

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)	Mayor Teresa Harding
Councillor Jacob Madsen (Deputy Chairperson)	Deputy Mayor Nicole Jonic
	Councillor Andrew Antoniolli
	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. <u>CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE</u> 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 Australian Crawl (Goodna) Pty Ltd t/a

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	Lot 1 on SP221978 & Lot 4 on SP148559	Australian Crawl (Goodna) Pty Ltd t/a Just Sports n
	235 Smiths Road, Redbank		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 Australian Crawl (Goodna) \$24,000.00 or 10% 10 years

(Option 1) Pty Ltd t/a Just Sports n turnover, whichever is greater

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. <u>PROCUREMENT - WORKPLACE HEALTH AND SAFETY MANAGEMENT SOFTWARE</u> 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.

- 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.

- 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. <u>PROCUREMENT CONTRACT EXTENSION 13482 GROUNDS MAINTENANCE AND ASSOCIATED SERVICES</u>

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.

- 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.

6. **PROCUREMENT: VARIATION TO CONTRACT 16456 PRORGRAM 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.

7. **PROPOSED ACQUISITIONS OF LAND FOR INFO4658 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).

- 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.

- 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.

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 Antoniolli, 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. <u>CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE</u> NO. 2024(03) OF 13 AUGUST 2024

RECOMMENDATION

Moved by Councillor Andrew Antoniolli:

Seconded by Deputy Mayor Nicole Jonic:

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

AFFIRMATIVE NEGATIVE
Councillors: Councillors:
Tully Nil

Madsen Harding Jonic Antoniolli Madden

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 NEGATIVE
Councillors: Councillors:
Tully Nil

Madsen Harding Jonic Antoniolli Madden

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 NEGATIVE
Councillors: Councillors:
Tully Nil

Madsen Harding Jonic Antoniolli Madden

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 Antoniolli:

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 Antoniolli:

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 NEGATIVE
Councillors: Councillors:
Tully Nil

Madsen Harding Jonic Antoniolli Madden

The motion was put and carried.

5. <u>MEMBERSHIP OF THE FINANCE AND GOVERNANCE COMMITTEE</u>

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 NEGATIVE
Councillors: Councillors:
Tully Nil

Madsen Harding Jonic Antoniolli Madden

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	Australian Crawl (Goodna) Pty Ltd t/a Just
	Complex	Sports n Fitness

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	Lot 1 on SP221978 &	Australian Crawl (Goodna)
	Sports Complex	Lot 4 on SP148559	Pty Ltd t/a Just Sports n
	235 Smiths Road, Redbank		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	\$24,000.00 or 10% turnover, whichever is	10 years
	Fitness	greater	

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

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Recommendation to Award

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	Recommendations A and B state that Council enter into a contractual arrangement each year for the next up to three (3)	
made?	years with VelocityEHS Australia Pty Ltd. for the continued	
	provision of a Workplace Health and Safety Management	
	software solution.	
(b) What human rights	No human rights are affected by this decision as the contracts	
are affected?	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	Not applicable	
reason for limiting		
the relevant rights?		
Is the limitation fair		
and reasonable?		
(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.

- 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.

- 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 IMPACT	S
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 PRORGRAM 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 Original Contract (executed 29/04/2021)	Variation 1 (executed	VARIATION 1 Revised Contract (executed 29/04/2021)	APPROVED Variation 2 (executed 24/04/2022)	VARIATION 2 Revised Contract (executed 24/04/2022)	APPROVED Variation 3 (executed 31/07/2022)	Revised Contract	APPROVED Variation 4 (executed 08/12/2022)	PVARIATION 4 Revised Contract (executed 08/12/2022)
1 a	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	 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	 The engagement is on Council's Standard Professional Services contract, this variation does not change the terms and conditions of the contract
Financial	Low	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	Delay in the delivery of the Ipswich Central CBD Revitalisation Project and opening of tenancies if the variation is not approved
Information management	Medium	 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 IMPACT	S
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) 🗓 🖺
	CONFIDENTIAL
3.	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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Item 6 / Attachment 1.



ABN 83 076 497 866

9 April 2024

Attention: James Hepburn
Office of Infrastructure and Environment Department
Ipswich City Council
50 South Street
Ipswich QLD 4305

Dear James,

RE: RETAIL PROGRAM: IPSWICH CBD REDEVELOPMENT
COMMONWEALTH HOTEL
PROGRAM EXTENSION #4 PROPOSAL

We refer to our recent ongoing discussions regarding the program for delivery of the Commonwealth Hotel project. As requested, we have prepared this proposal for your consideration.

Program Extension

- ► The most recently approved fee proposal dated 18-Jul-22 included a Commonwealth Hotel Program based on a targeted Open for Trade date of December 2023. This was based on an indicative program provided by Hutchinson's Builders at the time, however was prior to the award of the construction contract.
- ► The current program includes a current Hutchinson's Builders Practical Completion date of 17th May 2024, resulting in a forecast Open for Trade date for Aushotels in September 2024.
- ▶ Previous fee proposals were prepared with Ranbury's professional fees being based on a fixed lump sum fee aligned with the adopted program, noting that any further delay to program beyond the targeted opening dates would result in the requirement for additional professional fees. Such fees would be determined at the time of the known delay and presented to Council for approval.
- ► The program, resources required, and associated fees have now been re-forecast based on the revised target opening date above and discussions with Council to confirm resourcing requirements.

Proposed Fee Adjustment

As a result of the revised Open for Trade date, additional professional fees of \$146,802 + gst are forecast for the Project Management services required.

► The fees proposed under this extension are a continuation of the fixed basis of the previous agreement.

BRISBANE

Level 18, 270 Adelaide Street Brisbane QLD 4001

T (+61 7) 3211 2300

SYDNEY

Level 1, 51 Berry Street North Sydney NSW 2060

T (+612) 8039 4500

MELBOURNE

Level 3, 3 Bowen Crescent Melbourne VIC 3000

T (+61 3) 8672 5626

MACKAY

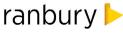
Suite 6, 52 Maclister Street Mackay QLD 4740

T (+61 7) 4944 0555

TOWNSVILLE Suite 1 57 Mitchell Street North Ward QLD 4810

T (+61 7) 4727 0843

Item 6 / Attachment 1.



ranbury.com.au ABN 83 076 497 866

- Any further delay to program beyond the targeted opening dates noted within this proposal will result in the requirement for additional professional fees. These will need to be determined at the time of the known delay and presented to Council for approval.
- ► Should there be delays, Ranbury will again work with Council to mitigate costs by deploying resources to other projects where possible.

Program & Resourcing

Once approved this proposal will deliver the program and resourcing as summarised below;

- ► Kan Chan is the nominated Project Manager and Superintendents Representative through to the currently forecast practical completion date in May 2024.
- ► Charlotte Batterham is the nominated Superintendents Representative through to the currently forecast practical completion date in May 2024.
- ► Kan Chan is the nominated Project Manager for the tenancy delivery phase from mid-May 2024 through to the currently forecast September 2024 Open for Trade date.
- ► Individuals assigned to roles may need to be adjusted from time to time. However, this will only be implemented following discussion and endorsement from Council.

Should you require any further information or clarification, please do not hesitate to contact me on 07 3211 2300 or 0400 096 224.

Yours sincerely,

Scott Kennelly
Executive Director

Item 6 / Attachment 2.

Brett Edmunds

From: Scott Kennelly <scott.kennelly@rpinfrastructure.com.au>

Sent: Thursday, 6 June 2024 1:40 PM

To: Brett Edmunds

Cc: Louis Boneschans; Kan Chan; Bapi Bhattacharjee

Subject: RE: Commonwealth Hotel - Fee Variation Proposal #4 FINAL

Hi Brett,

I've spoken with Kan and he has advised that PC wasn't granted at the end of May and is now most likely to issued in 2 parts in June and potentially extending into July. Accordingly. I have amended the spreadsheet as per attached and highlighted to proposed amendments in yellow.

Happy to discuss further any queries.

Regards

Scott Kennelly

Scott Kennelly

Executive Director

M 0400 096 224

E SKennelly@ranbury.com.au

Sydney . Melbourne . Brisbane . Mackay . Townsville

ranbury.com.au | rpinfrastructure.com.au







Ranbury is pleased to be integrating with RP Infrastructure to form one of Australia's premier advisory and project management groups. Together, we are bringing wider perspectives to our clients and delivering a superior range of services. Please note our Brisbane office is now located at 179 Turbot Street, Brisbane 4000.

Follow RMG on LinkedIn

Follow RPI on LinkedIn

RP Infrastructure and Ranbury acknowledge Aboriginal and Torres Strait Islander peoples as the First Australians and Traditional Custodians of the land on which we live, learn and work. We pay our respects to their Elders past, present and emerging.

Sent: Monday, June 3, 2024 9:30 AM

To: Scott Kennelly <scott.kennelly@rpinfrastructure.com.au>
Cc: Louis Boneschans <louis.boneschans@ipswich.qld.gov.au>
Subject: FW: Commonwealth Hotel - Fee Variation Proposal #4 FINAL

Good morning Scott,

Item 6 / Attachment 2.

		Status	Fee Proposal Date	Open For Trade	TOTAL	Change	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25
_																												_
	Latest	Proposed			592,540	+ 174.882	15,600	15,600	15,600	15,600	15,600	15,600	9,360		9,360	9,360	3,300											
	Lutest	Порозси			332,340	1 174,002							1,540	1,540	1,540	1,540	1,540	1,540	1,540	1,540	1,540	1,540	1,540	1,540				
\neg																												

D&C Phase
DLP Phase

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 Monterea Street)
- Stage 2: Ripley Road (Monterea Steet to Fischer Road)
- Stage 3: Fischer Road (Nevis Street to Monterea 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 Monterea 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

INFO4658 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 Antoniolli. 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 IMPACT	S
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	It is considered that acquiring the identified land has less
reason for limiting	impact on the registered owner compared to the benefit and
the relevant rights?	safety to the community from the upgrade of the road.
Is the limitation fair	
and reasonable?	
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

Ī		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 IMP	ACTS
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 🗓 ื
	CONFIDENTIAL
3.	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.

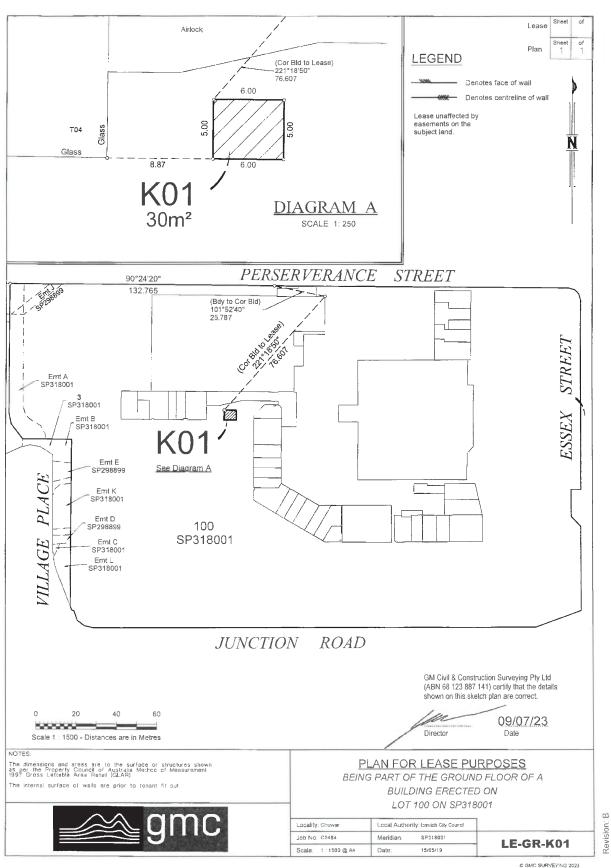
Ben Pole

GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

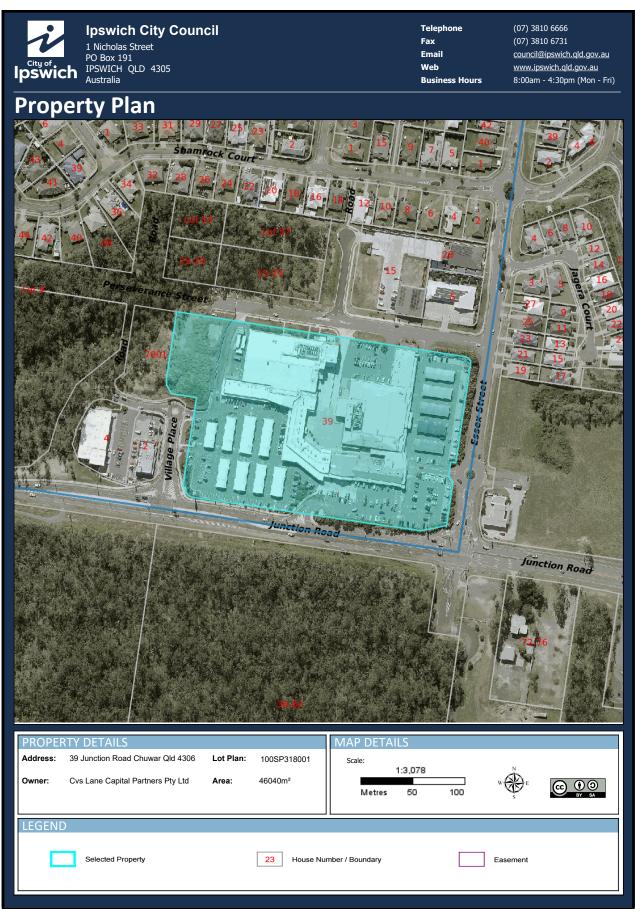
"Together, we proudly enhance the quality of life for our community"

Item 8 / Attachment 1.

Page 52 of 52



Item 8 / Attachment 2.



Printed: 19 Aug 2024 3:28 pm

Item 8 / Attachment 2.

DDODEDTY D	ETALLC		
PROPERTY D Published Date: 19/08/	/2024		
Address:	39 Junction Road Chuwar Qld 4306	Suburb:	Chuwar
LotPlan:	100SP318001	Postcode:	4306
Area:	46040m²	Division:	Division 4
Tenure:	Tenure: FH Description: FREEHOLD		
RATING DETAILS			
PPN:	187706	Assessment :	202426
Owner:	Cvs Lane Capital Partners Pty Ltd	Mail Address:	CVS Lane Capital Partners Pty Ltd C/- Consolidated Properties Group GPO Box 5297 BRISBANE QLD 4001
Land Use:	Code: 1600 Description: Drive In Shopping Centre	Rates:	Code: 7001 - Rural Fire Levy Separate Charge Code: 610 - Differential General Rate - Category 55h1 Code: 711 - State Govt Emergency & Fire Levy - Group 12 Code: 2222 - Enviroplan Levy
Dogs:	No Registered Dog		
WORK AREA DETAILS			
Census:	SA1: 31003128802 SA2: 31003128 SA3: 31003 SA4: 310 Mesh Block: 30354730000 Block Category: Residential	Historic Flood:	1974 Affected: False 2011 Affected: False 2022 Affected: false
IE Work Area:	District 1 - Northern Team 1	PRS Planning Team Area:	Development - East Team
PRS Engineering Teams Areas:			Area 1: PRS Compliance - Development 2 Area 2: PRS Compliance - Local Laws Investigation 8 Area 3: PRS Compliance - Animal Management 6 Area 4: PRS Compliance - Littering and Dumping 3
Waste Work Area:	Zone 4	Catchment:	Catchment: Bremer River Subcatchment: Bremer River
PLANNING & DEVELOP	PMENT DETAILS		
Zones:	MC07 - Major Centre	Development Constraints:	OV11 High Pressure Gas Pipeline Buffer Area OV7A Building Height Restriction Area 90m OV7A Outer Horizontal Surface RL 176.5 OV7B 13km Existing Committed Urban Townships Buffer
Divisions buffered 50m:	Division 4		

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/docu					
	ment/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

Memo - Summary of Negotiations
 Title Search
 Lease Plan
 Property Plan
 Ministerial In Principle Approval
 CONFIDENTIAL
 Gaming Account Audit
 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)

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

Item 9 / Attachment 1.



IPSWICH CITY COUNCIL

CCED MEMO

Don Stewart, Manager Community and Cultural Services

28 February 2024

Goodna Rugby League Football Club

The following details provide a high-level summary of the Goodna Rugby League Football Club's (GRLFC) history in regards their leasing arrangements and tenure at 135 Brisbane Terrace, (Lot 128 on SP 178961).

RECOMMENDATION

It is recommended that the information provided be noted and taken into consideration when finalising the reviewed tenure and lease arrangement for the Club.

BACKGROUND

History of Tenure

- Lease agreement 1969 through 1989 @ \$1 per annum
- Last trustee lease expired 2015 @ \$1per annum
- Statement of Lease Rent charges for the period 2008 through 2011 @ \$1,375 per year
- Club requested to be released of their obligations over the playing fields and amenities in Nov 2011

Background to Current Lease

- Trustee Lease fee calculations have been calculated in accordance with:
 - o Clause 6.5 of Council's <u>Tenure over Council Property Policy</u> which states:
 - "The guidelines for determining the appropriate rental fee is set out in the Land Regulation 2020 – Section 27 (Rental Categories for rent assessment) and Section 36 (Rent for leases of particular categories).
 - If rent cannot be determined under the Land Regulation 2020 council will determine the appropriate rent reflective of the purpose of the land and community benefit."
- The rent for Goodna & District Rugby League Football Club was assessed under Category D as the site
 contains major improvements through the provision of a clubhouse and the holding of both Liquor and
 Gaming Licences in accordance with the Liquor Act 1992 s105. Additionally the Trustee Lessee must be
 a Community Group managed and operated by volunteers with a defined organisational and
 governance structure.
- The 'Category D' annual rent was calculated at 5% of the unimproved capital land value (UCV), as set by the Queensland Government, Department of Resources, or \$5,000 whichever is greater.
- The calculation of the rental fees as per above was based off the Land Valuation for the site which was confirmed with the State Department of Resources
- As at 30 June 2022, the UCV for the Lease B area was set at \$225,000
- The Letter of Offer for a new Trustee Lease (with reference to Council's <u>Tenure over Council Property</u> <u>Policy</u> and the above) was provided to the club in writing 19 July 2022

Item 9 / Attachment 1.

IPSWICH CITY COUNCIL | CCED GM MEMO

- The previous Secretary (on behalf of the Goodna & District Rugby League Football Club Executive committee) accepted in writing (21 July 2022) to the proposed Trustee Lease and subsequent rent prior to the resolution of Council.
- This new Trustee Lease and subsequent calculated fees will bring Goodna & District Rugby League Football Club's tenure over the subject site in accordance with Council Policy
- It is understood that Council does not have to apply the current rent and has the power to set an
 alternative rent, with the knowledge that this would be in contradiction to its existing policy <u>Tenure</u>
 over Council <u>Property Policy</u>

KEY ISSUES

- The Mayor and delegated Council officer met with the current President GRLFC to discuss the issue of the agreed rent and the challenges this presents under current trading conditions
- Their annual financial statements (2022) indicate a static revenue position balanced against a rising cost base without provision for rent taken up.
- If the annual rent of \$11,250 were to be applied, the club would in all probability be declaring an annual
 operating loss and continue to do so in future years essentially leaving the club in a unsustainable
 financial position, potentially forcing the club into administration an outcome neither party would
 prefer.
- The club did not seek 100% rental relaxation and have indicated both a desire to pay a rent and a capacity to meet what has been proposed in below table.
- Club have been advised that subject to adoption of any new tenure agreement, the club will be required to pay the agreed outstanding rent (effective 1 January 2024)

FUTURE STEPS

 Submit to the State a request for relaxation of the agreed rent under the rental guideline proposed below:

Year	Dates		Rent Reduction	Revised Rent	Annual Rent Review	Revised Annual Rent		Monthly Rent	
1	1/07/2023	30/06/2024	50%	\$ 5,625.00		\$	5,625.00	\$	468.75
2	1/07/2024	30/06/2025	60%	\$ 6,750.00	3.00%	\$	6,952.50	\$	579.38
3	1/07/2025	30/06/2026	70%	\$ 7,875.00	3.00%	\$	8,111.25	\$	675.94
4	1/07/2026	30/06/2027	85%	\$ 9,562.50	3.00%	\$	9,849.38	\$	820.78
5	1/07/2027	30/06/2028	100%	\$ 11,250.00	3.00%	\$	11,587.50	\$	965.63
						\$	42,125.63	\$	702.09

- The above provides for a 50% reduction on the original \$11,250 annual rent in the first year (back dated to commence from 1 January 2024)
- Rent would be payable on a monthly basis as outlined in the above table
- Annual 3% increases would apply as per the existing tenure agreement
- The increments staged over a 5 year period have been established to assist the club in managing its cash flow and providing ample opportunity for it to plan accordingly to meet this annual obligation
- This proposal sees the rental reduced by \$17,600 over the 5 year period

IPSWICH CIT	TY COUNCIL (CCED GM MEMO	

• It would be expected that any renewal at the end of the current 5 year term will reflect normalised tenure arrangements in line with what was agreed to under the current lease

Endorsed

Don Stewart

Branch Manager

28 / 02 / 2024

Comments:		
	_	

INTERNAL CURRENT RESERVE SEARCH QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 15/03/2024 12:47 Title Reference: 49006520
Date GAZETTED: 10/07/1886

Opening Ref: SG 86-14299

Purpose: PARKS, PUBLIC BOAT RAMPS, RECREATION AND SPORT

Sub-Purpose:
Local Name:

Address: BRISBANE TCE, GOODNA

County (R) No: R359

File Ref: RES 86-098

TRUSTEES

IPSWICH CITY COUNCIL Gazetted on 22/09/1934 Page 739

LAND DESCRIPTION

LOT 128 SURVEY PLAN 178961 Gazetted on 28/04/2006 Page 1560

Local Government: IPSWICH

Area: 11.000000 Ha. (ABOUT)

EASEMENTS AND ENCUMBRANCES

1. TRUSTEE LEASE No 711636071 09/05/2008 at 14:49
 AUSTRALIAN CRAWL (GOODNA) PTY LTD A.C.N. 120 208 255
 OF LOT A ON SP212627
 TERM: 1/09/2004 TO 31/8/2024 OPTION NIL
 Lodged at 14:49 on 09/05/2008 Recorded at 08:37 on 14/05/2008

2. TRUSTEE LEASE NO 722805329 11/10/2023 at 16:12 GOODNA & DISTRICTS RUGBY LEAGUE FOOTBALL CLUB INC OF PART OF THE LAND (LEASE B)
TERM: 01/07/2023 TO 30/06/2028 OPTION NIL

Lodged at 16:12 on 11/10/2023 Recorded at 09:26 on 27/10/2023

ADMINISTRATIVE ADVICES

Dealing Type Lodgement Date Status Location 719917478 LAND NOTICE 24/02/2020 14:17 CUR IH-GEN -00

SEC 48 (2) LAND ACT 1994 UNREGISTERED DEALINGS - NIL

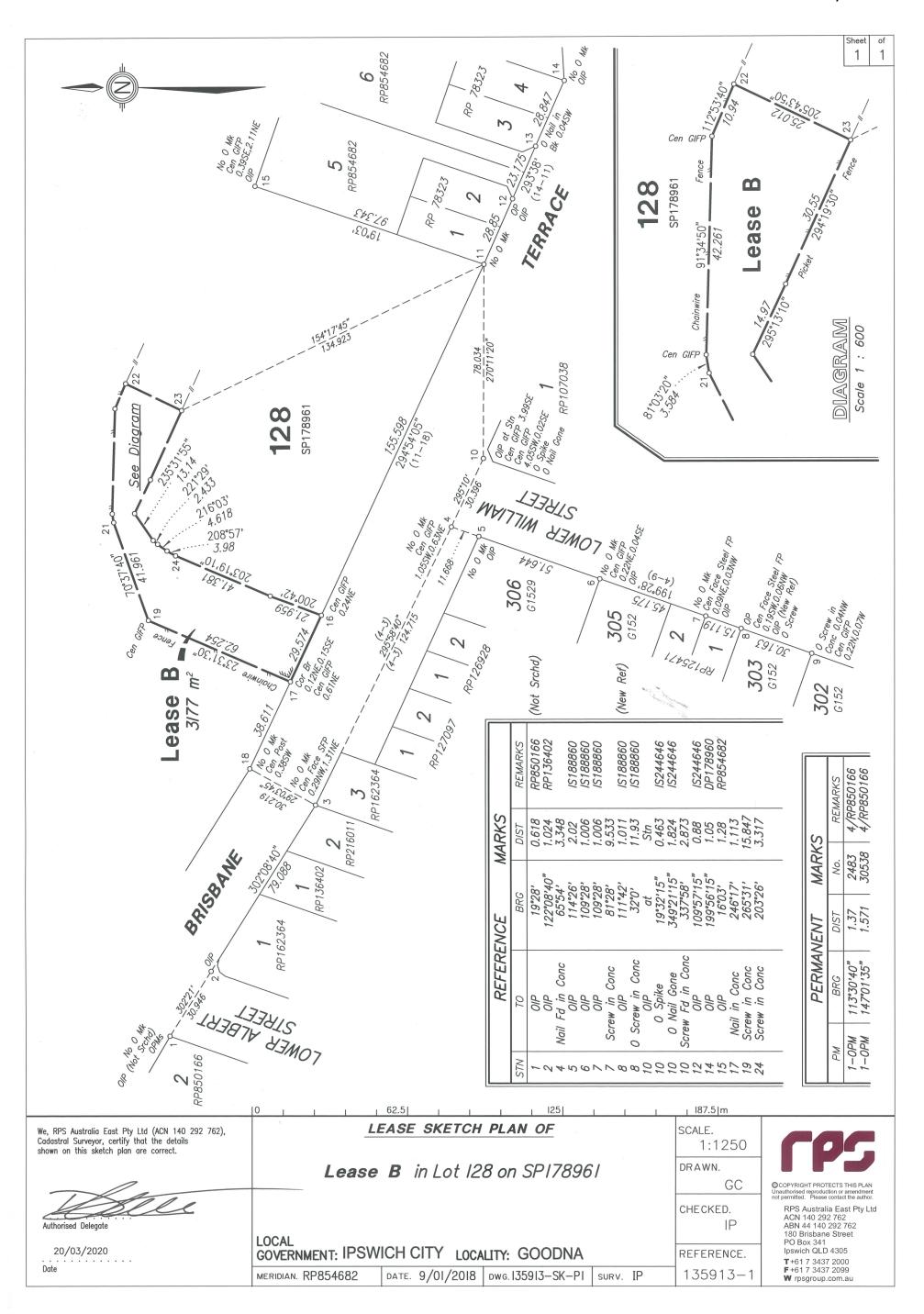
Caution - Charges do not necessarily appear in order of priority

** End of Current Reserve Search **

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Page 1/1

Item 9 / Attachment 3.



Item 9 / Attachment 4.



PROPERTY PLAN

135 BRISBANE TERRACE, GOODNA (LEASE B)

Item 9 / Attachment 7.

Author: Margaret Christensen Reference: 2022/003094

Unit: Land and Surveying Services

Phone: 07 38948115



Department of Resources

5 December 2022

Mrs Bianca Gaudry Ipswich City Council PO Box 191 IPSWICH QLD 4305

Dear Mrs Gaudry

APPLICATION FOR TRUSTEE LEASE RESERVE – LOT 128 ON SP178961 TRUSTEE: IPSWICH CITY COUNCIL

PROPOSED LESSEE: GOODNA AND DISTRICT RUGBY LEAGUE FOOTBALL CLUB INC

Reference is made to the above application. A trustee lease, as proposed, will be allowed provided a copy of the document, duly executed is returned to **this office** for endorsement of the approval by the Delegate for the Minister administering the *Land Act 1994*, subject to the following requirements first being met:

The draft trustee lease should be amended as follows:

Form 7

Item 3 – **Lessee** – Please check the name of the club – ASIC search shows "Districts" not "District" - amend if necessary.

Item 4 - Interest - Delete "R359".

Item 6 – Term – Amend the commencement date – to be a date on or after this in principle approval.

Form 20

Page 2 – Item 3 – Amend the commencement date - to be a date on or after this in principle approval.

Add the following clause:

"This trustee lease is issued in accordance with the provisions of section 24JA of the Native Title Act 1993 (Cth). In accordance with section 24JB(3) of the Native Title Act 1993 (Cth), the non-extinguishment principle applies."

Postal Address: Resources Ipswich PO Box 2286 North Ipswich QLD 4305 Telephone: 07 3894 8115

Item 9 / Attachment 7.

If a reply is not received by close of business on **16 January 2023** it may be assumed that you do not wish to proceed with the application.

When a copy of the amended and executed documentation is returned to this office a Form 18 General Consent signed by the Delegate of the Minister administering the *Land Act 1994* will be provided. The amended and executed documents may be emailed to Margaret Christensen at SLAM-Ipswich@resources.qld.gov.au.

The Trustee Lease is to be lodged with Titles Queensland within six (6) months of the date of the Form 18 General Consent.

Prescribed registration fees are payable at the time of lodgement with Titles Queensland.

If you wish to discuss this matter please contact Margaret Christensen on 07 3894 8115.

All future correspondence relative to this matter is to be referred to the contact officer at the address shown on this correspondence or by email to SLAM-ipswich@resources.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2022/003094 in any future correspondence relating to this matter.

Yours sincerely

Margaret Christensen for Senior Land Officer and

In Cheristansen

Delegate of the Minister

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?	The Recommendation states that the Finance and Governance Committee adopt the revised Ipswich City Council Fraud and Corruption Control Policy.
	The content has not substantially changed; general improvements were made throughout the document.
(b) What human rights are affected?	 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?	There is potential for the policy to discriminate against certain individuals if it is not applied consistently.
	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.
	If actions taken under the Policy are not undertaken lawfully, it is possible that the person may have sustained an attack on their reputation.
(d) Is there a good reason for limiting	Yes. The purpose of the Policy is to provide an ethical system of government that is free from fraud and corruption.
the relevant rights? Is the limitation fair and reasonable?	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.
(e) Conclusion	The decision is consistent with human rights.

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)

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



Fraud and Corruption Control Policy



Collaboration









Version Control and Objective ID	Version No: 1	Objective ID: A4808788
Adopted at Council Ordinary Meeting on	10 December 2019	
Date of Review	10 December 2023	

1. Statement

The risk of fFraud and corruption in Ipswich City Council (ICC) is an extremelya serious matter risk for Ipswich City Council (ICC) and for the community. Not only does such conduct potentially involve the commission of criminal offences attracting severe penalties, it can have a direct and adverse impact on the community and seriously undermine public confidence in ICC.

Underpinning this Policy is the principle that the most effective way to manage fraud and corruption is through the careful design and rigorous implementation of sound policy and good practice calculated to achieve those objectives. This principle is reflected in the training and guidance we-ICC provides to manage and mitigate our organisational risks generally, and more particularly in relation to the risks associated with fraud and corruption.

The objectives of thisis Policy is are meant to:

- inform and assist provide clarity and direction to employees, contractors, consultants and other workers or volunteers performing services on behalf of ICC managers and staff at all levels and in every area of ICC. Given our shared responsibilities for regarding the preventing, deterring on and detecting detection of fraud and corruption, this Policy is mandatory reading for all ICC employees.
- This policy outline the circumstances where unsubstantiated complaints of fraud and corruption will be considered to have been made vexatiously or maliciously to harm the organisation and/or employees. also considers vexatious misuse of this policy for complaints that after careful consideration are found to be unsubstantiated where it can be determined it was used in a vexatious or malicious way to harm the organisation and/or its staff.

2. **Purpose and Principles**

ICC 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 corruption that may occur.

ICC is committed 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.

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It is the responsibility of all ICC staff, contractors, consultants and other workers to report all suspected cases of fraud or corruption.

The <u>Policy</u> Fraud and Corruption Control Policy identifies the minimum requirements and responsibilities for the governance, prevention, detection, and the response to suspected fraud and corruption within ICC.

The Fraud and Corruption Control Policy: Policy

- ensures that <u>our-ICC's</u> workforce acts legally, ethically and in the public interest;
- enables staff_employees to understand their obligations and implement practices to stop fraud and corruption occurring in ICC; and
- establishes fraud and corruption control and management as an integral component of corporate governance
- aligns with the vision, purpose and values outlined in the ICC's Long Term Community
 Plan and supporting Corporate and Operational Plans.

ICC is committed 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.

ICC is committed to:

A zero-tolerance approach to fraud and corruption.

- Keeping Keeps staff informed regarding the dangers and traps of fraud and corruption.
- Fraud and corruption control and management as an integral component of effective corporate governance;
- Transparent and accountable processes consistent with sound business practices and organisational standards of compliance;
- Preventing fraud and corruption whilst investigating any suspected incidents and taking appropriate action;
- Establishing and maintaining an annual Fraud and Corruption Control Plan to minimise the impact and reduce the incidence of fraud and corruption within the work environment.

All ICC staff, contractors, consultants and other workers performing services on behalf of ICC must act with integrity and are responsible for the prevention and detection of fraud and corruption as outlined in ICC's Fraud & Corruption Control Policy and Procedure.

Any allegation or suspicion of fraud or corruption will be investigated appropriately in accordance with the requirements of the particular case (i.e. criminal, disciplinary or administrative mechanisms).

ICC will establish a culture and work environment in which fraud and corruption is not tolerated and will demonstrate a commitment to the rigorous management of fraud and corruption risks by implementing a range of mechanisms to prevent, detect and respond to suspected fraud and corruption.

-The aim of this Policy and associated documentation is to:

• Avoid any incidence of fraud and corruption;

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

3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan theme/s:

- Vibrant and Growing
- Safe, Inclusive and Creative
- Natural and Sustainable
- A Trusted and Leading Organisation

4. Regulatory Authority

- ICC Employee Code of Conduct
- ICC Fraud and Corruption Control Administrative Directive
- ICC Fraud and Corruption Control Plan (FCCP)
- ICC Enterprise Risk Management Administrative Directive
- ICC Enterprise Risk management Framework and Procedure
- Australian Standard Fraud and Corruption AS 8001-2008
- Local Government Act 2009
- Crime and Corruption Act 2001
- Local Government Regulation 2012
- Public Interest Disclosure Act 2010
- Financial Accountability Act 2009
- 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 Fraud and Corruption Control Best Practices Guide

5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

6. Scope

This Policy applies to all staff, contractors, consultants and other workers performing services on behalf of ICC.

The application of fraud and corruption controls across ICC is undertaken at several levels including:

Organisational

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- Recruitment
- Departmental/Branch
- Operational
- Workplace, health and safety
- Project management; and
- Procurement

6.1 Examples of Fraud and Corruption

Fraud can occur internally within the organisation or be generated by external sources. There are a range of different types of fraud with the potential to impact negatively on ICC. Outlined below are examples of fraud and corruption taken in part from AS 8001-2008 *Fraud and Corruption Control*.

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Fraud:

- Theft of cash or assets (including plant and equipment).
- Non-authorised use of equipment, property or services.
- Falsification of hours worked or expenses claimed.
- False invoicing.
- Creation of a 'ghost' employee whose wages are deposited into the fraudsters bank account.
- Failure to remove a former employee from the payroll system, where wages are deposited into the fraudster's bank account.
- Duplication of companies or businesses in procurement systems in order to process fraudulent payments.
- Lodgement of a false claim against council e.g. workers' compensation or public liability.
- Falsification or forgery of documents in order to receive a benefit.
- Use of Council monies or funds for private benefit.
- Running a private business during work hours.
- · Credit card fraud.
- Abuse of Council facilities or assets for personal use.
- Making false statements or altering signatures or other information and materials so as to mislead or misrepresent a position or hide wrongdoing.
- Destroying or removing records without approval for personal gain or to conceal fraudulent activity.

Corruption

- Provision of false credentials, references or identification by an applicant to gain a position within Council.
- Payment or receipt of secret commissions (bribes), which may be paid in money or in some other form of value to the receiver and may relate to a specific decision or action by the receiver or generally.
- Release of confidential information in exchange for financial benefit or some form of non-financial benefit or advantage to the employee releasing the information.
- Collusive tendering (the act of multiple tenderers for a particular contract colluding in preparation of their bids).
- Payment or solicitation of donations for an improper political purpose.
- Serious conflict of interest involving an Officer acting in his or her own self-interest rather than the interests of Council.
- Manipulation of the procurement process by favouring one tenderer over another for personal reasons or selectively providing information to some tenderers.
- Reprisal against a Public Interest Discloser and subject officers.

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6.2 Ethical Conduct Training and Awareness

Training and awareness of ethical principles and ethical decision-making are essential elements of fraud and corruption control. Council is committed to providing staff access to training and awareness programs that builds on the Code of Conduct and provides clear understanding of fraud and corrupt conduct: (including relevant scenarios or case studies that encourage participation and links training to everyday local government work situations).

- Council's values, policies, code of conduct, reporting arrangements
- Public Interest Disclosure
- How to respond to suspicions of fraud and corruption
- The risk areas identified in Fraud and Corruption risk assessments
- Case studies and techniques to further develop ethical decision-decision-making skills

<u>Mandatory</u> <u>Ttraining</u> will be designed <u>and to be</u> relevant to the various positions of officers in Council:

Audience/ Officer	Training Outcome
Job applicants	Council's stance on fraud and corruption
	Code of conduct
New starters	Council's values, policies, code of conduct; reporting
including temps,	arrangements; and, PIDs
volunteers and	How to respond to suspicions of fraud and corruption
contractors	
CEO and General	Risk areas identified in risk assessment
Managers members	Importance of modelling
Elected officials	Case studies and techniques to further develop ethical
Senior managers	decision-making skills
	Code of conduct
All supervisors	How to deal with complaints received or fraud detected
	Handling PIDs
All officers including	Refresher on code of conduct and PIDs
elected officials	Any changes to policies etc. in last year
	Refresher on ethical decision-making skills
	Fraud and corruption
Employees who work in	Policies and procedures
high-risk functional areas	Internal controls
identified in the	
organisation risk	
assessment	

6.3 Fraud & Corruption Control Risk Assessments

The risk assessment of routine work matters can identify internal control weaknesses that could increase the organisation's exposure to fraud and corruption. Fraud and corruption control risk assessments will assist ICC in identifying those areas that have the potential to involve instances of fraud and/or corruption, and to implement measures to reduce risks. ICC will undertake three monthly fraud and corruption control risk assessments and review of the Fraud and Corruption Control Risk Rregister. Also on an annual basis review and update the Fraud and Corruption Prevention Plan.

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6.4 Internal Controls

ICC is committed to maintaining a strong internal control system and promotes and monitors the use of effective internal controls, i.e. Policies, Administrative Directives, Frameworks and Procedures. Effective, appropriate and sufficient internal controls will continue to be developed and maintained through the administration of all ICC activities and operations.

6.5 Internal Reporting

As per ICC's Code of Conduct, staff who know or have good reason to suspect any fraudulent, corrupt, criminal or unethical conduct must report it immediately.

ICC encourages the reporting of any concerns or suspicions about fraudulent or corrupt activity to:

- Their immediate supervisor; or
- Their section/branch manage; or
- · The Chief Executive Officer; or
- · A member of the Executive Leadership Team; or
- The Manager, People and Culture; or
- The Ethical Standards Manager; or
- The Chief Audit Executive as the CCC Liaison Officer
- Report a Concern (Report a Concern is an external service facilitated by ICC that allows staff to anonymously report instances of fraud and corruption independently of ICC.

All reports of alleged fraud and corruption will be treated confidentially to the fullest extent possible under the law, but anonymity cannot be guaranteed.

The Chief Executive Officer (or his/her delegate) has a specific role in determining how the alleged conduct is to be investigated and ultimately addressed, particularly if further investigation is required through an external agency.

6.6 External Reporting

In Queensland's public sector there are a number of independent agencies which are responsible for promoting good governance, accountability and integrity and that provide law enforcement actual/suspected fraud/corruption activities:

- The Crime and Corruption Commission for cases with reasonable suspicion of corrupt conduct;
- The Queensland Audit Office reportable losses and to inform of matters to consider during their audit;
- The Office of the Independent Assessor councillor misconduct;
- The Queensland Ombudsman; administrative practice in government and oversight public interest disclosures;
- The Queensland Police Service for criminal and corrupt conduct; and
- The Minister for reportable losses

The Chief Audit Executive is ICC's delegated contact officer for reporting any suspected fraudulent or corruption conduct to the appropriate agency.

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6.7 Recording and Notifying Loss of an ICC Asset

Council's Risk Management Coordinator is to be notified of any theft or loss of ICC assets in order to determine whether the matter should be treated as a fraud and also because a claim for losses may be able to be made against an ICC insurance policy. The Risk Management Coordinator through the Chief Audit Executive will then notify the relevant external agencies as perin accordance with section 307A of the Local Government Regulation 2012.

6.8 Public Interest Disclosures

ICC has certain obligations under the *Public Interest Disclosure Act 2010* to any person who makes a public interest disclosure. Those obligations, depending on circumstances, may extend to a person who discloses suspected fraud or corruption conduct.

For further information, please refer-Council's Public Interest Disclosure Policy.

6.9 Investigations

The Ethical Standards Manager, under the direction of the Chief Executive Officer, will coordinate the investigation in relation to any fraudulent or corrupt conduction to ensure that the appropriate processes have been adhered to.

6.10 Code of Conduct

Implementation of the Fraud and Corruption and Control Plan (FCCP) will be based on the standards outlined in the Employee Code of Conduct. This provides guidance on the standards of behaviour expected of all employees and others associated with ICC in any significant way.

The Code of Conduct is <u>founded-based</u> on the *Public Sector Ethics Act 1994* and the following four ethics principles:

- Integrity and Impartiality;
- · Promoting the Public Good;
- Commitment to the System of Government; and
- Accountability and Transparency.

The Code of Conduct does not cover all eventualities. To assist in the resolution of more complex ethical and fraud-related issues, Council officers should seek the advice of their supervisors and more senior management where necessary.

Full details of ICC's application of fraud and corruption control is contained in the ICC Fraud and Corruption Control Plan.

7. Roles and Responsibilities

Chief Executive Officer (CEO)

Overall responsibility for the prevention and detection of fraud and corruption within ICC. Ensures accountability and transparency in the management of ICC's resources and promotes integrity consistent with the values and principles of ICC's Code of Conduct.

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General Managers and Branch Managers

Display ethical leadership in the management and promotion of Council's <u>fraud_Fraud_and Ceorruption Ceontrol Pplan</u> and associated Fraud and Corruption Risk Register. Visibly promote and conduct themselves in a manner consistent with the values and principles of Council's Code of Conduct in fulfilling their responsibilities to:

- Safeguard the physical and intellectual assets under their control;
- Safeguard and ensure the legitimate use of information;
- Assure the efficient use of resources;
- Promptly investigate allegations or suspicions of fraudulent activity;
- Inform subordinate staff of their responsibilities for implementing internal controls and the prevention and detection of fraud and corruption;
- Identify areas of potential fraud and corruption risk;
- Develop or modify local work practices to reduce the risk of fraud and corruption;
- Be aware of their obligations with respect to losses, deficiencies and shortages;
- Receive reports and in turn report suspected fraud and corruption;
- Ensure effective implementation of Council's Public Interest Disclosure Policy;
- Maintain open, honest and full communication with staff so far as possible;
- Ensure staff awareness and participation in training and development activities; and
- Responsible for effective, appropriate and sufficient controls;
- Protection of Public Interest Disclosers and subject officers.

Staff

Staff are encouraged to contribute to the development of improved systems and procedures that will enhance ICC's resistance to fraud and corruption. All staff should:

- safeguard-Safeguard assets under their control;
- indicate Indicate any lack or weakness in controls;
- Report suspected fraud and corruption;
- · Report maladministration;
- Clearly understand their obligations with respect to any losses, deficiencies and shortages;
- Ensure all personal claims are accurate;
- Report any misconduct, including corrupt conduct; and
- Report behaviour that is in breach of the Code of Conduct.

Ethical Standards Manager

- Report suspected corrupt conduct through the appropriate channels to the appropriate external agency;
- Investigate allegations of corruption conduct; and

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Workload and resources permitting, advises and reviews operational areas on implementing
effective fraud and corruption control practices.

Legal and Governance Branch

The Branch's responsibilities with respect to fraud and corruption control include:

- Developing and promulgating circulating this Policy, the Fraud and Corruption Control Administrative Directive, Fraud and Corruption Control Plan and Fraud and Corruption Control Risk Register;
- Evaluating the effectiveness of ICC's Fraud and Corruption Control Administrative Directive, Fraud and Corruption Control Plan and Fraud and Corruption Control Risk Register;
- Providing a risk management consultancy service across ICC;
- · Facilitating fraud workshops;
- Providing fraud and corruption awareness training and education; and
- Developing and ensuring Undertaking an annual review of the Fraud and Corruption Control Risk Register

Internal Audit (IA)

IA supports Council's efforts to establish an organisational culture that embraces ethics, honesty, and integrity. IA assists ICC with the evaluation of internal controls used to detect or mitigate fraud, evaluates the organisation's assessment of fraud risk, and is involved in any fraud investigations. The Chief Audit Executive (CAE) currently acts as the Liaison Officer to the Crime and Corruption Commission (CCC) and provides advice on fraud and corruption prevention matters. Although IA considers fraud and corruption within its audit plans and performs audits, it is important to note:

- The responsibility for prevention of irregularities rests with ICC and management through the implementation and continued operation of an adequate internal control system. Internal Auditors are responsible for examining and evaluating the adequacy and the effectiveness of actions taken by management to fulfil this obligation.¹
- Although preventing fraud and corruption is a specific objective of IA's function, it is not IA's role to prevent fraud – it is management's managements.²

Audit and Risk Management Committee (ARMC)

- Monitor the implementation of risk management (including fraud and corruption matters) and independently recommend actions to improve management frameworks; and
- Monitor the internal audit function to ensure audits include key fraud and corruption risks and that audits are risk based.

8. Key Stakeholders

The following will be consulted during the review process:

• Audit and Risk Committee

¹ ICC Internal Audit Charter section 7.2

² Australian Standard Fraud and Corruption AS 8001-2008

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- Executive Leadership Team
- Legal and Governance Branch

9. Monitoring and Evaluation

The Fraud and Corruption Control Risk Register will be monitored and reviewed every three months by the Legal and Governance Branch. This <u>pP</u>olicy, <u>the aA</u>dministrative <u>dD</u>irective, <u>fraud-FCCPand corruption control plan_and</u> any other associated documents are to be reviewed and updated on an annual basis.

9. Dealing with vexatious complaints

- Under sections 216 and 216A of the Crime and Corruption Act 2001, it is an offence for a
 person to make, or ask someone else to make a vexatious or mischievous, reckless or
 malicious complaint.
- The CEO as <u>a public official under the Crime and Corruption Act 2001</u>, must deal with
 corrupt conduct complaints but will dismiss a complaint that is assessed as being frivolous,
 vexatious or lacking in substance or credibility.
- If a complaint is dismissed as vexatious, not in good faith, or primarily for a mischievous purpose, or reckless, or malicious, the CEO will warn the person making the complaint that if they make the same, or substantially the same complaint again, the person may be committing an offence.

10. Definitions

Abbreviations	Description
ARMC	Audit and Risk Management Committee
CAE	Chief Audit Executive
CCC	Crime and Corruption Commission
CEO	Chief Executive Officer
ELT	Executive Leadership Team
FCCP	Fraud and Corruption Control Plan
IA	Internal Audit
ICC	Ipswich City Council

11. Policy Owner

The General Manager (Corporate Services) is the policy owner and the Manager, Legal and Governance Branch is responsible for authoring and reviewing this policy.



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Provide clarity and direction to employees, contractors, consultants, and other workers or volunteers performing services on behalf of ICC. This policy is meant to inform and assist managers and staff at all levels and in every area of ICC. Given our shared responsibilities for preventing, deterring, and detecting fraud and corruption, this policy is mandatory reading for all ICC employees.

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ICC 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 corruption that may occur.

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The policy identifies the minimum requirements and responsibilities for the governance, prevention, detection, and the response to suspected fraud and corruption within ICC.

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The Fraud and Corruption Control Policy:

- ensures that our workforce acts legally, ethically and in the public interest;
- enables staff to understand their obligations and implement practices to stop fraud and corruption occurring in ICC;
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ICC is committed to:

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contractors	
CEO and General	Risk areas can be identified through risk assessments
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The Chief Audit Executive is ICC's delegated contact officer for reporting any suspected fraudulent or corruption conduct to the appropriate agency.

6.7 Recording and Notifying Loss of an ICC Asset

Council's Principal Risk and Compliance Specialist is to be notified of any theft or loss of ICC assets to determine whether the matter should be treated as a fraud and because a claim for losses may be able to be made against an ICC insurance policy. The Risk Management Coordinator through the Chief Audit Executive will then notify the relevant external agencies in accordance with section 307A of the *Local Government Regulation 2012*.

6.8 Public Interest Disclosures

ICC has certain obligations under the *Public Interest Disclosure Act 2010* to any person who makes a public interest disclosure. Those obligations, depending on circumstances, may extend to a person who discloses suspected fraud or corruption conduct.

For further information, please refer Council's Public Interest Disclosure Policy.

6.9 Investigations

The Ethical Standards Manager, under the direction of the Chief Executive Officer, will coordinate the investigation in relation to any fraudulent or corrupt conduct to ensure that the appropriate processes have been adhered to.

6.10 Code of Conduct

Implementation of the Fraud and Corruption and Control Plan (FCCP) will be based on the standards outlined in the Employee Code of Conduct. This provides guidance on the standards of behaviour expected of all employees and others associated with ICC in any significant way.

The Code of Conduct is based on the *Public Sector Ethics Act 1994* and the following four ethics principles:

- Integrity and Impartiality;
- · Promoting the Public Good;
- · Commitment to the System of Government; and
- · Accountability and Transparency.

The Code of Conduct does not cover all eventualities. To assist in the resolution of more complex ethical and fraud-related issues, Council officers should seek the advice of their supervisors and more senior management where necessary.

Full details of ICC's application of fraud and corruption control is contained in the ICC Fraud and Corruption Control Plan.

7. Roles and Responsibilities

Chief Executive Officer (CEO)

IPSWICH CITY COUNCIL | Fraud and Corruption Control Policy

Overall responsibility for the prevention and detection of fraud and corruption within ICC. Ensures accountability and transparency in the management of ICC's resources and promotes integrity consistent with the values and principles of ICC's Code of Conduct.

General Managers and Branch Managers

Display ethical leadership in the management and promotion of Council's Fraud and Corruption Control Plan and associated Fraud and Corruption Risk Register. Visibly promote and conduct themselves in a manner consistent with the values and principles of Council's Code of Conduct in fulfilling their responsibilities to:

- Safeguard the physical and intellectual assets under their control;
- Safeguard and ensure the legitimate use of information;
- · Assure the efficient use of resources;
- Promptly investigate allegations or suspicions of fraudulent activity;
- Inform subordinate staff of their responsibilities for implementing internal controls and the prevention and detection of fraud and corruption;
- Identify areas of potential fraud and corruption risk;
- Develop or modify local work practices to reduce the risk of fraud and corruption;
- Be aware of their obligations with respect to losses, deficiencies and shortages;
- Receive reports and in turn report suspected fraud and corruption;
- Ensure effective implementation of Council's Public Interest Disclosure Policy;
- Maintain open, honest and full communication with staff so far as possible;
- Ensure staff awareness and participation in training and development activities;
- Responsible for effective, appropriate, and sufficient controls; and
- Protection of Public Interest Disclosers and subject officers.

Staff

Staff are encouraged to contribute to the development of improved systems and procedures that will enhance ICC's resistance to fraud and corruption. All staff should:

- Safeguard assets under their control;
- Indicate any lack or weakness in controls;
- Report suspected fraud and corruption;
- Report maladministration;
- Clearly understand their obligations with respect to any losses, deficiencies and shortages;
- Ensure all personal claims are accurate;
- Report any misconduct, including corrupt conduct; and
- Report behaviour that is in breach of the Code of Conduct.

Ethical Standards Manager

IPSWICH CITY COUNCIL | Fraud and Corruption Control Policy

- Report suspected corrupt conduct through the appropriate channels to the appropriate external agency;
- Investigate allegations of corruption conduct; and
- Workload and resources permitting, advises and reviews operational areas on implementing effective fraud and corruption control practices.

Legal and Governance Branch

The Branch's responsibilities with respect to fraud and corruption control include:

- Developing and circulating this policy, the Fraud and Corruption Control Administrative
 Directive, the Fraud and Corruption Control Plan, and the Fraud and Corruption Control Risk
 Register;
- Evaluating the effectiveness of ICC's Fraud and Corruption Control Administrative Directive, Fraud and Corruption Control Plan and Fraud and Corruption Control Risk Register;
- Providing a risk management consultancy service across ICC;
- Facilitating fraud workshops;
- Providing fraud and corruption awareness training and education; and
- Undertaking an annual review of the Fraud and Corruption Control Risk Register.

Internal Audit (IA)

IA supports Council's efforts to establish an organisational culture that embraces ethics, honesty, and integrity. IA assists ICC with the evaluation of internal controls used to detect or mitigate fraud, evaluates the organisation's assessment of fraud risk, and is involved in any fraud investigations. The Chief Audit Executive (CAE) currently acts as the Liaison Officer to the Crime and Corruption Commission (CCC) and provides advice on fraud and corruption prevention matters. Although IA considers fraud and corruption within its audit plans and performs audits, it is important to note:

- The responsibility for prevention of irregularities rests with ICC and management through
 the implementation and continued operation of an adequate internal control system.
 Internal Auditors are responsible for examining and evaluating the adequacy and the
 effectiveness of actions taken by management to fulfil this obligation.¹
- Although preventing fraud and corruption is a specific objective of IA's function, it is not IA's role to prevent fraud – it is managements.²

Audit and Risk Management Committee (ARMC)

- Monitor the implementation of risk management (including fraud and corruption matters)
 and independently recommend actions to improve management frameworks; and
- Monitor the internal audit function to ensure audits include key fraud and corruption risks and that audits are risk based.

8. Key Stakeholders

The following will be consulted during the review process:

¹ ICC Internal Audit Charter section 7.2

² Australian Standard Fraud and Corruption AS 8001-2008

IPSWICH CITY COUNCIL | Fraud and Corruption Control Policy

- Audit and Risk Committee
- Executive Leadership Team
- Legal and Governance Branch

9. Monitoring and Evaluation

The Fraud and Corruption Control Risk Register will be monitored and reviewed every three months by the Legal and Governance Branch. This policy, Administrative Directive, the FCCP, and any other associated documents are to be reviewed and updated on an annual basis.

10. Dealing with vexatious complaints

- Under sections 216 and 216A of the Crime and Corruption Act 2001 it is an offence for a
 person to make or ask someone else to make a vexatious or mischievous, reckless, or
 malicious complaint.
- The CEO as a public official, under the Crime and Corruption Act 2001, must deal with corrupt conduct complaints but will dismiss a complaint that is assessed as being frivolous, vexatious, or lacking in substance or credibility.
- If a complaint is dismissed as vexatious, not in good faith, or primarily for a mischievous purpose, or reckless, or malicious, the CEO will warn the person making the complaint that if they make the same, or substantially the same complaint again, the person may be committing an offence.

11. Definitions

Abbreviations	Description
ARMC	Audit and Risk Management Committee
CAE	Chief Audit Executive
CCC	Crime and Corruption Commission
CEO	Chief Executive Officer
ELT	Executive Leadership Team
FCCP	Fraud and Corruption Control Plan
IA	Internal Audit
ICC	Ipswich City Council

12. Policy Owner

The General Manager Corporate Services is the policy owner and the Manager, Legal and Governance Branch is responsible for authoring and reviewing this policy.

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)

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

Environmental Protection Act 1994

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date of Delegation	Conditions
Local Government Act 2009 s 257	Local Government	Del-2371	Environmental Protection Act 1994 - Chapter 7, Part 3, Division 3 Power, as an administering authority, relating to amendments of transitional environmental programs	P1000 – Chief Executive Officer		Nil

Animal Management Act

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code &	Date of Delegation	Conditions
				Name		
Local Government	Local Government	Del-2372	Animal	P1000 – Chief		Nil
Act 2009 s 257			Management Act	Executive Officer		
			(Cats and Dogs)			
			2008 - s192 (1)(c)(ii)			
			and 192(2)(d)(ii)			
			Power to recognise			
			a body for the			
			purpose of section			
			192 of the Animal			
			Management (Cats			
			and Dogs) Act			

			2008.		
Local Government Act 2009 s 257	Local Government	Del-2373	Animal Management Act (Cats and Dogs) 2008 - Chapter 10, Part 6, Division 4 Powers relating to restricted dog permits applications made under former Chapter 4 part 3 but not decided before commencement (28 August 2024)	P1000 – Chief Executive Officer	Nil

Building Regulation 2021

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date of Delegation	Conditions
	Local Government	Del-2374	Building Regulation 2021 – Part 11, Division 2 Powers relating to owners obligations from the expired Building Regulation 2006 relating to combustible cladding.	P1000 – Chief Executive Officer		Nil
·						

Animal Management (Cats and Dogs) Act 2008

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Not applicable	State Government Delegated Power	Del-2222	Animal Management (Cats and Dogs) Act 2008 - Chapter 8 Power or function to take all steps necessary to conduct reviews and appeals and to appear at any hearing.	P1000 Chief Executive Officer	1/07/2020	Nil
Local Government Act 2009 s 257		Del-0062	Animal Management (Cats and Dogs) Act 2008 - s207D Power to recover seizure or destruction costs.	P1000 Chief Executive Officer	28/07/2020	

Animal Management (Cats and Dogs) Act 2008

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Not applicable	State Government Delegated Power	Del-2222	Animal Management (Cats and Dogs) Act 2008 - Chapter 8 Power or function to take all steps necessary to conduct reviews and appeals and to appear at any hearing.	P1000 Chief Executive Officer	1/07/2020	Nil
Local Government Act 2009 s 257		Del-0062	Animal Management (Cats and Dogs) Act 2008 - s207D Power to recover seizure or destruction costs.	P1000 Chief Executive Officer	28/07/2020	

Prostitution Act 1999 (Act Repealed)

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257	Del-1327	Prostitution Act 1999 - Part 3, Part 5 and s 111 Power to authorise in writing an officer to become an authorised officer of a relevant local government for the purposes of the Prostitution Act 1999.	to authorise in writing an officer to become orised officer of a relevant local government Criminal Code (Decriminalis Other Legislation Amendment)	
Local Government Act 2009 s 257	Del-1328	Prostitution Act 1999 -s 63B Power, as a decision maker, to give the Authority: (a) a copy of a relevant application; and (b) for an application other than a minor change application - a written notice stating whether the development the subject of the application requires code assessment or impact assessment under the Planning Act 2016.	28/07/2020	Prostitution Act 1999 was repealed as part of the Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024
Local Government Act 2009 s 257	Del-1329	Prostitution Act 1999 - s 64C(3) Power, as a decision maker, to give a statement of reasons, documents and other things to QCAT.	28/07/2020	Prostitution Act 1999 was repealed as part of the Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024
Local Government Act 2009 s 257	Del-1330	Prostitution Act 1999 - s 150 Power to continue to refuse development applications under section 64(c) of the Prostitution Act 1999.	28/07/2020	Prostitution Act 1999 was repealed as part of the Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024

Animal Management (Cats and Dogs) Act 2008

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257	Del-0058	Animal Management (Cats and Dogs) Act 2008 - s64(1)(b)	<u> </u>	
		Power to recognise a body for the purpose of section 64 of the Animal Management (Cats and Dogs) Act 2008.		Legislation Amendment Act 2024
Local Government Act 2009 s 257	Del-0059	Animal Management (Cats and Dogs) Act 2008 - Chapter 4, Part 3	28/07/2020	Section was omitted from Act as part of the Agriculture and Fisheries and Other
		Powers relating to restricted dog permits.		Legislation Amendment Act 2024

Building Regulation 2021

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
Local Government Act 2009 s 257	Del-0235	Building Regulation 2021 - s 16Q	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in

Ipswich City Council Delegations Register as at 11/09/2024

Authorising Act	uthorising Act Delegation Name & Description Code		Date Of Delegation	Further Information
		Power, as an owner, relating to the registration of a building and giving a completed combustible cladding checklist to the QBCC.		relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16R	Del-0236	Building Regulation 2021 - s 16R Power, as an owner, relating to keeping a completed combustible cladding checklist.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16T	Del-0237	Building Regulation 2021 - s 16T Power relating to giving a completed combustible cladding checklist to the QBCC.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16U	Del-0238	Building Regulation 2021 - s 16U Power, as an owner, relating to keeping a completed combustible cladding checklist.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16W	Del-0239	Building Regulation 2021 - s 16W Power, as an owner, relating to giving fire engineer details to the QBCC.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16X	Del-0240	Building Regulation 2021- s 16X Power, as an owner, relating to giving a completed combustible cladding checklist and related assessment and statement to the QBCC.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16Y	Del-0241	Building Regulation 2021 - s 16Y Power, as an owner, relating to keeping a completed combustible cladding checklist and related assessment and statement.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16ZA	Del-0242	Building Regulation 2021 - s 16ZA Power, as an owner, relating to displaying an affected private building notice.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16ZB	Del-0243	Building Regulation 2021 - s 16ZB Power, as an owner, relating to giving a copy of a building fire safety risk assessment to lot owners and tenants.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257	Del-0244	Building Regulation 2021 - s 16ZD	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in

Authorising Act	Delegation Code	Name & Description	Date Of Delegation	Further Information
s 16ZD		Power, as an owner, relating to giving notice of compliance with Part 4A.		relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16ZF(3)	Del-0245	Building Regulation 2021 - s 16ZF(3) Power, as an owner, to give a new owner documents.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16ZM(2)	Del-0246	Building Regulation 2006 - s 16ZM(2) Power, as an owner, to comply with a notice given by the QBCC.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.
Local Government Act 2009 s 257 s 16ZO	Del-0247	Building Regulation 2021 - s 16ZO Power, as an owner, relating to giving a replacement checklist.	22/08/2024	Transitional power was introduced in the Building Regulation 2021. Further investigation into powers identified Council has no remaining obligations in relation to these powers and the delegation can be repealed.

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 🗓 🖺

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)

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



Ipswich City Council

Performance Report

AUGUST 2024

FINANCIAL EXECUTIVE SUMMARY

AUGUST 2024

		ΥT		Annual		
	Actuals	Current	Variance	Variance	Current	
	\$'000s	Budget \$'000s	\$'000s	%	Budget \$'000s	Trend from JUL 2024
Operating Revenue	75,231	72,186	3,045	4.2%	421,742	A
Operating Expense	67,108	68,143	1,035	1.5%	419,565	A
Operating Surplus/(Deficit)	8,123	4,043	4,080		2,177	▼
Capital Revenue	27,487	17,360	10,127	58.3%	156,267	A
Other Capital Income (Asset disposals)	(37)	0	(37)	N/A	0	▼
Capital Loss (Asset write-off)	330	0	(330)	N/A	0	▼
Net Result	35,243	21,403	13,840		158,444	A
	-					
Construction Program and Asset Purchase	32,142	37,883	5,741	15.2%	181,899	A
Nicholas Street Precinct	2,281	9,630	7,349	76.3%	21,736	A
Donated Assets	15,000	12,585	(2,415)	(19.2%)	75,510	▼
Total Capital Expenditure	49,423	60,097	10,674	17.8%	279,145	A



FINANCIAL EXECUTIVE SUMMARY

		YTD				Annual	
	Actuals	Current Budget		Variance	Variance	Current Budget	
	\$'000s	\$'000s		\$'000s	%	\$'000s	Trend from JUL 2024
Revenue							
Net rates and utilities charges	45,763	45,757	ı	6	0.0%	281,914	▼
Fees and charges	8,073	7,577	1	496	6.5%	43,822	•
Government grants and subsidies	14,677	7,765	1	6,912	89.0%	66,932	•
Internal revenue	6,255	6,144	ı	111	1.8%	35,816	▼
Other revenue	7,000	4,936	1	2,064	41.8%	45,333	▼
Donations and contributions	20,982	17,367	•	3,615	20.8%	104,192	•
Total Revenue	102,750	89,546		13,204	14.7%	578,009	A
Expense							
Employee expenses	21,661	21,395	ı	(266)	(1.2%)	140,780	A
Labour contracts	722	350	1	(372)	(106.3%)	2,171	•
Materials and services	18,234	19,841	1	1,607	8.1%	119,684	•
Internal expenses	5,966	5,720	ı	(246)	(4.3%)	33,331	A
Other expenses	4,920	4,706	ı	(214)	(4.5%)	26,338	•
Depreciation & amortisation	16,002	16,133	ı	131	0.8%	97,261	•
Total Expenses	67,505	68,145		640	0.9%	419,565	A
Net Result	35,245	21,401		13,844		158,444	A

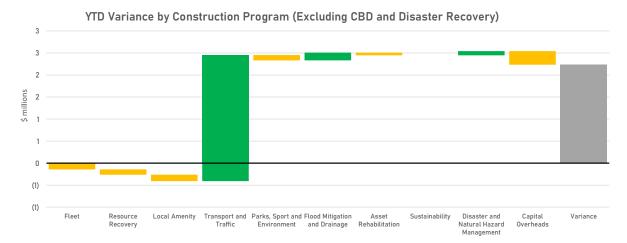


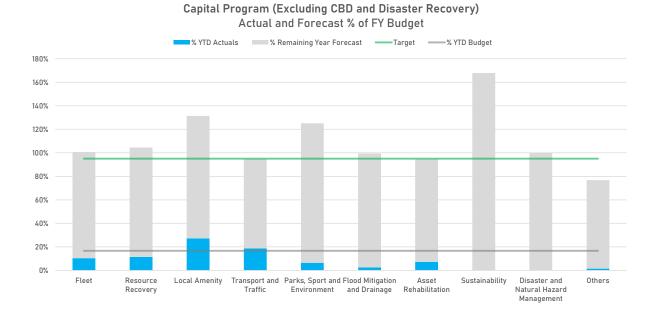
FINANCIAL EXECUTIVE SUMMARY

AUGUST 2024

Capital

		Υ	Annual			
	Actuals \$'000s	Current Budget \$'000s	Variance \$'000s	Variance %	Current Budget \$'000s	Trend from JUL 2024
Executive	5,828	5,828	1	0.0%	6,828	-
Nicholas Street Precinct	2,281	9,630	7,349	76.3%	21,736	A
Corporate Services	833	1,501	668	44.5%	9,219	A
Community, Cultural and Economic Development	45	288	243	84.2%	4,011	A
Asset and Infrastructure Services	12,602	14,935	2,333	15.6%	99,632	A
VHBB and Disaster Recovery	11,754	14,658	2,904	19.8%	44,831	A
Environment and Sustainability	702	581	(121)	(20.8%)	13,326	▼
Planning and Regulatory Services	377	90	(287)	(319.1%)	4,052	▼
Net Result	34,423	47,512	13,089	27.5%	203,635	A



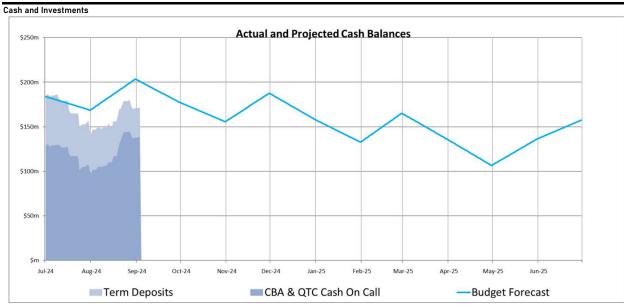


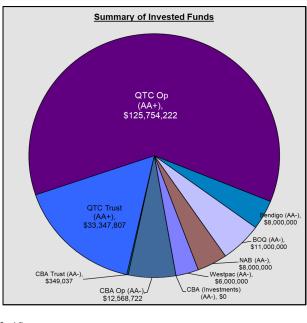
UMMAR	Y AS AT	AUGUST 2	024					
MTD Actual \$'000s	MTD Budget \$'000s	MTD Variance \$'000s	YTD Actual \$'000s	YTD Budget \$'000s	YTD Variance \$'000s	Full Year Budget \$'000s	EOY Forecast \$'000s	Comments
11,516	26,608	15,092	34,423	47,512	13,089	203,635	210,383	
3,673	11,431	7,759	11,754	14,658	2,904	44,831	46,177	
7.843	15.177	7.334	22.669	32.854	10.185	158.804	164.206	
9,503	6,293	(3,210)	15,000	12,585	(2,415)	75,510	0	
								4,5'
0	0	0	5,828	5,828	1	6,828	6,828 Sat	tisfactory.
321	4,891	4,570	2,281	9,630	7,349	21,736		SP Redevelopment - \$4.7M underspend YTD: derspends in Venue - \$6.2M; Tulmur Walk - \$651k; Eats - \$199k and Commonwealth Hotel - \$104k.
								set Rehabilitation – \$298k underspend YTD. nue – \$277k underspend YTD mainly related to the Waste Compactor project (\$136k).
321	4,891	4,570	8,109	15,458	7,349	28,564	35,603	
237	631	394	433	1,137	704	4,935	4,262 ICT	F Hardware is under budget \$31k YTD. Expecting 2024-25 spend to be on budget at EOFY.
								F Portfolio delivery is under \$673k YTD. Main underspends relate to Digital Media Asset Management (\$172k) and terprise GIS (\$205k). Forecasts under review and expect to be on track for FY.
180	205	25	400	364	(36)	4,284	4,263 iV d	olve - Fusion program, Elevate HR and Elevate AWM generally on track.
417	836	419	833	1,501	668	9,219	8,525	
30	282	252	45	288	243	4 011	4 439 As	set Protection and Safe City - \$19k overspend YTD - slightly ahead of budget.
30	202	232	45	200	243	4,011	Spo Lib	ort & Recreation - \$24k underspend YTD - minor works unallocated budget accessed on reactive basis as required braries and Customer Service - \$232k underspend YTD - Customer Experience Strategy under by \$175k, Libraries
							Tur	niture and fixtures behind by \$57k - acquired as needed.
	MTD Actual \$1000s 11,516 3,673 7,843 9,503 0 321	MTD Actual \$1000s 11,516 26,608 3,673 11,431 7.843 15,177 9,503 6,293 0 0 321 4,891 237 631 180 205 417 836	MTD Actual \$9000s MTD Variance \$0000s \$11,516 26,608 15,092 3,673 11,431 7,759 7,843 15,177 7,334 9,503 6,293 (3,210) 0 0 0 321 4,891 4,570 237 631 394 180 205 25 417 836 419	Actual \$7000s Budget \$7000s Variance \$7000s Actual \$7000s 11,516 26,608 15,092 34,423 3,673 11,431 7,759 11,754 7,843 15,177 7,334 22,669 9,503 6,293 (3,210) 15,000 0 0 0 5,828 321 4,891 4,570 2,281 321 4,891 4,570 8,109 237 631 394 433 180 205 25 400 417 836 419 833	MTD Actual \$1,000 MTD Variance \$2,000 Variance \$2,000 Actual \$2,000 Sudget \$2,000 Actual \$2,000	MTD Actual \$\begin{array}{c c c c c c c c c c c c c c c c c c c	MTD Actual Sudget \$100s MTD Variance \$100s VTD VTD VTD VTD Variance Sudget \$1000s VTD Variance Sudget Variance \$100s Pull Year Budget Variance \$10s Pull Year Budget Variance \$100s Pull Year Budget Yariance \$100s Pull Year Yariance	MTD Actual Budget Variance \$100s MTD Actual Budget Variance \$200s MTD Actual Budget Variance Stoops MTD Actual Budget Variance Budget Stoops EOY Forecast \$100s 11,516 26,608 15,092 34,423 47,512 13,089 203,635 210,383 3,673 11,431 7,759 11,754 14,658 2,904 44,831 46,177 7,843 15,177 7,334 22,669 32,854 10,185 158,804 164,206 9,503 6,293 (3,210) 15,000 12,585 (2,415) 75,510 0 0 0 0 5,828 5,828 1 6,828 6,828 58,287 5,287

CAPITAL SUMMARY AS AT AUGUST 2024											
	MTD Actual \$'000s	MTD Budget \$'000s	MTD Variance \$'000s	YTD Actual \$'000s	YTD Budget \$'000s	YTD Variance \$'000s	Full Year Budget \$'000s	EOY Forecast \$'000s	Comments		
Assets and Infrastructure Services											
Infrastructure Program	6.282	8,055	1,774	11,855	14,352	2,497	91,281	89,302	2 Asset Rehabilitation - \$55k overspent YTD: Bridge and Culvert Rehabilitation under \$53lk - mainly Hiddenvale Bridge, delays to piling in July and weather impact. Gravel Road Rehabilitation over \$1247k - ahead of YTD schedule. Drainage Rehabilitation over \$133k - mainly Champions Way, progression of design works commenced in prior FY. Street Furniture Rehabilitation over \$106k - mainly Pavement Marking Program, ahead of YTD schedule. Transport And Traffic - \$2.9M underspent YTD: Strategic Transport under \$3M - underspends on Springfield road upgrade projects totalling \$2.8M with the projects delayed due to poor weather and night works requirement; and Mary William TL \$2.1M due to the bulk of works being completed in prior FY. This was partially offset by overspends in Redbank Plains Rd Stg 3 of \$1.2M with works expected to be completed in 2024-25 FY requiring budget bring forward; Ripley Relf intersection upgrade \$418k due to a service relocation design variation; and Ripley Road upgrade \$158k due to design variations. Sustainable Travel over \$112k - across the program. Parks, Sports & Environment - \$31k overspent YTD:		
									Developer Funded Parks over \$93k - mainty Cameron Pk upgrade - latent conditions identified on site resulting in time delays and redesign of amenities block (extension of time granted for external funding). Flood Mitigation And Drainage - \$176k underspend YTD: Flood Mitigation under \$124k - mainty Marburg Rosewood Detention Basin Motion Sensors.		
									Local Amenity - \$144k overspent YTD. Across the program.		
Emergent Works	0	0	0	0	0	0	1,462	1,023			
Equipment	13	0	(13)	16	0	(16)	0	27	7 Equipment: unbudgeted expenditure related office furniture and cleaning equipment.		
Ipswich Central Revitalisation	3	0	(3)	7	0	(7)	0	73	Ipswich Central Revitalisation - \$7/k overspend YTD: unbudgeted expenditure, mainly related to grant funded works or the East St upgrade, and also on Fire Station 101 upgrades.		
Fleet	(5)	536	541	725	583	(142)	6,889	6,933	3 Fleet - \$142k overspend YTD: mainly Waste Truck Replacement Program \$319k with 2023-24 budgeted order delivered in July. This was partially offset by YTD underspends related to late deliveries in the Truck and Vehicle Replacement Programs \$260k.		
Disaster Recovery	3,094	4,639	1,545	4,487	7,473	2,987	33,721	38,910	Disaster Recovery - \$3M underspend YTD. Main underspends are with Colleges Flood Restoration and Goodna Cultura Arts Centre flood recovery works, and more generally across the Feb 22 Flood Recovery efforts.		
Voluntary Home Buy Back Scheme	579	6,793	6,214	7,267	7,185	(82)	11,110	7,267	7 Voluntary Home Buy Back Scheme - \$82k overspend YTD.		
Total Capital Expenditure	9,966	20,023	10,057	24,356	29,594	5,237	144,463	143,535	<u>.</u>		
Environment and Sustainability Infrastructure Program	123	139	16	137	139	1	8,395	9.423	3 Satisfactory.		
Waste	488	358	(130)	565	443	(122)	4,931		4 Resource Recovery - \$122k overspend YTD: Mainly Riverview RRC Upgrade Stg 1 due to necessary variations in Topsoi		
Total Capital Expenditure	611	496	(114)	702	581	(121)	13.326	14,577	portion of contract, partially offset by a delayed commencement in commercial bin acquisitions now expected in Q2.		
Total Supplied Expositions		470	(114)	702	301	(IZI)	10,020	14,077			
Planning and Regulatory Services											
Construction Program and Asset Purchase	171	80	(91)	377	90	(287)	4,052	3,704	4 Cemetery Works - \$294k overspent YTD: mainly works carried over from 2023-24 on Warrill Park View Cemetery section 3 expansion and continuation of road construction for Stone Quarry Burial projects.		
Total Capital Expenditure	171	80	(91)	377	90	(287)	4,052	3,704			
Donated Assets											
Community, Cultural and Economic Development	0	3	3	0	5	5	32				
Corporate Services Asset and Infrastructure Services	0 9,503	0 6,290	0 (3,213)	0 15,000	0 12,580	0 (2,420)	0 75,478				
Environment and Sustainability	0	0	0	0	0	0	0				
Executive Planning and Regulatory Services	0	0	0	0	0	0	0				
Total Donated Assets	9,503	6,293	(3,210)	15,000	12,585	(2,415)	75,510				

FINANCIAL EXECUTIVE SUMMARY

AUGUST 2024





Investments and Earnings Summary	Margin	% Return	\$
CBA Operating Account	0.005	4.85%	\$12,568,722
Term Deposit Investments	0.007	5.06%	\$33,000,000
QTC Trust Fund Account	0.008	5.19%	\$33,347,807
QTC Operating Account - CBD	0.008	5.19%	
QTC Operating Account - General	0.008	5.19%	\$125,754,222
QTC Operating Account - Total	0.008	5.19%	\$125,754,222
Total Invested funds (W.Avg return)	0.008	5.15%	\$204,670,751
Total Operating Funds (Fx Trust)	0.008	5 14%	\$171.322.944

Cashflow

Council's cash and cash equivalents balance as at 31 August 2024 was \$171.3 million. Actual cash balance includes deficit \$6 million of funds related to the Voluntary Home Buy-Back program. Council's investments are made in accordance with Council's Investment Policy (adopted as part of the annual budget) with an average return percentage of 5.14%.

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 🗓 🖺

1 OCTOBER 2024

REGULATION ADVISORY COMMITTEE NO. 2024(02)]

REGULATION ADVISORY COMMITTEE NO. 2024(02)

1 OCTOBER 2024

REPORT

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jim Madden (Deputy Chairperson), Marnie Doyle, Andrew Antoniolli and Pye Augustine (Observer)

COUNCILLOR'S APOLOGIES:

Nil

OFFICERS' ATTENDANCE:

Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), General Manager Planning and Regulatory Services (Brett Davey), Manager Compliance (Alisha Connaughton), Executive Services Manager (Wade Wilson) and Corporate Governance Manager (Shasha Ingbritsen) (via audio-link)

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. <u>CONFIRMATION OF MINUTES OF THE REGULATION ADVISORY COMMITTEE</u> NO. 2024(01) OF 5 AUGUST 2024

RECOMMENDATION

That the minutes of the Regulation Advisory Committee held on 5 August 2024 be confirmed.

OFFICERS '	REPORTS	

Nil

1 OCTOBER 2024

REGULATION ADVISORY COMMITTEE NO. 2024(02)]

2. NEXT MEETING

The next meeting date is to be advised.

3. GENERAL DISCUSSION (within the purpose and scope of the committee)

The committee discussed with regards to the previous agenda item (Strategic Regulation and Local Law Review – 3 Step Approach) the next stage which is a Strategic Regulation Policy as well as new drafting techniques and the general approach in relation to the Local Laws Review.

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 2.02 pm.

The meeting closed at 2.25 pm.