



City of
Ipswich

AGENDA

FINANCE AND GOVERNANCE COMMITTEE

Tuesday, 13 August 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
Councillor Jim Madden

FINANCE AND GOVERNANCE COMMITTEE AGENDA

Item No.	Item Title	Page No.
	Welcome to Country or Acknowledgment of Country	
	Declarations of Interest	
	Business Outstanding	
	Confirmation of Minutes	
1	Confirmation of Minutes of the Finance and Governance Committee No. 2024(02) of 16 July 2024	9
	Officers' Reports	
2	Review of Chief Executive Officer Delegations	23
3	**Concession for General Rates - 6 Krypton Court, CAROLE PARK QLD 4300	82
4	Lease over Freehold Land at 1 Turnberry Way, Brookwater - Oakmont Park	85
5	Procurement - Cohga Weave Mapping Subscription - 2024	96
6	Procurement - articulate 360 teams licences subscription	101
7	**Procurement - Telecommunications Services	105
8	Procurement - Human Resource Information System	109
9	Report - Regulation Advisory Committee No. 2024(01) of 5 August 2024	113
	Notices of Motion	
	Matters Arising	

** Item includes confidential papers

FINANCE AND GOVERNANCE COMMITTEE NO. 2024(03)

13 AUGUST 2024

AGENDA

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

CONFIRMATION OF MINUTES

1. **CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE NO. 2024(02) OF 16 JULY 2024**

RECOMMENDATION

That the minutes of the Finance and Governance Committee held on 16 July 2024 be confirmed.

OFFICERS' REPORTS

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

This is a report concerning a review of the delegations provided to the Chief Executive Officer.

RECOMMENDATION

- A. That the delegations to the Chief Executive Officer as detailed in Attachment 1 be repealed.
 - B. That the delegations to the Chief Executive Officer as detailed in Attachment 2 be amended as detailed in Attachment 3.
-

3. **CONCESSION FOR GENERAL RATES - 6 KRYPTON COURT, CAROLE PARK QLD 4300

This is a report concerning a request for a concession for general rates from The Salvation Army (Qld) Property Trust for a property at 6 Krypton Court, CAROLE PARK QLD 4300.

RECOMMENDATION

- A. That having satisfied the criteria in s120 of the of the *Local Government Regulation 2012*, as well as the Rates Concession Policy, the property at 6 Krypton Court CAROLE PARK QLD 4300, be granted a 100% concession on the differential general rate from the 26 April 2024, being the date of application.

4. LEASE OVER FREEHOLD LAND AT 1 TURNBERRY WAY, BROOKWATER - OAKMONT PARK

This is a report concerning a proposed new lease over freehold land located at 1 Turnberry Way, Brookwater (Oakmont Park) between Ipswich City Council (**Council**) and the Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 (**BHOC**).

RECOMMENDATION

- A. That Council resolve to surrender the existing lease at 1 Turnberry Way, Brookwater more particularly described as part of Lot 124 and Plan SP214127 to Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 (Lessee), for park purposes.
- B. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(iii) of the Regulation applies to the disposal of interest in land at 1 Turnberry Way, Brookwater more particularly described as part of Lot 124 and Plan SP214127, for park purposes, because it is for renewal of a lease to the existing lessee.
- C. That Council renew the lease (Council file reference number 6214 with Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 (Lessee) in the following manner:
- (i) by way of a new lease for an initial term of nineteen (19) years at an annual rent of \$1.00 excluding GST, payable to Council if demanded and with no options for extension; and
 - (ii) by way of a second consecutive lease that commences after the expiry of the new lease in Recommendation B(i) for a consecutive term of twenty (20) years

at an annual rent of \$1.00 excluding GST, payable to Council if demanded and with no options for extension.

5. PROCUREMENT - COHGA WEAVE MAPPING SUBSCRIPTION - 2024

This is a report seeking a resolution by Council to enter into a contract with Cohga Pty Ltd for the provision of the Cohga Weave Mapping Solutions that is operationally utilised as part of Council's existing spatial services.

The exception under section 235(b) of the *Local Government Regulation 2012* applies due to the specialised nature of the services provided. The proprietary nature of the incumbent supplier's services means that there is only one supplier who is reasonably available to provide the continued subscription to this suite of services. Further, due to the current implementation of an enterprise spatial solution by Council, it is more costly and disadvantageous to Council to tender for other software solutions when delivery of the enterprise spatial project will provide a comparative solution.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes for the provision of the Weave Mapping Solution.
- B. That Council enter into a contractual arrangement (Council file reference number 5251) with Cohga Pty Ltd for an approximate purchase price of \$176,000.00 excluding GST over the entire term, being an initial term of six (6) months, with options for extension at the discretion of Council, for an additional one (1) x six (6) month period.

6. PROCUREMENT - ARTICULATE 360 TEAMS LICENCES SUBSCRIPTION

This is a report seeking a resolution by Council to enter into a contractual arrangement with The Trustee for THE DAVID LOOKE FAMILY TRUST trading as MICROWAY (Microway) for the provision of Articulate 360 licences.

The exception under section 235(b) of the *Local Government Regulation 2012* applies due to the specialised nature of the services provided. The proprietary nature of the incumbent supplier's services means that there is only one supplier who is reasonably available to provide the continued subscription to the licences.

Further, the risk of changing supplier makes it more costly and disadvantageous to Council to go to quote or tender for a similar service.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes for the provision of Articulate 360 licences.
- B. That Council enter into a contractual arrangement (Council file reference number fA614764) with The Trustee for THE DAVID LOOKE FAMILY TRUST trading as MICROWAY, at an approximate purchase price of \$39,063.42 excluding GST over the entire term, being an initial term of three (3) years, with no options for extension.

7. **PROCUREMENT - TELECOMMUNICATIONS SERVICES

This is a report concerning the procurement and recommendation to negotiate and enter into a contractual arrangement with Telstra Corporation Limited for the provision of Ipswich City Council's Telecommunication Services.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 21786 for the provision of Telecommunication Services to Telstra Corporation Limited (Supplier).
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of twelve million six hundred thousand dollars (\$12,600,000) excluding GST over the entire term, being an initial term of three (3) years, with options for extension at the discretion of Council (as purchaser), of an additional three (3) year and one (1) year term, for the total term of seven (7) years if all extension options are exercised.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action*" pursuant to section 238 of the Regulation, in order to implement Council's decision.

8. PROCUREMENT - HUMAN RESOURCE INFORMATION SYSTEM

This is a report seeking a resolution by Council to enter into a contract with SAP Australia Pty Ltd (SAP) for the provision of a cloud-based subscription, support, maintenance and other related ancillary items for the payroll and job application

components of Council's core operational Human Resources Information System (HRIS).

The exception under s235(a) of the *Local Government Regulation 2012* applies as the complex integration of the solution provided by SAP means that there is only one supplier who is reasonably available to continue to provide the system.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of the SAP HRIS system and associated components.
- B. That Council enter into a contractual arrangement (Council file reference 5083) with SAP Australia Pty Ltd, at an approximate purchase price of seven hundred and fifty thousand dollars (\$750,000.00) excluding GST over the entire term, being an initial term of one (1) year, with an option for extension at the discretion of Council (as purchaser), of an additional 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.

9. REPORT - REGULATION ADVISORY COMMITTEE NO. 2024(01) OF 5 AUGUST 2024

This is the report of the Regulation Advisory Committee No. 2024(01) of 5 August 2024.

RECOMMENDATION

That Council adopt the recommendations of the Regulation Advisory Committee No. 2024(01) of 5 August 2024.

NOTICES OF MOTION

MATTERS ARISING

FINANCE AND GOVERNANCE COMMITTEE NO. 2024(02)

16 JULY 2024

MINUTES

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jacob Madsen (Deputy Chairperson), Mayor Teresa Harding, Deputy Mayor Nicole Jonic, Andrew Antonioli, Jim Madden, David Cullen (Observer via audio-link), Marnie Doyle (Observer), Pye Augustine (Observer)

COUNCILLOR'S APOLOGIES:

Nil

OFFICERS' ATTENDANCE:

Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), Acting General Manager Environment and Sustainability (Phil A Smith), General Manager Community, Cultural and Economic Development (Ben Pole), General Manager Asset and Infrastructure Services (Matt Anderson), General Manager Planning and Regulatory Services (Brett Davey), Chief Financial Officer (Jeff Keech), ICT Category Specialist (Earaj Khan), Chief Information Officer (Angela Jackson), ERP Program Manager (Gerard Nelson), Corporate Governance Manager (Shasha Ingbritsen), Senior Governance Officer (Melissa Friske), Acting Procurement Manager (Ross Muller), Property Services Manager (Alicia Rieck), Manager, Legal and Governance (General Counsel) (Tony Dunleavy), Manager, Libraries and Customer Services (Samantha Chandler), Manager, Resource Recovery (David McAlister), Senior Communications and Policy Officer (Jodie Richter) and Theatre Technician (Harrison Cate)

ACKNOWLEDGEMENT OF COUNTRY

Councillor Jacob Madsen delivered the Acknowledgement of Country

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE
NO. 2024(01) OF 11 JUNE 2024

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Councillor Andrew Antonioli:

**That the minutes of the Finance and Governance Committee held on 11 June
2024 be confirmed.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antonioli	
Madden	

The motion was put and carried.

OFFICERS' REPORTS

2. ADOPTION OF ARTIFICIAL INTELLIGENCE POLICY

This is a report concerning the adoption of an Artificial Intelligence Policy.

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Councillor Andrew Antonioli:

**That the policy titled 'Artificial Intelligence Policy' as set out in Attachment 1 be
adopted.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antonioli	
Madden	

The motion was put and carried.

3. UPDATE ON THE IVOOLVE BUSINESS CASE

This is a report concerning the review and updating of the iVolve Business Case. The amendments to the Business Case aim to guide Council toward successful adoption while addressing risks, maintaining continuity with the original Business Case, and ensuring financial prudence. The report provides a concise overview of these updates and associated risk and impacts.

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

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Deputy Mayor Nicole Jonic:

That the update report on the iVolve Business Case be received and the contents noted.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. URBAN UTILITIES STATEMENT OF STRATEGIC INTENT (SOSI) AND PARTICIPATIONS RETURNS POLICY (PRP) AND PARTICIPATION AGREEMENT (PA)

This is a report in relation to the following two matters regarding Urban Utilities (UU):

1. Approval of proposed amendments to the Participation Agreement and the Participation Returns Policy.
2. Approval of UU’s Statement of Strategic Intent 2029 (“SOSI”)

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

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antonioli:

- A. That Council approve the amendments to the Participation Agreement between the Central SEQ Distributor-Retailer Authority (trading as Urban Utilities) and Ipswich City Council as a Participant to the Participation Agreement as per Confidential Attachment 1 to this report.**
- B. That Council approve the amended Participation Return Policy per Confidential Attachment 3 to this report.**
- C. That Council approve Urban Utilities' 2029 Statement of Strategic Intent contained in Confidential Attachment 4 to this report.**
- D. That the Chief Executive Officer be authorised to sign a Variation Agreement that formalises the approved amendments to the Participation Agreement and Participation Returns Policy, and to do any other acts necessary to implement Council's decisions in accordance with section 13(3) of the *Local Government Act 2009*.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antonioli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. PROCUREMENT: CLOUDLIBRARY LIBRARY ERESOURCES

This is a report seeking a resolution by Council to enter into a contractual arrangement with OCLC (UK) Limited (OCLC) for the provision of electronic Resource (eResources) platforms CloudLibrary, CloudLink and ComicsPlus.

As a result of an acquisition of the suite of CloudLibrary products by OCLC UK Limited from previous owners, Bibliotheca Australia Pty Ltd in April 2024, a Council resolution for an exception under Section 235(b) of the Local Government Regulation 2012 applying to specialised services is sought to ensure continuity of service under the new product owners. The product has been part of library offerings to borrowers since 2017 and enjoys solid and increasing usage.

Previously the supply of CloudLibrary platforms was contracted under Contract 21689 Cloud Library Electronic Library Resources with Bibliotheca Australia Pty Ltd, under exception s234 of the Local Government Regulations – engaged via the Local Buy Local Government Arrangement.

OCLC acquired the CloudLibrary elements of Bibliotheca Australia Pty Ltd organisation, and Contract 21689, following Legal advice, was novated to OCLC in May 2024 for the remaining two (2) months of the Contract to ensure continuity of these library e-resources. OCLC assumed all rights, benefits, and obligations associated with the previous contract. OCLC is a nonprofit organisation who have maintained the same user-friendly interface, extensive catalogue, and convenient access to digital content through CloudLibrary and have assured customer experience will not be impacted in any way. OCLC do not hold a Local Government Arrangement membership with LocalBuy.

This subscription product is utilised by multiple Australian Libraries to provide content to their communities and Council is able to leverage consortia agreements with other south-east Queensland Libraries, thereby rendering it more costly and disadvantageous to Council to tender for other products.

A resolution of Council is sought to approve the annual subscription for the CloudLibrary eResources with OCLC for a term of up to three (3) years as an initial one (1) year term with an additional two (2) X one (1) year options to allow annual analysis of utility and value for money. This is an estimated total cost of approximately six-hundred thousand dollars (\$600,000) excluding GST for the term of the three year contract.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised AND/OR confidential nature of the services that are sought and it would be impractical AND/OR disadvantageous to invite quotes OR tenders for the provision of CloudLibrary Library eResources.**
- B. That Council enter into a contractual arrangement (Council file reference number 5185) with OCLC (UK) Limited, at an approximate purchase price of \$600,000 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.**

AFFIRMATIVE

Councillors:

Tully

NEGATIVE

Councillors:

Nil

Madsen
Harding
Jonic
Antoniolli
Madden

The motion was put and carried.

6. PROCUREMENT: INCREASE IN CONTRACT VALUE- MICROSOFT EA LICENCEING

This is a report seeking a resolution by Council to increase the approved value of existing contract 18620 for the provision of Microsoft Enterprise Licencing by \$414,000+GST.

The contract commenced 1 August 2022 and since this time the number of Council Full Time Employees has increased further than initially estimated. Council's original estimated expenditure was approved at \$4.431M excluding GST for the total contract period of 3 years with no option for extension. This was adopted at Council Ordinary Meeting of 30 June 2022.

The new estimated sum is \$4,845,000 excluding GST and does not affect the term of the contract.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Mayor Teresa Harding:

- A. That Council approve an increase in expenditure for the provision of Microsoft EA Licencing Renewal with supplier Data#3 Limited from \$4,431,000 to \$4,845,000 excluding GST for the current contracted period up to 31 July 2025. This constitutes an increase of \$414,000 excluding GST.**
- B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "contractual action" pursuant to section 238 of the Regulation, in order to implement Council's decision.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. PROCUREMENT: ARCGIS ONLINE CREATOR & MOBILE WORKER SOFTWARE LICENCING, MAINTENANCE (2024)

This is a report seeking a resolution by Council to enter into a contract with Esri Australia Pty Ltd for the provision of ArcGIS Online Creator and Mobile Worker software licencing, maintenance that are operationally utilised as part of Council's existing spatial services.

This matter is required as officers seek Council resolution that the exception under section 235(b) of the *Local Government Regulation 2012* applies to the specialised nature of the ArcGIS Online Creator and Mobile Worker licencing, maintenance and other related ancillary items for these operationally necessary products. The proprietary nature of the incumbent supplier's products means that the products are specialised in nature and Esri Australia Pty Ltd are the only supplier able to provide the support and maintenance for the products. It would be impractical and disadvantageous for Council to invite quotes or tenders as no other supplier is able to provide these specialised products. Further, due to the current implementation of an enterprise spatial solution by Council, it is more costly and disadvantageous to Council to tender for other software products when delivery of the enterprise spatial project will provide a replacement solution.

A resolution of Council is sought to approve the continuation of the licencing and maintenance for the ArcGIS software products including Online Creator and Mobile Worker licencing with Esri Australia Pty Ltd for a term of one (1) year (commencing 14 August 2024), with no extension option. This is an estimated total cost of approximately thirty-five thousand dollars (\$35,000) excluding GST for the full term of the contract.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised AND/OR confidential nature of the services that are sought and it would be impractical AND/OR disadvantageous to invite quotes OR tenders for the provision of the ArcGIS Software licencing including, ArcGIS Online Creator and Mobile Worker licencing and maintenance of the software products and related ancillary items.**

- B. That Council enter into a contractual arrangement (Council file reference 5186) with Esri, Australia Pty Ltd, at an approximate purchase price of \$35,000.00 excluding GST over the entire term, being an initial term of one (1) year, with no extension option.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

8. PROCUREMENT - CULTURE AMP EMPLOYEE EXPERIENCE SURVEY PLATFORM

This is a report seeking a resolution by Council to engage Culture Amp Pty Ltd. Culture Amp has been contracted with Council (contract 16674) for the past three years to provide a platform supporting improved Employee Experience (EX) through whole of Council employee satisfaction surveys, benchmarking analysis, results and support.

The annual Employee Experience Survey is a deliverable under the People and Culture Strategy 2021 - 2026 and is also a key focus of our CEO and Executive Leadership Team.

This matter is required as officers seek Council resolution that the exception under section 235(b) of the *Local Government Regulation 2012* applies to the specialised services provided by the Culture Amp platform. The proprietary nature of the incumbent supplier's product means that there is only one supplier who is reasonably available to provide the required product.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jacob Madsen:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised AND/OR confidential nature of the services that are sought and it would be impractical AND/OR disadvantageous to invite quotes OR tenders for**

the provision of an.

- B. That Council enter into a contractual arrangement Culture Amp Pty Ltd, at an approximate purchase price of \$295,740.00 excluding GST over the entire term, being an initial term one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

9. PROCUREMENT: EXTENSION AND INCREASE IN SPEND ON COMMERCIAL CLEANING - CONTRACT 13902

This is a report concerning the recommendation to approve the final one (1) year extension (December 2024 to December 2025) option and increased expenditure under contract 13902 Commercial Cleaning.

This increase is due to a growth in scope and inclusion of additional assets along with an increase in CPI costs which have risen above the anticipated forecast.

Council's original estimated expenditure was approved at \$6.9M excluding GST for the total contract period of two (2) years with the option to extend the contract by three (3) x one (1) year periods. This was adopted at Council Ordinary Meeting of 22 October 2020 (Objective ID. A10327181)

Prior to the contract execution it was proposed to extend the scope of the contract to include the cleaning of, the then soon to be opened, Tulumur Place. The estimated new sum of the contract including all extensions was estimated to be \$8,331,317.82 ex. GST. This proposal was approved under a CEO Briefing Note in November 2020 (Objective ID. A6646565).

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Mayor Teresa Harding:

- A. That Council approve an increase in expenditure for the provision of Commercial Cleaning with the supplier, Total Building Maintenance (TBM) from**

\$6,900,000 to \$10,500,000 excluding GST for the current contracted period up to December 2024 and include future 1 x 12 month extension option to December 2025. This constitutes an increase of \$3,600,000 excluding GST.

- B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

NEGATIVE

Councillors:

Jonic (Abstain)

The motion was put and carried.

10. PROPOSAL TO ACQUIRE PROPERTY LOCATED AT 2B THOMPSON STREET BUNDAMBA FOR DRAINAGE PURPOSE

This is a report concerning the proposed acquisition of a residential property in Bundamba. The property is encumbered by drainage infrastructure that has been the subject of historical and ongoing concerns to the land.

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

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

- A. That Council resolve to purchase or acquire land located at 2B Thompson Street, BUNDAMBA, more particularly described as Lot 4 on Registered Plan 116873 (Council file reference 6179), for drainage purpose.**
- B. That in the first instance, the method of acquisition shall be as a purchase by agreement with the affected person/s pursuant to the *Property Law Act 1974*.**
- 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 Council be kept informed as to the progress and outcome of the acquisition.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	
Madden	

The motion was put and carried.

11. AMENDING SUBORDINATE LOCAL LAW - OFF STREET REGULATED PARKING, 134 PARKLAND DRIVE SPRINGFIELD CENTRAL

This is a report concerning the proposal to make *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* and a consolidated version of *Subordinate Local Law No. 5.1 (Parking) 2013* following public consultation on one proposed amendment.

The purpose of the amendment is to regulate off street parking at 134 Parkland Drive Springfield Central pursuant to the resolution of Council on 23 May 2024. Regulated off street parking has been in place at this site since January 2024 when *Interim Local Law No.1 (Parking) 2024* commenced. It is due to expire on 25 July 2024 as an interim local law expires after 6 months. The change proposed to the local law in this report will allow this regulation to continue.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Deputy Mayor Nicole Jonic:

- A. **That it be noted that 4 submissions were received during the public consultation period for the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* and actioned as per the report.**
- B. **That the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* does not contain any anti-competitive provisions.**
- C. **That Council make proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* as set out in Attachment 1 of the report, as advertised.**

- D. That pursuant to Section 32 of the *Local Government Act 2009*, Council adopt the consolidation version of *Subordinate Local Law No.5.1 (Parking) 2013*, as set out in Attachment 3 of the report.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	
Madden	

The motion was put and carried.

MOVE INTO CLOSED SESSION

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Councillor Jim Madden:

That in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss Item 12 titled Swifts Leagues Club Cameron Park.

The meeting moved into closed session at 11.12 am.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	
Madden	

The motion was put and carried.

MOVE INTO OPEN SESSION

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Deputy Mayor Nicole Jonic:

That the meeting move into open session.

The meeting moved into open session at 11.29 am.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

12. SWIFTS LEAGUES CLUB CAMERON PARK

This is a report concerning potential revised terms to the existing Lease to Swifts Leagues over part of freehold land located at 95A Brisbane Road Booval.

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

RECOMMENDATION

Moved by Councillor Andrew Antoniolli:

Seconded by Deputy Mayor Nicole Jonic:

- A. That the report in relation to Swifts Leagues Club Cameron Park, be received and noted.**
- B. That Council approve the proposed framework and the commercial approach to any variations to the existing lease, as outlined in the confidential Attachment 1 to this report.**
- 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 action in relation to the variation of the existing Lease or the creation of a new Lease.**
- D. That the matter be brought back to Council for approval of any amendments to the existing lease or new Lease.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

NEGATIVE

Councillors:

Harding

Antonioli
Madden

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 10.42 am.

The meeting closed at 11.30 am.

Doc ID No: A9535826

ITEM: 2
SUBJECT: REVIEW OF CHIEF EXECUTIVE OFFICER DELEGATIONS
AUTHOR: GOVERNANCE PROJECT OFFICER
DATE: 29 MAY 2024

EXECUTIVE SUMMARY

This is a report concerning a review of the delegations provided to the Chief Executive Officer.

RECOMMENDATION/S

- A. That the delegations to the Chief Executive Officer as detailed in Attachment 1 be repealed.**
- B. That the delegations to the Chief Executive Officer as detailed in Attachment 2 be amended as detailed in Attachment 3.**

RELATED PARTIES

There are no conflicts of interest relating to this report.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Legal and Governance Branch monitor all minor changes to existing legislation which may necessitate amendments to Council's delegation instrument to the CEO and an update of the delegations register. The monitoring and review of ongoing legislation changes, and updates are completed by both the Governance Project Officer and the Legal Services Section.

At the completion of the regular review of Delegations and Sub-Delegation in 2023 the Governance Project Officer responsible for managing the administration of Councils delegations undertook a project to review each delegation and sub-delegation against the legislation. A thorough review of this scale has not been undertaken since the Transformational Projects conducted in 2019. At the completion of the review project the regular 2024 Annual review of Sub-delegation and Delegations commenced.

The review of the Delegations and Sub-Delegations against the legislation identified a number of powers which have been repealed since the review undertaken in 2019. These powers are detailed in Attachment 1.

In addition to the powers which have been repealed there were a number of sections within the various legislation which were renumbered and 8 pieces of legislation which have been reviewed and updated. Attachment 2 lists the powers as they are currently delegated and includes notes on the changes required. Attachment 3 shows the changes in Track and Attachment 4 is a “clean” version of the powers after the required amendments.

The below table outlines the legislation affected and a summary of the updates required.

Legislation	Summary of Updates
Acquisition of Land Act 1967	Number of powers affected: 1 Issue/s identified: typographical error.
Body Corporate and Community Management (Accommodation Module) Regulation 2008	Number of powers affected: 1 Issue/s identified: Legislation Updated renumbering of sections
Body Corporate and Community Management (Commercial Module) Regulation 2008	Number of powers affected: 1 Issue/s identified: Legislation updated renumbering of sections
Body Corporate and Community Management (Small Schemes Module) Regulation 2008	Number of powers affected: 1 Issue/s identified: Legislation updated renumbering of sections
Body Corporate and Community Management (Standard Module) Regulation 2008	Number of powers affected: 1 Issue/s identified: Legislation updated renumbering of sections
Building Act 1975	Number of powers affected: 5 Issue/s identified: Summary inconsistent with wording in legislation additional section required to be delegated
Building Regulation 2006	Number of powers affected: 15 Issue/s identified: Legislation Updated Renumbering of sections
Economic Development Act 2012	Number of powers affected: 3 Issue/s identified: typographical error Duplication of powers
Economic Development Regulation 2013	Number of powers affected: 3

Legislation	Summary of Updates
	Issue/s identified: Legislation Updated renumbering of sections
Environmental protection Act 1994	Number of powers affected: 6 Issue/s identified: Sections repealed Summary inconsistent with wording in legislation renumbering of sections
Food Act 2006	Number of powers affected: 1 Issue/s identified: Summary inconsistent with wording in legislation
Heavy Vehicle National Law Act 2012 / Heavy Vehicle National Law (Queensland)	Number of powers affected: 4 Issue/s identified: Summary inconsistent with wording in legislation
Human Rights Act 2019	Number of powers affected: 1 Issue/s identified: Summary inconsistent with wording in legislation
Information Privacy Act 2009	Number of powers affected: 3 Issue/s identified: Summary inconsistent with wording in legislation Typographical error
Land Act 1994	Number of powers affected: 11 Issue/s identified: sections repealed Section referenced incorrectly Typographical error
Local Government Regulation 2012	Number of powers affected: 17 Issue/s identified: Summary inconsistent with wording in legislation sections repealed renumbering of sections section referenced incorrectly
Neighbourhood Disputes (Dividing Fences and Trees) Act 2011	Number of powers affected: 1 Issue/s identified: section referenced incorrectly
Planning Act 2016	Number of powers affected: 2 Issue/s identified: typographical error power not relevant to Local government
Planning Regulation 2017	Number of powers affected: 4

Legislation	Summary of Updates
	Issue/s identified: sections repealed
Plumbing and Drainage Act 2019	Number of powers affected: 2 Issue/s identified: renumbering of sections
Public Health Act 2005	Number of powers affected: 1 Issue/s identified: typographical error
Public Records Act 2002	Number of powers affected: 1 Issue/s identified: Summary inconsistent with wording in legislation
Queensland Reconstruction Authority Act 2011	Number of powers affected: 1 Issue/s identified: section referenced incorrectly
South-East Queensland Water (Distribution and Retail Restructuring) Act 2009	Number of powers affected: 1 Issue/s identified: typographical error
State Penalties Enforcement Act 1999	Number of powers affected: 1 Issue/s identified: section referenced incorrectly
Stock Route Management Act 2002	Number of powers affected: 2 Issue/s identified: Summary inconsistent with wording in legislation renumbering of sections
Summary Offences Act 20005	Number of powers affected: 1 Issue/s identified: section repealed
Summary Offences Regulation 2016	Number of powers affected: 1 Issue/s identified: typographical error
Survey and Mapping Infrastructure Act 2003	Number of powers affected: 1 Issue/s identified: section referenced incorrectly
Tobacco and Other Smoking Products Act 1998	Number of powers affected: 7 Issue/s identified: renumbering of powers
Transport Infrastructure Act 1994	Number of powers affected: 7 Issue/s identified: Summary inconsistent with wording in legislation section referenced incorrectly

Legislation	Summary of Updates
Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010	Number of powers affected: 10 Issue/s identified: Legislation updated renumbering of sections
Waste Reduction and Recycling Act 2011	Number of powers affected: 11 Issue/s identified: Typographical error renumbering of sections section referenced incorrectly Duplicate powers powers unable to be delegated
Waste Reduction and Recycling Regulation 2011	Number of powers affected: 11 Issue/s identified: Legislation updated renumbering of sections
Water Act 2000	Number of powers affected: 8 Issue/s identified: typographical errors sections repealed section referenced incorrectly
Workers Compensation and Rehabilitation Act 2003	Number of powers affected: 1 Issue/s identified: section referenced incorrectly

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

RISK MANAGEMENT IMPLICATIONS

Local Governments provide numerous services to their communities using powers provided in Queensland legislation. Some of these powers and functions are ‘delegable’, that is, they may be assigned to appropriately experienced and qualified officers to exercise. By undertaking a thorough review of Council’s delegations, Council ensures that all relevant legislative powers are delegated, that delegations are current and that decisions are being lawfully made.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications as a result of this report.

COMMUNITY AND OTHER CONSULTATION

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




CONCLUSION

A further review of the delegations to the Chief Executive Officer identified some required changes to the delegations. The amendments will be incorporated into the delegations register upon adoption by Council.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A states that Council repeal delegations to the CEO which are no longer in effect Recommendation B states that Council amend a number of delegations which contain some errors.
(b) What human rights are affected?	No human rights are affected by this decision
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Delegations to be repealed ↓ 
2.	Delegation to be Amended (Original) ↓ 
3.	Delegation to be Amended (Track) ↓ 

Alisha Campbell
GOVERNANCE PROJECT OFFICER

I concur with the recommendations contained in this report.

Shasha Ingbritsen
CORPORATE 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)

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

Delegations to be Repealed

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Economic Development Act 2012 s 169(3) s 71B(2)	Del-0297	Economic Development Act 2012 - s 71B(2) Power to give the owner of the land the subject of the PDA exemption certificate a copy of the certificate if a PDA exemption certificate for the carrying out of PDA assessable development is given.	28/07/2020	Delegation was identified as being a duplicate of Del-0298 and can therefore be repealed
Local Government Act 2009 s 257	Del-0350	Environmental Protection Act 1994 - s 50 Power, as a proponent, to apply to the Minister for a review of a refusal to allow to proceed.	28/07/2020	Section was repealed as part of the Environmental Protection and Other Legislation Amendment Act 2023
Local Government Act 2009 s 257	Del-0356	Environmental Protection Act 1994 - s 56B Power, as a proponent, to apply for Ministerial review of refusal to allow submitted EIS to proceed."	28/07/2020	Section was repealed as part of the Environmental Protection and Other Legislation Amendment Act 2023
Local Government Act 2009 s 257	Del-0397	Environmental Protection Act 1994 - s 521(3) Power, as a dissatisfied person, to send to the other persons who were given notice of the original decision the documents listed in section 521(3) of the Environmental Protection Act 1994.	28/07/2020	Section was amended as part of the Environmental Protection and Other Legislation Amendment Act 2020 to change the responsibility of the action to the administering authority rather than the dissatisfied person. Power no longer required as the dissatisfied person.
Local Government Act 2009 s 257	Del-0783	Land Act 1994 - s 132 Powers relating to granting additional areas.	28/07/2020	Section was repealed as part of the Land and Other Legislation Amendment Act 2023
Local Government Act 2009 s 257	Del-0794	Land Act 1994 - s 161 Powers relating to fulfilling conditions of an offer and accepting an offer.	28/07/2020	Section was repealed as part of the Land and Other Legislation Amendment Act 2023
Local Government Act 2009 s 257	Del-0800	Land Act 1994 - s 176F Powers relating to compliance with the conditions of a subdivision offer.	28/07/2020	Section was repealed as part of the Land and Other Legislation Amendment Act 2023
Local Government Act 2009 s 257	Del-0806	Land Act 1994 - s 176R Powers relating to compliance with the conditions of an amalgamation offer.	28/07/2020	Section was repealed as part of the Land and Other Legislation Amendment Act 2023



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257	Del-1125	Local Government Regulation 2012 - s 258 Power relating to the giving to each councillor of the local government a notice of each meeting or an adjourned meeting, of the local government.	28/07/2020	Section was repealed as part of the Local Government Legislation (Integrity) Amendment Regulation 2020
Local Government Act 2009 s 257	Del-1129	Local Government Regulation 2012 - s 276 Power relating to the allowance by the local government of a person to take part by way of teleconference in a meeting of the local government or a meeting of a committee of the local government.	28/07/2020	Section was repealed as part of the Local Government Legislation (Integrity) Amendment Regulation 2020
Local Government Act 2009 s 257	Del-1130	Local Government Regulation 2012 - s 277(1), (2), (3) and (4) Power relating to the publication of a notice of the days and times when ordinary meetings of the local government and its standing committees will be held.	28/07/2020	Section was repealed as part of the Local Government Legislation (Integrity) Amendment Regulation 2020
Local Government Act 2009 s 257	Del-1131	Local Government Regulation 2012 - s 277(5) and (6) Power relating to the inspection of a list of items to be discussed at a meeting of the local government or its standing committees at the time the agenda is made available to councillors, and the publication of the list and any details or documents relating to the item on the local government's website.	28/07/2020	Section was repealed as part of the Local Government Legislation (Integrity) Amendment Regulation 2020
Local Government Act 2009 s 257 s 173	Del-1196	Planning Act 2016 - s 173 Power relating to remedying the contravention of an enforcement notice.	28/07/2020	Legislation states this section applies of the enforcement authority is not a Local Government. Power is not required by Local Government.
Local Government Act 2009 s 257	Del-1240	Planning Regulation 2017 - sch 11, s 9(2) Power, as an applicant, to make a request in relation to a koala habitat classification area.	28/07/2020	Section was repealed as part of the Nature Conservation and Other Legislation (Koala Protection) Amendment Regulation 2020
Local Government Act 2009 s 257	Del-1241	Planning Regulation 2017 - sch 11, s 10(1) Power, as an assessment manager, to make the requested decision.	28/07/2020	Section was repealed as part of the Nature Conservation and Other Legislation (Koala Protection) Amendment Regulation 2020
Local Government Act 2009 s 257	Del-1242	Planning Regulation 2017 - sch 11, s 10(2)	28/07/2020	Section was repealed as part of the Nature Conservation and Other



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
		Power, as an assessment manager, to give notice of the decision.		Legislation (Koala Protection) Amendment Regulation 2020
Local Government Act 2009 s 257	Del-1243	Planning Regulation 2017 - sch 11, s 10(3) Power, as an assessment manager, to give notice of the decision, including the reasons for the decision.	28/07/2020	Section was repealed as part of the Nature Conservation and Other Legislation (Koala Protection) Amendment Regulation 2020
Local Government Act 2009 s 257	Del-1518	Summary Offences Act 2005 - s 8 Power to authorise a person to busk in a public place.	28/07/2020	Section was repealed as part of the Child Protection (Offender Reporting and Offender Prohibition Order) and Other Legislation Amendment Act 2023
Local Government Act 2009 s 257	Del-1963	Water Act 2000 - s 598A Power relating to the making of a submission in response to a proposal to change the composition of the board of a water authority	28/07/2020	Section was repealed as part of the Natural Resources and Other Legislation Amendment Act 2019



Acquisition of Land Act 1967

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 15C(1)	Del-0020	Acquisition of Land Act 1967 - s15C(1) Power, as a constructing authority, to make an application to the Minister for land to be taken under section 15C of the Acquisition of Land Act 1976.	28/07/2020	A Typographical error was identified in the summary referencing the Act from 1976 instead of 1967. Delegation Summary to be amended to correct the error.

Body Corporate and Community Management (Accommodation Module) Regulation 2008

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 159	Del-0147	Body Corporate and Community Management (Accommodation Module) Regulation 2008 - s 159 Power, as a planning body, relating to a certificate certifying that the sale or disposal of the common property or the grant or amendment of a lease or licence over the common property, has been approved or noted as required under the Planning Act 2016.	28/07/2020	A new Regulation passed in 2020. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.

Body Corporate and Community Management (Commercial Module) Regulation 2008

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 117	Del-0148	Body Corporate and Community Management (Commercial Module) Regulation 2008 - s 117 Power, as a planning body, relating to a certificate certifying that the sale or disposal of the common property or the grant or amendment of a lease or licence over the common property, has been approved or noted as required under the Planning Act 2016.	28/07/2020	A new Regulation passed in 2020. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.



Body Corporate and Community Management (Small Schemes Module) Regulation 2008

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 95	Del-0149	Body Corporate and Community Management (Small Schemes Module) Regulation 2008 - s 95 Power, as a planning body, relating to a certificate certifying that the sale or disposal of the common property or the grant or amendment of a lease or licence over the common property, has been approved or noted as required under the Planning Act 2016.	28/07/2020	A new Regulation passed in 2020. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.

Body Corporate and Community Management (Standard Module) Regulation 2008

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 161	Del-0150	Body Corporate and Community Management (Standard Module) Regulation 2008 - s 161 Power, as a planning body, relating to a certificate certifying that the sale or disposal of the common property or the grant or amendment of a lease or licence over the common property, has been approved or noted as required under the Planning Act 2016.	28/07/2020	A new Regulation passed in 2020. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.

Building Act 1975

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 41(1)	Del-0155	Building Act 1975 - s 41(1) Power, as an assessment manager, to consult about variation approvals.	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary refers to Variation Approvals whilst the legislation refers to Variation Application. Delegation Summary to be amended to align with wording in legislation.
Local Government Act 2009 s 257 s 68A	Del-0166	Building Act 1975 - s 68A Power, as an assessment manager, to prepare a written statement of reasons for an alternative solution.	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary refers to Alternative Solution whilst the legislation refers to Performance Solution. Delegation Summary to be amended to align with wording in legislation.
Local Government Act 2009 s 257	Del-0173	Building Act 1975 - s 108A	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary refers to Certificate of Classification whilst



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
s 108A		Power, as an owner, to provide access to a certificate of classification.		the legislation refers to Certificate of Occupancy. Delegation Summary to be amended to align with wording in legislation.
Local Government Act 2009 s 257 s 231AL	Del-0184	Building Act 1975 - s 231AL Power relating to the approval of a later day for obtaining a fire safety compliance certificate or certificate of classification.	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary refers to Certificate of Classification whilst the legislation refers to Certificate of Occupancy. Delegation Summary to be amended to align with wording in legislation.
Local Government Act 2009 s 257 s 248	Del-0226	Building Act 1975 - s 248 Power relating to giving a show cause notice and an enforcement notice.	28/07/2020	Summary includes reference to Show Cause Notices which are under section 247 of the Act. Delegation to be amended to include Section 247 – Show Cause Notices and s248 – Enforcement Notices.

Building Regulation 2006

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 12(4)	Del-0233	Building Regulation 2006 - s 12(4) Power relating to the preparation of maps of a designated bushfire prone area.	28/07/2020	A new Regulation was passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation
Local Government Act 2009 s 257 s 13(4)	Del-0234	Building Regulation 2006 - s 13(4) Power relating to keeping a register of the flood hazard area.	28/07/2020	A new Regulation was passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation
Local Government Act 2009 s 257 s 16Q	Del-0235	Building Regulation 2006 - s 16Q Power, as an owner, relating to the registration of a building and giving a completed combustible cladding checklist to the QBCC.	28/07/2020	A new Regulation was passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation
Local Government Act 2009 s 257 s 16R	Del-0236	Building Regulation 2006 - s 16R Power, as an owner, relating to keeping a completed combustible cladding checklist.	28/07/2020	



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 16T	Del-0237	Building Regulation 2006 - s 16T Power relating to giving a completed combustible cladding checklist to the QBCC.	28/07/2024	Nil
Local Government Act 2009 s 257 s 16U	Del-0238	Building Regulation 2006 - s 16U Power, as an owner, relating to keeping a completed combustible cladding checklist.	28/07/2024	Nil
Local Government Act 2009 s 257 s 16W	Del-0239	Building Regulation 2006 - s 16W Power, as an owner, relating to giving fire engineer details to the QBCC.	28/07/2024	Nil
Local Government Act 2009 s 257 s 16X	Del-0240	Building Regulation 2006 - s 16X Power, as an owner, relating to giving a completed combustible cladding checklist and related assessment and statement to the QBCC.	28/07/2024	Nil
Local Government Act 2009 s 257 s 16Y	Del-0241	Building Regulation 2006 - s 16Y Power, as an owner, relating to keeping a completed combustible cladding checklist and related assessment and statement.	28/07/2024	Nil
Local Government Act 2009 s 257 s 16ZA	Del-0242	Building Regulation 2006 - s 16ZA Power, as an owner, relating to displaying an affected private building notice.	28/07/2024	Nil
Local Government Act 2009 s 257 s 16ZB	Del-0243	Building Regulation 2006 - s 16ZB Power, as an owner, relating to giving a copy of a building fire safety risk assessment to lot owners and tenants.	28/07/2024	Nil
Local Government Act 2009 s 257 s 16ZD	Del-0244	Building Regulation 2006 - s 16ZD Power, as an owner, relating to giving notice of compliance with Part 4A.	28/07/2024	Nil



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 16ZF(3)	Del-0245	Building Regulation 2006 - s 16ZF(3) Power, as an owner, to give a new owner documents.	28/07/2020	Nil
Local Government Act 2009 s 257 s 16ZM(2)	Del-0246	Building Regulation 2006 - s 16ZM(2) Power, as an owner, to comply with a notice given by the QBCC.	28/07/2020	Nil
Local Government Act 2009 s 257 s 16ZO	Del-0247	Building Regulation 2006 - s 16ZO Power, as an owner, relating to giving a replacement checklist.	28/07/2020	Nil

Economic Development Act 2012

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 41(a)	Del-0263	Economic Development Act 2012 - s 41(a) Power relating to the preparation of an amendment to a planning instrument.	28/07/2020	Section referenced was identified as being incomplete. Section referenced is 41(a), the correct reference should be 41(2)(a). Delegation to be amended to reference the full sub-section of the Act


Economic Development Regulation 2013

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 sch 6, s 2	Del-0341	Economic Development Regulation 2013 - sch 6, s 2 Power to ask MEDQ to approve a plan of subdivision for reconfiguring a lot.	28/07/2020	A new Regulation was passed in 2023. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation
Economic Development Act 2012 s 169(3) sch 6, s 3	Del-0342	Economic Development Regulation 2013 - sch 6, s 3 Power in relation to assessing a request for approval of a plan of subdivision.	28/07/2020	A new Regulation was passed in 2023. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Economic Development Act 2012 s 169(3) sch 6, s 4	Del-0343	Economic Development Regulation 2013 - sch 6, s 4 Power in relation to deciding a request for approval of a plan of subdivision.	28/07/2020	A new Regulation was passed in 2023. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation

Environmental Protection Act 1994


Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 160	Del-0363	Environmental Protection Act 1994 - s 160 Power, as an entity, to make a submission to the administering application about an application.	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary refers to a submission to the administering application whilst the legislation refers to the administering authority. Delegation Summary to be amended to align with wording in legislation.
Local Government Act 2009 s 257 s 320C	Del-0384	Environmental Protection Act 1994 - s 320C Power, as a person carrying out an activity, to notify.	28/07/2020	
Local Government Act 2009 s 257 s 522(1)	Del-0399	Environmental Protection Act 1994 - s 522(1) Power, as an applicant for a review of an original decision, to make an application for a stay of the decision to the relevant Court.	28/07/2020	Section was renumbered as part of the Environmental Protection and Other Legislation Amendment Act 2020. Delegation to be amended to reference the correct section of the Act.

Food Act 2006

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 118(1)	Del-0575	Food Act 2006 - s 118(1) Power to give the holder of a food safety program a show cause notice, and to decide the term of the show cause period.	28/07/2020	Summary includes reference to deciding the term of the Show Cause Notice however the legislation provides a maximum term. Delegation to be amended to remove the reference to deciding the term of the show cause period.



Heavy Vehicle National Law Act 2012 / Heavy Vehicle National Law (Queensland)

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 sch, s 167	Del-0618	Heavy Vehicle National Law Act 2012 / Heavy Vehicle National Law (Queensland) - sch, s 167 Power, as a road manager, relating to the expected procedure or consent to the grant of a mass or dimension authority.	28/07/2020	Typographical (spelling) error identified in the summary. Summary refers to expected procedure where it should be expedited procedure. Delegation to be amended to correct the spelling error.
Local Government Act 2009 s 257 sch, s 274	Del-0631	Heavy Vehicle National Law Act 2012 / Heavy Vehicle National Law (Queensland) - sch, s 274 Power, as a person referred to in subsection (1), relating to an application for a work and rest hour exemption certificate.	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary referred to a certificate however the legislation refers to this as a permit. Delegation to be amended to reference the wording in the Act.
Local Government Act 2009 s 257 sch, s 473(2)(f)	Del-0665	Heavy Vehicle National Law Act 2012 / Heavy Vehicle National Law (Queensland) - sch, s 473(2)(f) Power, as a holder of a heavy vehicle accreditation that is proposed to be amended or cancelled, to make written representations about why the proposed action should not be taken.	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary does not include reference to suspending the accreditation however the legislation includes suspension as a proposed action Delegation to be amended to include suspend in the summary.
Local Government Act 2009 s 257 sch, s 729	Del-0690	Heavy Vehicle National Law Act 2012 / Heavy Vehicle National Law (Queensland) - sch, s 729 Power, as a person who is or who has been exercising functions under the Heavy Vehicle National Law (Queensland), relating to an agreement of the disclosure of electronic work diary protected information.	28/07/2020	

Human Rights Act 2019

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 77(1)	Del-0595	Human Rights Act 2019 - s 77(1) Power, where the commissioner decides to accept a human rights complaint, to comply with the actions taken by the commissioner including:- (a) making submissions to the commission in writing in response to the complaint; (b) complying with a direction to give the commission information	28/07/2020	Delegation references Subsection 1 however the summary includes information from subsection 2. Delegation to be amended to remove reference to subsection 1



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
		relevant to the complaint; (c) participating in a conciliation of the complaint under part 4, division 2, subdivision 4.		

Information Privacy Act 2009

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 109(1)	Del-0699	Information Privacy Act 2009 - s 109(1) Power, as a participant in an external review, to comply with a reasonable request make by the information commissioner in relation to the external review.	28/07/2020	Typographical (spelling) error identified in the summary. Summary refers to a "reasonable request make by the information commissioner" where is should be a "reasonable request made" Delegation to be amended to correct the spelling error.
Local Government Act 2009 s 257 s 113	Del-0703	Information Privacy Act 2009 - s 113 Power, as an agency, to give full and free access at all reasonable times to the documents of the agency, including documents protected by legal professional privilege.	28/07/2020	Summary was identified as being inconsistent with the legislation and could be misinterpreted as being relevant to any person. The section in the legislation specifically mentions this is only for a request by the information commissioner. Delegation to be amended to include reference to the information commissioner.
Local Government Act 2009 s 257 s 161(1)	Del-0714	Information Privacy Act 2009 - s 161(1) Power, as an agency given a compliance notice under Part 6, Chapter 4, as provided under the QCAT Act, to apply to QCAT for a review of a decision of the information commissioner to give the agency the compliance notice.	28/07/2020	Summary was identified to have the reference to the Chapter and Part backwards (Part 6, Chapter 4). Delegation summary to be amended to reference the Chapter and Part in the correct order (Chapter 4, Part 6)

Land Act 1994

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 Chapter 1, Part 4, Division 1	Del-0715	Land Act 1994 - Chapter 1, Part 4, Division 1 Power, as an owner of land, relating to tidal environments.	28/07/2020	Section referenced was identified as being incorrect. Division 1 is the Summary of the Chapter. Tidal Environments was identified as being contained in Division 2.



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
				Delegation to be updated to reference Division 2
Local Government Act 2009 s 257 Chapter 1, Part 4, Division 2	Del-0716	Land Act 1994 - Chapter 1, Part 4, Division 2 Power, as an owner of land, relating to non-tidal environments.	28/07/2020	Section referenced was identified as being incorrect. Division 2 related to tidal environments. Non-tidal environments was identified as being contained in Division 3. Delegation to be updated to reference Division 3.
Local Government Act 2009 s 257 s 57(6)	Del-0742	Land Act 1994 - s 57(6) Powers, as a trustee, relating to registering a trustee lease.	28/07/2020	Section referenced was identified as being incorrect. Delegation to be amended to reference correct section 57(7).
Local Government Act 2009 s 257 s 60(3)	Del-0748	Land Act 1994 - s 60(3) Power, as a trustee, to lodge a trustee permit in the appropriate register.	28/07/2020	Section referenced was identified as being incorrect. Delegation to be amended to reference correct section 60(4).
Local Government Act 2009 s 257 s 109B	Del-0776	Land Act 1994 - s 109B Powers, as a trustee or lessee, relating to simultaneous opening and closure of a road.	28/07/2020	Typographical error identified in the summary. Summary refers to "closure or a road" whilst it should be "closure of a road" Delegation to be amended to correct the error in the summary
Local Government Act 2009 s 257 s 130	Del-0781	Land Act 1994 - s 130 Power to notify the Minister about a relevant change.	28/07/2020	Section referenced was identified as being incorrect as there is no reference to relevant changes in section 130. This information was identified in section 130A. Delegation to be amended to reference correct section 130A
Local Government Act 2009 s 257 s 309	Del-0854	Land Act 1994 - s 309 Powers relating to complying with a notice from the chief executive relating to a requirement to deposit a document for correction or cancellation.	28/07/2020	Summary was identified as being inconsistent with the wording in the legislation. The Summary references a notice from the Chief Executive however the legislation references the registrar. Delegation to be amended to change Chief Executive to registrar.




Local Government Regulation 2012

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 45	Del-1022	Local Government Regulation 2012 - s 45 Power relating to the receipt by the local government from a person of a competitive neutrality complaint and the provision of the complaint by the local government to the QPC.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority
Local Government Act 2009 s 257 s 48	Del-1023	Local Government Regulation 2012 - s 48 Power relating to the receipt by the local government of a refusal notice from the QPC if the QPC receives or is forwarded a competitive neutrality complaint from the local government and refuses to investigate the complaint.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority
Local Government Act 2009 s 257 s 49	Del-1024	Local Government Regulation 2012 - s 49 Power relating to the receipt by the local government of an investigation notice before the QPC starts to investigate a competitive neutrality complaint received by it.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority
Local Government Act 2009 s 257 s 51	Del-1025	Local Government Regulation 2012 - s 51 Power relating to the provision by the local government to the QPC of information relevant to a competitive neutrality complaint being investigated by the QPC and the competitive neutrality criteria.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority
Local Government Act 2009 s 257 s 52	Del-1026	Local Government Regulation 2012 - s 52 Power relating to the receipt by the local government of a report from the QPC, if the QPC conducts an investigation into a competitive neutrality complaint it receives.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 53	Del-1027	Local Government Regulation 2012 - s 53 Power relating to ensuring the public can inspect a copy of the report given to the local government by the QPC after investigating a competitive neutrality complaint.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority.
Local Government Act 2009 s 257 s 55(4)	Del-1028	Local Government Regulation 2012 - s 55(4) Power to give notice of a resolution made under section 55(1) of the Local Government Regulation 2012 to the entities stated in section 55(4) of the Local Government Regulation 2012, if the local government resolves not to implement a recommendation of the QPC.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority
Local Government Act 2009 s 257 s 55(5)	Del-1029	Local Government Regulation 2012 - s 55(5) Power, as a corporatised business entity, relating to the implementation of the recommendations of the QPC in the QPC's report on the results of the QPC's investigation into a competitive neutrality complaint.	28/07/2020	This section was amended as part of the Debt Reduction and Savings Act 2021 Schedule 6 – Amendment to other legislation relating to repeal of Queensland Productivity Commission Act 2015 to remove reference to the QPC and replace with competition authority. Delegation to be amended to replace QPC with competition authority
Local Government Act 2009 s 257 s 154	Del-1064	Local Government Regulation 2012 - s 154 Power relating to the keeping of a land record, containing the information stated in section 154(2)(a) to (d) of the Local Government Regulation 2012, including any other information that the local government considers appropriate under section 154(2)(d) of the Local Government Regulation 2012.	28/07/2020	Summary references the incorrect sub-section for "information that the local government considers appropriate" as 154(2)(d). the legislation references this as 154(2)(e). Summary to be amended to replace the reference 154(2)(d) with 154(2)(e).
Local Government Act 2009 s 257 ss 174(1) and (4) and 175	Del-1074	Local Government Regulation 2012 - ss 174(1) and (4) and 175 Power relating to the preparation of an annual operation plan and the discharge of the local government's responsibilities in a way that is consistent with the local government's adopted annual operational plan, but not the power to adopt the annual operation plan.	28/07/2020	The incorrect sub-section 174(4) is referenced in relation to discharging responsibilities however the legislation has this contained in section 174(5). Title to be amended to reference 174(5).



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 202(7) and (8)	Del-1093	Local Government Regulation 2012 - s 202(7) and (8) Power relating to the publication by the local government of a councillor's spending or allocation of discretionary funds.	28/07/2020	Section was renumbered as part of Local Government Legislation (Implementing Stage 2 of Belcarra) Amendment Regulation 2019. This power is now contained in section 202A. Delegation to be amended to reference the new section.
Local Government Act 2009 s 257 s 222	Del-1107	Local Government Regulation 2012 - s 222 Power relating to the preparation of a contract manual if the local government has resolved to apply the strategic contracting procedures to its contracts, but not the power to adopt the contract manual.	28/07/2020	
Local Government Act 2009 s 257 s 249	Del-1122	Local Government Regulation 2012 - s 249 Power relating to the preparation of an expenses reimbursement policy, but not the power to adopt the expenses reimbursement policy or its amendment.	28/07/2020	The incorrect section is referenced. Section 249 is relating to what the Division of the Act is about. The correct section is section 250. Delegation to be amended to reference the correct section.

Neighbourhood Disputes (Dividing Fences and Trees) Act 2011

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 ss 56, 57, 58 and 60	Del-1140	Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 - ss 56, 57, 58 and 60 Power to take all steps necessary to resolve an issue relating to the removal of overhanging branches.	28/07/2020	Delegation includes reference to section 60 which relates to the Overview of QCAT Orders and not overhanging branches. Delegation to be amended to remove the reference to section 60.

Planning Act 2016

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 263	Del-1216	Planning Act 2016 - s 263 Power to taking or purchasing land for planning purposes.	28/07/2020	Typographical error identified in summary, missing the word "relating". Delegation summary to be amended to include the word "relating"



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information

Plumbing and Drainage Regulation 2019

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 53(2)(e)(i)	Del-1301	Plumbing and Drainage Regulation 2019 - s 53(2)(e)(i) Power to give written consent for an application relating to SEQ water work.	28/07/2020	Section was renumbered as part of the Plumbing and Drainage and Other Legislation Amendment Regulation 2022. Delegation to be amended to reference renumbered section.
Local Government Act 2009 s 257 s 53(2)(f)(i)	Del-1302	Plumbing and Drainage Regulation 2019 - s 53(2)(f)(i) Power to give written consent for an application relating to SEQ sewerage work.	28/07/2020	Section was renumbered as part of the Plumbing and Drainage and Other Legislation Amendment Regulation 2022. Delegation to be amended to reference renumbered section.

Public Health Act 2005

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 454I	Del-1345	Public Health Act 2005 - s 454I Power to ensure a record is kept about the asbestos-related event that includes details of the matters identified in sections 454I(1)(a) to (i) of the Public Health Act 2005.	28/07/2020	Spelling error (derails) identified in summary. Summary to be amended to correct spelling error to "details"

Public Records Act 2002

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 7(1)	Del-1373	Public Records Act 2002 - s 7(1) Power, as public authority, to make and keep full and accurate records of its records.	28/07/2020	Summary was identified as being inconsistent with the legislation. Summary references "accurate records of its records" whilst the legislation reference "accurate records of its activities" Summary to be amended to replace the second "records" with "activities".



Queensland Reconstruction Authority Act 2011

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 67	Del-1402	Queensland Reconstruction Authority Act 2011 - s 67 Power to ask the Minister to amend a submitted scheme.	28/07/2020	Incorrect section of the Act referenced as section 67. This relates to Submission on proposed Scheme. Section 72 relates to the Ministerial power to amend a submitted scheme. Delegation to be amended to reference section 72.

South-East Queensland Water (Distribution and Retail Restructuring) Act 2009

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 92	Del-1455	South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 - s 92 Power to give a written request to the register to record the information in section 92(1) of the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009.	28/07/2020	Spelling error identified in the summary. Delegation to be amended to replace "register" with "registrar"

State Penalties Enforcement Act 1999

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 157(4)	Del-1485	State Penalties Enforcement Act 1999 - s 157(4) Power, as an administering authority, to request from the registrar an evidentiary certificate for a matter in section 157(2) of the State Penalties Enforcement Act 1999.	28/07/2020	Summary references a certificate from the registrar for a matter in section 157(2) however the legislation has the evidentiary certificate from the registrar and listed matters under sub-section 3. Summary to be amended to reference section 157(3).

Stock Route Management Act 2002

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 159	Del-1506	Stock Route Management Act 2002 - s 159 Power to recover amount payable by landowner.	28/07/2020	



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 187A	Del-1515	Stock Route Management Act 2002 - s 187A Power to, for amounts received under chapter 3, pay half the amount to the department and use the balance for the stock route network.	28/07/2020	Section was renumbered as part of the Land and Other Legislation Amendment Act 2023. Delegation to be amended to reference renumbered section.

Summary Offences Regulation 2016

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 ss 10(1)(ii) and 14(3)(a)	Del-1521	Summary Offences Regulation 2016 - ss 10(1)(ii) and 14(3)(a) Power to consult with a responsible government entity about the entity's proposal for an area of public land to be prescribed as motorbike control land.	28/07/2020	Section referenced was identified as being incomplete. Section referenced is 10(1)(ii), the correct reference should be 10 (1) (a) (ii). Delegation to be amended to reference the full sub-section of the Act

Survey and Mapping Infrastructure Act 2003

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 21(1)	Del-1523	Survey and Mapping Infrastructure Act 2003 - s 21(1) Power, as an owner or occupier of land, to consent to the placement of a permanent survey mark on the land.	28/07/2020	Section reference was identified as being incorrect. Section 21(1) relates to placing a survey mark. Section 21(2) related to consent of the owner or occupier. Delegation to be amended to reference 21(2).

Tobacco and Other Smoking Products Act 1998

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 26U(1)	Del-1530	Tobacco and Other Smoking Products Act 1998 - s 26U(1) Power, as an occupier of an enclosed place, to direct a person to stop smoking.	28/07/2020	Section was renumbered as part of the Tobacco and other Smoking Products Amendment Act 2023. Delegation to be amended to reference the renumbered section.



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 26ZPB	Del-1531	Tobacco and Other Smoking Products Act 1998 - s 26ZPB Power to consult with the department about a proposed local law under section 26ZPA of the Tobacco and Other Smoking Products Act 1998.	28/07/2020	Section was renumbered as part of the Tobacco and other Smoking Products Amendment Act 2023. Delegation to be amended to reference the renumbered section.
Local Government Act 2009 s 257 s 26ZPC(2)	Del-1532	Tobacco and Other Smoking Products Act 1998 - s 26ZPC(2) Power to give the chief executive information about the local government's administration and enforcement of the local law.	28/07/2020	Section was renumbered as part of the Tobacco and other Smoking Products Amendment Act 2023. Delegation to be amended to reference the renumbered section.
Local Government Act 2009 s 257 s 26ZW	Del-1533	Tobacco and Other Smoking Products Act 1998 - s 26ZW Power to comply with a request from the chief executive for information about the local government's administration and enforcement.	28/07/2020	Section was renumbered as part of the Tobacco and other Smoking Products Amendment Act 2023. Delegation to be amended to reference the renumbered section.
Local Government Act 2009 s 257 s 33(1)	Del-1534	Tobacco and Other Smoking Products Act 1998 - s 33(1) Power, as an occupier of land, to consent to entry by an authorised person.	28/07/2020	Section was renumbered as part of the Tobacco and other Smoking Products Amendment Act 2023. Delegation to be amended to reference the renumbered section.
Local Government Act 2009 s 257 s 34(3)	Del-1535	Tobacco and Other Smoking Products Act 1998 - s 34(3) Power, as an occupier of land, to sign a consent acknowledgment.	28/07/2020	Section was renumbered as part of the Tobacco and other Smoking Products Amendment Act 2023. Delegation to be amended to reference the renumbered section.
Local Government Act 2009 s 257 Part 2BB, divisions 4 to 8; Part 2C, division 3	Del-1536	Tobacco and Other Smoking Products Act 1998 - Part 2BB, divisions 4 to 8; Part 2C, division 3 Powers relating to all necessary actions required to administer and enforce part 2BB, divisions 4 to 8, and part 2C, division 3, of the Tobacco and Other Smoking Products Act 1998.	28/07/2020	Section was renumbered as part of the Tobacco and other Smoking Products Amendment Act 2023. Delegation to be amended to reference the renumbered section.

Transport Infrastructure Act 1994

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 43	Del-1547	Transport Infrastructure Act 1994 - s 43 Power relating to the approval of an advertising sign or device that would be visible from a State-controlled road.	28/07/2020	Summary was identified as being inconsistent with legislation. The summary references State controlled roads however the legislation references motorways. In accordance with section 27 of the Transport Infrastructure Act 1994 not all state controlled roads are motorways. Delegation to be amended to remove "State controlled road" and replace with "motorway"
Local Government Act 2009 s 257 Chapter 6, Part 8, Division 2A, Subdivision 2	Del-1561	Transport Infrastructure Act 1994 - Chapter 6, Part 8, Division 2A, Subdivision 2 Power relating to a local government tollway declaration.	28/07/2020	Section reference was identified as being incorrect. Subdivision 2 relates to compliance of Conditions and is contained in Del-1562. Subdivision 1 relates to tollway declarations. Delegation to be amended to reference Subdivision 1.
Local Government Act 2009 s 257 - Chapter 7, Part 4, Division 1	Del-1577	Transport Infrastructure Act 1994 - Chapter 7, Part 4, Division 1 Power relating to works near a railway and the closing of railway crossings.	28/07/2020	Section reference was identified as being incorrect. The closing of Railway crossings is contained in Division 2. Delegation to be amended to include Division 2.
Local Government Act 2009 s 257 - Chapter 10, Part 4, Division 4A, Subdivision 1	Del-1631	Transport Infrastructure Act 1994 - Chapter 10, Part 4, Division 4A, Subdivision 1 Power relating to light rail franchise agreements.	28/07/2020	Section reference was identified as being incorrect. Subdivision 1 contains the objectives of the Division. Subdivision 2 references light rail agreements. Delegation to be amended to reference Subdivision 2.
Local Government Act 2009 s 257 Chapter 12, Part 2	Del-1644	Transport Infrastructure Act 1994 - Chapter 12, Part 2 Power relating to authorisations from the chief executive to occupy and use land in relation to miscellaneous transport infrastructure.	28/07/2020	Section reference was identified as being incorrect. Part 2 is relating to Operational licenses and Approvals for Licensees. Part 3 references authorities to occupy and use land. Delegation to be amended to reference Part 3.
Local Government Act 2009 s 257 Chapter 12, Part 2	Del-1645	Transport Infrastructure Act 1994 - Chapter 12, Part 2 Power, as an owner or occupier of land, relating to the temporary use and occupation of land by a person in relation to miscellaneous transport infrastructure.	28/07/2020	Section reference was identified as being incorrect. Part 2 is relating to Operational licenses and Approvals for Licensees. Part 3 references authorities to occupy and use land. Delegation to be amended to reference Part 3.



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 480	Del-1657	Transport Infrastructure Act 1994 - s 480 Powers relating to the recovery of fees and penalties.	28/07/2020	

Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 ss 8, 13, 20, 43 and 110	Del-1691	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - ss 8, 13, 20, 43 and 110 Powers relating to registration of vehicles.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 32C	Del-1692	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 32C Powers relating to an application to replace a number plate with a national heavy vehicle number plate.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 36	Del-1693	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 36 Powers relating to making application for customised number plates.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 37	Del-1694	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 37 Powers relating to making an application for accessory plates.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 48	Del-1695	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 48 Powers relating to the transfer of registration.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 55A(1)	Del-1696	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 55A(1)	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered.



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
		Power to apply to the chief executive to cancel a vehicle's registration.		Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 75	Del-1697	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 75 Powers relating to reporting written-off vehicles.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 101	Del-1698	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 101 Powers relating to making an application for a replacement number plate.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 ss 115 and 115A	Del-1699	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - ss 115 and 115A Powers, as an eligible person, to give the chief executive a request for information.	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 116	Del-1700	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010 - s 116 Powers relating to arrangements with the chief executive relating to the release of information	28/07/2020	A new Regulation passed in 2021. As a result, the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.

Waste Reduction and Recycling Act 2011

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 54(2)	Del-1720	Waste Reduction and Recycling Act 2011 - s 54(2) Power, as an operator of a resource recovery and transfer facility, to request delivery information in the approved form.	28/07/2020	Section reference was identified as being incorrect. Section 54(2) relates to the person delivering the waste. Subsection 4 relates to the operator or entity requesting the information from the person. Delegation to be amended to reference 54(4).
Local Government Act 2009 s 257 s 72 K	Del-1749	Waste Reduction and Recycling Act 2011 - s 72 K Power, as an operator if a levyable waste disposal site, to eligibility for bad debt credit after	28/07/2020	Spelling error identified in summary and missing word. Delegation to be amended to replace the word "if" in the first line with "of" and add in



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
		insolvency or bankruptcy of a customer subject to subsection (2).		the word "relating" before the word "to" in the second line.
Local Government Act 2009 s 257 s 73D(1)	Del-1767	Waste Reduction and Recycling Act 2011 - s 73D(1) Power to receive annual payments as prescribed by regulation from the chief executive.	28/07/2020	Section was renumbered as part of the Waste Reduction and Recycling and Other Legislation Amendment Act 2023. Delegation to be amended to reference the renumbered section
Local Government Act 2009 s 257 s 73D(2)	Del-1768	Waste Reduction and Recycling Act 2011 - s 73D(2) Power to use the amount paid to mitigate any direct impacts of the waste levy on households in the local government area.	28/07/2020	Section was renumbered as part of the Waste Reduction and Recycling and Other Legislation Amendment Act 2023. Delegation to be amended to reference the renumbered section
Local Government Act 2009 s 257 s 73D(4)	Del-1769	Waste Reduction and Recycling Act 2011 - s 73D(4) Power to include in rate notices issued during the year to which the annual payment relates a statement that informs the ratepayer of the amount paid by the chief executive and the purpose of the payment.	28/07/2020	Section was renumbered as part of the Waste Reduction and Recycling and Other Legislation Amendment Act 2023. Delegation to be amended to reference the renumbered section
Local Government Act 2009 s 257 s 192(1),(4) and (6)	Del-1823	Waste Reduction and Recycling Act 2011 - s 192(1),(4) and (6) Power, as an occupier of the place, to consent to the entry with or without conditions and to withdraw the consent.	28/07/2020	Section 192(6) was identified as being a duplication of Delegation Code Del1824. Delegation to be amended to remove section 192(6)
Waste Reduction and Recycling Act 2011 s 263(2) s 110	Del-1848	Waste Reduction and Recycling Act 2011 - s 110 Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	28/07/2020	 sible duplication
Waste Reduction and Recycling Act 2011 s 263(2) s 111	Del-1851	Waste Reduction and Recycling Act 2011 - s 111 Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	28/07/2020	 tion reference was identified as being incomplete. Delegation to be amended to correct reference.



Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Waste Reduction and Recycling Act 2011 s 263(2) s 246(1)	Del-1860	Waste Reduction and Recycling Act 2011 - s 246(1) Power to form the opinion, on reasonable grounds, that a person has contravened a prescribed provision.	28/07/2020	Summary was identified as being inconsistent. Delegation to be amended to include the wording "as a delegate of the chief executive administering the Act"

Waste Reduction and Recycling Regulation 2011

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257 s 7(b)	Del-1865	Waste Reduction and Recycling Regulation 2011 - s 7(b) Power, where the local government has, by resolution, designated areas to conduct general waste or green waste collection, to decide the frequency of general waste or green waste collection in designated areas.	28/07/2020	A new Regulation passed in 2023. As a result the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 22(3)	Del-1866	Waste Reduction and Recycling Regulation 2011 - s 22(3) Power, as an operator of a waste facility, to issue a notice to an Organisation in accordance with subsection (3) where, under a container collection agreement, the operator has subcontracted the operation of a container refund point to another person (the subcontractor).	28/07/2020	A new Regulation passed in 2023. As a result the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 25	Del-1867	Waste Reduction and Recycling Regulation 2011 - s 25 Power, as an operator of a waste facility, to claim the recovery amount for the quantity of containers sorted and prepared for recycling.	28/07/2020	A new Regulation passed in 2023. As a result the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.
Local Government Act 2009 s 257 s 26(3)(a)	Del-1868	Waste Reduction and Recycling Regulation 2011 -s 26(3)(a) Power to sign and give the notice about a recovery sharing arrangement on behalf of the local government.	28/07/2020	A new Regulation passed in 2023. As a result the sections have been renumbered. Delegation to be amended to reference correct section within new Regulation.

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ITEM: 3

SUBJECT: CONCESSION FOR GENERAL RATES - 6 KRYPTON COURT, CAROLE PARK QLD 4300

AUTHOR: TREASURY ACCOUNTING MANAGER

DATE: 19 JULY 2024

EXECUTIVE SUMMARY

This is a report concerning a request for a concession for general rates from The Salvation Army (Qld) Property Trust for a property at 6 Krypton Court, CAROLE PARK QLD 4300.

RECOMMENDATION/S

- A. That having satisfied the criteria in s120 of the of the *Local Government Regulation 2012*, as well as the Rates Concession Policy, the property at 6 Krypton Court CAROLE PARK QLD 4300, be granted a 100% concession on the differential general rate from the 26 April 2024, being the date of application.**

RELATED PARTIES

Councillors and Senior Managers should consider The Salvation Army (Qld) Property Trust for the purpose of related party disclosure.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

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

The Salvation Army (Qld) Property Trust have requested a concession for general rates on 6 Krypton Court, CAROLE PARK QLD 4300 as listed in the recommendation of this report. The Salvation Army (Qld) Property Trust is a registered Charity that provides a broad range of spiritual and social activities, community programs and events for people of all ages, backgrounds and abilities across Australia. The Salvation Army has a holistic approach to the care and wellbeing of people and our communities.

For the purposes of granting concession, Council officers are satisfied the property is being used for an eligible purpose. The activities undertaken on the property are considered to contribute to 'The relief of those in need by reason of youth, age, ill-health, disability,

financial hardship or other disadvantage', accordingly the property is considered eligible to be granted a rates concession.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report

FINANCIAL/RESOURCE IMPLICATIONS

Granting of this 100% concession will result in a reduction of general rates revenue of approximately \$58,598 per annum.

COMMUNITY AND OTHER CONSULTATION

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

CONCLUSION

The Salvation Army (Qld) Property Trust being the owner of 6 Krypton Court, CAROLE PARK QLD 4300, satisfy the requirements of the Rates Concession Policy as an eligible property owner. Further, the property is being used for purposes that are consistent with the requirements of the Rates Concession Policy, to be eligible for a 100% concession for general rates. The application of the Rates Concession Policy in this instance is consistent with Revenue Policy and the Budget and Rating Resolutions

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The recommendation proposes a granting of 100% Council remission on the property at 2 Joffre Street, CAROLE PARK QLD 4300
(b) What human rights are affected?	No human rights are affected by this decision.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting the relevant rights?	Not Applicable

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

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1	CONFIDENTIAL Rates Concession Request
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Paul Mollenhauer
TREASURY ACCOUNTING MANAGER

I concur with the recommendations contained in this report.

Jeffrey Keech
CHIEF FINANCIAL OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10338430

ITEM: 4

SUBJECT: LEASE OVER FREEHOLD LAND AT 1 TURNBERRY WAY, BROOKWATER -
OAKMONT PARK

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 27 JUNE 2024

EXECUTIVE SUMMARY

This is a report concerning a proposed new lease over freehold land located at 1 Turnberry Way, Brookwater (Oakmont Park) between Ipswich City Council (**Council**) and the Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 (**BHOC**).

RECOMMENDATION

- A. That Council resolve to surrender the existing lease at 1 Turnberry Way, Brookwater more particularly described as part of Lot 124 and Plan SP214127 to Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 (Lessee), for park purposes.
- B. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(iii) of the Regulation applies to the disposal of interest in land at 1 Turnberry Way, Brookwater more particularly described as part of Lot 124 and Plan SP214127, for park purposes, because it is for renewal of a lease to the existing lessee.
- C. That Council renew the lease (Council file reference number 6214 with Body Corporate for Brookwater Home Owners Club Community Titles Scheme 29222 (Lessee) in the following manner:
 - (i) by way of a new lease for an initial term of nineteen (19) years at an annual rent of \$1.00 excluding GST, payable to Council if demanded and with no options for extension; and
 - (ii) by way of a second consecutive lease that commences after the expiry of the new lease in Recommendation B(i) for a consecutive term of twenty (20) years at an annual rent of \$1.00 excluding GST, payable to Council if demanded and with no options for extension.

RELATED PARTIES

- Brookwater Home Owners Club
- There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Beginning in 2001, the BHOC initiated lease agreements for several parks, starting with Pieter Greef Park, followed by Peter Napier Park in 2004, Scenic Park in 2008, and Oakmont Park in 2010. These leases were established with the objective of upholding maintenance standards that exceed the Council's Minimum Park Standards. Subsequently, the involved parties agreed to the terms outlined below to ensure these standards are met.

Park	Oakmont Park	Scenic Park	Peter Napier Park	Pieter Greef Park
Term:	53 Years	55 Years	59 Years	60 Years
Commencement Date:	14 September 2010	09 February 2008	20 November 2004	23 April 2001
Expiry Date:	20 November 2063	20 November 2063	20 November 2063	22 April 2061
Options:	Nil	Nil	Nil	Nil
Rent:	\$1.00, if demanded	\$1.00, if demanded	\$1.00, if demanded	\$1.00, if demanded

The existing Lease for Oakmont Park is unable to be registered on the Property Title as the lease term exceeds 21 years in accordance with section 32(1)(e)(ii) of the *Trusts Acts 1973*. All other leases over the above Parks to BHOC were registered on the property titles.

Section 71 of the *Land Title Act 1994* stipulates that the lack of registration of a lease does not render a lease invalid. Nonetheless, there is a contention that a lease could be deemed illegal or void if it exceeds the 21-year statutory limit.

It is proposed that Council enter into two (2) consecutive leases on the below terms;

Terms	Lease No. 1	Lease No. 2
Term:	19 Years	20 Years
Commencement Date:	21 November 2024	21 November 2043
Expiry Date:	20 November 2043	20 November 2063
Options:	Nil	Nil
Rent:	\$1.00, if demanded	\$1.00, if demanded

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

Land Title Act 1994

Land Title Regulation 2020

Trusts Act 1973

POLICY IMPLICATIONS

The proposed lease terms are consistent with the Council's established policy for Tenure over Council Property, except for the duration extending beyond five years. The leasing agreement with BHOC represents a unique approach to residential development. BHOC is committed to upholding the high-quality standards of Brookwater Estate by preserving the aesthetic and value through meticulous upkeep of entry points, roadside greenery, and communal gardens and parks.

RISK MANAGEMENT IMPLICATIONS

The consequences of an unregistered lease can vary, but generally, an unregistered lease may not be enforceable against third parties. This means that if the property is sold, the new owner may need to agree to be bound by the terms of the unregistered lease and could potentially end the lease. Additionally, the tenant's rights to the property are less secure, as they do not have the protection of 'indefeasibility' that comes with registration, which would otherwise safeguard their lease against claims from others.

In some jurisdictions, like Queensland, an unregistered lease can still be enforceable between the lessor and lessee. However, for leases exceeding three years, registration is typically required to ensure enforceability and to protect the tenant's interests in the event of a sale or transfer of the property. Without registration, the lease is considered an equitable interest, which may be subordinate to other registered interests on the property. Therefore, it is crucial for tenants to consider the implications of not registering a lease, as it can significantly impact their legal rights and security concerning the leased property.

FINANCIAL/RESOURCE IMPLICATIONS

MINIMUM PARK STANDARDS:

The Minimum Park Standards required to be installed in all 'local' parks are:

- 1 x shaded picnic facility incorporating 1 table and 2 bench seats.
- 1 x play space (nominal size 20x15m) on either a flat (1:50 maximum grade) or terraced site incorporating: a range of play equipment for children aged 2-12; shade and soft-fall.
- Constructed pathway (2200mm wide concrete) circuit to park perimeter integrated with pedestrian/cycle network.
- 1 x kick-a-bout area (nominal size 30x20m) plus 1 x multi-purpose½ court with hoop and backboard or 1 x rebound wall and court.
- 1 x drinking fountain (disabled compliant).

COUNCIL'S ONGOING MAINTENANCE OBLIGATIONS

1. Council must repair damage or destruction to the footpaths caused by events beyond BHOC's reasonable control (within Council's adopted levels of service, annual budget and minimum footpath standards). If Council doesn't repair, BHOC can repair and then request reimbursement from Council, but only to the extent of minimum footpath standards.
2. The obligation for Council to repair footpaths include all fixtures contained on the footpath.
3. Council is responsible for covering the cost of water and electricity usage associated with facilities that meet the Minimum Park and Footpath Standards on the Premises.
4. Repair fixtures in the park that meet the Minimum Park and Footpath Standards.
5. Council may upgrade the footpaths if the Council's minimum footpath standards change during the term of the deed and the footpaths no longer meet those minimum standards.
6. Council may, after consulting with BHOC, install at its cost basic park furniture and fixtures (e.g. taps) on the premises to ensure that the premises complies with the minimum park standards.

The Council is not obligated to repair fair wear and tear and damage resulting from utility provider activities or acts of vandalism and graffiti. Additionally, the Council is exempt from fixing any structural damage to fixtures on the property throughout the term caused by deliberate or negligent act or omission of BHOC or their employees and agents.

BROOKWATER HOMEOWNERS CLUB RESPONSIBILITIES

1. By the end of July of each year, BHOC must give Council a written report which describes:
 - a. The organised activities carried out on premises by persons other than BHOC during the preceding year of the term, such as fetes, sporting club fixtures, weddings etc. (to the extent that BHOC is aware of those activities);
 - b. The general standard of maintenance carried out by BHOC on the premises during that year;
 - c. The amount spent by BHOC on maintenance of the premises during that year;
 - d. The amount proposed to be spent by BHOC on maintenance of the premises in the following year.
2. BHOC must keep the footpaths in good condition and repair at its cost, including:
 - a. Mowing lawns;
 - b. Edging gardens, paths, kerbing and so on;
 - c. Weeding gardens;
 - d. Lightly pruning shrubs;
 - e. Picking up rubbish;
 - f. Fertilising four monthly (subject to soil conditions);

- g. Applying general pesticides where necessary; and
 - h. Regularly watering the footpaths.
3. The BHOC also maintain some footpaths, in accordance with a separate Footpath Maintenance Deed.
 4. BHOC must obtain any approvals or certificates that are required by law for works and give copies of them to Council.
 5. BHOC is responsible for the cost of installing all electrical and water connections, including meters, at the premises.
 6. BHOC is responsible for expenses for water and electricity used on the premises, except for the usage associated with facilities meeting the minimum park standards.
 7. BHOC is obligated to install, repair, and maintain all irrigation systems at its own expense.
 8. BHOC may also add or construct extra park amenities, such as playground structures, picnic tables, and benches upon obtaining consent of Council in writing. These installed items will then become the property of the Council.

Should BHOC introduce a fixture to the park without the Council's explicit written consent, it would constitute a violation of the lease terms. In such a case, the Council would not bear the maintenance responsibilities for that fixture.

COMMUNITY AND OTHER CONSULTATION

Brookwater Home Owners Club were consulted and agree with the proposal in this report.

- a. Ongoing discussions have been focused on resolving the lease registration issue noted on the property's Title.
- b. The new backflow prevention device installed at Oakmont Park offers a prime opportunity to resolve the matter.
- c. This enhancement to the park's facility also marks an opportune moment to complete the lease registration, guaranteeing that all legal requirements are met.

CONCLUSION




It is recommended that Council support the new leases for the terms identified above by applying the exception under 236(1)(c)(iii) of the *Local Government Regulation 2012*. The new leases will clearly outline maintenance responsibilities and will reflect the requirements of the *Land Title Act 1994*, *Land Regulation 2020* and the *Trusts Acts 1973*.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	

(a) What is the Act/Decision being made?	Recommendations A & B states that Council will enter into leases over park with Brookwater Home Owners Club to maintain parks to a higher standard.
(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.	Title Search ↓ 
2.	Property Plan ↓ 
3.	Local Government Infrastructure Plan - Local Recreational Park ↓ 

Kerry Perrett
SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Alicia Rieck
PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald
DEPUTY GENERAL COUNSEL (LEGAL SERVICES MANAGER)

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10381545

ITEM: 5
SUBJECT: PROCUREMENT - COHGA WEAVE MAPPING SUBSCRIPTION - 2024
AUTHOR: ICT CATEGORY SPECIALIST
DATE: 9 JULY 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to enter into a contract with Cohga Pty Ltd for the provision of the Cohga Weave Mapping Solutions that is operationally utilised as part of Council's existing spatial services.

The exception under section 235(b) of the *Local Government Regulation 2012* applies due to the specialised nature of the services provided. The proprietary nature of the incumbent supplier's services means that there is only one supplier who is reasonably available to provide the continued subscription to this suite of services. Further, due to the current implementation of an enterprise spatial solution by Council, it is more costly and disadvantageous to Council to tender for other software solutions when delivery of the enterprise spatial project will provide a comparative solution.

RECOMMENDATION

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

- B. **That Council enter into a contractual arrangement (Council file reference number 5251) with Cohga Pty Ltd for an approximate purchase price of \$176,000.00 excluding GST over the entire term, being an initial term of six (6) months, with options for extension at the discretion of Council, for an additional one (1) x six (6) month period.**

RELATED PARTIES

Cohga Pty Ltd (ABN 30 121 137 808)

Ipswich City Council

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

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Cohga Pty Ltd (Cohga) is an IT solution company providing a vendor-independent, open systems technology business integration framework, Cohga Weave, that combines disparate information systems. Established in 2006, Cohga is headquartered in Melbourne VIC and is a well-reputed company, with its product offering being widely known and used across Australia.

The supplier's proprietary Weave products have been in use at Council as part of Council's spatial services tool suite since 2014 on an annual subscription basis. The continued use of the current Cohga Weave products and services is required whilst working through the implementation and rollout of the new ESRI enterprise spatial solution by Council in approximately 12 months time. After the successful implementation of the ESRI enterprise solution, it is anticipated that the Cohga product will be decommissioned by Council.

As such, it would be counterproductive, costly and untimely to source and implement a new product when it is intended that the current product be superseded by the new enterprise solution. This renders Cohga the only supplier reasonably available for the ongoing provision of the spatial system integration solution currently in use by Council whilst awaiting final delivery of the ESRI enterprise solution in approximately 12 months.

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendation within this report is not approved is that Council will not be able to continue receiving the operational benefit of the Weave Mapping Solution currently in use at Council.

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

Accordingly, the risk of investing in this software for the proposed period of six months, plus a 6 month extension option is low as the product is required during the transition to the new spatial product and during the iVolve integration phase.

Application	iVolve Scope Alignment	iVolve Impact Rating	Impact Treatment
Cohga Weave Mapping Solutions (External and Internal).	Low – not scoped as part of core systems	Low	Not identified as being in the Core system, and the product is required during transition and integration phases.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications, as the Cohga Weave subscription is budgeted as an operational expense within the ICT Branch Budget. There are no additional financial implications.

This report seeks a resolution of Council for an approximate total cost of one hundred and seventy-six thousand dollars (\$176,000.00) excluding GST if the subscription to the Cohga Weave Mapping Solution is continued for the entire contract term.

COMMUNITY AND OTHER CONSULTATION

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

CONCLUSION

In order for Council to receive continued provision of the functions performed by the Cohga Weave Solution as part of Council’s current spatial implementation, it is recommended that Council provide the requested approval in relation to the proposed contractual arrangement with Cohga Pty Ltd for a term of six (6) months, plus one (1) additional six (6) month extension option to allow for completion of the ESRI enterprise spatial solution implementation and rollout.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that Council enter into a contractual arrangement on a yearly or shorter basis as required for up to one (1) year with Cohga Pty Ltd for the continued provision of the Weave Mapping Solution.

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

Earaj Khan
ICT CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Shyanne Ward
ACTING ICT 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.

Tony Dileo
MANAGER, INFRASTRUCTURE STRATEGY

I concur with the recommendations contained in this report.

Angela Jackson
CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10390061

ITEM: 6

SUBJECT: PROCUREMENT - ARTICULATE 360 TEAMS LICENCES SUBSCRIPTION

AUTHOR: CATEGORY SPECIALIST

DATE: 10 JULY 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to enter into a contractual arrangement with The Trustee for THE DAVID LOOKE FAMILY TRUST trading as MICROWAY (Microway) for the provision of Articulate 360 licences.

The exception under section 235(b) of the *Local Government Regulation 2012* applies due to the specialised nature of the services provided. The proprietary nature of the incumbent supplier's services means that there is only one supplier who is reasonably available to provide the continued subscription to the licences. Further, the risk of changing supplier makes it more costly and disadvantageous to Council to go to quote or tender for a similar service.

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes for the provision of Articulate 360 licences.**
- B. That Council enter into a contractual arrangement (Council file reference number fA614764) with The Trustee for THE DAVID LOOKE FAMILY TRUST trading as MICROWAY, at an approximate purchase price of \$39,063.42 excluding GST over the entire term, being an initial term of three (3) years, with no options for extension.**

RELATED PARTIES

Ipswich City Council (Council)

The Trustee for THE DAVID LOOKE FAMILY TRUST trading as MICROWAY (Microway)

There were no declarations of Conflicts of Interest

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

Articulate 360 is an authoring tool software which makes it simple to build online learning assets quickly and effectively. The software provides access to templates on a significant array of topics that range from new hire onboarding to security compliance to create courses in minutes, allowing course developers to add interactive activities, quizzes, and other lean-forward moments which keep learners engaged and actively participating in the training modules.

Councils' People and Culture branch hold 6 licences to Articulate 360. The tool is used by council officers to create and develop online learning and compliance training courses and modules. A similar function is not currently intended to be part of the iVolve ElevateHR project.

Continued subscription to Articulate 360 licences is required for the following reasons:-

- Council's compliance training has been developed and is updated in this software, to move to a new software will require all training to be redeveloped.
- the software will continue to be used for iVolve project's online training development, therefore the need for 6 licences will continue.
- Articulate 360 is the leading authoring tool since the early 2000's, and the product and organisation are well established and the leader of this type of software.
- Microway is the only distributor of Articulate 360 licences in Australia.

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

This risk to Council if the recommendation within this report is not approved is that Council will not be able to continue to provide its compliance training.

FINANCIAL/RESOURCE IMPLICATIONS

The approved budget is of \$39,063.42 (ex GST) to cover for the 36 months period.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the ICT Branch and People and Culture Branch who support the recommendations of this report.

This report does not require community consultation.

CONCLUSION

In order for Council to receive continued provision for the functions performed by the Articulate 360 Authoring Tool, it is recommended that Council provide the recommended approval in relation to the proposed contractual arrangement with The Trustee for THE DAVID LOOKE FAMILY TRUST trading as MICROWAY for a three (3) year period.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that Council enter into a contractual arrangement for three (3) years with Microway for the continued provision of the Authoring Tool Articulate 360 solution.
(b) What human rights are affected?	No human rights are affected by this decision as the contract will be with a Company and only individuals have human rights. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

Yuri Flores

CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Shyanne Ward

ACTING ICT 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.

Talia Love-Linay

MANAGER, PEOPLE AND CULTURE

I concur with the recommendations contained in this report.

Angela Jackson
CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10424048

ITEM: 7
SUBJECT: PROCUREMENT - TELECOMMUNICATIONS SERVICES
AUTHOR: ACTING ICT CATEGORY MANAGER
DATE: 19 JULY 2024

EXECUTIVE SUMMARY

This is a report concerning the procurement and recommendation to negotiate and enter into a contractual arrangement with Telstra Corporation Limited for the provision of Ipswich City Council's Telecommunication Services.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 21786 for the provision of Telecommunication Services to Telstra Corporation Limited (Supplier).**
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of twelve million six hundred thousand dollars (\$12,600,000) excluding GST over the entire term, being an initial term of three (3) years, with options for extension at the discretion of Council (as purchaser), of an additional three (3) year and one (1) year term, for the total term of seven (7) years if all extension options are exercised.**
- 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

Telstra Corporation Limited (ABN 33 051 775 556)

There were conflicts of interest declared during the tender process, these are outlined in Confidential Attachment 1.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Ipswich City Council has a range of requirements for Telecommunications Services. The Councils daily operational work, services and systems are enabled by digital technology underpinned by secure, reliable, and scalable telecommunications services. Councils current Telecommunications Services contract has expired and a new contract is required to ensure continuation of services and best value for money is obtained.

Tender 21786 has been undertaken in accordance with the *Local Government Regulation 2012*. The tender was released to market with the intent of engaging with one or several telecommunications providers with the capability to deliver:

- High-capacity diverse connectivity between Councils core network sites, the Internet and Cloud providers
- Business grade connectivity to Councils expansive network of operating sites and physical assets
- Telephony, fixed voice and related services
- Mobile voice and data, including satellite phones
- Public Wi-Fi and security services

The evaluation panel undertook a comprehensive evaluation of the submissions and unanimously agreed that bundling all services with a single supplier would provide the most benefit for Council. Telstra Corporation Limited ranked the highest from both the price and non-price perspective.

It has been identified that there are commercial advantages for securing a longer term contract period, as well as providing access to new technologies which will add significant value to Council. Telstra Corporation Limited will be responsible for the ongoing provision of Telecommunications Services for an initial period of three (3) years and up to seven (7) years if all options are exercised.

An assessment of the contracting models has been undertaken and an initial contract, for the first three (3) years, under Local Buy NPN1.18 Telecommunications Services terms and conditions pursuant with s234 of the Regulation provides the most commercially advantageous contract conditions for Council. Prior to the completion of the initial three (3) year term the parties will undertake a pricing comparison to review and select the most commercially advantageous contracting model for Council for the next extension period, whether it be the ongoing use of Local Buy or transition to either a State Government Panel or a direct QITC contract.

Confidential Attachment 1 outlines the procurement and evaluation process.

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 and its recommendation are consistent with Council’s Procurement Procedure.

RISK MANAGEMENT IMPLICATIONS

The risk management implications have been considered in Confidential Attachment 1.

FINANCIAL/RESOURCE IMPLICATIONS

The financial / resource implications have been considered in Confidential Attachment 1.

COMMUNITY AND OTHER CONSULTATION

There was no community consultation undertaken during the preparation of this report or the procurement process.

CONCLUSION

Following the evaluation process, the evaluation committee have recommended Telstra Corporation Limited as the preferred supplier for Telecommunications Services over the next three (3) years, with extension options, if exercised, taking the total term to seven (7) years, for the following reasons:-

- Telstra has significant capability and government experience for the provision of Telecommunications Services.
- The Telstra network continues to provide the best service coverage for mobile phones in the remoter areas of the municipality.
- The submission is within budget and represents the best value for money.
- The contract vehicle allows for optimal term configuration and instant access to competitive pricing variations.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The decision is to award Tender No. 21876 for the provision of Telecommunication Services to Telstra Corporation Limited and enter into a contractual arrangement with the Supplier for a term of three (3) years with options for extension at the discretion of Council (as purchaser), of an additional three (3) year and one (1) year term, for the total term of seven (7) years if all extension options are exercised.

(b) What human rights are affected?	There are no human rights impacted by this decision. This is because the tenderers are all companies (only individuals have human rights). Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Recommendation to Award
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Shyanne Ward
ACTING ICT 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.

Angela Jackson
CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10438993

ITEM: 8
SUBJECT: PROCUREMENT - HUMAN RESOURCE INFORMATION SYSTEM
AUTHOR: ACTING ICT CATEGORY MANAGER
DATE: 25 JULY 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to enter into a contract with SAP Australia Pty Ltd (SAP) for the provision of a cloud-based subscription, support, maintenance and other related ancillary items for the payroll and job application components of Council's core operational Human Resources Information System (HRIS).

The exception under s235(a) of the *Local Government Regulation 2012* applies as the complex integration of the solution provided by SAP means that there is only one supplier who is reasonably available to continue to provide the system.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of the SAP HRIS system and associated components.
- B. That Council enter into a contractual arrangement (Council file reference 5083) with SAP Australia Pty Ltd, at an approximate purchase price of seven hundred and fifty thousand dollars (\$750,000.00) excluding GST over the entire term, being an initial term of one (1) year, with and option for extension at the discretion of Council (as purchaser), of an additional 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

SAP Australia Pty Ltd (ACN 003 682 504)

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

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

SAP Australia Pty Ltd has been the incumbent supplier for the provision of a portion of Councils HRIS system since 29 September 2017. SAP have been engaged for the provision of the cloud based SuccessFactors subscription, maintenance and support and related items. The key HRIS components of this subscription are the payroll and job application management functionality.

The contract with SAP is due to expire on 28 September 2024 and there are no options to extend the contract. The original contract was formed on a Queensland Government Information Technology Contracting (GITC) Agreement, the GITC contracting framework has been superseded by the Queensland Information Technology Contracting (QITC) framework. A new agreement under the updated provisions incorporated into the QITC framework is required to adequately protect the interests of both parties.

The HRIS component provided by SAP is critical to Councils payroll function. This function has been identified as being iVolve dependant, meaning iVolve will include a Human Resource Information System component (ElevateHR).

The complex integration of the solution provided by SAP means that there is only one supplier who is reasonably available to continue providing the system. Further, due to the forthcoming ElevateHR solution, it will be more costly and disadvantageous to Council to tender for a different system until ElevateHR is able to deliver a final solution.

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 and its recommendation are consistent with Council's Procurement Procedure.

RISK MANAGEMENT IMPLICATIONS

The risk to the Council if the recommendation within this report is not approved is that Council will not continue to receive access to the subscription, support, maintenance, professional services and other ancillary related items necessary to operate Council's critical core SAP HRIS system for payroll functionality.

The SAP Human Resources Information System is part of core system being addressed by Council's ElevateHR iVolve Project. The risk of continued investment in this software at this time is low and is being addressed in the current phase of the ElevateHR iVolve Project.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications, as the subscriptions and services currently under contract with SAP are budgeted as operational expenses by the ICT Branch. There are no additional financial implications.

The total value of the contract is estimated to be \$750,000.00 (ex GST) for the total two (2) year term if all options are exercised.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the ICT and People and Culture branches who support the recommendations of this report. This report does not require community consultation.

CONCLUSION

In order for Council to continue to receive the core payroll and job application components, support and other ancillary related items for Council's Human Resources Information System, it is recommended that Council approve the recommendation to enter into a contract with SAP Australia Pty Ltd as the only supplier able to provide the ongoing service.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A, B and C state that Council enter into a contractual arrangement with SAP Australia Pty Ltd for the provision of the SAP SuccessFactors subscription, support, maintenance, professional services and other ancillary related items, for a period of one (1) year with one (1) x twelve (12) month optional extension period.
(b) What human rights are affected?	No human rights are affected by this decision as the contracts will be with a Company. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

Shyanne Ward
ACTING ICT CATEGORY MANAGER

I concur with the recommendations contained in this report.

Fiona Bristow
ICT BUSINESS MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Angela Jackson
CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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

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ITEM: 9

SUBJECT: REPORT - REGULATION ADVISORY COMMITTEE NO. 2024(01) OF 5 AUGUST 2024

AUTHOR: MEETING COORDINATION MANAGER

DATE: 5 AUGUST 2024







INTRODUCTION

This is the report of the Regulation Advisory Committee No. 2024(01) of 5 August 2024.

RECOMMENDATION

That Council adopt the recommendations of the Regulation Advisory Committee No. 2024(01) of 5 August 2024.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Regulation Advisory Committee Report No. 2024(01) of 5 August 2024 ↓ 
1.1	Officer's Report ↓ 
1.1.1	Attachment 1 - ICC Compliance and Enforcement Policy ↓ 
1.1.2	Attachment 2 - QAO Better Practice Insight for Regulators ↓ 
1.1.3	Attachment 3 - ICC Local Law Making Policy ↓ 
1.1.4	Attachment 4 - Gold Coast CC Local Law Making Process ↓ 
1.1.5	Attachment 5 - Estimated Timeframes and Milestones ↓ 