

FINANCE AND GOVERNANCE COMMITTEE NO. 2024(06)**14 NOVEMBER 2024**

REPORT

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jacob Madsen (Deputy Chairperson), Mayor Teresa Harding, Deputy Chairperson Nicole Jonic, Andrew Antonioli, Jim Madden, Marnie Doyle, Pye Augustine (Observer) and David Martin (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), Acting General Manager Infrastructure Strategy, Delivery Capital (Tony Dileo), Acting General Manager Fleet, Works and Field Services (Darren Scott), Manager People and Culture (Talia Love-Linay), Chief Financial Officer (Jeff Keech), Corporate Governance Manager (Shasha Ingbritsen), Property Services Manager (Alicia Rieck), Senior Property Officer – Acquisitions and Disposals (Bianca Gaudry), Goods and Services Category Manager (Tim Steinhardt), Executive Services Manager (Wade Wilson), Chief of Staff – Office of the Mayor (Melissa Fitzgerald), Senior Communications and Policy Officer (Jodie Richter), Coordinator Communications (Lucy Stone) and Theatre Technician (Trent Gray)

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

Councillor Paul Tully (Chairperson) invited Councillor Andrew Antonioli to deliver the Acknowledgement of Country

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. **CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE NO. 2024(05) OF 15 OCTOBER 2024**

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Deputy Mayor Nicole Jonic:

That the minutes of the Finance and Governance Committee held on 15 October 2024 be confirmed.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. **PROPOSED ACQUISITION OF LAND AND EASEMENT FOR INF04680 - LOWRY LANE AND COLVIN STREET DRAINAGE REHABILITATION**

This is a report concerning the proposed acquisition of part of land at 1 Colvin Street and the proposed acquisition of an easement over land at 6 Colvin Street, North Ipswich. The land acquisition is required to improve visibility for vehicles and pedestrians at the corner of Lowry Lane and Colvin Street and the easement acquisition will facilitate the rehabilitation of part of the local stormwater network, including the rectification of a reoccurring sink hole in the railway corridor.

“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 Jim Madden:

Seconded by Councillor Andrew Antoniolli:

- A. That Council resolve to acquire part of land located at 1 Colvin Street, North Ipswich, more particularly described as part of Lot 3 on RP3174 (Council file reference 6225), for road purpose.
- B. That the method of acquiring part of Lot 3 on RP3174 will be as a purchase by agreement with the affected person/s pursuant to the *Property Law Act 1974*.
- C. That Council resolve to acquire an easement over part of land located at 6 Colvin Street, North Ipswich, more particularly described as part of Lot 254 on SL11757 (Council file reference 6241), for drainage purpose.
- D. That the method of acquiring the easement over part of Lot 254 on SL11757 will be by agreement and pursuant to the *Property Law Act 1974*.
- E. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “contractual action” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

3. PROPOSAL TO ACQUIRE PROPERTY LOCATED AT SOUTH RIPLEY WITH ENVIROPLAN LEVY FUNDS

This is a report concerning the proposed purchase of thirty-two (32) hectares of land at South Ripley using Ipswich Enviroplan Levy funds. The property is in a pivotal position within the Flinders Karawatha Environmental Strategic Corridor between Flinders-Goolman Conservation Estate and White Rock-Spring Mountain Conservation Estate.

“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 Andrew Antonioli:

Seconded by Deputy Mayor Nicole Jonic:

- A. **That Council resolve to acquire the property listed in Confidential Attachment 1 for the purpose of the Ipswich Enviroplan Program.**
- B. **That the method of acquisition shall be as a purchase by agreement with the affected person/s pursuant to the *Property Law Act 1974*.**
- C. **That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.**
- D. **That Council be kept informed as to the progress and outcome of the acquisition.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. BOUNDARY ANOMALIES BETWEEN IPSWICH CITY COUNCIL AND SOMERSET REGIONAL COUNCIL

This is a report concerning the proposed amendment of local government boundaries in relation to two properties located on the boundary of Ipswich City Council (**ICC**) and Somerset Regional Council (**SRC**). SRC are seeking Council’s consent for SRC to make application to seek a determination for a local government boundary change to the individual property that has been identified.

“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 Jim Madden:

Seconded by Deputy Mayor Nicole Jonic:

- A. **That Council resolve to support an application by Somerset Regional Council to the Minister for Housing, Local Government, Planning and Public Works and to**

the Local Government Change Commission to have included 76 Postmans Track, Marburg, more particularly described as Lot 20 on SP344163, in its entirety, in Somerset Regional Council boundary and excluded from Ipswich City Council boundary.

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

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. INCREASED SPENDING ON ARBORICULTURE PANEL ARRANGEMENTS

This is a report concerning the recommendation to approve a shorter extension, variation and increase expenditure for Contracts associated with 14985 Arboriculture Services. This approval is requested to vary the existing contract extension period.

The contracts relating to this extension include the following suppliers:

- Bush Born Enterprises Pty Ltd as the trustee for The Bush Bourne Unit Trust trading as Australian Tree Services
- PowerClear Pty Ltd
- Heritage Tree Services Pty Ltd ATF Rowan Family Trust
- River City Garden & Lawn Pty Ltd
- Savco Vegetation Services Pty Ltd
- Benjamin Young Family Trust t/a Arbor Australis Consulting Pty. Ltd

Approval is sought to vary the contracts of all six (6) 14985 Arboriculture 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 peak demand season.

This extension will result in increased expenditure under these contracts to an estimated combined total \$10.3M excluding GST.

RECOMMENDATION

Moved by Deputy Mayor Nicole Jonic:

Seconded by Councillor Andrew Antonioli:

- A. That Council approve an increase in expenditure for the provision of Arboriculture Services with the suppliers listed below from \$7,510,000.00 to \$10,300,000.00 excluding GST for the contracted period to January 2025. This constitutes an increase of \$2,790,000.00 excluding GST.**
- (i) Contracts 14985 Arboriculture Services**
- Bush Born Enterprises Pty Ltd as the trustee for The Bush Bourne Unit Trust trading as Australian Tree Services
 - PowerClear Pty Ltd
 - Heritage Tree Services Pty Ltd ATF Rowan Family Trust
 - River City Garden & Lawn Pty Ltd
 - Savco Vegetation Services Pty Ltd
 - Benjamin Young Family Trust t/a Arbor Australis Consulting Pty. Ltd
- (ii) 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)**
- (iii) and to amend the estimated purchase price of all contracts from \$7,510,000.00 excluding GST to approximately \$10,300,000.00 excluding GST combined, over the entire term (amended terms per A(ii) 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.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antonioli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

6. CONSISTENCY REVIEW: LOCAL LAWS AND THE NEW PLANNING SCHEME

Council is preparing to implement a new planning scheme (the draft scheme) later this year/early in 2025. As a result of this, a project has been undertaken comparing the draft scheme with Council's current local laws to determine any critical gaps or inconsistencies that could impede regulatory functions once the draft scheme commences.

Out of Council's 14 Local Laws and Subordinate Local Laws only 7 require changes – with 18 key changes identified. In July 2024, Council resolved to commence the formal local law-making process to enable those key changes to the identified local laws to be made in a timely manner and coincide with the commencement of the draft scheme. The local law-making process has now been completed and this report provides outcomes of the public consultation, anti-competitive provisions review and State interest check process with the amending laws now presented for adoption.

If adopted, **commencement of the amended laws does not occur until a notice is published in the Queensland Government Gazette**. This notice will be published to coincide with the commencement of the draft scheme whenever that occurs later this year/early in 2025.

RECOMMENDATION

- A. That it be noted that no submissions were received during the public consultation period, as detailed in Attachment 2 of the report, for the following:
- a) *Local Law (Amending) Local Law No.1 (Administration) 2024*
 - b) *Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024*
 - c) *Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024*
 - d) *Local Law (Amending) Local Law No. 5 (Parking) 2024*
 - e) *Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024*
 - f) *Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024*
 - g) *Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024*
- B. That it be noted that State interest checks were conducted on the proposed amending local laws with feedback received that resulted in one amendment to *Local Law (Amending) Local Law No.5 (Parking) 2024* as set out in Attachment 3 of the report.

- C. That it be noted that minor errors were identified following the public consultation period that do not change the intent within the laws as advertised and do not require further public consultation.
- D. That the proposed amending local laws and subordinate local laws listed in Recommendation A do not contain any significant anti-competitive provisions as detailed in Attachment 1 of the report.
- E. That Council make the following local laws and subordinate local laws as advertised and subject to the amendments shown in tracked changes, as set out in Attachments 4 to 10 of the report:
- a) Local Law (Amending) Local Law No.1 (Administration) 2024*
 - b) Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024*
 - c) Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024*
 - d) Local Law (Amending) Local Law No. 5 (Parking) 2024*
 - e) Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024*
 - f) Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024*
 - g) Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024*
- F. That pursuant to section 32 of the *Local Government Act 2009*, Council adopt consolidated versions of the following local laws and subordinate local laws, as set out in Attachments 11 to 17 of the report:
- a) Local Law No.1 (Administration) 2013*
 - b) Local Law No.3 (Commercial Licensing) 2013*
 - c) Subordinate Local Law No.3.1 (Commercial Licensing) 2013*
 - d) Local Law No. 5 (Parking) 2013*
 - e) Subordinate Local Law 5.1 (Parking) 2013*
 - f) Subordinate Local Law 6.1 (Animal Management) 2013*
 - g) Local Law No. 8 (Nuisances and Community Health and Safety) 2013*
- G. That it be noted that commencement of the laws listed in Recommendation E will not occur until publication of a notice in the Queensland Government Gazette, and that publication of the notice will coincide with the commencement of Council's new planning scheme.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Mayor Teresa Harding:

That the report be referred to the Regulation Advisory Committee for consideration.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

MOVE INTO CLOSED SESSION

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Mayor Teresa Harding:

That in accordance with section 254J(3)(b) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss Item 7 titled CEO Performance Appraisal FY2024.

The meeting moved into closed session at 11.10 am.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

MOVE INTO OPEN SESSION

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antoniolli:

That the meeting move into open session.

The meeting moved into open session at 11.22 am.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. CEO PERFORMANCE APPRAISAL FY2024

This is a report concerning the appraisal of the Chief Executive Officer (CEO) performance for the period 1 July 2023 to 30 June 2024, and the associated remuneration review.

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

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. That the CEO Performance Review Report FY2024 be noted.**
- B. That Council approve the variation to the CEO’s Employment Contract.**
- C. That the Mayor be authorised to execute the Employment Contract Variation Agreement on behalf of Council.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

8. INVESTIGATION POLICY

This is a report concerning required amendments to the Investigation Policy following recent legislative reform. Council is required to adopt an Investigation Policy in accordance with section 150AE(1) of the *Local Government Act 2009*.

RECOMMENDATION

- A. That Council repeal the existing Investigations Policy as detailed in Attachment 1.
- B. That Council adopt the revised Investigation Policy as detailed in Attachment 2.

Councillor Paul Tully proposed a variation to Recommendation B as follows:

That the words “subject to any amendments to be considered at the next Council meeting” be added to the end of Recommendation B.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antonioli:

- A. That Council repeal the existing Investigations Policy as detailed in Attachment 1.**
- ***B. That Council adopt the revised Investigation Policy as detailed in Attachment 2 subject to any amendments to be considered at the next Council meeting.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antonioli

Madden

NEGATIVE

Councillors:

Doyle (Abstain)

The motion was put and carried.

9. MONTHLY FINANCIAL PERFORMANCE REPORT – OCTOBER 2024

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

RECOMMENDATION

Moved by Councillor Jim Madden:

Seconded by Deputy Mayor Nicole Jonic:

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

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

10. QUEENSLAND AUDIT OFFICE 2024 FINAL AUDIT REPORT

This is a report concerning the Queensland Audit Office findings and recommendations from the 2023-2024 external audit of Ipswich City Council.

RECOMMENDATION

Moved by Deputy Mayor Nicole Jonic:

Seconded by Councillor Andrew Antoniolli:

That the 2023-2024 final management report Ipswich City Council, as detailed in Attachment 1, be received and the contents noted.

AFFIRMATIVE

Councillors:

Tully

Madsen

Harding

Jonic

Antoniolli

Madden

Doyle

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

QUESTIONS / GENERAL BUSINESS

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 11.00 am.

The meeting closed at 11.40 am.

***** Refer Council Ordinary Meeting of 28 November 2024 for amendment**