Mt Crosby Road, Chuwar, described as Lot 3 on SP118671 owned by Ipswich City Council (Council). Lot 3 on SP118671 is identified as an Access Restriction Strip (ARS) and is preventing the adjoining landowner from making an application to the Department of Resources (DoR) for permanent road closure.

RECOMMENDATION/S

- A. That Council declare the Access Restriction Strip located at Lot 3 Mt Crosby Road, Chuwar, described as Lot 3 on SP118671, surplus to Council's requirement and available for disposal for road purposes.**
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(i) of the Regulation apply to the disposal of the Access Restriction Strip located at Lot 3 Mt Crosby Road, Chuwar, described as Lot 3 on SP118671, to the State of Queensland (represented by the Department of Resources ('DoR')).**
- C. That Council resolve under section 257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer, to be authorised to negotiate and finalise the terms of disposal of the Access Restriction Strip described in recommendation A & B for road purpose.**

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

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

The ARS located at Lot 3 Mt Crosby Road, Chuwar currently prevents the adjoining landowner (the applicants) from having dual access to their property located at 1-15 Junction Road, Chuwar.

Council has received a request from the applicants for the signing of a DoR Part C application form for permanent road closure. The application is made under section 99 of the *Land Act 1994*, which provides that a public utility provider or an adjoining landowner for the road may apply for the permanent road closure.

Council is the adjoining landowner as the ARS which joins the unformed road that the applicants wish to purchase from the State.

Prior to Council providing the signed Part C application, Council, by way of a Form 14 General Request, can dedicate the whole of the ARS as road and the applicant will be responsible for lodgement of this Form in the Titles Registry.

The ARS is currently in a natural state and is not providing a benefit to Council or to the adjoining landowners and can be considered surplus to Council's requirement.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:
Land Act 1994

Local Government Act 2009

Local Government Regulation 2012

Local Government Regulation 2012

Planning Act 2016

RISK MANAGEMENT IMPLICATIONS

Council has no use for the ARS. There will be no impact to Council if the recommendations to dispose of the ARS are not resolved. However, the ARS will prohibit the adjoining landowners from purchasing the unformed road from DoR.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Section 54(1) of the <i>Land Title Act 1994</i> allows for freehold land to be opened as road by way of dedication notice (Form 14 General Request).
(b) What human rights are affected?	No human rights are affected by this decision to support the request to open Council owned freehold land as road under the <i>Land Title Act 1994</i> . Council has undertaken investigation and deems the land surplus to council requirements. The decision by Council to open the ARS as road means that the underlying land tenure will transfer to the State – the State does not have

	human rights as it is not an individual; this decision will not affect human rights.
(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 impacts to Council as the ARS is of no value and cannot be used for any purpose other than road. Council proposes to provide a signed Form 14 General Request to enable Lot 3 on SP118671 to be opened as road. All costs will be borne by the applicants which include the lodgement of the Form 14 General Request in the Titles Registry.

COMMUNITY AND OTHER CONSULTATION

Internal consultation was undertaken with Council's Infrastructure and Environment Department (Transport Planning, Asset Management and Open Space & Facilities). All internal stakeholders have advised that they have no objections to the disposal of the land for road purpose.

Internal consultation was also undertaken with Council's Planning and Regulatory Services Department and the advice received was that the action to open road does not fall under the definitions of Reconfiguring a Lot application, therefore planning approval was not required.

DoR confirmed that once the ARS is opened as road, then the application for permanent road closure falls under the requirements of the *Land Act 1994*.



Several searches associated with due diligence for the disposal have been completed. The ARS is not on the Environmental Management Register or the Contaminated Land Register. There is also no Aboriginal or Torres Strait Islander cultural heritage values in the area.

The cost of engaging a Valuer to provide a valuation for the ARS would not be covered by the sale price of the land and is not considered viable.

CONCLUSION

It is recommended that Council approve the ARS to be opened for road purposes by way of Form 14 General Request. The Form 14 will be required to be lodged in the Titles Registry by the applicant.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Title Search 3SP118671 - Lot 3 Mt Crosby Road, Chuwar (ARS) ↓ 
2.	Property Plan - ARS and Proposed Road Closure ↓ 
	CONFIDENTIAL
3.	Proposed Development Scheme (003) - Proposed Road Closure
4.	Title Search 1SP118671 (Applicant)

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: A8135529

ITEM: 10

SUBJECT: QUEENSLAND AUDIT OFFICE 2022 INTERIM AUDIT REPORT

AUTHOR: PRINCIPAL FINANCIAL ACCOUNTANT

DATE: 22 JUNE 2022

EXECUTIVE SUMMARY

This is a report concerning the Queensland Audit Office (QAO) 2022 interim audit report for the financial year ending 30 June 2022 detailing the results of QAO's interim work performed between 7 March to 6 May 2022, including a review of relevant information systems controls.

RECOMMENDATION/S

That the Queensland Audit Office 2022 Interim Audit Report, as detailed in Attachment 1, be received and the contents noted.

RELATED PARTIES

Queensland Audit Office

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

QAO has now completed its interim audit of Ipswich City Council for the 2021-2022 financial year. The Auditor-General has now written to the Mayor providing a copy of the interim management report comprising issues formally reported to management.

- A. Section 213 of the *Local Government Regulation 2012* provides as follows:
- B. (1) This section applies if the auditor-general gives the Mayor of a local government a copy of the auditor-general's observation report about an audit of the local government's financial statements.
- C. (2) An auditor-general's observation report, about an audit of a local government's financial statements, is a report about the audit prepared under section 54 of the *Auditor-General Act 2009* that includes observations and suggestions made by the auditor-general about anything arising out of the audit.
- D. (3) The Mayor must present a copy of the report at the next ordinary meeting of the local government.

During the interim audit QAO assessed the design and implementation of Council's internal controls and whether they are operating effectively.

The QAO has raised four (4) new deficiencies in Council’s internal controls and a further six (6) prior year deficiencies that were not fully resolved, have been revised and re-raised in the current year. There were no new significant deficiencies raised.

The new deficiencies were identified primarily through the information security audit (IS Audit) which is part of the annual QAO scope. The new deficiencies were in the areas of access to one channel of the HR applications, securing service accounts in IT systems, maintaining documentation of internal checks performed, and segregation of duties between HR and Payroll functions.

The prior year deficiencies which were re-raised were in the areas of access configuration for Oracle and access/changes in SAP payroll system, access and changes for the payroll application, management of access to the network and patching for the Oracle E-Business application.

QAO has also re-raised one (1) business improvement opportunity (other matter) of vendor support for Oracle which has expired. This matter has been discussed with Council through the iVolve project and recent decisions to mitigate the Oracle risk and upgrade the Oracle applications.

The report also provides an update on previous matters raised and whether they have been resolved or are still work in progress.

Management’s initial responses and actions to the issues raised are included in the report and will continue to be monitored through regular updates to Internal Audit and the Audit and Risk Management Committee.

LEGAL/POLICY BASIS

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

Local Government Act 2009

Local Government Regulation 2012

Australian Accounting Standards

RISK MANAGEMENT IMPLICATIONS

The QAO has raised internal control issues that require action and implementation by management to ensure effective controls, processes and procedures and continued improved governance, to minimise the risk of errors or misstatement in the financial statements, safeguarding of assets or non-compliance with policies and procedures.

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 budget implications as a result of this report.


COMMUNITY AND OTHER CONSULTATION

No community consultation has been undertaken in relation to this report.

CONCLUSION

That the Queensland Audit Office 2022 interim audit report be endorsed by Council. Council is currently in the process of implementing corrective action that complies with QAO's recommendations by the deadlines detailed in Attachment 1.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	2022 QAO Interim Management Report ↓ 
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Barbara Watson

PRINCIPAL FINANCIAL ACCOUNTANT

I concur with the recommendations contained in this report.

Paul Mollenhauer

ACTING CHIEF FINANCIAL OFFICER

I concur with the recommendations contained in this report.

Jeffrey Keech

ACTING GENERAL MANAGER (CORPORATE SERVICES)

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