

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2024(01)

1 FEBRUARY 2024

REPORT

COUNCILLORS' ATTENDANCE: Councillor Jacob Madsen (Chairperson); Councillors Deputy Mayor Russell Milligan(Deputy Chairperson), Mayor Teresa Harding, Marnie Doyle and Kate Kunzelmann

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), General Manager Asset and Infrastructure Services (Matt Anderson), General Manager Planning and Regulatory Services (Brett Davey), General Manager Community, Cultural and Economic Development (Ben Pole), Chief Financial Officer (Jeffrey Keech), Treasury Accounting Manager (Paul Mollenhauer), Manager, Human and Social Recovery and Resilience Project Lead (Annabelle Johnstone), Media, Communications and Engagement (Mark D Strong), Property Services Manager (Alicia Rieck), Senior Property Officer Acquisitions and Disposals (Bianca Gaudry), Chief of Staff, Office of the Mayor (Melissa Fitzgerald), Senior Communications and Policy Officer (Jodie Richter), Senior Media Officer (Darrell Giles), Senior Media Officer (Lucy Stone) and Theatre Technician (Trent Gray)

ACKNOWLEDGEMENT OF COUNTRY

Councillor Jacob Madsen (Chairperson) delivered the Acknowledgement of Country

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. CONFIRMATION OF MINUTES OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2023(11) OF 28 NOVEMBER 2023

RECOMMENDATION

Moved by Councillor Marnie Doyle:
Seconded by Deputy Mayor Russell Milligan:

That the Minutes of the Governance and Transparency Committee held on 28 November 2023 be confirmed.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. ACQUISITION OF DRAINAGE EASEMENT FOR INF04308 - 13 PARCELL STREET, BRASSALL

This is a report concerning the acquisition of an easement for drainage purpose over Part of 13 Parcell Street, Brassall, more particularly described as part of Common Property of Brassall Grove Community Titles Scheme 19578. The drainage easement will facilitate stormwater drainage improvements through the 'Brassall Grove' unit complex.

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

RECOMMENDATION

Moved by Councillor Marnie Doyle:
Seconded by Deputy Mayor Russell Milligan:

- A. **That pursuant to Section 6(1) of the *Acquisition of Land Act 1967*, Council as "constructing authority" proceed to acquire an easement over land at 13 Parcell Street, Brassall QLD 4305, more particularly described as part of Common**

Property of Brassall Grove Community Titles Scheme 19578 (Council file reference number 6047), for drainage purpose.

- B. That in the first instance, the method of acquiring the subject easement will be by agreement with the affected person/s in accordance with Division 3, *Acquisition of Land Act 1967*; however, where agreement cannot be reached, or operational timeframes intervene, the method of acquiring the subject easement will be in accordance with Division 2, *Acquisition of Land Act 1967*.**
- C. That Council be kept informed as to the progress and outcome of the acquisition.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

3. PROPOSED ACQUISITION OF LAND FOR INF04243 - INTERSECTION UPGRADE AT RIPLEY ROAD AND REIF STREET, FLINDERS VIEW

This is a report concerning the acquisition of two (2) parcels of land that adjoin the Ripley Road and Reif Street traffic intersection in Flinders View. The acquisition will facilitate the upgrade requirements to the intersection and accommodate Council infrastructure currently encroaching private property.

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

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. That pursuant to Section 5(1)(b)(i) of the *Acquisition of Land Act 1967*, Council as “constructing authority” proceed to acquire land at 87 Reif Street, Flinders View more particularly described as part of Lot 4 on RP118775 (Council file reference 6050), for road purpose.**
- B. That in the first instance, the method of acquiring part of Lot 4 on RP118775 will be by agreement with the registered owner(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 part of Lot 4 on RP118775 will be in accordance with Division 2, *Acquisition of Land Act 1967*.

- C. That Council resolve to acquire part of land located at 274 Ripley Road, Flinders View, more particularly described as part of Lot 6 on RP118775 (Council file reference 6049), for road purpose.
- D. That the method of acquiring part of Lot 6 on RP118775 shall be as a purchase by agreement with the registered owner(s) pursuant to the *Property Law Act 1974*.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Madsen	Nil
Milligan	
Harding	
Doyle	
Kunzelmann	

The motion was put and carried.

4. DISPOSAL OF SEWERAGE EASEMENTS TO URBAN UTILITIES FOR RACEVIEW SEWER UPGRADE PROJECT

This is a report concerning the disposal of two (2) easements for sewerage purpose to Urban Utilities to facilitate the installation of new underground sewer pipe from Raceview to Ripley, as part of their Raceview Sewer Upgrade project.

RECOMMENDATION

Moved by Deputy Mayor Russell Milligan:
Seconded by Councillor Marnie Doyle:

- A. That Council resolve pursuant to Section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemption referred to in Section 236(1)(b)(i) of the Regulation applies for the disposal of interest in Part of Land at:
- (i) 26 Kordan Boulevard, Raceview, more particularly described as Lot 999 on SP241645; and
 - (ii) 51-53 Swanbank Road, Flinders View, more particularly described as Lot 2 on RP203690, (“the Land”), by way of Easement agreements for sewerage purpose between Council and Urban Utilities.
- B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009* Council resolve to delegate the power to the Chief Executive Officer to be authorised to

negotiate and finalise the terms of the proposed Easements as detailed in Recommendation A, for sewerage purpose.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Madsen	Nil
Milligan	
Harding	
Doyle	
Kunzelmann	

The motion was put and carried.

5. PROCUREMENT - SINGLE SOURCE PURCHASE OF ARTWORK FOR IPSWICH ART GALLERY

This is a report seeking a resolution by Council to purchase an artwork for the Ipswich Art Gallery valued at \$28,000.

A Council resolution that the exception under section 235(a) of the *Local Government Regulation 2012* applies to this purchase as there is only one supplier who is reasonably available to supply this artwork being the artist's own commercial art gallery, Neon Parc.

The proposed artwork is *Binary Star* by Australian artist Paul Knight.

RECOMMENDATION

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolves that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of this artwork for the Ipswich Art Gallery.
- A. That Council approve the purchase of the artwork by Australian artist Paul Knight through his commercial art gallery, Neon Parc in accordance with the above exemption for a purchase price of \$28,000 (incl GST).

RECOMMENDATION

Moved by Councillor Jacob Madsen:

That Item 5 titled Procurement – Single Source Purchase of Artwork for Ipswich Art Gallery be referred for consideration at a future Governance and Transparency Committee meeting.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Madsen	Nil
Milligan	
Harding	
Doyle	
Kunzelmann	

The motion was put and carried.

6. REVISED MEETING CONDUCT POLICY

This is a report concerning a revision of the Meeting Conduct Policy as a result of the Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023 of November 2023.

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Deputy Mayor Russell Milligan:

That the revised policy titled 'Meeting Conduct Policy' as detailed in Attachment 5, be adopted.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Madsen	Nil
Milligan	
Harding	
Doyle	
Kunzelmann	

The motion was put and carried.

7. WORKING WITH CHILDREN POLICY

This is a report concerning the four (4) year review of the Working with Children Policy which must be undertaken to ensure that legislative amendments are adopted by Council.

RECOMMENDATION

Moved by Deputy Mayor Russell Milligan:
Seconded by Councillor Kate Kunzelmann:

That the revised Working with Children Policy as detailed in Attachment 3 be adopted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

8. QUARTERLY REPORT TO THE DEPARTMENT OF HOUSING, LOCAL GOVERNMENT, PLANNING AND PUBLIC WORKS

This is a report concerning a request from the former Director-General, Department of State Development, Infrastructure, Local Government and Planning for Council to provide a series of quarterly reports.

This report is for the October to December 2023 quarter and is reflective of the scope requested by the then Director-General in June 2022.

Following a Machinery of Government change the report will now be provided to the Director-General, Department of Housing, Local Government, Planning and Public Works.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Deputy Mayor Russell Milligan:

That Council approve the draft letter to the Director-General, Department Housing, Local Government, Planning and Public Works containing the quarterly report for October to December 2023 as set out in Attachment 1.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

9. CONCESSION FOR GENERAL RATES - 2 JOFFRE STREET, BOOVAL QLD 4304

This is a report concerning a request for a concession for general rates from Ozcare for 2 Joffre Street, BOOVAL QLD 4304.

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

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Kate Kunzelmann:

That having satisfied the criteria in s120 of the of the *Local Government Regulation 2012*, as well as the rates concession policy, the property at 2 Joffre Street, Booval Qld 4304, be granted a 100% concession on the differential general rate from the 24 October 2023, being the date of application.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

10. MONTHLY FINANCIAL PERFORMANCE REPORT - DECEMBER 2023

This is a report concerning Council’s financial performance for the period ending 31 December 2023, submitted in accordance with section 204 of the *Local Government Regulation 2012*.

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Marnie Doyle:

That the report on Council’s financial performance for the period ending 31 December 2023, submitted in accordance with section 204 of the *Local Government Regulation 2012*, be considered and noted by Council.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 10.17 am.

The meeting closed at 10.29 am.
