



City of
Ipswich

AGENDA

FINANCE AND GOVERNANCE COMMITTEE

Tuesday, 15 October 2024

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

Council Chambers, Level 8
1 Nicholas Street, Ipswich

MEMBERS OF THE FINANCE AND GOVERNANCE COMMITTEE

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

Mayor Teresa Harding
Deputy Mayor Nicole Jonic
Councillor Andrew Antonioli
Councillor Jim Madden
Councillor Marnie Doyle

FINANCE AND GOVERNANCE COMMITTEE AGENDA

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FINANCE AND GOVERNANCE COMMITTEE NO. 2024(05)

15 OCTOBER 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(04) OF 3 SEPTEMBER 2024**

RECOMMENDATION

That the minutes of the Finance and Governance Committee held on 3 September 2024 be confirmed.

OFFICERS' REPORTS

2. ****PROCUREMENT: DISPOSAL OF VALUABLE NON-CURRENT ASSET LEASES - 235 SMITHS ROAD, REDBANK**

This is a report concerning the procurement and recommendation of a proposed new sub lease of the following facility between Ipswich City Council (Council) and the below listed organisation.

22250	Redbank Collingwood Park Sports Complex	Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness
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RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender 22250 for the disposal of an interest in land to the recommended organisation (lessee), for the management and operation of the below facility.

Tender	Location	Lot / Plan	Lessee
22250	Redbank Collingwood Park Sports Complex 235 Smiths Road, Redbank	Lot 1 on SP221978 & Lot 4 on SP148559	Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness

- B. That Council enter into a sublease with the Lessee:
- (i) at an annual rent excluding GST, payable to Council; and
 - (ii) for a term, as outlined below;

Tender	Lessee	Rent	Term
22250 (Option 1)	Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness	\$24,000.00 or 10% turnover, whichever is greater	10 years

- 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.

3. PROCUREMENT - WORKPLACE HEALTH AND SAFETY MANAGEMENT SOFTWARE SUBSCRIPTION

This is a report seeking a resolution by Council to enter into a contract with VelocityEHS Australia Pty Ltd (VelocityEHS) for the provision of the workplace health and safety management software system that is currently utilised as part of Council’s workplace health and safety compliance management.

The exception under section 235(a) of the *Local Government Regulation 2012* applies due to the proprietary nature of the incumbent supplier’s Workplace Health and Safety Management system meaning that there is only one supplier who is reasonably available to continue providing the system.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of the Workplace Health and Safety Management software system.
- B. That Council enter into a contractual arrangement (Council file reference 5329) with VelocityEHS Australia Pty Ltd, at an approximate purchase price of \$115,000 excluding GST over the entire term, being an initial term of one (1) year, with

options for extension at the discretion of Council (as purchaser), of an additional two (2) x one (1) year terms.

4. PROCUREMENT - WHOLE OF GOVERNMENT BANKING SERVICES

This is a report concerning Whole of Government (WoG) banking services. Queensland Treasury has recently completed an extensive tender process for banking services. The new Master Agreement (contract) for banking services includes allowance for other agencies such as Council to enter into an Agency Service Agreement/s (ASA) with the appointed service providers to procure banking services under the same terms. Councils banking services to date have been procured through such an arrangement to take advantage of the favourable terms negotiated by the State. Council now has the option to sign a Service Order, and an 'Accession Agreement' to become a party to the agreement.

RECOMMENDATION

- A. That pursuant to Section 235(f) of the *Local Government Regulation 2012* (Regulation), Council utilise government agency contractual arrangement by The State of Queensland acting through Queensland Treasury for the provision of Queensland Whole of Government Banking Services with Commonwealth Bank of Australia (Supplier) who is a party to the government agency contractual arrangement.
- B. That under the government agency contractual arrangement with Commonwealth Bank of Australia, the approximate total cost to Council is estimated to be \$7,800,000 excluding GST over the entire 11 year term, the end date of the initial term being , with current options for extension at the discretion of The State of Queensland acting through Queensland Treasury of an additional two (2) X three (3) year terms.
- C. That pursuant to Section 235(f) of the *Local Government Regulation 2012* (Regulation), Council utilise government agency contractual arrangement by The State of Queensland acting through Queensland Treasury for the provision of Queensland Whole of Government Banking Services with Australian Postal Corporation (Supplier) who is a party to the government agency contractual arrangement.
- D. That under the government agency contractual arrangement with the Australian Postal Corporation, the approximate total cost to Council is estimated to be \$1,909,000 excluding GST over the entire 11 year term, the end date of the initial term being , with current options for extension at the discretion of The State of Queensland acting through Queensland Treasury of an additional two (2) X three (3) year terms.
- E. That Council may enter into ancillary contractual arrangements with the suppliers, as allowed by the government agency contractual arrangement.

- F. 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.

5. PROCUREMENT - CONTRACT EXTENSION 13482 GROUNDS MAINTENANCE AND ASSOCIATED SERVICES

This is a report concerning the recommendation to approve a shorter extension, variation and increase expenditure for Contracts 13482-1, 13482-2, 13482-4 and 13482-5 Grounds Maintenance and Associated Services Contracts. This approval is requested to vary the existing contract extension period.

The contracts relating to this extension include:

13482-1 SKYLINE LANDSCAPE SERVICES (QLD) PTY LTD

13482-2 AUSTSPRAY ENVIRONMENTAL WEED CONTROL PTY LTD

13482-4 SAVCO VEGETATION SERVICES PTY LTD

13482-5 RIVERCITY GARDEN & LAWN PTY LTD

Approval is sought to vary the contracts of all four (4) 13482 Grounds Maintenance and Associated Services suppliers. It is requested to vary (by shortening) the remaining available twelve (12) month extension to a period of six (6) months only, which will support smoother contract transition and operational continuity. It is intended to award a new contract/s by 30 June 2025 allowing for transition between contracts prior to the commencement of the 2026 growing season.

This extension will result in increased expenditure under these contracts to an estimated combined total \$15.3M excluding GST.

RECOMMENDATION

- A. That the contractual arrangement (Council contract (13482-1) with SKYLINE LANDSCAPE SERVICES (QLD) PTY LTD; (13482-2) with AUSTSPRAY ENVIRONMENTAL WEED CONTROL PTY LTD; (13482-4) with SAVCO VEGETATION SERVICES PTY LTD and (13482-5) with RIVERCITY GARDEN & LAWN PTY LTD (Suppliers) for Grounds maintenance and Associated Services be varied as follows:
- (i) to reduce the remaining final extension option of all contracts from one (1) year, to near six (6) months (25 January 2025 to 30 June 2025), and

- (ii) to amend the estimated purchase price of all contracts from \$10,788,058.00 excluding GST to approximately \$15,300,000.00 excluding GST combined, over the entire term (amended terms per A(i) above).
 - B. That Council enter into a deed of variation with the Suppliers to appropriately amend the existing contractual arrangements.
 - 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.
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6. ****PROCUREMENT: VARIATION TO CONTRACT 16456 PROGRAM PARTNER FOR THE IPSWICH CENTRE CBD TRANSFORMATION**

This is a report concerning Council contract 16456 Program Partner for the Ipswich Centre CBD Transformation. This report provides detail regarding the requirement to vary the existing contractual arrangement between Ipswich City Council and Ranbury Management Group Pty Ltd.

RECOMMENDATION

- A. That the contractual arrangement (Council contract 16456 Program Partner for the Ipswich Centre CBD Transformation) with Ranbury Management Group Pty Ltd (Supplier) be varied as follows:
 - (i) for continuity of services already being provided under contract;
 - (ii) to amend the purchase price from \$2,971,786.80 excluding GST to approximately \$3,071,679.24 excluding GST over the entire term;
 - (iii) to extend the agreement expiry date to 30 June 2025.
 - B. That Council enter into a deed of variation with the Supplier to appropriately amend the existing contractual arrangement.
 - 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.
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7. ****PROPOSED ACQUISITIONS OF LAND FOR INF04658 RIPLEY ROAD UPGRADE - CUNNINGHAM HIGHWAY TO FISCHER ROAD**

This is a report concerning the land requirements for INF04658 Ripley Road and Fischer Road upgrade. The associated works will also include the creation of a service road and several signalised intersections (the Project).

RECOMMENDATION

- A. That pursuant to Section 5(1)(b)(i) of the *Acquisition of Land Act 1967*, Council as “constructing authority” proceed to acquire the land described in Confidential Attachment 1, for Road purpose.
- B. That in the first instance, the method of acquiring the subject land will be by agreement with the affected person/s in accordance with Division 3, *Acquisition of Land Act 1967*; however, if agreement cannot be reached, or operational timeframes intervene, the method of acquiring the subject land will be in accordance with Division 2, *Acquisition of Land Act 1967*.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “contractual action” pursuant to section 238 of the Regulation, in order to implement Council’s decision.
- D. That Council be kept informed as to the progress and outcome of the acquisitions.

8. **RENEWAL OF EXPENDITURE LEASE OVER FREEHOLD LAND LOCATED AT KARALEE SHOPPING VILLAGE, 39 JUNCTION ROAD, CHUWAR (KIOSK 1)

This is a report concerning the renewal of an expenditure lease over Kiosk 1, Karalee Shopping Village, 39 Junction Road, Chuwar (the “Kiosk”) between CVS Lane Capital Partners Pty Ltd as trustee for CVS Lane Karalee Retail Trust (Lessor) and Ipswich City Council (Council).

RECOMMENDATION

- A. That Council, as Lessee, renew the existing lease, relating to Kiosk 1, Karalee Shopping Village, 39 Junction Road, Chuwar, more particularly described as part of Lot 100 on SP318001, for library purpose (existing lease).
- B. That Council renew the existing lease (Council file reference number 6210) with CVS Lane Capital Partners Pty Ltd as trustee for CVS Lane Karalee Retail Trust (Lessor) for a further period of three (3) years:
 - (i) at a commencing annual rent of \$25,970.76 per annum excluding GST plus annual outgoings, payable by Council, with no options for extension.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “contractual action” pursuant to section 238 of the Regulation, to be authorised to implement Council’s decision.

9. **UPDATE ON PREVIOUS COUNCIL DECISION AND PROPOSED AMENDMENT TO TRUSTEE LEASE OVER 135 BRISBANE TERRACE, GOODNA

This is a report concerning a previous decision of the Governance and Transparency Committee, Item No. 10 on the 18 April 2023, and adopted at the Ordinary Council meeting on 27 April 2023; and the Amendment of the Trustee Lease over part of a Reserve located at 135 Brisbane Terrace, Goodna, described as Lease B in Lot 128 on SP178961, between Ipswich City Council (**Council**) as Trustee and Goodna and Districts Rugby League Football Club Inc. (**Goodna RL**).

In accordance with the above decision, a Trustee Lease was entered into in August 2023, at a commencing annual rent of \$11,250 ex GST, for the period 1 July 2023 to 30 June 2028 and with no options for extension. The Trustee Lease was registered on the property title on 30 October 2023.

On or about December 2023, the Mayor and the Manager, Community and Cultural Services met with Goodna RL to address concerns regarding the agreed-upon rent and the difficulties it poses amidst prevailing trading conditions.

RECOMMENDATION

- A. Council acknowledges the contents of this report and the existing Trustee Lease between Council (Trustee Lessor) and Goodna and Districts Rugby League Football Club Inc (Trustee Lessee) which continues to operate.
- B. That Recommendation C of the previous decision, being the Governance and Transparency Committee, Item No. 10 endorsed on the 18 April 2023, and adopted at the Council Ordinary meeting of 27 April 2023 be repealed.
- C. (1) After taking into consideration the factors outlined in this report, Council as Trustee Lessor, resolve to vary the Trustee Lease, (Council file reference number 5400) by amending the quantum of the commencing annual rent payable by Goodna and Districts Rugby League Club Inc (Trustee Lessee) to Council, to the amount of \$5,625 ex GST.

Or, in the alternative to Council adopting the recommendation in paragraph (1) above, Council adopts the recommendation contained below in paragraph (2);

(2) Council resolve that the current Trustee Lease between Council and Goodna and Districts Rugby League Football Club Inc continues to operate, in accordance with the terms of the executed Trustee Lease dated 22 August 2023.

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

10. FRAUD AND CORRUPTION CONTROL POLICY

This is a report concerning the review of the Fraud and Corruption Control Policy.

RECOMMENDATION

That the revised policy titled Fraud and Corruption Control Policy as detailed in attachment 2 be adopted.

11. AMENDMENTS TO CEO DELEGATIONS DUE TO LEGISLATIVE UPDATES

This is a report concerning updates to the delegations to the CEO due to recent changes to legislation.

RECOMMENDATION

- A. That the Delegations to the Chief Executive Officer as detailed in Attachment 1 to the report by the Senior Governance Officer dated 11 September 2024 be adopted.
 - B. That the delegations to the Chief Executive Officer as detailed in Attachment 2 be amended as detailed in Attachment 3.
 - C. That the delegations to the Chief Executive Officer detailed in Attachment 4 be repealed.
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12. MONTHLY FINANCIAL PERFORMANCE REPORT - AUGUST 2024

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

RECOMMENDATION

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

13. REPORT - REGULATION ADVISORY COMMITTEE NO. 2024(02) OF 1 OCTOBER 2024

This is the report of the Regulation Advisory Committee No. 2024(02) of 1 October 2024.

RECOMMENDATION

That Council adopt the recommendations of the Regulation Advisory Committee No. 2024(02) of 1 October 2024.

NOTICES OF MOTION

MATTERS ARISING

FINANCE AND GOVERNANCE COMMITTEE NO. 2024(04)

3 SEPTEMBER 2024

MINUTES

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jacob Madsen (Deputy Chairperson), Mayor Teresa Harding, Deputy Mayor Nicole Jonic, Andrew Antonioli, Jim Madden and Councillor Pye Augustine (Observer) and Councillor Marnie Doyle (Observer)

COUNCILLOR'S APOLOGIES:

Nil

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), Chief Financial Officer (Jeff Keech), Property Services Manager (Alicia Rieck), Senior Property Officer Tenure (Kerry Perrett), Goods and Services Category Manager (Tim Steinhardt), Senior Communications and Policy Officer (Jodie Richter), Manager, Media, Communications and Engagement (Mark D. Strong), Safe City and Asset Protection Manager (Larry Waite), Coordinator, Communications (Lucy Stone), Senior Media Officer (Darrell Giles), Chief of Staff – Office of the Mayor (Melissa Fitzgerald) and Theatre Technician (Harrison Cate)

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor Nicole Jonic 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(03) OF 13 AUGUST 2024**

RECOMMENDATION

Moved by Councillor Andrew Antonioli:

Seconded by Deputy Mayor Nicole Jonic:

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

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

- 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.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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.

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

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Deputy Mayor Nicole Jonic:

- 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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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.

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

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Deputy Mayor Nicole Jonic:

That 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).

Councillor Jim Madden proposed the following amendment to the recommendation:

That Council receive the report regarding 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) with the report to be held over to a future meeting of the Finance and Governance Committee to allow a time for the council officers to undertake community consultation via Shape Your Ipswich.

RECOMMENDATION

Moved by Councillor Jim Madden:

Seconded by Councillor Andrew Antonioli:

That Council receive the report regarding 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) with the report to be held over to a future meeting of the Finance and Governance Committee to allow a time for the council officers to undertake community consultation via Shape Your Ipswich.

Mayor Teresa Harding proposed the following variation to the motion to replace the words 'via Shape Your Ipswich' to 'in line with the Community Engagement Policy':

The mover and seconder of the amended motion agreed to the proposed variation.

RECOMMENDATION

Moved by Councillor Jim Madden:

Seconded by Councillor Andrew Antonioli:

That Council receive the report regarding 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) with the report to be held over to a future meeting of the Finance and Governance Committee to allow a time for the council officers to undertake community consultation in line with the Community Engagement Policy.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. MEMBERSHIP OF THE FINANCE AND GOVERNANCE COMMITTEE

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antoniolli:

**That pursuant to section 7 of the Ipswich City Council Terms of Reference,
Councillor Marnie Doyle be appointed as a member of the Finance and
Governance Committee**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 10.11 am.

The meeting closed at 10.41 am.

Doc ID No: A10637587

ITEM: 2

SUBJECT: PROCUREMENT: DISPOSAL OF VALUABLE NON-CURRENT ASSET LEASES -
235 SMITHS ROAD, REDBANK

AUTHOR: GOODS AND SERVICES CATEGORY MANAGER

DATE: 29 FEBRUARY 2024

EXECUTIVE SUMMARY

This is a report concerning the procurement and recommendation of a proposed new sub lease of the following facility between Ipswich City Council (Council) and the below listed organisation.

22250	Redbank Collingwood Park Sports Complex	Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness
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RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender 22250 for the disposal of an interest in land to the recommended organisation (lessee), for the management and operation of the below facility.**

Tender	Location	Lot / Plan	Lessee
22250	Redbank Collingwood Park Sports Complex 235 Smiths Road, Redbank	Lot 1 on SP221978 & Lot 4 on SP148559	Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness

- B. That Council enter into a sublease with the Lessee:**
- (i) at an annual rent excluding GST, payable to Council; and
 - (ii) for a term, as outlined below;

Tender	Lessee	Rent	Term
22250 (Option 1)	Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness	\$24,000.00 or 10% turnover, whichever is greater	10 years

- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “contractual**

action” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

RELATED PARTIES

Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness (ABN 21 120 208 255)

There was a Conflict of Interest declared, this is addressed in Confidential Attachment 1.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Council is committed to overseeing and providing community infrastructure to dedicated and proactive community organisations to facilitate programs and services to activate, promote and support the challenges and demands of the Ipswich community.

Council is approached by an increasing number of organisations seeking assistance and allocation of facilities for community, social, sport and recreation purposes. Due to the level of interest in facility space and to ensure a fair and equitable process, it was recommended Council take an open market Request for Tender (RFT) approach to engage a Lessee/s for the management and operation of the following four (4) community infrastructure facilities (the Facilities):

1. Langley Park Hall – 7 Bruce Lane, Camira
2. Camira Springfield Community Centre – 389 Logan Road, Springfield.
3. Riverview and District Community Centre – 138 Old Ipswich Road, Riverview.
4. Redbank Collingwood Park Sports Complex – 235 Smiths Road, Redbank.

The recommendation for the disposal of Facilities 1 and 2 listed above, was presented to, and adopted by, Council in the full Council meeting on 25 January 2024, item 14.6. Appropriate action is being taken to implement the Council decision.

Please see Confidential Attachment 1 for full details of the procurement process. A synopsis of the process is detailed below:

- The RFT was released to the open market on 25 August 2023 and closed on 6 October 2023.
- Site visits were undertaken on 06 September 2023.
- Two (2) requests for clarification were issued during the RFT period.
- Council received six (6) submissions for Langley Park Hall and two (2) submissions each for Camira Springfield Community Centre, Riverview and District Community Centre and Redbank Collingwood Park Sports Complex.

- The evaluation panel undertook a separate evaluation for each facility and recommended preferred operators for three (3) of the four (4) facilities, recommending not to award Riverview and District Community Centre.
- Community and Cultural Services Branch will further explore options for the activation of the Riverview and District Community Centre.

Redbank Collingwood Park Sports Complex

The below options are proposed for Council’s consideration and resolution:

Terms	Option 1	Option 2
Agreement:	Sublease	Sublease
Term	10 Years	5 Years
Commencement Date:	1 May 2024	1 May 2024
Expiry Date:	30 April 2034	30 April 2029
Options:	Nil	Nil
Rent:	\$24,000 or 10% Turnover plus GST, whichever is greater	\$24,000 or 10% Turnover plus GST, whichever is greater
Capital Improvements	\$200,000 expenditure on capital improvements to the facility by trustee lessee. Should capital improvements not be completed by the due date, the trustee lessee must pay to the trustee (Council) the amount of \$200,000 by 28 February 2025.	Nil
Maintenance	All Repairs and Maintenance with the exception of structural repairs and maintenance.	
Permitted Use:	The management and operation of an Indoor Sports Complex and Associated Administration (including fundraising activities) not inconsistent with the purpose of the land, being “Recreation”.	

Redbank Collingwood Park Sports Complex is currently operated and managed as a commercial operation by Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness, offering gym memberships, gymnastics classes and school holiday programs.

Council received two (2) submissions for the operation of the facility, both submissions proposed activations of a commercial nature. The evaluation panel have recommended Australian Crawl (Goodna) Pty Ltd t/a Just Sports n Fitness as the preferred operator as they have demonstrated suitable facility management and operational experience in their submission, their proposal maximises the optimisation of the facility with a multi-disciplinary

approach which is accessible to a large portion of the community, and they have demonstrated a sustainable business model, not reliant on grants.

Just Sports n Fitness have requested a 10-year lease term with a 5-year option. In requesting the extended lease term, they have proposed \$200,000 worth of capital upgrades to the facility and \$300,000 worth of equipment, which they will retain at the end of the tenancy.

Council leases this facility from the Queensland Department of Resources. To be utilised for a commercial use the Department of Resources charges Council \$24,000.00 per annum. The evaluation panel have recommended the proposed annual rent for the facility be \$24,000.00 or 10% turnover, whichever is greater. This allows Council to be guaranteed to recover costs and 10% turnover is consistent with Councils Tenure over Property Policy.

Ipswich 2032 Legacy Roadmap

Identification, activation and leveraging of new and or existing assets to further the health and well-being of the residents of Ipswich is a fundamental pillar of the Ipswich 2032 Legacy Roadmap. The wider Ipswich community shared their thoughts in defining what the legacy for Ipswich should be, with 87% of surveyed respondents indicating that sporting infrastructure and development is a critical deliverable, with the community placing a high importance on new and upgraded facilities for athletes now and for those to come. This is endorsed under *Legacy Outcome 5 – Regional Parkland and Indoor-Outdoor Sporting Complex* under the Ipswich 2032 Legacy Roadmap.

LEGAL IMPLICATIONS

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

Land Act 1994

Land Regulation 2020

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

The proposed sublease is consistent with the purpose of the trust land, and the obligations of the *Land Act 1994*, *Land Regulations 2020* and Council's approved Tenure Over Council Property Policy.

The process undertaken to engage the proposed lessee is consistent with the *Local Government Regulation 2012* and Councils Procurement Procedure.

RISK MANAGEMENT IMPLICATIONS

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

FINANCIAL/RESOURCE IMPLICATIONS

A resource has been allocated within the Property Services and Community Services Teams to manage the lease.

Council's responsibilities under the maintenance schedule in the lease have been considered in operational budgets.

COMMUNITY AND OTHER CONSULTATION

Whilst community consultation was conducted during the preparation of this report, this proposal was the subject of an open Request for Tender released on 16 August 2023 via:

- Advertised – Courier Mail 19 August
- Courier Mail classified 19 August and 19 September 2023
- Listed on vendor Panel
- Ipswich

The matter has also been the subject of a report and discussion at the Governance and Transparency Committee 28 November 2023 and Council Ordinary Meeting 7 December 2023 with further correspondence regarding the re-tabling of this report issued on 10 September 2024.

CONCLUSION

It is recommended that Council support the recommendation to award the new sublease in accordance with section 228 of the *Local Government Regulation 2012*. The recommended Lessee possesses the experience, capabilities and capacity to meet Council's requirements for the provision of the management and operation of the Redbank Collingwood Park Sports Complex.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The recommendation is for Council award Tender 22250 for the disposal of an interest in land to the recommended organisation.
(b) What human rights are affected?	No human rights are affected by this decision. This is because the tenderers are all companies or incorporated associations and only individuals have human rights.
(c) How are the human rights limited?	Not applicable

(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL 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.

Alicia Rieck
PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Don Stewart
MANAGER, COMMUNITY AND CULTURAL SERVICES

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

I concur with the recommendations contained in this report.

Ben Pole
GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

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Doc ID No: A10672471

ITEM: 3

SUBJECT: PROCUREMENT - WORKPLACE HEALTH AND SAFETY MANAGEMENT SOFTWARE SUBSCRIPTION

AUTHOR: CATEGORY SPECIALIST

DATE: 17 SEPTEMBER 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to enter into a contract with VelocityEHS Australia Pty Ltd (VelocityEHS) for the provision of the workplace health and safety management software system that is currently utilised as part of Council's workplace health and safety compliance management.

The exception under section 235(a) of the *Local Government Regulation 2012* applies due to the proprietary nature of the incumbent supplier's Workplace Health and Safety Management system meaning that there is only one supplier who is reasonably available to continue providing the system.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of the Workplace Health and Safety Management software system.**
- B. That Council enter into a contractual arrangement (Council file reference 5329) with VelocityEHS Australia Pty Ltd, at an approximate purchase price of \$115,000 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) x one (1) year terms.**

RELATED PARTIES

VelocityEHS Australia Pty Ltd (ABN 26 106 601 914)

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

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

VelocityEHS has been the incumbent supplier for Councils workplace health and safety compliance management system since 2014. VelocityEHS provide an online workplace health and safety management software subscription solution, including reporting and dashboards, tasks and corrective action workflows, contractor and document libraries, incident management and notifications and announcements.

The current contract with VelocityEHS is due to expire on 26 November 2024 and has no extension options remaining. The original contract formed in 2014 was with VelocityEHS Canada Inc, the parties now wish to engage through the Australian entity VelocityEHS Australia Pty Ltd.

The Workplace Health and Safety management system is integral to Council operations. It is used daily for reporting and managing incidents, compliance management, safety meetings, safety dashboards and reporting.

The System provided by VelocityEHS is a proprietary platform, meaning it has been developed and designed by Velocity EHS and licensing is only available through the particular supplier.

A Workplace Health and Safety Management system has been identified as being iVolve dependant, meaning iVolve will include a Workplace Health and Safety Management system in future iVolve program phases, as such it is not feasible to tender for a new system now, while iVolve reviews the options available.

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendation within this report is not approved is that Council will not be able to renew the subscription with the current provider VelocityEHS and that a key operational tool and the data contained therein that is utilised as part of Council's workplace health and safety compliance management will no longer be available.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications, as the VelocityEHS Workplace Health and Safety Management software subscription is budgeted as an operational expense within the ICT Branch Budget. There are no additional financial implications.

The total value of the contract is estimated to be \$115,000.00 (ex GST) for the total three (3) year term if all options are exercised.

COMMUNITY AND OTHER CONSULTATION

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

CONCLUSION

The Workplace Health and Safety management system provided by VelocityEHS is proprietary in nature, meaning they are the only supplier who is reasonably available to provide this system to Council. Further, due to the iVolve program, it will be more costly and disadvantageous for Council to tender and implement a different system until iVolve is able to deliver a final solution.

Accordingly, it is recommended that Council approve the recommendation to enter into a contract with VelocityEHS Australia Pty Ltd as the only supplier reasonably able to provide the ongoing service.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	Human Rights Impact Assessment Checklist - VelocityEHS Report (A10572059)
(a) What is the Act/Decision being made?	Recommendations A and B state that Council enter into a contractual arrangement each year for the next up to three (3) years with VelocityEHS Australia Pty Ltd. for the continued provision of a Workplace Health and Safety Management software solution.
(b) What human rights are affected?	No human rights are affected by this decision as the contracts will be with a Company. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

Shyanne Ward
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Tanya Houwen
MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Talia Love-Linay
MANAGER, PEOPLE AND CULTURE

I concur with the recommendations contained in this report.

Angela Jackson
CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10710574

ITEM: 4
SUBJECT: PROCUREMENT - WHOLE OF GOVERNMENT BANKING SERVICES
AUTHOR: GOODS AND SERVICES CATEGORY MANAGER
DATE: 25 SEPTEMBER 2024

EXECUTIVE SUMMARY

This is a report concerning Whole of Government (WoG) banking services. Queensland Treasury has recently completed an extensive tender process for banking services. The new Master Agreement (contract) for banking services includes allowance for other agencies such as Council to enter into an Agency Service Agreement/s (ASA) with the appointed service providers to procure banking services under the same terms. Councils banking services to date have been procured through such an arrangement to take advantage of the favourable terms negotiated by the State. Council now has the option to sign a Service Order, and an 'Accession Agreement' to become a party to the agreement.

RECOMMENDATION

- A. That pursuant to Section 235(f) of the *Local Government Regulation 2012* (Regulation), Council utilise government agency contractual arrangement by The State of Queensland acting through Queensland Treasury for the provision of Queensland Whole of Government Banking Services with Commonwealth Bank of Australia (Supplier) who is a party to the government agency contractual arrangement.**
- B. That under the government agency contractual arrangement with Commonwealth Bank of Australia, the approximate total cost to Council is estimated to be \$7,800,000 excluding GST over the entire 11 year term, the end date of the initial term being , with current options for extension at the discretion of The State of Queensland acting through Queensland Treasury of an additional two (2) X three (3) year terms.**
- C. That pursuant to Section 235(f) of the *Local Government Regulation 2012* (Regulation), Council utilise government agency contractual arrangement by The State of Queensland acting through Queensland Treasury for the provision of Queensland Whole of Government Banking Services with Australian Postal Corporation (Supplier) who is a party to the government agency contractual arrangement.**
- D. That under the government agency contractual arrangement with the Australian Postal Corporation, the approximate total cost to Council is estimated to be \$1,909,000 excluding GST over the entire 11 year term, the end date of the initial term being , with current options for extension at the discretion of The State of**

Queensland acting through Queensland Treasury of an additional two (2) X three (3) year terms.

- E. That Council may enter into ancillary contractual arrangements with the suppliers, as allowed by the government agency contractual arrangement.**
- F. 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

Commonwealth Bank of Australia (ABN: 48 123 123 124) and Ipswich City Council

Australian Postal Corporation (ABN: 28 864 970 579) and Ipswich City Council

No conflicts of interest have been declared in relation to this matter.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Following a comprehensive open market procurement process undertaken by the State Government, new Queensland Government banking services (QGBS) contracts have been approved for the Queensland Government and related entities.

The successful parties for banking services applicable to Council were Commonwealth Bank of Australia (CBA) for banking, payment, and merchant services, and Australian Postal Corporation (APC) for payment services.

The Finance Branch is currently reviewing corporate credit card services offered as part of the QGBS prior to seeking a decision in relation to their contractual arrangements. This will be the subject of separate report to a future meeting of the Finance and Governance Committee.

The QGBS contracts are made available to statutory entities, government owned corporations, local governments, grammar schools, universities and hospital foundations so that they may benefit from the commercially favourable terms and pricing under the whole of government (WoG) banking arrangements (Non-Mandatory Entities). Council is deemed a non-mandatory entity for this arrangement.

Non-Mandatory Entities may elect to transition to the new banking arrangements. Non-Mandatory Entities who are existing customers under the previous WoG banking arrangements and choose not to accede to the new arrangements are responsible for independently sourcing and securing new banking arrangements and transitioning to new

service providers prior to the conclusion of the Transition-Out Periods under the previous arrangements, before June 2025.

Council therefore has the option to become a party under the State agreement, or undertake its own procurement process for banking services.

The Term of the States Agreement is for an initial term of five (5) years with two separate extension options both being three (3) years. Effectively, the contract could run for eleven (11) years in total. Council is not bound for any minimum term or any length of time whatsoever and may terminate for convenience at any point.

Council has previously utilised the previous whole of government banking arrangements, for the previous two (2) contractual periods, which have harnessed the combined power of the State of Queensland to deliver value for money for Council in relation to banking services.

The purchasing power of the State results in significant price advantages from leveraging this arrangement. Council has a long-standing relationship with CBA, and the utilisation of Australia Post for payment services which is essentially a sole service provider with its availability, networks and outlets available to use.

It is therefore recommended that Council progress the option to enter into a Service Order under the State Master Agreement, and an accompanying Accession Agreement, as the preferred option to securing banking services for Council, for a period not exceeding the term of the State contract.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

The arrangements present low risk to Council by entering into these arrangements.

There are potential operational risks to Council in any change in core banking services and impacts which it may have on rate payers, such as changes in BPAY details for payments. Any potential change of service provider for core banking would likely result in significant project, administrative and customer service activities.

FINANCIAL/RESOURCE IMPLICATIONS

Banking fees are managed by the Commonwealth Bank through the account and is not a cost for which purchase orders are issued. The value in Recommendation B allows for an annual

cost of \$550,000 ex GST indexed at 5% per annum over the whole life of the contract (allows for a transactional volume increase).

For Australia Post, fees are charged based on the volume of usage by customers and rate payers for the various services provided, thus is a variable cost and estimates are based on historical values. The value in Recommendation D allows for an annual spend of \$135,000 ex GST indexed at 5% per annum over the whole life of the contract (allows for a transactional volume increase).

COMMUNITY AND OTHER CONSULTATION

Consultation was undertaken across key internal stakeholders from the Corporate Services Department including Legal, Treasury, Chief Financial Officer, and General Manager Corporate Services.

CONCLUSION

It is recommended Council authorise the CEO to and enter into Agency Service Agreements with Commonwealth Bank of Australia and Australian Postal Corporation, pursuant to Section 235(f) of the Local Government Regulation 2012, for banking services.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	Human Rights Impact Assessment Checklist Whole of Government banking Services (A10717231)
(a) What is the Act/Decision being made?	Recommendation to enter into contracts with:
(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.

Tim Steinhardt

GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Paul Mollenhauer

TREASURY ACCOUNTING MANAGER

I concur with the recommendations contained in this report.

Tanya Houwen
MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Jeffrey Keech
CHIEF FINANCIAL OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10724100

ITEM: 5

SUBJECT: PROCUREMENT - CONTRACT EXTENSION 13482 GROUNDS MAINTENANCE AND ASSOCIATED SERVICES

AUTHOR: PROCUREMENT OPERATIONS MANAGER

DATE: 27 SEPTEMBER 2024

EXECUTIVE SUMMARY

This is a report concerning the recommendation to approve a shorter extension, variation and increase expenditure for Contracts 13482-1, 13482-2, 13482-4 and 13482-5 Grounds Maintenance and Associated Services Contracts. This approval is requested to vary the existing contract extension period.

The contracts relating to this extension include:

13482-1 SKYLINE LANDSCAPE SERVICES (QLD) PTY LTD
13482-2 AUSTSPRAY ENVIRONMENTAL WEED CONTROL PTY LTD
13482-4 SAVCO VEGETATION SERVICES PTY LTD
13482-5 RIVERCITY GARDEN & LAWN PTY LTD

Approval is sought to vary the contracts of all four (4) 13482 Grounds Maintenance and Associated Services suppliers. It is requested to vary (by shortening) the remaining available twelve (12) month extension to a period of six (6) months only, which will support smoother contract transition and operational continuity. It is intended to award a new contract/s by 30 June 2025 allowing for transition between contracts prior to the commencement of the 2026 growing season.

This extension will result in increased expenditure under these contracts to an estimated combined total \$15.3M excluding GST.

RECOMMENDATION

- A. That the contractual arrangement (Council contract (13482-1) with SKYLINE LANDSCAPE SERVICES (QLD) PTY LTD; (13482-2) with AUSTSPRAY ENVIRONMENTAL WEED CONTROL PTY LTD; (13482-4) with SAVCO VEGETATION SERVICES PTY LTD and (13482-5) with RIVERCITY GARDEN & LAWN PTY LTD (Suppliers) for Grounds maintenance and Associated Services be varied as follows:**
- (i) to reduce the remaining final extension option of all contracts from one (1) year, to near six (6) months (25 January 2025 to 30 June 2025), and

- (ii) to amend the estimated purchase price of all contracts from \$10,788,058.00 excluding GST to approximately \$15,300,000.00 excluding GST combined, over the entire term (amended terms per A(i) above).
- B. That Council enter into a deed of variation with the Suppliers to appropriately amend the existing contractual arrangements.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

RELATED PARTIES

The contracts relating to this extension include:

13482-1 SKYLINE LANDSCAPE SERVICES (QLD) PTY LTD

13482-2 AUSTSPRAY ENVIRONMENTAL WEED CONTROL PTY LTD

13482-4 SAVCO VEGETATION SERVICES PTY LTD

13482-5 RIVERCITY GARDEN & LAWN PTY LTD

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

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

This report recommends the approval to exercise the remaining final contract extension – subject to varying (shortening) the length and, increasing the spend for 13482 Grounds Maintenance and Associated Services with the aforementioned Suppliers.

This report seeks approval to vary the final contract extension from one (1) year to six (6) months. The timing of the expiration of the current arrangement, requires variation to facilitate a smooth transition between contracts, outside of a period of peak demand. The current expiry date of 24 January 2025 falls for Council in the summer growing season. It is therefore requested to amend contract expiry to a period of low demand, 30 June 2025, allowing a time for transition to a new contract/s. The Council intends to use this extension to explore further category management planning initiatives, with the goal of improving contract effectiveness for both the Council and Suppliers.

The original resolution of 26 November 2020 to enter into these contracts stated (in part):

B. That Council enter into a contract for the provision of Grounds Maintenance and Associated Services with the suppliers listed below for a period of three (3) years with the option to extend the contract by two (2) x further, one (1) year periods, for the estimated

sum of eight million, two hundred and ninety three thousand, two hundred and thirty dollars and eighty two cents excluding GST (\$8,293,230.82) (total cost if all extensions are executed):

A further resolution of 26 October 2023 stated (in part)

- A. That Council approve an increase in expenditure for the provision of Grounds Maintenance and Associated Services with the suppliers listed below from \$8,293,231.00 to \$10,788,058.00 excluding GST for the contracted period up to January 2025. This constitutes an increase of \$2,494,827.00 excluding GST.**

Current spend to 24 July 2024 was \$12,020,677, surpassing the estimated amount of the 26 October 2023 resolution, for the same reasons that are listed below, regarding the subject of this report.

Based on the monthly average, the projected contract expenditure for the remaining extension may total \$3.3M (January – June 2025) across the four Suppliers, with an anticipated total contract expenditure of \$15.3M (excluding GST - \$12.M to 24 July 2024 + \$3.3M to 30 June 2025). The increase cost is attributed to, extended growing seasons, increasing costs such as fuel, plant and equipment, labour costs arising from recent award wage adjustments, high Consumer Price Index (CPI) increase, and an increase in the area services by contractors.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy issues related to these matters.

RISK MANAGEMENT IMPLICATIONS

The risks associated with not approving the recommendation is that all four (4) arrangements under 13482 will naturally end on 24 January 2025. Triggering a new tender process in the interim – leaving insufficient time to transition to new arrangements.

FINANCIAL/RESOURCE IMPLICATIONS

Funding is available from within existing budget area.

COMMUNITY AND OTHER CONSULTATION

Representatives of both the Asset and Infrastructure Services Department and the Environment and Sustainability Department have been consulted in consultation with this recommendation.

CONCLUSION

In conclusion, the Council’s decision to adjust the contractual arrangements for grounds maintenance and associated services reflects a strategic approach to better align with future needs and timelines. By reducing the final extension option and entering a deed of variation with the suppliers, the Council ensures that the contracts remain flexible and responsive to changing circumstances. Additionally, delegating the authority to the Chief Executive Officer to take necessary contractual action streamlines the implementation process, ensuring efficient and effective execution of the Council’s decisions.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	CS Procurement - HRIA Contract Extension 13482 Grounds Maintenance & Associated Services (A10725808)
(a) What is the Act/Decision being made?	The Recommendation states that Council exercise its final extension of contract 13482 Grounds Maintenance and Associated Services for six months.
(b) What human rights are affected?	No Human Rights are affected by this decision. This is because all contractors are companies.
(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.

Stephen Bailey
PROCUREMENT OPERATIONS MANAGER

I concur with the recommendations contained in this report.

Tanya Houwen
MANAGER, PROCUREMENT

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.

Anthony Dunleavy
MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Sonia Cooper
CHIEF EXECUTIVE OFFICER

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Doc ID No: A10728005

ITEM: 6

SUBJECT: PROCUREMENT: VARIATION TO CONTRACT 16456 PROGRAM PARTNER FOR THE IPSWICH CENTRE CBD TRANSFORMATION

AUTHOR: CATEGORY SPECIALIST

DATE: 30 SEPTEMBER 2024

EXECUTIVE SUMMARY

This is a report concerning Council contract 16456 Program Partner for the Ipswich Centre CBD Transformation. This report provides detail regarding the requirement to vary the existing contractual arrangement between Ipswich City Council and Ranbury Management Group Pty Ltd.

RECOMMENDATION

- A. That the contractual arrangement (Council contract 16456 Program Partner for the Ipswich Centre CBD Transformation) with Ranbury Management Group Pty Ltd (Supplier) be varied as follows:**
- (i) for continuity of services already being provided under contract;**
 - (ii) to amend the purchase price from \$2,971,786.80 excluding GST to approximately \$3,071,679.24 excluding GST over the entire term;**
 - (iii) to extend the agreement expiry date to 30 June 2025.**
- B. That Council enter into a deed of variation with the Supplier to appropriately amend the existing contractual arrangement.**
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.**

RELATED PARTIES

- Ranbury Management Group Pty Ltd; and
- Ipswich City Council

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

- On 25 March 2021 Council resolved to adopt a TCP and enter into a contract (ICC Contract # 16456) for the provision of program management services with Ranbury Management Group Pty Ltd. This contract replaced contract # 13908 which expired on 28 April 2021.
- Contract # 16456 commenced on 29 April 2021 for a two (2) year period with two (2) x one (1) year extension options, exercised at the discretion of Council.
- The original value of Contract # 16456 was \$1,669,832.00 (ex GST) increased to \$2,971,786.80 (ex GST) through four variations as follows:

ICC CONTRACT # 16456 SUMMARY

Package	Description	APPROVED ORIGINAL	APPROVED VARIATION 1		APPROVED VARIATION 2		APPROVED VARIATION 3		APPROVED VARIATION 4	
		Original Contract (executed 29/04/2021)	Variation 1 (executed 22/09/2021)	Revised Contract (executed 29/04/2021)	Variation 2 (executed 24/04/2022)	Revised Contract (executed 24/04/2022)	Variation 3 (executed 31/07/2022)	Revised Contract (executed 31/07/2022)	Variation 4 (executed 08/12/2022)	Revised Contract (executed 08/12/2022)
1a	Civic Project	\$358,800	-	\$358,800	-	\$358,800	-	\$358,800	-	\$358,800
1b	Civic Day 2 Works	-	\$62,400	\$62,400	\$57,320	\$119,720	\$31,948	\$151,668	\$37,263	\$188,931
3	Commonwealth Hotel	\$220,000	\$32,480	\$252,480	\$66,300	\$318,780	\$98,878	\$417,658	-	\$417,658
4a	Retail Existing	\$951,032	(\$164,210)	\$786,822	\$93,072	\$879,894	\$95,160	\$975,054	\$106,400	\$1,081,454
4b	Retail Day 2 works	-	-	-	-	-	\$110,080	\$110,080	\$43,435	\$153,515
6	Development Management	\$20,000	\$80,944	\$100,944	\$99,822	\$200,766	\$51,901	\$252,667	-	\$252,667
7	Asset Management	\$20,000	\$73,600	\$93,600	\$125,014	\$218,614	\$27,606	\$246,220	\$265,460	\$511,680
9	Survey Management	\$20,000	(\$19,318)	\$683	-	\$683	-	\$683	-	\$683
tbd	Other feasibility	\$80,000	(\$80,000)	-	-	-	-	-	-	-
	Retail Precinct Management	-	\$6,400	\$6,400	-	\$6,400	-	\$6,400	-	\$6,400
		\$1,669,832	(\$7,704)	\$1,662,129	\$441,528	\$2,103,657	\$415,573	\$2,519,230	\$452,557	\$2,971,787

- On 24 March 2022, Council resolved to adopt the committee minutes of the Ipswich Central Redevelopment Committee dated 10 March 2022, to vary the purchase price of Contract # 16546 from \$1,662,128.50 (ex GST) to \$2,103,565.50 (ex GST).
- The Committee paper also included delegation for the CEO to exercise contractual action for future variations up to the approved contingency value of 20% of the contract value, an additional \$420,371 (ex GST). This variation to \$2,103,565.50 (ex GST) did not utilise any of the approved contingency amount.
- On 1 August 2022, the 20% contingency was utilised, and the Contract was varied by Deed of Variation with the contract price increasing from \$2,103,565.50 (ex GST) to \$2,519,229.50 (ex GST).
- On 8 December 2022, Council resolved to adopt the recommendations of an Officer Report to vary ICC contract # 16456 and to increase the contract sum from \$2,519,229.50 (ex GST) to \$2,971,786.80 (ex GST) to address additional funding requirements relating to several packages. A Deed of Variation dated 8 December 2022 was executed by both parties to formalise this increase.

- The Commonwealth Hotel Extension Project has seen a delay in achieving Practical Completion. In the most recently approved Commonwealth Hotel Program, a targeted Open for Trade date of December 2023 was recognised.
- A fee proposal dated 9 April 2024 was submitted by Ranbury indicating a forecast Practical Completion (PC) Date of 17 May 2024 (based on a Hutchinson Builders program at that time), with a forecast Open for Trade date for Aushotels in September 2024 (refer Attachment 1).
- Upon request from ICC to Ranbury in June 2024 to update their fee proposal to reflect the latest information, on an email dated 6 June 2024 from Ranbury Executive Director, Scott Kennelly, in consultation with Site Superintendent Rep, Kan Chan, a forecast PC date was identified as 30 June 2024, with a forecast Open for Trade date for Aushotels in October/November 2024 (refer Attachment 2).
- Total invoices paid under ICC Contract # 16456 to Ranbury dated to (and including) 30 April 2024 is \$2,958,550.50 (ex GST).
- Based on Ranbury's latest proposal dated 6 June 2024, the additional costs requested by Ranbury to deliver the remainder of the Commonwealth Hotel Extension from 1 May 2024 is \$96,480.00 (ex GST), broken down as follows:
 - Design & Construction (until PC) = \$31,200.00 (ex GST) (2 months)
 - Fitout Period = \$46,800.00 (ex GST) (5 months)
 - Defects Liability Period = \$18,480.00 (ex GST) (12 months)
- Accordingly, the forecast Contract Sum at completion is \$3,055,030.50 (ex GST), being the sum of:
 - Costs incurred to end April 2024 = \$2,958,550.50 (ex GST)
 - Costs from end April 2024 to end DLP = \$96,480.00 (ex GST)
- With a current approved Contract Sum of \$2,971,786.80 (ex GST), a variation to the Contract Sum of \$99,892.44 (ex GST) is required inclusive of a 20% contingency on the variation to meet the new forecast Contract Sum of \$3,071,679.24 (ex GST).
- The current fitout end date is still subject to change, and the Contract Sum may need to vary again should these dates change. A condition for this approved increase will be addressed in the Variation Deed.
- This contract sum variation also includes continued investigation into the quality of the Nicholas Street road paving installation, associated bonding specification and relating ongoing rectification and maintenance.
- It is also requested that ICC Contract # 16456 be extended out to 30 June 2025 to encompass the delays in PC and fitout completion, as well as the associated 12 month Defects Liability Period.

LEGAL IMPLICATIONS

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

Confidential Legal Advice is contained in Attachment 3 of this report, detailing the requirement for a Council resolution.

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Risk Category	Rating	Description
Political and Reputational	High	<ul style="list-style-type: none"> If project is delayed and as a result the programmed works not delivered or delayed, the current tenants and the community will be impacted, and concerns will be raised by stakeholders
Legal and Governance	Low	<ul style="list-style-type: none"> The engagement is on Council's Standard Professional Services contract, this variation does not change the terms and conditions of the contract
Financial	Low	<ul style="list-style-type: none"> Ranbury Management Group attempt to re-negotiate the fee, this is unlikely as there is an agreement in place regarding the fee restructure Council has conducted a new tender process for Project management services for the Venue building, and this process tested the market and assists Council to ensure Contract 16456 is still achieving value for money
Service delivery	High	<ul style="list-style-type: none"> Delay in the delivery of the Ipswich Central CBD Revitalisation Project and opening of tenancies if the variation is not approved
Information management	Medium	<ul style="list-style-type: none"> The variation to increase the fee estimates, allows the existing provider of Program Management Services to continue to progress the project and ensures consistency of information and knowledge

FINANCIAL/RESOURCE IMPLICATIONS

The original Contract value was \$1,669,832 (ex GST) and increased through four (4) variations to \$2,971,786.80 (ex GST) over a four year period and milestone development achievements.

This Variation #5 amends the value of the Contract to \$3,055,030.50 (ex GST) – an additional amount of \$83,243.70 (ex GST) as a result of program delay. A 20% contingency value of \$16,648.74 has been factored into the overall recommended estimate.

Liquidated damages claimed as a result of the delay in delivering the project will offset the additional project management cost.

COMMUNITY AND OTHER CONSULTATION

There was no community or other consultation undertaken in the preparation of this report.





CONCLUSION

In concluding this report, the recommendation and information contained within this report aligns with Council’s iFuture Corporate Plan 2021-2026. The redevelopment of the Ipswich Central Business District (CBD) is a crucial part of revitalising the heart of Ipswich and the refurbishment of Council assets is a vital part of this revitalisation and the precinct’s future success.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	HRIA Checklist - 16456 CBD Transformation Program Partner (A10728832)
(a) What is the Act/Decision being made?	Act/Decision being made is detailed in the recommendations within this report
(b) What human rights are affected?	The parties involved are companies/corporations and the subject matter of the proposed engagement, act or decision being assessed will not affect human rights and further consideration is unnecessary.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Commonwealth Hotel Program Extension Proposal #4  
2.	Commonwealth Hotel Program Extension (latest Estimate)  
3.	CONFIDENTIAL Memorandum of Advice (ICC Legal Branch)

David Niebling
CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Louis Boneschans
PRECINCT ACCOUNTANT

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.

James Hepburn

PRECINCT DIRECTOR

I concur with the recommendations contained in this report.

Matt Smith

GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10561410

ITEM: 7

SUBJECT: PROPOSED ACQUISITIONS OF LAND FOR INF04658 RIPLEY ROAD UPGRADE -
CUNNINGHAM HIGHWAY TO FISCHER ROAD

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 22 AUGUST 2024

EXECUTIVE SUMMARY

This is a report concerning the land requirements for INF04658 Ripley Road and Fischer Road upgrade. The associated works will also include the creation of a service road and several signalised intersections (the Project).

RECOMMENDATION

- A. That pursuant to Section 5(1)(b)(i) of the *Acquisition of Land Act 1967*, Council as “constructing authority” proceed to acquire the land described in Confidential Attachment 1, for Road purpose.
- B. That in the first instance, the method of acquiring the subject land will be by agreement with the affected person/s in accordance with Division 3, *Acquisition of Land Act 1967*; however, if agreement cannot be reached, or operational timeframes intervene, the method of acquiring the subject land will be in accordance with Division 2, *Acquisition of Land Act 1967*.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.
- D. That Council be kept informed as to the progress and outcome of the acquisitions.

RELATED PARTIES

- Property owners identified in Confidential Attachment 1
- Economic Development Queensland

There were no declarations of conflicts of interest.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

The Ripley Valley became a declared Urban Development Area by the State Government in 2010 and later a Priority Development Area (**PDA**) in 2013. The PDA covers 4,680 hectares of land located approximately 5 kilometres from Ipswich's central business district with Ripley Road forming the major link between the Cunningham and Centenary Highways.

With the recent growth in Ripley Valley, Council have identified a need to accommodate the increase in traffic flow by upgrading Ripley Road and Fischer Road, both forming critical functions within the PDA.

The 'ultimate' solution will see Ripley Road upgraded from the Cunningham Highway through to the Centenary Highway, however the stretch of road between the Cunningham Highway and Fischer Road has been prioritised due to adjoining development activity.

Council will manage the design and construction of the ultimate upgrade using a staged approach:

- Stage 1: Ripley Road (Cunningham Highway to Montereia Street)
- Stage 2: Ripley Road (Montereia Steet to Fischer Road)
- Stage 3: Fischer Road (Nevis Street to Montereia Road)
- Stage 4: Ripley Road (Fischer Road to Centenary Highway)

Stages 1 to 3 of the Project cover a stretch of approximately 2.6kms of Ripley Road and will be upgraded to a four-lane median divided urban arterial road, with on-road cycle lanes shared use pathways and footpaths.

The upgrade works to Fischer Road from Nevis Street through to Montereia Road, covers a 750m stretch of road and will be upgraded to a two-lane urban road.

Land requirements have been identified from nine (9) privately owned properties, including three (3) residential, five (5) development and one (1) commercial site. These acquisitions will facilitate road infrastructure including drainage and services.

In addition to the above, Council owned property within the Project corridor will require a partial road dedication, this will be achieved through the registration of new plans of survey. Property details listed in Confidential Attachment 1.

LEGAL IMPLICATIONS

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

- *Local Government Act 2009*
- *Acquisition of Land Act 1967 (Qld)*
- *Property Law Act 1974*
- *Land Title Act 1994*

POLICY IMPLICATIONS

The matter of the report is consistent with Council's approved *Property Acquisition and Disposal Policy*.

RISK MANAGEMENT IMPLICATIONS

The following key risks may apply to Council if the land requirements are not secured:

Operational Risks

Associated works would not be able to be completed within any private property.

Reputational Risks

Significant areas of planned (in some instances approved) developments may be delayed or forced to stop without the road upgrade.

Ripley Road is currently operating over capacity and requires upgrading to cater for the growing population.

Safety Risks

Some areas of Ripley Road are of a lower standard rural road configuration and with the rapid population growth in recent years, the road is operating over capacity, and is likely to increasingly experience significant safety issues.

FINANCIAL/RESOURCE IMPLICATIONS

INF04658 Project funding has been confirmed through the long-term financial forecast (including acquisitions) across all stages.

Council will seek to settle acquisitions by agreement, however, if agreement cannot be reached and the land is resumed by Gazette Notice, expenses relating to claims for compensation and Land Court proceedings (if required) will form part of the Project budget.

COMMUNITY AND OTHER CONSULTATION

Internal Stakeholder Engagement

Property Services have consulted with Council's Capital Delivery Branch and Legal Services who support the recommendations within this report and will be working together to achieve the recommended outcomes.

A Project Control Group (PCG), (*made up of Council's General Managers from Asset and Infrastructure Services, Corporate Services and Planning and Regulatory Services as well as the Business Managers of Capital Program Delivery and Procurement*) has been established for the Project to provide oversight and governance across all aspects of the Project, including acquisitions. The PCG have endorsed the approach of the acquisition process.

Asset and Infrastructure Services have held a briefing session with all Mayor and Councillors invited. The briefing session was attended by Cr Augustine, Cr Madsen and Cr Antonioli. The session was developed opting for a large format plot of the road highlighting keys areas of

the project, this included discussing all property requirements within the project extents. It was advised that the briefing session was well received, and the meeting notes are attached in Confidential Attachment 4.

External Stakeholder Engagement

The initial phase of engagement with property owners will involve officers from Stakeholder Engagement, Capital Delivery (Design) and Property Services meeting with individuals to provide information on the project design, delivery, property impacts and land requirements.

The second phase of engagement will involve property owners whose land adjoins the project area of works, consulting with officers from Stakeholder Engagement and Capital Delivery (Design) to discuss the project delivery, and potential property impacts from associated works (access, noise etc.).

Engagement with the wider community will continue to be delivered through Council's 'Shape Your Ipswich' website, including ongoing project updates and a facility for the community to submit questions, feedback, or concerns to Council. A letterbox-drop of a 'What's Being Planned...?' brochure is planned for delivery at a date closer to the time of construction.

CONCLUSION

It is recommended that Council proceed with the compulsory acquisition of land as described in Confidential Attachment 1, as a "Constructing Authority" under the *Acquisition of Land Act 1967 (Qld)*.

Council will seek to compulsory acquire by way of agreement with the property owners. However, if this is unsuccessful, Council will exercise its power as a constructing authority under the *Acquisition of Land Act 1967 (Qld)* and make application to the relevant Minister for the land to be taken.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	https://iccecm.ipswich.qld.gov.au/id:A10692763/document/versions/latest
(a) What is the Act/Decision being made?	Acquisitions of Land for INF04658 - Ripley Road Upgrade
(b) What human rights are affected?	Property rights (section 24) – protects the right of all persons to own property (real and personal property) and to not be arbitrarily deprived of property.
(c) How are the human rights limited?	Lots 912SP326553, 600SP265858, 359S3173, 191SL18, 91SP317407 and 46RP24410: No. The owner of the land is a company and only individuals have human rights. End of assessment.

	Lots 348S3173, 27RP24410 and 178SP141675: Yes. The compulsory acquisition does potentially affect human rights.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	It is considered that acquiring the identified land has less impact on the registered owner compared to the benefit and safety to the community from the upgrade of the road.
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Project Land Requirements
2.	Stage 2 Acquisition Plans
3.	Stage 3 Acquisition Plans
4.	Ripley and Fischer Road Workshop Notes

Bianca Gaudry

SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

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)

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Doc ID No: A10543255

ITEM: 8

SUBJECT: RENEWAL OF EXPENDITURE LEASE OVER FREEHOLD LAND LOCATED AT
KARALEE SHOPPING VILLAGE, 39 JUNCTION ROAD, CHUWAR (KIOSK 1)

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 19 AUGUST 2024

EXECUTIVE SUMMARY

This is a report concerning the renewal of an expenditure lease over Kiosk 1, Karalee Shopping Village, 39 Junction Road, Chuwar (the “Kiosk”) between CVS Lane Capital Partners Pty Ltd as trustee for CVS Lane Karalee Retail Trust (Lessor) and Ipswich City Council (Council).

RECOMMENDATION/S

- A. That Council, as Lessee, renew the existing lease, relating to Kiosk 1, Karalee Shopping Village, 39 Junction Road, Chuwar, more particularly described as part of Lot 100 on SP318001, for library purpose (existing lease).
- B. That Council renew the existing lease (Council file reference number 6210) with CVS Lane Capital Partners Pty Ltd as trustee for CVS Lane Karalee Retail Trust (Lessor) for a further period of three (3) years:
 - (i) at a commencing annual rent of \$25,970.76 per annum excluding GST plus annual outgoings, payable by Council, with no options for extension.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “contractual action” pursuant to section 238 of the Regulation, to be authorised to implement Council’s decision.

RELATED PARTIES

There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Ipswich Libraries currently has six branches, one Library Pod and the Virtual Branch:

- Ipswich Central Library
- Redbank Plaza Library
- Redbank Plains Library
- Rosewood Library
- Springfield Central Library
- Ipswich Children’s Library
- Karalee Library Pod
- Virtual Branch (Ipswich Libraries Website)

Ipswich Libraries aims to extend the collection and presence of the library service into areas identified as remote to the city’s main library facilities. The service is intended to be accessible and complement the lifestyle of Ipswich residents.

Karalee Shopping Village was identified by Ipswich Libraries as a potential location offering alignment to the strategic growth of the library service. A recommendation was adopted at the Council Ordinary Meeting on 26 June 2018, that Karalee Shopping Village was the most suitable location for the Library Pod and a lease agreement was entered into on 1 May 2018.

The Ipswich Libraries' automated Pod operates around the clock, every day of the week, conveniently situated outside Coles at Karalee Shopping Village on Junction Rd, Karalee.

Patrons can browse, check out, and return literature using their mobile device or library membership card. Additionally, books can be reserved online and retrieved at the patron's leisure. The Pod houses a thoughtfully selected array of our most sought-after and current titles, showcased in attractive, user-friendly, automated cabinets.

Table 1: Monthly usage of Karalee Library Pod 2021/22, 2022/23 and 2023/24

Year	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY Total
21-22	1461	1296	1320	1373	1248	1232	1423	1311	1225	1430	1559	1251	16,129
22-23	1136	1263	1097	1111	1374	1255	1160	1129	1477	1099	1322	1147	14,570
23-24	934	1397	1177	998	1169	942	1269	1084	582	969	991	914	12426

The existing Lease for the Library Pod is due to expire on 30 April 2025. A further 3-year term has been offered to Council by CVS Lane Capital Partners Pty Ltd.

Lease Terms	New Terms	Existing Terms
Period:	3 Years	3 Years
Commencement Date:	01/05/2025	01/05/2022
Expiry Date:	30/04/2028	30/04/2025
Options:	Nil	Nil
Rent:	\$25,970.76 per annum (ex. GST)	\$25,214.33 per annum (ex. GST)
Fixed Review	3% annually	3% annually
Area m2:	30	30
Outgoings (Tenants proportion):	0.25%	0.25%
Permitted Use:	Provision of library purposes	Provision of library purposes

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

There are no policy implications for expenditure leases.

RISK MANAGEMENT IMPLICATIONS

High: It is high risk for Council not to enter into a lease over the library pod as this will result in a deficiency of library services to the Karalee community.

FINANCIAL/RESOURCE IMPLICATIONS

The new annual rent is \$25,970.76 per annum, excluding GST, with no outgoings.

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. No current constraints identified over the land.
- (b) Community and Cultural Services were consulted.
 - a. Consent to the proposal in this report was provided accordingly.
- (c) Asset Management were consulted.
 - a. Consent to the proposal in this report was provided accordingly.
- (d) Works and Field Services were consulted.
 - a. No comment was provided.
- (e) Safe City was consulted.
 - a. No comment was provided.

CONCLUSION





It is recommended that Council resolve to enter the further term of three (3) years with CVS Lane Capital Partners Pty Ltd as trustee for CVS Lane Karalee Retail Trust.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A-C recommends that Council enter into a leasehold interest with the lessor for the provision of library purposes.
(b) What human rights are affected?	Recognition and equality before the law (section 15) Protection from torture and cruel, inhuman or degrading treatment Freedom of movement (section 19) Freedom of expression (section 21) Peaceful assembly and freedom of association (section 22) Privacy and reputation (section 25)
(c) How are the human rights limited?	A shopping centre is providing a library service to the community. The decision to adopt to enter into a lease will potentially affect human rights as it may result in a person's treatment by the Landlord and their attendance at the premises being curtailed in

	certain circumstances. There is also a risk of privacy and reputation of a person being unlawfully interfered with by the Landlord.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	The Landlord is required to protect person's being adults and children and animals from cruelty or sustaining injury and is to abide by all laws and regulations according to the best interest of those person's.
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Lease Plan  
2.	Property Plan  
3.	CONFIDENTIAL Title Search

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)

I concur with the recommendations contained in this report.

Ben Pole
GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

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Doc ID No: A9986165

ITEM: 9

SUBJECT: UPDATE ON PREVIOUS COUNCIL DECISION AND PROPOSED AMENDMENT TO TRUSTEE LEASE OVER 135 BRISBANE TERRACE, GOODNA

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 13 MARCH 2024

EXECUTIVE SUMMARY

This is a report concerning a previous decision of the Governance and Transparency Committee, Item No. 10 on the 18 April 2023, and adopted at the Ordinary Council meeting on 27 April 2023; and the Amendment of the Trustee Lease over part of a Reserve located at 135 Brisbane Terrace, Goodna, described as Lease B in Lot 128 on SP178961, between Ipswich City Council (**Council**) as Trustee and Goodna and Districts Rugby League Football Club Inc. (**Goodna RL**).

In accordance with the above decision, a Trustee Lease was entered into in August 2023, at a commencing annual rent of \$11,250 ex GST, for the period 1 July 2023 to 30 June 2028 and with no options for extension. The Trustee Lease was registered on the property title on 30 October 2023.

On or about December 2023, the Mayor and the Manager, Community and Cultural Services met with Goodna RL to address concerns regarding the agreed-upon rent and the difficulties it poses amidst prevailing trading conditions.

RECOMMENDATION

- A. Council acknowledges the contents of this report and the existing Trustee Lease between Council (Trustee Lessor) and Goodna and Districts Rugby League Football Club Inc (Trustee Lessee) which continues to operate.**
- B. That Recommendation C of the previous decision, being the Governance and Transparency Committee, Item No. 10 endorsed on the 18 April 2023, and adopted at the Council Ordinary meeting of 27 April 2023 be repealed.**
- C. (1) After taking into consideration the factors outlined in this report, Council as Trustee Lessor, resolve to vary the Trustee Lease, (Council file reference number 5400) by amending the quantum of the commencing annual rent payable by Goodna and Districts Rugby League Club Inc (Trustee Lessee) to Council, to the amount of \$5,625 ex GST.**

Or, in the alternative to Council adopting the recommendation in paragraph (1) above, Council adopts the recommendation contained below in paragraph (2);

(2) Council resolve that the current Trustee Lease between Council and Goodna and Districts Rugby League Football Club Inc continues to operate, in accordance with the terms of the executed Trustee Lease dated 22 August 2023.

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

RELATED PARTIES

There was no declaration of conflicts of interest.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Goodna RL constructed and opened the clubhouse in 1993. The former Trustee Lease expired in 2015. Goodna RL continued to occupy the Reserve on a Trustee Permit until ownership of ongoing maintenance options for the clubhouse was determined. The Council is responsible for managing and upkeeping the playing fields, which are made available for use through a Seasonal Permit arrangement.

On the 27 April 2023, Council resolved to enter a new lease with Goodna RL on the below new terms upon significant consultation with Goodna RL and internal stakeholders of Council;

	Existing Permit Terms	Proposed Lease Terms
Period:	Six (6) months	Five (5) Years
Commencement Date:	01/01/2022	01/07/2023
Expiry Date:	30/06/2022	30/06/2028
Options:	NIL	NIL
Annual Rent:	\$1.00 ex GST (if demanded)	\$11,250 ex GST
Permitted Use:	The management and operation of the Premises as a community sports club.	The provision of a community sports club including sporting events.
Maintenance Responsibilities:	Goodna RL is responsible for cleaning and general repairs, excluding fair wear and tear and structural/building repairs.	Goodna RL is responsible for cleaning and general maintenance and repairs (excluding structural maintenance and repairs).

In 2019, Council implemented the *Tenure over Council Property Policy (Tenure Policy)*, which introduced a new framework for determining fees for various types of agreements. The

categorisation of leases is determined by the organisation's usage of the property, with the proposed rent being established in accordance with the Policy guidelines.

In the case of Goodna RL, they have been categorised as 'Category D'. Properties falling under this category typically feature significant improvements (such as the Clubhouse), allow the lessee to hold full Gaming or Liquor Licences as per the *Liquor Act 1992* s105 (Goodna RL presently operate poker machines and sell liquor), and require the lessee to be a Community Group managed and operated by volunteers with a well-defined organisational and governance structure.

Under the 'Category D' classification, the annual rent is calculated at 5% of the unimproved capital land value (UCV), as determined by the Department of Resources, or \$5,000, whichever amount is greater.

The Mayor and the Manager, Community and Cultural Services convened a meeting with the current President of Goodna RL to address the matter of the agreed-upon rent and the significant challenges it poses within the current trading environment.

Analysing their financial records for the fiscal year 2022, it becomes evident that the club faces a predicament of stagnant revenue against a backdrop of escalating costs, without any provision made for rent.

The following new rent structure providing a 50% reduction on the original commencing rent was proposed to the club by the Manager, Community and Cultural Services (backdated to 1 January 2024) for consideration;

Year	Dates		Existing Rent	Rent Reduction	Revised Rent	Annual Rent Review	Revised Annual Rent	Monthly Rent
1	01/07/23	30/06/24	\$11,250.00	50%	\$ 5,625.00		\$ 5,625.00	\$468.75
2	01/07/24	30/06/25	\$11,587.50	60%	\$ 6,750.00	3%	\$ 6,952.50	\$579.38
3	01/07/25	30/06/26	\$11,935.13	70%	\$ 7,875.00	3%	\$ 8,111.25	\$675.94
4	01/07/26	30/06/27	\$12,293.18	85%	\$ 9,562.50	3%	\$ 9,849.38	\$820.78
5	01/07/27	30/06/28	\$12,661.97	100%	\$ 11,250.00	3%	\$ 11,587.50	\$965.63
			\$59,727.78				\$42,125.63	

It is recommended by Property Services that if Council adopt the above new rent structure, that it commences in accordance with the existing tenancy commencing 1 July 2023 and the Recommendations in this report reflect same. The existing rent of \$11,250 for the period 01 July 2023 to 30 June 2024 is currently outstanding.

Option 1 – Manage the existing Lease

Goodna RL continue under the terms of the existing lease agreement, on an annual rent of \$11,250 excluding GST.

The lease is based on non-commercial terms and providing a low return to Council.

Option 2 – Amend the existing Lease

Seek to amend the existing lease with Goodna RL on the same terms and conditions as the existing lease with a new rent structure providing a 50% reduction on the original commencing rent. The new commencing annual rent will be \$5,625 excluding GST.

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

Land Act 1994

Land Regulation 2020

POLICY IMPLICATIONS

The Council's decision to renew the Trustee Lease with Goodna RL was founded upon the methodology outlined by the Property Services Section, which adhered to the guidelines set out in the Tenure Policy (**Policy**) to ensure a transparent and consistent approach with the Policy. The Policy sets out that the Property Services Section is responsible for the negotiation, administration and management of tenure agreements in consultation with stakeholders. As required the CEO has authority to negotiate agreements under the *Local Government Act 2009*.

The lease terms resolved in April 2023 conform to the Policy, unlike those proposed in this report. The new proposal represents a substantial reduction of rent compared to the rental category stipulated by the Policy.

The proposed reduction in rent, conflicts with the existing Policy and carries a risk for Council, as it may establish a precedent for other organisations to assert hardship and demand similar concessions.

Council may make decisions that conflict with existing policies (provided any such decisions are resolved), as Council itself is not bound by its own policies. Delegates of Council are unable to depart from policies.

RISK MANAGEMENT IMPLICATIONS

Option 1: The 2022 financial records of Goodna RL indicate a consistent revenue stream; however, escalating expenses, coupled with a lack of provision for rental costs, have been noted. Imposing the yearly rental fee of \$11,250 may likely result in an operational shortfall for Goodna RL, a trend that may continue. Such a financial trajectory may render the club's finances untenable, which may always lead to the possibility of the club facing potential administration.

Option 2: A decrease in rental fees would likely assist in the financial viability of Goodna RL, ensuring its ongoing sustainability.

FINANCIAL/RESOURCE IMPLICATIONS

Option 1: Should Goodna RL enter administration, Council may face a financial deficit up to -\$59,727.78 over the 5 year term.

Option 2: The rent structure outlined in this report would create a deficit for Council of \$17,600 over 5 years, in accordance with the Tenure Policy.

If option 2 is adopted, Council will receive an economic benefit of \$42,125.63 over five (5) years.

COMMUNITY AND OTHER CONSULTATION

Property Services and Community and Cultural Services completed significant consultation with Goodna RL on the existing lease terms, with a focus on rent and security of tenure as follows:

- (a) Rent was assessed under Category D (Tenure Policy)
 - a. The site contains major improvements of a clubhouse
 - b. Goodna RL hold liquor and gaming licences
- (b) On July 19, 2022, Goodna RL received a written Letter of Offer for a new Trustee Lease, which included reference to the Council's Tenure Policy.
- (c) On July 21, 2022, the former Secretary of Goodna RL, officially accepted the proposed Trustee Lease and subsequent rent in writing, prior to the Council's resolution.
- (d) Ministerial approval was granted for existing trustee terms and conditions of the lease.
- (e) A new Committee of Goodna RL were re-elected during resolution of the Council's decision.
- (f) The New President disagreed with the proposed rent.
- (g) Property Services provided recommendations to the club, suggesting alternative income strategies along with relevant online resources.
- (h) An understanding was reached that Goodna RL agreed to the rent.
- (i) The new President executed the trustee lease.
- (j) Discussions occurred prior to signing the lease regarding relinquishing the gaming and liquor licences to fall into another rent category but this wasn't an option for Goodna RL.

CONCLUSION











It is a decision for Council if it wishes to depart from Council's Tenure Policy and amend the existing lease as outlined in the Recommendations of this report. The existing lease clearly

outlines maintenance responsibilities and reflects the requirements of the *Land Title Act 1994* and *Land Title Regulation 2022*.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	https://iccecm.ipswich.qld.gov.au/id:A9992694/document/versions/latest
(a) What is the Act/Decision being made?	Amend a rent amount in an existing lease.
(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.	Memo - Summary of Negotiations  
2.	Title Search  
3.	Lease Plan  
4.	Property Plan  
7.	Ministerial In Principle Approval  
	CONFIDENTIAL
5.	Gaming Account Audit
6.	Audit Report

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)

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Doc ID No: A10675716

ITEM: 10
SUBJECT: FRAUD AND CORRUPTION CONTROL POLICY
AUTHOR: TEAM LEADER (RISK AND INSURANCE)
DATE: 18 SEPTEMBER 2024

EXECUTIVE SUMMARY

This is a report concerning the review of the Fraud and Corruption Control Policy.

RECOMMENDATION

That the revised policy titled Fraud and Corruption Control Policy as detailed in attachment 2 be adopted.

RELATED PARTIES

Ipswich City Council is committed to ensuring robust governance and the ethical conduct of all staff, contractors, consultants and other workers performing services on behalf of ICC by preventing, detecting and investigating all forms of fraud and other works to report all suspected cases of fraud or corruption.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The Ipswich City Council (ICC) Fraud and Corruption Control Policy was first approved by the interim Administrator and the Interim Management Committee (ICC) in December 2019, with a review date of December 2023.

The ELT Risk Committee (**ELT Risk Committee**) at its meeting on the 5 December 2023 noted the Fraud and Corruption Control Policy will be approved by Council and the revised Fraud and Corruption Control Administrative Directive by the Chief Executive Officer.

ELT Risk Committee noted the annual review of Fraud and Corruption Control Plan and Risk Register resulted in minor changes (**see Attachment 2**).

More significant updates to the Fraud and Corruption Control Policy and the Fraud and Corruption Control Risk Register will be discussed with stakeholders in the new year.

The Fraud and Corruption Control Policy states the behaviours and responsibilities expected of staff to:

- act legally, ethically and in the public interest;

- understand their obligations and implement practices to stop fraud and corruption occurring in Council.

The Fraud and Corruption Control Plan articulates Council's commitment to the detection and prevention of all forms of fraud and corruption and to the creation and embedding of an ethical culture and work environment that discourages and prevents fraud and corruption.

The Fraud and Corruption Control Plan aims to:

- Avoid any incidence of fraud and corruption;
- Minimise opportunities for fraud and corruption through effective internal controls, training and awareness;
- Encourage ethical dealings at all levels of ICC;
- Ensure compliance with legal and statutory obligations; and
- Prevent any financial or reputational damage to ICC.

The Fraud and Corruption Control Plan will be approved by the CEO once the Fraud and Corruption Control Policy has been approved.

LEGAL IMPLICATIONS

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

Local Government Act 2009

Crime and Corruption Act 2001

Local Government Regulation 2012

Public Interest Disclosure Act 2010

Financial Accountability Act 2009

ICC Employee Code of Conduct

ICC Fraud and Corruption Control Administrative Directive

ICC Fraud and Corruption Control Plan

ICC Enterprise Risk Management Administrative Directive

ICC Enterprise Risk management Framework and Procedure

Australian Standard Fraud and Corruption AS 8001-2021

QLD Crime and Corruption Commission Corruption in focus – A guide to deal with corrupt conduct in the Queensland public sector

QLD Crime and Corruption Commission's Fraud and Corruption Control - Best Practices Guide

RISK MANAGEMENT IMPLICATIONS

The risk of fraud and corruption in Council is an extremely serious matter not only for the organisation but also for our community. Such conduct potentially involves the commission of criminal offences attracting severe penalties and has an adverse impact on the community and seriously undermines public confidence in Council.

Underpinning the proposed Fraud and Corruption Control Policy is the principle that the most effective way to prevent, deter and detect fraud and corruption is through the careful design and rigorous implementation of sound policy and good practice calculated to achieve those objectives.

Adoption of the Fraud and Corruption Control Policy together with a good Fraud and Corruption Control Plan, training, and a regular reporting regime will lessen future risks to the organisation and increase the fraud and corruption management capabilities of the organisation.

FINANCIAL/RESOURCE IMPLICATIONS

The adoption of the updated Fraud and Corruption Control Policy does not have any financial implications.

COMMUNITY AND OTHER CONSULTATION

In reviewing and updating the Fraud and Corruption Control Policy, the Legal and Governance Branch sought feedback and support from the:

- The Chief Executive Officer
- Members of the ELT Risk Committee
- All General Managers
- Chief Audit Executive
- Members of the Audit and Risk Management Committee (ARMC)
- The Ethical Standards Manager
- Manager People and Culture
- Corporate Governance Manager

CONCLUSION



Council has embracing leading practice by developing a sound Enterprise Risk Management Framework. One pillar of the framework focuses on the prevention, deterrence and detection of fraud and corruption. Adoption of the reviewed and updated Fraud and Corruption Control Policy, along with other measures, provide Council with a strong platform to detect and prevent of all forms of fraud and corruption and to create and embed an ethical culture and work environment that discourages and prevents fraud and corruption.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
Link to checklist in Objective (internal use only)	Human Rights Impact Assessment Checklist - Fraud and Corruption Control Policy (A10702725)

(a) What is the Act/Decision being made?	<p>The Recommendation states that the Finance and Governance Committee adopt the revised Ipswich City Council Fraud and Corruption Control Policy.</p> <p>The content has not substantially changed; general improvements were made throughout the document.</p>
(b) What human rights are affected?	<ul style="list-style-type: none"> • Recognition and equality before the law (section 15) • Protection from torture and cruel, inhuman or degrading treatment (section 17) • Freedom of expression (section 21) • Taking part in public life (section 23) • Privacy and reputation (section 25)
(c) How are the human rights limited?	<p>There is potential for the policy to discriminate against certain individuals if it is not applied consistently.</p> <p>It is possible that the application of the Policy may involve the humiliation of a person in the event the investigation process was not handled in accordance with relevant processes/legislation.</p> <p>If actions taken under the Policy are not undertaken lawfully, it is possible that the person may have sustained an attack on their reputation.</p>
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	<p>Yes. The purpose of the Policy is to provide an ethical system of government that is free from fraud and corruption.</p> <p>The rights that the Policy will potentially limit are important rights. Individuals have a right not to have their reputation arbitrarily interfered with and to have their right to privacy respected during any investigation process. Balanced against these rights are the rights of employees and members of the public to have their expectation of a government free from fraud and corruption fulfilled.</p>
(e) Conclusion	<p>The decision is consistent with human rights.</p>

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Fraud and Corruption Control Policy - track changes ↓ 
2.	Fraud and Corruption Control Policy - clean skin ↓ 

Graham McGinniskin
TEAM LEADER (RISK AND INSURANCE)

I concur with the recommendations contained in this report.

Shasha Ingbritsen
CORPORATE GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10633242

ITEM: 11
SUBJECT: AMENDMENTS TO CEO DELEGATIONS DUE TO LEGISLATIVE UPDATES
AUTHOR: SENIOR GOVERNANCE OFFICER
DATE: 11 SEPTEMBER 2024

EXECUTIVE SUMMARY

This is a report concerning updates to the delegations to the CEO due to recent changes to legislation.

RECOMMENDATION/S

- A. That the Delegations to the Chief Executive Officer as detailed in Attachment 1 to the report by the Senior Governance Officer dated 11 September 2024 be adopted.**
- B. That the delegations to the Chief Executive Officer as detailed in Attachment 2 be amended as detailed in Attachment 3.**
- C. That the delegations to the Chief Executive Officer detailed in Attachment 4 be repealed.**

RELATED PARTIES

There are no conflicts of interest relating to this report.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

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

Recent updates made to the *Environmental Protection Act 1994* and *Animal Management (Cats and Dogs) Act 2008* have resulted in new powers which are required to be delegated to the Chief Executive Officer. In addition, the *Prostitution Act 1999* was repealed as part of the *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024*, therefore the delegations previously provided to the Chief Executive Officer are no longer

required and can be repealed. The updates to the *Animal Management (Cats and Dogs) Act 2008* also resulted in a minor update to 2 powers and the repeal of 2 powers.

Following the recent updates approved by Council on 13 August 2024 a transitional provision within the *Building Regulation 2021* was identified to allow the completion of certain obligations relating to combustible cladding within the *Building Regulation 2006*. Further investigation into these powers has identified that Council’s obligations in relation to these powers have been completed and they are no longer required.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

FINANCIAL/RESOURCE IMPLICATIONS

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

COMMUNITY AND OTHER CONSULTATION

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

CONCLUSION





Recent updates to legislation resulted in additional powers required to be delegated to the Chief Executive Officer in addition to the repeal of an Act resulting in the requirement to repeal the associated delegations.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A states that Council delegate additional powers to the CEO

	Recommendation B states that Council amend 2 delegations to the CEO which have been amended in the legislation. Recommendation C states the Council repeal delegations to the CEO which are no longer in effect
(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?	No applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1	Amendments to CEO Delegations - New Delegations ↓ 
2	Amendments to CEO Delegations - Amended Delegations (Clean) ↓ 
3	Amendments to CEO Delegations - Amended Delegations (Track) ↓ 
4	Amendments to CEO Delegations - Delegations for Repeal ↓ 

Alisha Campbell
SENIOR GOVERNANCE OFFICER

I concur with the recommendations contained in this report.

Shasha Ingbritsen
CORPORATE GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy
MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10653193

ITEM: 12
SUBJECT: MONTHLY FINANCIAL PERFORMANCE REPORT - AUGUST 2024
AUTHOR: FINANCIAL ACCOUNTING MANAGER
DATE: 12 SEPTEMBER 2024

EXECUTIVE SUMMARY

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

RECOMMENDATION/S

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

RELATED PARTIES

Not applicable

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

This report outlines the financial results for Ipswich City Council as at 31 August 2024.

The total net result (including capital revenue) for Ipswich City Council as at 31 August 2024 is a surplus of \$35.2 million compared to the year to date (YTD) budget surplus of \$21.4 million.

Council's YTD operating surplus (excluding capital revenue) is approximately \$8.1 million compared to the budgeted YTD surplus of \$4 million. The explanations are outlined further in the report.

Overall, capital expenditure including the Nicholas Street Redevelopment YTD but excluding the flood buy-back is \$13.2 million behind budget. Asset donations as at 31 August 2024 are \$2.4 million above the YTD budget.

Revenue

Operating revenue is \$3 million above the YTD budget which is mainly due to animal registrations, UU tax revenue and interest income being ahead of budget. Interest revenue was \$875k higher than budget due to cash being slightly higher than budget, and investment interest rates remaining high. Revenue results will continued to be monitored for any possible timing effects.

Expenses

Overall operating expenses are approximately \$1 million below YTD budget.

Employee expenses (including labour contracts) are over budget by \$638k which is mainly due to greater than budgeted labour contracts and less people charging to capital projects than budgeted. The amount charged to capital projects will be reviewed further through September.

Materials and services (excluding labour contracts) are underbudget by \$1.6 million. This is mainly due to the timing of expenditure and it is expected that this variance will reduce. Depreciation is in line with budget and will continue to monitored during the financial year as capital works are undertaken and construction projects are capitalised. Finance will also continue to review the remaining lives of assets and asset revaluations.

Capital

The total YTD capital expenditure (including the Nicholas Street Redevelopment and excluding voluntary home buy back and disaster recovery) is \$22.7 million compared to the YTD budget of \$32.9 million.

The Nicholas Street Precinct Redevelopment is tracking under budget by approximately \$7.3 million.

Asset and Infrastructure Services Infrastructure Program YTD capital expenditure (excluding voluntary home buy back and disaster recovery) is \$11.9 million compared to budget of \$14.4 million. The underspends are mainly related to the strategic transport projects, in particular Mary and William Traffic Signals Upgrade and Springfield Greenbank Arterial Stage 3.

Cash Balances

Council's cash and cash equivalents balance as at 31 August 2024 was \$171.3 million and slightly above forecasts.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

Council's financial position is managed in accordance with the Financial Management Policy.

RISK MANAGEMENT IMPLICATIONS

The favourable operating result being a \$8.1 million surplus against a budgeted surplus of \$4 million is mainly driven by operating revenues and materials and services expense. As it is the first quarter of the financial year, there may be some timing impacts on expenditure and revenue, depending on the phased budget (when it was anticipated receipts would be received and expenditure incurred). Review and rephasing of budget occurred during August and will continue to be monitored.

FINANCIAL/RESOURCE IMPLICATIONS

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

COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation. Analysis and explanations of the variances are undertaken in conjunction with the various departments.


CONCLUSION

Regular reporting and monitoring of expenditure will continue during the financial year as part of Council's regular governance and reporting process.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS
RECEIVE AND NOTE REPORT
The Recommendation states that the report be received and the contents noted. The decision to receive and note the report does not limit human rights. Therefore, the decision is compatible with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Monthly Financial Performance Report - August 2024 ↓ 
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Christina Binoya
FINANCIAL ACCOUNTING MANAGER

I concur with the recommendations contained in this report.

Jeffrey Keech
CHIEF FINANCIAL OFFICER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10746078

ITEM: 13

SUBJECT: REPORT - REGULATION ADVISORY COMMITTEE NO. 2024(02) OF 1 OCTOBER
2024

AUTHOR: ACTING MEETING COORDINATION MANAGER

DATE: 3 OCTOBER 2024

INTRODUCTION

This is the report of the Regulation Advisory Committee No. 2024(02) of 1 October 2024.

RECOMMENDATION

**That Council adopt the recommendations of the Regulation Advisory Committee
No. 2024(02) of 1 October 2024.**

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

- | | |
|----|---|
| 1. | Regulation Advisory Committee Report No. 2024(02) of 1 October 2024   |
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