



City of
Ipswich

AGENDA

FINANCE AND GOVERNANCE COMMITTEE

Tuesday, 11 June 2024

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

Council Chambers, Level 8
1 Nicholas Street, Ipswich

MEMBERS OF THE FINANCE AND GOVERNANCE COMMITTEE

Councillor Paul Tully (**Chairperson**)
Councillor Jacob Madsen (**Deputy Chairperson**)

Mayor Teresa Harding
Deputy Mayor Nicole Jonic
Councillor Andrew Antonioli

FINANCE AND GOVERNANCE COMMITTEE AGENDA

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** Item includes confidential papers

FINANCE AND GOVERNANCE COMMITTEE NO. 2024(01)

11 JUNE 2024

AGENDA

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

OFFICERS' REPORTS

1. **REGULATION ADVISORY COMMITTEE TERMS OF REFERENCE**

This is a report concerning adoption of a terms of reference for the Regulation Advisory Committee.

RECOMMENDATION

- A. That the membership of the Regulation Advisory Committee be appointed as follows:

CHAIRPERSON	DEPUTY CHAIRPERSON	MEMBERS

- B. That the Regulation Advisory Committee Terms of Reference as detailed in Attachment 1, amended to reflect the detail in Recommendation A above, be adopted.

2. ****PROCUREMENT - VP401352 EAST IPSWICH DRAINAGE UPGRADE - STAGE 1**

This is a report concerning the recommendation to award Tender VP401352 East Ipswich Drainage Upgrade – Stage 1 to seek Council’s approval to enter into a contract with the nominated supplier as per confidential Attachment 1 to undertake the required civil construction works for the East Ipswich Drainage Upgrade – Stage 1.

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

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

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. VP401352 East Ipswich Drainage Upgrade – Stage 1.
- B. That Council enter into a contractual arrangement with the Supplier identified in confidential Attachment 1 for the lump sum amount of two million four hundred and sixty-three thousand six hundred and sixty dollars and seventy-seven cents (\$2,463,660.77) excluding GST and the contingency amount as listed in confidential Attachment 1.
- 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.
- D. That owing to the confidential nature of the recommendations, that once adopted by Council, the recommendations be made public.

3. PROCUREMENT - PARKING MACHINES AND COMMUNICATION AND MANAGEMENT SYSTEM

This is a report concerning the procurement of the ongoing maintenance of approximately 110 existing parking meters installed throughout Ipswich. It is recommended Council enter into a contract with Australian Parking and Revenue Control Pty Limited (APARC) as APARC is the only supplier reasonably available to provide the ongoing maintenance due to the proprietary nature of the parking meters installed.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of maintenance of the current parking meter system.

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- B. That Council enter into a contractual arrangement with Australian Parking and Revenue Control Pty Limited, at an approximate purchase price of \$340,000 per annum excluding GST, or \$1,020,000 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), for an additional two (2) X one (1) year terms.
- 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.

4. PROCUREMENT - PEDESTRIAN AND PEOPLE COUNTERS

This is a report concerning procurement of pedestrian and people counting technologies which is currently in use across a number of Council facilities. Due to the inherent proprietary nature of the product software, having different branded products is not suitable for a best outcome of usage of this technology.

The specialised nature of the proprietary products means that it is impractical to invite quotes and a Council resolution is sought to exercise the exception under section 235(b) of the *Local Government Regulation 2012*.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical to invite quotes or tenders for the provision of pedestrian and people counter technology.
- B. That Council enter into a contractual arrangement with Cohera-Tech Pty Ltd, at an approximate purchase price of \$100,000.00 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.

5. PROCUREMENT - QUOTE CONSIDERATION PLAN FOR PROCUREMENT OF ARTWORKS FOR IPSWICH ART GALLERY

This is a procurement report in the form of a Quote Consideration Plan pursuant to the requirements of section 230 of the *Local Government Regulation 2012* which deals with non-standard procurement matters and allows a local government to enter into a medium or large contractual agreement without first inviting written quotes or tenders, through the preparation and adoption of a Quote Consideration Plan.

RECOMMENDATION

- A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare a Quote Consideration Plan for the procurement of artworks for Ipswich Art Gallery.
- B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt the Quote Consideration Plan that was prepared for the procurement of artworks for Ipswich Art Gallery.

6. PROCUREMENT - REGIONAL ECOSYSTEM AND BIOCONDITION ASSESSMENT TRAINING

This is a report concerning procurement of regional ecosystem and BioCondition assessment training for identified Council staff and seeking a Council Resolution for sole source exemption under section 235(a) of the *Local Government Regulation 2012* being satisfied that only one supplier is reasonably available to provide this service.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of Regional Ecosystem and BioCondition Assessment training.
- B. That Council enter into a contractual arrangement CO2 Australia Ltd, at an approximate purchase price of \$20,000.00 excluding GST to undertake the proposed training.

7. **PROCUREMENT - WASTE TRANSPORT SERVICES

This is a report concerning the establishment of a contractual arrangement for the provision of Waste Transport Services. The services primarily include the provision of appropriate equipment and qualified operators for the transport and ancillary services of recyclable and municipal general waste materials from the Riverview and Rosewood Recycling & Refuse Centres (RRCs) to Council's nominated disposal sites.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 22524 for the provision of Waste Transport Services to Remondis Australia Pty Ltd (Supplier).

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- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$9,000,000.00 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) X two years term, plus a one (1) X one (1) year term.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

8. ****NICHOLAS STREET PRECINCT TENDER CONSIDERATION PLAN**

This is a report concerning the Tender Consideration Plan for the Nicholas Street Precinct, to engage suppliers without first inviting written quotes or tenders. Information detailed within this report shall provide clarity and justification for adoption of the Tender Consideration Plan to utilise the listed suppliers within the plan pursuant to the requirements of section 230 of the *Local Government Regulation 2012*.

RECOMMENDATION

- A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare a Tender Consideration Plan for the engagement of suppliers listed within the plan for the provision of goods and services as listed in the plan, for the Nicholas Street Precinct.
- B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt the Tender Consideration Plan for the engagement of suppliers listed within the plan for the provision of goods and services as listed in the plan for the Nicholas Street Precinct.
- C. That in accordance with the Tender Consideration Plan, Council enter into contractual arrangements with the listed suppliers on a schedule of rates with options to request fixed pricing, and it is envisaged that each individual engagement will not exceed \$2,000,000 excluding GST during the term, being an initial term of one (1) year, with an option to extend at the discretion of Council (as purchaser), for an additional one (1) year term.
- 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.

NOTICES OF MOTION

MATTERS ARISING

Doc ID No: A10212176

ITEM: 1
SUBJECT: REGULATION ADVISORY COMMITTEE TERMS OF REFERENCE
AUTHOR: SENIOR POLICY AND COMMUNICATIONS OFFICER
DATE: 27 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning adoption of a terms of reference for the Regulation Advisory Committee.

RECOMMENDATION/S

A. That the membership of the Regulation Advisory Committee be appointed as follows:

CHAIRPERSON	DEPUTY CHAIRPERSON	MEMBERS

B. That the Regulation Advisory Committee Terms of Reference as detailed in Attachment 1, amended to reflect the detail in Recommendation A above, be adopted.

RELATED PARTIES

Nil

IFUTURE THEME

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PURPOSE OF REPORT/BACKGROUND

At the Council Ordinary Meeting on 23 May 2024, Council resolved its standing and advisory committee meetings structure and the *Ipswich City Council Terms of Reference for Standing Committees* (Attachment 2).

The Regulation Advisory Committee was formed with responsibility for Local Laws and Regulatory Compliance Services, reporting to the Finance and Governance Committee.

In accordance with *section 9. Advisory Committees of the Ipswich City Council Terms of Reference for Standing Committees* (Attachment 2), a terms of reference, approved by the overarching committee, will define the advisory committee’s role, membership, meeting arrangements and reporting.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

This report is consistent with the requirements in the Ipswich City Council Terms of Reference for Standing Committees.

RISK MANAGEMENT IMPLICATIONS

N/A

FINANCIAL/RESOURCE IMPLICATIONS

N/A

COMMUNITY AND OTHER CONSULTATION

The Mayor, Deputy Mayor and all councillors considered various options for the formation of the standing and advisory committees adopted by Council on 23 May 2024.

CONCLUSION



The proposed terms of reference for the Regulation Advisory Committee will define the role, membership, meeting arrangements and reporting to the Finance and Governance Committee.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	This report recommends: A. That the membership of the Regulation Advisory Committee be appointed; B. That the Regulation Advisory Committee Terms of Reference as detailed in Attachment 1, amended to reflect the detail in Recommendation A above, be adopted.
(b) What human rights are affected?	No human rights are affected.

(c) How are the human rights limited?	No human rights are limited.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Regulation Advisory Committee Terms of Reference ↓ 
2.	ICC Terms of Reference for Standing Committees ↓ 

Linda Clayton
SENIOR POLICY AND COMMUNICATIONS OFFICER

I concur with the recommendations contained in this report.

Wade Wilson
MANAGER, EXECUTIVE SERVICES

I concur with the recommendations contained in this report.

Sonia Cooper
CHIEF EXECUTIVE OFFICER

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

Ipswich City Council Advisory Committee

TERMS OF REFERENCE

Regulation Advisory Committee

This advisory committee terms of reference is an annex to the *Ipswich City Council Terms of Reference for Standing Committees Annexure 2 – Finance and Governance Committee*.

1. PURPOSE AND SCOPE

The Regulation Advisory Committee was established by Council on 23 May 2024 to consider matters relating to the Local Laws and Regulatory Compliance Services category specified in the Ipswich City Council Core Business Services.

2. AUTHORITY

Advisory committees operate in accordance with the *Ipswich City Council Standing Committees Terms of Reference* and the same legislative instruments and policies apply excluding Section 8.3 – Voting which will generally not be required unless deemed necessary by the chairperson or required for a conflict declaration.

This advisory committee has the power only to advise and recommend a course of action to the Finance and Governance Committee.

3. ROLE AND RESPONSIBILITIES

The role of the Regulation Advisory Committee is to consider all matters within its assigned scope and formulate recommendations and advice to the Finance and Governance Committee.

It is responsible for considering matters specifically relating to the Local Laws and Regulatory Compliance Services core business category.

Matters may be referred by reports from the Chief Executive Officer (or delegated authorised officers), a referral from the Finance and Governance Committee, any other Standing Committee or Council.

4. MEMBERSHIP

Membership of the Regulation Advisory Committee is recommended by the Finance and Governance Committee.

Chairperson:

Deputy Chairperson:

Members:

5. MEETING FREQUENCY AND ARRANGEMENTS

The Regulation Advisory Committee will meet on a schedule set by the Finance and Governance Committee or as required to consider matters assigned to it.

VERSION CONTROL

VERSION	REASON FOR CHANGE	COUNCIL/COMMITTEE	DATE
V0.1	Draft		



Ipswich City Council Standing Committees

TERMS OF REFERENCE

File name	ICC Standing Committees Terms of Reference
Version	6.0
Date	23/05/2024
Release state	APPROVED
Approved by	Council Ordinary Meeting
Approved date	23 May 2024
Objective reference	A10197565





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1. Establishment

Ipswich City Council has established the following standing committee structure:

- Infrastructure, Planning and Assets Committee
- Finance and Governance Committee
- Community and Sport Committee
- Economic and Cultural Development Committee
- Environment and Sustainability Committee

They are established in accordance with [section 264 of the Local Government Regulation 2012](#).

2. Supporting Legislation and Policy

This document should be read in conjunction with the following legislative instruments:

- Local Government Act 2009 (“the Act”)
- Local Government Regulation 2012 (“the Regulation”)
- Code of Conduct for Councillors in Queensland
- Ipswich City Council’s Meeting Procedure Policy
- Ipswich City Council’s Code of Conduct
- Ipswich City Council’s Good Governance Policy
- Media and Corporate Communications Policy

All committee members must abide by the local government principles as outlined in the Act which are:

- a. Transparent and effective processes, and decision-making in the public interest
- b. Sustainable development and management of assets and infrastructure, and delivery of effective services
- c. Democratic representation, social inclusion and meaningful community engagement
- d. Good governance of, and by, local government
- e. Ethical and legal behaviour of councillors and local government employees.

3. Purpose

Council is committed to deliver increased transparency and accountability to its decision-making process. This Terms of Reference for Standing Committees is intended to provide clear and specific information on the purpose, scope, responsibilities, members and delegated authority (if any) of each committee.

The committees align with iFuture Corporate Plan and council’s core business services which ensures that matters considered by committees are focused on achieving the strategic objectives and strategies of council.

Refer relevant Annexure for the purpose of each committee.

4. Scope and Limitations

Refer relevant Annexure for the scope of each committee.

For a matter requiring a decision to be made by Council, it is necessary for a report to be prepared, to be initially considered by the relevant committee. Committees make recommendations for consideration of the full Council at its Ordinary meeting.

Matters may only proceed straight to a Council Ordinary Meeting if:

- a. it does not relate to the scope of services of any committee, or
- b. requires an urgent Council resolution (with express written authorisation by the Chairperson, Mayor and CEO).



Standing Committees have no delegated authority unless Council delegates its authority to a committee in accordance with Section 257(1)(c).

The committees will follow the procedures for committee meetings of Council as outlined in the *Meeting Procedures Policy*.

The main function of the committees are to:

- provide a forum to enable complex or strategic issues to be discussed;
- receive and consider officer's reports in order to provide a recommended course of action to Council to determine matters within the scope of the committee;
- where a committee has been delegated decision making authority, to determine matters within the scope of the committee at the discretion of the committee; and
- ensure the principles of good governance are applied to the decision making process.

Where matters being considered are of a wider interest to the community and require/or attract media attention, contact with media will only be undertaken in accordance with council's *Media and Corporate Communications Policy*.

5. Authority / Delegation

The committees listed in section 1 have the power to only recommend a course of action to Council unless specifically noted.

Council may, by resolution, delegate powers under the Local Government Act or another Act to a committee to decide matters.

The powers delegated may be specific to an individual matter or in general terms to provide lasting authority to determine nominated issues. Such delegations must be in accordance with [section 257 \(Delegation of Local Government Powers\)](#) and [section 260 \(Local Government Delegations Register\)](#) of the Act.

6. Role and Responsibilities

The committees are charged with considering matters of policy, strategy and performance relating to the responsibilities and services outlined in the relevant Annexure. This in turn assists councillors to achieve their responsibilities as detailed in [Section 12 of the Act](#).

Refer relevant Annexure for the role and responsibilities of each committee.

7. Membership

Membership of the committees is outlined in the relevant Annexure with the Mayor and Deputy Mayor a member of each Standing Committee.

Councillors may request appointment or removal from committee membership via the committee. To enact the change, the Chairperson will move a motion at committee recommending that the councillor be appointed or removed. With the support of the committee, and upon Council resolution, the membership change will be enacted.

An alternative member may be appointed in accordance with [section 266 of the Regulation](#).

Where [section 162 \(When a councillor's office becomes vacant\)](#) of the Act, applies to any member of a committee, the membership immediately ceases.

7.1 Role of Committee Members

The role of a committee member is to consider and make recommendations on matters relating to the scope and responsibilities of the committee, as they align to council's Corporate and Operational Plans. Committee members will participate in policy development relevant to the achievement of council's corporate functions in relation to the current and future interests of the residents of the local government area.

Committee members are responsible for reading the agenda papers and accompanying reports in advance of committee meetings to:

- identify matters of particular interest to the council, committee or community;
- identify any matters which need clarification or additional information to help inform their view, and to contact the Chairperson or relevant General Manager for further information or advice before the meeting; and
- identify any agenda items where they may have a conflict of interest and take appropriate action as required by legislation.

Membership allows councillors to gain a deeper understanding of strategic issues, objectives and strategies relating to the scope of the committee. As members, councillors can act as the community representative 'sounding board', and relay community views and sentiment in relation to a matter before the committee back to Council. Generally, committee members are champions for the advancement of Council's key priorities and decisions relevant to the committee area.

Members will be provided corporate support on strategic areas within their committee's focus. General managers will ensure that:

- members are made aware of any matters of strong public interest or community/stakeholder significance or any operational matters that may have a strategic impact on the council's performance or budget,
- members are across the relevant details of reports coming before the committee including being informed of any risks or implications of decisions on other levels of government or external bodies,
- Chairpersons are aware of matters planned for consideration at future meetings.

7.2 Appointment of Chairperson

The Chairperson of the relevant committee shall be appointed by the Council in accordance with [section 267 \(Chairperson of committee\)](#) of the Regulation.

In the absence of the appointed Chairperson from a meeting, the Deputy Chairperson will Chair the meeting. In the absence of both the Chairperson and Deputy Chairperson, the members present will appoint an Acting Chairperson for the duration of that particular meeting.

7.3 Role of Chairperson

The Chairperson is to ensure that the committee agenda meets the priorities set by the Council for the committee and that processes adhere to the *Meetings Procedures Policy*.

Each Chairperson of a Standing Committee is required to:

- In consultation with senior management, set the meeting agenda
- Meet formally with senior management directly involved in the committee's area of responsibility
- Liaise and meet with subject matter experts, on an as required basis, on emerging council issues in relation to the Standing Committee's area of responsibility
- Peruse and consider all reports, papers and proposed recommendations before the meeting and consult with senior leaders and councillors as appropriate
- Lead committee Members and meeting proceedings
- Ensure any powers delegated to the committee by Council are properly exercised
- Be the point of contact for other councillors, and where appropriate, members of the public in relation to the Standing Committee's areas of responsibility.



In relation to the interaction of the Chairperson and members of the committee with staff, the committee members are to adhere to the *Councillor Acceptable Requests Guidelines and Staff Interaction Policy*.

The Chairperson is to facilitate open and constructive communication amongst committee members, encouraging their contribution to deliberations.

All requests for information and clarification are to be conducted within the committee meeting, as agreed by the committee.

The role of Chairperson allows that councillor to specialise in the areas relating to the relevant committee.

7.4 Role of Deputy Chairperson

The Deputy Chairperson will assume the roles and responsibilities of the Chairperson should the Chairperson be unable to fulfil their role.

7.5 Portfolio Lead

A Portfolio Lead (where appointed by the committee) will allow a committee member to take additional responsibility on behalf of the Chairperson for one or more assigned responsibilities to support achievement of the committee's purpose. The role of Portfolio Lead allows that councillor to specialise in the assigned service category area relating to the relevant committee.

Each Portfolio Lead shall:

- Meet formally with senior management as required for the assigned area of responsibility
- Liaise and meet with subject matter experts, on an as required basis, on emerging council issues in relation to the assigned service category area of responsibility
- Be an additional point of contact for other councillors, and where appropriate, members of the public in relation to a particular service category.

7.6 Admission of Non-members to Debate

The Chairperson may invite a non-member to participate in the discussion of a particular item of business relating to the relevant committee in accordance with council's *Meeting Procedure Policy*. Where possible, non-members should sit in the observers gallery.

8 Meetings

All meetings of the committee shall be open to the public unless permitted under an Act or Regulation or as resolved by the relevant committee that the meeting be closed to the public for the purpose of discussing a matter deemed to be confidential in terms of [section 254J \(Closed Meetings\)](#) of the Regulation.

8.1 Conduct

Meetings must be conducted in accordance with the provisions of the Act and the Regulation. If there is a dispute regarding meeting procedure or the conduct of an individual, the Chairperson must refer to the *Meeting Conduct Policy* and the *Meetings Procedure Policy* as well as the *Code of Conduct for Councillors in Queensland*.



8.2 Frequency and Location

Council's committee meetings will be held at the Council Chambers located at 1 Nicholas Street, Ipswich, pursuant to [section 257 \(Frequency and Place of Meetings\)](#) of the Regulation.

The committees will meet on a schedule as resolved by the Council and in accordance with the Council and committee meeting calendar.

Advisory committees will meet on a schedule as determined by the responsible committee.

Although the committee shall meet monthly, the committee can also decide to meet more frequently as and when required by the members.

The schedule of meetings is to be adopted in November/December of each year for the following calendar year.

In accordance with [section 254B \(Public Notice of Meetings\)](#) of the Regulation the schedule of meetings must be published on the local government's website, and in other ways the local government considers appropriate.

It should be noted that from time to time it may be necessary to hold a committee meeting outside the adopted committee meeting dates. In such circumstances, any changes will be advised in accordance with legislative provisions.

8.3 Voting

The following practices apply to voting at the committee meeting:

- Each councillor is entitled to one vote and must be participating in the meeting in accordance with the Meetings Procedures Policy or the Local Government Regulation 2012.
- Voting at the committee meeting can be conducted by open means (such as on the voices, by show of hands or such other electronic means as determined by Council).
- A councillor who is present at a committee meeting and entitled to vote but fails to vote (abstains) on a motion put to the meeting, that vote is counted as a vote in the negative. The councillor who abstains to vote may provide a reason for the minutes.
- A committee member may not award a proxy vote to another committee member.
- For all motions on the agenda and business paper the committee will record the names of those councillors who supported the motion and those who opposed (or are taken to have opposed) the motion with the exception of Procedural Motions.
- This clause extends to a meeting or part of a meeting that is closed to the public, noting that all motions must be moved in open session.
- Council will record all voting.

8.4 Quorum

A quorum of a committee is defined in accordance with [section 259 \(Quorum\) of the Regulation](#):

- A quorum of a committee is a majority of its members.
- However, if the number of members is an even number, one-half of the number is a quorum.

8.5 Conflicts of Interest

All Members are required to deal with any conflict of interest in accordance with the [Local Government Act 2009, Chapter 5B - Councillors' conflicts of interest](#).

8.6 Agenda Distribution

The Agenda for all committees will be distributed in accordance with [section 254C \(Notice of Meetings\)](#) of the Regulation. Committee meeting agendas will be provided to councillors no later than close of business on the Friday prior to the meeting date.

The Agenda will be made available to the public in accordance with [section 254D \(Public availability of agendas\)](#) of the Regulation.



8.7 Reporting

The committees are required to keep formal minutes of their proceedings in accordance with [section 254F of the Local Government Regulation 2012](#). Each standing committee will also provide a written report of its deliberations to the Council Ordinary Meeting.

8.8 Livestreaming

Meetings of all standing committees will be livestreamed. Committee recordings may differ to recordings of the Council Ordinary Meeting.

9. Advisory Committees

In accordance with [section 265 of the Regulation](#), an advisory committee (or sub-committee) may be established by a standing committee (or Council) from time to time or as an ongoing arrangement to allow a greater focus on a particular service area, initiative, or project of the Council. If required, a terms of reference, approved by the overarching committee, will define the advisory committee's role, membership, meeting arrangements (including who is responsible for meetings coordination and secretariat functions) and reporting.

The committee may elect to include councillors, council officers or external representatives as advisory committee members where a subject matter expert is required. Meetings will occur on a frequency and schedule as determined by the committee.

The nature and type of reports made to an advisory committee will be in line with the service areas it is responsible for. The lead committee may also refer reports back to the advisory committee where further work or deliberation is required.

Advisory committees are required to keep formal minutes of their proceedings in accordance with [section 254F of the Regulation](#) and must provide a written report of the committee's deliberations and its advice or recommendations to the relevant responsible committee.

Advisory committees may be disbanded when they have fulfilled their role as outlined in the terms of reference or at the request of the overarching committee Chairperson or Council.

Where appropriate, a less formal advisory group may be formed in lieu of an advisory committee (determined by the advice of the committee Chairperson).

10. Review and Performance Evaluation

10.1 Terms of Reference

Each committee shall review these Terms of Reference once per calendar year or as and when required. The purpose, scope and roles and responsibilities of each committee as detailed in the relevant annexures should be reviewed for ongoing accuracy and to ensure the committee is receiving reports that are related to its areas of responsibility.

10.2 Performance Evaluation

Each committee shall undergo a self-assessment process annually to ensure alignment with these Terms of Reference and to ensure the services, responsibilities and business of the committee is being dealt with in an efficient and effective manner and in accordance with the Act.

Definitions

Ipswich City Council Core Business Services means the core business services listed in the current financial year Annual Plan adopted by Council. The Core Business Services is a section of the Annual Plan available on council's website.



Version control

VERSION	REASON FOR CHANGE	COUNCIL/COMMITTEE CONSIDERATION DATE	COUNCIL ADOPTION DATE
V1		Council Ordinary Meeting	28 July 2020
V2	Revised Committee Structure	Council Ordinary Meeting	27 August 2020
V3	Administrative TOR Review	Council Ordinary Meeting	9 December 2021
V3.1	Reviewed in response to Notice of Motion by Cr Madsen, Council Ordinary Meeting, 24/02/2022	Governance and Transparency Committee 13 October 2022	-
V4	Adopted	Council Ordinary Meeting	27 October 2022
V4.1	Membership change	Council Ordinary Meeting	8 December 2022
V4.2	Update to GIW Committee delegation	Council Ordinary Meeting	19 January 2023
V5.0	Membership and scope change	Council Ordinary Meeting	27 July 2023
V6.0	Review at start of 2024 term.	Council Ordinary Meeting	23 May 2024

Annexure 1 – Infrastructure, Planning and Assets Committee

1. PURPOSE OF THE COMMITTEE

The Infrastructure, Planning and Assets Committee has been established to allow a focus on the delivery of services and programs from primarily the Departments of Planning and Regulatory Services and Asset and Infrastructure Services and to provide strategic direction and leadership on matters detailed in the Scope (section 2) and Roles and Responsibilities (section 5).

This committee allows councillors to be fully appraised of matters for the service areas listed below and demonstrates the ongoing commitment to a Council that operates in a manner that is consistent with the principles of good governance.

2. SCOPE

The Infrastructure, Planning and Assets Committee is charged with responsibility for the following core business service categories*:

Committee scope	Delivery department
Animal Management Services (domestic animals and animal regulation) ** Planning and Development	Planning and Regulatory Services Department
City Maintenance – Facilities City Maintenance – Roads and Drainage City Maintenance – Technical Support and Aquatic Construction City Assets Fleet Infrastructure Strategy & Planning	Asset and Infrastructure Department

*Refer to the *Ipswich City Council Core Business Services* for further detail.

** Responsibility for this service category is shared with the Environment and Sustainability Committee

3. ADVISORY COMMITTEES

The Infrastructure, Planning and Assets Committee has no established advisory or sub committees.

4. AUTHORITY

This committee has the power only to recommend a course of action to Council (unless otherwise delegated by Council).

5. RESPONSIBILITIES

The role of the Infrastructure, Planning and Assets Committee is to receive and consider reports from the Chief Executive Officer (or delegated authorised officer) and to provide recommendations and advice to Council.

Its responsibilities include:

- policy formulation and review as it relates to the scope of services;
- council’s service performance and achievement toward the corporate plan; and
- being accountable for the achievement of council’s approved strategies, plans/planning and programs.

6. MEMBERSHIP

Chairperson: Cr Andrew Antonioli

Deputy Chairperson: Cr Paul Tully

Members:

Mayor Teresa Harding

Deputy Mayor Nicole Jonic

Cr David Cullen

Cr Jim Madden

7. FREQUENCY

The Infrastructure, Planning and Assets Committee will meet on a schedule set in accordance with section 7.2 of the Terms of Reference.



Annexure 2 – Finance and Governance Committee

1. PURPOSE OF THE COMMITTEE

The Finance and Governance Committee has been established to provide strategic direction and leadership on matters detailed in the Scope (section 2) and Roles and Responsibilities (section 5).

This committee allows councillors to be fully apprised of matters for the service areas listed below and demonstrates the ongoing commitment to a Council that operates in a manner that is consistent with the principles of good governance.

2. SCOPE AND LIMITATIONS

The Finance and Governance Committee is charged with responsibility for the following core business service categories*:

Committee scope	Delivery department
Elected Council Support Strategic and Corporate Planning	Office of the Chief Executive Officer
Financial Services Governance ICT Services, Strategy & Project Delivery People and Culture Procurement Property and Facilities Workplace Health and Safety	Corporate Services Department
Media and Communications	Community, Cultural and Economic Development Dept
Local Laws and Regulatory Compliance Services	Planning and Development Department

*Refer to the *Ipswich City Council Core Business Services* for further detail.

3. ADVISORY COMMITTEES

The Finance and Governance Committee has established the Regulation Advisory Committee. Refer to the advisory committee terms of reference for the purpose, scope, responsibilities and members of the Regulation Advisory Committee.

4. AUTHORITY

This committee has the power only to recommend a course of action to Council (unless otherwise delegated by Council).

5. ROLE AND RESPONSIBILITIES

The role of the Finance and Governance Committee is to receive and consider reports from the Chief Executive Officer (or delegated authorised officers) and to provide recommendations and advice to Council.

Its responsibilities include:

- policy formulation and review as it relates to the scope of services;
- council’s service performance and achievement toward the corporate plan; and
- being accountable for the achievement of council’s approved strategies, plans/planning and programs.

6. MEMBERSHIP

Chairperson: Councillor Paul Tully

Deputy Chairperson: Councillor Jacob Madsen

Members:

Mayor Teresa Harding

Deputy Mayor Nicole Jonic

Cr Andrew Antonioli

7. FREQUENCY

The Finance and Governance Committee will meet on a schedule set in accordance with section 7.2 of the Terms of Reference.



Annexure 3 – Community and Sport Committee

1. PURPOSE OF THE COMMITTEE

The Community and Sport Committee has been established to provide strategic direction and leadership on matters detailed in the Scope (section 2) and Roles and Responsibilities (section 5).

This committee allows councillors to be fully appraised of matters for the service areas listed below and demonstrates the ongoing commitment to a Council that operates in a manner that is consistent with the principles of good governance.

2. SCOPE AND LIMITATIONS

The Community and Sport Committee is charged with responsibility for the following core business service categories*:

Committee scope	Delivery department
Sport and Recreation Community Development and Research Libraries and Customer Services Community Safety	Community, Cultural and Economic Development Department
Community Health and Education	Planning and Regulatory Services Department

*Refer to the *Ipswich City Council Core Business Services* for further detail.

3. ADVISORY COMMITTEES

The Community and Sport Committee has no established advisory or sub committees.

4. AUTHORITY

This committee has the power only to recommend a course of action to Council (unless otherwise delegated by Council).

5. RESPONSIBILITIES

The role of the Community and Sport Committee is to receive and consider reports from the Chief Executive Officer (or delegated authorised officers) and to provide recommendations and advice to Council.

Its responsibilities include:

- policy formulation and review as it relates to the scope of services;
- council’s service performance and achievement toward the corporate plan; and
- being accountable for the achievement of council’s approved strategies, plans/planning and programs.

6. MEMBERSHIP

Chairperson: Councillor Jacob Madsen

Deputy Chairperson: Councillor Pye Augustine

Members:

- Mayor Teresa Harding
- Deputy Mayor Nicole Jonic
- Cr Andrew Antonioli
- Cr Jim Madden

7. FREQUENCY

The Community and Sport Committee will meet on a schedule set in accordance with section 7.2 of the Terms of Reference.

Annexure 4 – Economic and Cultural Development Committee

1. PURPOSE OF THE COMMITTEE

The Economic and Cultural Development Committee has been established to provide strategic direction and leadership on the community’s priorities in relation to the matters detailed in Scope (section 2) and Roles and Responsibilities (section 5).

This committee allows councillors to be fully appraised of matters for the service areas listed below and demonstrates the ongoing commitment to a Council that operates in a manner that is consistent with the principles of good governance.

2. SCOPE AND LIMITATIONS

The Economic and Cultural Development Committee is charged with responsibility for the following core business service categories*:

Committee scope	Delivery department
Advocacy Services Economic Development Destination Development Arts and Cultural Services City Events and Marketing Services Ipswich Central Revitalisation Olympics and Paralympics Games	Community, Cultural and Economic Development Department
Ipswich Central (Nicholas Street Precinct) Redevelopment	Office of the Chief Executive Officer

*Refer to the *Ipswich City Council Core Business Services* for further detail.

3. ADVISORY COMMITTEES

The Economic and Cultural Development Committee has established the Advocacy Advisory Committee (including Advocacy Services and Olympics and Paralympics Games). Refer to the advisory committee terms of reference for the purpose, scope, responsibilities and members of the Advocacy Advisory Committee.

4. AUTHORITY

This committee has the power only to recommend a course of action to Council (unless otherwise delegated by Council).

5. ROLE AND RESPONSIBILITIES

The role of the Economic and Cultural Development Committee is to receive and consider reports from the Chief Executive Officer (or delegated authorised officers) and to provide recommendations and advice to Council.

Its responsibilities include:

- policy formulation and review as it relates to the scope of services;
- council’s service performance and achievement toward the corporate plan; and
- being accountable for the achievement of council’s approved strategies, plans/planning and programs.

6. MEMBERSHIP

Chairperson: Councillor Pye Augustine

Deputy Chairperson: Councillor David Cullen

Members:

Mayor Teresa Harding

Deputy Mayor Nicole Jonic

Cr Andrew Antonioli

7. FREQUENCY

The Economic and Cultural Development Committee will meet on a schedule set in accordance with section 7.2 of the Terms of Reference.



Annexure 5 – Environment and Sustainability Committee

1. PURPOSE OF THE COMMITTEE

The Environment and Sustainability Committee has been established to provide strategic direction and leadership on matters detailed in the Scope (section 2) and Roles and Responsibilities (section 5).

This committee allows councillors to be fully apprised of matters for the service areas listed below and demonstrates the ongoing commitment to a Council that operates in a manner that is consistent with the principles of good governance.

2. SCOPE AND LIMITATIONS

The Environment and Sustainability Committee is charged with responsibility for the following core business service categories*:

Committee scope	Delivery department
Animal Management Services (biosecurity, pest plants and animals)** Natural Environment and Land Management Resource Recovery Sustainability and Emergency Management	Environment and Sustainability Department
City Maintenance – Open Space City Maintenance – Urban Forest and Natural Area	Asset and Infrastructure Services Department

*Refer to the *Ipswich City Council Core Business Services* for further detail.

** Responsibility for this service category is shared with the Infrastructure, Planning and Assets Committee

3. ADVISORY COMMITTEES

The Environment and Sustainability Committee has no established advisory or sub committees.

4. AUTHORITY

This Committee has the power only to recommend a course of action to Council (unless otherwise delegated by Council).

5. RESPONSIBILITIES

The role of the Environment and Sustainability Committee is to receive and consider reports from the Chief Executive Officer (or delegated authorised officers) and to provide recommendations and advice to Council.

Its responsibilities include:

- policy formulation and review as it relates to the scope of services;
- council's service performance and achievement toward the corporate plan; and
- being accountable for the achievement of council's approved strategies, plans/planning and programs.

6. MEMBERSHIP

Chairperson: Councillor Jim Madden

Deputy Chairperson: Councillor Andrew Antonioli

Members:

- Mayor Teresa Harding
- Deputy Mayor Nicole Jonic
- Cr Pye Augustine
- Cr Jacob Madsen

7. FREQUENCY

The Environment and Sustainability Committee will meet on a schedule set in accordance with section 7.2 of the Terms of Reference.

Doc ID No: A10211093

ITEM: 2
SUBJECT: PROCUREMENT - VP401352 EAST IPSWICH DRAINAGE UPGRADE - STAGE 1
AUTHOR: CATEGORY SPECIALIST
DATE: 27 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning the recommendation to award Tender VP401352 East Ipswich Drainage Upgrade – Stage 1 to seek Council’s approval to enter into a contract with the nominated supplier as per confidential Attachment 1 to undertake the required civil construction works for the East Ipswich Drainage Upgrade – Stage 1.

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

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

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. VP401352 East Ipswich Drainage Upgrade – Stage 1.
- B. That Council enter into a contractual arrangement with the Supplier identified in confidential Attachment 1 for the lump sum amount of two million four hundred and sixty-three thousand six hundred and sixty dollars and seventy-seven cents (\$2,463,660.77) excluding GST and the contingency amount as listed in confidential Attachment 1.
- 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.
- D. That owing to the confidential nature of the recommendations, that once adopted by Council, the recommendations be made public.

RELATED PARTIES

There was no declaration of conflict of interest.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

The purpose is to seek approval of the recommendation listed in this report. Council released Tender VP401352 East Ipswich Drainage Upgrade – Stage 1 to the open market via Vendor Panel (VP401352) on Friday 15 March 2024 with a closing date of Tuesday 23 April 2024. On closing of the request, nine (9) conforming tenders were received.

The works location is adjacent the Bremer River. The current drainage system is undersized and in poor condition, which has resulted in erosion and scouring of the gully line off Blackall Street.

The scope of this project is to construct a new trunk drainage network designed for a 1% Annual Exceedance Probability (AEP) storm event. The proposed drainage network will reduce the effects of water runoff affecting the riverbank stability and shall be restored to a state where the bank is stabilised via prescribed civil works and landscaping. This will convey flows to the Bremer River where a new outlet structure will be constructed. Measures to remediate and protect the eroded sections have also been included within the project scope.

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

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

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

This project is part of the 2024-2025 capital program and a key project for Council. Council has approached the market through an open tender process in accordance with the local government regulations and is selecting an experienced and well-credentialed supplier to deliver this project to the community.

FINANCIAL/RESOURCE IMPLICATIONS

The cost estimate and spend analysis is outlined in Attachment 1.

COMMUNITY AND OTHER CONSULTATION

The Asset and Infrastructure Services Department as the relevant contract owner have been consulted and agree with the proposal in this report and have endorsed Attachment 1.

CONCLUSION

It was determined by the evaluation panel the recommended supplier, as per Attachment 1, possesses the capability and capacity to meet Council's requirement for the drainage upgrade at East Ipswich.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The report recommends Council to enter into a contract with the supplier listed in Attachment 1 for drainage upgrade works at East Ipswich.
(b) What human rights are affected?	No Human rights are affected by this decision. This is because the tenders are all companies. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL VP401352 Recommendation to Award
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Gavin Wright

CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Wayne Bichel

BUILDING CONSTRUCTION AND MAINTENANCE CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller

ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Pedro Baraza

CONSTRUCTION MANAGER

I concur with the recommendations contained in this report.

Graeme Martin

MANAGER, CAPITAL PROGRAM DELIVERY

I concur with the recommendations contained in this report.

Matt Anderson

GENERAL MANAGER (ASSET AND INFRASTRUCTURE SERVICES)

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Doc ID No: A10195938

ITEM: 3

SUBJECT: PROCUREMENT - PARKING MACHINES AND COMMUNICATION AND
MANAGEMENT SYSTEM

AUTHOR: CATEGORY SPECIALIST

DATE: 23 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning the procurement of the ongoing maintenance of approximately 110 existing parking meters installed throughout Ipswich. It is recommended Council enter into a contract with Australian Parking and Revenue Control Pty Limited (APARC) as APARC is the only supplier reasonably available to provide the ongoing maintenance due to the proprietary nature of the parking meters installed.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of maintenance of the current parking meter system.
- B. That Council enter into a contractual arrangement with Australian Parking and Revenue Control Pty Limited, at an approximate purchase price of \$340,000 per annum excluding GST, or \$1,020,000 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), for an additional two (2) X one (1) year terms.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

RELATED PARTIES

Australian Parking and Revenue Control Pty Ltd (ACN 131 621 666)

There are no discernible conflicts of interest and none have been declared.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

On 15 April 2021 the Council resolved that it was satisfied that under section 235 (a) of the *Local Government Regulation 2012*, Australian Parking and Revenue Control Pty Ltd is the only supplier reasonably available to provide the maintenance of Council's existing parking machine system. The Parkeon Strada parking network is under a license arrangement between the manufacturer and Australian Parking and Revenue Control Pty Ltd (APARC) which has established a sole supplier arrangement within Australia for the supply and maintenance of the parking technology that is currently in operation in Ipswich.

Following the resolution, Council entered into a contract with APARC for a three (3) year period from 21 July 2021 to 22 July 2024. There are no extension options remaining on this contract. Council is required to enter into a new contract for continued operation and maintenance of the parking meters. It is proposed that this contract be for an initial period of one (1) year, with two (2) x one (1) year extension options to be exercised at the discretion of Council.

In March 2024 Council engaged APARC to upgrade the existing parking meters with new 4G modems in order to account for the 3G shutdown at the end of the current 23/24 financial year. This has ensured the ongoing operation of the meters. The parking meters have been operating well since the upgrade and APARC have been meeting their servicing obligations.

Council is currently exploring the future technology needs for parking management in the city through the Smart Parking Project. Council has undertaken a study to determine a series of parking management options moving forward into the future, a Business Case and a Return of Investment have been developed and will be presented to the Executive Leadership Team at an upcoming meeting, where a decision will be made on the future parking meter approach for the city.

It is intended that a one (1) year, with two (2) x one (1) year extension options with APARC will allow Council the time and flexibility to determine and implement the new parking meter approach, whilst ensuring the current system continues to be operational and maintained.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

This report is consistent with the Procurement Policy and Procurement Procedure.

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendations within this report are not approved is the

existing parking systems will not receive the required operational and maintenance support for the continuous supply of the parking systems throughout Ipswich.

FINANCIAL/RESOURCE IMPLICATIONS

The contract with APARC for the maintenance of the parking meters costs approximately \$340,000.00 per annum, in return the parking meters generate over \$1.06 million in revenue per annum.

COMMUNITY AND OTHER CONSULTATION

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

The Procurement Branch has consulted with the Asset and Infrastructure Services Department, Infrastructure Strategy Branch, who support the recommendations of this report.

CONCLUSION

Due to the proprietary nature of the Australian Parking and Revenue Control Pty Ltd parking system, this report recommends the engagement of APARC to continue to provide the maintenance to the existing parking system in Ipswich for up to a period of three (3) years to, for the estimated sum of \$1,020,000 excluding GST.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The decision is to enter into a direct engagement with Australian Parking and Revenue Control (APARC) under S235(a) of the Local Government Regulation as APARC is the only supplier reasonably able to provide the services.
(b) What human rights are affected?	The decision to engage APARC pursuant to s235(a) of the Local Government regulations will not impact Human rights and both parties to the proposed contract are corporate entities and corporate entities do not have human rights, only individuals have 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.

Shyanne Ward
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Tony Dileo
MANAGER, INFRASTRUCTURE STRATEGY

I concur with the recommendations contained in this report.

Matt Anderson
GENERAL MANAGER (ASSET AND INFRASTRUCTURE SERVICES)

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Doc ID No: A10221512

ITEM: 4
SUBJECT: PROCUREMENT - PEDESTRIAN AND PEOPLE COUNTERS
AUTHOR: GOODS AND SERVICES CATEGORY MANAGER
DATE: 29 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning procurement of pedestrian and people counting technologies which is currently in use across a number of Council facilities. Due to the inherent proprietary nature of the product software, having different branded products is not suitable for a best outcome of usage of this technology.

The specialised nature of the proprietary products means that it is impractical to invite quotes and a Council resolution is sought to exercise the exception under section 235(b) of the *Local Government Regulation 2012*.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical to invite quotes or tenders for the provision of pedestrian and people counter technology.**
- B. That Council enter into a contractual arrangement with Cohera-Tech Pty Ltd, at an approximate purchase price of \$100,000.00 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.**

RELATED PARTIES

Cohera-Tech Pty Ltd (ABN 20 105 425 330)

Ipswich City Council

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to seek a Council Resolution for specialised services. Council utilises technologies which record data on pedestrian and people movements including indoor and outdoor sensors to monitor real-time foot traffic, occupancy and people

movement which helps Ipswich City Council to understand how spaces are being used. This includes across Nicholas Street Precinct, Ipswich Art Gallery, Ipswich Civic Centre and our libraries.

This technology also helps property managers to optimise operations, measure marketing campaign effectiveness, event attendance, justify rental agreements and maximise returns for investors.

Cohera-Tech is the company that has provided and installed our existing Xovis counters, which are linked to proprietary software that enables us to generate reports to monitor traffic. Approaching different suppliers may lead us to conflict in hardware/software communicating to each other, which could possibly lead to further challenges.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

By having to seek quotations from suppliers for products which we know do not integrate within the existing infrastructure, there would be risk in incorrect data being made available or published. Having one system will keep all data the same.

FINANCIAL/RESOURCE IMPLICATIONS

The purchase of these items for part of approved budgets, but due to the current thresholds, purchases can require more than one quote which is not possible.

COMMUNITY AND OTHER CONSULTATION

- Acting Manager, Procurement
- NSP Precinct Director

CONCLUSION

In order for Council to receive continued provision of the functions performed by the current ecosystem of pedestrian and people counters, and proprietary technology involved that Council continue to use the Cohera-Tech Pty Ltd for provision of Xovis equipment and subscriptions.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that due to the specialised nature of products Council resolve that it would be impractical to invite quotes from suppliers other than Cohera-Tech Pty Ltd.
(b) What human rights are affected?	No human rights are affected by this decision. This is because the supplier is a company. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

Tim Steinhardt

GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller

ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

James Hepburn

PRECINCT DIRECTOR

I concur with the recommendations contained in this report.

Matt Smith

GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10211188

ITEM: 5

SUBJECT: PROCUREMENT - QUOTE CONSIDERATION PLAN FOR PROCUREMENT OF ARTWORKS FOR IPSWICH ART GALLERY

AUTHOR: GOODS AND SERVICES CATEGORY MANAGER

DATE: 27 MAY 2024

EXECUTIVE SUMMARY

This is a procurement report in the form of a Quote Consideration Plan pursuant to the requirements of section 230 of the *Local Government Regulation 2012* which deals with non-standard procurement matters and allows a local government to enter into a medium or large contractual agreement without first inviting written quotes or tenders, through the preparation and adoption of a Quote Consideration Plan.

RECOMMENDATION

- A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare a Quote Consideration Plan for the procurement of artworks for Ipswich Art Gallery.**
- B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt the Quote Consideration Plan that was prepared for the procurement of artworks for Ipswich Art Gallery.**

RELATED PARTIES

Nil

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

Ipswich Art Gallery acquires works of high quality and significance that enhance the Gallery's programs and promote Ipswich as a destination for cultural tourism. The Ipswich Art Gallery has an approved annual budget to build the Collection as a valuable civic asset, in the 2023-2024 Art Gallery capital budget for example, \$95,000 has been allocated for collection acquisition.

Currently, where an item is valued in excess of \$15,000 ex GST, and in line with the Collection development requirements, the procurement of artwork often presents complex procurement situations where it is not possible to obtain three (3) written quotes or to call

for tenders in line with Council’s Procurement Procedure due to artwork being a unique item.

For such situations, the Local Government Regulation 2012 Section 230 allows a local government to enter into medium and large contractual agreements, without first inviting written quotes or tenders, through the preparation and adoption of a Quote or Tender Consideration Plan.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

This report and its recommendations are consistent with Council’s Procurement Policy.

RISK MANAGEMENT IMPLICATIONS

There are no discernible risk management implications associated with this report or its recommendations.

FINANCIAL/RESOURCE IMPLICATIONS

Ipswich Art Gallery receives an annual budget which is available to be used toward the purchase of artwork. Any purchases will be within the available budget.

COMMUNITY AND OTHER CONSULTATION

This has been prepared in consultation with Council’s:

- Director, Ipswich Art Gallery
- Manager, Community and Cultural Services

CONCLUSION

This Quote Consideration Plan is being presented to Council for adoption as a non-standard procurement required to comply with the regulation and to justify the use of the plan as an effective and appropriate alternative to seeking quotes.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	<ul style="list-style-type: none"> • That pursuant to Section 230(1)(a) of the <i>Local Government Regulation 2012 (Regulation)</i>, Council resolve to prepare a Quote Consideration Plan for the

	<p>procurement of artworks for Ipswich Art Gallery.</p> <p>That pursuant to Section 230(1)(b) of the Local Government Regulation 2012 (Regulation), Council resolve to adopt the Quote Consideration Plan that was prepared for the procurement of artworks for Ipswich Art Gallery.</p>
(b) What human rights are affected?	No Human Rights are being affected by this decision.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Quote Consideration Plan for Procurement of artworks for Ipswich Art Gallery ↓
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Tim Steinhardt
GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Claire Sourghes
DIRECTOR, IPSWICH ART GALLERY

I concur with the recommendations contained in this report.

Don Stewart
MANAGER, COMMUNITY AND CULTURAL SERVICES

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

I concur with the recommendations contained in this report.

Ben Pole

GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

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IPSWICH CITY COUNCIL

QUOTE CONSIDERATION PLAN (QCP)

Our Values:



Collaboration



Communication



Integrity



Efficiency



Leadership

TOGETHER WE PROUDLY ENHANCE THE QUALITY OF LIFE FOR OUR COMMUNITY

QUOTE CONSIDERATION PLAN (QCP)

Procurement of Artworks for Ipswich Art Gallery

Prepared by:
Tim Steinhardt
Goods and Services Category Manager
23/05/2024

(Note: To be attached to a council memo in InfoCouncil)

IPSWICH CITY COUNCIL | Quote Consideration Plan

1. OBJECTIVE

The objective of this Quote Consideration Plan (QCP) is to provide a pathway to facilitate the procurement of newly created artworks valued at over \$15,000, in accordance with the Ipswich Art Gallery Collection Policy, within a timely manner.

Currently, where an item is valued in excess of \$15,000 ex GST, and in line with the Collection development requirements, the procurement of artwork often presents complex procurement situations where it is not possible to obtain three (3) written quotes or to call for tenders due to an artwork being a unique item.

For such situations, the Local Government Regulation 2012 Section 230 allows a local government to enter into medium and large contractual agreements, without first inviting written quotes or tenders, through the preparation and adoption of a Quote or Tender Consideration Plan.

This QCP provides the information required to comply with the regulation and to justify the use of the plan as an effective and appropriate alternative to seeking quotes or to calling for open tenders.

2. BACKGROUND

Ipswich Art Gallery acquires works of high quality and significance that enhance the Gallery's programs and promote Ipswich as a destination for cultural tourism. The Ipswich Art Gallery has an approved annual budget to build the Collection as a valuable civic asset.

The acquisition and accessioning (recording the addition of a new item) of works of art is conducted in accordance with the Ipswich Art Gallery Collection Policy, and this occurs within an accepted approval and management framework. The Gallery acquires works of art by various methods and is committed to ensuring that all acquisitions are negotiated and managed on terms that are ethical, honourable, responsible and transparent to public scrutiny.

The broad aims of the Ipswich Art Gallery Collection Policy are to:

- Collect, conserve, research and document the visual arts and objects of historic or social significance to the region for the benefit of the Ipswich community and future generations.
- Foster a broad understanding and appreciation of the visual arts through the acquisition of both traditional and new forms of Australian artistic expression, including significant examples drawn from or relating to the Ipswich region and South-East Queensland.
- Acquire artworks and objects of the highest possible standard and integrity, and prioritise items intended for regular exhibition and/or inclusion in specific programs within the Ipswich Art Gallery

Currently, any new works of art over the threshold value of \$15,000 require three quotes. Sourcing three quotes for unique artworks is not possible. Works being sold on the secondary market (eg auctions) are exempt from this threshold. As a result, purchasing new work by living artists in a timely manner that are of high quality and that would value-add to the collection, is challenging.

Previous Art Gallery management has purchased artwork almost exclusively through auction houses and the secondary market, which does not always provide best value for money for Council. Some contemporary artworks purchased have not been at the higher end of quality due to the \$15,000 procurement threshold. Similarly, the commissioning of work for the Art Gallery Collection has been challenged by the procurement threshold.

The Director, Ipswich Art Gallery and relevant officers are responsible for adhering to the Ipswich Art Gallery Collection Policy, and attendant guidelines.

3. OPTIONS CONSIDERED

Option 1 – Seeking quotations within the Local Government Regulation 2012, s225.

This section sets out the requirements of having invite three written quotes who can meet the requirements at competitive prices.

As the acquisitions are for one off and original unique items of art, there is only one source where this can be acquired.

Option 2 – Exemption under s235

This section contains exception options:

- (d) the contract is for purchase of goods and is made by auction; &
- (e) purchase of second-hand goods

Previously Council has used these pathways to purchase artworks, however in these instances, purchases are not supporting the artist directly and relies on suitable artwork being available in an auction scenario or a second-hand market. Value for money is also diminished as we either pay auction house commissions on top of art prices, and provenance for artworks can be harder to ascertain.

Option 3 – Adopt this Quote Consideration Plan for the Procurement of Art Works for the Ipswich Art Gallery under s230

This option will allow Council to procure art works, which may be either existing artworks, or commissioned artworks, in a timely manner where it is not possible to otherwise comply with requirements to seek quotes or tenders for a one-off unique item.

4. MARKET AND SUPPLIER CAPABILITY ANALYSIS

Works of art may be acquired through various means, including gift, bequest, purchase or commission. In some instances, other methods of acquisition will be considered on a case-by-case basis where the transactions enable the passing of legal title to the Ipswich Art Gallery. To safeguard the integrity of the Collection and to guard against misrepresentation, it is critical that, prior to acquisition, regardless of method, the ownership be thoroughly researched, and due diligence undertaken as outlined.

When considering acquiring a work for the collection, the Gallery will practice and be prepared to show that it has practiced, the highest standards of due diligence. As a general principle, the Gallery will not acquire an artwork, through any means or methods, unless it can acquire valid title. To establish the provenance of an artwork and the veracity of title, the Gallery will carry out thorough research before proposing the work for acquisition. This will be led and managed by the Director Ipswich Art Gallery which will ensure consistency of process.

When **purchasing** artworks, the Gallery has two options:

- **Dealers, shops and private individuals and companies**

Works of art may be purchased for the Collection. Although warranty of title is implied in every sale of a work of art, wherever reasonably possible, a purchase agreement in the IAG's standard form should be executed. This agreement sets out the various warranties that the vendor gives that they

convey good title, free from encumbrances. When purchasing newly created work from an artist or an artist's commercial gallery, provenance is easily established.

- **Auctions**

Works of art may be purchased through auction. In these cases, however, the auction house generally provides little by way of warranty (except in relation to the way they have described the work). The IAG must undertake research and due diligence. Also, purchases are made on the auction house's terms and are not formalised through IAG's standard purchase agreement. The auction terms are laid out in industry standard auction houses' conditions of sale, which the Gallery will obtain prior to any purchase at auction.

5. PREFERRED OPTION (INCLUDING HOW THE OBJECTIVE WILL BE ACHIEVED VIA THIS EXCEPTION AND RISK ASSESSMENT)

The preferred option from this Quote Consideration Plan is **Option 3** outlined above.

Procurement shall be undertaken by evoking s230 Local Government Regulation 2012, which operates as an exception to inviting quotes or written tenders for medium and large-sized contractual arrangements.

This option gives the exemption to seek quotes which cannot be reasonably met as only one supplier genuinely exists in these instances and requires the ability to purchase in a timely manner taking into consideration the objectives of the Ipswich Art Gallery Collection Policy, and governance proposed as part of adopting this plan.

Provenance for artworks coming into the collection must always be confirmed. If purchased directly from an artist or artist's gallery this is easily and formally established. Donations and purchases through auction houses require further research. Any valuations will include provenance research.

Ipswich Art Gallery is committed to only acquiring and exhibiting works of art in line with the highest standards of due diligence, which is the thorough assessment of a work of art and its current and past ownership. This helps us to evaluate its authenticity and to identify and appraise any gaps in or concerns about its history of ownership and trade. We also consider cultural sensitivities, ethical and professional practice, and applicable laws and conventions.

Alternate options have not been considered as suitable alternate pathways to purchase items of artwork without breaching Council's Procurement Procedure thresholds in a timely manner or is limited on what artwork is available at auction or second hand markets. Option 2 is still applicable should a suitable item become available through either of those channels, however the scope for this option is narrow and prevents maximum support to the artist e.g. No auctioneer fees.

Adoption of this QCP is the preferred option as it:

- Allows for the timely approval and acquisition of artworks valued over \$15,000 ex GST.
- Acknowledges that it is not possible to source three quotes for a unique artwork.
- Avoids the need to purchase artworks of this value or higher through the secondary market (e.g., auction houses) which are not always the best value for money.
- Supports living artists through the acquisition of work that is contemporary. This in turn supports the creative ecology.

- The QCP will ensure that artworks being considered for acquisition are approved by the GM CCED. The Director Ipswich Art Gallery will provide all information around artwork acquisition proposals for this to be assessed at General Manager level.
- The risk of not having the ability to purchase or commission new work over \$15,000 will be that the Art Gallery Collection will rely on old work that is already in the secondary market, or that it acquires new works of lesser quality due to the price cap. In the long term, this will result in reputational damage and a Collection that may be of a lower standard.

6. EVIDENCE OF ACHIEVEMENT OF OBJECTIVE

The adoption of this Quote Consideration Plan will enable Ipswich Art Gallery to be able to purchase suitable artworks in line with the proposed requirements set out in this document in a timely manner and ensure adherence with requirements of the *Local Government Regulations 2012*.

7. PROPOSED TERMS OF THE CONTRACT

The Ipswich Art Gallery can purchase artwork or commission artwork, within its endorsed budget, from any supplier identified as suitable which adheres to the adopted QCP and Ipswich Art Gallery Collection Policy and its associated Policies.

Every artwork that is being considered for acquisition through the QCP must:

- Have an artwork acquisition checklist completed which includes establishment of provenance, a statement of significance and alignment with collection policies.
- For works greater than \$15,000, have General Manager acquisition approval.

This Quote Consideration Plan will be valid for a period of three (3) years from its date of adoption.

8. CONCLUSION

Due to the difficulty in obtaining three quotes for unique one-off artworks, this QCP has been compiled in preparation for its adoption under s230 of the Local Government Regulation 2012.

This QCP recommends the adoption in accordance with Option 3, noted as the Preferred Option in section 5, and per the proposed terms noted in section 7.

9. ATTACHMENTS

Attachment Name	Attachment
Ipswich Art Gallery Collection Policy	A8477273 objdir://iccecm.ipswich.qld.gov.au/document/view/vA10347534?userId=uA2958
Ipswich Art Gallery Exhibitions Policy	A5758930 objdir://iccecm.ipswich.qld.gov.au/document/view/vA9697851?userId=uA2958

Doc ID No: A10226460

ITEM: 6

SUBJECT: PROCUREMENT - REGIONAL ECOSYSTEM AND BIOCONDITION ASSESSMENT TRAINING

AUTHOR: GOODS AND SERVICES CATEGORY MANAGER

DATE: 30 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning procurement of regional ecosystem and BioCondition assessment training for identified Council staff and seeking a Council Resolution for sole source exemption under section 235(a) of the *Local Government Regulation 2012* being satisfied that only one supplier is reasonably available to provide this service.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of Regional Ecosystem and BioCondition Assessment training.**
- B. That Council enter into a contractual arrangement CO2 Australia Ltd, at an approximate purchase price of \$20,000.00 excluding GST to undertake the proposed training.**

RELATED PARTIES

CO2 Australia Ltd

Ipswich City Council

IFUTURE THEME

Natural and Sustainable

PURPOSE OF REPORT/BACKGROUND

We are seeking approval through Council Resolution to accept a single quote that was received from CO2 Australia (Environmental consultant) to deliver a tailored training session onsite for council staff on the topics of Regional Ecosystem Framework and Bio Condition Assessment.

Regional Ecosystem Framework and BioCondition Assessment is an integral part of our industry, yet it is not easily accessible in a training format due to it being a specialised service.

Relevant staff in planning and regulatory services, natural areas, strategic conservation, and conservation partnerships teams have been identified as suitable officers to receive this training. Up to 18 staff will be able to receive this training through CO2 Australia if the quote is approved through Council Resolution.

This is a positive example of collaboration across departments and considered a rare opportunity for staff to undertake technical training.

We believe that there will be overall improvement in efficiencies in how council officers conduct their respective work, whether at a strategic and or at the on-the-ground level. This training can contribute to various improvements within the business, these include but are not limited to:

- Enabling officers to provide more accurate and technical advice to private landholders on how ecosystem health is assessed and the distinction between remnant and regrowth vegetation.
- Bushcare officer providing education to bushcare groups on how regional ecosystem relates to their bushcare sites
- In both the Strategic Conservation and Planning and Regulatory services space, this training may lead to improvements in how officers review reports from consultants and develop an on-the-ground understanding of how the vegetation assessment was conducted and confirm its accuracy and validity.
- For the Natural Areas team, members conducting the field work can gain a deeper understanding of vegetation structure and how that contributes to the overall ecosystem health and improve their practices if appropriate.
- Keep up to date with recent changes to state government mapping on Regional Ecosystem and its implications for land managers.

Our objective is to engage this supplier to deliver the professional development training for council staff. This training will be specific to Regional Ecosystems and land zone that occur within Ipswich LGA.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

The risks associated with not approving the recommendation is that officers will not be offered this tailored training that will further their professional knowledge.

FINANCIAL/RESOURCE IMPLICATIONS

The procurement for this training is part of approved budgets.

COMMUNITY AND OTHER CONSULTATION

Team Leader (Environment and Sustainability Education and Awareness)

Acting Manager, Procurement

CONCLUSION

There are no other suppliers that are available to provide this training session as it is considered to be a niche product. CO2 Australia is the only supplier that is currently available to provide this training to industry professionals.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that Council engage CO2 Australia to conduct Regional ecosystem and BioCondition training.
(b) What human rights are affected?	
(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.

Tim Steinhardt

GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Kaye Cavanagh
GENERAL MANAGER (ENVIRONMENT AND SUSTAINABILITY)

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Doc ID No: A10216003

ITEM: 7
SUBJECT: PROCUREMENT - WASTE TRANSPORT SERVICES
AUTHOR: CATEGORY SPECIALIST
DATE: 28 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning the establishment of a contractual arrangement for the provision of Waste Transport Services. The services primarily include the provision of appropriate equipment and qualified operators for the transport and ancillary services of recyclable and municipal general waste materials from the Riverview and Rosewood Recycling and Refuse Centres (RRCs) to Council's nominated disposal sites.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 22524 for the provision of Waste Transport Services to Remondis Australia Pty Ltd (Supplier).
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$9,000,000.00 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) X two years term, plus a one (1) X one (1) year term.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action*" pursuant to section 238 of the Regulation, in order to implement Council's decision.

RELATED PARTIES

REMONDIS Australia Pty Ltd (ACN: 002 429 781) and Ipswich City Council.

In relation to conflicts of interest: a conflict-of-interest was declared in relation to this matter and further details are set out in Attachment 1. Confidential Recommendation to Award.

IFUTURE THEME

Natural and Sustainable

PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to seek Council approval of the recommendation to enter into a contract for the provision of waste transport services. The Procurement Branch released an open tender to the market with the intention to engage a suitably qualified and experienced organisation / supplier to provide the services. The proposed contract will replace the existing contract soon to expire with no further extensions available.

The Riverview and Rosewood Recycling and Refuse Centres are the current transfer stations operated by Ipswich Waste Services, servicing the Ipswich local government area and a rapidly growing population. These centres play an important role in waste management, support and facilitate resource recovery strategies and provide an effective and efficient way to consolidate and manage recyclables and non-recoverable waste material.

Waste transfer operations are considered environmentally relevant activities (ERA) under the *Environmental Protection Act 1994* and allows temporary storage of waste on site prior to being collected and transferred to a suitable end destination. Consequently, the Council has an ongoing and mandatory requirement for the provision of waste transport to and from these facilities to a number of other processing and disposal facilities. Due to the size, variability and complexity of the services, Council requires large-scale, flexible, reliable, and continued service delivery to mitigate service interruption at Council's Recycling and Refuse Centres. These transport services significantly contribute to Council's ability to meet its legislative obligation to manage waste and recoverable resources.

The services provide for the transportation of bulk materials from the Riverview and Rosewood Recycling and Refuse Centres to Council's nominated disposal or resource recovery sites. Additionally, the services provide for the consolidation and bulking up of recyclable waste streams at a licensed facility to receive, handle, consolidate and then transport commingled recycling materials delivered by kerbside collection vehicles.

The proposed contract also provides for future flexibility in changes to nominated disposal / processing sites in addition to changes in bulk Council collection points and will accommodate services requiring additional vehicles and operators to satisfy the immediate requirements for emergency or natural disaster events.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Risk management implications were considered from a legal, insurance, and commercial risk perspective. These risks, overall, were considered to be of a low nature. The most significant risk in not adopting the recommendations is the risk to business continuity of service delivery. If service delivery is impacted, this has the potential to contribute to the potential for health and regulatory implications if there is an inability of Council to fulfill, in full, its legal requirements to collect and manage waste.

FINANCIAL/RESOURCE IMPLICATIONS

The financial implications are set out above within the recommendations and represents estimated total spend over the entire contract term inclusive of all extensions. The proposed estimated future spend is based on historical annualised spend and tonnage data, submitted pricing and predictive CPI increases applied over the contract lifecycle. Operational budget has been confirmed.

COMMUNITY AND OTHER CONSULTATION

Service delivery is primarily focused on operational waste handling and transport at a bulk level and as such no community consultation was undertaken on this occasion. Consultation was undertaken with a number of Council Officers / key internal stakeholders at various stages throughout the procurement including the:

- General Manager, Environment and Sustainability Department.
- A/Manager, Procurement, Corporate Services Department.
- Manager, Resource Recovery, Environment and Sustainability Department.
- Resource Recovery Operations Coordinator, Environment and Sustainability Department.
- Senior Strategy Officer, Environment and Sustainability Department.
- Goods and Services Category Manager, Corporate Services Department.

CONCLUSION

It is recommended Council enter into a contractual arrangement with Remondis Australia Pty Ltd, pursuant to Section 228 of the *Local Government Regulation 2012*, for the provision of waste transport services. The term of the proposed contract will be for an initial period of two (2) years, with an option for extension, at the discretion of Council, of an additional two (2) year term and one (1) final one (1) year term. The contract will not exceed five (5) years inclusive of all extensions. Financial terms, or approximate purchase price, inclusive of all extensions if exercised, and risks associated with the recommendations, are set out above.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation to enter into a contract with Remondis Australia Pty Ltd.
(b) What human rights are affected?	Not applicable.
(c) How are the human rights limited?	Not applicable.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable.
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL 22524 - Recommendation to Award
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Mark Benson
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Tim Steinhardt
GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Kaye Cavanagh
GENERAL MANAGER (ENVIRONMENT AND SUSTAINABILITY)

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Doc ID No: A10223644

ITEM: 8
SUBJECT: NICHOLAS STREET PRECINCT TENDER CONSIDERATION PLAN
AUTHOR: CATEGORY SPECIALIST
DATE: 30 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning the Tender Consideration Plan for the Nicholas Street Precinct, to engage suppliers without first inviting written quotes or tenders. Information detailed within this report shall provide clarity and justification for adoption of the Tender Consideration Plan to utilise the listed suppliers within the plan pursuant to the requirements of section 230 of the *Local Government Regulation 2012*.

RECOMMENDATION

- A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare a Tender Consideration Plan for the engagement of suppliers listed within the plan for the provision of goods and services as listed in the plan, for the Nicholas Street Precinct.
- B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt the Tender Consideration Plan for the engagement of suppliers listed within the plan for the provision of goods and services as listed in the plan for the Nicholas Street Precinct.
- C. That in accordance with the Tender Consideration Plan, Council enter into contractual arrangements with the listed suppliers on a schedule of rates with options to request fixed pricing, and it is envisaged that each individual engagement will not exceed \$2,000,000 excluding GST during the term, being an initial term of one (1) year, with an option to extend at the discretion of Council (as purchaser), for an additional one (1) year term.
- D. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

RELATED PARTIES

- There were no declarations of conflicts of interest.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to seek Council resolution to adopt the Tender Consideration Plan to engage the suppliers listed in the plan for the provision of goods and services as listed in the plan, for the Nicholas Street Precinct.

The Tender Consideration Pan, Confidential Attachment 1 - has been prepared in accordance with s230 of the *Local Government Regulation 2012*.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Should the recommendations not be adopted by Council, the desired activation of the Nicholas Street Precinct and revitalisation of the Ipswich CBD will potentially be delayed.

The risks to Council are identified within the Confidential Attachment 1 - Nicholas Street Precinct Tender Consideration Plan.

FINANCIAL/RESOURCE IMPLICATIONS

Financial and resource implications have been considered, and it is envisaged that no individual works package will exceed \$2,000,000 plus GST.

COMMUNITY AND OTHER CONSULTATION

Nicholas Street Precinct Team and Corporate Services Legal Team have been consulted and agree with the proposal within Confidential Attachment 1 - Nicholas Street Precinct Tender Consideration Plan.

CONCLUSION

In concluding this report, recommendations and information contained within this report align with Council's iFuture Corporate Plan 2021-2026. The redevelopment of the Nicholas Street Precinct is a crucial part of revitalising the heart of Ipswich and the leasing of the retail tenancies to the revitalisation and the precinct's future success.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Act/Decision being made is detailed in the recommendations within this report
(b) What human rights are affected?	The parties involved are entities/companies/corporations and the subject matter of the proposed engagement, act or decision being assessed will not affect human rights and further consideration is unnecessary.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Nicholas Street Precinct Tender Consideration Plan
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Carlo Sorbello
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Wayne Bichel
BUILDING CONSTRUCTION AND MAINTENANCE CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Mitchell Grant
PRECINCT GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy
MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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