



City of  
**Ipswich**

## **AGENDA**

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### **FINANCE AND GOVERNANCE COMMITTEE**

Tuesday, 3 September 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

<b><u>MEMBERS OF THE FINANCE AND GOVERNANCE COMMITTEE</u></b>	
Councillor Paul Tully ( <b>Chairperson</b> ) Councillor Jacob Madsen ( <b>Deputy Chairperson</b> )	Mayor Teresa Harding Deputy Mayor Nicole Jonic Councillor Andrew Antonioli Councillor Jim Madden

## FINANCE AND GOVERNANCE COMMITTEE AGENDA

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\*\* Item includes confidential papers

**FINANCE AND GOVERNANCE COMMITTEE NO. 2024(04)**

**3 SEPTEMBER 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(03) OF 13 AUGUST 2024

**RECOMMENDATION**

That the minutes of the Finance and Governance Committee held on 13 August 2024 be confirmed.

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**OFFICERS' REPORTS**

2. PROCUREMENT - SECURITY SERVICES CONTRACT AWARD

This is a report concerning the establishment of contractual arrangements for the provision of Security Services including:

- Safe City Control Room monitoring (Separable Portion 1)
- Precinct Concierge and Security Patrols (by foot), mobile patrols (Separable Portion 2); and
- Ad hoc Security services (Separable Portion 3)

**RECOMMENDATION**

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 240305-000344 for the provision of Security Services for Separable Portion 1 - Safe City Monitoring Facility (Control Room) CCTV monitoring operations and Separable Portion 3 – Ad-hoc Security services as requested to Securecorp (Qld) Pty Ltd (Supplier).

- B. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 240305-000344 for the provision of Security Services for Separable Portion 2- Precinct Concierge and CBD Security Patrols (by foot), Mobile Patrols, and Separable Portion 3 – Ad-hoc Security services as requested to Infront Security Pty Ltd (Supplier).
- C. That Council enter into contractual arrangements with the Securecorp (Qld) Pty Ltd at an approximate purchase price of \$5,520,000 excluding GST over the entire term, being an initial term of two (2) years, with options for extension at the discretion of Council (as purchaser), of an additional three (3) X one (1) year terms.
- D. That Council enter into contractual arrangements with the Infront Security Pty Ltd at an approximate purchase price of \$9,130,000 excluding GST over the entire term, being an initial term of two (2) years, with options for extension at the discretion of Council (as purchaser), of an additional three (3) X one (1) year terms.
- E. 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.

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3. **\*\*PROCUREMENT - VP420044 CONSTRUCTION OF NEW SILVER JUBILEE SPORTS FACILITY CLUBHOUSE**

This is a report concerning the recommendation to award Tender VP420044 Construction of New Silver Jubilee Sports Facility Clubhouse with the nominated supplier as per confidential Attachment 1 to undertake the construction works for the new Jubilee Sports Facility Clubhouse.

After an open market request for tender process, an evaluation panel has recommended one supplier for the construction of the Silver Jubilee Sports Facility Clubhouse as set out in Recommendation B below. The recommendation has been determined by the evaluation panel to offer Council the best value for money.

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

**RECOMMENDATION**

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. VP420044 Construction of New Silver Jubilee Sports Facility Clubhouse.
- B. That Council enter into a contractual arrangement with the Supplier identified in confidential Attachment 1 for the lump sum amount of two million six hundred and ninety-nine thousand five hundred and seventeen dollars and ninety cents

(\$2,699,517.90) excluding GST and the contingency amount as listed in confidential Attachment 1

- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.
- D. That owing to the confidential nature of the recommendations, that once adopted by Council, the recommendations be made public.

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4. **\*\*SURRENDER OF 2 TALLEGALLA TWO TREE HILL ROAD, TALLEGALLA**

This is a report concerning the potential surrender of trusteeship over Reserve land located at 2 Tallegalla Two Tree Hill Road, Tallegalla, described as Lot 557 CC3651 to the State of Queensland and recommend the Silver Lining Foundation Australia Ltd to take responsibility of the trusteeship.

**RECOMMENDATION**

That Council resolve to surrender the trusteeship of surplus land at 2 Tallegalla Two Tree Hill Road, Tallegalla, more particularly described as Lot 557 and Plan CC3651 (Council file reference number 6221).

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**NOTICES OF MOTION**

**MATTERS ARISING**

**FINANCE AND GOVERNANCE COMMITTEE NO. 2024(03)**

**13 AUGUST 2024**

**MINUTES**

**COUNCILLORS' ATTENDANCE:**

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

**COUNCILLOR'S APOLOGIES:**

Deputy Mayor Nicole Jonic

**OFFICERS' ATTENDANCE:**

Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt 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), Treasury Accounting Manager (Paul Mollenhauer), Corporate Governance Manager (Shasha Ingbritsen), Property Services Manager (Alicia Rieck), Senior Property Officer Tenure (Kerry Perrett), Manager, Legal and Governance (General Counsel) (Tony Dunleavy), Learning and Development Consultant (Heather McKoy), Category Specialist (Yuri Flores), ICT Business Manager (Fiona Bristow), Senior Communications and Policy Officer (Jodie Richter), Manager, Media, Communications and Engagement (Mark D. Strong), Senior Media Officer (Darrell Giles), Chief of Staff – Office of the Mayor (Melissa Fitzgerald) and Theatre Technician (Harrison Cate)

**LEAVE OF ABSENCE - DEPUTY MAYOR NICOLE JONIC**

**RECOMMENDATION**

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antonioli:

**That a Leave of Absence be granted for Deputy Mayor Nicole Jonic.**

**AFFIRMATIVE**

Councillors:

Tully

Madsen

Harding

Antonioli

Madden

**NEGATIVE**

Councillors:

Nil

The motion was put and carried.

**WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY**

Mayor Teresa Harding 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(02) OF 16 JULY 2024**

**RECOMMENDATION**

Moved by Councillor Paul Tully:

Seconded by Mayor Teresa Harding:

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

**AFFIRMATIVE**

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

**NEGATIVE**

Councillors:

Nil

The motion was put and carried.

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**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**

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antoniolli:

- 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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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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.

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

**RECOMMENDATION**

Moved by Councillor Paul Tully:

Seconded by Mayor Teresa Harding:

**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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

**That the matter be deferred until the September meeting of the Finance and Governance Committee.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

NEGATIVE

Councillors:

Nil

Madden

The motion was put and carried.

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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

Moved by Councillor Paul Tully:

Seconded by Mayor Teresa Harding:

- 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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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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

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 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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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.

"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 Mayor Teresa Harding:

- 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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

- 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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antonioli:

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

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antonioli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

10. MONTHLY FINANCIAL REPORT - JULY 2024

This is a report concerning Council's financial performance for the period ending 31 July 2024, submitted in accordance with section 204 of the *Local Government Regulation 2012*.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

**That the report on Council's financial performance for the period ending 31 July 2024, submitted in accordance with section 204 of the *Local Government Regulation 2012*, be considered and noted by Council.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Antonioli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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**NOTICES OF MOTION**

Nil

**MATTERS ARISING**

Nil

**PROCEDURAL MOTIONS AND FORMAL MATTERS**

The meeting commenced at 12.23 pm.

The meeting closed at 12.32 pm.

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Doc ID No: A10549050

ITEM: 2

SUBJECT: PROCUREMENT - SECURITY SERVICES CONTRACT AWARD

AUTHOR: GOODS AND SERVICES CATEGORY MANAGER

DATE: 20 AUGUST 2024

### EXECUTIVE SUMMARY

This is a report concerning the establishment of contractual arrangements for the provision of Security Services including:

- Safe City Control Room monitoring (Separable Portion 1)
- Precinct Concierge and Security Patrols (by foot), mobile patrols (Separable Portion 2); and
- Ad hoc Security services (Separable Portion 3)

### RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 240305-000344 for the provision of Security Services for Separable Portion 1 - Safe City Monitoring Facility (Control Room) CCTV monitoring operations and Separable Portion 3 – Ad-hoc Security services as requested to Securecorp (Qld) Pty Ltd (Supplier).
- B. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 240305-000344 for the provision of Security Services for Separable Portion 2- Precinct Concierge and CBD Security Patrols (by foot), Mobile Patrols, and Separable Portion 3 – Ad-hoc Security services as requested to Infront Security Pty Ltd (Supplier).
- C. That Council enter into contractual arrangements with the Securecorp (Qld) Pty Ltd at an approximate purchase price of \$5,520,000 excluding GST over the entire term, being an initial term of two (2) years, with options for extension at the discretion of Council (as purchaser), of an additional three (3) X one (1) year terms.
- D. That Council enter into contractual arrangements with the Infront Security Pty Ltd at an approximate purchase price of \$9,130,000 excluding GST over the entire term, being an initial term of two (2) years, with options for extension at the discretion of Council (as purchaser), of an additional three (3) X one (1) year terms.

- E. 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

Securecorp (Qld) Pty Ltd (ACN: 108 335 155) and Ipswich City Council

Infront Security Pty Ltd (ACN: 634 686 892) and Ipswich City Council

A conflict of interest was declared in relation to this matter and further details are set out in Attachment 1. Recommendation to Award.

#### IFUTURE THEME

Vibrant and Growing

#### PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to seek Council approval of the recommendation to enter into contracts for the provision of Security Services. The Procurement Branch released an open tender to the market with the intention to engage suitably qualified and experienced suppliers to provide the services. The proposed contracts will replace the existing contract soon to expire.

The Safe City and Asset Protection Section of Ipswich City Council is responsible for the ongoing management of 24/7 security services to the City of Ipswich. This includes the operation and monitoring of Closed-Circuit Television (CCTV), intruder alarm response, access control, security patrols and general security requirements. This also includes routine mobile patrols for Council facilities and providing security presence within the Nicholas Street Precinct, Ipswich Central, Ipswich City Council administration building and libraries.

The updated scope for security services provides a unified approach to security across Council to deliver value for money and a scalable security service. Additional service requirements have been included into scheduled services for NSP and Venue requirements, as well as previous services conducted ad-hoc. The recent tender also invited our security providers to be a contributing stakeholder to council security requirements providing a unique partnership in identifying issues and finding solutions to public safety and asset protection challenges.

Council sought separable portions for this contract to ensure adequate capacity and ability of suppliers to meet requirements. It was noted in the requirements that each security provider will be required to provide ad hoc services as required, hence each party also being awarded Separable Portion 3.

The selected suppliers provided a high level of understanding of the scope of work and experience identified through their methodologies and provided the overall best value for money to Council by awarding two contracts.

## 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 and Safe City Program Policy. No other policies have been identified that would be impacted.

## RISK MANAGEMENT IMPLICATIONS

The current term of the existing arrangement is due to expire 30 September 2024. The incumbent supplier is the recommended supplier for Separable Portion 1 – Safe City Monitoring, and Separable Portion 3 – Ad-Hoc Services, whilst a new supplier is recommended for Separable Portion 2 - Precinct Concierge and CBD Security Patrols (by foot), Mobile Patrols and Separable Portion 3 – Ad-hoc Services.

A new agreement is required to be in place, allowing transition of services where required to allow for continuity of services to Council and the community. Should the recommendations not be adopted, there is potential risk concerning on-going service delivery.

## FINANCIAL/RESOURCE IMPLICATIONS

The financial implications are set out above within the recommendations and represents estimated total spend over the entire contract term inclusive of all extensions. The proposed estimated future spend is based on historical annualised spend, submitted pricing, Fair Work and Superannuation Guarantee increases and allowances for CPI increases (3.5% p.a.) applied over the contract lifecycle. A contingent allowance of \$150,000.00 per year has been included in this value for Ad-hoc service requirements. Operational budget has been confirmed.

### Fair work % increases

	1/07/2021	1/07/2022	1/07/2023	1/07/2024	Total increase
Super Guarantee	0.1	0.105	0.11	0.115	
Super increase %	0.005	0.005	0.005	0.005	2%
Fair Work	0.025	0.0375	0.0575	0.0375	15.75%
Total Percent change	3.00%	4.25%	6.25%	4.25%	17.75%

### CPI increases

Period	Indice – Brisbane all groups	Change (indice)	%Change	Total % Change
Jun-2021	119.2	5.60	4.9%	
Jun-2022	127.9	8.70	7.3%	12.2%
Jun-2023	136.0	8.10	6.3%	18.6%
Jun-2024	140.6	4.60	3.4%	21.9%

## COMMUNITY AND OTHER CONSULTATION

Consultation was undertaken with a number of Council Officers / key internal stakeholders at various stages throughout the procurement including the:

- General Manager, Community, Cultural and Economic Development
- Safe City and Asset Protection Manager, Community, Cultural and Economic Development
- Safe City and Asset Protection Coordinator, Community, Cultural and Economic Development
- Nicholas Street Precinct Director
- A/Manager, Procurement, Corporate Services Department



## CONCLUSION

It is recommended Council enter into contractual arrangements with Securecorp (Qld) Pty Ltd and Infront Security Pty Ltd, pursuant to Section 228 of the Local Government Regulation 2012, for the provision of security services. The term of the proposed contract will be for an initial period of two (2) years, with an option for extension, at the discretion of Council, of an additional three (3) one-year terms. The contract will not exceed five (5) years inclusive of all extensions. Financial terms, or approximate purchase price, inclusive of all extensions if exercised, and risks associated with the recommendations, are set out above.

## HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation to enter into contracts with: <ul style="list-style-type: none"> <li>- Securecorp (Qld) Pty Ltd</li> <li>Infront Security Pty Ltd</li> </ul>
(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.	Recommendation to Award  
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Tim Steinhardt

**GOODS AND SERVICES CATEGORY MANAGER**

I concur with the recommendations contained in this report.

Tanya Houwen

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Ben Pole

**GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT**

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”***



IPSWICH CITY COUNCIL

## RECOMMENDATION TO AWARD

Our Values:



Collaboration



Communication



Integrity



Efficiency



Leadership

TOGETHER WE PROUDLY ENHANCE THE QUALITY OF LIFE FOR OUR COMMUNITY

RFT PARTICULARS	
RFT Number	240305-000344
Contract Name	Provision of Security Services
Contract Parties	Ipswich City Council and [1] SECURECORP (QLD) PTY LTD ABN: 76 108 335 155 [2] INFRONT SECURITY PTY LTD ABN: 41 634 686 892
Financial delegate	Council
Contract owner	Safe City and Asset Protection Manager
Contract manager	Safe City and Asset Protection Manager
Contract administrator	Category Specialist, Goods and Services, Procurement Branch, Corporate Services
Date	16 August 2024

### RECOMMENDATION:

#### That Council

- A. That pursuant to Section 228 of the *Local Government Regulation 2012*, Council enters into a contract with SECURECORP (QLD) PTY LTD for Separable Portion (SP) 1 - Safe City Monitoring Facility (Control Room) CCTV monitoring operations (estimated value for first year \$980,000.00 ex GST) and Separable Portion (SP) 3 – Ad-hoc Security services as requested.
- B. That pursuant to Section 228 of the *Local Government Regulation 2012*, Council enters into a contract with INFRONT SECURITY PTY LTD for Separable Portion (SP) 2 - Precinct Concierge and CBD Security Patrols (by foot), Mobile Patrols, (estimated value first year \$1,685,000.00 ex GST) and Separable Portion (SP) 3 – Ad-hoc Security services as requested.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

#### 1. PURPOSE

The purpose of this document is to seek approval to establish Contractual Arrangements with SECURECORP (QLD) PTY LTD and INFRONT SECURITY PTY LTD for the Provision of Security Services.

## 2. BACKGROUND

The Safe City and Asset Protection Section of Ipswich City Council is responsible for the ongoing management of security services to the Community of Ipswich. This includes the operation and monitoring of Closed-Circuit Television (CCTV), intruder alarm response, access control, security patrols and general security requirements.

Security Services pricing is largely driven by labour rates, and Fair Work Minimum Wage Orders and CPI price increases which occur over the life of the contract and are unknown at the time of award.

It was Councils intention through the tender process to engage Supplier/s for each of the three (3) core services:

- Separable Portion (SP) 1 - Safe City Monitoring Facility (Control Room) CCTV monitoring operations
- Separable Portion (SP) 2 - Precinct Concierge and CBD Security Patrols (by foot), Mobile Patrols.
- Separable Portion (SP) 3 – Ad-hoc Security services as requested.




Tenderers could bid for one (1), two (2) or all three (3) separable portions.

Council was seeking forward-thinking security providers who can address staffing, training, and rostering concerns while actively contributing to security and public safety for the Ipswich City Council. Our ideal partner should offer advice and become an innovative stakeholder in the council's security team. It was also noted in the Specifications that if multiple contracts are awarded, each security provider will be required to provide ad hoc services as required.

Council released an open market tender via VendorPanel on 8 July 2024, with a closing date as Tuesday 6 August 2024 at 2:00pm.

The current term of the existing arrangement with Securecorp (QLD) Pty Ltd (contract 13697) is due to expire 30 September 2024.

Spend and open purchase orders related to the current contract is as below:

Sum of Amount	Column Labels 			
Row Labels 	2022	2023	2024	Grand Total
 SECURECORP (QLD) PTY LTD	\$ 2,227,260.49	\$ 2,602,592.27	\$ 2,214,249.80	\$ 7,044,102.56
Standard Purchase Order	\$ 2,227,260.49	\$ 2,602,592.27	\$ 2,214,249.80	\$ 7,044,102.56
Grand Total	\$ 2,227,260.49	\$ 2,602,592.27	\$ 2,214,249.80	\$ 7,044,102.56

Further additional services will be required within the new contract with increased requirements for Nicholas Street Precinct (NSP). These services have been incorporated into the requirements for SP2.

## 3. CONTRACT TERMS

A summary of the proposed contracts is outlined below:

PROPOSED CONTRACT TERMS		
Contract Terms	Initial Term	2 years
	Effective Date	1/10/2024
	Expiry Date	30/09/2026
	Extension Options (i.e.: 2+1)	3 x 1yr options (1+1+1)
Contract Value (must include extension options, contingencies, maintenance agreements)	Annual Value	\$2,750,000.00 ex GST
	Total Value*	\$14,650,000.00 ex GST

## Item 2 / Attachment 1.

PROPOSED CONTRACT TERMS	
Legal Review	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No departures from standard contract terms were requested from any party.

*\*The Total Value amount has allowed for external factors including CPI and Fair Work (3.5% per year) minimum wage and superannuation guarantee increases for the life of the contract, along with a contingency of \$750,000 over the life of the contract (approximately \$150,000 per year) for ad-hoc service requirements which form a part of this contract.*

There are no departures from the standard terms and conditions by any of the proposed contract parties.

#### 4. Procurement Process

The procurement process undertaken for this activity was an Open Market tender. This approach was outlined as Option One (1) within the approved STEP. [CEO Briefing Note and STEP - Provision of Security Services signed by panel \(A10304190\)](#) (note Allan Lawrance signed STEP document separately – refer [RE STEP draft for review \(A10536136\)](#))

##### Evaluation criteria:

The evaluation of the tender was undertaken as per the evaluation criteria agreed to in the STEP for this procurement activity. The weightings were as per the below table:

Evaluation criteria no.	Evaluation criteria	Evaluation Description (Reference point for the evaluation panel)	Weightings
1	Company Experience	Demonstrated company experience, capability, and capacity in the successful provisioning of relevant security services, experience in recently delivering the same or similar service, evidence they were able to fulfill	25%
2	Methodology in delivery of services referencing the specification	Requested & supplied methodology statement relevant to the delivering of required service/s.	25%
3	Personnel & Experience	Proposed service delivery team, relevant recent experience and qualifications demonstrated capacity and to carry out the work under the contract. Allocation of personnel, experience, and capacity, and training to support retention.	10%
4	Innovation	Innovation – supplier proposed value adding initiatives that propose to deliver better outcomes both of a quantitative and qualitative nature.	5%
5	Value for Money	Pricing Structure Rates provided	20%
6	Buy Ipswich Approach	Policy	15%
Total			100%

##### Evaluation Panel:

Position	Name	Position Title	Department/Branch
Chairperson	Tim Steinhardt	Goods and Services Category Manager	Procurement Branch, Corporate Services
Member	Larry Waite	Safe City and Asset Protection Manager	Community, Culture and Economic Development
Member	Allan Lawrance	Acting Safe City and Asset Protection Coordinator	Community, Culture and Economic Development
Member	Lisa Lobley	Depot Coordinator	WFS, Asset & Infrastructure Services

### Conflict of Interest Declarations

Through the tender process, one evaluation members declared conflicts of interest relating to existing dealings with the current supplier as part of their day-to-day work. This conflict was considered and registering of conflicts deemed sufficient management. (Refer to folder [05. Evaluation \(fA580171\)](#))

### Responses and Scoring

Twenty suppliers submitted an offer for this tender, with a summary in the below table. There were no late offers submitted.

Procurement received one enquiry from the Office of the Mayor concerning a request to submit a late tender. In accordance with Council's Procurement Procedure, Council was unable to consider this request. Both the supplier in question and Office of the Mayor were advised of the procedure requirement and outcome.

Tenderers (Alphabetical)	Score	Rank (top 5)	SP1	SP2
Certis Security Australia Pty Ltd	54.2			
Challenger Services Group Pty Ltd	51.9			
DSA Security	40.3			
Falkon Security	43.1			
Fox Watch Security Pty Ltd	41.9			
Infront Security Pty Ltd	69.7	1	\$992,224.10	\$1,601,518.54
Ironforge Security Pty Ltd	41.4			
JR SECURITY SERVICES AUSTRALIA	45.3			
Kng Security Pty Ltd	37.5			
M.A Services Group Pty Ltd	53.1			
Mss Security Pty Limited*	61.9	3	\$975,000	\$1,650,000.00
Partisan Protective Services	32.2			
Prime Protection (Qld) Pty. Ltd.	41.7			
Sai Security Protection Pty Ltd	24.4			
Securecorp (Qld) Pty Ltd	64.7	2	\$978,019.56	\$1,683,443.72
Security One 2 One Pty Ltd	35.0			
Southern Cross Protection Pty Ltd (Bid on SP2 only)	61.9	3	n/a	Comparable pricing not provided
Trident Services Australia Pty Ltd	57.5	4	\$1,011,519.00	\$1,963,757.59
VIBRANT SERVICES PTY LTD	35.6			
Wilson Security Pty Ltd	54.4	5	\$1,604,000.63	\$1,756,872.57

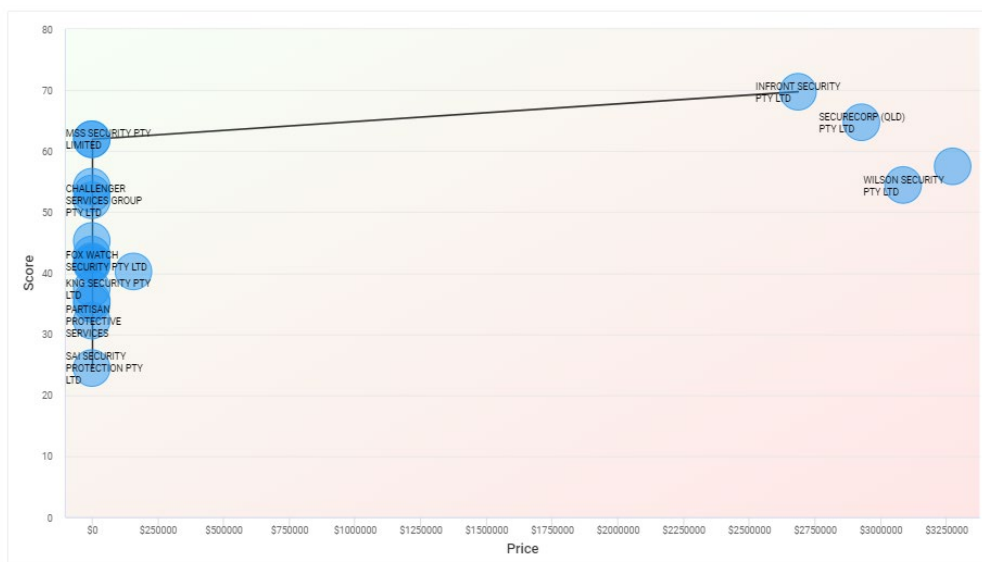
*\*Not all pricing clearly identified*

The top two suppliers provided a high level of understanding of the scope of work, methodology and innovation Council was looking for, and provided the best value for money outcome.

## Value for money



This chart plots vendor response prices against their calculated score. Click on each response for more information.  
The background gives you an idea about the cost-effectiveness of each response - top left is better & cheaper, bottom right is worse & more expensive.  
The efficiency frontier (if present), shows you the set of responses that form the 'best' options - where there is nothing better for that price.



## Probity and interaction with Suppliers

There were no probity concerns raised during the procurement process.

All supplier questions and responses were processed via the VendorPanel platform for transparency.

## 5. RISK MANAGEMENT IMPLICATIONS

### Legal risks

Low: no departures from Councils' standard contract terms and conditions received by either Supplier.

Council is required to ensure that the preferred supplier meets Fair Work Minimum Wages obligations. This has been taken into consideration by ensuring:

- That the selected suppliers are experienced.
- That the methodology (roster) and staff pay rates reflect these considerations. These considerations also extend to the allowance of annual rate adjustments to reflect Fair Work Minimum Wage increases.

### Insurance risks

The recommended preferred suppliers maintain all Insurances at the Coverage required by the terms of the contract.

### Commercial risks

Low: By contracting with two preferred suppliers, the risk of a supplier being unable to complete work as required, or if any issues are encountered is reduced. The recommended suppliers provide Council with the confidence of sufficient resources and established methodologies and processes to ensure the security of Councils Assets and Public Safety

**6. FINANCIAL/RESOURCE IMPLICATIONS**

The proposed future spend is based off historical past usage.

**7. BENEFITS AND RESULTS**

Through the open market tender approach, pricing received indicates that Value for Money has been achieved through the competitive approach, and pricing received from suppliers as part of the approach to market. The evaluation process, and outcome with two suppliers being available for ensure best price and capacity is available for the duration of the contract.

**8. COMMUNITY and OTHER CONSULTATION**

The Safe City and Asset Protection Team were consulted in the development of the Specification, Evaluation of the tender package to ensure all requirements were considered. No community consultation was undertaken for this activity.



**9. ATTACHMENTS**

Reference	Attachment Name	Objective Link
A	VendorPanel Request Package	<a href="#">VP419274 (A10537214)</a>
B	Value Risk Assessment	<a href="#">Value Risk Matrix Security Services 2024 (A10256420)</a>

**10. PREPARED BY:**

Reference	Name	Position Title/Department
Prepared by	Tim Steinhardt	Goods & Services Category Manager, Corporate Services

**11. Evaluation Panel Endorsement:**

Panel Member 1			
Name:	Larry Waite		
Title:	Safe City and Asset Protection Manager		
Endorsed:	 <small>Larry Waite (Aug 19, 2024 13:28 GMT+10)</small>	Date	19-Aug-2024
Panel Member 2			
Name:	Allan Lawrance		
Title:	Safe City and Asset Protection Coordinator		
Endorsed:	 <small>Allan Lawrance (Aug 19, 2024 14:52 GMT+10)</small>	Date	19-Aug-2024
Panel Member 3			
Name:	Lisa Loble		
Title:	Depot Coordinator		
Endorsed:		Date	19-Aug-2024












# RTA - Security Services

Final Audit Report

2024-08-19

Created:	2024-08-19 (Australian Eastern Standard Time)
By:	Tim Steinhardt (tim.steinhardt@ipswich.qld.gov.au)
Status:	Signed
Transaction ID:	CBJCHBCAABAAaGdPTh0xUK8LPabYMaJrc2I5NRg0q2Ce

## "RTA - Security Services" History

-  Document created by Tim Steinhardt (tim.steinhardt@ipswich.qld.gov.au)  
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-  Document emailed to Larry Waite (larry.waite@ipswich.qld.gov.au) for signature  
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Doc ID No: A10570825

ITEM: 3

SUBJECT: PROCUREMENT - VP420044 CONSTRUCTION OF NEW SILVER JUBILEE SPORTS FACILITY CLUBHOUSE

AUTHOR: CATEGORY SPECIALIST

DATE: 26 AUGUST 2024

### EXECUTIVE SUMMARY

This is a report concerning the recommendation to award Tender VP420044 Construction of New Silver Jubilee Sports Facility Clubhouse with the nominated supplier as per confidential Attachment 1 to undertake the construction works for the new Jubilee Sports Facility Clubhouse.

After an open market request for tender process, an evaluation panel has recommended one supplier for the construction of the Silver Jubilee Sports Facility Clubhouse as set out in Recommendation B below. The recommendation has been determined by the evaluation panel to offer Council the best value for money.

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

### RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. VP420044 Construction of New Silver Jubilee Sports Facility Clubhouse.**
- B. That Council enter into a contractual arrangement with the Supplier identified in confidential Attachment 1 for the lump sum amount of two million six hundred and ninety-nine thousand five hundred and seventeen dollars and ninety cents (\$2,699,517.90) excluding GST and the contingency amount as listed in confidential Attachment 1**
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action*" pursuant to section 238 of the Regulation, in order to implement Council's decision.**
- D. That owing to the confidential nature of the recommendations, that once adopted by Council, the recommendations be made public.**

## **RELATED PARTIES**

There was no declaration of conflict of interest.

## **IFUTURE THEME**

Vibrant and Growing

## **PURPOSE OF REPORT/BACKGROUND**

The purpose is to seek approval of the recommendation listed in this report. Council released RFT VP420044 Construction of New Silver Jubilee Sports Facility Clubhouse to the open market via VendorPanel (VP420044) on Thursday 25 July 2024 with a closing date of Thursday 15 August 2024. On closing of the request, ten (10) conforming tenders were received.

The aim was for Council to seek Tenders from capable building companies to construct a clubhouse and associated amenities.

Construction of a new Silver Jubilee Sports Facility Clubhouse including but not limited to:

- Light weight framing
- Solar cells
- Rainwater harvesting tanks
- Clubroom
- Change rooms
- Referee rooms
- Unisex & ambulant toilets
- Cleaners room
- Medical room
- Storerooms
- Kitchen & food preparation area with mechanical ventilation
- Services Include: Gas, Data, PA, Security, ETC.
- Showers,
- Disability Discrimination Act compliant access
- New shed
- New access pathways
- Extended parking areas
- Landscaping

Funding has been sourced via a Federal Grant application. The grant is being provided as part of Phase 4 of the Local Roads and Community Infrastructure Program (LRCIP). The objective of the LRCIP is to stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the economic impacts of COVID-19. A budget of \$3,028,000 has been allocated and is being co-funded under Council's LRCIP allocation (\$1,978,000) and, Ipswich City Councils Capital Works Budget (\$1,050,000) project # INF05004.

LRCIP obligations are that the grant activities started 01 July 2023 with an expected activity completion date of 30 June 2026. The LRCIP grant requires construction activity on eligible projects be undertaken between 1 July 2023 and 30 June 2025. Other costs associated with eligible projects may continue to 31 December 2025.

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

### **LEGAL IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

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

### **RISK MANAGEMENT IMPLICATIONS**

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

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

### **FINANCIAL/RESOURCE IMPLICATIONS**

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

### **COMMUNITY AND OTHER CONSULTATION**

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

### **CONCLUSION**

It was determined by the evaluation panel the recommended supplier, as per Attachment 1, possesses the capability and capacity to meet Council's requirement for the construction of the new Silver Jubilee Sports Facility Clubhouse.

## HUMAN RIGHTS IMPLICATIONS

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

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL VP420044 Recommendation to Award
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Gavin Wright

**CATEGORY SPECIALIST**

I concur with the recommendations contained in this report.

Wayne Bichel

**BUILDING CONSTRUCTION AND MAINTENANCE CATEGORY MANAGER**

I concur with the recommendations contained in this report.

Tanya Houwen

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Pedro Baraza

**CONSTRUCTION MANAGER**

I concur with the recommendations contained in this report.

Graeme Martin

**MANAGER, CAPITAL PROGRAM DELIVERY**

I concur with the recommendations contained in this report.

Matt Anderson

**GENERAL MANAGER (ASSET AND INFRASTRUCTURE SERVICES)**

I concur with the recommendations contained in this report.

Sonia Cooper

**CHIEF EXECUTIVE OFFICER**

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

Doc ID No: A10436126

ITEM: 4

SUBJECT: SURRENDER OF 2 TALLEGALLA TWO TREE HILL ROAD, TALLEGALLA

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 24 JULY 2024

## EXECUTIVE SUMMARY

This is a report concerning the potential surrender of trusteeship over Reserve land located at 2 Tallegalla Two Tree Hill Road, Tallegalla, described as Lot 557 CC3651 to the State of Queensland and recommend the Silver Lining Foundation Australia Ltd to take responsibility of the trusteeship.

## RECOMMENDATION

**That Council resolve to surrender the trusteeship of surplus land at 2 Tallegalla Two Tree Hill Road, Tallegalla, more particularly described as Lot 557 and Plan CC3651 (Council file reference number 6221).**

## RELATED PARTIES

- Silver Lining Foundation Australia Ltd
- There were no declarations of conflicts of interest

## IFUTURE THEME

A Trusted and Leading Organisation

## PURPOSE OF REPORT/BACKGROUND

Council is currently reviewing the potential relinquishment of its trusteeship role (as per section 50 of the *Land Act 1994*), concerning a heritage property designated as Lot 557 on CC3651. This property, once the Tallegalla State School, features traditional classrooms and a teacher's staff room, along with an annex for educational activities.

Previously, the land was under a trustee lease, which was forfeited by the lessee due to the impracticality in utilising the property. Despite requests to the Council, for modifications to enhance the usability of the buildings and land, the requests were denied by Council, to preserve the property's heritage status.

In 1998, the Council assumed trusteeship, to protect the property's historical value and to offer a community resource. Subsequently, the property hosted private events and was

utilised by the Rosewood Assembly of God Youth Group, whilst the Teacher's residence was leased to the public. Australian Crawl (Goodna) Pty Ltd held Trustee Permits from September 2013 to August 2019 for the property.

Although there have been enquiries to occupy the residence, it fails to meet the *Residential Tenancies and Rooming Accommodation Act 2008* standards, and the Council lack funds for its maintenance. Recently, the Silver Lining Foundation Australia Ltd (**SLFA**) expressed interest in the property, emphasising its heritage preservation value.

SLFA is actively engaged in delivering a suite of cultural programs across the state, targeting vulnerable First Nations youth and the broader First Nations community. With 80% of the staff being First Nations individuals, these programs are not only managed but also represented by members of the community. In response to the state's youth crime crisis, SLFA has initiated preventative programs, supported by both commonwealth and state government funding. These initiatives are deeply rooted in cultural traditions, guided by local Traditional Custodians and community leaders, and are developed through extensive consultations with local stakeholders.

The proposed initiative is tailored for the residents of Ipswich City and its surrounding areas, with SLFA set to begin its services in the region. The chosen property offers a serene and beautiful setting away from the urban centre, providing an ideal environment for the culturally immersive 'on country' programs.

The following has been considered in the surrender of the Property;

- Statutory influences (restrictions or limitations) - Council as trustee, manage the Reserve for heritage, historical and cultural purposes. Council can apply an inconsistent use of the property, provided it aligns with the land's intended purpose and does not diminish the purpose of the land. Any divergent use necessitates a Land Management Plan and public consultation.
- Existing usage - The Property has remained unoccupied since 2019, attributed to its specialised nature and the extensive restoration needed to upgrade the Property for occupancy.
- Strategy and direction - The Council lacks a definitive long-term vision or strategy for the property's future use.
- Maintenance - Asset management for the Property is limited, with fire safety measures upheld as per the regulations and maintenance performed reactively to ensure fire safety.
- Spatial distribution - The Property's surrender of the trusteeship to SLFA is expected to significantly affect the local community by initiating vital cultural initiatives throughout Ipswich City.
- Conservation value - SLFA possesses expertise in acquiring and managing ancestral lands through methods that honour cultural traditions, in collaboration with Indigenous custodians and community delegates.

- Property constraints and opportunities - The property's inclusion in the Queensland Heritage Register presents challenges for its rehabilitation and modernisation.

The Council is poised to declare the land as surplus, recommending that trusteeship be transferred to SLFA, recognising it as the optimal user of the land, to meet the community's needs.

## **HISTORY**

The Tallegalla School stands as one of the few surviving elements of what was once a larger community, having been established on June 10, 1879. It showcases elements of Queensland's cultural heritage that are considered rare, uncommon, or endangered.

For approximately 115 years, the school has served not only as an educational institution but also as a central hub for local gatherings. The settlement of Tallegalla emerged in the late 1870s, following the path of timber workers who initially cleared the area's dense vegetation. By 1880, the region saw an influx of settlers, predominantly German migrants, who claimed fifty parcels of land. The township was officially mapped out in 1872, leading to the development of a community that included a school, railway station, post office, churches, a hotel, and a cemetery. However, by 1997, only the school and cemetery remained.

The school's property was generously donated by Wilhelm Arndt, a local farmer, and was officially surveyed on November 6, 1876, before being designated as a school reserve on August 15, 1878. The school anticipated an initial enrolment of around 50 children, aged 5 to 14, according to its application form. The construction was funded through local contributions totalling £50. Designed by the Colonial Architect FDG Stanley, the school's first head teacher was Edward Dunbar, succeeded by John Marquis. In the late 1880s, head teacher John Watkins initiated a tree-planting project, the legacy of which continues with many of those trees still standing on the grounds today.

## **LEGAL IMPLICATIONS**

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

*Land Title Act 1994*

*Land Title Regulation 2022*

*Local Government Act 2009*

*Local Government Regulation 2012*

## **POLICY IMPLICATIONS**

The surrender of the trusteeship of the land is consistent with Council's Property Acquisition and Disposal Policy.

## **RISK MANAGEMENT IMPLICATIONS**

- In mid-2023, the annual building audit was halted due to odorous concerns and potential biological hazards present.
- Inspection revealed significant rat droppings and the presence of at least one deceased rat, with the possibility of more, indicated by the strong odour.
- Signs of a forced attempted entry were noted at the rear door, where paint appeared to have been tampered with by a screwdriver.
- Safe City expressed apprehension about the safety of contractors required to perform routine fire service maintenance on-property.
- Works and Field Services informed Property Services that repair scope would be contingent on the building's intended future use.
- A directive was issued for an external contractor to undertake the cleaning and steam cleaning of carpets within the school premises.
- A minor gap beneath an external door was pinpointed as a potential access point for rodents.
- To mitigate odours, a deodorising block was placed inside the building.
- Moderate risk of asset failure exists if Council does not undertake refurbishment and repairs to the property.
- It is crucial to ascertain the projected costs for refurbishment and continuous maintenance to balance the investment against other capital expenditures. This financial assessment will aid in prioritising funds allocation and ensuring the longevity and efficiency of the property.

## **FINANCIAL/RESOURCE IMPLICATIONS**

Should the Council decide to keep the property, it is advisable to formulate a strategic plan for its restoration and ongoing maintenance and repair to guarantee its utilisation and long-term viability. Developing a comprehensive asset management plan is crucial to address the property's rehabilitation needs effectively.

It is anticipated that considerable expenses will be associated with the property's restoration, given its historical importance and the mandatory approvals required from the Department of Environment and Science, as per the *Queensland Heritage Act 1992*.

## **COMMUNITY AND OTHER CONSULTATION**

The following internal branches have been consulted and provided the below responses;

- (a) Property Services completed property due diligence.
  - a. Various searches and assessments were completed to ensure comprehensive understanding of the land and its constraints.
  - b. The whole of the lot is identified on the Queensland Heritage Register.

- (b) Community and Cultural Services were consulted and agree with the proposal in this report.
- (c) Asset Management were consulted and are supportive of the proposal in this report.
  - a. There is a substantial amount of rehabilitation required and it appears the Silver Lining Foundation Australia is better positioned to make good and manage the heritage buildings.
- (d) Works and Field Services were consulted and agree with the proposal in this report.
- (e) Infrastructure Strategy were consulted.
  - a. No future trunk open space requirements.
- (f) Strategy Requests were consulted with the proposal in this report.
  - a. The school dates back to 1879
  - b. The entire property is listed on the Queensland Heritage Register
  - c. Approval from the Department of Environment and Science, as per the *Queensland Heritage Act*, is mandatory for any modifications to the buildings or grounds.
  - d. It is advisable to consult with Development Planning to ensure the proposed use aligns with the current zoning.
- (g) Natural Environment and Land Management were consulted.
  - a. Proposal to surrender the property back to the State may proceed without further reference to Native Title (*future acts*) compliance assessments.
  - b. Transferring trusteeship of the facility to SLFA may proceed without further reference to Native Title (*future acts*) compliance assessments.
  - c. Cultural Heritage Clearance Assessment
    - i. Not required (as no ground disturbance) – proposed change in tenure only
    - ii. DSDSATSIP database search results contained in Appendix 7 of the Native Title (*future acts*) Assessment – No registered Cultural Heritage.
- (h) Development Planning were consulted and agree with the proposal in this report.
  - a. There are no planning concerns with the proposed use.
  - b. Any proposed building works are required to comply with the Overlay code and state heritage requirements.
  - c. It is also recommended that SLFA liaise with the Ipswich Heritage Advisor.











## CONCLUSION

Considering the property has been unoccupied for seven years, coupled with the absence of a strategic plan, financial allocation, or asset management, and given the intricate nature and historical importance of the property, it is recommended that Council declare the property surplus to its requirements. Consequently, it would be prudent for Council to relinquish its trusteeship to the State of Queensland and propose that trusteeship be transferred to SLFA.

## HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The Recommendation states that Council declare the land surplus to its requirements and to surrender trusteeship of the land.
(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.	Title Search  
2.	Property Plan  
3.	Heritage Report  
4.	Heritage Register Map  
5.	Native Title Compliance  
	CONFIDENTIAL
6.	Business Case
7.	Capability Statement

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.

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”***

Title Reference: 49101239  
Date GAZETTED: 11/12/1998  
PAGE: 1299-1300

TRUSTEES

LAND DESCRIPTION

## EASEMENTS AND ENCUMBRANCES

## ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
703233788	HERITGE SITE	18/03/1999 15:13	CUR	BE-GEN -00


QUEENSLAND HERITAGE ACT 1992

UNREGISTERED DEALINGS - NIL

```

** End of Current Reserve Search **

```



**Ipswich City Council**  
1 Nicholas Street  
PO Box 191  
IPSWICH QLD 4305  
Australia

Telephone

Fax

Email

Web

Business Hours

(07) 3810 6666

(07) 3810 6731

[council@ipswich.qld.gov.au](mailto:council@ipswich.qld.gov.au)

[www.ipswich.qld.gov.au](http://www.ipswich.qld.gov.au)

8:00am - 4:30pm (Mon - Fri)

Property Plan



PROPERTY DETAILS

Address:

2 Tallegalla Two Tree Hill Road  
Tallegalla Qld 4340

Owner:

Ipswich City Council Program 30

Lot Plan:

557CC3651

Area:

9220m²

MAP DETAILS

Scale:

1:1,988

Metres

50

LEGEND

Selected Property

23

 House Number / Boundary

Easement

PROPERTY DETAILS			
Published Date: 01/08/2024			
<b>Address:</b>	2 Tallegalla Two Tree Hill Road Tallegalla Qld 4340	<b>Suburb:</b>	Tallegalla
<b>LotPlan:</b>	557CC3651	<b>Postcode:</b>	4340
<b>Area:</b>	9220m <sup>2</sup>	<b>Division:</b>	Division 4
<b>Tenure:</b>	<b>Tenure:</b> RE <b>Description:</b> RESERVE		
RATING DETAILS			
<b>PPN:</b>	42820	<b>Assessment :</b>	27435
<b>Owner:</b>	Ipswich City Council Program 30	<b>Mail Address:</b>	Ipswich City Council Program 30 Ipswich City Council PO Box 191 IPSWICH QLD 4305
<b>Land Use:</b>	<b>Code:</b> 0259 <b>Description:</b> Dwelling Council Owned	<b>Rates:</b>	<b>Code:</b> 751 - State Govt Emergency & Fire Levy - Group 2E <b>Code:</b> 8855 - Waste Charges - Wheelie Bin Council
<b>Dogs:</b>	No Registered Dog		
WORK AREA DETAILS			
<b>Census:</b>	<b>SA1:</b> 31002128222 <b>SA2:</b> 31002128 <b>SA3:</b> 31002 <b>SA4:</b> 310 <b>Mesh Block:</b> 30356082000 <b>Block Category:</b> Primary Production	<b>Historic Flood:</b>	<b>1974 Affected:</b> False <b>2011 Affected:</b> False <b>2022 Affected:</b> false
<b>IE Work Area:</b>	District 3 - Western Team	<b>PRS Planning Team Area:</b>	Development - West Team
<b>PRS Engineering Teams Areas:</b>	<b>Team Name:</b> West <b>Technical Officer :</b> Adrian Bulley <b>Team Name:</b> West - Delivery Team B <b>Technical Officer :</b> Amit Giri	<b>PRS Regulatory Work Area:</b>	<b>Area 1:</b> PRS Compliance - Development 4 <b>Area 2:</b> PRS Compliance - Local Laws Investigation 2 <b>Area 3:</b> PRS Compliance - Animal Management 4 <b>Area 4:</b> PRS Compliance - Littering and Dumping 3
<b>Waste Work Area:</b>	Zone 4	<b>Catchment:</b>	<b>Catchment:</b> Lockyer Creek <b>Subcatchment:</b> Lockyer Creek
PLANNING & DEVELOPMENT DETAILS			
<b>Zones:</b>	SU01 - Special Uses	<b>Development Constraints:</b>	Heritage - Character Places Historic Miscellaneous Heritage Heritage - State Heritage OV4 Slope 15 Percent to 20 Percent
<b>Divisions buffered 50m:</b>	Division 4		



Queensland Government home >For Queenslanders >Environment, land and water >Land, housing and property >Heritage places >Queensland Heritage Register >Search the register >Tallegalla State School (former)

## Tallegalla State School (former)



### What can we do better?

Please take our [2 minute survey](https://www.qld.gov.au/environment/land/heritage/survey) ( <https://www.qld.gov.au/environment/land/heritage/survey> ) to provide feedback on how we can improve your experience today.

- Place ID: 601687
- Rosewood Minden Road, Tallegalla

### General



[More images...](#)

Classification

State Heritage

Register status

Entered

Date entered

2 February 1998

Type

Education, Research, Scientific Facility: School - state (primary)

Theme

9.1 Educating Queenslanders: Providing primary schooling

Architects

Queensland Department of Public Works

Stanley, Francis Drummond Greville

Construction periods

1879–1930, Former Tallegalla State School - Play Shed (1879 - 1930s)

1879–1938, Former Tallegalla State School - School (1879 - 1938)

1879–1955, Tallegalla State School (former) (1879 - 1955)

1931–1937, Former Tallegalla State School - Residence - teacher's (1931 - 1937)

Historical period

1870s–1890s Late 19th century

1919–1930s Interwar period

Style

Classicism

## Location

Address

Rosewood Minden Road, Tallegalla

[LGA](#)

Ipswich City Council

Coordinates

-27.59420272, 152.56442689

Map

- [Enlarge map](#)



Street view



Photography is provided by Google Street View and may include third-party images. Images show the vicinity of the heritage place which may not be visible.

### **Request a boundary map**

A printable boundary map report can be emailed to you.

Email

## **Significance**

### **Criterion A**

The place is important in demonstrating the evolution or pattern of Queensland's history.

The Tallegalla State School is a remnant of a formerly larger settlement, Tallegalla, of which there are few remnants. The school was established in 1879 and reflects the closer settlement of the Rosewood Scrub area and reflects the development of rural country schools in Queensland

### **Criterion B**

The place demonstrates rare, uncommon or endangered aspects of Queensland's cultural heritage.

The school building is a rare surviving example of a small timber school designed by colonial architect, FDG Stanley.

### **Criterion D**

The place is important in demonstrating the principal characteristics of a particular class of cultural places.

The site, with intact school building, 1931 residence and former playshed is a good and characteristic example of a small rural state school.

### **Criterion E**

The place is important because of its aesthetic significance.

The school grounds have considerable aesthetic significance as a local landmark, with large established trees and situated on an elevated site comprising well composed and prominent buildings within a picturesque garden setting.

### Criterion G

The place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

The school has important associations with the local community as a school as well as a local meeting place for about 115 years.

### Criterion H

The place has a special association with the life or work of a particular person, group or organisation of importance in Queensland's history.

The school building has associations with FDG Stanley as one of his few surviving timber school buildings.

### History

The Tallegalla School was opened on 10 June 1879 as a state school for the local area known as the Rosewood Scrub. A timber school building and timber residence were erected at that time and the residence was replaced in 1931 by the present building.

The Rosewood Scrub, an area comprising what is now Tallegalla, developed in the late 1870s as settlers followed timber getters who cleared some of the dense vine scrub previously thought to be impenetrable. By 1880 fifty selections were taken up in the area, mostly by German migrants who were arriving in Queensland under migration schemes run by the Queensland Government aimed at encouraging closer settlement of rural areas. After the Land Act of 1868 land in the Rosewood Scrub, to the west of Brisbane, was opened for clearing and settlement. The area became known as Tallegalla and an official survey was completed in July 1872. A small township developed which comprised school, rail station, post office, two churches, hotel and cemetery. In 1997 very little remains of the Tallegalla township, with only the school and cemetery apparent.

Requests were made to the state government for the provision of a state school in the Tallegalla area in January 1876 by a school committee formed for the purpose of lobbying the government. The secretary of the School Committee, Mr John Dart, wrote a number of letters to the government in 1876 suggesting possible sites and seeking a formal survey of the area. A formal application for the establishment of a state school was lodged after a public meeting on 14 October 1876. The application suggested a two acre site on a prominent corner of Portion 513, parish Walloon, owned by a local farmer, Wilhelm Arndt who was willing to donate the land from his 100 acre selection. The land offered by Mr Arndt was centrally located, near a local post office and on an elevated site visible from a great distance. According to the application form about fifty local children between the ages of 5 and 14 were expected to attend the school and a local subscription of about £50 toward building costs was expected. The two acres of land was officially surveyed on 6 November 1876 and the site was gazetted as a reserve for a school on 15 August 1878. This significant time delay in the registering of the school reserve resulted in the land not being excluded from Portion 513 when an survey was drawn of the larger block for the Certificate of Title. This situation was rectified in June 1938 when the land was officially excluded from the Title.

Construction at the school began, with local subscriptions totalling £56. The first structure on the site was a one roomed timber school building, apparently designed by Colonial Architect, Francis Drummond Greville Stanley, before the design of schools in Queensland became the domain of the Department of Education in about 1880. Stanley instigated in Queensland a system of standardised school designs which could be used in a number of locations, a system which occurred previously through default. The gabled roof building designed for use at Tallegalla was elevated on low timber stumps and was flanked on the north and south by full length verandahs which were partially enclosed at the two ends of the northern side and housed hand basins. The school remains much in the same form as its original design and was lined internally in 1926 and the southern verandah was

enclosed gradually from 1955. A more significant change to the building occurred in 1938 when several openings were altered to allow for better natural lighting. Whereas the openings previously were designed to allow for uniform light from all directions, new thinking in the mid 1930s indicated that lighting from some directions was more conducive to studying. Associated with this work was the internal painting of the school.

Another important element of the school site was the teachers residence which was not completed with the original school building, though by 1880 plans had been made for its erection. Residences were an important element of school sites as it was thought they attracted better quality teaching staff. By 1880 the students at Tallegalla School were taught by Mr John Marquis, who replaced Mr Edward Henry Vivian Dunbar, the first head teacher at the school. In 1880 the School Committee raised sufficient funds to enable the Education Department to finance construction of a residence which was a simple four roomed cottage surrounded by verandahs. Many changes were made to this residence in the late nineteenth and early twentieth century before it was replaced in 1931. Alterations included adding a rear verandah in 1892, internal lining in 1895; the addition of a detached kitchen and bathroom in 1898 and the addition of two detached bedrooms in 1911 to house the large family of the then Head Teacher, Daniel Courtney.

By 1932 a new timber residence was constructed replacing the early residence. The tender of EJ Wilton from East Ipswich was accepted for the construction of the building for £514 and for construction to be complete within 8 weeks from the acceptance date which was 1 December 1932. The building was a standard Type 3 School Residence designed by the Works Department with examples of that type built throughout Queensland between 1929 and 1950. Construction of the building was completed in February 1933 and by 1937 the verandah of the building which was located on the south eastern corner was enclosed. Since then, a toilet has been added to the verandah space of the building.

Associated with this work was the removal of a detached bedroom wing from the original residence and its reconstruction as a play shed. An earlier play shed was constructed on the grounds by the School Committee in about 1906 but by 1932 this octagonal timber shade structure was deteriorating and thought to be a health hazard. The Department of Education were supportive of the removal of the detached wing for use as a replacement playshed if the work was done at no cost to the Department. By 1972 another steel framed playshed was constructed and the former building became used as a store.

The school grounds have seen significant changes during the life of the school. From the late 1880s, head teacher, John William Watkins, instigated a tree planting programme at the school which saw many of the trees which exist on the site today, including the avenue of jacarandas and figs lining the driveway.

## Description

The Tallegalla School is sited on a ridge on the highest point of the surrounding landscape. The school is bordered by Minden-Rosewood Road and Twotree Hill Road. The site comprises a number of buildings, including the original school room, a teacher's residence from 1932, an early playshed and a latter playshed, several corrugated tanks on stands, two concrete septic tanks, and a number of large established trees and gardens.

Access is provided to the school via a driveway from Minden-Rosewood Road. The driveway curves eastward toward the school building and terminates in a small round driveway. Flanking the driveway are a number of established trees including several jacarandas, a Moreton Bay fig and a Bunya pine. The principal buildings are aligned parallel with Minden Rosewood Road, with the residence closest to the corner of the two roads and separated from the school site with a fence.

The school building is a one storeyed gable roofed structure, elevated on low timber stumps. The timber framed building is clad externally with horizontal weatherboards and internally with VJ boarding. The roof is clad with corrugated iron and this is also used for window awnings on the eastern and western elevations. The building has a

rectangular plan with partially enclosed verandahs on the northern and southern elevations, over which the pitch of the roof becomes more gradual. A small, centrally located, open tread timber stair provides access to the northern elevation of the building which is lined with a semi open verandah, only enclosed near the two ends to form small enclosures which were an original feature of the design. Flanking the stair are timber posts, through which a simple two rail timber balustrade runs, and forms the stair balustrade. Centrally located on this and on the southern face of the building are simple entrance doors. The entrance door on the northern elevation is flanked by two casement windows made from the original sash windows. The interior of the building is lined with VJ boarding on the walls and ceilings and the timber boarded floor is covered with carpet.

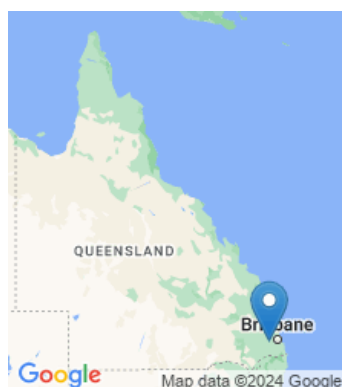
The elevated residence is an asymmetrical building with hipped and gabled corrugated iron clad roof. The timber framed building is clad externally with horizontal weatherboards and internally with VJ boards. The building comprises five principal rooms including a large kitchen with early stove recess, a bathroom and separate toilet and an enclosed verandah on the south eastern corner. Open tread timber stairs access the front, southern side of the house and the rear, northern elevation. The building has a number of casement windows in groups of four on the front elevation, groups of three lining the enclosed verandah, and, elsewhere, groups of two. Corrugated iron clad window hoods, with sides of timber battening, provide sun shading to many of the pairs of casements. Internally the building is clad with VJ boarding on the walls and ceilings and has a timber boarded floor. The internal doors are generally four panelled with high mid (or lock) rails.

The early play shed is a lowset, fully enclosed, timber framed and weatherboard clad building, with a gabled corrugated iron roof. The building has two timber doors on the northern façade both surmounted by operable transom windows. The doors are timber boarded and internally braced. The building has a number of early six paned vertical sash windows. Internally the space is undivided and has VJ timber boarded walls, timber floor and timber boarded ceiling. Early fittings, including shelving and cupboards are found inside.

The more recent playshed is a steel framed, open structure comprising corner posts supporting a shallow pitched iron clad gabled roof awning and a concrete slab floor. It is built into sloping ground and has two low concrete block lined, retaining walls. There are a number of corrugated iron water tanks on the site, all elevated on timber or iron frames. Two concrete septic tanks indicate where toilets once existed, to the north of the school building.

## Image gallery





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Last reviewed 1 July 2022

Last updated 20 February 2022

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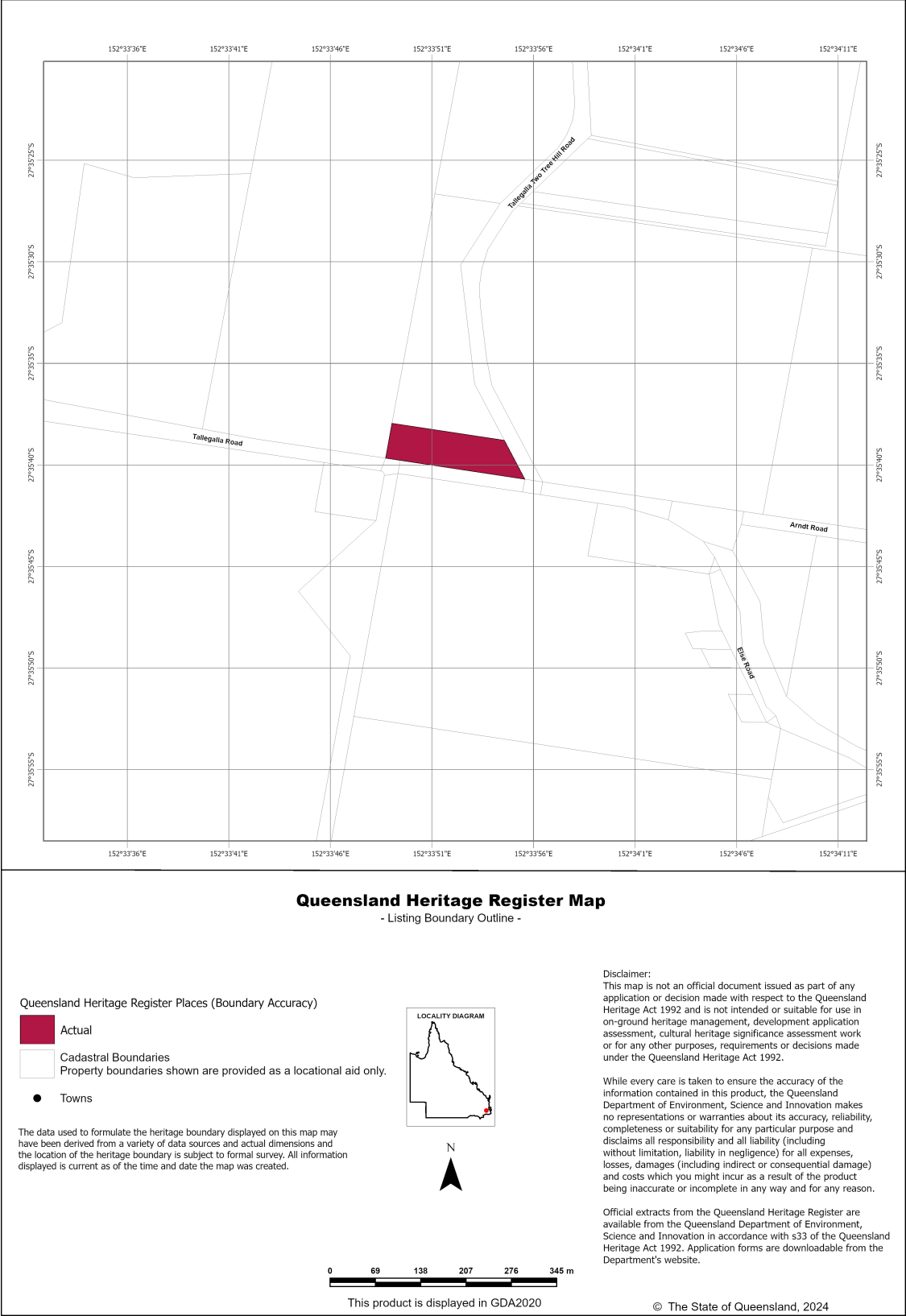
Right to information ( <https://www.qld.gov.au/right-to-information/> )

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Queensland Government ( <https://www.qld.gov.au/> )

Heritage Register Number: 601687 Place name is: Tallegalla State School (former)

17/07/2024 08:38:59



NATIVE TITLE COMPLIANCE ASSESSMENT

Note: This assessment form must be read in conjunction with the Native Title Compliance Procedure (Objective ID: A6836286)

1. PROJECT DETAILS

Project name	Tallegalla State School (former)
Project address	2 Tallegalla Two Tree Hill Road, Tallegalla
Lot on Plan	2 RP907847
Land tenure	Reserve (previously for Education – now for heritage, historical and cultural purposes)
Project officer contact	Ipswich City Council as Trustee Property Requests

Site Description



2. PROPOSED FUTURE ACT

Description of proposed act

The Silver Lining Foundation Australia Ltd (SLFA) has contacted Council with regards to rehabilitating and occupying the Tallegalla State School (former).

Proposal

- Facility is in disrepair, has heritage significance, and hasn't been used by Council for 8 years.
- Recommend transferring trusteeship of the facility to SLFA.
- While trusteeship is being sorted between State, Council, and SLFA, propose Council enter into a trustee permit with SLFA.
- Trustee permit allows SLFA to start rehabilitation of the facility.
- Trustee permit reduces risk of further damage and occupation by vagrants.
- Council resolution needed declaring property surplus to council needs to surrender the property back to the State.

Preferred time frame for act to occur

2025 - 2026

Business case for proposed act

Property is in disrepair, has heritage significance, and hasn't been used by Council for 8 years.

SLFA has long-term grants with various government departments and providers.

SLFA has access to recurrent funds for perpetual operation.

The site is versatile for 'on country' cultural-based program delivery

3. ABORIGINAL PARTY DETAILS

Note: To be obtained from searches lodged with the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP)

Aboriginal Party	Yuggera Ugarapul People (YUP)
Cultural heritage body (if applicable)	
Contact person	Cassie Lang (c/o Parallax Legal)
DSDSATSIP search date	18 July 2024
Any registered sites?	# refer to Appendix 3 No registered sites

## 4. NATIVE TITLE COMPLIANCE ASSESSMENT

**STEP 1** – Is it an activity which needs to be considered for native title?

- ☐ a physical activity (i.e. construction of a public work);
- ☒ a non-physical activity (i.e. tenure dealing or statutory approval necessary to facilitate a public work); or
- ☐ activity is wholly or partly inconsistent with the existence, enjoyment or exercise of any native title rights and interests which might exist in the project area.

*(Note: it is reasonable to assume that in areas where native title has not been extinguished, most (if not all) of Council's activities will affect native title and therefore be regarded as Future Acts.)*

☒ **Yes** (if any of the activities listed above) → progress to **STEP 2**

☐ **No** (if none of the activities listed above) → the activity may proceed without further reference to native title

**STEP 2** – Has native title been extinguished?

**(a) Is the current tenure a previous exclusive possession act (PEPA) granted prior to 23 December 1996?**

- ☐ Freehold
- ☐ Lease which grants the lessee exclusive possession (does not include pastoral or mining lease)
- ☐ Community purpose lease solely or primarily for community, religious, educational, charitable or sporting purposes
- ☐ Public work constructed or established on or before 23 December 1996, such as a road or esplanade reserve which was dedicated or declared whether or not the road or esplanade was constructed or not

*(Note: to determine extinguishment in roads, apply the Queensland Government Native Title Work Procedures - Module CB - Road Policy)*

- ☐ Other 'scheduled interest' under Schedule 1 of the NT Act
- ☐ If **YES**, the proposed activity may proceed without further reference to native title

☒ If **NO**, proceed to **(b)**

**(b) Was a previous tenure a PEPA granted prior to 23 December 1996?**

*(Note: may require a historical tenure search and/or historical land use of the relevant area).*

☒ If **YES**, the proposed activity may proceed without further reference to native title

☐ If **NO**, proceed to **STEP 3**

**STEP 3 – What are the compliance options?**

An act affecting native title will be valid if covered by either:

- i) an Indigenous Land Use Agreement (**ILUA**); or
- ii) one of the alternative validation (future act) provisions.

In most (if not all) cases, one of the alternative validation (future act) provisions will be available. Rarely will an ILUA be the only option.

The alternative validation (future act) provisions must be applied in the order as they appear in the table below, as per the *Native Title Act 1993* (Cth) (**NTA**).

**Alternative Validation (Future Act) Provisions**

*Note: for further information about whether a section applies, refer to the relevant module in the Native Title Work Procedures (<https://www.dnrme.qld.gov.au/qld/atsi/native-title-work-procedures/work-procedures>) (Queensland Government Native Title Work Procedures)*

ORDER	CATEGORIES	NTA SECTION	Tick - ✓
1.	<b>Non-Claimant Application (NCA)</b> Note: <ul style="list-style-type: none"> <li>may be filed if there is no existing native title claim over the area of the proposed activity</li> <li>seeks a determination that native title does not exist</li> </ul>	S24FA	
2.	<b>Primary Production Activities</b> The act involves: <ul style="list-style-type: none"> <li>farming, forestry, agriculture, horticulture, farm stay on land or waters covered by certain types of pastoral or agricultural leases</li> </ul>	S24GB	
3.	<b>Off-Farm Activities</b> The act is: <ul style="list-style-type: none"> <li>directly connected to primary production activities i.e. farm tourism</li> </ul>	S24GD	
4.	<b>Third Party Rights on Pastoral &amp; Agricultural Leases</b> The act involves: <ul style="list-style-type: none"> <li>obtaining timber, sand, gravel, rocks, soil or other resources from certain types of pastoral and agricultural leases</li> </ul>	S24GE	
5.	<b>Management of Water &amp; Airspace</b> The act involves: <ul style="list-style-type: none"> <li>grant of lease, licence, permit or authority for management or regulation of water (i.e. associated with dams &amp; other water facilities), aquatic animals or airspace (i.e. associated with airports &amp; aerodromes)</li> </ul>	S24HA	
6.	<b>Activities pursuant to pre-1997 agreements or arrangements</b>	S24IB	

7.	<b>Renewals and extensions of tenure interests</b> The act involves either: <ul style="list-style-type: none"> <li>i) an agreement or arrangement concluded before 23 December 1996 for the doing of the Act (S24IA); or</li> <li>ii) the renewal, re-grant or extension of a lease or other interest in land (S24IB)</li> </ul>	S24IC	
8.	<b>Activities on reserves, leases or other land subject to a 'permission' for a particular purpose</b> Applies to leases, reserves or any other applicable permission or authority which: <ul style="list-style-type: none"> <li>i) is for a particular purpose;</li> <li>ii) was created on or before 23 December 1996; and</li> <li>iii) is valid with respect to native title.</li> </ul> The activity not have the effect of cancelling the reserve and one of the following must apply: <ul style="list-style-type: none"> <li>iv) the activity may be undertaken under or in accordance with the purpose of the reserve or lease; or</li> <li>v) the activity does not have a greater physical impact on native title than that which is already permitted under the reserve or lease</li> </ul>	S24JA	
9.	<b>Facilities for services to the public</b> An act which: <ul style="list-style-type: none"> <li>i) permits or requires; or</li> <li>ii) consists of the construction, operation, use, maintenance or repair of one of the below infrastructure facilities.</li> </ul> <ul style="list-style-type: none"> <li>› a road, railway, bridge or other transport facility (excluding airport or port);</li> <li>› a navigation marker or other navigational facility;</li> <li>› an electricity transmission or distribution facility;</li> <li>› lighting of streets or other public places;</li> <li>› a gas transmission or distribution facility;</li> <li>› a well or a bore for obtaining water;</li> <li>› a pipeline or other water supply;</li> <li>› a drainage facility or a levee or other device for management of water flows;</li> <li>› an irrigation channel or other irrigation facility;</li> <li>› a sewerage facility other than a treatment facility;</li> <li>› a cable antenna, tower or other communication facility; or</li> <li>› anything else that is similar to any of the above.</li> </ul> The facility must be operated for the general public and native title holders must have reasonable access to the land or waters in the vicinity of the facility.	S24KA	

10.	<b>Low Impact Acts</b> The proposed activity: <ul style="list-style-type: none"> <li>i) is to be done on land over which there is <b>NOT</b> a determination of native title and the act will not continue after a determination is made; and</li> <li>ii) is <b>NOT</b> one which involves: <ul style="list-style-type: none"> <li>› the grant of freehold title or a lease;</li> <li>› mining (however, fossicking using hand held tools can be low impact)</li> <li>› construction or placing of a building, structure or other fixture (however, putting up a fence or gate may be a low impact act);</li> <li>› disposing or storing any garbage, poisonous, toxic or hazardous substance;</li> <li>› excavation or clearing (exception – clearing to protect public health or safety, tree lopping, clearing of noxious or introduced plants or animals, foreshore reclamation, regeneration or environmental assessment work).</li> </ul> </li> </ul>	S24LA	
11.	<b>Legislative acts that could be done on freehold</b>	S24MA	
12.	<b>Compulsory acquisition and other things which can be done on freehold</b> The act either: <ul style="list-style-type: none"> <li>a) involves making, amending or repealing legislation (including local laws and planning schemes); or</li> <li>b) could be done lawfully on the land even if it was held by the native title holders under freehold title. This alternative includes the compulsory acquisition of native title if it is an act for a purpose for which Council ordinarily has compulsory acquisition powers (see Schedule 1 of the <i>Acquisition of Land Act 1967</i> (Qld)).</li> </ul>	S24MB	
13.	<b>Acts affecting off-shore places</b> An area outside of boundaries of the State of Queensland	S24NA	

**STEP 4 – Making the decision**

Are any of the alternative validation provisions ticked?

☐ **Yes**

- If 'yes', the first ticked provision on the list is the one which applies. The proposed act will not be covered by a provision lower down on the list. Council must decide whether to apply the provision or opt to negotiate an ILUA.

- If applying the provision, consider what procedural rights (if any) must be afforded to the native title party (i.e. notice, right to object). These rights must be afforded to ensure compliance with the NT Act. If unsure, refer to the Queensland Government Native Title Work Procedures.

☐ **No**

- If 'no', Council's only option is to try to negotiate an ILUA.

ILUA types

- ☐ 'body corporate' ILUA (if there is a registered native title body corporate)
- ☐ 'area agreement' ILUA (if there is not a registered native title body corporate)

ILUA check list

- ☐ Correct ILUA parties have been identified
- ☐ NT Act ILUA negotiation process has been complied with
- ☐ Native Title Party consents to the proposed act or to a category of acts into which the proposed act clearly falls
- ☐ ILUA has been signed by all parties
- ☐ ILUA has been registered with NNTT

**STEP 5 – Implementing the decision**

**Reasons for decision**

- 1876 - The land (2 acre site) was previously owned 'freehold' by Mr Wilhelm Arndt who was willing to donate the land from his 100 acre selection.
- The site was gazetted as a Reserve for a School in 1878.
- The school was established in 1879.

## 5. RECOMMENDATION AND SIGN OFF

### SUMMARY OF ASSESSMENT

- Native Title had been extinguished by a *previous* tenure (a PEPA) granted prior to 23 December 1996 (refer to Evidence Table – Appendix 1)
- 1876 - The land (2 acre site) was previously owned 'freehold' by Mr Wilhelm Arndt who was willing to donate the land from his 100 acre selection [Freehold: Native Title Extinguished] (refer to Appendix 2)
- The site was gazetted as a Reserve for a School in 1878 [School: Native Title Extinguished- Native Title Act 1993 – Schedule 1 – Part 3 Qld] – (refer Appendix 3)
- The school was established in 1879.

### RECOMMENDATION

- Proposal to surrender the property back to the State may proceed without further reference to Native Title (*future acts*) compliance assessments.
- Transferring trusteeship of the facility to SLFA may proceed without further reference to Native Title (*future acts*) compliance assessments.

### NAME AND TITLE OF OFFICER WHO COMPLETED ASSESSMENT

**Name:** Tina-Maree Longford

**Title:** Native Title & Cultural Heritage Officer

**Department:** Environment and Sustainability

**Branch:** Natural Environment and Land Management

**Date:** 29 July 2024

### ASSESSMENT APPROVAL

#### Concurrence received

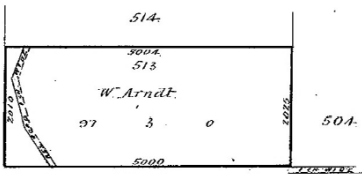
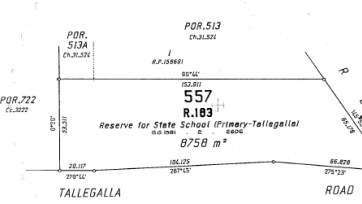
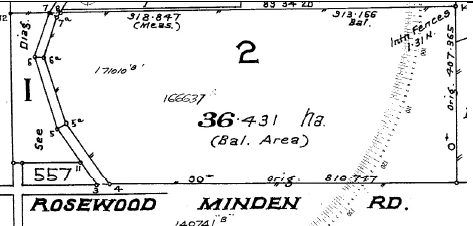
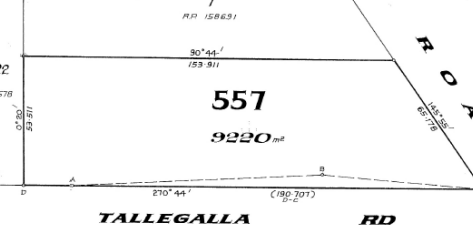
I have reviewed and concur with the Summary and Recommendation outlined in this Assessment.

Signed: Kaye Cavanagh Date: 29/07/24

Name: Kaye Cavanagh

Title: General Manager, Environment and Sustainability Department

**APPENDIX 1: Evidence Table**

Appendix 2	Wilhelm Arndt  Lot 513	Land Purchase (freehold) 16.05.1872 97 acres  	Deed Of Grant 10317052
Appendix 3	Lot 557  Subdivided from Lot 513	Reserve for State School  	CC3247
Appendix 4	Remaining of Lot 513 cancelled to Lot 1 & Lot 2		RP158691
Appendix 5	Previously 557CC3247 changed to 557CC3651		CC3651
Appendix 6	Reserve for Heritage, Historical and Cultural Purposes	Current Title Search ICC Trustee (11.12.1998)	557CC3651

APPENDIX 2: Deed of Grant 10317052

10317052 V0 See ATS for Status Page 1 of 2

No. 56292  
County Churcchill  
Parish Walloon  
Date of Purchase 16<sup>th</sup> May 1872  
Area 97<sup>ac</sup> 3<sup>rs</sup> 0<sup>ps</sup>

QUEENSLAND.  
**A. LAND PURCHASE.**

BEFORE, by the Queen of Great Britain and Ireland, Queen, Defender of the Faith,  
and so forth:—  
TO ALL to whom these Presents shall come, Greeting:—

WHEREAS, in conformity with the Regulations now in force for the Sale of Crown Lands in Our Territory of Queensland, \_\_\_\_\_  
Wilhelm Arndt  
has become the Purchaser of the Land hereinafter described, for the Sum of Fifteen pounds twelve shillings and six pence Sterling.  
Now Know Ye, That for and in consideration of the said Sum, for and on Our behalf well and truly paid into the Colonial Treasury of Our said Territory, before these Presents are issued, And in further consideration of the Quit-Rent hereinafter reserved, We, with the advice of Our Executive Council of Queensland, have granted, and for Us, Our Heirs and Successors, do hereby Grant unto the said \_\_\_\_\_  
Wilhelm Arndt  
his Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, All that Piece or Parcel of Land in Our said Territory, containing by Admeasurement ninety seven acres, three rods be the same more or less, situated in the County of Churcchill and Parish of Walloon.

Selection Two thousand two hundred and seventy, Spewick district, Portion Five hundred and thirteen, Commencing on a road one chain wide at the Southwest corner of portion five hundred and four and bounded thence on the East by part three of bearing North twenty chains and twenty five links on the North by portion five hundred and fourteen bearing West fifty chains and four links on the West by a line bearing South twenty chains and ten links and on the South by a line bearing East fifty chains to the point of commencement; exclusive of two acres one rod for a reserved road one chain wide as shown on plan of survey deposited in the Surveyor General's Office, being the land purchased under the 71<sup>st</sup> Section of The Crown Lands Alienation Act of 1863.

To Have unto the said Wilhelm Arndt with all the Rights and Appurtenances whatsoever thereto belonging:—  
his Heirs and Assigns for ever,  
Yielding and paying therefor Yearly unto Us, Our Heirs and Successors, the Quit-Rent of One Penny per acre for ever, if demanded: Provided nevertheless, and We do hereby Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time being of Our said Territory, or some person by him authorised in that respect; And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such Materials; And We do hereby further Reserve unto Us, Our Heirs and Successors, the right of fall and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: In Testimony whereof We have caused this Our Grant to be Sealed with the Seal of Our said Territory.

WITNESS Our Trusty and well-beloved Sir ARTHUR EDWARD KENNEDY, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the Colony of QUEENSLAND and its Dependencies, at Government House, Brisbane, in QUEENSLAND aforesaid, this fourth day of February in the fifty first year of Our Reign, and in the year of our Lord One thousand eight hundred and seventy eight.

Arthur Kennedy  
GOVERNOR

Vol. 5 317 Vol. 52  
10317052  
ENTERED in the Register Book  
day of February, Vol. 34, Folio 53, this fourteenth day of February 1872.

SH Arndt  
Deft REGISTRAR-GENERAL.

No 26054 Bill of Mortgage produced 14 Jan 1891  
at 10.30 a.m., registered 14 Jan 1891  
from William Bennett to John Bennett  
principal sum of £100 repayable 24 June 1892  
interest at the rate of 5 per centum per annum  
payable yearly

No 765385 RECORD OF DEATH of John  
Angreaves on 15 Sep 1919  
as appears by Probate Copy of Will  
Produced 23 Mar 1920 at 12.17 pm Entered 14  
Apr 1920  
John Bennett  
Dea. Registrar of Titles.

No 24055 Bill of Mortgage produced 7 Feb  
1891 at 2.0 p.m. registered 7 Feb 1891  
from William Bennett to John Bennett  
principal sum of £100 repayable 24 June 1892  
interest at the rate of 5 per centum per annum  
payable yearly

RELEASE No. 24055  
endorsed on duplicate Bill of Mortgage  
No 24055 produced 7 Feb 1891  
are handwritten grounds  
registered 7 Feb 1891  
John Bennett  
Dea. Registrar of Titles.

NEW TITLE No. 11503401  
PURSUANT to Memo of TRANSFER No. 36606 Produced  
24 June 1900 at 3.3 pm Registered 16 Aug 1900  
from William Bennett to John Bennett  
OF Wallingford in the new REISED of an Estate IN FEE  
SIMPLE in the WHOLE of the within land.  
Witness:  
R. Mills  
Dea. Registrar of Titles.

No 25786 Bill of Mortgage produced 31 Oct  
1894 at 11.40 a.m., registered 31 Oct 1894  
from William Bennett to Johanna  
Matilda Bennett wife of John  
principal sum of £100 repayable 24 June 1910  
and further advances  
interest at the rate of 5 per centum per annum  
payable yearly

No 741470 Bill of Mortgage produced 8 July  
1910 at 2.19 p.m., registered 8 July 1910  
from William Bennett to John Bennett  
principal sum of £100 repayable 24 June 1922  
interest at the rate of 5 per centum per annum  
payable yearly

No 765385 RECORD OF DEATH of John  
Angreaves on 15 Sep 1919  
as appears by Probate Copy of Will  
Produced 23 Mar 1920 at 12.17 pm Entered 14  
Apr 1920  
John Bennett  
Dea. Registrar of Titles.

No 36606 TRANSFER OF BILL OF MORTGAGE  
No 741470 Produced 10 Nov 1936 at 3.40 p.m.  
Registered 10 Nov 1936  
from William Bennett to John Bennett  
Witness:  
R. Mills  
Dea. Registrar of Titles.

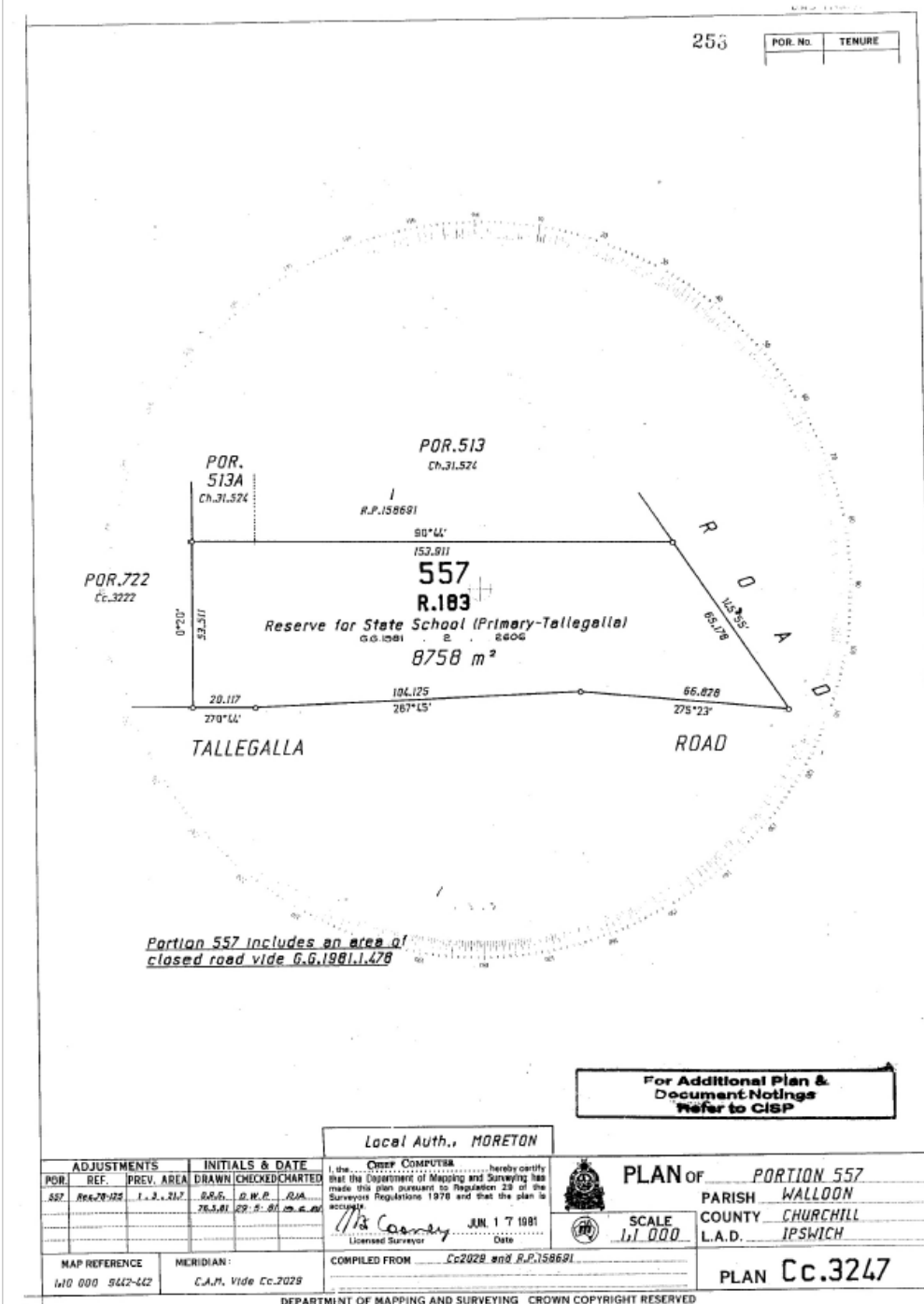
No 36606 TRANSMISSION BY DEATH  
In consequence of the death of William Bennett  
on the 17 day of Nov 1936  
his interest in Wallingford  
became transmitted to John Bennett  
by documentary evidence produced 10 day of Nov 1936  
at 3.40 p.m. entered 10 day of Nov 1936  
Witness:  
R. Mills  
Dea. Registrar of Titles.

No 36606 TRANSMISSION BY DEATH In consequence of the  
death of the above-named William Bennett  
on the 17 day of Nov 1936 an estate in fee-simple in the within  
land became transmitted to John Bennett  
as devised in trust  
as appears by Probate Copy of Will and documentary evidence  
Produced 21 Dec 1936 at 3.40 p.m. Entered 23 Dec 1936  
Subject to Bill of Mortgage No 741470  
Witness:  
R. Mills  
Dea. Registrar of Titles.

No 36606 TRANSFER of the whole of the land to  
Carola James Yates  
Produced 27 Nov 1936 at 11.10 a.m. registered 27 Nov 1936  
Cancelled in full vide Vol 1077 Fol 64  
Witness:  
R. Mills  
Dea. Registrar of Titles.

**APPENDIX 3: Survey Plan CC3247 (Lot 557 - reserve for State School)**

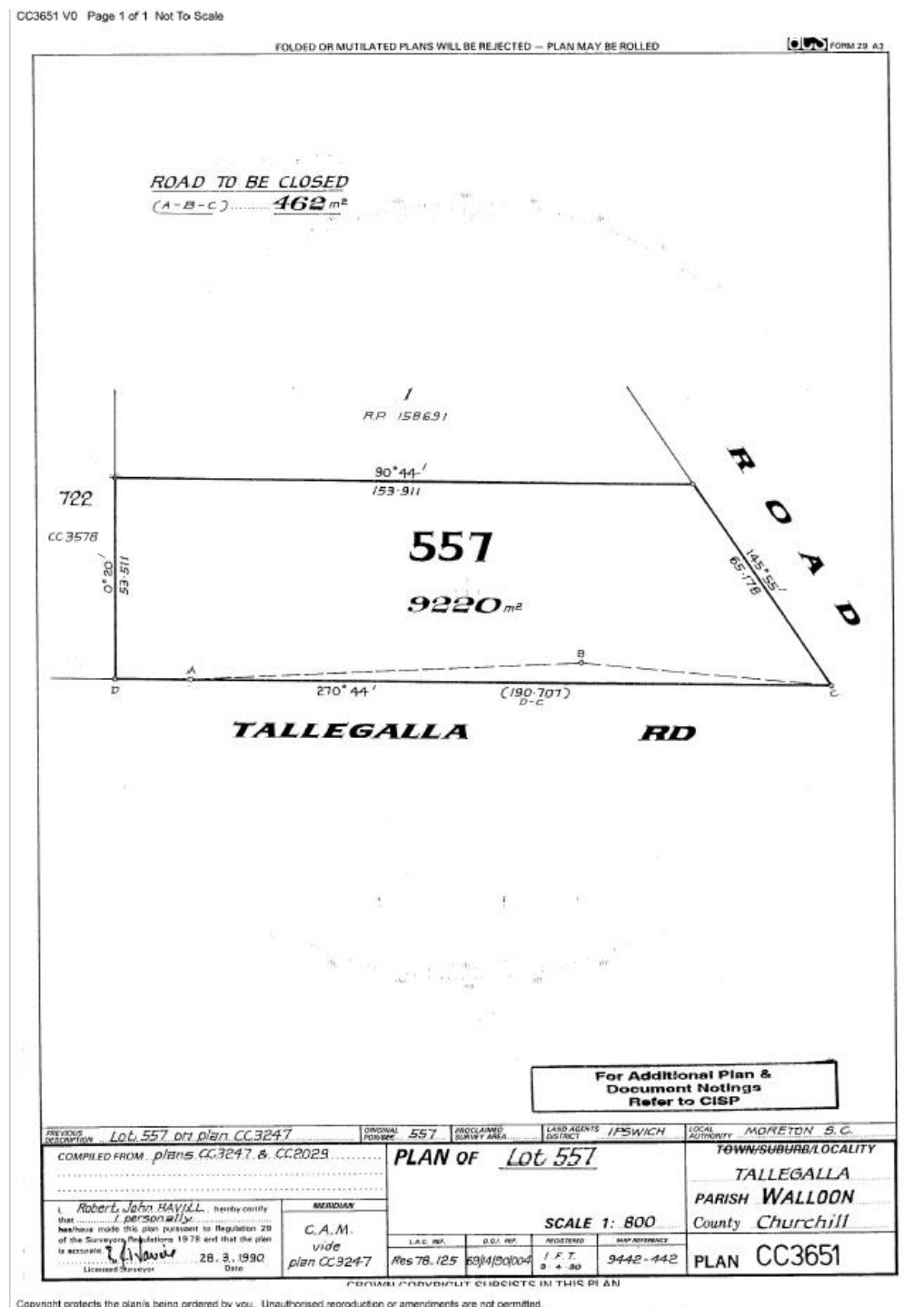
CC3247 V0 Page 1 of 1 Not To Scale



Copyright protects the plan as herein rendered by you. Unauthorised reproduction or amendments are not permitted.



**APPENDIX 5: Survey Plan CC3651 (1990)**



**APPENDIX 6: Current Title Reserve Search - 557CC3651 (1998)**

INTERNAL CURRENT RESERVE SEARCH  
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 17/07/2024 08:32

Title Reference: 49101239  
Date GAZETTED: 11/12/1998  
PAGE: 1299-1300

Opening Ref: RES 78/125  
Purpose: HERITAGE, HISTORICAL AND CULTURAL PURPOSES  
Sub-Purpose:  
Local Name:  
Address: CNR TALLEGALLA & TWO TREE HILL RDS, MARBURG QLD 4346  
File Ref: RES

TRUSTEES

IPSWICH CITY COUNCIL Gazetted on 11/12/1998 Page  
1299-1300  
SOUTH STREET, IPSWICH QLD 4305

LAND DESCRIPTION

LOT 557 CROWN PLAN CC3651 Gazetted on 11/12/1998 Page 1299-1300  
Local Government: IPSWICH

Area: 0.922000 Ha. (SURVEYED)

EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
703233788	HERITGE SITE	18/03/1999 15:13	CUR	BE-GEN -00
QUEENSLAND HERITAGE ACT 1992				
UNREGISTERED DEALINGS - NIL				

\*\* End of Current Reserve Search \*\*

**APPENDIX 7: DSDSATSIP Database Search Results #164404**



## Cultural Heritage Database and Register Search Report

**Search report reference number: 164404**

The Aboriginal and Torres Strait Islander Cultural Heritage Database (cultural heritage database) and Aboriginal and Torres Strait Islander Cultural Heritage Register (cultural heritage register) have been searched in accordance with the location description provided, and the results are set out in this report.

The cultural heritage database is intended to be a research and planning tool to help Aboriginal and Torres Strait Islander parties, researchers, and other persons in their consideration of the cultural heritage values of particular areas.

The cultural heritage register is intended to be a depository for information for consideration for land use and land use planning, and a research and planning tool to help people in their consideration of the Aboriginal cultural heritage values of particular objects and areas.

Aboriginal or Torres Strait Islander cultural heritage which may exist within the search area is protected under the [Aboriginal Cultural Heritage Act 2003](#) and the [Torres Strait Islander Cultural Heritage Act 2003](#) (the Cultural Heritage Acts), even if the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (the Department) has no records relating to it.

The placing of information on the database is not intended to be conclusive about whether the information is up-to-date, comprehensive or otherwise accurate.

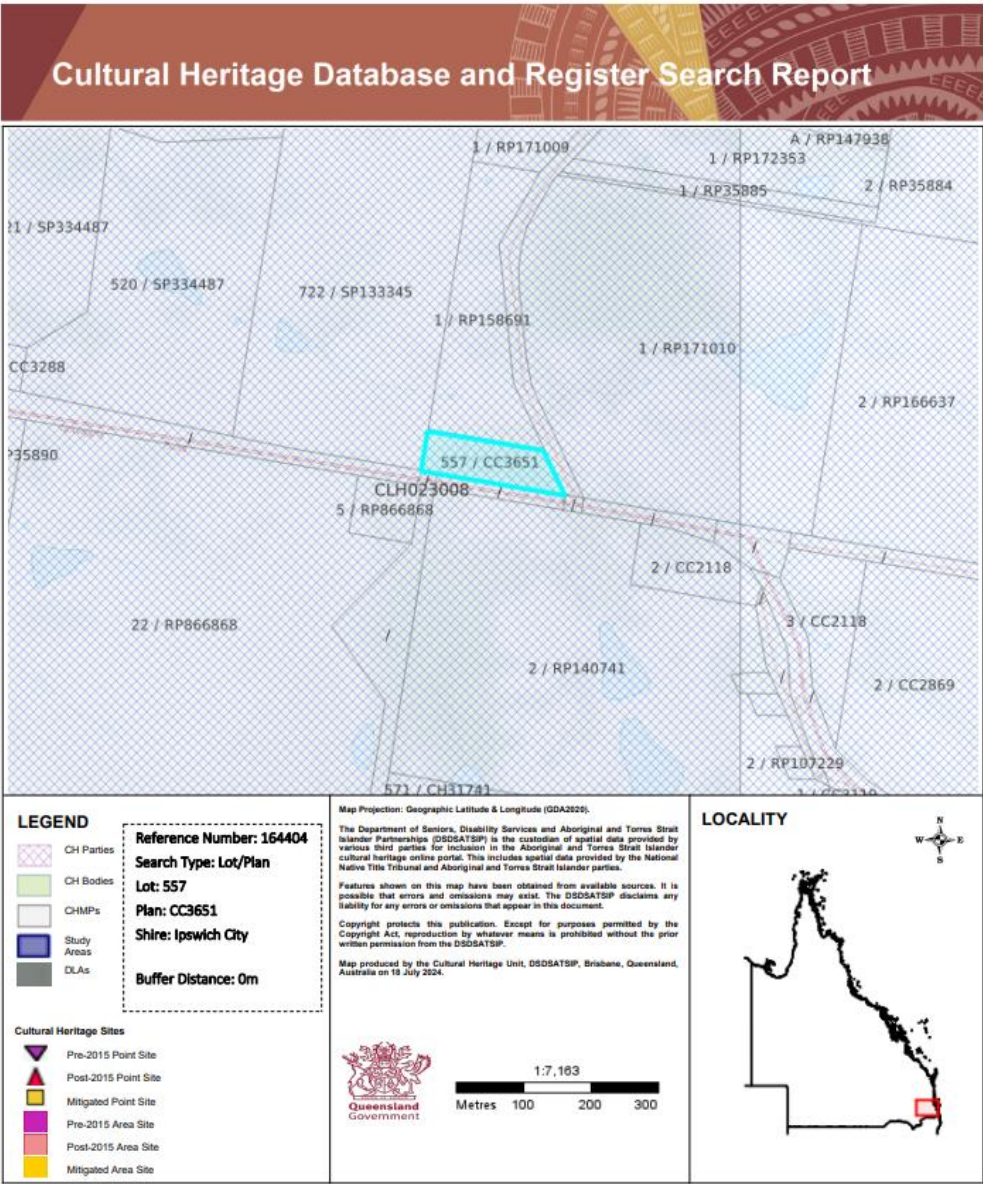
Under the Cultural Heritage Acts, a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal or Torres Strait Islander cultural heritage. This applies whether or not such places are recorded in an official register and whether or not they are located on private land.

Please refer to the Department website <https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care> to obtain a copy of the gazetted Cultural Heritage Duty of Care Guidelines, which set out reasonable and practicable measure for meeting the cultural heritage duty of care.

In order to meet your duty of care, any land-use activity within the vicinity of recorded cultural heritage should not proceed without the agreement of the Aboriginal or Torres Strait Islander Party for the area, or by developing a Cultural Heritage Management Plan under Part 7 of the Cultural Heritage Acts.

The extent to which the person has complied with Cultural Heritage Duty of Care Guidelines and the extent the person consulted Aboriginal or Torres Strait Islander Parties about carrying out the activity – and the results of the consultation – are factors a court may consider when determining if a land user has complied with the cultural heritage duty of care.

Should you have any further queries, please do not hesitate to contact the department via email: [cultural.heritage@dssatsip.qld.gov.au](mailto:cultural.heritage@dssatsip.qld.gov.au) or telephone: 1300 378 401.



Cultural Heritage Database and Register Search Report

There are no Aboriginal or Torres Strait Islander cultural heritage site points recorded in your specific search area.

There are no Aboriginal or Torres Strait Islander cultural heritage site polygons recorded in your specific search area.

Cultural Heritage Party/ies for the area:

Reference No.	Federal Court No.	Name	Contact Details
QC2017/005	QUD213/2017	Yuggera Ugarapul People	Yuggera Ugarapul People Parallax Legal PO Box 461 MORNINGSIDE QLD 4170  Mobile: 0400 880 773 Email: cassie.lang@parallaxlegal.com.au

There are no Cultural Heritage Bodies recorded in your specific search area.

Cultural Heritage Management Plans (CHMPs) for the area:

Departmental Reference No.	Project	Sponsor	Party	Registration Date
CLH023008	Approved CHMP - Within Energy Project	Within Energy	Yuggera Ugarapul People claimant application (QC2017/005; QUD213/2017)	May 17, 2023

There are no Designated Landscape Areas (DLA) recorded in your specific search area.

There are no Registered Cultural Heritage Study Areas recorded in your specific search area.

There are no National Heritage Areas (Indigenous values) recorded in your specific search area.

## Cultural Heritage Database and Register Search Report

### Glossary

**Cultural Heritage Body:** An entity registered under Part 4 of the Cultural Heritage Acts as an Aboriginal or Torres Strait Islander cultural heritage body for an area. The purpose of a cultural heritage body is to:

- identify the Aboriginal or Torres Strait Islander parties for an area
- serve as the first point of contact for cultural heritage matters.

**Cultural Heritage Management Plan (CHMP):** An agreement between a land user (sponsor) and Traditional Owners (endorsed party) developed under Part 7 of the Cultural Heritage Acts. The CHMP explains how land use activities can be managed to avoid or minimise harm to Aboriginal or Torres Strait Islander cultural heritage.

**Cultural Heritage Party:** Refers to a native title party for an area. A native title party is defined as:

- Registered native title holders (where native title has been recognised by the Federal Court of Australia).
- Registered native title claimants (whose native title claims are currently before the Federal Court of Australia).
- Previously registered native title claimants (the 'last claim standing') are native title claims that are no longer active and have been removed from the Register of Native Title Claims administered by the National Native Title Tribunal. Previously registered native title claimants will continue to be the native title party for that area providing:
  - o there is no other registered native title claimant for the area; and
  - o there is not, and never has been, a registered native title holder for the area.

The native title party maintains this status within the external boundaries of the claim even if native title has been extinguished.

**Cultural heritage site points (pre 2015):** Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data **before** 1 July 2015.

**Cultural heritage site points (post 2015):** Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data **after** 1 July 2015.

**Cultural heritage site points (post 2015 mitigated):** Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as point data after 1 July 2015 where the recorder has advised the department that the site has been mitigated.

**Cultural heritage site polygons:** Aboriginal and Torres Strait Islander cultural heritage sites and places recorded in the database as a polygon.

**Designated Landscape Areas (DLA):** Under the repealed *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*, an area was declared a 'designated landscape area' (DLA) if it was deemed necessary or desirable for it to be preserved or to regulate access.

**Indigenous Protected Areas (IPA):** Areas of land and sea managed by Indigenous groups as protected areas for biodiversity conservation through voluntary agreements with the Australian Government. For further information about IPAs visit <https://www.environment.gov.au/land/indigenous-protected-areas>

**National Heritage areas:** Places listed on the National Heritage List for their outstanding heritage significance to Australia and are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. For further information about the National Heritage List visit <https://www.environment.gov.au/heritage/about/national>

**National Heritage Areas (Indigenous values):** Places listed on the National Heritage list (Indigenous values) are recognised for their outstanding Indigenous cultural heritage significance to Australia and are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. These areas are now included in the cultural heritage



register.

**Registered Cultural Heritage Study Areas:** Comprehensive studies of Aboriginal and or Torres Strait Islander cultural heritage in an area conducted under Part 6 of the Cultural Heritage Acts for the purpose of recording the findings of the study on the register.

**Traditional Use of Marine Resources Agreement (TUMRA):** Areas subject to agreement between Great Barrier Reef Traditional Owners and the Australian and Queensland governments on the management of traditional use activities on their sea country. For further information about TUMRAs visit <https://www.gbrmpa.gov.au/our-partners/traditional-owners/traditional-use-of-marine-resources-agreements>

**World Heritage Areas:** Places inscribed on the World Heritage List pursuant to the World Heritage Convention adopted by the United Nations Education, Scientific and Cultural Organisation (UNESCO) and are protected under the [Environment Protection and Biodiversity Conservation Act 1999](#). For further information about World Heritage places in Queensland visit <https://parks.des.qld.gov.au/management/managed-areas/world-heritage-areas>

**Disclaimer:** *The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships is the custodian of spatial data and information provided by various third parties for inclusion in the Aboriginal and Torres Strait Islander cultural heritage online portal. This includes spatial data provided by the National Native Title Tribunal and Aboriginal and Torres Strait Islander parties. Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships is not responsible for the accuracy of information provided by third parties or any errors in this search report arising from such information.*

**APPENDIX 8:** Registered Native Title Claim for Ipswich Local Government Area



## Extract from Schedule of Native Title Applications

<b>Application Reference:</b>	Federal Court number: QUD213/2017 NNTT number: QC2017/005
<b>Application Name:</b>	Kevin Fernando & Ors on behalf of the Yuggera Ugarapul People and State of Queensland & Ors (Yuggera Ugarapul People)
<b>Application Type:</b>	Claimant
<b>Application filed with:</b>	Federal Court of Australia
<b>Date application filed:</b>	07/04/2017
<b>Current stage(s):</b>	Notification Complete
<b>Registration information:</b>	Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.  <b>Date claim entered on Register of Native Title Claims:</b> 04/08/2017 <b>Registration decision status:</b> Accepted for registration <b>Registration history:</b> Registered from 4/08/2017
<b>Applicants:</b>	Kevin Fernando, Samantha Lee Carr, David John Conlon, Wade Scott Thompson, Tamala Coolwell, Shannon (Ben) Thompson, Tanya-Dee Bonner, Kruze Summers, Craig Egert, Teresa Watterson
<b>Address(es) for Service:</b>	Michael Allbrook Queensland South Native Title Services Level 4, 293 Queen Street (PO Box 10832, Adelaide Street, Brisbane, QLD, 4001) Brisbane QLD 4000 <b>Phone:</b> 07 3224 1200 <b>Fax:</b> 07 3229 9880
<b>Additional Information</b>	Not applicable

**Persons claiming to hold native title:**

Those persons who are descendants of the following Apical Ancestors and who identify and are recognised under the traditional laws and customs of the Yuggera Ugarapul People as Yuggera Ugarapul:

- Janie/Janey Billie/Billy (mother of Harry Thompson and Daisy Moreton (nee Thompson));
- Billy Turner (father of Amy Turner);
- Jackey Harvey (father of Emily Harvey the mother of Robert Anderson Snr);
- Thomas Duggandan/Anderson (the father of Robert Anderson Snr);
- Topsy of Ipswich (mother of Jimmy Edwards Jnr);
- Ted Myer/Meyers/Myers (father of Elsie Richards);
- Molly Myers (nee Crow) (mother of Elsie Richards);
- Roger Bell;
- Stanley Bell;
- Maggie McCarthy;
- Annie and Jerry Ben;
- Bella Morgan / Collins;
- George Beckett.

**Native title rights and interests claimed:**

1. Where claimable, including where sections 47, 47A or 47B of the *Native Title Act* 1993 (Cth) applies to an area, the right to possess, occupy, use and enjoy the land and waters covered by the application to the exclusion of all others.
2. Over areas where a claim to exclusive possession cannot be recognised, the following non-exclusive native title rights and interests are claimed:
  - a. access, be present on, move about on and travel over the area;
  - b. camp on the area, and for that purpose erect temporary shelters on the area;
  - c. hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
  - d. take, use and share Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
  - e. take and use the Water of the area for personal, domestic and non-commercial communal purposes;
  - f. participate in cultural activities on the area;
  - g. hold meetings on the area;
  - h. maintain places of importance and areas of significance to the native title holders under their traditional laws and customs to protect those places and areas from physical harm;
  - i. teach on the area the physical and spiritual attributes of the area;
  - j. light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation;
  - k. be buried and bury native title holders within the area.

**Application Area:**

**State/Territory:** Queensland  
**Brief Location:** Area west of Brisbane, South East Queensland  
**Primary RATSIB Area:** Southern and Western Queensland Region  
**Approximate size:** 6150.3156 sq km  
(Note: There may be areas within the external boundary of the application that are not claimed.)  
**Does Area Include Sea:** No

**Area covered by the claim (as detailed in the application):**

1. The boundaries of the area covered by the application area are shown on the map attached and marked "**Attachment C**" and a written description of the boundaries of the area covered by the application is attached and marked "**Attachment B**".
2. Subject to paragraphs 4 and 5, the areas of land and waters within the boundaries referred to in 1 above that are not covered by the application are:
  - a. any area that is or has been subject to any of the following:
    - i. scheduled interest;
    - ii. a freehold estate;
    - iii. a commercial lease that is neither an agricultural lease nor a pastoral lease;
    - iv. an exclusive agricultural lease or an exclusive pastoral lease;

- v. a residential lease;
  - vi. a community purpose lease;
  - vii. a lease dissected from a mining lease and referred to in s.23B(2)(c)(vii) of the *Native Title Act 1993* (Cth);
  - viii. any lease (other than a mining lease) that confers a right of exclusive possession over particular land or waters; which was validly granted or vested on or before 23 December 1996.
  - b. any other area in relation to which native title rights and interests have otherwise been wholly extinguished.
3. Subject to paragraphs 4 and 5, the land and waters the subject of the application do not include any land or waters covered by the valid construction or establishment of any public work (as defined by the *Native Title Act 1993* (Cth)), where the construction or establishment of the public work commenced on or before 23 December 1996.
4. Subject to paragraph 6, where the act specified in paragraphs 2 or 3 falls within the provision of:
- a. s.23B(9) – Exclusion of acts benefiting Aboriginal Peoples or Torres Strait Islanders;
  - b. s.23B(9A) – Establishment of a national park or state park;
  - c. s.23B(9B) – Acts where legislation provides for non-extinguishment; and
  - d. s.23B(10) – Exclusion by regulation
- the land and waters covered by the act are not excluded from the application.
5. Where an act specified in paragraphs 2 or 3 affects or affected land and waters referred to in:
- a. s.47 – Pastoral leases held by or on behalf of [sic], or as trustee for any of the native title claim group;
  - b. s.47A – Reserves etc. covered by the claimant application; and
  - c. s.47B – Vacant Crown land covered by the claimant application
- the land or waters covered by the act are not excluded from the application.
6. Where there is any discrepancy between the map provided at “**Attachment C**” and the written description contained here and in “**Attachment B**”, the latter shall prevail.

**Attachments:**

- 1. External Boundary Description, Attachment B of the application, 4 pages - A4, 08/09/2023
- 2. Map of Application Area, Attachment C of the Application, 1 page - A4, 08/09/2023

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End of Extract

APPENDIX 9: Registered Native Title Claim Boundary Map

